

T H E  
**THIRD TOME**  
 OF AN  
*Exact Chronological Vindication and Historical Demonstration*  
 OF THE  
**Supreme Ecclesiastical Jurisdiction**  
 OF OUR  
*British, Roman, Saxon, Danish, Norman, English* **KINGS:**

More particularly of **KING JOHN, HENRY the THIRD;** but  
 principally of the most illustrious **KING EDWARD the FIRST;** In,  
 and Over all *Matters, Causes, Persons Spiritual,* as well as *Temporal,*  
 within Their **REALMS and DOMINIONS.**

W H E R E I N

The manifold intollerable *Usurpations, Innovations, Abuses, Corruptions, Extortions, Oppressions, Grievances, Designs* of the *Popes, Court, Legates, Agents of ROME,* and our *Popish Prelates, Clergy,* by *illegal, Antimonarchical Canons, Constitutions, Bulls, Impositions, Citations, Procurations, Visitations, Excommunications, Interdicts, Inhibitions, Provisions, First-fruits, Absolutions from Oaths, Exemptions, Dispensations, Contumacious, Disloyal, Traiterous Practices* against the *Sovereign Authority, Crowns, Dignities, Rights, Privileges* of these 3. **KINGS,** their *Lawes, Subjects Franchises, Properties;* With these *Kings, their Parliaments, Nobles, Judges, Officers, Commons* frequent *Complaints, Appeals, Oppositions, Prohibitions, Writs, Suits, Proceedings, Judgements, Acts, Edicts* against them, for their just *Defence and Preservation.* All the principal *Negotiations, Treaties,* concerning *Church,* and some *State affairs* between these *Kings, Popes, Cardinals, Legates, or Foreign Kings, States,* by *Papal mediations.* The *Elections, Successions, Acts, Contentions, Schisms, Exorbitances* of *Popes;* and most of our *English, Irish, Scottish, French Archbishops, Bishops, Abbots and dignified Clergymen* during their reigns, from *Anno Dom. 1199.* till the death of *King Edward the First, 1307.* The *Ancient Sovereign Dominion* of these and other of our *Kings* over the *Realm of Scotland;* the *Homages, Fealties, Oaths, Submissions* of the *Scotts Kings, Prelates, Nobles* to them, with their most *perfidious violations* of them, by *rebellions, wars,* and the sad effects thereof: The restless endeavours of their *Bishops, Clergy, Officials* in their *Synods, Visitations, Courts,* by *Frauds, Impostures, Ecclesiastical Canons, Censures, Vexations,* to engrosse the *Consuance* of most *Causes* belonging only to our *Kings* *temporal Courts,* and the *distribution* of all *Intestates goods,* into their hands, against these *Kings* *Prohibitions,* The *Contests* concerning the *Great Charter, and Deafforestations.* The mistakes in some printed *Statutes, Canonists, Law-books, Histories;* and other *Matters of moment,* are *impartially related, irrefragably evidenced,* by great variety of *Writs, Charters, Patents, Pops Bulls, Epistles,* and other *Records* (here rescued from *oblivion*) not formerly published. Illustrated with *Historical passages,* for the better advancement of *learning,* and maintaining of our *Kings* *Supremacy,* the *Subjects Liberties,* and *Lawes* of the *Realm,* against all *Incroachments.*

By **WILLIAM PRYNNE** Esq; a *Bench*er and *Reader* of *Lincolns Inne,*  
 Keeper of His *MAJESTIES* *Records* in the *Tower* of *London.*

Deutr. 32. 9. *Remember the dayes of old; consider the years of many Generations. Ask thy Father and he will shew thee, thy Elders and they will tell thee.*

L O N D O N :

Printed for the Author by *Tho. Ratcliff* and *Tho. Daniel,* and are to be sold by *Abel Roper* at the *Sun* over against *St. Dunstons Church* in *Fleetstreet;* *Thomas Collins* at the *Middle Temple;* *Josias Robinson* at *Lincolns Inne Gate;* And *Edward Thomas* at the *Adam and Eve* in *Little Britain;* 1 6 6 8.







T H E

# Epistle Dedicatory.

*To the Right Honourable Arthur Earl of Anglesey, one of His Majesties most Honourable Privy Counsil, and Treasurer of His Navy Royal; the Honourable Sir Harbottle Grimston Baronet, Master of the Rolls; Sir Matthew Hale Knight, Chief Baron of the Court of Exchequer; Sir Edward Atkins Knight, one of the Barons of that Court; Sir Wadham Windham Knight, one of His Majesties Justices of the Kings Bench; Sir Richard Rainsford Knight, a Baron of the Court of Exchequer; The Right Worshipfull Sir Robert Atkins, Knight of the Bath, Sollicitor General to the Queens Majesty; and the rest of the Worshipfull Readers of the Honourable Society of LINCOLNS-INNE; his ever-Honoured kind Friends, and Fellow-Readers of that SOCIETY.*



*MY common relation to You all in general, as the eminentest Members of the Famous Society of LINCOLNS-INNE, (a fruitfull Mother for sundry ages, of many able, learned, reverend, renowned Privy Counsellors, State-Officers, Judges, Justices, Barons in all Courts of Law, or Equity, both in England and Ireland, as well as of Eminent Serjeants, Readers, Barresters and Students of the Lawes of England;) and my particular Obligations to each of You as my highly honoured cordial Friends; have engaged me (in point of duty and gratitude)*



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to dedicate to Your Eminencies, this **THIRD TOME**, of *An Exact Chronological Vindication, & Historical Demonstration of the SUPREME ECCLESIASTICAL JURISDICTION of our British, Roman, Saxon, Danish, Norman, English KINGS, In, and Over all Matters, Causes, Persons Spiritual as well as Temporal, throughout their Realms and Dominions*: More particularly, during the Reigns of **KING JOHN**, and **HENRY the THIRD**, (by way of Appendix to my *Second Tome*;) but, principally of our glorious **KING EDWARD the FIRST**, (the chief Subject matter of this *Volume*;) and emboldened me to publish it to the World, under the shelter of Your Venerable Names and Patronage.

And so much the rather was I induced thereunto, because this *Volume* consists for the most part of such Records, Writs, Prohibitions, Bulls, Patents, Epistles, Procurations, Negotiations during their reigns, not formerly published, (illustrated with some few *Historical passages*) as are proper for your respective Consurances, Professions; which, in my humble opinion, will much conduce to assist and enable You in the faithfull discharge of those high, honourable, publike Plaies of Trust or Judicature, to which most of You are already, and the residue of You may hereafter be deservedly advanced, through His Majesties royal Favour, by Your vigilant strenuous Defence of **THE KINGS SUPREME ECCLESIASTICAL AUTHORITY**, and of \* all Jurisdictions, Privileges, Preeminences, Rights, Prerogatives annexed to his **IMPERIAL CROWN**, or Courts of Law; & the maintenance of all just Liberties of the consciences, persons, estates of his loyal Subjects, against the illegal exorbitant disloyal Claims, Innovations, Usurpations, Extortions, Exactions, Impositions, Censures, Practices, Conspiracies or Designs of the Popes, See, Court of Rome, or other Ecclesiastical domestick Prelates, Persons, Courts, or their subordinate Officers, to eclipse, diminish, invade, undermine, or subvert all or any of them in the least degree: by furnishing You with great plenty, variety of notable ancient Presidents, Writs, Prohibitions, Judgements, Edicts, and Legal proceedings of all sorts, even in the height of Popery and Prelacy, to restrain, counterminie their disloyal Usurpations, extravagancies, oppressions, excesses, tending either to the prejudice of the Kings or peoples Rights. All which (if I  
mistake

\* See 1 Eliz.  
cap. 1.

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mistake not) will adde much *light, lustre*, and some considerable *Supplements* to our ancient *Treatises of the Common Law*, the broken Cases in *Fitzherberts Abridgement*, and proceedings in our Courts of *Justice*; yea, to the *History of our Church, State affairs*, the *Treaties, Negotiations* between our *Kings, the Bishops, Cardinals, Legates, Court of Rome*, and *forraign Princes*, during the reigns of the *premised Kings*, contained in sundry of their respective *Epistles, Procurations, Bulls, Appeals, Instructions, Commissions, Patents, and Memorials* (not extant in our printed *Historians*) which I discovered in the *White Tower Chappel*, and elsewhere, in our *over-much neglected Records*; many of which I rescued as well from *putrefaction* as *oblivion*, and here most humbly present to Your most *judicious perusal*.

It was my primitive intention, yea hope, to have compleated and published this *Tome* long since; but the late raging *Pestilence* within the *City and Suburbs of London* (occasioned by the outrageous (a) *Plague of Sinne in our own hearts, lives*) which (b) *swept away with the besom of destruction* more thousands of people than any *Plague* therein in former ages; inforcing me to retire from the *Records* for divers *Moneths*; and the *dreadfull consuming fire* succeeding it, (c) *kindled and enrag'd by the superabounding of all kinds of* (d) *Sodomitical finnes and flames of lust*, therein committed) which within few dayes space turned the greatest part of that *Great, Rich, Famous City* into (e) *desolate heaps of ashes, rubbish*, and consumed my *Printers House*, with all his *Printing-Presses*, yea, most of his *Cases, Letters*, and of the printed *Copies of my First and Second*, with 40. printed *Sheets of this Third Tome*, therein, to my great loss; together with my daily long attendance in several *Sessions of Parliament*, besides other *diversions* since, and my want of convenient *Lodgings* in the *Tower* near the *Records*; so much *obstructed, retarded* my *progreß* therein, and *perusal*, sorting, digesting into order all the *Records and Monuments* in these 3. *Kings reigns* pertinent to my *Theame*, that I could not possibly compleat it sooner; and may justly excuse its long expected *publication*, together with all *defects of ornament, method*, and the *Supplemental Appendixes, or Insertions* in improper places of this *Tome*, of some *Records* casually omitted in their *Chronological series*.

If



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If any of Your Honours, *Worships*, or other curious *Perners* thereof, shall chance to *blame* or *censure* me ( as I fear they will ) as guilty of several *superfluities*, or *redundancies* which might have been well omitted, especially in these particulars :

1. For the *multitude* of *Prohibitions*, *Suits*, *Informations* or *Attachments* on them for things, causes of the self-same *kinde*, or *Nature*.

2ly. For the *superfluity* of *Patents*, *Procurations* of the same to Persons employed to *Rome*, *France*, or in the *Collections* of *Dismes*, and the like.

3ly. For the *Repetitions* of *Licenses* to elect *Archbishops*, *Bishops*, *Abbots* in *England* and *Ireland*, and *Patents* to *confirm*, *consecrate*, *restore* their *Temporalities* when elected, or confirmed by our *Kings*.

(f) Here, p.  
587, to 603.  
662, to 685,  
699, to 722.

4ly. For the *excessive* *multiplicity* of the ( f ) *Names* of *Bishops*, *Abbots*, *Priors*, *Deans*, *Chapters*, *Parsons*, *Prebends*, *Vicars*, *Prebendaries*, *Religious Houses*, *Parishes*, and their respective *Chappels*, put out of *King Edward* the first his protection for refusing to grant him an *Ayde*, without the *Popes* precedent assent thereto, for defence of the *Church* and *Realm*; who afterwards were enforced to make *finer* to, and *compositions* with him; whereupon they procured both general and particular *Protections* from him, at dearer rates then their denied *Ayde* amounted to. And of the ( g ) *Names* of those *Bishops*, *Abbots*, *Priors*, *Earls*, *Barons*, *Knights*, *Clergy-men* and *Laymen* of *Scotland*, who made solemn, reiterated *Oathes*, *Obligations*, *Deeds* under their hands, seals, before *special Commissioners*, of their fidelity, obedience, and allegiance to *King Edward* the 1. and yet soon after most perfidiously violated them, by confederating with the *French*, and rebelling and taking arms against him.

(g) Here, p.  
304, to 329,  
350, 384, 653,  
to 666. 205 1,  
2052.

To the 1. of these I answer : That this store can be no sore, nor *blameworthy* *redundancy* in me, since usual in all our *Year-books*, *Reports*, especially in ( h ) *Abridgements* of the *Law*, ancient or modern ; reporting several *Prohibitions*, *Cases*, *Suits* between different persons, in divers *Terms*, *Years*, *Kings* reigns of the self-same *kinde*, *form*, without any *blame* or *censure*, as I have here done ; on purpose to evidence the successive restless *Usurpations*, *Innovations*, *Encroachments* of *Popes*, *Popish Prelates*, *Ecclesiastical Courts*, *Judges*, *Persons* from year to year, upon these *Kings* *Crowns*, *Rights*, *Prerogatives*,

(h) See *Statham's*, *Fitzherbert's*, *Brooks's*, *Asht's*, *Hughes's*, and *Serjeant's* *Rolls* their *Abridgements*, *Tables*, & *Serjeant Moore's* and *Judge Croker's* *Reports*.

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*rogatives, Courts of Law, and the peoples liberties ; with their own Royal, and their Counsils, Judges care, diligence to restrain, prohibit, punish them ; Which being the principal Subject-matter of this and my former Tomes ; my omission of any of them as superfluous, might justly be censured not only for folly, but treachery in me both to the King, Subjects, and the Cause I plead.*

To the 2. I return the self-same answer, with this addition ; that different *Patents, Procurations, Commissions* to the same or diverse persons, upon the same, like, or different occasions, at divers times, under several or the same Kings, though running in the same or not much different general forms, must necessarily be recited, as well in my Collections as in the Records themselves; else the *Negotiations, Treaties, Things* to which they relate, would become altogether defective, maimed, unintelligible, of little use, and give no satisfaction to any Judicious Readers.

The 3d. will easily be justified by the precedent answers to the two former, with this further reason; that the *vacations, elections, confirmations, successions* of our *English and Irish Archbishops, Bishops, Abbots, Priors*, our Kings Prerogative in, over them from time to time ; the *Clergies irregularities, usurpations, abuses* in them, to the prejudice of our *Kings Crowns, Dignities, Prerogatives*; with their *Royal Reprehensions oppositions, preventions, punishments, or pardons* of them, out of meer grace, not right ; and the *Ecclesiastical History, affairs*, of the *Churches of England and Ireland* could not possibly have been faithfully or fully related, nor well understood, without the frequent recitals of their several successive *Licenses, Elections, Confirmations, Patents of restitution* and the like, essential to my *Historical Demonstration*.

For the 4th. (which seems most liable to exception :) I answer, 1. That the Names of all those *persons, places*, being particularly enrolled, recorded with special care, by King *Edwards* express command, into the *Original Records* themselves, for a lasting monument, evidence to Posterity of his *Sovereign Right, Dominion, Jurisdiction, and Authority* over the *Clergy of England, and the Church, Prelates, Clergy, Nobility, Commonalty, Realm of Scotland*, and of their submission, subjection, Oaths, Covenants and Allegiance made unto him in a most solemn publick manner, upon the premised extraordinary

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traordinary occasions ; I could not deem it a *superfluity*, but my necessary *bounden duty*, upon the same accounts carefully to insert them all at large into their Transcripts ; which I likewise did upon 4. other Considerations : 1. To gratifie our *English* and *Scotish* *Heraulds*, and *others* delighting in *Pedegrees*, who may make good use of these *Names* of the *Prelates*, *Nobility*, *Knights*, *Gentry*, *Clergy* of *England* and *Scotland*, and the places of their *residence*, upon several occasions. 2ly. To evidence what places had *Religious Houses*, *Parish-Churches*, *Chappelries* in that age ; and what rates, compositions they then payd to the King ; which will easily shew to all concerned, what alterations have since been made in any of them. 3ly. To manifest the *general Confederacy* of the *English Prelates*, *Clergy*, in opposing the *Aydes* demanded of them by King Edward, without the *Popes* precedent license : and their general and particular subsequent late repentances for it. 4ly. To evidence the universal detestable *perjury*, *treachery* of the *Scotish Nobility*, *Nation*, but especially of their *Prelates* and *Clergy*, in violating their reiterated solemn *Oathes* and *Obligations* to King Edward, by their *confederacy* with the *French*, and *rebellions*, wars against him, not without the *Popes* clandestine instigation, and abetment.

Having cleared these exceptions, I hope to all ingenuous Readers satisfaction, I must crave leave to inform Your Honours and *Worships*, that since my Compleating of this Volume ( upon other publike accounts, especially that of *Queen-gold* ) I have perused most of the *Great Rolls* and *Records* of King Henry the 1. 2. King John, Henry the 3d. and Edward the 1. ( besides other Kings reigns ) in the *Pipe*, *Kings*, *Lord Treasurers Remembrancers*, and the *Clerk of the Pleas* respective Offices, and other *Treasuries* of *Records* in the *Exchequer Court* at *Westminster*, wherein I found sundry Transcripts of several *Popes Bulls* , relating to the *Impositions*, *Grants* of *Dismes* and *Aydes* on, or by the *Clergy* of *England* or *Ireland* for our *premised Kings* themselves, or pretended relief of the *Holy Land*, or to confirm some *Priviledges*, *Exemptions*, granted by them and our *Kings* to *Religious Orders* or *Monasteries* , recorded or pleaded at large in that Court, the Originals whereof, for the most part, are extant in the *Tower*, or their transcripts enrolled in the *dorsets* of the

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the *Clause*, *Patent*, or other *Rolls*: which having published in this and the preceding *Tomes*, I shall not here repeat. Yet observing in the *Great Rolls* in the *Pipe-Office* in the 29, 30, 32, 33, & 34 years of King Henry the Second, (soon after the murder of that obstinate, perfidious Antimonarchical \* *Arch-Rebel*, as well as *Archbishop* of *Canterbury*, *Thomas Becket*, canonized for a most glorious *Saint* and *Martyr* for his oppositions against the antient *Sovereign Ecclesiastical Rights* and *Prerogatives* of this *Victorious King* over all *Ecclesiastical persons*, *Causés*, within this *Realm*, and other his *Dominions*; which encouraged his successors and other *English Popish Prelates* to usurp a new *Monopoly* of holding *Plea* and determining the right of *Temporal Causés*, *Lay-fees*, *Advowsons*, in their *Ecclesiastical Courts*, as well as of *Spiritual matters*) and discovering several *Fines* imposed by his *Judges* on sundry persons estreated into the *Exchequer*, and processé thereupon issued to levy them, for prosecuting, or holding such *Pleas* in their *Courts*, and *Consistories*, against his *Crown*, *Dignity*, and *Prohibitions*; being the antientest *Records* of this kinde now extant, not formerly taken notice of by any *Lawbooks* or *Historians*; I thought fit here to present Your Honours with them as *Rarities*, rather then to smother or pretermitt them, though not so proper for this *Tome*, which they precede in time.

\* See Tom. 1. p. 602, to 621.

\* In *Rotulo Magno Anno 29 Regis Henrici 2. Rot. 2. dorso. under the Title, De Placitis Curia. Richardus de Basinges redd. Comp. de 1. marc. quia placitavit in Curia Christianitatis de laico feodo. In thesauro liberavit, et quietus est.*

\* In Officio Pipe in Scaccario.

In *Rotulo Magno Anno 30 H. 2. Norhamtonscire*; under the Title, *De Placitis Ranulphi de Glanvil, &c. et sociorum ejus. Adam de Hanvilla redd. Comp. dimid. marc. pro placito de laico feodo in Capitulo.*

*Ibidem. Norff. & Suffolksire. Simon de Medelwolde debet x. marc. quia placitavit in Curia Christianitatis de laico feodo. Sed mortuus est.*

*Ibidem. Ewyrescire*; *De Placitis Curia: Episcopus Dunolmensis debet D. marc.* (a great, yet reasonable fine in that age, because a great rich Bishop, for this grand offence against his Oath and loyalty to his Sovereign) *quia tenuit placitum de Advocacione cuiusdam Ecclesie in Curia Christianitatis*: (For the levying of which fine of 500 marks I find processé issued and reiterated against him in the *Great Rolls* of *Ann. 33 H. 2. rot. 7. & An. 33 H. 2. rot. 7.*

*Ibidem. Wyrecestrescire*; under the Title of *Nova placita per Gilbertum Pipard, &c. et socios suos. Prior de Wirecestre redd. Comp. de x. mar. quia tenuit placitum de laico feodo in Curia Christianitatis.*

In *Rotulo Magno Anno 32 H. 2. rot. 3. dorso. Titulo De placitis Curia;*



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**Curtæ.** Willielmus Scure redd. *Comp. de vs. iv d.* quia placitavit in Capitulo de laico feodo.

In *Rot. Magno Anno 34 H. 2.* (the last Roll in his reign) *Berercscire;* Willielmus Scure debet xvi d. quia placitavit in Capitulo de laico feodo.

*Ibidem Rot. 7. dorso.* Johannis Bud redd. *Comp. de x. marc.* quia traxit placitum ad Christianitatem de laico feodo. *In thesauro liberavit, et quietus est.*

(k) De Con-  
suetudinibus &  
Legibus Ang-  
liz, l. 12. cap.  
21, 22.

By these and other like presidents in this eminent Kings reign, we may discern his own, and his Judges, Officers, Courts of Justice care, vigilancy to restrain and prevent not only by *Writs of Prohibition* (extant in (k) *Glanvil*) but likewise by *Fines* and *pecuniary mulcts*, to punish the then springing, encreasing *Innovations, encroachments* of his ambitious, avaritious, usurping *Bishops*, their *Courts*, and *Officers*, upon his *Royal Crown* and *Temporal Courts*, in prosecuting and holding *Pleas of Lay-tees, Adwomsons*, and other secular matters, whereof they had no legal consufance, against their *Oathes* and *Allegiance* to Him; whereof there are multitudes of like presidents in all our next succeeding Kings reigns in the *Pipe Rolls*, which I pretermit; because the *Prohibitions, Attachments, Suits* for prosecuting such *Pleas* collected in this *Tome*, will abundantly evidence the verity thereof.

(l) Lib. 7. cap.  
36.

Besides, I took notice of this memorable Clause concerning *Intestates goods*, in *Rotulo Magno Anno 18 Regis Henrici 2. Rot. 9. dorso*, under the Title of *Abbatia de Bello* (in *Sussex*) *Petrus de Bello redd. Comp. (to the King) de xxxiii. lib. & xiiii sol. de Catallis Pelokini Ballivi de Abbatia, qui obiit Intestatus. In thesauro liberavit, & quietus est.* Which verifies this assertion of (l) *Ranulphus de Glanvilla*, (Chief Justice under this King) in his *Tractatus de Legibus & Consuetudinibus ANGLIÆ*, compiled by him in that age, for Law; *Cum quis vero Intestatus decesserit, omnia Catalla sua sui Domini esse intelliguntur: si vero plures habuerit Dominos, quilibet eorum Catalla sua recuperabit quæ in feodo suo reperiet, &c.* towards the satisfaction of all *Heriots, Debts* and *Duties* owing to them or others by the *Intestate*; which being fully discharged, the *King* and *Lords* (not the *Bishop, Ordinary*, much less his *Vicar* or *Official*) were to divide the residue of the *Intestates goods* amongst his *Wife* and *Children* if he had any, by the (m) *Lawes of King Knute, Edward the Confessor,*

(m) See here,  
p. 18, 19, 141,  
142, 332.

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fessor, William the Conqueror, and King Henry the 1. his Charter, & *secundum consuetudinem terræ meæ*; as (n) Glanvill, the Writs *de rationabilibus divisis* grounded thereon, and the Statute of Magna Charta, c. 18. intimate, and (o) Bracton, with (p) Fleta expressly affirm, (yet others deny) even in the cases of Lay-men: But in the cases of Bishops, Abbots, and Clergymen, (prohibited to marry by Councils, Canons, and Popes Decretals in that age) if they died intestate, all their goods, chattels, monyes, of right accrued to the King by his prerogative, who thereupon usually seised and converted them to his proper use; whereof we have a memorable president in the case of (q) Geoffry Rydell Bishop of Ely; who dying intestate on the 12. of the Kalends of September Anno 1289. (between the death of King Henry the 2. and 4. dayes before the Coronation of King Richard the 1. his Sonne;) thereupon, *quia Episcopatus intestatus decessit, ejus bona confiscata sunt universa*, to King Richard the first, as (r) Radulphus de Diceto stories; or as (s) Mat. Paris relates, *Eodem tempore Gaufridus Elyensis Episcopus Intestatus decessit, unde de reliquis suis confiscata sunt tria millia marcarum argenti, cum ducentis marcis auri. Superlevis sui numerus tam in auro, quam in argento, tam in equis quam in vestibus preciosis, tam in bladis quam in instauramentis in immensum excrevit.* All which King Richard the 1. converted to his proper use, by his Prerogative Royal in such cases, as Radulfus de Diceto, Matthew Paris, (t) Godwin, and others observe; notwithstanding the Usurper King \* Stephens Charter to the Bishops, and Clergy, whom they perfidiously Crowned against their † Oaths to Queen Maude, (purposely to enlarge their Ecclesiastical Jurisdiction over intestate Ecclesiastical Persons Chattels, and their own goods, chattels, with other particulars) by disinheriting their lawfull Sovereign, for which most of them soundly smarted, their Castles, Treasures being seised, and their persons imprisoned by him, notwithstanding their Rochets, Canons, and his own new Charter to them.

Upon this occasion, and our Bishops, Canonists former and late claims of an ancient unquestionable legal right, Jurisdiction vested in them, to distribute all Laymens goods, chattels, dying intestate, to pious or other uses for the salvation of their souls; I thought fit to take special (u) Notice in this Tome, what new clauses our seditious trayterous Archbishop Stephen Langton

(n) Lib. 12. cap. 20.

(o) Lib. 3. cap. 26.

(p) Lib. 2. c. 57.

(q) Mat. West. Flores Hist. An. 1189. p. 62. Mat. Paris. p. 147.

(r) Historiæ Anglicanæ Scriptores, col. 647.

(s) Historiæ Angliæ, p. 147.

(t) Catalogue of Bishops, p. 262.

\* Here, p. 18. & Tom. 1. p. 491, 422.

† See Tom. 1. p. 489, to 491. 501, to 508, &c.

(u) Tom. 2. p. 356. Here, p. 18, 19, 20.



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and his *Confederates* cunningly thrust into King *Johns* Great Charter of Liberties, not extant in King *Henry* the firsts Charter, which they at first pretended he should only ratifie. Which enlarged Charter, as it was within 2. years after quite nulled, by the *Pope* at King *Johns* request, and so gave the *Bishops* no legal power at all over *intestate Freemens* goods; so at the reviving thereof by King *Henry* the 3d. in the 9th year of his reign, the Clause concerning the distribution of the *Intestates* Goods, by his kinred, parents, or friends, *PER VISUM ECCLESIAE*; (from whence *Bracton* and *Fleta* inferred, *ad ECCLESIAM & ad amicos pertinebit executio bonorum*) thrust in by the *Bishops*, who interpreted the Church to be only the *Bishop*, was quite expunged out of his Great Charter, and all others, since confirmed by near 50. *Parliaments*. Whereupon the *Bishops*, to support their new encroached Jurisdiction over *Intestates* goods and chattels by colour of this expunged Clause, which King *Henry* and his *Counsil* strenuously opposed, and would never assent to, after many reiterated supplications, set on foot a meer imaginary Ordinance, which they reported to be made by the *Prelates*, with the consent of the King and his *Barons*, and inserted into *Ottobons Constitutions* Anno 52 H. 3. and after that into *John Stratfords*, Anno 1342. but when, where, or by what *Prelates*, King and *Barons* that Ordinance was made, they neither then expressed, nor positively affirmed, nor can yet resolve. Yet by colour of this Ordinance, (y) *Archbishop Boniface* with his *Suffragans* made sundry *Antimonarchical Constitutions* in the Council of *Lambeth* Anno 1257. (41 H. 3. most contemptuously called and held by them against the Kings expresse *Writs* of *Prohibition* issued to them,) and among others, denounced a solemn Excommunication against all those *Lords* (not excepting the King & his Officers) who should hinder Ordinaries distributions of *Laymens* goods to pious uses, as violaters of the Churches Liberties; Which Constitutions were no sooner known, but they were publicly appealed, complained against by the King in his own and the Kingdomes name and behalf, to two several *Popes*, as most illegally made, to the prejudice and grievance of his Crown, Royal Dignity, and against the Liberties and Customes of his Realm of England: for which and other contempts, this *Archbishop* was enforced to flye the

\* Lib. 2. c. 26.  
& lib. 2. c. 57.

(x) Tom. 2. p.  
356. Here, p.  
28, 29, 30.

\* See here, p.  
28, 29, 30.

(y) See Tom.  
2. p. 890, 891,  
899, 909, 910.  
Here, p. 20, 21.  
Pat. 45 H. 3.  
pars 1. m. 8.  
Pat. 46 H. 3.  
m. 17, 19. Jo-  
han de Aton  
Constit. Legi-  
tima, f. 138.  
Gul. Linde-  
wode Provin-  
ciale, l. 3. f.  
199. & l. 5.  
f. 224, to 227.  
Spelmani  
Concil. Tom.  
2. p. 313, 385,  
386.



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the Realm, to avoyd the Kings, Nobles, peoples displeasures, and dyed in exile; whereupon his *Constitutions* were totally rejected as *Nullities*, and never put in execution for 85. years space. But then his successor *John Stratford* Archbishop of *Canterbury* ( as ungratefull perfidious a Traytor to King *Edward* the 3. as *Boniface* was to King *Henry* the 3d. ) in a *Convocation* of the *Clergy* held at *London* Anno 1342. in high contempt of the *Kings* *Sovereign Authority*, ( from which he \* alleged he was totally exempted, unaccountable to, and not to be judged by him for any crimes objected against him ) revived and enlarged the exploded *Constitutions* of *Boniface*, with sundry Additional Articles and new Clauses of Excommunications, by his own usurped Pontifical power, to the manifest derogation of the Rights and Prerogatives of the *Kings* *Crown* and *Dignity*, which he thereby endeavoured to wrest from him: And then like an absolute Legislator and *Pope* of our other *World*, commanded them to be published and inviolably observed throughout his Province in future times, in this imperious stile; (x) *Hujus autem Concilii Constitutiones, & provisiva remedia precipimus in nostra Cantuariensi provincia, futuris temporibus inviolabiliter observari. Mandantes Coepiscopis et Suffraganeis universis, ut ipsas Constitutiones per se et alios, ut jus exigit, publicent et faciant publicari, ac in publicam notitiam deduci; together with the old General Sentence of Excommunication, having sundry new Clauses of his own added thereunto: Hereupon King Edw. the 3. by two severall Royal Writs, or Letters (made with advise of his Counsil, and ordered to be published at Canterbury and other places to all his Subjects, ) strictly prohibited the publication or execution of these Excommunications or Constitutions; therein at large relating this Archbishops ingratitude, treachery, insolency, affronts, slanders of him, his Counsil, and Officers, and rendered this Character of him, them, and his designs in publishing them. (a) *Idem Archiepiscopus quam regalis benignitas beneficiis & honoribus magnificis ampliavit, &c. subito in virum onerosum & gravem crudeliter est conversus, & beneficiis acceptis ingratus, fremens arrogantia benefactorem persequitur, & illam nobis retributionem impendit, quem vulgariter proverbium dicit; Mus in pera; Serpens in gremio; Ignis in sinu; suis consueverant hospitibus exhibere, &c. Opem tamen nostram & innocentiam,**

\* Antiq. Eccles. Brit. p. 245.

(x) Provincialis Gul. Lindwode lib. 1. de Consuetudine f. 13. 14. who makes a large glosse thereon; Jodocus Badius Confit. Provinciales. f. 137. b. Spelmani Concil. Tom. 2. p. 591.

(a) Stephanus Byrington, & Archbp Parker out of him, Antiquitates Ecclesie Britannicæ, p. 241, 242, 244. See Tho. Walsingham, Histor. Angliæ, p. 236, to 231. Daniels History, p. 228, to 230.

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innocentiam, & Consiliarium & Officialium nostrorum regalem persequentium fidelitatem & diligentiam convitiis lacerat publice predicando, &c. Et callidis inventionibus et reprobis consiliis, quasdam Excommunicationis sententias in Libertatis Ecclesiasticæ et Magnæ Chartæ violatores in genere dudum latas, ad augillandum opinionem Regiam, et præfatos Ministros Regios defamandos, et seditionem in populo nobis commisso PRODITORIE suscitandum, et devotionem Comitum, Procerum et Magnatum regni nostri Majestati Regiæ subtrahendum; specificatis nonnullis Articulis, propter et contra solitum modum IN CONCILIO PROVINCIALI TRADITUM, mandavit per suas litteras publicari. (b) Quinimo cum ipse et alii Prælati Regni, qui de nobis Ecclesiarum suarum temporalia recipiunt, ex debito fidelitatis juratæ, fidem, honorem, et reverentiam deberent exhibere; ipse solus pro fide perfidiam, pro honore contumeliam, et contemptum pro reverentia reddere non veretur; Unde etsi parati sumus et semper fuerimus Patres spirituales ut convenit revereri, EORUM TAMEN OFFENSAS, QUAS IN NOSTRI ET REGNI NOSTRI PERICULUM REDUNDARE CONSPICIMUS, NON DEBEMUS CONNIVENTIBUS OCULIS PRÆTERIRE, &c. Et quia de conservatione Jurium et Prærogativarum nostrarum Regalium, quæ Progenitorum nostrorum Regum Angliæ digne recolenda pietas magnifice defensabit, sumus ut debemus summe solliciti; ac idem Archiepiscopus ad concitandum contra Nos Clerum et populum, et ad impediendum expeditionem guerræ nostræ quam per ejus consilium principaliter assumpimus, quasdam denunciations et publicationes sententiarum excommunicationum ac monitiones injurias, AC JURI CORONÆ ET REGIÆ DIGNITATIS NOSTRÆ PRÆJUDICIALES, CUM PER EAS NITITUR IN MULTIS ARTICULIS A NOBIS AUFERRE JURISDICTIONEM NOBIS NOTORIE COMPETENTEM, CUJUS CUM SUMUS REX INVICTUS (misprinted for INUNCTUS, as I conceive) CAPACES ESSE DINOSCIMUR; ET QUÆ NOS ET PROGENITORES NOSTRI, scientibus et tolerantibus Summis Pontificibus, Prælatibus et Clero regni nostri USI SUMUS PACIFICE AB ANTIQVO, fecit, et per alios fieri et publicari mandavit, IN MAJESTATIS NOSTRÆ LÆSIONEM, ET JURIVM ET PRÆROGATIVARVM

(b) Ibidem,  
p. 254, 255.



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GATIVARUM NOSTRARUM REGALIIUM DEROGATIONEM MANIFESTAM; Vobis discrete et sub incumbenti periculo PROHIBEMUS, ne publicationes, denunciations, seu monitiones hujusmodi indebitas, ET JURIBUS AC PRÆROGATIVIS NOSTRIS REGIIS DEROGATORIAS ET PRÆJUDICIALES, vel alia per quæ fideles nostri contra nos suscitari, vel expeditionem guerræ nostræ in subversionem nostri et fidelium nostrorum possint, quod absit atqualiter impediri, AD MANDATUM IPSIUS ARCHIEPISCOPI vel alterius cujuscunque, quomodolibet per vos vel alios faciatis, vel quantum in vobis est ab aliis fieri permittatis. Et si quid per vos in hac parte attemptatum fuerit Celeriter REVOCETIS. T. meipso apud Turrim London 31 die Martii, Anno, &c.

Hereupon those *Antimonarchical Excommunications and Constitutions* of Archbishop Boniface revived by him, together with his own, thus publicely censured, revoked by the King and his Counsil, were totally neglected, and not put in execution by our succeeding Archbishops, Bishops, or Ecclesiastical Judges for 80. years space or more, as *William Lindewode* himself thus acknowledgeth in his Preface to *Henry Chichely* Archbishop of *Canterbury*, præfixed to his *\*Provinciale*; Consideratæ equidem, quod quamquam Constitutiones ipse ex interioribus medullis Scripturarum, & sacrorum Canonum, indubitatisque tam Theologorum, quam Juris Canonici et Civilis autenticorum Doctorum sententiis ad utilitatem *Provinciæ Cantuar.* subditorum extractæ: A compluribus (tamen) dictæ *Provinciæ* tam Patribus aliisque Prelatis et Judicibus, quam ipsorum subditis neglectæ quodammodo habeantur, adeo quod temporibus his perpauci sunt qui ipsorum observationi, ut ratio exigit, invigilent. Whereupon this great Doctor of the *Canon and Civil Law*, (being then Official to the Archbishop of *Canterbury*, to bring these neglected *Canons* into credit, use, to enlarge the Jurisdiction of our Ecclesiastical Courts and Prelates) in the year 1423. at *Bois St. Vincents* in *France*, collected these two, and our other Archbishops *Provincial Constitutions* into one Body (as (c) himself thus relates) refecatis superfluis & quibusdam ex eis abbreviatis correcte in unum Opus collegi, & sub congruentibus Titulis ad instar libri *Decretalium* seriofius collocavi.

Anno

\* Antwerp  
1525.

(c) In eadem  
Præfatione.



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Anno tunc sequenti eadem Statuta glossare proposui; which having accordingly glossed and accomplished about the 3d year of King Henry the 6. he dedicated his *Provinciale* to this Archbishop, *tanquam veræ juris lucernam in Ecclesia Anglicana radiantem*: which was afterwards printed *Antwerpia, summa cura & diligentia* Christopheri Endovien. Anno salutis nostræ 1525. 20 die Decembris; *Venales habentur* London, in *Cimiterio Sancti Pauli, apud Franciscum Bryckman*: By this his *Provinciale* and large Glosses on these *Constitutions* they began by degrees to be put in practise by our Bishops and Canonists, as binding Ecclesiastical Lawes and Canons, to which all Clergymen and Laymen must submit, enforcing obedience to them by their *Ecclesiastical Courts* and *Censures*. To further which design thus begun by *Lindewode*, and reinforce these exploded Antimonarchical Constitutions, *Jodocus Badius Ascensius*, and *Johannes Chappuys* (two great Doctors of the Canon and Civil Law) An. 1504, collected, corrected, abridged, and printed the *Legatine Constitutions* of *Otho & Othobon* the Popes Legates, made in England in two Councils held under them at London in the reign of King Henry the 3d, An. 1236. & 1248. with *Johannes de Athon* or *Aston* his Glosse upon them (a Doctor of the Civil and Canon Law flourishing in the reign of King Edward the 1. as \* *Johannes Baleus* conjectures, though perchance of punier times) together with the *Constitutiones Provinciales* of sundry other Archbishops of Canterbury, (d) printed there together: *Solertissima accuratione atque Arte Magistri Wolfgangi Hopilii, impensis ejusdem, & probissimi Bibliopole Joannis Confluentini, in inclita Parisiorum Academia. Ad laudem & gloriam Optimi Maximi Domini nostri Jesu Christi, ejusque pientissimæ Matris, (ranged in equipage with him) & totius cœlestis Curie, necnon AD CONSERVATIONEM LIBERTATIS ECCLESIAE ANGLICANÆ, et ad salutem atque eruditionem totius Cleri, omniumque Christi fidelium illustissimi Anglorum regni, Anno Domini 1504. ad Idus Septembris, (full 21. years before Lindewodes Provinciale was printed, and not long after Printing was first invented) dedicating them to William Warham, then Archbishop of Canterbury, ut Archiepiscoporum Cantuariensium statuta, ad excellentissimum Archipræsulem redirent. Which illegal, oppugned, Antimonarchical, exploded, nulled Constitutions of*  
Archbishop

\* Scriptorum  
Brit. Centur.  
4. cap. 66.  
(d) ibidem, f.  
155. b

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Archbishop Boniface and John Stratford, with those of the Council of Reading under John Peckham Archbishop of Canterbury, Anno 7 E. 1. (for which he was convented before the King and Parliament, and inforced to make a publike (e) revocation of several Clauses and provisions contained in his General Sentence of Excommunication therein made, as derogatory and prejudicial to the Kings Crown, Dignity, and Prerogative) being the Principal parts of *Lyndwodes Provinciale*, and our *Canon Lawes* introduced by him, began to be cryed up and put in execution by the Bishops and their Ecclesiastical Officers, to the great prejudice and dishonor of the King, and oppression of his Subjects; For effectual redress wherof, King Henry the 8. and his Parliament in the 25 year of his reign, upon complaint, That divers Constitutions, Ordinances, and Canons Provincial or Synodal had heretofore bene enacted, thought not only to be much prejudicial to the Kings Prerogative Royal, and repugnant to the Lawes and Statutes of this Realm, but overmuch onerous to his Subjects; which the Clergie of England therein not only acknowledged to be true, but also most humbly besought his Highnesse, that the said Canons and Constitutions might be committed to the examination and judgement of his Highnesse, and of xxxii. persons of the Kings Subjects, to be chosen and appointed by the *KINGS MAJESTY*; whereof xvi. to be of the Upper and Nether House of Parliament of the *TEMPORALTY*, and other xvi. to be of the *CLERGY* of this Realm. And all the said xxxii. persons to be chosen and appointed by the *KINGS MAJESTY*. And that such of the said Constitutions and Canons as the Kings Highnesse, and the said xxxii. or the more part of them, shall deem and adjudge worthy to be continued, kept, and obeyed, shall be from thenceforth kept, obeyed, and executed within this Realm; so that the Kings most Royal assent, under his Great Seal, be first had to the same. And the residue of the said Canons, Constitutions, and Ordinances Provincial, which the Kings Highnesse, and the said xxxii. persons, or the more part of them, shall not approve, or deem, and judge worthy to be abolite, abrogate, and made frustrate, shall be abolite, void, and of none effect; (as in truth they were from their beginning, being made not only without, but against the Kings Royal assent and authority, and not ratified by our Parliaments) and never be put in execution within this

b

Realm:

(e) See Here;  
P. 230, 235.  
236. Claus.  
7 E. 1. 1. doc.  
so. Revocatio-  
nes Provisio-  
num Concilii  
Reading.



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Realm. It was thereupon accordingly declared and enacted by the successive Statutes of 25 H.8. c. 19. 27 H.8. c. 17. 31 H. 8. c. 16. 37 H. 8. c. 17. & 3, & 4 Edw. 6. c. 11. Which also provided and enacted, that these Acts shall not extend, or be interpreted, to give any authority to the said two and thirty persons, or to the more number of them, or to the Kings Highness, for to compile, stablish, or set forth any Ecclesiastical Law, repugnant or contrary to any Common Law, or Statute of this Realm, or the Kings Prerogative. Yet notwithstanding, these their Canons and Constitutions, though thus contemptuously made, published, complained against, yea censured, exploded by our Kings, and Parliaments from time to time, with Lynde-wodes and Atons Glosses on them, are still obtruded on us, and magnified, justified, asserted, executed by our Bishops, Clergy, their Ecclesiastical Courts, Officers, and Doctors of the Canon Law, as the legitimate, irrefragable Ecclesiastical Lawes both of the Church, King and Kingdom of England, not only to justify their distributions of Intestates goods, against the expresse Practise of our (f) Saviour Jesus Christ, and St. Pauls Doctrine, if we believe (g) St. Bernard, (of which goods they were such ill Stewards and dispensers from the very beginning, that not only (h) Bracton and (i) Fleta write, but (k) Archbishop Stratford himself acknowledgeth in his Constitutions, that they unduly usurping them in the name of the Church, yet NULLAM VEL SALTEM INDEBITAM facientes distributionem, converted them to their own uses, to the defrauding of their Creditors, Wives, Children, kinred; and I fear they have not been much better Stewards since;) But likewise to countenance their holding all their Ecclesiastical Courts, Visitations, and issuing out all their Citations, Processe, Probate of Wills, Letters of Administrations, Censures, in & under their own Names, Rights, Stiles, Seals, as in times of the Popes Usurpations, not the Kings, (whose (1) Image, superscription, stile they ought to bear, as well as his Coyn, Common Law Courts & Process, or else they are none of his) and to warrant all the extravagant vexations Excommunications, Visitation Oathes, Articles, Proceedings, Extortions, lately revived since His Majesties most happy Restauration, and the Statute of 13 Caroli II. chap. 12. to the derogation of His Majesties Sovereign Ecclesiastical Authority, and great grievance, oppression, vexation of his loyal Subjects; For redresse

(f) Lu. 12. 13.  
14. 1 Tim. 2.  
4.

(g) De Consideratione ad Eugenium Papam, l. 1. See here, p. 138, 139.

(h) Lib. 2. c. 26.

(i) Lib. 2. c. 37.

k Spelmanni Concil. Tom. 2. p. 586.

\* See Sir John Bennets Impeachment & Censure in Parliament, Anno 1621.

(1) See 1 Ed. 6. c. 2. 1 Eliz. c. 1. 37 H. 8. c. 17. Mar. 22. 20, 21.



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dressè whereof I thought it necessary to inform both our *Prelates, Canonists*, but especially the Professors of the *Common Law*, how these Canons, Constitutions were originally made, opposed, exploded, yet since by degrees revived, and put in execution, notwithstanding our Kings, Nobles, Parliaments Appeals, Oppositions, Complaints, and Acts against them, wherewith few of them are acquainted.

And here I cannot but observe, That Sir *Edward Cooke*, as he hath in his (2) *Commentary upon Articuli Cleri*, taken special Notice of Archbishop *Boniface* and his *Suffragans* forementioned *Constitutions*, as made directly against the *Laws and Statutes of the Realm*, and the Kings Royal Crown, Dignity, which occasioned much difference between the *Common and Ecclesiastical Law*, *Judges, Courts*: So he likewise addes, That this Archbishop and his Clergy in a Parliament holden in the 51. year of H. 3. (which was their ultimum refugium, yet the right way) exhibited many Articles as grievances, called *Articuli Cleri*; which either by accident or industry are not to be found, yet some of their answers are extant; which he there recites, *Ex fragmento Rotuli Parliamenti Anno 51 H. 3.* as his Margin affirms, without any directions where to finde it. But under his correction, I conceive he is much mistaken therein. For first, The Articles of Archbishop *Boniface* and his Clergy, were drawn and exhibited by them to King *Henry* the 3. and his Counsil, not Anno 51. but 41. of his reign, when these his Constitutions were made in pursuance of them, against the Kings Prohibitions. 2ly. These Articles are mentioned by (3) *Matthew Paris* in his *History*, and since printed in his (4) *Additamenta*; and in my (5) *Second Tome*, being 50. in number. 3ly. King *Henry* the 3d and his Counsil refused to give any answer at all to them, or any of them, upon their reiterated requests, but absolutely rejected them, as the Archbishop and Clergy premise in their (6) *Proeme* to their *Ecclesiastical Constitutions* then made; neither doth *Mat. Paris* make mention of any answers to them, as no doubt he would have done, had there been any given. 4ly. There is no such *Fragment* of any Parliament or other Roll An. 51 H. 3. now extant in the *Tower* or elsewhere that I can find, nor any Parliament held that year, but two in Ann. 52 & 53 H. 3. wherein the Statutes of *Marlebridge*, and *Dictum de Kenilworth* were made. 5ly. Not

(2) *Institutes*  
p. 599, 600,  
601.

(3) Page 920,  
921, 922.  
(4) Page 199,  
to 204.  
(5) Page 891,  
to 898.

(6) See *Tome*  
2. p. 899, 100.  
& *Hert.* p. 20.

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one of our *Historians* or *Antiquaries* make mention of any such *Articles* of the *Clergy* in An. 51 H. 3. 6ly. The Answers he prints are unsutable to those *Articles* in *Matth. Paris* Anno 41. both in their number, and matter, as all may clearly discern by comparing them. 7ly. *Othobons Constitutions* (made in a Council at London An. 52, or 53 H. 3. not 42. as \* Sir Henry Spelmans Edition, and John de Atons too mistake, as (7) Matthew Paris, (8) Matthew Westminster, (9) Matthew Parker, and others, with the *Clause* and *Patent Rolls* of 49 & 50 H. 3. assure us, he arriving not, nor acting as a Legate till then within this Realm) make no mention of them. Upon all which considerations, I cannot but repute these answers he hath printed to be *Apocryphal*.

But his most unpardonable Oversight and Mistake, is this; That in his very *Proeme* to his Second Institutes on *Magna Charta*, he asserts, that the Writ of Proclamation issued by King Henry the 3d. 11 Decembris in the 19th year of his reign to the Mayor and Sheriffs of London, to prohibit all Schooles and Lectures of the Canon Lawes and Popes Decretals, (as King Stephen had done before him) then newly polished, abridged by Raymundus, at Pope Gregory the 9th. his request; qui eas soleniter et autentice per totius mundi latitudinem LEGI PRÆCEPIT & DIVULGARI, et ad multorum perniciem publicavit; as (10) Matthew Paris, (11) Platina, (12) Balens, and (13) others relate; Ceterumque Jus Civile legi Lutetiae, et aliis in locis vicinis: as (14) Gilbertus Genebrardus a Parisian Divine observes, by these new Decretals, to which all other Lawes must give place, that they alone might rule the World; whereupon King Henry issued this Writ to prohibit them to be read upon, published, or put in execution; as being most derogatory to his Royal Prerogative, Lawes, Courts, and Subjects liberties, to be meant and intended only, of Schooles of the Common Law, and Readings upon the two Great Charters of Liberties and the Forest, which he had formerly ratified, and sworn to observe. Which grand misprision of his as I have (15) here refuted at large, by pregnant evidences; so the very season wherein it was issued, soon after his removal of his ill Great Officers, Counsellors, Chief Justicer, and putting honest, faithfull ones in their places, upon his coming to himself, sight of his former miscarriages, and reconciliation to his faithfull

\* Spelman.  
Concil. p. 263.  
(7) Mat. Paris  
his Continua-  
tor, p. 973.  
(8) Mat. West.  
An. 1268. p. 388. Holin-  
shed, & others.  
(9) Antiquita-  
tes Eccles. Brit.  
p. 190.

(10) Histo-  
Angliae, 6403.  
(11) In Vita  
Gregor. 9.  
(12) De Ro-  
manorum  
Pontificum  
Actis, p. 302.  
(13) Crespin,  
Bucholcerus,  
& Fasciculus  
Temporum,  
An. 1230.  
(14) Chrono-  
graph. l. 4. p.  
641. & Marc.  
de Vulson, De  
la Puissance du  
Pape, l. 1. c. 18.  
p. 56. as Hono-  
rius the 3d. did  
before him.  
(15) Page 86,  
87, 88.



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full native *Lords* and *Subjects*, formerly rejected, persecuted by him; with his *confirmation* of these *Charters* under his *Great Seal* in the *Parliament* of *Merton* within few moneths after, as *himself* observes, and the excellent *Laws* therein made by him *for the common benefit of his Subjects, Nobles, Realm*; attested by (16) *Matthew Paris*, (17) *Matthew Westminster*, other (18) *Historians*, and by the *Clause* and *Patent Rolls* of the 18, 19, & 20th. years of his reign, will so irrefragably refute it, that I hope no *Common Lawyers* will from henceforth be seduced to believe it upon his *Ipse scripsit*, nor any *Canonists* or *Civilians* reap advantage by this his egregious *Error*; nor yet by his asserting *Circumspēcte agatis* ( a meer contrivance of the *Bishops* to enlarge their *Jurisdictions* ) to be a *Statute* made, or *Writ enacted* in the *Parliament* of 13 E. 1. which I have (19) *here* likewise evidenced to be an apparent *untruth*.

How farre *Popes, Bishops*, and their *Canon Law Doctors* have by their own *Canons, Constitutions*, and *Glosses* on them enlarged their *Jurisdiction* even to the nulling, altering of the *Testaments* and *Legacies* of deceased *Persons* to pious uses, contrary to their expresse wills, those who please may read at leisure in the large folio Volume of *Augustinus Barbosa*, a grand Doctor of the *Canon Law*, & *Episcopus Eugentinus*, *De Officio et Potestate Episcoporum*, (dedicated to the *Virgin Mary*) licensed, printed at *Rome*, and newly reprinted *Lugduni* 1665. Pars 3. Alleg. 80 & 81. & Alleg. 50. nu. 41. & *Johannes Bertachinus de Episcopis*, lib. 4. Quæst. 4. with sundry other *Canonists* quoted by them.

In what particulars they have advanced Themselves, their *Pontifical Mitres, Lawes*, above the *Imperial Crowns* of all *Christian Emperors, Kings*, and their *municipal Lawes*, I have (m) *elsewhere* evidenced, and shall here demonstrate only in four other *Instances* worthy special observation.

First, they advance not only every *Pope*, but *Bishop*, farre above all *Christian Emperors* and *Kings* in the manner of their *Unctions* and *Consecrations*: For whereas the *Kings of Israel*, when anointed to be *Kings*, had a *Viol of Oyl*, by *Gods* appointment, *powred out upon their* (n) *HEADS*, as it was upon the (o) *High Priests Head*, and were *annoynted with the same Oyle* that the *High Priests* were, as (p) *most* affirm; to evidence to all, that they were thereby made the (q) *chief*

HEADS

(16) *Histor. Angliæ*, 390.  
391.  
(17) *Flores Histor.* p. 140.  
(18) *Holinshed, Speed, Daniel, Mr. Dugdale his Chronica Scoticæ*, p. 10.

(19) *Page*  
336, to 342.  
1270, 1271, 1272.

(m) *Tom. 2. Epistle Dedicatory, & Tom. 2. p. 5, to 10.*  
(n) 1 Sam. 10.  
1. 2. Kings. 9.  
6. Psal. 13. 5.  
& 1 Chron. 1. 39. 45.  
2 Kings 11.  
12. Mar. 26.  
7. Mar. 14. 3.  
(o) *Exod. 29. 7. c. 30. 30. c. 40. 15. 17. 15. 16. 17. Pf. 133. 2.*  
(p) See *Mr. Seldens Titles of Honor*, part 1. c. 8. sect. 1. p. 144, 152.  
(q) 1 Sam. 15. 17. Judg. 11. 8. 11. 2 Chron. 9. 8. *Ordo Romanus, Bibl. Patrum, Tom. 8. p. 466. 467.*



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(r) Mr. Seldens Titles of Honor, part 1. ch. 8. sect. 1. p. 147. Landolphus Sagax Mistor. l. 23.

(f) Seldens ib. p. 144, 151, 152, 153, 155, 156.

(t) See the second Part of My Signal Loyalty & Devotion of pious Christians towards their Kings, p. 158, 207, 227, 243, 252, 279, 281, 282.

(u) Mar. Paris Hist. Angl. p. 101.

(x) Summaz, l. 1. De sacra unctione, sect. 8. f. 61. b.

(y) De Officio & Potestate Episcopi, pars 2. Alleg. 31. p. 364. nu. 8.

(z) See Tom. 2. p. 259, 260, 264, to 293, 539.

HEADS of all Gods people committed to their government, and Gods own VICARS upon Earth, sitting upon HIS THRONE, to be KINGS for the Lord their God: Which practise of anoynting the Heads of Christian Emperors & Kings at their Coronations, was anciently used both in the Eastern and Western Empires; (r) Pope Leo the 3d. himself anoynting Charles the Great with Oyle from HEAD to foot after the custom of the Jewes, and likewise in the Coronation of our British and Saxon Kings before the Conquest, as this Prayer used at their Coronations in the ancient Cereemoniale made in the Saxons time assure us; (f) *Christe perunge tuum REGES in regimen, &c. Tua sacratissima unctio super CAPUT ejus defluat, atque ad interiora descendat, atque cordis illius intima penetrat, &c. In Nomine Patris, & Filii, & Spiritus Sancti, prosit tibi hæc unctio Olei in Honorem et Consecrationem æternam in secula seculorum, Amen.* Which Custome hath continued ever since; all our Kings at their inaugurations (notwithstanding Popes Constitutions and Cereemonials to the contrary, to which they would not submit) having their HEADS anoynted; as our Histories relate, and all the (t) Cereemonials of their Coronations thus expressly injoyn in the Rubricks, UNGATUR CAPIT: with Oyl and Crisme, as well as on his hands, breast, back, shoulders; and then using this Prayer. *Deus Dei Filius Jesu Christe Dominus noster, qui a Patre Oleo exultationis unctus est præ particibus suis, ipse per præsentem sacri unguinis infusionem Spiritus Paracliti, SUPER CAPUT TUUM infundat benedictionem, eandemque usque ad interiora cordis tui penetrare faciat, &c.* Which even our Antimonarchical Arch-Traytor Thomas Becket thus acknowledged in his Epistle to King Henry the 2. An. 1166. (u) *Inunguntur REGES IN CAPIT, etiam Pectore et Brachiis, quod significat gloriam, sanitatem, et fortitudinem:* And (x) Cardinal Hostiensis also not long after in these termes; *Sed et Consuetudo antiqua circa hoc observatur; nam supradictorum REGUM FRANCIE & ANGLIE CAPITA INUNGUNTUR:* And although (y) Augustinus Barbosa affirms; *Sicut Christus, id est Unctus, appellatur Dominus noster Jesus; ita REGES inunguntur, consecrantur, & coronantur, ut intelligant se A CHRISTO UNCTO* (not from the Pope) *potestatem habere, et in eo regnare.* Yet notwithstanding, (z) Pope Innocent the 3d. (who deprived

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prived King *John* of his Crown, to wrest a surrender of it to himself; and excommunicated, deposed the Emperor *Otho* by Treason, Rebellion, then set up, crowned *Frederick* the 2. in his stead :) not only to perpetuate the *antichristian* absolute Sovereignty of himself and his successors over all *Christian Emperors and Kings*, as the only Heads of the Universal Church, but also to deprive them of their *Headship*, *Sovereignty* over the Churches, Prelates within their own Dominions, & advance every of their Bishops paramount them; translated their Unctions from the *Head* to the *Arm* or *Shoulders*, and that only with *Oyle*, not *Crisme*, upon this account,

(a) *That after such time as our Savior was anointed with the oyl of gladness above his fellows,* *qui secundum Apostolum est* CAPUT ECCLESIAE, (therefore not the Pope) *Principis unctio a* CAPITIS *ad brachium est translata, UT PRINCEPS*

*EXTUNC NON UNGATUR IN CAPITIS, sed in brachio, sive humero, vel armo, in quibus Principatus congrue designatur, juxta illud quod legitur, (Isay 9. 6.) Factus est Principatus super humerum ejus.* Whereupon the (b) *Roman Ceremonials* and *Pontificals* since compiled, prescribe, that *Emperors and Kings* shall be anoynted only on the *Arm, Shoulders*, not the *Head*, but *Popes and Bishops* only on the *Head*: when as the ancient \* *Ordo Romanus, ad Regem benedicendum*, compiled about 800 years after Christ, (as *Jodocus Coccinus* and others assert) and used till this Pope *Innocents* time, expressly prescribes; *Dominus Metropolitanus ungit de Oleo sanctificato CAPUT, Pectus & Scapulas, ambasque compages brachiorum ipsius, ita dicendo, Ungo te in REGEM, de Oleo sanctificato, &c.* And their very *New Ceremonials* and *Pontificals* still retain the forementioned Prayer after their anoynting in the *armes*, as they used when their *heads* were anoynted: The reasons of which alterations, worthy observation, they thus render to us. (c) *Solus Pontifex Chysmate in* CAPITIS *ungitur, ex balsamo et oleo confecto, mystica ratione, sed Imperatores et Reges tantum oleo in brachio exorcizato in modum*

*Crucis inunguntur, ut ostendatur quanta sit differentia inter auctoritatem Pontificis et Principis potestatem. Ungitur primo in Capite Episcopus qui consecratur, ut auctoritas et dignitas ejus declararetur, eum scilicet esse CAPUT ET PRINCIPEM ECCLESIAE SUAE, (not the Emperor, or King) et ut ostendatur eum esse VICARIUM CHRISTI, ejusque dignitatem et auctoritatem*

(a) Extrav. de Sacra Unctione, sect. unde, & Selden, p. 155.

(b) Pontificale Romanum Clementis 8. Antwerpiae 1627. p. 167. Ceremoniale, Sac. l. 1. sect. 1. c. 3. & cap. 1. \* Printed in Bibl. Patrum, Colonie Agr. 1628. Tom. 8. p. 466, 467.

(c) Restaurus Castaldus, de Imperatore, qu. 19. nu. 3. August. Barbosa, de Offic. & Potestate Episcopi, pars 2. Alleg. 31. nu. 12. & pars 1. Tit. 1. c. 5. nu. 10. p. 31.



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authoritatem gerere qui est super omnia, et quem constituit Deus CAPUT (therefore not the Pope) SUPER OMNEM ECCLESIAM. Ideo Reges non JAM in CAPITE, (as anciently) sed in humero unguntur: *Primum*, ut is proprius honor sit illius, quem Deus constituit excelsum super omnes Reges Terræ, et quem oleo lætitiæ excellentius, & angustius unxit præ consortibus suis. (For which reason, if meant of *Christ* himself, not any Pope or Bishop, as the \* *Scripture* resolves, neither *Popes* nor *Bishops* should be anoynted on the head, being an honor proper only to *Christ* himself.) Deinde, ut ostendatur, quod primo ante omnes Reges et Principes persona Capituli Pontificali Officio representetur. Ungitur tamen et REX in humero, ut neque ipse plane excludatur a representatione ejusdem Capituli; nam et hujus principatus, (ut dicit *Isa.* 9. 6.) fuit super humerum ejus; et ut sciat se esse ministrum ad portandam Crucem (when as the Text is *Gladium*)

\* *Psal.* 45. 7.  
Heb. 1. 8. Mat.  
26. 7. *Isay* 61.  
1. Lu. 4. 18.  
Act. 10. 38.  
Lu. 14. 3.

(d) De Officio  
& Potestate

Episcopi, pars  
1. Tit. 9. nu.  
2. p. 138, 139,  
140.

(e) Recogni-  
tiones, ad Edit.  
Alphonfi Cra-  
covii de Viris  
Pontif. Roman.  
Romæ 1630.

p. 20, 21.

(f) Tom. 1. p.  
56, to 60. &  
102, 103, 104.

See Marc de  
Vulson, De la  
Puissance du  
Pape. l. 3. c. 14.

(g) Gratian  
Dist. 105, 21, &  
22. & 96. Si  
Imperator. Ho-

stiensis Summa  
lib. 1. De Sa-  
cra Unctionis,  
f. 49. b. August.

Barbosa, De  
Offic. & Pot.

Episcopi pars  
1. Tit. 3. c. 11.

p. 140. nu. 88,  
89, 90. & c. 2.

p. 331. nu. 18.  
with sundry o-  
thers there

quoted by him.

(h) Gratian  
Distinctio 22.

cap. Omnes, &  
all Canonists  
in their Glosses  
thereon.

JESU CHRISTI, ad laudem bonorum, vindictam autem malorum, *Rom.* 13. 4. Yet as if this diversity in their Unctions were not sufficient, to advance the *Pontifical* above the *Regal* Authority, the Pope at his enstallment, by pretext of our famous Christian Emperor *Constantines* Donation of his *Imperial Crown* to Pope *Silvester*, (which many of their *Parasites* assert to be genuine, and amongst others, (d) *Augustinus Barbosa*, (e) *Andreas Viçtorellus*, with sundry other *Canonists* quoted by them, though *Laurentius Valla*, with farre more *Pontificians* reject it, as a palpable forgery upon unanswerable reasons, as well as *Protestants*, branded as *Palea* even by *Gratian* himself, *Dist.* 96. as I have (f) elsewhere evidenced,) (g) in signum Imperii utitur CORONA IMPERIALI, et in signum Pontificis utitur MITRA. Sed Mitra semper utitur & ubique, Corona autem non semper, quia Pontificis authoritas est prior et dignior, et diffusior Imperiali potestate; Et utrumq; gladium habet; unde et Reges et Imperatores deponit; immo non solum Imperium et Regnum constituat, sed et transfert; as being Rex Regum et Dominus Dominorum quantum ad potestatem; though Servus servorum Dei quantum ad humilitatem, as they distinguish.

2ly. Popes and the Doctors of their *Canon Lawes* assert; That (h) Omnes, sive Patriarchæ cujuscunque apicem, sive Metropolitiorum primatus, aut Episcoporum cathedras, vel Ecclesiarum, sive cujuscunque Ordinis dignitatem instituit Romana Ecclesia. Illam vero solus ipse fundavit, & supra petram fidei



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*fidei mox nascentis erexit, qui beato Petro æternæ vitæ clavigero terrent simul et cœlestis Imperii jura commisit. That (i) totum jus eligendi et creandi Episcopos ad Romanum Pontificem pertinet tanquam ad Successorem Petri, cui data a Christo Domino summa potestas in totam Ecclesiam; whence they inferre, (\*) That the Pope hath the sole power of erecting, dividing, uniting, transferring from place to place, suppressing, depriving, restoring all Archbishopsricks, Bishopsricks, Monasteries, Bishops, Abbots, Priors, Ecclesiastical Dignities, Offices, Benefices, Priests, Officers, Incumbents, at his pleasure; and to indulge what privileges or exemptions he please to any of them, both from all Regal and Episcopal Jurisdiction and Censures: And, to prohibit Emperors, Kings, or any other Laymen to give Investitures of Bishopsricks or other Ecclesiastical dignities, under pain of Excommunication both of the givers and receivers of such Investitures; That Christian Emperors, Kings, Lay-men have no right to elect, promote any Patriarchs, Archbishops, Bishops, Abbots, Priors, Prebends, or Clerks to any Bishopsricks, Monasteries, Prebendaries, Benefices, or Church-dignities, whereof they have the Patronage by right of their foundations, or endowments of them with Temporalities, Priviledges, or otherwise, but only by the grace and donations of Popes, for certain politick reasons of State, who may resume them at their pleasures, if they shall judge they abuse their power therein.*

3ly. From thence they inferre, and magisterially resolve, that, (k) *Semper et in omni tempore Provisio beneficiorum et Ecclesiarum, etiam si Cathedrales, Metropolitica, vel Patriarchæ sint, ad Summum Pontificem de jure pertinet, et usque in hunc diem pertinet, (l) Qui nullum tempus præfixum est ad conferenda beneficia, quia non habet superiorem qui ejus negligentiam posset supplere.* And hence they assert his Papal Right and Jurisdiction to dispose of all Episcopal, Ecclesiastical Dignities, Monasteries, Benefices whatsoever, both before & after their vacancies to whomsoever he pleaseth by his *Provisions*, notwithstanding his own grants to the contrary; and that in all sorts of cases imaginary: of which I shall render you this account in such particulars wherein they most frequently granted their *Provisions* to Archbishopsricks, Bishopsricks, Monasteries, Prebendaries, Benefices in England and Ireland, during the reigns of our 3. premised Kings, as well as in other forreign kingdoms, ( grounded

upon

(i) Augustin. Barbosa, De Officio & Pot. Episcopi, pars 1. Tit. 1. c. 3. p. 12. nu. 3, 6, 7. & nu. 39. 31. & c. 4. nu. 6.

(\*) Gratian. Caus. 2. qu. 4. 6, 7. Caus. 3. qu. 6, 8. Caus. 11. qu. 1. Caus. 16. qu. 1. Gratian Distinct. 22. Innocentius 3. c. 1. 2. De Translatione Episcopii & ad cap. Cum O'im. Dr. Martia de Jurisdictione, pars 3. c. 21. n. 15, 16, 17. pars 2. c. 14. n. 28. Marc. de Vulfson, De la Puissance du Pape, l. 1. c. 10. to the end of c. 18. & the Popes Canonists, & others there cited by him. And see Tom. 1. p. 279, to 4. o. 486, 498.

(k) Aug. Barbosa, ibidem. & the Canonists on Gratian distinct. 22.

(l) Aug. Barbosa ibid. pars 3. Alleg. 126. p. 384. nu. 81, 82. & p. 589.

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upon their own Apocryphal Papal Epistles, Canons, and Decrees,) as they and their Canonists thus generally, and more particulary resolve; (m) *Summus Pontifex in beneficiislibus liberam et plenissimam habet potestatem.* Beneficia omnia respectu

(m) Augustinus Barboſa De Officio & Potestate Episcopi, Pars 3. Allegatio 58. p. 150. sect. 3. to 13. Dr. Martia de Jurisdictione, pars 3. c. 21. n. 15, 16, 17. Melchior Lottorius de Re Beneficentia, lib. 2. qu. 15, 16.

*S. Pontificis* sunt manualia, et in eis uti potest plenariam potestatem, ac Clericum suo beneficio sine causa a Clerico data, sed ex causa majoris boni Ecclesiæ universalis, privare. Et licet potestatem in Episcopos tranſulerit, ut quilibet in sua Diocesi beneficia ibidem consentientia conferre posset, penes ipsum major remanet, adeo quod impossibile sit Papæ suæ derogare sententiæ, seu ita privilegium alicui concedere, ut non possit absolute per ipsum revocari, cum in hoc non cadat quæstio potestatis, sed voluntatis tantum; et sic potestati Episcoporum a se concessæ derogare, sibi que collationes reservare potest, et per consequens de omnibus beneficiis, et in omnibus mensibus providere, et libere disponere valet: in quo ideo non detrahit alieno juri, sed proprio utitur, nec inde modo aliquo ordo Ecclesiasticus turbatur. Quod Summus Pontifex beneficia diffusa per totum orbem in quibusvis diocessibus ac provinciis quadruplici jure providere potest. *Primo* concursus, quatenus tanquam Episcopus universalis concurret cum cæteris inferioribus collatoribus. *Secundo* jure devoluto, quia videlicet ex causa aliqua jus conferendi de inferioribus collocatoribus ad ipsum facta sit devolutio. *Tertio* jure præventionis, cum videlicet præveniendo vacationem beneficii mandat ea succedente certæ personæ conferri, etiam ipse ex tunc confert. *Quarto* jure reservationis. *Quinto* denique simplici via juris. Unde etiam in mensibus quos Papa Ordinarius concessit de novo, non abdicabit totaliter a se potestatem conferendi, ita ut si ipse præveniat, valeat ejus collatio. More particularly they assert, (n) In primis refer-

(n) August. Barboſa, De Offic. & Potestate Episcopi, pars 3. All. 58. sect. 19, to 35. with others here quoted.

vantur de jure dispositioni *ROMANA* Pontificis, omnia beneficia vacantia apud sedem Apostolicam, seu in Curia: in tantum, quod si Ordinarius provideat de beneficio quod vacabit in Curia, provisorius non habebit titulum coloratum. Et illud beneficium dicitur vacare apud sedem Apostolicam, ut sit reservatum, quod vacabit in locis vicinis ipsius Sedis Apostolicæ, et *ROMANA* Curia, quod prope eam intra duas dietas legales. Beneficia etiam apud sedem seu in Curia vocare dicuntur non solum per obitum in illa, quia beneficium illius qui est mortuus in Curia, dicitur reservatum, sed



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sed etiam per resignationem factam in manibus Papæ, quam constat vere et legaliter dici resignationem in Curia, etiam si mediante procuratore alibi constituto. Yea, resignantes beneficia in Curia Romana permutationis causa, si moriantur extra Curiam ambo, vel unus illozum ante permutationem completam, vacare ea beneficia in Curia tenent, quia non habetur ratio temporis in quo mortui sunt Clerici, sed ejus in quo resignarunt, quia tunc beneficia vacasse intelliguntur. (o) Sic etiam in Curia beneficia vacare dicuntur, quando ibi privatio, aut alii vacationis modi inducuntur. Ubi privatio inducitur a jure, seu ex decreto propter actum positivum; per sententiam privationis latam in Curia contra se defendentem, verum contumacem, qui de jure habetur pro presenti. Secundo, Reservatione beneficia dispositioni Romani Pontificis pertinent per solam appositionem suæ manus, quambis inutiliter factam, ita quod si Papa provideret alicui, vel provideri mandat de aliquo beneficio, si provisio fuerit nulla, utpote facta inhabili vel incapaci, aut propter subreptionem, vel alium defectum, beneficium remanet Papæ affectum, et in illo Ordinarius non potest se intromittere. Tertio, Reservantur dispositioni Summi Pontificis beneficia vacantia sede Episcopali vacante, (either by death, or translations to other Sees) cujuscunque speciei et qualitatis sint. To which *Augustinus Barbosa* and others quoted by him, adde at least 18 Heads of Reservations more, by which Popes have right to prefer persons by their Provisions to all sorts of Ecclesiastical dignities, benefices, and preferments, by their own Constitutions and Canons; so as none could escape their clutches; which those who please may there peruse at leisure.

(o) August.  
Barbosa Ibi-  
dem, sect. 24.  
& 32.

That which encouraged Popes to these Extravagant Usurpations in their Provisions to, and Reservations of all Ecclesiastical Dignities and benefices, was the good success and victory they had gained in the Controversies between them the Emperors of Germany, and our King Henry the 1. (after above 30. years hot and bloody contests) in the Case of Investitures of Bishops and Abbots per Annulum & Baculum; whereof I shall render you this brief account. \* The Roman Emperors both claimed and exercised this Sovereign Prerogative, that no Pope, Patriarch, Archbishop, or Bishop should be elected, confirmed, or consecrated within their Empire, but by their precedent special license, subsequent Confirmation and Investiture; for the better preservation whereof, after the

\* See Fox Acts  
& Monuments  
Edit. ult. Vol.  
1. p. 386, 387,  
388.



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(1) Gratian  
Distinct. 63.  
cap. Agatho.  
Blondus, l. 4.  
Dec. 1. Cent.  
Magd. 7. c. 7.  
col. 235. c. 10.  
col. 285. Ana-  
stasius in vita  
Agath.

(2) Defensor.  
Pacis, pars 2.  
c. 17. 24, 25.  
(3) Otto Fri-  
dingensis, l. 5.  
c. 31, 32. Dr.  
Crakenhorp,  
Defence of  
Constantine,  
c. 14. p. 322.  
to 344.

(4) Sigeberti  
Chron. &  
Mat. Westm.  
An. 773. Po-  
lychron. lib.  
5. c. 26. An-  
tonini Chron.  
Tit. 14. c. 1.  
sect. 6. Aven-  
tinus Annal.  
Boiorum, l. 4.  
Platina, Barnes,  
Balzus, others  
in Adriano 1.  
Cent. Magd.  
8. c. 7. 9. col.  
511, 572.

(5) Gratian  
Distinct. 63.  
cap. Vota.

(6) Printed in  
Flacius Illyri-  
cus his Catal.  
Testium Veri-  
tatis Appendix.  
f. 54. and in  
Goldastus.

(7) Chron. Tit.  
2. c. 3. sect. 21.  
f. 123. Tit. 17.  
c. 1. f. 177.  
(8) Annal.  
Boiorum lib. 5.

translation of their Courts & residence from Rome to Constantinople, the Bishops of Rome by their order, used to send Certificate of their elections to the Emperor to his royal City, and to give a certain sum of money to him before they were consecrated. This Pope Vitalian did An. 665. (1) *secundum antiquam consuetudinem*: which summe of money *Constantinus Pogonatus* in the time of Pope *Agatho* about the year 680. released, but still reserved the former priviledge of confirming Popes before they were consecrated (as well as of questioning, imprisoning, banishing, yea deposing them, which some Emperors did) as *Gratian* himself, *Bartholomæus Brixienfis*, *John Thierry*, in their Glosses on him, *Blondus*, and others attest. Upon the translation of the Empire from the Germans to the French by *Charles the Great* himself (by his own sword and the Romans concurrent assent, as (2) *Marsilius Patavinus*, and (3) others prove at large, not by the Popes Authority,) (4) Pope *Adrian* the 1. An. 773. (before *Charles* was crowned Emperor, in a *Universal Synod* at Rome of 153. religious Bishops and Abbots, *Dedit ei jus eligendi Pontificem, et ordinandi Apostolicam sedem, dignitatem quoque Principatus, insuper Archiepiscopos et Episcopos per singulas provincias AB EO INVESTITURAM ACCIPERE definivit; et ut nisi A REGE laudetur et INVESTIATUR EPISCOPUS, a nemine consecratur. Omnesque huic Decreto rebelles anathematizavit, et nisi resipiscerent bona eorum publicari.* Which Priviledge (5) Pope *Leo* the 3d. confirmed to this Emperor *Charles*, at his Coronation, and Pope *Leo* the 8. to the Emperor *Otho* the 1. in another Council Anno 963. as (6) *Waltramus* Bishop of *Naumburg* in his Excellent Treatise against Pope *Hildebrand*, *De Episcoporum Investituris per Imp.* asserts; (wherein he affirms, that this priviledge of *Investitures* was used by the Kings of *England*, *Scotland*, *Spain*, *Hungary*, and of other Realms,) with *Gratian* himself and sundry others (wherin these their confirmations are recorded at large) acknowledge. This Priviledge was enjoyed by, and continued sacred, inviolable in Emperors and Kings for above 200 years, as *Waltramus*, (7) *Antoninus*, (8) *Johannes Aventinus*, and others prove at large; till that Anti-christian firebrand Pope *Gregory* the 7. in a Council at Rome in the year 1076. (to wrest this Right of *Investitures* from the

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the Emperor Henry the 4. and his successors, and all other Christian Kings and Laymen) decreed; (10) *Si quis deinceps Episcopatum vel Abbatiam de manu alicujus laicæ personæ susceperit, nullatenus inter Episcopos vel Abbates habeatur; nec ulla ei ut Episcopo vel Abbati audentia concedatur. Insuper, ei gratiam B. Petri et Ecclesiæ introitum interdiximus, suspendimus, quousque locum quam sub crimine tam inobedienciæ quam ambitionis, ex quo idololatria caput, resipiscendo non deserit. Similiter et de inferioribus dignitatibus constituimus. Item, Si quis Imperatorum, Regum, Ducum, Marchionum, Comitum, vel quælibet summorum potestatum aut personarum Investituram Episcopatum, vel alicujus Ecclesiasticæ dignitatis dare præsumperit, ejusdem sententiæ vinculo se esse obstrictum sciat.* And because the Emperor Henry the 4. would not hereupon quit this right of *Investitures*, he solemnly excommunicated him: upon which Henry in a (11) *Council at Worms degraded him from his Papacy, as an Intruder, Thief, Wolf, Tyrant, and no Pastor or Pope; He by way of revenge (12) absolved all his Subjects from their allegiance, and raised his Prelates, Nobles, set up Rodolphus, and at last his own Son Henry against him, who by force of arms after many battels, crowned his Son Emperor in his stead, forcibly deprived him of his Empire, imprisoned him, (being likewise excommunicated for the same cause by Pope Clement 3. Victor 3. and Urban 2. who confirmed Hildebrands, and made new Canons and Constitutions against Investitures in several Councils) and after his death he had his Corps digged out of his grave, and kept uninterred for 5. years space upon this quarrel. Which yet his Son Henry revived: who coming to Rome to be crowned there by (13) Pope Paschal the 2. Anno 1111. intreated him to confirm all the Bishops he had invested, and this right of Investitures, which the Emperors had enjoyed above 300 years: which he refusing to do, against Pope Hildebrands and his 3. successors decrees against Investitures, he commanded his Soldiers forthwith to apprehend and imprison the Pope & his Cardinals in the Mount of St. Sylvester, untill they should all restore and confirm to him by their Deeds, investendi Jus Carolo Magno datum; and crown him Emperor; which at last they yielded to do; this Pope*

(10) Chron. Antonini, Tit. 16. c. 1. Tit. 37. c. 1. Oration. caus. 16. qu. 7. & Distinct. 33. Centur. Magd. 12. c. 7. col. 374. 485. Fox Acts and Mon. Tol. 1. Benno Cardinalis in vita Hildebrandi.

*Nota.*

(11) Abbas Ulspersensis, Chron. Anno 1076. p. 228. Marianus Scorus, l. 3. An. 1077. p. 436. Martini Poloni Supput. p. 184. Aventinus Annal. Boior. l. 5. p. 453. Paulus Beuri-redensis in vita Greg. 7. p. 83. Centur. Magd. cap. 8. col. 424. 425. Fox Acts & Monumenti Vol. 1. p. 336. &c.

(12) See Cuspinian, Anonymus, Grimston, Abbas Ulspersensis, & others in the lives of H. 4. 5. & Rodulfus; Aventinus Annal. Boiorum, l. 5. & Placinas Onuphrius, Balzus, Barnes, Centur. Magd. Volaterranus, Fasciculus Temporum, Hermannus Schedel, Baronius, & others in the lives of these Popes; Crantzius Saxonie, l. 5. Abbas Ulspersensis, Annis 1111, 1112.

c. 24, &c. (13) Platina, Stella, Balzus, Barnes, Laertius Cherubinus, Ciaconius, & others in Sylvester 2;

by



(14) Simeon  
Dunelmensis  
de Rebus Ge-  
stis Angl. col.  
232, to 237.  
Radulphus de  
Diceto, Abbr.  
Chron. col. 502  
Hen. de Knygh-  
ton de Event.  
Angl. l. 2. c. 7  
col. 2372. Otto  
Frisingensis  
Chron. l. 7. c. 14  
Abbas Ulspersg.  
Chr. An. 1111,  
1112. Aven-  
tinus Annal.  
Boiorum, l. 6.  
Centur. Magd.  
12. c. 9.  
(15) Aven-  
tinus Annal. Boio-  
rum, l. 6. p. 480,  
to 491. Appen-  
dix Catalogo  
Testium Veri-  
tatis, p. 53. Ab-  
bas Ulspersg.  
Chron. Ann.  
1116, 1117, 1122  
p. 267. Otto  
Frisingensis l. 2  
c. 16. Albertus  
Crantzius Sa-  
xoniz, l. 5. c. 41  
42. Simeon  
Dunelmensis  
Hist. col. 244,  
245. Henr. de  
Knyghton de  
Event. Angl. l.  
1. 2. c. 8. col.  
2377. Centur.  
Magd. 12. c. 9.  
col. 1002,  
1008. Fox  
Acts & Mon.  
Vol. 1. p. 256.  
(16) See Tome  
1. p. 352, 353,  
400, to 429,  
486.

(17) Willelm.  
Malmesburi-  
ensis de Gestis  
Regum, l. 2. c. 3  
p. 84. Bernar-  
di Epist. 164.  
& Serm. in  
Cena Domi-  
ni de Baptismo,  
f. 32. See  
Tome 1. p. 486.

by his Charter by himself, and 25 Cardinals by another, (re-  
corded in the (14) *marginal Authors*,) restoring and ratify-  
ing this Priviledge to him and his successors, which they  
likewise confirmed by a most *solemn Oath*: But the Empe-  
ror was no sooner crowned, and departed from *Rome*, but  
this Pope with a few Cardinals and Bishops in a *Council* there  
summoned by him, most *perfidiously nulled and revoked these*  
*their Charters, and this Priviledge of Investitures*, stiling it *Pra-*  
*villegium, non Privilegium*, excommunicating this Emperor  
therein, and raising such *Rebellions* against him, that at  
last, (15) after 33. years bloody wars and contests between  
his father and him, and several Popes, to purchase his peace and  
absolution, he was enforced to quit and release this ancient Right  
by a Deed under his seal to Pope Calixtus the 2. Anno 1127.

*maximo et adhuc punquam deleta Germania et Imperii totius dede-*  
*coze. Atque ut notissima esset victoria et Caesaris probum, Papæ*  
*Legati eas literas in loco campestri spaciolissimo prope Rhenum cla-*  
*ra voce proclamant et denunciant. Ea diplomata ubi ad Romam*  
*delata sunt incredibilem excitaverunt lætitiā et tripudium. At*  
*autem triumphus ille de manubiis Cæsari ereptis communior et*  
*illustrior esset, Sanctissimus Papa Cæsar Calixtus 2. eas literas*  
*de extorta resignatione et renunciatione Juris Cæsaris de Investi-*  
*tura Episcoporum, in Ecclesia Lateranensi publice suspendi iussit,*  
*omnibus ut risum et insultationem, more scilicet vere Apostolico,*  
*moveret: Just 12. years after Pope Paschal had extorted it*  
*from our King Henry the 2. Anno 1108. by the treachery,*  
*obstinacy, and rebellion of Anselme Archbishop of Canterbu-*  
*ry, after many years contests, as I have (16) elsewhere evi-*  
*denced; Yet notwithstanding this forced renunciation of*  
*this Priviledge by the Emperor Henry the 5th his Deed,*  
*Lotharius the Emperor demanded the restitution of this right*  
*of Investitures from Pope Innocent the 2. (whom he restored*  
*to the Papacy, when expelled from Rome by Anacletus his*  
*Competitor;)* (17) *Investitures then springing up in all places*  
*like Hydraes heads, notwithstanding all Popes or Councils*  
*successive decrees, fulminations, and above 50 years contests*  
*against them; till St. Bernard by his mediation with Lotha-*  
*rius and the French King composed this ancient difference*  
*by an amicable accord between the Pope, Emperor and*  
*them, ingaging the Emperor, French King, and other Chri-*  
*stian*



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*stian Princes* in a *Warre* against the *Saracens*, the better to divert them from resuming this their ancient *Priviledge*, that so Popes alone ( under a pretext of preventing *Simony* in *Lay-men* ) might ingrosse the sale of all *Bishopricks*, *Church-Dignities*, *Benefices* into their own hands alone, and make all *Bishops*, *Clerks* become their devoted sworn servants, on whom all their preferments depended.

What strenuous oppositions King *John*, and *Hubert* Archbishop of *Canterbury* made against Pope *Innocent* the 3. his *Provisions*, when first set on foot within his Dominions, you may read in my (p) *second Tome* in the case of *Gilar-dus*, on whom he conferred the *Bishoprick* of *St. Davids* by his Provision, who yet was enforced to quit it. To which I shall here annex his memorable *Patents* prohibiting both the ayding and consecrating of *Sylvester* (this Popes *Archdea-con*) to the *Bishoprick* of \**Sajis* (*Sagiensis*) in *Normandy*, under the *Archbishoprick* of *Rhoan* about the same time, there casually omitted.

(p) Page 234,  
to 238.

\*August Bar-  
bosa, De Offic.  
& Pot. Episco-  
pi, p. 51.

**R**EX, &c. *Omnibus Clericis per Episcopatum Sagiensem constitutis, &c. Datum est nobis intelligi, quod vos in pecunia et aliis succuritis Silvestro Archid. Sagiensi, qui contra Nos et dignitatem nostram in Episcopatu Sagiensi nititur promoveri. Unde vobis mandamus, quod de auxilio ei conferendo vel in pecunia vel alio modo desistatis, quod nisi feceritis omittere non poterimus, quin de vobis faciemus sicut de illis qui contra Nos et dignitatem nostram operantur. Teste meipso apud Argent. 12 die Aug.*

Par. 4 Johan.  
Regis, m. 11.

**R**EX, &c. *W. Dei gratia Rothomag. Archiepiscopo, &c. Audivimus, quod Dominus Papa in Silvestrum Archid. suam contulit vo-luntatem, quod Juri scripto et nostræ pariter contrarium existit dignitati, si exinde non fuerimus requisiti. Et præterea cum sit notissimum, illum super crimine adulterii publica laborare infamia, quod coram vobis, vel ubi fuerit necesse sufficienter ostendetur; unde appellavimus et adhuc appellamus, rogantes, ne contra jus et dignitatem nostram, necnon et in dedecus Ecclesiæ Sagiensis, immo totius Ecclesiæ Dei, munus ei consecrationis impendatis. Teste meipso apud Canon. 13 die Augusti.*

Par. ibid. m. 16.

Sub eadem forma scribitur Ph. Senon. Archiepiscopo de eodem Silvestro.

To which I shall subjoyn this Patent, evidencing his Ecclesiastical Sovereignty and Justice, in the equal distribution of the Rents of the Church at *Poictiers*, which some Non-resident Canons had engrossed, to those who did their duties in it,

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it, by his own Royal Authority, without the Pope, who alone claimed this as his Papal Prerogative.

Pat. 4 Johan.  
Regis, m. 9.

**R**EX. &c. Senescall. Pic. et Senesc. Andeg. Datum est nobis intelligi, quod quidam Canonici Ecclesie beati Hilarii Pic. tenent ad firmam redditus ejusdem Ecclesie; ita quod alii Canonici qui assidue ibi Deo deserviunt inde parum aut nichil percipiant. Et quia hoc nolumus sustinere, Vobis mandamus, quod sine dilatione omnia bona predictae Ecclesie quae sunt per ballivam vestram in commune redigi faciatis; Ita quod bona illa per legales portiones singulis Canonici per eosdem Canonicos, sicut fieri debet dividantur.

What other oppositions were made against Papal Provisions by our King *John*, *Henry* the 3d and *Edward* the 1. the Records in the *Second*, and *Index* to this *Third Tome* will inform you.

(q) Here, p.  
684, &c.

4ly. Whereas (q) Pope *Boniface* the 8th. prohibited by his *Constitutions*, any Subsidy to be granted to King *Edward* the 1. or any other King, by Bishops or any Ecclesiastical persons for defence of the Church or Realm, without his and his Successors previous assents thereto, and their concurring consents, under pain of Excommunication; yet Popes, Bishops, and Canonists averre, That every Bishop, Archbishop, Patriarch, Cardinal, Pope, and Popes Legate, may both by Law and right demand & exact charitable Subsidies from their Clergy, Churches under them, without the previous consent of their Kings, upon several occasions; which they thus express.

(r) Bartholomaeus Bellen-  
cinus Tractat.  
de Charitati-  
vis Subsidiiis  
throughout.  
Augustinus  
Barbosa, De  
Officio & Po-  
testate Episco-  
pi, Pars 3.  
Alleg. 87.  
Episcopus  
Charitativum  
subsidium  
quando & a  
quibus exigere  
potest, sect. 1.  
m 56, with  
undry others  
there cited by  
them.

(r) Episcopi, Archiepiscopi, Primates seu Patriarchae, in Civitatibus et Diocesis suis, possunt data manifesta et rationabili causa, jure exigere charitativum subsidium, et subditos Clericos et Ecclesias compellere ad tale subsidium solvendum; And that, in causa quae spectat ad dignitatem et honorem Ecclesie; Pro sua consecratione; pro solutione debitorum in Ecclesie utilitatem contractorum; cum magnas fecerit expensas in negotiis totius Diocesis communibus pertractandis; pro fabrica suae Ecclesiae, vel alia re continente illius publicam utilitatem, vel conservacionem. Si iter sit facturus ad Papam, vel Imperatorem, vel Regem ob Ecclesiae suae utilitatem; Si visitaturus sit limina Apostolorum; si velit ire ad Concilium provinciale; si impensas necessarias et alicujus momenti fecerit in adventu Imperatoris, Regis, Principis vel Legati; And that quotties rationabilis causa subgit non solum



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Tolum semel, sed etiam pluribus vicibus possunt charitativum subsidium erigere, and also ex urgenti causa ultra taxam solitam. Yea Cardinales, cum in Ecclesijs suorum titulorum habent Jurisdictionem; may do the like. As for the Pope, (18) De Romano Pontifice dubitari non potest quin hoc subsidium possit erigere ab omnibus Clericis et Ecclesijs; tum quia liberam habet administrationem omnium beneficiorum, tum quia est Dominus et Ordinarius cunctorum, Episcopus universalis Ecclesie, et Ordinarius Ordinatiozum. Hinc generalis exemptio non censetur eximere a subsidio per Papam imposito, nisi qui speciali privilegio ab hujusmodi onere nominatim eximeretur, quod non est presumendum, quippe quod illud concedi non consuevit. And that Legatus Papae cui commissum est plenae legationis officium in sua provincia, cum omnia libere et immediate possit quae quilibet Ordinarius jure vel consuetudine potest, habet jus exigendi hujusmodi subsidium in Ecclesijs provinciae sibi delegatae. Upon which grounds, Popes, Cardinals, Popes Legates, Nuncios, and other Romish Harpyes imposed, exacted many Dismes, Subsidies, Procurations, and other excessive Payments of divers kinds from our English and Irish Prelates, Clergy, and our Archbishops, Bishops, from the inferiour Clergy during the premised Kings reigns, to their great oppression; which they frequently opposed, complained against, and our Kings thereupon prohibited by their Writs, Lawes here re-cited.

I might adde to these the Sovereign power Popes claim not only over all Christian Kings, Princes, but all Lay-mens persons, estates, and reputations, (t) as to condemn, or declare them hereticks, or infamous persons, incapable to enjoy, inherit, conferr lands, goods, offices, Legacies, to make Testaments, or prosecute suits in any Courts to recover their rights; to suspend them from their temporal offices, or restore them when suspended, deprived by their Princes, and their families, when deemed infamous; yea to abrogate their temporal Lawes, Statutes, Customs: to exempt children from the power of their parents, and Subjects from their obedience, oaths, services to their Lords, and Sovereigns: to make and declare Bastards to be legitimate, and lawfull children illegitimate, as especially to Crownes, so to all temporal goods and inheritances; To interdict their Realms, Cities, Lands, Rents, and all communion with them; yea to imprison, kill, burn them as hereticks, infidels, blasphemers against

(18) Bartholomaeus Bellencinus Tractatus de Charitativo Subsidio, qu. 1. nu. 1. qu. 58. nu. 3. qu. 9. & 11. Augustinus Barboza De Officio & Potestate Episcopi, pars 5. Alleg. 8. sect. 2. with other Canonists quoted by them & Marc. de Vulfson, De la Puissance du Pape, l. 1. c. 15.

(t) Gratianus Caus. 15. qu. 6. Caus. 16. qu. 7. Caus. 23. qu. 5. Marc. de Vulfson, De la Puissance de la Pape, l. 1. c. 1. 16. 18. Aug. Barboza, De Officio & Pot. Episcopi, pars 1. Tit. 3. c. 2. Dr. Matia de Jurisdictione, pars 4. Caus. 4. to c. 53. & the Popes, Authors quoted by them.



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(u) Gratian, causa 27. qu. 5. cap. *Omnium & Excommunicatum*, f. 460. in my Edition, Paris, 1531.

gainst the Holy Ghost, and accurse, damn them to all eternity, for opposing or denying this their transcendent power. Yea they assert this for Catholick Apostolike Law and Doctrine; (u) *Non sunt homicidæ qui aduersus excommunicatos zelo Catholicæ matris Ecclesiæ accensi excommunicatos interficiunt*; as Pope Urban the 2d. and Gratian positively determine: And Pope Nicholas the 2d. in his Letter to the French Army employed against the *Waldenses*, superaddes thereto; *Omnium vestrum nosse volumus charitatem, quisquis in hoc belli certamine fideliter mortuus fuerit* (though otherwise never so flagitious a person) *regna illi cælestia minime negabuntur*.

These, with many other Assertions of like nature, you may read at large in Gratian, Pope Innocent 3. *Corpus Juris Canonici*; the *Extravagants*, *Astexanus*, *Astensis*, Dr. *Marta*, *Augustinus Barbosa*, *Augustinus Triumphus*, *Alex. Carerius*, *Restaurus Castaldus*, *Petrus Ancharanus*, *Sylvestre*, *Baptista Trovomala*, *Angelus de Clavasio*, *Franciscus Zerula*, *Bartholomæus Brixienfis*, Cardinal *Hostiensis*, *Antonius Corsetus*, with sundry other Popes and Doctors of the Canon Law, quoted by them; by whose Codes, Books, Glosses, Lectures, the Popes and Prelates Sovereignties, Usurpations over all Christian Emperors, Kings, Princes, Nobles, Laymens Crowns, kingdoms, persons, consciences, estates, Lawes, Liberties, have been principally asserted, advanced, supported, and continued in the world.

By what Popes, persons, means, arts, and for what ends the Canon Law was first compiled into a Code or Body, published, taught, studied, propagated, read on, professed, executed, and the Doctors, Students, Professors of it encouraged, multiplied, maintained in Universities, and advanced to the Highest Offices, Dignities, Preferments in the Church, as well as in Ecclesiastical Courts, and entrusted with the vigorous execution of them under Popes, Archbishops, Bishops, as their *Vicars-Generals*, *Chancellors*, *Commissaries*, *Surrogates*, *Officials*, *Delegates*, and what bad effects it produced, to the great prejudice and injury of all Christian Kings, Subjects, Realms, (to avoyd all suspicion of prejudice or partiality in my self;) I shall crave leave to inform you in the words of a most learned French Civilian, *Marc de Vulson* (an Advocate in the Court of Paris, afterwards a Counsellor of the French King in the Court of Parliament of Dauphine, a person beyond exception) in his Book, *De la Puissance*

(s) A Geneva, 1635. p. 200, to 204.

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issance du Pape, & des Libertez de l'Eglise Gallicane, lib. 3. c. 17. de Decret de Gratian, et du Corps du Droit Canon; wherein, after a brief Account of the time and manner of the Emperor Justinian's compiling his Code and Body of the Imperial Lawes, and their disusage for near 600 years both in Italy, France, Germany, and the Western Empire, till about the year 1118. when the Emperor Lothaire the 2. at the instigation and sollicitation of Irnerius, who then newly found them, ordered that they should be read in Schools, and the Judges to judge according to the Roman Civil Laws, to the great contentment of the learned Doctors and Students thereof: thereupon informs us; that in imitation of the Emp. Justinian;

† Les Papes, qui desja avoyent beaucoup emplette sur la Jurisdiction et autorite des Empereurs et Rois, reconnoissans que par le re-<sup>† Ibid. p. 201.</sup>tablissement de ces belles loix, leur dessein seroit grandement empesche, qui estoit de serendze Souverains, aumbien au temporel comme au spirituel: et de former un Estat et Souverainete, dans l'Estat et Empire des Rois, Princes et Monarques, estimerent qu'il falloit a l'envi et imitation du dit Justinian, dresser un Corps et Code de leurs Loix et Constitutions, le faire lire et interpreter es Escholes et Universtitez, et donner ordre que tous les affaires se jugeassent par ycelles, si faire se pouvoit. A ces fins fut compile par Gratian le grand Decret, qui fut publie et autorise par le Pape Eugene 3. l'an 1151. et ainsi vingt ans apres que le Corps du droit de Justinian fut restabli en Italie et Allemagne par Lothaire. Et pour le faire tant plus facilement recevoir, ledit livre et volume de Gratian ne fut pas seulement compose des Ordonances des Papes, come le Code de Justinian des Constitutions des Empereurs, mais aussi de quelques passages de l'Ecriture Sainte: de plusieurs sentences des anciens Peres: de quelques loix prinſes desdites Digestes et Code de Justinian, et autres vrais et bons auteurs. Aray est que les uns sont tronqueez, les autres alleguez a contre-sens, les autres falsifiez ouvertement: Et sur tout, le dit libze est rempli d'un tresgrand et quasi infini nombre de passages tirez des escrits faux et supposez, dont a este parle † cy devant: comme sont les Canons dits des Apostres; les Epi-<sup>† Lib. 3. c. 126.</sup>stres attribuees aux premiers Evêques de Rome, qui y sont quasi entierement transcrites, (tant avoit-il peur d'y faillir,) du Concile tenu a Rome sous Sylvestre: de l'acte ou instrument de la pretendue donation de Constantin: des Capitulaires attribueez a Charlemagne et autres.

Pour interpreter ces Loix et Canons, Gratian mesme compilateur d'iceux fut incontinent envoie a Paris, et par ce moyen le Droit Canon fut plustost receu en France, que le droit de Justinian, ainsi qu'a tresbien remarque Monsieur de l'Estrang President en Cour de Parlement de Toulouse en son Arrest 8. Et au livre 6. ch. 9. de son Histoire de Gaules, Et pour le mieux authentifier, Celestin 3. (qui siegea l'an 1191.) osa os-<sup>† See Tom. 2. p. 8. Dr. Marra de Jurisdictione, para 4. Casus 50 & 60.</sup> donner, qu'a Paris les causes pecuniaires des Clercs seront decidees par le droit Canon C. quod Clericis extra de foro comp. Et Honorius 3. environ l'an 1210. fut si hardi de † defendre, sous peine d'excom-  
d 2 munir.

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munication, de lire et oïr le Droit Civil a Paris, afin que tant mieur on s'addonne a son Droit Canon (qu'il appelle les Saints cayers) (*sacramentum*) c. *super specula, extra. de privileg. et excess. privi-* leg. comme si cela estoit quelque beau privilege, de se mettre en la place du Roy, et d'entreprendre de faire les loix en son Royaume, et de defendre la lecture du Droit Civil. Et Alexandre 3. sous pre-  
*texte de corriger les abus,* s'ingere de bailler des loix a l'Université de Paris, et defend au Chancelier, ou Recteur d'icelle, d'exiger au-  
cune chose pour la licence et permission d'y enseigner les sciences, e.  
quanto de Magistris. Et Innocent 3. fit aussi certaine ordonnance, Que  
sous peine d'excommunication, aucun ne prinst a louage le logis  
loue par un autre: ce qui n'appartient qu'au Roy. Par la recep-  
tion de ce corps Canon es Universités de France, fut faite une  
si grande breche a nos Eglises Francoises, que les Papes et leurs  
armées y sont entrés a cheval. Et de la en avant, ils ont a leur  
plaisir erige des Escholes et Universités France, ce qu'ils n'avoient  
osé entreprendre au paravant: Ont \* donne des privileges a  
celles qui avoient esté établies par nos Roys, et aux membres d'i-  
celles: Ont établi leurs Doctorats, et prescrit la form et les ce-  
remonies de leur établissement: Ont institué, et établi esdites U-  
niversités des Juges conserveurs de leurs privileges, se sont fait  
prester serment: Ont donne ordre que tous les supposés et membres  
desdites Universités et Colleges, du moins les principaux, fussent  
Clercs non mariés: Que les principales charges, et benefices Ec-  
clesiastiques fussent affectés aux Docteurs, ou licentés en Droit  
Canon, ou en la Theologie de Pierre Lombard, et non a autres: Que  
les Escholiers etudiants ausdites Universités fussent exempts  
de la Jurisdiction civile: Que sans la licence, et expresse permission  
du Siege Romain, aucun de l'Université de Paris ne pût estre ex-  
communiqué, ou interdit par quelque cause et sujet que ce fust: Que  
les Escholiers de l'Université de Paris, soyent exempts de tous  
sortes de peages: Que les Docteurs de Paris pussent lire et enseig-  
ner par tout le monde. Incontinent un nombre infini de personnes  
s'addonna a la profession du Droit et science Canonique, puisque  
le profit et l'honneur estoit evident et certain. Plusieurs tasche-  
rent a l'envi de commenter, glosier, et apostiller ledit Decret, et d'  
extoller la dignité et puissance du Pape. Par ce moyen le Pape  
s'acquît une grande arme de creatures et sujet au milieu de la  
France: et sans frais et despens forma un puissant Etat dans les  
Estats du Roy. Et le tout sous le beau manteau de conscience,  
religion, et spiritualité, au veu et sceu de nos Roys, et de leurs  
principaux Officiers et de tout les \* Prelats de France, qui demeure-  
rent muets en cest endroict. Bien est vray, que les Decretales des Papes  
depuis le dit Eugene 3. ayans esté publiees separement, et sans meslange d'a-  
cune bone piece, premierement par \* Gregoire 9. environ l'an 1230. & con-  
sequemment par Boniface 8. Clement 5. et Jean 22. la laider d'icelles en fit  
considerer l'importance, et au Roy et a la Cour de Parlement de  
Paris, aux Prelats de France et a l'Université: et fut cause de l'op-  
position et empeschement donne a la reception desdites Decretales.  
Mais ce fut bien tard, et apres la bataille gagnée. Et ceur la ce  
trompent, qui estiment que seulement des loys les Decrets prin-  
dient

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\* The like they did in our Universities of Oxford and Cambridge in England; and in the Universities in Italy, Germany, Spain, and advanced the Greatest Doctors of the Canon Law as their best Advocates, assertors of their usurped Ecclesiastical & Secular Monarchy, to the greatest offices and preferments.  
See 37 H. 8. c. 17.

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\* Whose power & jurisdiction on they asserted, enlarged, as well as the Popes.

\* Upon which occasion our King Henry the 3d. published his promised Proclamation against them.

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dient des altes. Car les Decretales des quatre vingts quatoze Papes precedents, braves ou supposees qui ont este interessees andst Decret de Gratian, contiennent en substance les mesmes choses que les dernieres, qui ne font que mieur exprimer et mettre en pratique les Doctrines et maximes des premieres, que se reduisent a ceci; Que le Pape est *Lieutenant de Jesus Christ*, et a tout pouvoir tant au temporel qu'au spirituel: Et juge de tout le monde; et ne pult estre juge par aucune creature. † Que ses Constitutions et Decretales doivent estre inviolablement observees par tous: Que celui qui mesprise ou enfreint ses mandemens, ou diminue ses privileges et son autorite, ou n'est d'accord avec luy, commet crime d'heresie et d'infidelite, blaspheme contre le Saint Esprit, est anatheme et damne. Et aussi nos Roys ont permis par mesgarde et tolerance, que lesdites Decretales ayent este leues et interpretees es Universites, et que la jeunesse Fraincoise fust imbee de ceste doctrine. Et neantmoins ces oppositions, quoy que tardives, servirent a empescher, que la liberte des Eglises de Gaule ne fust intirement esteinte, comme sera dit cy apres.

† See his lib. 1.  
c. 1, 2, 3, 4, 5.

By which memorable Discourse of *De Wulson*, and the apparent frauds of *Popes*, *Gratian*, and other *Canonists*, in leaving out of their *Codes* and *Collections* of *Councils* all *Canons* made in the general, famous, ancient *Councils* of *Ephesus*, *Laodicea*, *Constantinople*, *Chalcedon*, and those they falsly attribute to the *Apostles*, which contradict the *Popes* Supremacy, and inserting *spurious Canons*, *Councils*, *Synods*, *Decretal Epistles* of antient *Popes* into them, which only advanced their *Papal* and *Episcopal* *Hierarchy* and *Jurisdictions*, in, over all *Temporal* and *Spiritual* persons, causes, (which (a) he and others at large demonstrate;) we may clearly discern, both the reasons, providence, prudence, justice of our King *Stephen* and *Henry* the 3d, in prohibiting, crushing the *Books*, *Readings*, *Schools*, *Profession* of the *Canon Laws* and *Decretals* in the *University* of *Oxford*, and in *London*, when first introduced into our *Realm*, like so many (b) *Cockatrice* eggs, which would soon prove fiery flying serpents, yea vipers to them, their subjects, *Realms*; of King *Henry* the 3. and *Edward* the first their *Prohibitions*, *Appeals*, *Protests* against the *Constitutions* of *Archbishop Boniface*, *Peckham*, *Stratford*, with the forecited *Statutes* of King *Henry* the 8. *Edward* the 6. and their *Parliaments*, made against them and the *Canon Law*; and what little reason our *Kings*, *Parliaments*, *Nobles*, or *Commons* have, to countenance or support these *Canon Laws* and *Constitutions*, or the study, profession, use, or execution of them within their *Dominions*; against which not only two eminent

(a) De la Puissance du Pape, l. 3. c. 2. to 18. See Petrus de Marca, De Concordia Sacerdotii & Imperii, lib. 7. c. 20. n. 1, to 8. c. 25. n. 1. 3. lib. 3. c. 5. n. 11.

(b) Isa. 14. 29. c. 59. 5.



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(c) In his Obedience of a Christian man London 1573. Cum privilegio. p. 114, 115.  
(d) Fox Acts & Mon. Edit. ult. Vol. 2. p. 610.

(e) Tom. 4. Spicilegii.  
(f) Admonitio de Editione 11 Sect. 1. 3. c. 13. Sect. 9. Petri de Marca Archiep. Parisiensis, De Concordia Sacerdotii & Imperii, Paris. 1663. Cum Privilegio, p. 198, 199.

(g) Mat. Paris Hist. Angl. p. 96, 97. Ger-vasii Chron. col. 1386, 1387. Gul. Neubrigenus Rerum Angl. l. 2. c. 6. & Here Tom. 1. p. 609, 100 e 17.

gent Martyrs, to wit, Mr. William Tyndall, and (c) Sir John Borthwicke, together with William Wraughton in his Hunting and Rescuing of the Romish Fox, (the Pope and his Prelates) dedicated to King Henry the 8. the Author of a judicious Treatise, expressing the Causes of the Divisions between the Spirituality and the Temporality, printed cum privilegio in Henry the 8. his reign, ch. 3, 4, 5, to 16. with others in that age have made many large Discourses, setting forth their dangers, mischiefs, together with their Nullity; but even our famous learned King Henry the 2. long before them, most strenuously opposed and suppressed. For, (e) Lucas Dacherius (a modern Benedictine Monk) and (f) Stephanus Balluzius, a learned Reverend Canon and Canonist of Rhemes, relate; that this our Noble, prudent, learned King Henry then Duke of Normandy, was so highly displeased with Hugo Archbishop of Rhean for putting the Canon Law and new Canons made and confirmed by Pope Innocent the 2d. in the Council of Rhemes in execution, (without his Royal assent, and the States of Normandy) by exacting profession and obedience from the Abbots of Normandy, contra consuetudinem, (a punctilio in respect of other incroachments upon his Regality of an higher nature, by Becket and our Prelates) and for his justification therof, vetustis Canonibus, qui volunt Abbates esse in potestate Episcoporum, et Decreto Concilii Rhemensis paulo ante celebrati; ut vel OB HOC IPSUM ad Innocentium scribens, MINATUS EST APERTE DIVORTIUM AB APOSTOLICA SEDE, NISI PRÆSUMPTIO ILLIUS ARCHIEPISCOPI REPRIMERETUR: which so terrified this Pope, that he thereupon writ thus to the Archbishop; Quod profecto, quamvis justum fuerit, et a nobis in Concilio Rhemensi mandatum; pro ejus (tamen) caritate aliquando condescendere debemus, & pro tempore, ipsius voluntati assensum præbere. Besides, this our learned prudent King, (g) propter dissensiones et discordias sæpius emergentes inter Clerum et Justiciarios Domini Regis et Magnates Regni, occasioned by these Canon Lawes, made sundry Edicts expressly against the Popes, Councils, Prelates Canons and Constitutions exempting Clerks from Secular Jurisdiction and punishments by Temporal Judges for Murders, Robberies, Rapes, and other Offences; Concerning the elections, homages and fealty of Bishops, the vacancies of Bishopricks, Excommunications,

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*communications, Appeals, Citations, and accusations of Laymen before Bishops, of Pleas of Admonitions and other causes not belonging to their Jurisdiction; Which Lawes and Antient Consuetudines regni, specified in 16. Articles drawn up in the forecited Council of Clarendon, (h) Archiepiscopi, Episcopi, Abbates, Priores, Clerus, cum Comitibus et Baronibus ac Proceribus cunctis (by his Royal command) juraverunt, et firmiter in verbo veritatis promiserunt sua voce tenendas et observandas, Domino Regi et heredibus suis, bona fide et absque malo ingenio imperpetuum. His itaque gestis, potestas laica in res et personas ecclesiasticas, omnia pro libitu, (as Mat. Paris complains) ECCLESIASTICO JURE CONTEMPTO, usurpabat; tacentibus, aut vix murnurantibus Episcopis, potius quam resistentibus; except only that Trayterous Archbishop Thomas Becket, whose goods, temporalities the King seised, and banished him the Realm for opposing them, against his Oath; which brought him to a tragical death.*

What great Cause he and our premised Kings had thus to oppose; suppress the Canons and Constitutions of Popes, yea of their own Prelates in their Councils and Synods, will further appear by these remarkable Clauses in the most insolent Epistle of John Peckham Archbishop of Canterbury, Ann. 9 E. 1. who then making sundry Constitutions in a Provincial Council, prejudicial to the Kings Crown and Dignity, against (1) *two successive Writs of Prohibition* to him and his Suffragans; for which King Edward the 1. was highly incensed against them, the Archbishop thereupon thus justified them by these Antimonarchical Topicks, among others; (2) *Quia igitur ab antiquo tempore inter Reges et Magnates Angliæ ex parte una; et Archiepiscopos et Episcopos, ac Clerum ejusdem Regni ex altera, duravit amara dissentio, pro oppressione Ecclesiæ, contra Decreta Summorum Pontificum, contra Statuta Conciliorum, contra Sanctiones orthodoxorum Patrum, in quibus tribus summa auctoritas, summa veritas, summa sanctitas existit. Supplicamus Regiæ Majestati, &c.* (instead of submitting himself and his Constitutions to the King and his Laws, as he ought;) to submit himself, his Crown, Lawes, to the Canons, Lawes, and Constitutions then made by him and his Suffragans in the Council of Lambeth; because there was no other means but this, to put a period to the contests between them, concerning the Churches pretended Liberties,

nisi

(h) Mat. Paris Hist. Angl. p. 97. Mat. Parker, Antiq. Eccles. Brit. p. 122, 123. See Tom. 1. p. 616. &c.

(1) Pat. 3 E. 1. m. 10. & Pat. 9 E. 1. m. 6. inrus. Here, p. 252.

(2) Spelmani Concil. Tom. 2. p. 347. & Here, p. 264; 265.



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nlū vos sublimitatem vestram prædatis tribus, scilicet *Decretis Pontificum, Statutis Conciliorum, & Sanctionibus orthodoxorum Patrum* (as curtailed, mis-cited, mis-applied by Popes, Prelates, and *Gratian*) iuxta Domini beneplacitum, cum Catholicis Imperatoribus dignemini inclinare: Exhibent enim tribus **SUNT CANONES AGGREGATI**, et Jura Coronæ vestræ Christi Coronæ subponenda; cuius sunt Diadema ac sponse suæ monilia, \*universæ Ecclesiasticæ Libertates. Decretis autem Summorum Pontificum, auctoritatem dedit summus omnium Imperator, et. Ergo, nulla obstante consuetudine obediendum est Canonicis Hierarchice impositis; hoc est, sacris arbitris Prælatorum, &c. (3) Idem est ergo Sanctorum Patrum definitionibus resistere (published in their *Canons and Constitutions*) quod Spiritus Sancti oraculis adversari. Hæc attendentes Imperatores Catholici **LEGES SUAS OMNES SACRIS CANONIBUS SUBDIDERUNT, NE SCISMATICI, VEL HÆRETICI PUTERENTUR.** A right Papal and Archiepiscopal Resolution, directly contradictory to (4) *St. Pauls* and (5) *St. Peters* Doctrine and Practise.

I shall therefore cloze up this large Discourse concerning the danger, mischiefs of, & publike oppositions against Popes, Prelates *Decretals, Canons, Constitutions*, and the *Canon Laws* both in *England* and *elsewhere*, by evidencing their Nullity, invalidity to oblige either *Kings* or *Subjects*, especially *Laymen*, unless specially approved, received, ratified by them, their Nobles and people by † common consent in Parliament; with the Resolution of learned (i) *John Gerson* Chancellor of *Paris*, yea of (k) *Didacus Covarruvias*, (l) *Navarrus*, (m) *Driedo*, (n) *Armilla*, (o) *Johannes Major*, and *Petrus de Marca*, late Archbishop of *Paris*, in his excellent elaborate learned Volume, (p) *De Concordia Sacerdotii & Imperii, seu Libertatibus Ecclesiæ Gallicanæ*, revised, enlarged by *Stephanus Baluzius*, printed *Parisiis* 1663. cum privilegio Regis; ( who quotes all these Doctors, and asserts their joynt Resolutions herein in these positive termes, ) **Certum est Legem nullam vīm obtinere, si ab initio recepta non fuerit a subditis ( especially a Regibus ) Nam et maxime præsumendum est eam legem quæ a Republica non recipitur, minime ea consentire.** Pute conditioni magis videtur obnoxia *Lex Ecclesiastica* quam civilis, duplici ratione. Prima est, quia potestas Ecclesi-

astica conceptis verbis data est, (q) in ædificationem, non autem in destructionem

(3) *Gratian*  
*Distinct. 22. &*  
*Causa 15. qu. 1.*  
*Marc de Vul-*  
*son, De la Pu-*  
*issance du*  
*Pape, l. 1. c. 14.*

(4) *Rom. 13. 1.*  
*to 7. Tit. 3. 1.*  
(5) *1 Pet. 2.*  
*13, 13.*

† See Here,  
*Tom. 1. p. 411,*  
*429.*

(i) *Tract. de*  
*vita Spir. c. 4.*  
(k) *Lib. 2. Var.*  
*Resolut. c. 16.*  
*n. 6.*

(l) *In Summa*  
*c. 23. n. 41.*

(m) *De Libert.*  
*Christianis, l. 1.*  
*c. 9. doc. 2.*

(n) *Verbo*  
*Lex. nu. 11.*

(o) *Lib. 4. Dist.*  
*15. qu. 4.*

(p) *Lib. 2. c. 16.*  
*n. 5. p. 126. &*  
*l. 7. c. 28. n. 3.*

*p. 292, 293.*

(q) *1 Cor. 13.*  
*10.*

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structionem; ut testatur Apostolus; unde sequitur, nihil obtrudendum esse fidelibus quod eos offendere aliquo pacto posset: atque ideo legem Ecclesiasticam minus commodam pro non scripta esse habendam. Secunda vero ratio hæc est, quia Christus ipse discrimen utriusque potestatis in præceptis dandis, auctoritate sua constituit; (r) Reges gentium dominantur eorum; Vos autem non sic, &c. Et (r) Mat. 23. 25. Lu. 22. 25. ipse Petrus, Non dominantes in Clero, sed forma facti gregis, Ita ut verus Dominatus sit penes Reges, non autem penes Sacerdotes. Vehementer est (s) Bernardus, & fere totus in eo, ut hanc sententiam Eugenio Pontifici persua-deat, Planum est, Apostolis interdicitur Dominatio, indicitur Ministratio. (s) De Consideratione, l. 2. cap. 6.

Upon which grounds this learned Archbishop Marca (though a great asserter of the Popes, Canons, Prélats Authority in other particulars) proves at large in \*his 7 & 8 Books, *De Concordia Sacerdotii & Imperii*, That the Kings of France, England, Spaine, and Emperors of Germany, did most justly reserve and retain to themselves the Sovereign power in elections, approbations, confirmations, investitures and institutions of Archbishops, Bishops, Abbots, Priors, Deans, Prebends, and other Ecclesiastical dignities, and justly receive the fruits, profits of Bishopricks, Monasteries, and present to the Prebendaries annexed to them during their vacancies by death, or translations; yea, seise the goods of Bishops, Abbots, and others dying intestate, to their proper use; as belonging to them by the ancient Lawes, Custom of (t) France, Normandy, and England, though inhibited, condemned under severe Ecclesiastical Censures, by sundry Canons, Constitutions of Popes, Bishops, Synods, as *Sacrilegæ*, unless in the Cases of such particular Churches, Monasteries, as are exempted from such seisures of their Temporalities and profits by Kings, their Founders, or Patrons *special Charters*, out of meer grace, not right; yea he proves in his first Book and Chapters by sundry presidents, and particularly complains in his (u) *Dedicatory Epistle* to the late Grand Statesman, Cardinal Duke of Richelieu, *Quod frequentes & pæne quotidiana in actu rerum positæ occurrunt contentiones, quæ secundum varias causarum figuras ob dignitatem læsam, vel diminutam auctoritatem accenduntur, et Christianæ Republicæ Principes inter se committunt; & ambæ illæ Potestates (ECCLESIASTICA ET REGIA) quæ amico fœdere conjungi debuerant, in dedecus Christiani nominis aliquando divellantur ab invicem, hominum vitio; and that principally*

\* See also his lib. 1. c. 2. to 10. And lib. 4. cap. 8. to 21. in several particulars.

(t) See Here, Tom. 1. p. 615. Marca ibid. l. 8. c. 18, 19. p. 343, to 351. & c. 23, 24, 25, 26. & Pierre de Pithou, Des Libertez de L'Eglise Gallicane, p. 598, 1262. Here, p. 19.

(u) Prefixed to his Books, *De Concordia Sacerdotii & Imperii*.



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\* 1 Ed. 6. c. 2.  
1. & 2. Phil.  
& Mar. c. 8.

cipally by executing of Popes, Prelates Canons, and Canon Laws, not publikely confirmed by the concurrent Authority of Christian Kings, Parliaments, Realms, but obtruded on them against their wills. Which differences, Schisms, Mischiefs, can be neither totally nor finally composed, nor prevented, so long as such Canons, Constitutions, Decrees shall have any force, countenance, continuance, and be rigorously executed in Ecclesiastical Courts, by Judges, Delegates, Officials, Canonists, only in Popes, or Bishops own Names, rights, stiles, under their own seals alone, as <sup>\*</sup> independent on the Crown.

For the clearer demonstration whereof in our own Kingdom, I have with no small pains and diligence, collected out of all the whole or decayed *files*, and confused heaps of broken, scattered *Original Writs*, and the *Plea-Rolls*, *Patent*, *Clause* and other *Rolls* in the *White Tower Chappel* or elsewhere, all *Writs* of Prohibitions issued out, and Attachments, Suits at our Kings or their grieved Subjects prosecutions, brought for contempts of them, yet extant, during the reigns of the 3. premised Kings, either against Popes Nuncios, Collectors, Delegates, or our Archbishops, Bishops, Archdeacons, Officials, Ecclesiastical Judges, or other persons, upon several occasions; but more especially for holding, prosecuting suits belonging to these Kings Temporal Courts, and vexing their Subjects by illegal Excommunications, and *Writs de Excommunicato capiendo* grounded on them, on purpose to discourage, or disable them, and deter all others from suing for Prohibitions to restrain their Extravagant Usurpations, in high contempt, and to the grand prejudice of the *Kings Crown*, *Dignity*, *Courts*, and *Royal Authority*; that so they might by degrees ingrosse all temporal suits, causes into their own Courts, and trample all Secular Powers, Courts, Subjects, Laws, Liberties under their feet without controll; whereof I found such multitudes, yet remaining, besides those quite putrified, torn, lost or perished, as may not only *satiate* but *surfet* their *Readers*: the most whereof I have abbreviated, and inserted into this *Tome*, as for the vindication of these Kings *Ecclesiastical Sovereignty*; and evidencing the inconsistency of these Canon Lawes and Constitutions with it, or the Kingdoms, Subjects peace and felicity; so for these two following reasons.

First,

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First; To justify the practise of our late and present Judges in granting Prohibitions to Ecclesiastical Persons, Courts, to restrain their usurpations, and extravagances of all kindes, according to their Oathes, dutyes, against the *\* frequent clamors, and unjust complaints of our Archbishops, Bishops, Canonists*, and others to our Kings and their Council, as well since the Reformation of Religion as before; being warranted by such multitudes of Presidents from year to year even in times of Popery, when Popes and Prelates were most predominant: which will make a considerable Addition to the Presidents of Prohibitions in punier times, formerly collected by the Judges for their own defence.

Secondly, To evidence the manifold uncessant grievances, oppressions, vexations of the Subjects of this Realm in former ages, by reason of these diversities of Laws, Jurisdictions, Courts, especially since the *Ecclesiastical* depend not on the King, Parliament, or Common Lawes of England, and are not executed by special Commissions from the King, limiting their Jurisdictions, Proceedings, *(y) by a derivative power from, by, and under him, nor in his Name, Right, Stile, Seal alone, like other Courts, and Processe*; Nor yet by our Bishops and Ordinaries themselves, who ought personally to execute their Ecclesiastical Judicatures and Jurisdiction (especially if appropriated by *divine right* to their Episcopal office, as many of them pretend;) who cannot delegate their Judicial authority to any subordinate Officers, no more then the Kings Judges, or Justices of Peace, and ought to judge in proper person, not by Proxy; or else totally to disclaim their Judicial authority, if they want leisure or skill to execute it; and not to sell, rent, or farm it out upon account to indigent, covetous Chancellors, Vicars, Commissaries, Officials, Surrogates who will give most for it, or to their kintred or nearest allyes; since these *(z) Officials, Surrogates in all ages, to fill their purses, and make hay while the Sun shines, have most grievously vexed, fleeced, fleyed the people committed to their Episcopal care, by Citations, Interdicts, Ex officio, and other illegal Oathes, Articles, proceedings, Excommunications, imprisonments upon Writs de Excommunicato capiendo, for pretended offences, defamations of heresie, incontineney, perjury, or other crimes, upon fames, or accusations raised by themselves or their crea-*

\* See Cooks  
2 Institutes, p.  
599, to 619. &  
The Judges  
Treatise and  
Collections of  
Prohibitions  
upon Archbi-  
shop Bancrofts  
Complaint, 3  
& 7 Jacobi.

(y) See 1 Ed.  
6. c. 2. 37 H.8  
c. 17.

(z) Tota Offi-  
cialis intentio  
est, ut ad opus  
Episcopi suæ,  
jurisdictionis  
commissas mi-  
serimas oves,  
quasi vice illius  
tandem, emun-  
gat, extoriat.  
Isti enim Epis-  
coporum sunt  
sanguisugæ,  
&c. & ex-  
crandis acqui-  
sitionibus ni-  
hil sibi præter  
peccati sordem  
& fæculentiam  
retinentes. Isti  
quasi sub um-  
bra Episcopi,  
& obtentu ju-  
sticie palliatæ  
subditos oppri-  
munt, Ecclesiæ  
gravant, &c.  
Pet. Blesensis  
Epist. 25. See  
Here, Tom. 2.  
P. 949 & 950.



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tures, or for trivial matters, contempts, non-payment of illegal fees, or suing out Prohibitions to relieve themselves by due course of Law, against their holding pleas of causes not belonging to them; whereby they have not only been banded up and down from Court to Court, place to place, like Tennis Balls, but even grownd to powder, like corn between two Millstones, to their extraordinary oppression, impoverishing, and discontent. Yea, the charges, delays, difficulties in suing out Prohibitions for their just relief (especially when Bishops become predominant State-Officers) have been so great, that they have oft-times proved as bad, nay worse then the maladies they should redresse; so that thousands have rather chosen to submit to their Usurpations, extravagant exactions, censures, and to purchase absolutions from their excommunications, vexations, sequestrations upon any terms, at dearest rates, or to languish, perish under them, then to seek redress against, and strenuously to oppose them.

If these my Collections through Gods blessing on, and Your honorable Protection of them, shall prove instrumental to redress these publike abuses and usurpations, upon the Crown, Laws, & peoples Liberties; to settle a future constant harmony between the Crown and Miter, the Laity and Clergy, to the Glory of God, the Safety and advancement of the Protestant Religion; that so we may all from henceforth (a) endeavour to keep the unity of the Spirit in the bond of peace, (b) increase and abound in love one towards another; (c) love one another with a pure heart fervently; and not (d) bite, devour one another any longer, lest we be consumed one of another, and become a prey to our common Romish adversaries, now swarming every where amongst us, (fomenting our Divisions, Schisms, animosities against, and usurpations upon each other;) I shall bless God for such a happy success thereof; and endeavour (through his Divine assistance) with all convenient expedition to compleat, publish my intended succeeding Tomes of this Heroick Subject.

(a) Ephes. 4. 3.  
(b) 1 Thes. 3. 12.  
(c) 1 Pet. 1. 22.  
(d) Gal. 5. 15.

In the mean time, I most humbly crave Your candid Acceptation and Protection of this Volume, and the continuance of Your former cordial affections to,

Your Honors, Worships most devoted Servant,

From my Study in  
Lincolnes Inne,  
July 25. 1668.

WILLIAM PRYNNE.

To



To the Ingenious Readers, especially Professors,  
Students of the COMMON LAW, and  
ENGLISH ANTIQUITIES.

GENTLEMEN,



Here present to your judicious View and perusal, a large Tome, consisting for the most part of Records, Writs, Epistles, Patents, Bulls, Procurations, Antiquities not formerly printed, relating principally to the Ecclesiastical, and some Civil affairs of greatest note, in England, Scotland, France, Ireland, Rome, during the reigns of King John, Henry the 3d. and Edward the first: many of which I rescued as well from dust and putrefaction, as oblivion, and here bring forth to publick light, for the information, benefit of the present and succeeding age. Their particular Contents you may read at leisure in the Tome it self, all Epitomized in the Title, Chapters, but especially in the 14 Tables to it; wherein every of you may with speed and facility finde, select such Records and passages, as are most suitable to his Profession, Studies, Genius, or emergent Occasions; and all Great Officers both in Church, State, Courts of Justice, Common Lawyers, Canonists, Parliament Members, Historians, Heraulds, Divines, as well of the Roman as Reformed Religion, may find some Antiquities, Rarities, which may either instruct, direct, assist, advantage them at some time or other, though perchance sundry of them may seem trivial, uselesse, or superfluous for the present, unto many.

The multiplicity, variety of the Records are such, that I could only collect and digest them into a Chronological Order, (like Cases in our Year-books and Reports, independent on, and diverse from each other,) and that in a rude, plain, unpolished stile, most suitable to old moth-eaten, lacerated, musty Records and Antiquities, overspread with dust and Cobwebs (as very many of them were) my other publick employments and extraordinary Diversions, affording me not sufficient time to polish or set them forth in a neater Dresse, or in delicate Language now most in fashion, fitter to garnish new Comedies, Play-books, than grave, serious Antiquities.

Since the finishing of my Additional Appendix of Records in the reigns of King John, and Henry the 3. prefixed to this Tome, I perused most of the Records in their reigns and Edward the firsts, (with all of Henry the 1. and 2.) extant in the several Treasuries, Offices in the Court of Exchequer; some whereof I have inserted into my Epistle Dedicatory: I shall here make bold to present you with two more in the Reign of King Henry the 3d. worthy special observation.

The 1. of them thus evidenceth his Royal piety, zeal, and Sovereign Authority in coming personally into the Court of Exchequer with his Counsil, and there with his own mouth commanding all the Sheriffs of England to attach all blasphemers of the Name of Jesus, and bring them to publick Justice at such time and place as he should prescribe, (a president worthy imitation in this atheistical, blasphemous, unzealous age) with his care for the execution of speedy Justice to all, especially Pupils, Orphans, Widdows; to prevent all oppressions of his Subjects by Sheriffs, or great men; and to preserve the Churches just Liberties, together with the rights of his Crown.

Dis



## The Epistle to the Reader.

Adhuc Com-  
munia de Ter-  
mino S. Mich.  
An. 35 H. 3.  
Rot. 2. inus.  
Præceptum  
Domini Regis.  
\* See Magna  
Charta, c. 1.

† See 9 E. 1.  
Statute of  
Sheriffs, Ralph  
Sheriff. 2.  
4 E. 3. c. 15.

**D**ie Veneris, proximo ante Festum beati Edwardi, Anno regni Regis Henrici tertii 34. venit Dominus Rex cum suo Consilio ad Scaccarium, & ibidem proprio ore præcepit omnibus Vicecom. Angliæ tunc ibidem existentibus. Inprimis, quod modis omnibus oberbarent, et manutenerent \* Libertates Sanctæ Ecclesiæ, et similiter manutenerent Pupillos, Orphanos, & Viduas, & celerem eis justiciam exhiberent. Et si subdissent aliquem Blasphemantem nomen Jesu Christi, statim attachietur, exinde respondend. ad diem et locum, quod Dominus Rex præceperit. Item, quod nullus rusticus distringatur pro debitis Domini sui, quam diu Dominus suus habuerit per quod poterit distringi. Et quod debiti inquirant & restituant, qualiter Magnates se gerunt erga homines suos, et si invenerint ipsos transgredientes, corrigant transgressionem quatenus poterunt. Et si forte non possunt plenarie corrigere, tunc ostendant easdem Transgressionem Domino Regi. Item, † quod nullus Vic. ponat Hundr. Wapentake, vel alias Ballias ad firmam, pro majori questu habendo alicui, nisi tali qui cum justitia tractet populum. Item, quod diligenter inquir. quæ sunt Mercata Adultera, vel ad nocumendum vicinorum Mercatorum levata, & hoc seires faciant Domino Regi. Item, quod salvo custodient omnia jura, et libertates Domini Regis, nec faciant retur- num de Brevis Domini Regis alicui, nec permittent aliquem habere visum Franci pleg. nec Turnum Vic. nec auxilium Vic. nec alias Libertates quæ ad Coronam Domini Regis specialiter pertinent, sine Warranto, nisi illos qui cartas Domini Regis inde habuerint, vel illos qui cartas libertatis ab Antiquo obtinuerunt.

The 2d. (more pertinent to my *Thema*) most clearly evidenceth his Supreme Ecclesiastical Jurisdiction, in commanding his Judges of the Jewes Exchequer by sentence in that Court, judicially to deprive Elias the London Jewes High-Priest and Bishop, of his Priesthood, for an offence against him and his Brother, then granting them a special license to elect another in his place, and so in succession, and after to present him to him for his confirmation in his office, (as in case of his other Bishops.)

Inter Commu-  
nia in festo S.  
Trin. An. 41  
H. 3. Rot. 20.  
dorfo. Philippo  
Lovell, Pro  
Judicis de Sa-  
cerdote eligen-  
do.

a 1 Kings 2.  
26, 27. 35.  
b Gratian Di-  
stinct. 22. 96.  
98. Barth.  
Buxiensis, &  
Johannes  
Thierry in  
their Glosses  
thereon, Gul.  
Durandus Ra-  
tionale Divin.  
l. 2. Alvar.  
Pelagius de  
Planctu Ecclef.  
l. 1. Art. 13.  
Bellarm. de  
Roman. Pon-  
tif. l. 4.

**R**EX mandabit Philippo Lovell, et Justic. ad custod. Judæorum assignatis; Quod cum Elias Episcopus Judæorum London. pro transgressionem, quam fecit eam Regi, quam Fratri suo Regi Almaine, a Sacerdotio Communitatis Judæorum Anglia eorum prædictis Philippo et Justiciariis, quos ad transgressionem illam convincendam assignabit, per Judicium eorumdem ad Scaccarium fuerit adjudicatus. Et de ejusdem Sacerdotii officio, et etiam de omnimodis aliis Officiis, et balliis, quæ a Rege optinuit, sit depositus. Rex de eorumdem consilio Justic. concessit prædictæ Communitati Judæorum Anglia, per finem trium Mercarum Auri, quem Cresse et Haginus, Fratres ejusdem Judæi, cum Rege pro eadem Communitate fecerunt; Quod prædictus Elias Sacerdotium illud nunquam in posterum habeat, et recuperet. Et quod de cætero, nullus Sacerdos sit de illa Communitate, nisi per communem electionem Communitatis ejusdem; Et quod illa Communitas, post decessum cujuslibet Sacerdotis taliter electi, alium quemcumque voluerit Sacerdotem eligere liberam habeat facultatem. Et ipsum Regi præsentand. cum assensu Regis, ut super hoc optineat Regis favorem. Et datus est eis dies ad eligend. Sacerdotem suum, citra festum Sancti Petri ad vincula.

This president of his, is sufficiently justified by divine Authority, for a King Solomon deposed Abiathar the High Priest from his Priesthood, for Conspiracy and Treason against him, in adhering to Adonijah who usurped the kingdom, and made Zadok High Priest in his room, by his Supreme Ecclesiastical royal Authority: by which he might likewise have put him to death, as he told him, yet he spared his life for the present, out of meer grace; because he did bear the Ark of the Lord God before David his father, and because he had been afflicted in all wherein his father was afflicted, when he fled from Absolon who usurped his Crown. A clear Scripture Authority, that Christian Emperors or Kings may lawfully depose not only Archbishops, Bishops, and other Clergy-men from their Offices and Bishopricks; but likewise Popes themselves, (who pretend they succeed Aaron the Jewes High-

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High-Priests in their Authority, as well as St. Peter, and thence deduce Arguments for their Supremacy, and Title of Pontifex Maximus, which even the Chief Pagan Roman Priest, and afterwards their <sup>c</sup> Consuls or Emperors only enjoyed) for Treason, Rebellion, or other Grand Offences, and likewise put them to death, without any violation of the Churches Liberties. For St. Paul himself (though an Apostle, <sup>d</sup> equal to St. Peter, and <sup>e</sup> joynt Bishop of Rome together with him,) when he was <sup>f</sup> accused by the Jewes before Festus, (who layd many and grievous complaints against him, as an offender both against the Temple and Cæsar, to whose Judgement seat he appealed from their Judicature;) made this answer, If I be an offender, or have committed anything worthy of death, I refuse not to dye; (to wit, by a legal Trial before Cæsar) where I ought to be judged: where he and St. Peter were afterwards condemned to death, Paul being beheaded, and Peter crucified at Rome with his head downwards, as <sup>g</sup> Historians relate; yea both of them expressly enjoyn <sup>h</sup> every soul (whether an Apostle, Prophet, Pope, or other Clergyman, as well as Laick, as St. Chrysostom, Theodoret, Theophylact, Occumenius, and others comment on it) to be subject, and submit themselves to the higher Powers, and to the King as SUPREMACY, and that for Conscience sake, FOR SO IS THE WILL OF GOD; and that in an Epistle written to all that be in Rome, called to be Saints, by expresse evangelicall precepts, backed with their own examples in submitting to their capital Judgements, executions, as our <sup>i</sup> Saviour Christ himself did before them, leaving all Popes, Prelates, how great soever, an example, that they should follow their Steps therein, as <sup>k</sup> many of the first Martyred Bishops of Rome did; without pleading any such <sup>l</sup> Priviledges, Exemptions from Kings and Emperors Tribunals, or Corporal, Capital punishments, or Taxes (which they paid) as they since pretend to by their own Antimonarchical Canons, Decrees, and Constitutions, (or by Charters forcibly extorted from Christian Emperors and Kings themselves) or such an unlimited power, as Popes and other Prelates now claim; That they are the Superior Judges of all Emperors and Kings, as well as inferiour Subjects, but they themselves are to be judged by none but God himself; or at least by Popes and Bishops themselves in Councils; Which they prove from the much perverted Text of St. Paul, 1 Cor. 2. 15. But he that is spiritual (that is, regenerated by Gods Spirit) judgeth (that is, discerneth) all things (that are revealed; taught by the Spirit of God) yet he himself is judged (or discerned) of no man; that is, of no natural or carnal man, for those spiritual things, (not for visible Crimes, or Capital offences) who perceiveth not the things of the Spirit of God, neither can he know them, because they are spiritually discerned, as the Text it self and all ancient Orthodox Commentators on it expressly resolve, against the absurd ridiculous false Glosses of Modern Popes, Canonists, and Sycophants of Rome, who appropriate this Text only to the Pope himself, and to Bishops, Clergy-men, though meerly carnal, voyd of the Spirit of God, and that only for visible carnal things and Crimes; whereof it never was, nor can be intended, against St. Pauls, and St. Peters expresse Doctrines in the forecited Texts, seconded with their practise.

And here I shall crave leave to inform you, how Popes, and Popish Archbishops, Prelates, Clergymen first procured, and then enlarged, supported their Exemptions from, and Ecclesiastical Jurisdiction over Christian Emperors and Kings; not only by granting dispensations with their Oaths, Vows, unlawfull, incestuous, libidinous marriages, divorces, interpositions in their Treaties of Peace, Leagues, Wars against each other, by grants of Dismissals, Indulgences, Priviledges for pretended assistance of the Holy Land against Saracens and Infidels; by declaring Bastards to be legitimate heirs, and themselves to be sole Judges of Hereticks, Heresy, Schisms, and by confirming of Kings, Emperors grants, Priviledges, Exemptions to Monasteries and other Churches; (which I have demonstrated by several Instances in this and the precedent Tomes,) but more especially by Monopolizing to themselves by degrees the sole power of consecrating, crowning Emperors, Kings, and prescribing Interrogatories, Oathes, Articles, Ceremonials, to them at their Coronations, especially when they Crowned Usurpers, and put by the right heirs from the Crown; which because not hitherto fully cleared by any, I shall crave leave to present you with my collections, and observations

<sup>c</sup> Cornel. Tacitus, Annales. l. 3. Suetonius, Eutropius, G. Inston, & others in the lives of Titus, Vespasian, & Trajan, Godwins Rom. Antiquities, l. 3. sect. 1. c. 9. & l. 3. 3. 8. d. Gal. 2. 5. to 15. e. Epiphanius contr. Hæres. l. 1. c. 7. Eusebius Eccles. Histor. l. 3. c. 31. f. Acts 25. 6. to 13. g. Eusebius, Nicephorus, Platina, Cent. Magd. Onuphrius, Genebrard, Ribadeniera, Mart. Westm. An. 66 & sundry others. h. Rom. 13. 1. to 8. 1. Pet. 2. 13, 14, 15. i. Tit. 3. 1. Mat. 10. 17, 18. j. Mat. 27. Mar. 14. & 15. Lu. 23. & Joh. 23. 1. Pet. 2. 21, 22, 23. k. See Platina, Balzus, Eusebius, Theodoret, Zozomennus, Nicephorus, Baronius, Genebrard, in their lives. l. Gratian, Caus. 9. qu. 3. Caus. 11. qu. 3. Caus. 7. qu. 4. & Distinct. 21. 40. 96. Extrav. de Majoritate & Obedientia, Augustinus Triumphus, Martia, Barboisa, & Bellarm. de Romano Pontif. & Clericis, Mart. de Vulfon, De

la Puissance du Pape, l. 2. c. 2. 17, 18. Dominicus Soto, m. 4. sent. dist. 35. qu. 2. Didacus Covarruvias in Pract. quest. 31. Conclus. 3, 4. Mariana, l. 2. c. 10. De Inst. Regum.

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tions of this kind, both in the Eastern and Western Roman Empires, in the French, and our British, Saxon, Norman, English Kings Coronations, antecedent to King John, and Henry the Thirds. The rather, because I have manifested how Popes and Bishops advance themselves above Emperors, Kings, in the late form of their Unctions not on the head but shoulders in their Coronations, in my Epistle Dedicatory. The <sup>a</sup> Histories of the Roman Emperors, and other Kings lives inform us, that the Pagan and first Christian Emperors, Kings, in all or most Kingdoms, were not Crowned or Consecrated Emperors or Kings by Priests, Archbishops, Popes, Patriarchs, Archbishops, Bishops or Clergymen, but only by themselves, or their Predecessors, who associated them in the present Government of their Empires, Kingdoms, or declared them to be their immediate successors; or else by their Military Officers, Soldiers, Guards, or Nobles, by investing them with Imperial or Regal Ornaments, Robes, Scepter, or setting a F.let, Diadem, or Crown of Gold upon their heads, with other Ceremonies, according to the usage of their several Countries. But as for their Queens, they were usually Crowned by the Emperors and Kings themselves with their own hands, not by any others.

(a) See *Ælius Lampridius, Flavius Vopiscus, Diodorus Siculus, Suetonius, Polybius, Dion Cassius, Justin, Tacitus, Cuspinianus, Eutropius, Paulus Diaconus, Albertus Crantz, Volaterranus, Grimston's Imperial History, Antoninus, Matthew Westminster, Hector Boetius, Marianus Scotus, the General Histories of Spain, France, Denmark, and Mr. Selden's Titles of Honor, pars 1. ch. 8. p. 167, 168. Alexander ab Alexandro, Genial. Dierum, l. 1. c. 28. l. 2. c. 19. & Boetius de Moribus Gentium.*

(b) *Esther 2. 17.*

(1) *Joan. Zonaras, Arnal. Tom. 3. l. 123. 124.*  
 (2) *Evagrius Eccl. Hist. l. 3. c. 32. Niceph. Callist. Eccl. Hist. lib. 16. c. 26. Joan. Zonaras Annal. Tom. 3. f. 126. Cent. Magdeburg. 5. c. 10. col. 1214, 1215. Genebrardi Chron. p. 453. Petrus de Marca, De Concord. Sacerdotii & Imperii, l. 4. c. 9. n. 6.*  
 (3) *Chronograph. p. 453.*  
 (4) *Platina, & Dr. Barnes in Gelasio 1. & Sabellius Centur. Magd. 5. c. 10. col. 1278, 1279.*  
*b Selden Titles of Honor, part 1. c. 8. p. 146, 168. Eutr. Rer. Rom. Hist. l. 16. p. 208. Onuphrius de Comitibus Imp. c. 2. 5. c. Annal. Tom. 3. f. 130 b.*  
*d In Johann. 1. c. Annal. Tom. 7. An. 525. p. 106.*  
*f Tilenus Hist. Rom. l. 8. c. 2.*

I shall begin with the Coronations of the Christian Roman Emperors of the East, and their Emperresses, recorded in their Histories. Upon the death of (1) *Theodosius* the younger, *Pulcheria* promoted *Marcianus* though ancient to the Empire, upon condition to marry her, whereto he assenting, she, *Patriarcha & Senatu accersitis, Imperatozem salutavit, & Diademate tingit*. After him *Basiliscus* being saluted Emperor, *Zenonidem Augustali Corona ornat, & Marcum filium Cæsarem appellat, & tyrannico Edicto Concilium Chalcedonense abrogavit*; which Decree the people enforced him to retract: The first Emperor crowned, or who had any Coronation Oath or Writing prescribed him by the Patriarch of *Constantinople*, was (2) *Anastasius*, who being elected Emperor by the Senate and Souldiers, about the year 486. *Euphemius* then Patriarch of *Constantinople* suspecting him to be addicted to the Heresie of *Eutychius* and the *Manichees*; thereupon would no wayes consent to his Coronation, but peremptorily refused to Crown him, untill he should deliver him a Writing under his hand, ratified with HIS OATH, wherein he should plainly declare, that if he were crowned Emperor, he would maintain the true faith, and Synod of Chalcedon during his reign, and bring no novelty into the Church of God: Which Writing being assented to, drawn and ratified by his Oath, was delivered to *Macedonius* the Treasurer to keep; and then the Patriarch Crowned him, quasi jam tunc a Pontificibus Reges et Imperatores coronantur, et eorum sacro ministerio Imperia suscipiunt; as (3) *Gilbertus Genebrardus* observes. After which, the Emperor banished *Euphemius*, deprived him of his Patriarchship, and made *Macedonius* Patriarch in his place; from whom he demanded his premised Hand-writing: For it is (said he) a great discredit unto our Scepter, that our hand should be kept to testify against us, or that we should be tyed to pen and paper. Which he refusing to deliver up to him, saying, *It should never be reported by him, what he betrayed his faith*: the Emperor likewise banished and deprived *Macedonius*. so much was he exasperated by the exacting of this Hand-writing and Oath from him at his Coronation. *Platina* and (4) some others write, that Pope *Gelasius* the 1. excommunicated this Emperor, because he favoured Hereticks and *Acacius*, who opposed his Supremacy; though others write, he only denied communion with him; the first usurpation of any Pope of this nature over an Emperor, which their successors and Parasites since, do much insist on. The next Emperor I read of, Crowned by a Patriarch, was *Justinus* the 2. crowned at *Constantinople* by *Eutychius* or *John* the Patriarch, Anno Christi 558. by blessing him, and setting the Crown upon his head, as *Coryppus*, and *Eutropius* inform us: which done *Justin* himself uxorem suam *Sophiam* nomine, et coronavit *Augustam*, as *Zonaras* and *Eutropius* story: Indeed *Anastasius* only, and *Baronius*, with *Bernardinus Saccus* out of him affirm, that *Justinus* the 1. was in the 5<sup>th</sup> year of his reign Crowned Emperor the second time by

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by Pope John the 1. about the year of Christ 516. who repaired to him concerning the *Arrian* Heresie, being formerly Crowned by John Patriarch of Constantinople, which seems improbable, because no other Historians mention it; and *Joannes Zonaras* expressly writes of this Emperor, that falling sick, *morbique in spe vita dubia invalescente*, Patriarcha Epiphano & Primoribus advocatis, Justinianum Nepotem Imperatorem decernit, et suis manibus ejus Capiti Diadema imponit, according to ancient Custome, though the Patriarch himself was present, which is observable, he receiving no other Coronation after his death. From the death of Justinian the 2. <sup>h</sup> *Zonaras*, <sup>i</sup> *Entropius*, and others make no mention of any Emperors Coronation, till that of Tiberius An. 571. ab Eutychio Patriarcha Coronatus. After him, An. 577. Mauritius à Patriarcha Johanne junioriore Coronatus, rerum administrationem suscepit; who being slain with his Wife and Children by the Usurper <sup>k</sup> *Phocas*, (instigated by Pope Gregory the 1. because he would not upon his reiterated Epistles to him command the Patriarch of Constantinople to renounce the stile and title of UNIVERSAL BISHOP, which he used, to the derogation of his Papal Supremacy) *Phocas*, cum populo Phrasine factionis Hebdomam ingressus, Anno 595. as some, or 605. as others compute it, summoned the Patriarch, Senate and People to come to him. Hoc igitur facto, & cunctis convenientibus apud Septimum, tunc Patriarcha Cyriacus a tyranno de orthodoxa fide, et ut sine perturbatione serbaret Ecclesiam, EXTORSIT PROFESSIONEM, (as *Entropius* stories.) Which profession being made, ibi à Patriarcha Diademate ornatus, inde in Regiam se contulit, & quinta die Leontiam uxorem Augustam coronabit, (by setting the Crown upon her head as the Custome then was, with his own hands.) This Usurper contrary to his extorted profession Anno 609. à Bonifacio Papa, rogatus, *Phocas Imperator cum magna tamen contentione*, statuit, ut Ecclesia Romana esset aliarum Ecclesiarum magistra et domina. Nam antea Ecclesia Constantinopolitana Domina sese scribebat omnium Ecclesiarum, as <sup>†</sup> *Matthew Westminster*, and sundry others story. Which highly incensed the Greek Patriarchs and Church against him. He at the instigation of *Heraclius*, being deservedly slain for his tyranny by his own guards, Anno 613. <sup>1</sup> *Heraclius* à Sergio Patriarcha Coronatus in Oratorio Sancti Stephani in palatio suo: Coronata est etiam eodem die Eudochia sponsa ejus in Augustam, et accepit uterque a Sergio Patriarcha Nuptiarum coronas: & uno eodemque die Imperator simul et sponsus ostenditur, so *Entropius*; or as *Zonaras*, statem etiam Eudociam sponsam diademate ornat: The next Coronation I finde, is that of <sup>m</sup> *Stauratius*, An 796. *Nicephorus Imperator coronavit filium suum Stauratium per Tharasium sanctissimum Patriarcham in ambone majoris Ecclesie in Imperatorem*. In all these and their successors Coronations by the Patriarch, I find no mention at all of any anoynting, Oath or promise made by any Greek Emperor to the Patriarch, to maintain the Churches liberties, Rites or Jurisdictions, but only the right faith; though they frequently by their Imperial power deprived, imprisoned, banished many Patriarchs, and set up new in most of their places, restoring only some of them, as *Zonaras*, *Cedrenus*, *Entropius*, *Nicephorus*, and the *Magdeburgian Centuriæ* record. <sup>n</sup> An. 804. after the death of the Emperor *Nicephorus*, slain in his wars against the *Bulgarians*, when *Stauratius* his son, Crowned Emperor by his father, came to *Adrianopolis*, wounded in that battel, et magistratum quorundam studio Imperator est declaratus: he intending to leave the Empire to *Stauratia* his Sister, married to *Michael Cynopolata*, and seise upon *Michael* to put out his eyes, thereupon she and the Senate calling the scattered Legions together in the night, declared *Michael* to be Emperor a little before day-breaking: *Michael ubi diluxit, magnam Ecclesiam ingressus a Patriarcha Nicephoro, Imperatorio diademate est ornatus, postulato prius scripto, quo promitteret, se nulla Ecclesie statuta violaturum* (to wit, of the second Council of *Nice*, for the setting up and adoring Images in Churches) neque Christianorum sanguine manus contaminaturum esse, as *Zonaras* informs us; *Entropius* thus relates it, Porro, *Nicephorus Patriarcha scriptum a Michaelē propitiæ manus erexit de recta fide, et ut sine sanguine manus a Christianis servaret, ac de sacris hominibus seu Monachis, et de toto Ecclesiastico Catalogo, ne percuterentur ab illo*; which he not only performed, but also of his bounty donavit Patriarchæ anni libras L. & Clero xxv. Post dies aliquot *Procopiam uxorem Augustam salutavit*,

g Annal. Tom. 3. f. 128. Imperium Justin. Thracis.

h Annal. Tom. 3. f. 131, 132. i Rerum Rom. Hist. 16 & 17. p. 212.

k See my first Tome, p. 102. 103, 104. *Entropius*, l. 7. p. 232, 233.

† Anno 609. p. 209. See Here, Tom. 20 p. 103, 104. <sup>1</sup> *Zonaras* Annal. Tom. 3. p. 133. *Entropius* Rerum Rom. l. 18. p. 237. <sup>m</sup> *Entropius* l. 24. p. 337. *Zonaras* Tom. 3. f. 141.

n *Zonaras* Annal. Tom. 3. f. 142, 143. *Entropius* l. 24. p. 145, 146.



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vir, & Coronabit in Triclinio, multisque donis liberalibus auxit Senatum. Omnes autem Patricios et Senatores, Sacerdotes et Summos Sacerdotes, et militantes Monachos et Pauperes, tam in Regia Urbe quam in Themaribus degentes locupletabit. Stauratius autem acclamatione hujus audita, statim comam torondit, & Monachicis indutus vestimentis, per Simeonem Monachum, implored the Patriarch and Michael to save his life; for which end he thus suddenly became a Monk, which request he obtaining soon after died of his wounds, cum duos duntaxat menses & sex dies imperasset. This president or Charter is the first promise (not Oath) demanded from, or given by any Roman Emperor or King I read of at his Coronation, for confirming the Churches, Bishops, Monks Privileges; not to be punished by him; and the first of rewards given to Patriarchs, Bishop, Priests, Monks, Senators, and that by a forcible Usurper, to secure his usurped Empire to him and his son; who soon after Filium Theophylactum Imperatorio nomine dignatus est, et a Patriarcha diademate ornandum curabit. But this could not secure the Empire to them, nor Patriarchship to Nicephorus, nor yet their persons against Gods retaliation; for Michael being routed in a battle by the ° Bulgarians, as Nicephorus was, and flying to Constantinople, thereupon Leo stirred up the remainder of his Legions against him, as he had done against Stauratius, who proclaiming Leo Emperor, Michael upon the tydings thereof, potestatis insignia Leoni misit, eoque Regiam ingressus, cum uxore & liberis in eadem qua est in Pharo, supplex confugit. Inat avulsi, Michael in insula Photia Monachus factus vitam exegit, Theophylactus filius ejus, qui Imperator appellatus fuerat, virilibus exaltis cum matre & fratribus est relegatus. Hunc exitum habuit Michaelis imperium cum id biennium tenuisset: As for P Nicephorus the Patriarch, who Crowned him and his Sonne, and likewise Leo, in ambone majoris Ecclesie, (but without any Oath, Charter, or promise, like that of Michaels) he deprived him of his Patriarchship, and banished him to Præconetra upon this account. Leo being very zealous against Images, and the Institutions of the second Council of Nice, (which Michael at his Coronation promised him not to violate) eas omnes tolli iussit, by the persuasion of a Monk, a quo imperium sibi prædictum fuerat. Cumque Patriarcham Nicephorum in suam sententiam pertracturus esset, ille verò acriter adversaretur, & editum illud & scriptis & orationibus impietatis argueret, vitum relegat. Nicephoro sua Ecclesia pulso, in ejus locum introductus est Milessenus Theodotus, qui sacra Cathedra indigne conscensa, cum Imperatorem suffragatorem haberet and aliter in sacras imagines grassatus est. After Leo, I finde these Emperors of the West, viz. a Michael Balbus, Romanus Lacapeni, Nicephorus Phocæ, Theodora, Constantinus Monomachus, Nicephorus Botaniata, Crowned by the Patriarchs of Constantinople, without any unction, oath, promise, or Writing whatsoever: and Theophylus the Emperor crowning his Sonne Michael with a Diadem, and declaring him Emperor: Constantine the sonne of Leo crowning and declaring his sonne Romanus Emperor, vota faciente Theophylacto Patriarcha Joannes Zimisca, filium suum Basilium Diademate & Imperatorio nomine ornat, & Alexius Comnenus, qui Johannem filium ipse Imperio ornavit. Romanus Lacapeni crowned his Empreffe himself, and Alexius Comnenus did also the like. I read that Johannes Zimisca who most barbarously murdered his Sovereign Nicephorus Phocas the Emperor, and usurped the Empire by force and treachery, after he had restored those Bishops whom Nicephorus had banished, qui ei libris subscribere recusarunt, quo sanxerunt, ne quis Pontifex se inficio designaretur; Deinde in magnam Ecclesiam abijt, ut ibi diademate ornaretur; sed Polyuctus Patriarcha eum ut cade Pollutum, ingredit eadem sacram non est passus. Quam increpationem Zimisces a quo ferens animo, pro defensione attulit, se eadem suis manibus non perpetrasse, sed Abalantem, & Azyphotheodorum Theophanonis jussu Nicephorum sustulisse. Contra Patriarcha postulavit, ut Theophano Regia pulso relegaretur, et Nicephori percussores in exilium agerentur, et liber ejus mentionem fecimus, faceretur, et ipse pœnas daret. Ille se omnia facturum pollicitus, statim missis satellitibus Theophanonem Regia educit, librum ad se allatum facerat, et quas præbatus opes habuisset, se distributurum pauperibus promissit. Huius facti natali Servatoris & Dei nostri, simul in Ecclesiam admittitur, simul diademate ornatur, Theophanone in Præconesum relegato. Sic appellatus Imperator, cum mag-

o Zonaras An-  
nal. Tom. 3. f.  
143, 144. Eut-  
ropius, l. 23.  
p. 350, 351.

p Zonaras &  
Eutropius ibi-  
dem, Paulus  
Diaconus De  
Gestis Longo-  
bardorum, l. 6.  
p. 439.

q Zonaras An-  
nal. Tom. 3. f.  
144 b. 146 a.  
f. 156 a. 158 a.  
159 a. 166,  
168 a. b. 172 b.  
177 b.

r Zonaras An-  
nal. Tom. 3.  
147 a. 156 a.  
158 a. 159 a.  
178 b. 180 b.  
f Zonaras An-  
nal. Tom. 3.  
p. 461.

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na Antiochia Pontifice caveret, Monachum quendam Theodorum, qui Imperium ei prædixerat, neque festinare aut rapere, sed numinis designationem expectare jusserat, Pontificem nominavit. This Patriarch by Crowning this bloody Usurper upon these precedent conditions, (whom he should have totally refused) gained a revocation and rescinding of that lawfull Book and Imperial Priviledge, (as prejudicial to the Churches Liberties) which prohibited any to be made or assigned a Bishop, without the Emperors privy. Some years after, Michael surnamed Senex being made Emperor, by the Empresse Theodora, when she lay sick despairing of life, by advice of her familiars, a qua statim diademate redimitus: sanctissimo prius juramento adactus est, se nihil sine illozū consensu in Imperatozū admistrationibus decreturum. Not long after by fraud and practise he was persuaded by Michael Patriarch of Constantinople and others to resign the Empire to Isaac Comnenus; Paulo post Comnenum aperte Imperatorem salutarunt, etiam Patriarcha suffragante & adjuvante (against their Oaths to him;) qui Michaeli nunciaret, ne cunctaretur, & præmium suffragii postularat, et Imperatozi insolentius nunciaberat, ut Regia decederet. Quo nuncio à primariis Sacerdotibus accepto senex Michael percontatus est, quod sibi præmium pro Imperio daturi essent? Illi respondentes, Regnum cæleste: statim insignibus abjectis Regia decellit. At Comnenus, firmato Imperio, eos à quibus adiutus fuerat, liberalissime est remuneratus. Patriarcham magnopere veneratus est, & fratris ejus filios magnis honoribus affectos, superbis magistratibus præfecit. Præterea, in Patriarchæ gratiam, etiam Ecclesiasticarum rerum procuratorem Ecclesiæ attribuit. Nam cum ad id usque tempus & magnus Oeconomus, & vasorum custos ab Imperatore designari solet: utrunque id munus Patriarchæ potestati subiecti, amota publica auctoritate. Hereupon, though the Emperor thus settled grew very proud, yet as Zonaras stories, Neque vera Patriarcha superbia illi cedebat, sed imperare illi volebat, ac si quando non impetrasset ea quæ petierat, ægre ferebat, increpabat: denique minabatur, quemadmodum Imperium illi contulisset, ita se idem illi erepturum. Quæ cum talis Imperator ferre æquo animo haud utique posset, prohibuit, ut malum daret potius quam ferret. Cum igitur Patriarcha in suum Monasterium, ad festivitatem cælestium copiarum, quæ ibi solebantur, splendidius celebrandam iturus esset: missa illuc cohorte militum (nec enim eum ex Ecclesia verbi divini sapientiæ abellere voluit, ne vel Cleri vel populi motus oriretur;) et ipsum et nepotes ejus relegat. Deinde, de abrogando illi Patriarchatu cogitans, opera quorundam primariorum Sacerdotum nititur, & Pselli, variarum & absurdarum criminationum coacervatoris, quas in oratione contra illum scripta congessit, & per quosdam viros significat, ut simulet, se ultro Pontificatu cedere, quem altoqui inbitus cum publica infamia sit amissurus. Ut autem ille refragabatur, Imperatoris de ejus exhortatione sollicitudinem mors sustulit. Nicetas Chronicata renders us this Account of the Coronation of Manuel Comnenus. Facta igitur re divina pro declaratione & Imperii auspiciis, de Patriarchi throni successore & ecclesiastica functionis gubernatore deliberat, a quo in templo Domini Corona Imperatozū ornaretur; Nam Leo Scyppiora morte rebus humanis exemptus erat. Proinde sententiam cum cognatis, Senatoribus & Sacerdotibus communicat; qui Michaellem Acuti Monasterii Monachum designabant, virum & virtute celebrem et literis nostris eruditum: Is igitur Patriarcha declaratus eum a quo undus erat, bicissim unguit, Imperatorioque diademate ornabit, sacram ædem ingressus. And of young Alexius his Coronation; he writes; \* Andronicus auctor est coronandi Alexii (Comneni) eumque in humeros elatum lacrymans in magna Ecclesiæ ambonem pertulit, atque inde retulit, ut patrem pietate superare videretur, & adolescentis Imperatoris præsidium haberetur, cum ipse aliud habebat in mente, ac Davidicum illud agitaret, elatum me allisit.

Upon the death of Johannis Duca the Greek Emperor, Theodorus Lascaris his sonne and heir, totius populi suffragiis est creatus Imperator, in clypeo sedens, more à majoribus accepto, as <sup>a</sup> Nicephorus Gregorius stories; <sup>b</sup> Georgius Pachymerus informs us, Imperatorio clypeo insidet, is qui Imperio designatur, ac pedibus primam imperatoris insignis ornatis & manibus, hinc Pontificum inde Procerum elatus, Imperatoris hymnus & plausibus ab omnibus celebratur. The Patriarchship of Constantinople being then voyd, Nicephorus Blemmydes though unanimously elected refusing

z Zonaras Annal. Tom. 3.  
Nicetas Chron. Annal. f. 9. 172  
173. Centur.  
Magd. 11. c. 3.  
col. 38. c. 10.  
col. 516, 517,  
Cent. 12. col. 1381.

Notæ

u Annal. l. 1.  
f. 9. b. See  
Cent Magd. 12  
col. 871.

x Annal. p. 31.  
b.

a Hist. Romæ  
1. 3. f. 9.  
b Capita, l. 1.  
f. 61.



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c Niceph. Gre-  
go. 11. Hist.  
Rom. l. 3. f. 1. a  
b. 10. & l. 4.  
f. 12, 13, 14.  
Cent. Magd. 13  
col. 21, 606,  
982, 983, &  
Cent. 12. col.  
1381, 1383.

to accept it, *Arsenius Monachus* (about the year 1262) *Patriarcha creatus communi Pontificum sententia & suffragio*, Imperatore maxime approbante, et Pontificum illud suffragium (uti mox est) confirmante, Imperator a Patriarcha unctus et diademate ornatus est; without any Oath, promise or Charter mentioned in the *Greek Historians*. This Emperor falling into a deadly sickness, *Moriens*, *Muzalonem*, cum Patriarcha Curatorem Imperii reliquit, aonem filium Joannes sextum tunc agente annum ad maturam aetatem advenisset: This Patriarch and *Muzalo* (generally hated by the Nobles) to secure the person of their pupil, and *Muzalo* from danger, caused the Nobles to take two Oathes one after another; the last whereof (more sacred than the former) was in this form. *Jurant omnes tam Nobiles quam ex plebe militari; sibi que ac familia sua quilibet exitium imprecantur, si quod jurassent, sancte servarent, ac Muzaloni tutelam, Imperatoris vero filio Imperium insidiarum expers, et inbiolatum, ad omnem ejus posteritatem tuerentur.* Within few dayes after at the Emperors funeral, the Soldiers entering the Temple with drawn Swords, barbarously slew *Muzalo* who fled to the holy table, with others of his adherents, and so terrified the Patriarch, that he resigned the custody of *John*, to *Michael Palaeologus*, till he should come to age: who aspiring after the Empire, tum honoris causa, populi Romani, tum etiam ad statum interregni firmandum, Despotæ titulo ornatur, tam a Patriarcha, quam a filio Imperatoris: Soon after, viri auctoritate & nobilitate praestantes circa *Magnesium clypeo* insidentem *Michaelem Palaeologum*, Imperatorem appellant. Quo Patriarcha *Arsenius* audito, vehementer perturbatus, puero metuebat: ac primum in animo habuit, tam eum qui appellatus esset Imperator, quam qui appellasset, sacris interdicere. Deinde mutato consilio, moderatius & melius esse ratus est, eos sancto jurejurando astringere, ne vel pueri vitæ insidientur, vel de Imperio illi per vim aut fraudem eripiendo cogitent; itaque factum est Calendis Decembris. Sed priusquam mensis elaberetur, iis ipse qui hac timebat, & illa ipsa pro securitate pueri egerat, suis manibus, in sacro suggestu *Michaelis Palaeologi* capiti coronam imponit, et Imperatoris diademate virum ornat, sententia Senatus & sacri ordinis impulsus. Caterum non perpetuum illi decernit imperium, sed quod tum rebus ita cogentibus, id ab eo administrandum esset, donec legitimus illius haeres & successor adolevisset: tum vera illi soli cedendum esse ultro & solio Regio, & omnibus Imperii insignibus. Atque hæc sanctiore jurejurando quam prius firmabit: Post hac *Arsenius* relicta sede Patriarcha, se in maritimum *Paschatii Monasterium* quiescendi causa contulit: Causa illius secessus fuit *Joannis contemptus*. Whose eyes being soon after burnt out by *Palaeologus* to make him incapable of the Empire; thereupon after many complaints *Arsenius Palaeologum* sacris interdicat: who patiently endured his censure for some space to pacify the Patriarch; but not complying with him, he thereupon impeached him of several crimes, deprived him of the Patriarchship, banished him, and promoted *Germanus* to the Patriarchship: who not long after deserting it, upon the clamors of the people, that he usurped the See living *Arsenius*, the Emperor made *Joseph* Patriarch in his stead: by whose advise, to ingratiate himself with the people, and expiate his sinnes, Imperator *Michael*, cum Patriarcha primum sacrificium in Ecclesia cum ceteris Pontificibus peragisset, ante vestibulum sacri suggestus prostratus, duo sua peccata, perjurium, et filii Imperatoris excommunicationem proferretur, sibi que condonari petit. Primus igitur Patriarcha illi jacenti astans, condonationis singularem quandam, ac post eum Pontifices suo quisque ordine eandem recitarunt. Ita latus discedit Imperator tam ob illam condonationem, quam quod Deum etiam sibi placatum & reconcilatum existimabat, though he restored not the Crown to the right heir, whose eyes he thus put out. From whence I shall observe, 1. That this usurping of the Empire by this perjured Emperor, was the ground of the Patriarch imposing a New Oath upon him at his Coronation. 2ly. That his perfidious violation of this Oath, encouraged the Patriarch to excommunicate him. 3ly. That this excommunication was the occasion of this Patriarch's deprivation and banishment by this usurper. 4ly. That this Usurper to ingratiate himself with the people and Prelates, made a public confession of his perjury, and crime in putting out the eyes of the right heir, and received public absolution both from his crime and sentence thereupon, by a Writing made under the new Patriarch's and Bishops hands.

After

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After which this perjured Usurper about the year 1270. to secure the Empire to himself and his posterity, <sup>d</sup> Andronico filio suo Annam Pannoniam desponsavit, simulque illum insignibus Imperii ornat, in his life time; and for securing his own life, Empire, and priviledges of the Greek Patriarchs, Clergy, (to induce them to crown him without opposition) he prescribed his son this Coronation Oath by the Patriarchs advise. Cum Andronicus insignibus Imperii à patre Michaele Palæologo ornaretur, ipse patri jurat, se Dei Ecclesiam pie veneraturum, ejusque privilegia modis omnibus culturum, et inviolata conservaturum esse: (A Clause never inserted into the Oath, Writing, promise of any precedent Emperor) Postea, se bitant et Imperium patris sui expertem insidiarum usque ad ejus obitum pro virili conservaturum. His peractis, omnis Romanus populus usitatum iuramentum Andronico novo Imperatori dedit. Patriarcha vero et Collegium Sacerdotum iuramentum suum præscriptum, in sacros codices retulerunt: se et successores suos, ejus Imperio non esse insidiaturos, profitentes. Pater autem permisit, edictis subscribere rubris literis, ceterum sine mense & indictione: sed, Andronicus, Christi gratia Imperator Romanorum.

Soon after this Oath prescribed and taken, <sup>e</sup> Charles King of Italy, and Earl Baldwin, raising great forces to besiege Constantinople, and unite the Empire thereof to that of Germany, by the Popes intligation; to prevent this danger Palæologus the elder sent Embassadors to Pope Gregory, to mediate an accord between the Greek and Roman Churches; Cujus hac tria Capita fuerunt; Primum, ut in sacrorum voluminum Psalmodiis Papæ, cum quatuor Patriarchis mentio fieret. Alterum, ut liceret cuivis Romam veterem, quæ Curia majore et perfectior est, appellare. Tertium, ut illi Principatus in omnibus deferretur. Which agreement was so much opposed by the Patriarch Joseph, that he deserted his See, and the Colledge of the Priests mutinied the people against him: whom he could not pacifie by his perswasions, nor yet by imprisonments, exiles of Beccas, & other Patriarchs, Bishops, Priests who obstinately opposed this accord; which rendred him so odious, that, post obitum Græcorum Imperatorem Palæologum sacra arcent Sepultura Constantinopolitani Sacerdotes, quod Romanæ Ecclesiæ sententiam in Concilio Lugdunensi amplexus esset; whereupon he was privately buried in the night by his sons command prociat à castris, vix plebeia sepultura, multa terra obrutus, id solum cavens, ne à feris discerneretur. After which, the Patriarchs of Constantinople grew so rebellious and refractory against the Emperors, that they were either banished, deprived by them, or resigned their Patriarchships when they could not have their wills. Whereupon they made choyce of aged, simple, and illiterate persons to be Patriarchs, who through ignorance and simplicity were most apt to obey them, <sup>f</sup> ut dicto eis obedientes sint tanquam mancipia et nullo ipsius verbo refragentur; no Oath at all (for ought I find) being imposed on the succeeding Emperors, whether crowned in their Fathers or Grandfathers life, or after their deaths, witness the <sup>h</sup> Coronation of Michael Palæologus the sonne of Andronicus 4. Nonas Februarii, octava Indictione.

Moreover it is observable, that in the form of the Coronation of the Greek Emperors collected by <sup>y</sup> Johannes Cantachuzenus about the year 1330. (afterwards Emperor himself) seconded by Codinus, and printed in <sup>z</sup> Mr. Sellen, there is no mention of any Oath, condition or promise at all made by the Emperor at his Coronation to the Patriarch, relating to the Churches or Clergies priviledges or Liberties, only Patriarcha in formam Crucis VERTICEM Imperatoris, sacro unguento perluit, & elato voce addit, Sandus: Quod si adest Imperator antea coronatus, cum Patriarcha nobis Imperatori coronam imponit, & exclamat Patriarcha, dignus, &c. Tum descendit de ambone Imperator, & paratam ibi Coronam à propinquis, aut Eunuchis, eam similiter tenentibus, uxoris capiti imponit (according to their ancient Custome, not the Patriarch) quam maritum Imperatorem adorans, ita se illi subjektam profertur. Hæc igitur modo Imperator Conjugem suam coronat. Si antea Corona ipse indutus fuit, inter sacra nuptiarum id facit. After which follow some prayers, without any Oath or promise exacted from him by the Patriarch, to prevent all such Usurpations over the Emperors by their Patriarchs, as some of them exercised, and Popes usurped by degrees over the German Emperors by their Coronations.

<sup>d</sup> Nicephorus Gregoras Hist. Romanæ, l. 4. f. 15. Centur. Magd. 13. col. 634.

<sup>e</sup> Niceph. Gregoras Romanæ Hist. l. 5. f. 16, 17, 19, 20. Cent. Magd. 13. col. 783, 1355. See Here, p. 148, 149.

<sup>f</sup> See Niceph. Gregoras Rom. Hist. l. 6, 7, & 8. Cent. Magd. 12 & 13 cap. 10. in their lives. <sup>g</sup> Niceph. Gregoras, l. 8. f. 32. a 1. 39 a 10. b Ibid. l. 8. f. 40. & Georg. Pachym. Hist. l. 3. f. 64 b.

<sup>y</sup> Cantachuz. Hist. l. 1. c. 41. <sup>z</sup> Titles of Honor, Part 1. ch. 8. p. 146, 168, 189, to 193.



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The Custome of Crowning the German Emperors, and anointing them on the Crowns of their heads at first, like the Roman, (since translated by Pope Innocent the Third to their shoulders or arms,) <sup>2</sup> was derived to them from the Greeks, as Onuphrius, and Mr. Selden inform us.

The first Emperor Crowned in Rome by any Pope, was <sup>a</sup> Charles the Great, Anno Christi 800. crowned by Leo the Third (after his purgation upon Oath on the Holy Evangelists made before Charles, as his restorer, and Sovereign Judge of the Crimes objected against him,) *cuncto Romano populo acclamante*, Carolo Augusto A DEO coronato (originally, but only ministerially by the Pope) *Magno et pacifico Imperatori Romanorum, vita et dignitate. Post quas laudes, unctus oleo ab Apostolico in templo Sancti Petri, a CAPITE usque ad pedes, et circumdatus Imperatoria veste atque Corona 8 Kal. Januarii, Indictione nona, antiquorum jure Principum, ab eo adoratur, (not the Pope by him) et ablato Patricii nomine, Imperator & Augustus appellatur;* without any Oath, Promise, homage, fealty or subjection then made by him to the Pope, or Roman Church; But on the contrary, Charles then received from this Pope, a Priviledge to elect and invest both the Pope, and all Archbishops, and Bishops in his Empire, as <sup>b</sup> Ludovicus Pius his Sonne did, An. 815. and the Emperor Otto the 1. An. 964. who deposed Pope John the 13. expelled Benedict, (set up by the Romans without his license) created, and afterwards restored Leo the 8. who confirmed this priviledge, and Crowned him Emperor. Yea Henry the 5th, (though set up by Popes in his deposed Fathers stead, by tyranny, war, rebellion, for defence of this Priviledge of *Invesitures*) when he came to Rome to be Crowned by Pope Paschal the 2d. not only received <sup>c</sup> a new Charter of the premised Priviledges granted to Charles the Great, from this Pope and his Cardinals, subscribed with their hands, seals, and ratified by their solemn Oathes; but likewise refused to take any corporal Oath to them to confirm his Covenants and agreement, upon their release out of Prison; *dicens, Imperatores nemini jurare debere, cum sacramentorum sacramenta ab omnibus sunt sibi adhibenda;* as <sup>d</sup> Hermoldus expressly records. Which proves this Oath of Fealty which Gratian inserts into his <sup>e</sup> Decrees, as made by the Emperor Otto to Pope John before his coming into Rome to be crowned, to be an Imposture, since mentioned by no old Historians, yea contradicted by Ottoes deposing John, setting up another in his stead, and the new Priviledge of *Invesitures* granted him by Leo at his Coronation; *Juramentum Ottonis quod fecit Domino Papa Joanni. Tibi Domino Joanni Pape ego Rex Otto promittere et jurare facio, per Patrem, & Filium, & Spiritum sanctum, & per lignum hoc vivifica crucis, & per reliquias Sanctorum, quod si permittente Domino Romam venero, sanctam Romanam Ecclesiam et te rectorem ipsius exaltabo, secundum meum posse; et vitam aut membra nunquam, neque ipsum hominem quem habes, mea voluntate, aut meo consilio, aut meo assensu, aut mea exhortatione perdes. Et in Roma nullum placitum aut ordinationem faciam de omnibus quæ ad te aut ad Romanos pertinent, sine tuo consilio; Et quicquid de terra sancti Petri ad nostram potestatem pertinerit tibi reddo, et cuticumque Italicum regimen commiserò jurare faciam illum, ut adiutor tui sit ad defendendum terram sancti Petri secundum suum posse.* This Oath though forged, with some new Additions to it, Popish Canonists, Advocates hold the Emperor ought to take to the Pope, as bound thereto not only out of reverence, and spiritual devotion to the Pope and Church of Rome, whom he ought by natural right to defend, but as an Oath of Fealty, as being the Popes Vassal and inferiour, from whom he receives and holds his Crown; Upon which ground he ought to kisse the Popes feet, lye prostrate before him when crowned, serve him as his Subdeacon, yea hold his stirrop, and then lead his horse by the bridle for some space, as you may read in <sup>f</sup> Dr. Marta, and others quoted by him; whose Arguments <sup>g</sup> Antonius de Rosellis (a learned Lawyer under the Emperors Sigismund and Frederick the 3.) recites, and then refutes in a special Chapter, to which I refer you. What Oathes of fealty and allegiance Popes have since extorted from the German Emperors at their Coronations, & by depriving those who op-

posed

2 Onuphrius de Comitibus Imperialibus. c. 5. & Mr. Seldens Titles of Honor, part 1. c. 8. p. 146.  
2 Mat. Westm. An. 801. p. 294.  
Eutropius Rerum Rom. Hist. l. 13. f. 332.  
Zonar. Annal. Tom. 3. Lambertus Sagax, Hist. l. 23.  
Mr. Seldens Titles of Honor, part 1. ch. 8. p. 147. 168.  
Onuphrius de Comitibus Imperialibus. c. 5.  
b Fox Acts & Monuments Vol. 1. p. 205, 216, 226.  
Centur. Magd 8 & 9. col. 331.  
My Epistle Dedicatory, & Gratian Distinct. 63. Mr. West. An. 815. 1033.  
c Simeon Danelmeisus De Gestis Regum Angliæ. col. 232. to 237.  
Oto Frisingensis, l. 7. c. 14.  
Radulphus de Diceto Abbre. Chronicon col. 502.  
d Chronica Sclavorum, l. 1. c. 40.  
e Distinctio 63. Tibi Dominus minus. 112.  
& Bartholomæus Brixienfis, Johannes Thierry & others in their Glosses thereon. See Pope Adrians Letter to the Emperor Frederick Barossa, Fox Acts & Mon. Vol. 1. p. 262. & 273.  
Dr. Marta de Jurisdictione, pars 1. c. 4. n. 9. 11, 12, 15. c. 18. n. 12, 13. to 24. Cent. Magd. 10. col. 410, 406.  
f Dr. Marta de Jurisdictione, pars 1. c. 18. n. 7. to 24. g De Monarchia Tract. pars 1. cap. 71. in Melchior Gollastus his Monarchia S. Romani Imperii, pars 1. p. 301, & 233.

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posed their usurpations by tumults and wars raised against them, and setting up Usurpers in their steads,) will appear by these 2. Verses engraven by the insolent Pope Innocent the 2. on the walls of his Palace in Rome, after he had crowned<sup>b</sup> Lotharius Emperor.

Rex venit ante foras, jurans prius Tobis honores;  
Post homo fit Papp, sumit quo dante Coronam.

I shall only observe, that<sup>i</sup> Popish Canonists, and Romish Doctors from the Popes Coronation of Emperors and Kings, argue his absolute Spiritual and Temporal Monarchy over them, as their Sovereign Lord; because they receive their Crowns and unction from him. A meer ridiculous consequence, because as they are both real and actual Emperors, Kings, before and without their Coronations, so Popes and Prelats are but their<sup>k</sup> meer Ministerial Officers therein, to anoint and set their Crowns upon their heads, when, where, and by what Bishops they please to appoint, (as the Nobles are who carry their Imperial Robes, Crowns, Swords, Scepters, and perform other Services at their Coronations,) as they likewise are when they baptize, marry them, not their Lords: else if this Argument holds firm, the Cardinals who elect, consecrate, crown the Pope himself, and his Confessor who absolves him, must be his Lords Paramount both in his Spiritual and Temporal pretended Monarchy; and every Bishop who consecrates his Metropolitan, must thereby become his Sovereign, and absolved from all subjection to him; which will prove fatal to the Popes Supremacy, and to Patriarchs, Metropolitans, Archbishops Hierarchies. All Pontificians therefore must renounce this Argument, and subscribe to the resolution of<sup>l</sup> Thomas Waldensis, (a great stickler for the Pope, Bishops, yet ingenuous in this particular.) Quamquam ministerio Episcoporum solennitates adhibentur Regibus unctionis, susjurandi, fidei et coronæ, non tamen habet Regia illa dignitas ortum a Sacerdotio, quamquam per Ministerium Sacerdotis habet a Deo: sicut nec ordinatus quisquam habet ordinationis ortum a Presule, aut Sacramentum Eucharistiæ a Sacerdote quolibet celebrante; ab homine enim est solennitatis ministerium, Deus vero solus largitur efficium: not the Pope or Bishops.

I shall now passe from the Emperors to the Kings of France. After Charles the Great and Ludovicus Pius, were anointed Emperors by Popes at Rome, for defending them and that Church against their enemies, and declared it to be their duty, *ut defensio, et exaltatio vel honor Sanctæ Dei Ecclesiæ congruus maneat, et pax et justitia in omni generalitate populi magis confirmetur*; the Kings of France who were no Emperors, began to be crowned by their own Bishops, who thereupon contrived and imposed an Oath upon them at their Coronations, to advance their own Prelacy and Canons; which Oath, as<sup>n</sup> Peter de Marca Archbishop of Paris observes, ea mente eisque verbis olim ita conceptum fuit, ut Reges tempore inaugurationis suæ, CUSTODIAM CANONUM subditis suis promitterent, Quod eo pertinebat, ut sponderent nec a se violandos Canones, nec ab aliis. Extat illius Sacramenti antiqua formula, quod Philippus 1. patre Henrico Rege superstito, ac illius auctoritate præstitit, anno 1059.

Ego Philippus, Deo propitiante, mox futurus Rex Francorum, in die ordinationis meæ promitto coram Deo & sanctis ejus, quod unicuique de vobis et Ecclesiis vobis commissis CANONICUM PRIVILEGIUM, et debitam legem atque iustitiam conserbabo, et defensionem quantum potero (adsubante Domino) adhibebo, sicut Rex in suo Regno, unicuique Episcopo et Ecclesiæ sibi commissæ, per rectum exhibere debet. Populo quoque Nobis credito dispensationem legum in suo jure consistentium, nostra auctoritate concessurum.

Hujus formula totiora verba (adds Marsa) transcripta sunt ex ea quæ Hincmarus Remensis Archiepiscopus a se conceptam Ludovico Balbo Caroli Calvi filio porrexerat, cum Regnum Compendii suscepturus ungeretur Anno 877. Sponsio autem illa<sup>o</sup> Ludovici excerpta est à Capitulis quæ<sup>p</sup> Carolus Calvus eodem Anno apud Carisiacum statuerat. Quam quidem promissionem, non sacramentum, vocant Proceres Gallicani, sed pardonationem: Est pardonatio, quam Dominatio vestra nobis fi-

<sup>h</sup> Carolus 5<sup>us</sup> gonius de Regno Italix, l. 11 p. 262, 263. Radevicus, l. 1. n. 9. 10. D. Martia de Jurisdict. pars 1. c. 18. n. 21.

<sup>i</sup> Baith. Cassanæ, Catal. Gloriz mundi, quinta pars 29. Consideratio. Cent. Magd. 9. col. 331. & Dr. Marta de Jurisdictione l. 1. c. 18. n. 6.

<sup>k</sup> to 24. & sundry others there quoted, Doctor Crakenhorps Defence of Constantine, c. 14 § 42, 343. & Jacobus Almain De Potestate Ecclesiæ & Laic. qu. 2. c. 10. Lupoldus de Jure Regis & Imperatoris c. 4. & 11. Dr. Crakenhorp Defence of Constantine, c. 14. p. 342, 343.

<sup>l</sup> Doctrinalis Fidei, Tom. 1. l. 3. Artic. 3. c. 78. p. 389, 390, 391. m Capitularia Car. Magn. & Ludovici, lib. 2. Tit. 1. c. 2. n De Concordia Sacerdotii & Imperii, lib.

<sup>o</sup> In Capitulis Ludovici II. Tit. 1. p. Capitula Caroli Calvi 2. pud Carisiacum, Tit. 43. cap. 4. <sup>p</sup> c. 9. n. 5 & 6. p. 254, 255.

<sup>q</sup> In Capitulis Ludovici II. Tit. 1. p. Capitula Caroli Calvi 2. pud Carisiacum, Tit. 43. cap. 4.

delibus



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delibus vestris pardonavit & subscripsit. Unde Ludovicus Balbus eodem verbo utitur in sponsione sua: Promitto & pardo vobis, id est, concedo & indulgeo. Ante illa tempora sponsio quidem a Regibus inaugurandis concipiebatur, sed aliis verbis solemnibus, quamvis eadem significatione; ut patet ex repromissione quam Carolus Calvus præstitit, cum in urbe Metensi Lotharii Regnum adipisceretur Anno 869.

q Capitula Caroli Calvi, Tir. 35. post Caput 3.

¶ Sciatis, me unicuique in suo Ordine secundum sibi competentes leges tam Ecclesiasticas, quam mundanas, legem & iustitiam conservare: Quod etiam repetitum est in secundo capite conventus apud Carisiacum habiti. In eandem sententiam Reges Galliarum se deinceps usque ad hæc nostra tempora iurejurando adstrinxerunt, et formulis diversis. By virtue of this Coronation Oath, he informs us, that Philip the 4. and Charles the 6. and 7. of France, held themselves obliged to defend the Rights of Bishops, their Canons, and Ecclesiastical discipline. The Ceremonies, Prayers, Unction and Oath used at their Coronations in later ages, you may peruse in <sup>r</sup> Mr. Seldens Titles of Honor, and Laurentius Bochellius his *Dicerta Ecclesia Gallicana*, l. 5. Tit. 2. De Consecratione & Coronatione Regis Franciæ, c. 1. who cap. 4. inserts a learned Epistle of Ivo Carnotensis to the Pope, justifying his Coronation of Lewis King of France, against the complaint of the Archb. shop and Church of Rheims, who pretended that the Right of Consecrating the French King belonged only to them, refuting this their Monopoly by sundry presidents of French Kings Crowned elsewhere by other Bishops, in other Churches, asserting this claim of theirs to be warranted by no Law, nor Custome, and to be prejudicial to Kings themselves, as well as to other Bishops and Churches.

r Part 1. ch. 2. p. 222, &c.

\* For which, See Centur. Magd. 13. cap. 7. p. 682, 683, 684, 685. f Tractatus de Principibus Notabil. 22. r De Jurisdic. pars 1. c. 18. n. 11, 12. & c. 27. n. 7, &c. u Dr. Marta de Jurisdic. pars 1. c. 26. nu. 2, 3, 6. to 24. & Baronius de Regno Siciliæ, Paris. 1605. z Radolphus de Dierco, Ymagines Hist. col. 593, 594.

I shall not insist upon the Unctions or \*Coronations of the Kings of Jerusalem, Spaine, Hungary, Denmarke, Sweden, Poland, Norway, Sicily, Scotland, or their Coronation Oaths, which were not *ab origine*, but came in by degrees in later ages, by the Practise of their Bishops, to advance their Jurisdiction and Power over them, as their Vassals; witness this Magisterial resolution of <sup>r</sup> Martinus Landensis, <sup>r</sup> Dr. Marta, and other Canonists, Omnes Reges qui unguntur ab Ecclesiâ, sunt Galli Ecclesiæ; ergo idem dicendum est de Imperatore; & nullus est Regum qui non sit subditus Romanæ Ecclesiæ. When these forraign Kings began to make any Corporal Oathes to Popes or their Metropolitans at their Coronations, I cannot certainly determine, only it is observable, that the Kings of Sicily (claimed by Popes as St. <sup>r</sup> Peters Patrimony, and thereupon usually crowned by them) never used to take any Corporal Oath upon any occasion, by the Custome of that Kingdom; therefore not at their Coronations, as is evident by this Epistle of William King of Sicily to our <sup>r</sup> King Henry the 2d. Anno 1176. in answer to the request of his Messengers, *Qui & postulaverunt instantius*, (to confirm a Marriage-contract between his daughter and this King with his Corporal Oath) ut idem manu propria juraremus: Quod quia regni nostri semper, et nostris fuit progenitoribus insuetum PERSONALITER JURARE, non durimus expedire. Quare prædicti nuncii vestri quaesierunt, ut sicut ab honorabilibus personis feceratis illud in anima vestra jurari, sic et nos similiter in anima nostra fieri faceremus. Nos equidem, et quod a nostris nunciis in vestra præsentia constitutis super concessione matrimonii ex parte nostra juratum est, ratihabitione firmamus, et quod vobis præsentibus in anima vestra juratum est, grato assensu recipimus, ac si manu propria jurassetis, cum unum et idem putemus Sacramentum quod vel manu propria fit, vel in anima subentis et præsentis juratur. If then the Kings of Sicily never used in that or former ages to make or subscribe any Corporal Oath with their own hands; Whereupon this King refused, though importuned to ratifie this marriage agreement with such an Oath, submitting only, that his proxies should swear for him on his Soul, as King *Henries* likewise did, it is certain they then never made any personal Oath to the Pope, or their Metropolitans at their Coronations; and probably very few Kings else, till succeeding ages.

For our ancient British Kings Coronations, Diadems, Crowns, before they became Christians, <sup>a</sup> Geoffrey Monmouth stories, that *Dunvallo Molmutius*, cum totam Insulam omnino subjugasset, fecit sibi diadema ex auro. Hic Leges quæ Molmuntinæ dicebantur inter Britones statuit, quæ usque ad hoc tempus inter Anglos celebrantur. After whose decease, Duo filii ejus, Belinus videlicet & Brennius contendebant uter eorum regni diademate insigniretur. Post Gargount, Guithilinus, regni

a Historiæ Regum Britannicæ l. 2. c. 17. l. 3. c. 1. 13, 16, 17, 18, 30.

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regni Diadema suscepit. Post Marciā Tilius sumpto diademate regni gubernaculo positus est. Post Gorbōnianum, Arthgallo frater ejus Regio diademate insignitur. Defuncto Eliduro, suscepit Gorbōniani filius regni Diadema. <sup>b</sup> Post Heli, Cassibellanus in Regem sublimatur, moxque ut Diademate insignitus fuit, &c. contigit ut totius regni Monarchia sibi cederet: During his reign Julius Caesar invaded our Isle of Britain: Cui successit Tenuantius, Diademate igitur insignitus regnum in diligentia obtinuit, Anno Christi 124. Defuncto Coilo, filius ejus unicus, cui nomen erat Lucius, regni Diademate insignitus est, who soon after <sup>c</sup> embraced the Christian Religion, and was baptized, (being the first Christian King in this Isle, or world) and converted the Heathenish Archflamines Sees in this Isle into Archbishopricks, and the Flamines into Bishopricks, as our ancient Historians generally write, though our greatest Antiquaries of modern times refuse it, as fabulous. He deceasing without issue, after many Conflicts between the Britains and Romans, <sup>d</sup> Triumphatus Romanis, cepit Asclepiodorus regni Diadema, et Capiti suo, populo annuente imposuit; without any Archbishop, Bishop, or Priest. Postea insurrexit in Regem Asclepiadorum, Coel Dux Colecestrix, & praelio confecto eum peremit, regnique diademate sese insignivit. Not long after Constantius the Emperor arriving in Britain, made a firm league with Coel, who dying 8. dayes after, insignivit se Constantius regni Diademate, duxitque filiam Coel, cui nomen erat Helena, on whom he begat Constantine the Great, to whom he gave the Kingdom of Britain at his death, 11 years after; who also obtained the Empire of the world. <sup>e</sup> Octavius usurping the Crown, he gave his daughter together with the Realm to Maximianum, cum Diademate: who being slain at Rome, thereupon <sup>f</sup> Gratianus Municeps cepit Regni Diadema, et sese in Regem promovit. During whose reign the Britains being infested by the Scots, Picts, Norwegians, and the Romans after several requests being unable to aid them, they thereupon An. 435. sent Guithelin Londoniensis Archiepiscopus to Aldroenus King of Little Britain in France, proffering him the Kingdom, to ayde them against these insulting enemies; who refusing it for himself, recommended his Brother Constantine to them, furnishing him with souldiers to assist them. Cum grates ei egit Archiepiscopus, vocato Constantino, ei in hac verba arrisit: Christus vincit, Christus imperat, regnat Christus; Ecce Rex Britannia desert, Adsit modo Christus. Ecce spes nostra et gaudium. Who presently arriving in Britain, and obtaining a victory over their enemies by his own and the scattered British forces resorting to him: Facta intra Cicestriam concione, erexerunt Constantinum in Regem, regnique Diadema capiti ejus imposuerunt, Anno Christi 435. Defuncto Constantino, An. 455. there being a difference between the Nobles which of his sonnes should succeed, Constans his eldest sonne being a professed Monk, & Vortigernus Comes Gewissanorum qui omni nisu in regnum anhelabat, goes to Constans at Winchester, perswading him to accept the Regality; who maximo gaudio assented to him, & quicquid calcebat ipsum velle, iurejurando promittebat. Caput igitur eum Vortigernus, duxitque Regis ornamentis indutum Londonias, atque vix annuente populo, in Regem erexit. Tunc defunctus erat Guithelinus Archiepiscopus, nec fuit alius qui ipsum inungere præsumeret, quia ex Monacho transferebatur. Nec tamen idcirco postposuit Diadema, quod ipse Vortigernus vice Episcopi capiti ejus imposuit. Sublimatus igitur Constans, totam Justitiam regni Vortigerno commisit, &c. who soon after suborning his guard of Picts to murder Constans, <sup>h</sup> Tandem cum neminem sibi parem conspexisset, imposuit capiti suo Coronam Britannia, An. 454. Magnates Britannia Regem Vortigernum penitus deferentes, unanimiter Vortimerum filium suum Regem sublimaverunt. Anno 464. Merlin prophecied, interfecto Hengesto Ambrosius coronabitur. Non mora, crastino die applicuit Aurelius Ambrosius; convenerunt itaque Britanni, & convocato regni Clero unxerunt et erexerunt Aurelium in Regem, regnique Diadema capiti suo imponens, &c. After whose death, Anno 498. Ucher Pendragon cum festinatione Wintoniam venit, & convocato populo regni & Clero, Britannia Diadema suscepit, annuentibusque cunctis sublimatus est in Regem; After whose death, defuncto Rege, convenerunt Pontifices cum Clero regni et populo, & ipsum infra Choream Gigantum more Regio humaverunt. Quo facto, Dubritius urbis Legionum Archiepiscopus, sociatis sibi Episcopis et Magnatibus, Arthurum filium suum juvenem 16. annorum Regni diademate insignivit, et

<sup>b</sup> Galfridus Monmutensis, lib. 4. c. 11. 17.

<sup>c</sup> See Here, Tom. 1. p. 17, to 38.

<sup>d</sup> Galfr. Monmut. l. 5. c. 52, 6, 11.

<sup>e</sup> Galfr. Mon. l. 6. c. 1, to 6  
<sup>f</sup> Mat. Westm. Flores Hist. p. 149, 150, 153. See here, Tom. 1. p. 125, 126.

<sup>g</sup> Galfr. Monm. l. 6. c. 8. p. 150, 151.

<sup>h</sup> Galfr. Mon. l. 8. c. 2, 17. l. 9. c. 1, 12. Mat. Westm. p. 170, 182, 185.



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Titles of Hon-  
ours, part 1. ch.  
8. p. 171.

k H storiz  
Regum Brit.  
1. 9. c. 12, 13.

IGafr. Monm.  
lib. 9. c. 1. 1. 1.  
c. 2, 3, 5.  
Mar. West n.  
p. 197, 198,  
193. & Galsfr.  
Monm. Hist.  
1. 1. c. 1, 5.  
m Printed in  
Rerum Brit.  
Scriptores, D.  
Excidio &  
Conquestu  
Britanniz: See  
Archbp. Usher  
de Britannica-  
rum Ecclesia-  
rum Primor-  
diis, p. 533,  
534, 536. Mr.  
Seldens Titles  
of Honours, part  
1. c. 8. p. 149.  
Galsfr. Monm.  
1. 1. c. 6.  
n Galsfr. Mon.  
1. 1. c. 1, 2,  
3, 11.  
o Galsfr. Mon.  
1. 1. c. 11.

in regem magnifice erexerunt, one of the first Kings crowned by our Bishops. *Le-*  
*land* writes, that he saw the form of his Crown in his Seal, represented to us in <sup>1</sup> Mr.  
*Selden*, and *Speeds* History, An. 537. King *Arthur* after all his foreign Victories re-  
turning into *Britain* in triumph, resolved to be new CROWNED at *Caerleon* on  
the feast of Pentecost. The form and solemnity of his second and his *Queens* Co-  
ronation too, (the first of this kind, if real) is thus related by <sup>k</sup> *Geoffry Monmouth*.  
*Cum igitur sollemnitas Pentecostes advenire inciperet, post tantum triumphum maxima*  
*letitia fluctuans, Arturus affectavit Curiam ilico tenere in urbe Legionum, regnique*  
*Diadema capiti suo imponere.* Whereupon, inviting and summoning by his Messen-  
gers all the Kings, Dukes, Nobles, and Metropolitans subject to him, there appeared  
12 Kings, sundry Dukes, Consuls, Nobles from all quarters (whose names he recites)  
*Trium etiam Metropolitanarum sedium Archiprasules, Londoniensis videlicet, Eborac-*  
*ensis, necnon ex urbe Legionum Dubritius. Hic Britanniz Primas, & Apostolicæ*  
*sedis Legatus* (if we may credit him) *tanta religione clarebat, ut quicumque lan-*  
*guore gravatum suis orationibus sanaret. Omnibus denique in urbe congregatis, solen-*  
*nitate instante, Archiprasules ad palatium ducuntur, ut Regem diademate regali*  
*coronarent.* *Dubritius ergo, quoniam in sua diocesi Curia tenebatur, paratum ad cele-*  
*brantium obsequium, huius rei curam suscepit. Rege tandem insignito, ad templum*  
*Metropolitana sedis ornate conducitur: à dextro enim & à levo latere, duo Archipon-*  
*tifices ipsum tenebant. Quatuor autem Reges, Albaniz atque Cornubiz, Demetiz*  
*& Venedociæ, quorum illud jus fuerat, quatuor aureos gladios ferentes ante ipsum,*  
*præbant. Conventus quoque multimodorum ordinatorum, miris modulationibus præ-*  
*cinebat. Ex alia autem parte Reginam suis insignibus laureatam, Archiprasules*  
*atque Pontifices ad templum Deo dicatarum puellarum conducebant. Quatuor*  
*quoque prædictorum Regum Regina quatuor albas columnas de more præferebant. Mu-*  
*lieres autem quæ aderant illam quam maximo gaudio sequebantur. Postremò peracta*  
*processione, tot organa, tot cantus fiunt in utrisque templis, ita ut pro nimia dulcedina*  
*milites qui aderant nescirent quod templorum prius peterent. Cateruatim ergo nunc*  
*ad hoc, nunc ad illud ruebant, nec si totus dies celebrationi deditus esset, tedium ali-*  
*quod ipsi generaret. Vixitis tandem obsequiis in utroque celebratis, Rex et*  
*Regina diademata sua deponunt, assumptisque levioribus ornamentis, ille ad suum*  
*palacium cum viris, hæc ad aliud cum mulieribus exaltata incedunt.* I omit the residue  
of this solemnity, wherein I observe no solemn Unction or form of Prayers, or  
setting the Crown on the Kings head in the Church, but only in his Palace, mention-  
ed in this solemnity, without any Oath administered to him. <sup>1</sup> An. 540. Mordredus  
Arthuri Nepos (in his absence) *cui idem Arthurus Britanniz regnum commisit, per ty-*  
*rannidem et prodicionem Diademate ipsius sese fecerat insigniri.* An. 542. Rex Ar-  
thurus de vita desperans, Constantino cognato suo Britanniz concessit Diadema.  
After whose death, Anno 545. Aurelius Conanus, per omnia Diademate dignus,  
*nisi civilis belli fuisset amator, regnum obtinuit,* by force, treachery and tyranny,  
imprisoning his Uncle who ought to have reigned, and murdering his two sonnes.  
After which as <sup>m</sup> *Gildas* our ancientest British Historian, (who writ about the year  
564. or soon after,) complains and relates. UNGEBANTUR REGES non  
per Drum, sed qui ceteris crudeliores extarent, & paulo post ab UNCTORIBUS, non  
pro veri examinatione trucidabantur, alii electi trucidioribus, &c. Reges habet Britan-  
nia, sed TYRANNOS; which passage is recited verbatim by Galsfr. Monmouthensis  
Hist. Brit. lib. 9. c. 3. Whence some conceive our British Kings were anointed when  
crowned, and that sometimes by their Archbishops, or Bishops, other times by their  
Nobles, who soon after murdered, and succeeded them; rather as Tyrants then  
Kings. After many Civil Wars and Usurpations between the British Tyrants,  
and Saxon invaders, about the year 603. <sup>n</sup> *Cadwin* by the unanimous consent of  
all the Princes and Nobles of the Britons assembled together at Legecester, was  
elected and made King of the Britons; Insignito illo regni Diademate. He  
conquering the Saxons; thereupon rogabat Cadwinum Edwinus, ut sibi Di-  
adema habere liceret; ut advena Saxones, quisemper proditores ejus extiterant, in  
uno cum illo Regio Diademate incipiant insigniri. Which his Counsellors resu-  
sed to assent unto; siebant enim, Contra sus, veterumque traditionem esse, Insulam  
UNIUS CORONÆ DUOBUS CORONATIS SUBMITTI DEBERE; Cad-  
wallo after him <sup>o</sup> *Quendam sollemnitem Pentecostes Diadema Britanniz portan-*  
*do celebrabit,* where universi Anglorum Reges præter Oswinum solum adessent;  
Of

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Of his or *Cadwalladers* the two last *British* Kings Unctions, there is no express mention in our Historians, of any Coronation Oath, or promise made by them or any *British* King, much lesse to maintain the Churches or Clergies Liberties.

As for our first *Saxon* Kings who expelled the *Britons*, and by their swords erected their several kingdoms, there is no mention of their Coronations or Unctions in *Beda*, *Florentius Wygorniensis*, *Simeon Dunelmensis*, *Henry Huntingdon*, or other of our antient Historians. The first of our *Saxon* Kings presented to us with a Diadem, is *Aidulf* King of the *East-Angles*, about the year 674. After him, upon the expulsion of *Beorred* King of *Mercia* for his Tyranny, *Offam* *P* in *Regem* tam *Clerus* quam *populus* coronabit, An. 758. who stamped a Crown on his coyns; whose successors used several forms of Crowns till the *Conquerors* time; which you may view in *Speeds History*, and Mr. *Seldens Titles of Honor*. The first *Saxon* King we read to be anoynted, was *Egbert*, about the year 790. whom his father King *Offa*, loving his ease, ante mortem suam in *Regem* inundum successorum dimisit. Ille sedulo paterna immanitatis vestigia declinans, privilegia omnium ecclesiarum, quæ seculo suo genitor attenuaverat (by severing all the Bishopricks in his Kingdom from the See of *Canterbury*) p̄ona debotione rebocavit; Prædium quoque quod *Pater* *Malmesburix* abstulerat, reddidit in manus *Cuthberti* tunc illius loci *Abbatis*, heretatu *Athelardi* *Archiepiscopi* *Cantuarix*, strenni sanè & Deo digni viri; most likely at his anoynting him King; as the coherence of the story intimates, he living but 4. moneths after. Anno 854. *Ethelwlfus* Rex filium suum *Ælfredum* (being but 5. years old) magno nobilitum & etiam ignobilium numero consipatum, maximisque muneribus honorifice *Romam* transmisit, quo tempore *Dominus* *Leo* *Papa* 4. *Apostolica* sedi præerat, qui præfatum infantem *Æthelredum* oppido ordinans, UNXIT IN REGEM; (sui patris rogatu) & in filium adoptionis sibi mat accipiens, confirmavit; as *Asserius* *Menevensis* his Tutor, *Simeon Dunelmensis*, (who adds, & ad patriam atque ad Patrem cum benedictione *Sancti* *Petri* *Apostoli* direxit) *Florentius Wygorniensis*, *Radulphus de Diceto*, *Johannus Bromton*, and others out of them relate. *William Malmesburien* writing of his advancement to the Crown, An. 872. after *Ethelwlfus* death, records, *Ælfredus* filius *Ethelwulphi* junior, qui unctionem Regiam et Coronam a *Papa* *Leone* olim *Romæ* susceperat, ut prædiximus, regnum accepit; without any new Unction or Coronation that wee read of. *Matthew Westminster* stories, Anno Christi 854. Rex magnificus Occidentalium Saxonum *Ethelwulphus*, cum honore maximo *Romam* profectus, duxit secum *Ælfredum* filium suum juniorem, quem ceteris omnibus plus dilexit, ut à *Papa* *Leone* moribus pariter & Religione informaretur ibidem (which *Florentius Wygorniensis*, and the premised Historians refer to the year next after his premised mission thither, and Unction) ubi cum anno integro Rex cum filio demoratus fuisset, fecit filium suum ibi a *Papa* in *Regem* coronari; atque ad patriam rediens; exortatus est contra Regem prædictum quorundam Magnatum conspiratio, ita quod facta conspiratione ab *Ethelbaldo* filio Regis primogenito, & *Scirburnensi* *Episcopo* *Altano*, cum *Eandulfo* *Somerfatensis* pagi *Comite*, quod à *Roma* repatrians nunquam reponeretur in regnum. Causa una erat, quod filium minorem *Ælfredum*, quasi aliis à regni sorte exclusis, in *Regem* *Romæ* fecerat coronari; Whereupon he divided his Realm between himself and his eldest sonne *Ethelbald*. Our elegant Historian *Ælfredus Abbas Rievallii* informs us, that this King, *Ælfredum* filium suum minorem misit *Romam*, ut sanctissimorum *Apostolorum* precibus commendaretur, & à Summo Pontifice benediceretur. Venerabilis autem Summus Sacerdos *Leo* cultum & statum pueri contemplans, cum in eo divina presentiam majestatis scintillantium virtutum indicis persensisset, tempus & aetatem regnandi Regis unctionis Sacramento præbeniens, sicut quondam sanctus *Samuel* puerum *David*, ita eum in *Regem* sanctissimus *Pæsul* debotissime consecravit. Verum postmodum cum *Patre* *Romam* repetens, paternorum honorum in omnibus cooperatur & adjutor esse promeruit. To which he subjoynes of King *Edward*, A famosissimo quippe & christianissimo Rege *Aluredo* omnium Regum *Angliæ* sanctus *Leo* *Papa* in ipsa urbe *Roma* consecravit et unxit in *Regem*, generatione sextus. Hence *Johannes de Bromton* writes, Regiam unctionem primus omnium Regum a *Papa*, ut scribitur, accepit. And *William Thorn* in his Chronicle affirms, Iste *Ælfredus* fuit primus Rex *Angliæ* qui inundus erat. Yet *Mr. Selden* thinks this Unction was only at his Confirmation, and was

p Mar. Westm.  
An. 758 p. 273

q Part 1. ch. 8.  
p. 171.  
r Gul. Malmes-  
burienſis de  
Geſtis Regum  
Angl. l. 1. c. 4.  
p. 33.

f In vita Ælfred, p. 3.  
g De Geſtis  
Regum Angl.  
col. 130, 53.  
132, 18.  
h Chronicon,  
p. 296, 297.  
i Abbrev.  
Chronicarum,  
col. 250, 22.  
j Chronicon,  
col. 809, 21.  
k De Geſtis  
Regum Angl.  
l. 2. c. 4. p. 42.  
l Flores Hiſt.  
p. 307, 308.

m De Vita &  
Miraculis Æl-  
wardi Confeſ-  
ſoris, col. 352.  
n 371, 63.

o Chronicon,  
col. 809.  
p Col. 1777.  
q l. 59.  
r Titles of  
Honor, p. 150.



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c Mat. Westm.  
An. 855. p. 308  
Chron. Johan.  
Bromton, col.  
745, 13. 754,  
58.  
d Mar. Westm.  
An. 901, p. 351  
Radulphus de  
Diceto Ab-  
brev. Chron.  
col. 453, 61.  
Chron. Johan.  
Bromton, col.  
311, 28.  
e Mar. Westm.  
p. 363. Joann.  
Bromton Chr.  
col. 837, 44.  
Henr. Huarin-  
don Hist. l. 5.  
p. 354.  
f Radulphus de  
Diceto, col.  
454, 455. Si-  
meon Dunelm.  
Hist. col. 156.  
17. Mat. West.  
p. 369.  
g Simeon Du-  
nelm. Hist. col.  
159. Florentius  
Wygorn p. 353  
Mar. Westm. p.  
374. Hoveden  
p. 426. Henr.  
Hunt. Hist. l. 5.  
p. 357.  
h Florentius  
Wygorniensis,  
p. 361. Radul-  
phus de Diceto,  
Abbr. Hist. p.  
458, 35. Chr.  
Johan. Brom-  
ton, col. 872.  
Mat. Westm. p.  
376.  
i Florent. Wy-  
gorn. p. 362.  
Mar. Westm.  
p. 378. Roger.  
Hoveden, p.  
427. Henr.  
Huntindon  
Hist. l. 5. p. 357.  
k Titles of Ho-  
nor, p. 150,  
151, &c. 158,  
to 180.  
l Simeon Du-  
nelm. de  
Gestis Regum  
Angl. col. 173.  
Florent. Wy-  
gorn. Chron. v.  
384. Mar. West.  
p. 401. Roger  
Hoved. Annal.  
pars 1. Chr. Jo.  
Bromt. p. 903.  
m Here, p. 342.

mistaken for his Royal unction at his Coronation, by all these Historians; (which is improbable) those who were confirmed in that age being anointed with *holy Chrisme* in the foreheads.

After this I find frequent mention of our *Saxon Kings* consecrations at their Coronations by their own Metropolitans or Bishops, but none of them by the Pope: for the very next year after, <sup>c</sup>An. 855. Eadmundus *ex profapia antiquorum Saxonum originem ducens, provincie Orientalium Anglorum culmen regiminis suscepit*, anno à nativitate sua 13. ab omnibus regionis illius *Wagnatibus* et populis *Rex electus*, et ad regimen multum renitens compulsus, ab Humberto Helmhamensi Episcopo, in villa Regia qua Bures nuncupatur, munus consecrationis accepit, et coronatur.

<sup>d</sup>Anno 901. after King *Alfred's* death, Eadwardus *ejus primogenitus, regni Angliæ diademate est insignitus, consecratus in Regem a Pleimundo Dorobornensi Archiepiscopo apud Kingestune*; After his decease, <sup>e</sup>Anno 940. Ethelstanus, or Adellstanus *filius ejus primogenitus apud Kingestonam, Regiam Villam Rex creatus, ab Ethelmo Dorobornensi Archiepiscopo consecratur*. <sup>f</sup>Anno 945. Eadmundus *Rex Anglorum consecratus est ab Odone Dorobornensi Archiepiscopo apud Kingestune*; after whose murder, An. 946. Eadredus frater ejus consecratus est ab Odone Archiepiscopo apud Kingestune, et regni Diadema ab eo suscipit. An. 955. Successit ei in regnum Eadwinus, Eadmundi Regis filius, & apud Kingestonam ab Odone Cant. Archiepiscopo Regiam unctionem suscepit, as *Mat. Westminster*; or *Rex consecratus est*, as others story. <sup>g</sup>An. 973. Eadgarus *Rex Anglorum Pacificus* (in the 15. or rather 16. year of his reign, not before) *Anno ætatis sue 30. 5 Idus Maii die Pentecostes, à beatis Prasulibus Dunstano & Oswaldo, et à cæteris totius Angliæ antistitibus, præsentibus Wagnatibus univèrsis apud Akemancestre, or Civitate Acamanni, qua hodiè Bathonia dicitur, Coronam portabit, et ibidem cum maximo honore benedicatur, consecratur, et in Regem inungitur*. After his decease <sup>h</sup>Anno 975, there arising a contest which of his sonnes should succeed him, thereupon Archiprasules Dunstanus & Oswaldus *cum Coepiscopis, Abbatibus, Ducibusque quamplurimis in unum conveniunt, et Eadwardum, (ut pater ejus præceperat) eligerunt, electum consecrarunt, et in Regem ungerunt apud Kingestune*. Upon his treacherous murder by his Mother-in-law to advance her sonne, his Brother *Ethelredus a sanctis Prasulibus Dunstano Cantuariensi, & Oswaldo Eboracensi, & decem Episcopis die Dominica 8. Kal. Maii* <sup>i</sup>Anno 979. in Kingestona Regni diadema suscepit, et ad regni fastigium est consecratus. All these consecrations of our *Saxon Kings* were without any solemn Oath or promise made by them at their Coronations, to or before their Archbishops or Bishops. Mr.<sup>k</sup> *Selden* hath printed an ancient *Saxon Pontifical* concerning the Ceremonies, Rites and Prayers used in the *anointing*, and *crowning* of our *Saxon Kings* and *Queens*, made by their Bishops much about this time, having no Coronation Oath or Interrogatories; many of which prayers, as well as the *anointing* and *crowning* are still retained, and yet used at the Coronations of our Kings and Queens.

King *Ethelred* deceasing <sup>l</sup>Anno 1016, *post multas hujus vite tribulationes, Canutus the Dane* then invading and possessing a great part of the Realm: *Post mortem ejus, Episcopi, Abbates, Duces, & quique Nobiliores Angliæ, & maxima pars Regni, tam Clericorum quam Laicorum, in unum congregati, pari consensu, ad eum in Suthamptoniam venientes, in Dominum et Regem sibi Canutum eligerunt, omnemque progeniæ Regis Ethelredi coram illo abnegando repudiantes, pacem cum eo composuerunt, et fidelitatem juraverunt: Quibus et ille JURAVIT. Quod et secundum Deum et secundum sæculum fidelis esse vellet eis Dominus*. This is the first solemn Coronation Oath I find made by any of our Kings, and that by a foreign invader, usurper of the Crown, upon the abjuration of the Right heir, and *Saxon* royal Line by treacherous perfidious Bishops, Abbots, Clergymen, Nobles, to establish him and his posterity in the Royal Throne. *Cum* hereupon, after his pilgrimage to *Rome*, more advanced the Privileges of the Clergy then any of our former Kings, putting them only to their purgations for *Capital crimes* whereof they were accused before the Bishops, *the<sup>m</sup> original ground of exempting Clergymen from secular Jurisdiction for capital crimes*, and of other ineroachments in succeeding ages. *At Cives Londonienses, & pars Nobilium qui eo tempore consistebant Londoniæ, Clitonem Eadmundum unanimo consensu in Regem lehabere, qui à Levingo Dorobornensi Archiepiscopo*

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*chiepiscopo apud Londonias consecratus est; without any Oath at all, like his predecessors, being right heir to the Crown; who soon after conquered Cnut in 5. set battles, and had probably for ever driven him and the Danes quite out of the Realm, had those perfidious Prelates, Nobles, and others who revolted to, and Crowned Knut for their King, adhered to him, and those Saxons who crowned him being their lawful King. After Cnut's decease, <sup>a</sup> Harald his reputed Son, regni Angliæ diademate insignitus est; without any mention of his Uncion or Oath. He dying about 4. years after, An. 1040. Hardecnute then in Flanders, was sent for by the unanimous consent of the Nobles, as well English as Danes, as right heir to Cnut, ut ad Angliam veniret, Regni Diademâ suscepturus. Qui consiliis Magnatum illico adquiescens, ætate media venit in Angliam, & gratanter ab omnibus susceptus, ab Eadmo Cantuariensi Archiepiscopo in Regem est consecratus, regnique solio mox sublimatus, apud Londoniam, without any Oath.*

After his short reign, <sup>o</sup> Anno 1042. ejus frater Edwardus (stiled the Confessor) annuente Clero & populo Londoniis in Regem eligitur, & ab Archiepiscopo Cantuariensi Eadmo, & Eborac. Alfrico, cum sibi subiectis Episcopis in Regem magna pompa apud Wintoniam (or Westm. as others story) coronatur, ungitur, et consecratur, prima die Paschæ Nonas Aprilis; not one of our Historians making mention of any Coronation Oath then ministred unto or taken by him; only William of Malmesbury stories, that before his arrival in England, when he was sent to by the Nobles to be Crowned, upon terms proposed to him by Earl Godwin, Nihil erat quod Edwardus pro necessitate temporis non polliceretur; ita utrinque fide data, quicquid petebatur (privately by Godwin) Sacramento firmabit, before his arrival in England. I find Archbishop Stratford in his insolent Epistle to King Edward the 1. (wherein he advanceth the Popes, Bishops Authority, Canons, Constitutions, above the Crowns, Lawes, Customes of Kings and Emperors, who must subject their necks to them; and that Clergymen are not obnoxious to any Secular Powers, Judges, for Capital offences, but only to their Bishops, by the Lawes of King Cnut) affirms, Sanctus etiam Edwardus in regnum Angliæ sublimatus, PRIUS JURAVIT, se Leges Canoni Regis indiolabiliter servaturum. And then asserts, that the Church was in possession of the Liberties he contended for, tribus temporibus Regum libertatum linguarum Insulæ prædictæ, et præcipue et indubitanter tempore Sancti Edwardi, who ratified the Lawes of Knut. I must acknowledge, that in the Laws of <sup>a</sup> King Edward the Confessor, cap. 17. (not in Cnut's) I find this Law inserted, De Regis Officio, & de jure & appendiciis Coronæ regni Britannicæ. Rex autem, quia Vicarius summi Regis est, ad hoc est constitutus, ut regnum terrenum, & populum Domini, et super omnia sanctam veneretur Ecclesiam ejus, et regat, et ab injuriis defendat, et maleficos ab ea ebellat, et destruat, et penitus disperdat. Quod nisi feceris, nec nomen Regis in eo constabit, verum testante Papa Joanne nomen Regis perdit, &c. (After which followes in a different Character, as an additional Appendix since annexed to this Law.) Debet verò de jure Rex omnes terras & honores, omnes dignitates, & jura & libertates Coronæ regni hujus in integrum cum omni integritate, et sine diminutione observare, et defendere; dispersa et dilapidata, et amissa regni sura in pristinum statum et debitum viribus omnibus rebocare, &c. Debet vero Rex Deum timere super omnia et diligere, et mandata ejus per totum regnum suum servare. Debet etiam sanctam Ecclesiam regni sui cum omni integritate et libertate, juxta Constitutiones Patrum et prædecessorum servare, sobere, manutenerere, regere, et contra inimicos defendere, ita ut Deus præ cæteris honoretur, et præ oculis semper habeatur. Debet etiam bonas leges, et consuetudines approbatas erigere, præbas autem delere, et omnes a Regno deponere. Debet judicium rectum in regno facere, et justitiam per consilium Procerum regni sui tenere. Ista vero debet omnia Rex in propria persona, inspectis et tactis sacrosanctis Evangelis, et super sacras et sanctas reliquias coram regno, et Sacerdotio, et Clero IMARCE, antequam ab Archiepiscopis et Episcopis regni coronetur. From whence sundry persons have concluded, that King Edward the Confessor, yea all or most of our Saxon Kings before him at their Coronations, took such an Oath as this Law mentions, before they were Crowned by the Archbishops and Bishops; but finding no mention of any such Oath prescribed to him or his predecessors, in any of our ancient Historians,

n Mar. West p.  
410, 411, 412.  
Florent. Wy-  
gorniensis Chr.  
p. 400, 401.  
Hoveden An-  
nal. pars 1. p.  
438. Hen. Hun-  
tinton Hist. l. 6  
p. 364, 365. Si-  
meon Dunelm.  
col. 180. Ra-  
dolphus de Di-  
cetq col. 474.  
Chron. Johan.  
Bromton, col.  
922, 923.  
o Flor. Wyger.  
Chron. p. 404.  
Mar. Westm. p.  
415. Will.  
Malmesburi-  
ens. de Gestis  
Regum Angl.  
l. 1. c. 12. p. 20.  
Hen. Hunting-  
don Hist. l. 6 p.  
364. Hoveden  
Annal. pars 1.  
p. 439. Sim.  
Dunelmensis  
col. 181. Æ-  
thelredus Ab-  
bas Rievallis  
de Genealogia  
Regum Angl.  
col. 366. De  
Vita & Mirac.  
Edwardi Cen-  
sessoris, col. 375  
Chron. Joan.  
Bromton, col.  
937. Gervasius  
Act. Pontif.  
Cantuar. col.  
162. Henr. de  
Knyghton de  
Event. Angliæ,  
l. 1. c. 8. col.  
2329. Poly-  
chron. Polydor-  
Virgil, Fabian,  
Caxton, Graf-  
ton, Holinshed  
Speed, and o-  
thers in his  
Life.  
p. Spelmani  
Concil. Tom 2  
p. 312. Henr. 9.  
266.  
q. Gul. Lam-  
bardi Archai-  
on, f. 130. &  
Abrahamus  
Whelochus  
Arkaionoma,  
p. 142.



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rians, and some Clauses thereof being transcribed *verbatim* out of the *Great Charter* of King *John*, and *Henry de Bracton*, I cannot but esteem it a figment of punier times, after such Oathes imposed on succeeding Kings by our Bishops at their *Coronations*, to enlarge, support their own and their Churches Jurisdictions, privileges, beyond their antient limits.

r Lib. 3. de  
Actionibus, c. 9  
f. 107.

f See Here,  
Tom. I. p. 319.  
to 330.

t Monasticon  
Angl. Vol. I.  
p. 236.

As for the Coronation Oath mentioned in *Bracton*, viz. *That the King* (of England) *at his Coronation ought BY AN OATH taken in the Name of our Lord Jesus Christ, to promise these 3. things to the people subject to him. Imprimis, se esse præcepturum, et pro viribus opem impensurum, ut ECCLESIE DEI & omni populo Christiano vera pax omni suo tempore observetur. Secundò, ut rapacitates, et omnes iniquitates, omnibus gradibus interdicat. Tercio, ut in omnibus judiciis aequitatem præcipiat & misericordiam, & quod per justitiam suam firma gaudeant pace universi*: without any Clause concerning King *Cuntes* Lawes, or defence of the Churches Liberties, it relates not to *Edward* the Confessors *Law* or *Oath*. It is very true, that the *Pope* and *Prelates* taking advantage of this King *Edwards* extraordinary devotion and simplicity, encroached some more privileges then they had before, especially the Monasteries of *Westminster* and *Ramsay*, as his Charters to them demonstrate; which he thus prefaced; *Summum Regibus et Principibus bonum est sanctam Ecclesiam Dei exaltare et honorare, quia cum eam exaltant et honorant, cum ea; et in ea, et per eam exaltantur et honorantur*; Which though true in a right sence; yet not as abused, to the diminution of the Rights, Prerogatives, Revenues of the Crown, the Common Lawes of the Realm, or Laymens Liberties, or to advance the Prelates, Clergy above them, as their Lords paramount, who then engrossed to themselves alone, the Title of the *Church*, excluding the *Laity*, whereas this King included the Christian *Laity* within the Title of the *Church*, as well as the *Clergy*.

After this King *Edwards* funeral, An. 1066. Comes *Haroldus*, contra statum & *Injurandum*, contemptor *præstitæ fidei* (to wit, to *William* Duke of *Normandy*, that he should succeed *Edward*) ac nequiter oblitus *sui Sacramenti*, throno *Regio* se intrussit, per *Archiepiscopum Eboracæ* *Aldredum* solemniter coronatus, as *Ingulphus* Abbot of *Croyland* living in that age, relates. *Florentius Wygorniensis*, *Radulphus de Diceto*, *Eadmerus*, *Roger de Hoveden*, *Grafton*, and others story; *Haroldus* Comes *Godwini filius*, quem *Rex* ante suam decessionem *Regni* successorem elegerat, a totius *Angliæ* *Prælatibus* ad *Regale* culmen electus, eodem die ab *Aldredo* *Eboracensi Archiepiscopo* in *Regem* est consecratus, without mentioning any Oath proposed to or by him. Yet *Matthew Paris*, *Matthew Westminster*, and some others story, extorta *fide à Majoribus*, capiti proprio imposuit *Diadema*, sibi *Regnum* sine *Ecclesiastica* auctoritate imponendo asseruit, unde *Papam Alexandrum*, et omnes *Angliæ* *Prælatos* sibi creabit inimicos: being loath this their acquired privilege of Crowning Kings should be interrupted, as if thereby they received their Crownes and Regal authority from them alone, and that upon such Conditions, Oathes as they should prescribe them. But though *Harold* when Crowned King by Archbishop *Alfred* took no Coronation Oath, yet *Florentius Wygorniensis* stories of him, *Por ut regni gubernacula suscepit*, leges iniquas statuere, æquas cepit condere, *Ecclesiarum* et *Monasteriorum* patronus fieri; *Episcopos*, *Abbatas*, *Monachos*, *Clericos*, colere simul et venerari; to obtain their favour and assistance; he being as (a) *Ingulphus*, (b) *William Malmesbury*, (c) *Ailredus Abbas*, (d) *Henry Huntindon*, (e) *Mat. Paris*, (f) *Mat. Westminster*, the Chronicle of (g) *Bromton*, (h) *Henry de Knyghton*, (i) *Thomas Walsingham*, (k) *Mr. Fox*, (l) *Mr. Lambard*, (m) *Speed* and others, stile him a *perjured Usurper of the Crown*, to which he had no colour of Title, but by a feigned designation of King *Edward*, by which also *William* of *Normandy* claimed it, when as *Edgar Athelin* had the sole legal hereditary right and title to (d) *Hist. l. 6. it*, as all Historians accord.

u Historia, p.  
900.  
z Chron. p. 428  
y Abbr. Chron.  
col. 479.  
z Hist. Novo-  
rum, p.  
a Annal. pars  
prior, p. 447.  
b Historiz, p. 3  
Flores Hist. p.  
433.

(a) Historiz, p.  
900. (b) De  
Gestis Regum,  
l. 2. c. 11.  
(c) De Vita &  
Miraculis Ed-  
wardi Confes-  
soris, col. 400  
(d) Hist. l. 6.  
p. 384. (e) Hist.  
Angliz, p. 2. (f)  
Flores Hist. p.  
433. (g) Chron.  
col. 957. (h) De  
Event. Angl. l. 2.  
c. 6. (i) Ypodigma  
Neustriz, p. 28.  
(k) Acts and Mon-  
uments Vol. 1. p.  
224. (l) Britannia,  
p. 145, 146. (m)  
History of Great  
Britain, p. 419.

n See Here,  
Tom. I. p. 329.  
to 339.

King *William* the 1. stiled the *Conqueror*, by the slaughter of *Harold* and most of his Army in a bloody battel, claiming the Crown but by a little better Title than he,

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as (though a bastard) near allied to *Edward the Confessor*, who designed him to be his heir and successor, (his sword proving more successful than *Harold's*;) refused to be crowned by *Stigand* Archbishop of *Canterbury*, (whom he soon after deprived, imprisoned till his death,) but was crowned by *Alfred* Archbishop of *York*, (though he consecrated and crowned *Harold King*) who prescribed him an Oath, as <sup>o</sup> *Simeon Dunelmensis*, <sup>p</sup> *Florentius Wygorniensis*, <sup>q</sup> *Roger de Hoveden*, <sup>r</sup> *Thomas Stubbs*, and others thus relate. *Ipsa Nativitatis die ab Aldredo Eboracensium Archiepiscopo apud Westmonast. in Regem totius Angliæ sublimiter coronatum trunxit, et consecravit honorifice, prius (ut idem Archiepiscopus ab eo exigebat) ante Altare Sancti Petri Apostoli, coram Clero et populo JURE JURANDO PROMITTENS, se velle Sanctas Ecclesias ac Rectores earum defendere, (which Clause occurs not in any former Oath) necnon et cunctum populum sibi subiectum iuste et regali providentia regere; Rectam legem statuere et tenere; rapinas, injustaque judicia penitus amovere, or interdicare.* <sup>s</sup> *William of Malmesbury* one of our exactest Historians, living in or near that time, renders his Oath thus, without this first Clause; *Exhortatus Aldredus consecrationem egit, tracto prius coram omni populo JURAMENTO, quod se modeste erga subditos sgeret, et æquo iure tam Anglos quam Francos, tractaret.* The <sup>t</sup> *Chronicle of Bromton* thus relates the story of his Coronation and Oath. *Cumque Willielmus Dux Normanniæ, Conquestor Angliæ, tyranni nomen exhorresceret, & nomen legitimi Principis induere vellet, à Stigando Cantuariensi Archiepiscopo in Regem petiit consecrari. Ille vero, ut quidem dicunt, cruento viro, & alieni juris invasori manus imponere formidans, nullatenus acquievit: unde licet ipse Willielmus eundem Stigandum ut noverat, multis modis blandè honoravit, ipsum tamen nunquam postmodum cordialiter amavit, &c. Requisitus igitur Eboracensis Archiepiscopus Aldredus, vir utique bonus & prudens, intelligensque cedendum esse temporis, & divina nequaquam resistendum ordinationi; Hoc modo hominem ferocissimum spirantem adhuc, minarum & cadis in populum mitem reddidit, & religionis pro conservanda republica, tuendaque Ecclesiæ disciplina sacramentis adstrinxit, & in ipso proximo sequenti die Nativitatis Domini post victoriam de pradieto Rege Haraldo habitam, Londoniis apud Westm. hoc munus implevit, ipsumque Regem Willielmum ad iura Ecclesiæ Anglicanæ tuenda et conservanda, populumque suum recte regendum, et leges rectas statuendum, sacramento solemniter adstrinxit.* <sup>u</sup> *John Peckham* Archbishop of *Canterbury* in his arrogant Epistle to King *Edward* the first in the 9. year of his reign, affirms; *Willielmus etiam Rex, cui sanctus Edwardus regnum contulit, Leges ipsius Sancti servandas esse concessit*, as if he promised it by his Oath at his Coronation. But this was no expresse clause in the Oath prescribed him by *Aldred* at his Coronation, but in a subsequent Oath Anno 1072. (as *Speed* computes it) when King *William* entering into a Parley with the English Nobility (who intended to set up *Edgar Atheling King*, for violating their ancient *Laws*, and introducing new) he by Archbishop *Lanfranks* advise, taking his Oath upon the *Holy Evangelists*, and the Reliques of *St. Alban the Martyr*, (the Oath being ministrred to him by Abbot *Frederick* of *St. Albans*, elected Captain of the forces then raised against him.) <sup>x</sup> *Iurabit bonas et antiquas regni Leges, quas sancti et pii Angliæ Reges, et maxime Rex Edwardus statuit, inviolabiliter observare. Et sic pacificari ad propria lati recesserunt*; which Clause was afterwards inserted into sundry of our Kings Coronation Oathes. This <sup>y</sup> Archbishop *Aldred* from his very Crowning and prescribing this Coronation Oath to King *William*, grew so insolent, and exercised such authority over him, like a Father, ut cum ille cæteris imperaret, ab eo sibi imperari æquantimur sneret. I shall instance only in two memorable particulars: The Sheriff of <sup>z</sup> *York* by this Kings Writ seising upon some provisions of this Archbishops to victual the Castle of *York*, refusing to restore them upon his demand, the Archbishop thereupon repaired to the King for reparations to *Westminster*; Cum autem venisset coram Rege, & Rex ei assurgere & osculum porrigere parasset, ille substitit, et cum baculo Pontificali stola circumdatus, nil bertus Patestatem Regiam, neque astantium Principum proterbitam, eum talibus verbis allocutus est. Audi, inquit, Willielme Rex, cum esses alienigena, & Deo permittente, nostræque gentis superbiam puniente Regnum *Britannia*, quamvis multò cum sanguine optinuesses, ego te in Regem consecrabi, et coronam capisti

o De Gestis Regum Angl. col. 195.  
p Ch. icon p. 412.  
q Annal. pars prior. p. 450  
r Acta Pontif. Ebor. col. 1702  
See Prefatio Rogeri Twissden ad Leges Willielmi primi, in Archæologia Abrahama Whelochi, p. 155, 156.  
s De Gestis Pontif. Anglorum, l. 3. p. 271  
t Col. 962.

\* Gulielmus Neubrigenis, l. i. c. 1. p. 1, 2.

u See here, p. 269.

x Mar. Paris in Vita Friderici Abbatis. 13. S. Albani. p. 30.  
y Speeds History p. 440, 441.  
z Gul. Neubrigenis l. 1. c. 5. p. 1. Chron. Johan. Bromton, col. 962.  
z Tho. Stubbs Acta Pontif. Ebor. col. 1703, 1704.



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tuo cum benedictione imposui; Nunc autem quia ita meruisti, pro benedictione maledictionem tibi imponam, sicut Ecclesie Dei Persecutori et Ministrozum ejus oppressori, et promissionum atque juramentorum quae mihi coram Altare Sancti Petri furasti, transgressori. Ad haec verba Rex tremefactus procidit ad pedes ejus, humiliter afflagitans, ut in quo tam grabem meruisset sententiam aperiret. Qui vero assistebant Regi Primates regum in Archiepiscopum frementes, minisque et terrozibus adversus eum insurgentes, ipsum merito de medio debere tolli, vel in exilium extra Regnum expelli, qui tanto Regi tantam injuriam irrogasset, urgebant eum ut Regem quam citius erigeret. Ille vero non minus vel terrozibus territus, Sinite, inquit, boni viri, sinite illum jacere; non enim jacet ad pedes Aldred, sed ad pedes Petri Apostoli. Debet enim experiri Petri potentiam, qui non est veritus Petri Vicario irrogare injuriam. To which I shall adde another insolency of his towards this King, upon the same account that he was crowned and blessed by him, thus recorded by <sup>a</sup> Malmesbury. Cum Rex importabilis tributi pensum à Provincialibus exigeret, convenit eum per legatos Antistes, quos agere admissos cum turbulento responso abegisset; non moratus ille, maledictionis telum in illum et omnem ejus vizabat progeniem. Praefatus; Posse se maledictionem dare merito, qui benedictionem dedisset immerito; quod cum relatum esset Regi amicorum admonitione delinquit misit, qui Episcopum exorarent. Veruntamen praevenerat Nuncios mors Antistitis, qui ex agitudine animi (ut plerumque fit) contracto morbo decubnerat, because he could not have his will in all things.

King William the Conqueror being sick, devised Normandy to Robert his eldest sonne; the Realm of England to William Rufus his second; and a great summe of money to Henry his youngest sonne, and then deceased 27 Sept. 1087. in Normandy. Whereupon <sup>b</sup> Willielmus filius ejus, qui cum regni fastidia fratri suo Roberto, praeferere gestaret et Lanfrancum, sine cujus assensu in regnum asciscere nullatenus poterat, sibi in hoc ad expletionem desiderii sui non omnino consentaneum inveniret, herens ne dilatio suae consecrationis inferret ei dispendium cupiti honoris, cepit tam pro se, quam per omnes quos poterat FIDE, SACRAMENTOQUE Lanfranco promittere, suppetiam, aequitatem, et misericordiam se per totum regnum, si Rex foret, in omni negotio servaturum, PACEM, LIBERTATEM, SECURITATEM ECCLESiarum CONTRA OMNES DEFENSURUM, necne praecipis atque consiliis ejus per omnia et in omnibus obtemperaturum. Sed cum post hac in regno fuisset confirmatus postposita pollicitatione sua (made to Lanfranc in Normandy, not at his Coronation as Eadmerus stories) in contraria dilapsus est. Super quo cum à Lanfranco modestè redargueretur, et ei sponsio fidei non servatae opponeretur, furore succensus. Qui, ait, est qui cuncta quae promittit implere possit? Ex hoc igitur non rectis oculis super Pontificem intendere valebat. After this Oath and promise thus made, he hasting into England with Lanfranc. <sup>c</sup> Sexto Kal. Octobris die Dominica in Westmonasterio à Lanfranco Archiepiscopo consecratus est in Regem; quo auctore et annitente coronatus. <sup>d</sup> Gervasius Dorobornensis in the life of Lanfranc writes. Convocatis Episcopis & Primoribus Angliae, Lanfrancus elegit Willielmum filium Regis, sacrabit et coronabit in Regem: hunc enim antea educaverat & militem fecerat: Not one of our Historians mention any Oath administered to, or taken by him at his Coronation; Soon after all the Norman Nobility but Lanfranc, resolving to make Robert his elder Brother King of England, and to deliver him up prisoner to him, or murder him; raising up arms against him for that end in several places. <sup>e</sup> His auditis, Rex fecit congregari Anglos, et ostendit eis traditionem Normannorum, et rogavit, ut sibi auxilio essent eo tenore, ut si in hac necessitate sibi fideles existerent, meliorem legem, quam bellent eligere, eis concederet, legesque promissit exoptabiles, et omne injustum statutum interdidit, et concessit omnibus sylvas suas et venationem: (an apparent evidence he made no such Oath or promise to them at his Coronation) Sed quicquid promissit parvo tempore custodivit. Yea he bore such a secret hatred to Lanfranc for exacting the promised Oath and promise to him, and reprehending him for breaking it, that he banished him the Realm for a time as some write, and immediate-

<sup>a</sup> De Gestis Pontificum Angl. l. 3. p. 271

<sup>b</sup> Eadmerus Hist. Novor. l. 5. p. 13, 14

<sup>c</sup> Simon Dunelmensis Hist. col. 214. <sup>d</sup> Radulfus de Diceto Abbr. Chr. col. 488. Chr. Joan. Brompton col. 983. Will. Malmesburiensis De G. R. Reg. l. 4. p. 120. Mat. Paris. Hist. Angl. l. p. 23. Rog. Hoveden Annal. pars prior, p. 463. Mat. Westm. p. 12. Thomas Walsingham Ypodigm. Neust. l. 2. p. 35. Florentius Wygornienfis Chron. p. 450. Henr. de Knyghton, de Event. Angl. l. 2. c. 5. col. 2351. Cestrensis, Polydor. Virgil, Speed, Daniel, in Will. Rufus, Mat. Parker, Antiqu. Eccles. Brit. p. 99, 100. d. Adu. Pontif. Cant. col. 1655. <sup>e</sup> Henr. Huntingdon. Hist. l. 7. p. 372. Hoveden, p. 461.

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ly upon his decease, <sup>f</sup> ipsam totius Angliæ, Scotiæ et Hiberniæ, necnon adjacen-  
tium Insularum matrem, Ecclesiam scilicet Cantuariensem, invasit, cuncta quæ ju-  
ris illius erant, intus et extra, per Clientes suos describi præcepit, taxatoque victu  
Monachorum inibi Deo servantium, reliqua sub censum atque in suum dominium  
redigi jussit, &c. keeping the Temporalities near 5. whole years in his hands be-  
fore he advanced another Archbishop to that See. Nec ista quæ diximus Ec-  
clesia Cantuariensis facta sunt, defavit immanitas ista etiam in cunctis filiabus, qui  
viris suis, Episcopis scilicet Abbatibus decedentibus, in viduitatem ea tempestate,  
cadebant. Et quidem ipse primus hanc luctuosam oppressionem Ecclesiis Dei indixit,  
nullatenus cum ex paterna traditione excipiens. Destitutas ergo Ecclesias solus in  
Dominio suo tenebat, as Eadmerus, then living complains. Thus Lanfrank and  
our other Prelates endeavouring to exalt, enlarge the Liberties and Priviledges of  
the Church, by advancing William to the throne, putting by Robert, and obliging  
him by Oath, to preserve the peace, Liberties, Immunities of the Church against all  
men, and to obey their precepts, counsils intirely in all things; were by divine retaliation  
more frustrated of their expectations and pretended or real Liberties by him, then  
by his Father the Conqueror.

William Rufus being slain by casualty or rather treachery in New Forest An. 1100.  
(thereupon as our ancient Historians relate;) Cum Magnates Angliæ ignorarent  
quid actum esset de Roberto Duce Normannorum, Regis defuncti fratre primoge-  
nito, qui jam per quinquennium in expeditione Hierosolymitana moram pertraxerat,  
timuerunt diu sine regimine vacillare. Quod Henricus fratrum ultimus & juvenis  
sapientissimus, cum callide cognovisset, congregato Londoniis Clero Angliæ & populo  
universo, promissit emendationem legum, quibus oppressa fuerat Anglia tempore  
patris sui et fratris nuper defuncti, ut animos omnium in sui promotionem accen-  
deret et amozem, et ut illum in Regem susceperent et patronum. Hereupon the  
Bishops and Clergy, to regain and enlarge their Priviledges, Ad hæc Clero re-  
spondente & Magnatibus cunctis, quod si animo volente ipsis vellet concedere, & char-  
ta sua committere illas libertates et consuetudines antiquas, quæ flozuerunt in reg-  
no tempore Sancti Regis Edwardi; in ipsum consentirent, et in Regem unanimiter  
consecrarent. Henrico autem hoc libenter annuente, et se id facturum cum sura-  
mento affirmante, consecratus est in Rege apud Westmonasterium, in die Assump-  
tionis beata Mariæ, favente Clero et populo, cui continuo à Mauricio Londinensi  
Episcopo, & à Thoma Eboracensi Archiepiscopo, (in the absence of Anselm Arch-  
bishop of Canterbury) corona capiti imponitur. <sup>h</sup> Eadmerus writes, that he sent  
Messengers and Letters to Archbishop Anselm then in exile, to hasten his coming  
into England; seipsum regnumque suum, eius consilio ac moderamini se sub-  
fecturum pollicens: In ipso sua consecrationis die, bonas et sanctas omni populo  
Leges se servaturum, et omnes oppressiones et iniquitates, quæ sub fratre suo  
emeruerant in omni sua Dominatione, tam in Ecclesiis quam in secularibus ne-  
gociis prohibitorum et subverturum sponderat. Et hæc omnia *7US7U-*  
*RANDI* interfectione firmata per totum regnum divulgatum ire præceperat.  
Cum fuerat diademæ insignitus, has libertates subscriptas in Regno, ad exalta-  
tionem Sanctæ Ecclesiæ, et pacem populi tenendam concessit. \* Henricus Dei  
gratia Rex Angliæ, Hugoni de Boclande Vicecomiti, & omnibus fidelibus suis,  
tam Franciæ quam Angliæ in Herefordscyre, salutem. Sciatis, me Dei misericor-  
dia, & communi Consilio Baronum Regni Angliæ, Regem esse coronatum. Et  
quia Regnum oppressum erat injustis exactionibus, ego respectu Dei & amore,  
quem erga vos omnes habeo, sanctam Dei Ecclesiam liberam facio, ita quod nec  
eam vendam, nec ad firmam ponam, nec mortuo Archiepiscopo, vel Episcopo,  
vel Abbate, aliquid accipiam de dominio Ecclesiæ, vel de hominibus, donec suc-  
cessor in eam ingrediatur, &c. This was one of the first considerable usurpations  
our Archbishops and Bishops made upon the Kings and Crown of England by virtue  
of this Kings Coronation Oath and Charter in pursuit thereof (being not next heir  
to the Crown, but Robert, whom they deprived of it) whereby they divested them  
of their ancient prerogative, to sell, farm out, or receive the fruits, profits of all  
or any Archbishopricks, Bishopricks, Abbies, Monasteries Temporalities during their  
vacancies, till their plenarties, under pretext of the Churches Liberties: and en-  
couraged the Pope and Archbishop Anselm to extort from him soon after the anni-

<sup>f</sup> Eadmerus  
H. st. Novor. l.  
1. p. 14. See  
Antiq. Ecclesiæ.  
Brit. 100, 102.  
& Gervasius,  
Actus Pontif.  
Cantuar. and  
Godwin in  
Lanfranco.

\* A mistake:  
See Godwins  
Catalogue of  
Bishops, p. 10,  
12, 15, 20, 32.

<sup>g</sup> Mat. Paris,  
p. 52, 53.  
Eadmerus,  
Hist. Novor.  
l. 3. p. 55.  
Will. Malmes-  
burienfis, Hen.  
Huntindon,  
Roger Hove-  
den, Mat. West.  
Chron. Joan-  
Bromton,  
Gervasius,  
Hen. de Knygh-  
ton, Polychro-  
nicon, Fabian,  
Holinshed,  
Daniel, Speed,  
Grafton, An-  
no 1100. in  
Henrico 1.

<sup>h</sup> Hist. Novor.  
l. 3. p. 55.

\* Mat. Paris,  
Hist. Angl. p.  
53, 54. Here,  
Tom. 1. p. 400,  
401. & Leges  
Henrici 2. in  
Abraham  
Wheloc. Spel-  
manni Concil.  
Tom. 2. p. 28,  
31.

ent



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\* Eadmerus  
Hist. Novor.  
l. 4. p. 91. Mat.  
Par. p. 60. Mat.  
Westm. p. 26.  
Spelmanii  
Concil. Tom.  
2. p. 27, 28. See  
Here, Tom. 2.  
p. 427.

i Antiqu. Ec-  
cles. Brit. p.  
III, IIII. Ead-  
merus H. st.  
Novorum, l. 6.  
p. 137. Poly-  
chronicon l. 7.  
c. 15. Chron.  
Johan. Brom-  
ton, col. 1013.  
Gervasius Asta  
Pontif. Can-  
tuar. col. 1661,  
1662. Hen. de  
Knyghton de  
Event. Angliæ,  
l. 2. c. 8. col.  
2780. Speeds  
History of  
Great Britain,  
p. 475.

k Chronicles,  
Vol. 3. p. 96:  
Hoveden An-  
nal. pars 1. p.  
481. See Here,  
Tom. I. p. 489,  
490.

ent Right, Privilege of *Investitures* of Archbishops, Bishops, Abbots, per annum et baculum; and publickly to renounce it, to the prejudice of his Successors, in a \* Council at London, Anno Dom. 1107. wherein, *annus Rex & statuit, ut ab eo tem- pore in reliquum, nunquam per donationem baculi pastoralis vel annuli, quisquam de Episcopatu vel Abbatia per Regem vel quamlibet laicum manum Investiretur in Anglia*; to the great impairing of the Rights of his Crown, Nobles, the disho- nour of himself and his successors, and grand advancement of the Popes and Prelates Jurisdictions. Moreover this privilege of crowning our Kings, and prescribing an Oath, Charter to King Henry when crowned, so puffed up Archbishop Ralph, (*An- selmus* next successor) that at the solemn Coronation of his Queen *Adelicia*, he imperiously commanded the King to pull off his Crown, and could hardly be per- suaded by the Nobles present not to pull, or strike it off his head in a most arrogant manner, because he or his predecessor had not set it thereon; thus related by *Mat- thew Parker* his successor, and others. *Cum Rex post Pentecosten Londinum rediens corona insignitus in throno sederet, et tum Regina consecranda et coronanda esset, Rodolphus Archiepiscopus tunc missam celebraturus, sacris altaribus assistisset, ad- vertit Regem sedere in solio suo coronatum, & admiratus est: Sciens regni coronam se illi non imposuisse, nec illam ab alio positam se presente, jure ferre debuisset. Divertit igitur insulatus & sui Patriarchatus stola redimissus ab altari, & ad Re- gem (quia absente Anselmo, à Thoma Eboracensi Archiepiscopo, in consecratione Diadema impositum ei esset) accessit. Cui accedenti Rex comiter assurrexit. Quasi- vis Archiepiscopus, quis ejus capiti Coronam imposuisset? Ad quo Rex acmissio vultu, Mea, inquit, haud refert, ideoque neque illius memini. At Archie- piscopus atra bile percitus, inquit: Nullo id jure fecit, quisquis ille fuerit: pro- inde aut tu a gerenda Corona cessabis, aut ego ab administranda missa, nec quamdiu capiti suo hoc modo insederit, propositi negotii executor non erissem. At hac Rex nihil turbatus, vultu placido & modesto respondit: Si, ut ais, hoc Diadema ca- piti meo non jure imponitur, tu id facias, quod juri censeas contentaneum, ego non retragabor. Quo dicto, accessit propius Archiepiscopus, manusque ad Diadema Regis capiti detrahendum attollens, cum Rex etiam fibulam sub mento ligatam, qua Diadema capiti vinciretur, solveret; Procures, Regis modestiam, et Archiepiscopi tracundiam admirantes, una voce in Archiepiscopum ferebantur, in- stabantque, ne in tam solemnem Regine coronationem Regi Diadema auferret. Quorum clamoribus attens Rodolphus vir est inflexus, quin Regiam coronam de capite Regis excussisset. Eadmerus, and Gervasius Dorobornensis writes: Pontifex elevatis manibus sustulit coronam de capite Regis. Quod hi qui circumstabant insuentes, omnes clara voce Pontificem parere, et Regio capiti Coronam remittere petiverunt. Adquebit ille, et mox juxta Regem Coronatum altans, Canticum Gloria in excelsis, exorsus est, & subsequenter, ut consuevit, choro canente, missa illa quiete peracta est. Et quo perspicui possit (writes Archbishop Parker) quam intempestive et impudenter levi- tate Principis, illius generis homines abusi sunt, qui Monachali sanctitate se dig- niores relicti, et in Principes habere imperium putabant; by this pretended Right of Crowning them.*

Upon the death of this Archbishop Ralph, his next successor *William Corbell*, to- gether with the rest of the Bishops advanced by this Kings favour, after his decease, thinking that King Henry (though very indulgent to them) used himself not alto- gether for their purpose, and that they should do God good service in providing for the better advancement of the Church, if they might set up and create a King chiefly by their especial means and authority, who would follow their Counsel better, and reform such things as they judged amiss, (as *Raphael Holinshed* ob- serves) contrary to their expresse Oathes to King Henry, and Maude his right heir (to crown her Queen after his decease,) most perfidiously put her by the Crown, (as they did Robert his elder brother, when they crowned him in his stead) electing and Crowning Stephen his Nephew against his and their Oaths, for their King; Wil- lielmus quoque Cant. Archiepiscopus, qui primus Sacramentum fecerat Impera- trici de regno Angliæ, Stephanum (probdolo, adds Hoveden) in Regem benedixit. The Solemnities and Prayers used at his and his Queens Coronation, are at large recorded in Gervasius Tilburienfis his Chronica, col. 1587, 1588. to which I refer you. What new Oath, Articles the Prelates and Clergy for enlargement of their Jurisdiction

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Jurisdiction and Liberties prescribed to him, and what a new Prelatical Conditional Oath of fealty they took to him; <sup>1</sup> William of Malmesbury living in that age will best inform us, who relates, Anno 1135. Non multo post adventum Comitis, iuraverunt Episcopi fidelitatem Regi, (conditionally, that is, *Trayt. ronsly* I might say, writes <sup>m</sup> Speed) quamdiu ille libertatem Ecclesie et vigozem disciplinam conferbaret: Ipse quoque iurabit iuxta tenorem scripti, quod sic habeat in subditis. Ego Stephanus gratia Cleri et populi in Regem Angliæ electus, et a Domino Willielmo Archiepiscopo Cantuariæ, et Sanctæ Ecclesie Romanæ Legato consecratus, et ab Innocentio Sanctæ sedis Romanæ Pontifice postmodum confirmatus, respectu et amore Dei, sanctam Ecclesiam liberam esse concedo, et debitam reberentiam illi confirmo. Nihil me in Ecclesia, vel in rebus Ecclesiasticis Symoniacè acturum, vel permitturum esse promitto. Ecclesiasticarum personarum et omnium Clericorum, et rerum eorum iustitiam et potestatem, et distributionem bonorum Ecclesiasticorum in manu Episcoporum esse perhibeo et confirmo. Dignitates Ecclesiarum pibelligiis earum confirmatas, et consuetudines earum antiquo tenore habitas, inbiolate manere concedo et statuo. Omnes Ecclesiarum possessiones et tenuras, quas die illa habuerant, qua Willielmus Rex, ab us meus, fuit bibus et mortuus, sine omnium calumpniantium reclamacione eis liberas et absolutas esse concedo. Si quid vero de habitis aut possessis ante mortem Regis, quibus modo careat, Ecclesia deinceps repetierit, indulgentiæ et dispensationi meæ, vel discutendum, vel restituendum reservo. Quæcunque vero post mortem Regis liberalitate Regum, largitione Principum, oblatione vel comparatione, vel qualibet transmutatione fidelium collata sunt, confirmo: pacem me et iustitiam in omnibus facturum, et pro posse meo conservaturum promitto. Forestas, quas Willielmus Rex avus meus, & Willielmus secundus Avunculus meus instituerunt & tenuerunt, mihi reservo. Ceteras omnes, quas Henricus Rex superaddidit, Ecclesie et Regno, quietas reddo et concedo. Si quis autem Episcopus vel Abbas, vel alia Ecclesiastica persona ante mortem suam rationabiliter sua distribuerit, vel distribuenda statuerit, firmum manere concedo. Si vero morte preoccupatus fuerit, pro salute animæ ejus Ecclesie consilio eadem fiat distributio. Dum vero sedes propriis fuerint pastoribus vacuæ, et ipse et omnes earum possessiones in manu et custodia Clericorum, vel proborum hominum ejusdem Ecclesie committantur, donec pastor canonice substituantur. Omnes exactiones & mescheningas, & injustitias, siue per Vicecomites, vel per alios quoslibet male inductas funditus extirpo. Bonas Leges, & antiquas, & justas consuetudines in iudiciis, & placitis, & aliis causis observabo, & observari precipio, & constituo: apud Oxeneford Anno incarnationis Domini 1136. Regni mei primo. Nomina testium, qui multis fuerunt, apponere fastidio; quia penè omnia ita perperam mutavit, (being destructive to, and inconsistent with the ancient Rights of the Crown) quasi ad hoc tantum jurasset, ut prævaricatorum Sacramenti se regno toti ostenderet; as Malmesburienſis, and Matthew Paris too concludes almost in the same words, who recites the Heads of his Oath and Charter.

And here I cannot but observe the admirable Providence and divine Justice of God upon our perjured Bishops and Prelates; who violating their sacred Oaths to the Empreſſe Maude and her father, in disinheriting her and crowning Stephen, to advance their own Hierarchy, Canons, Liberties and Jurisdictions, to which they obliged him both by his promised Coronation Oath, Charter, and encouraged him thereby to violate them soon after; yea, made him a principle instrument to imprison their persons, seize their Castles, Treasures, and trample their Canons under feet, burn, tear the Books of the Canon Law, by which he would not be judged, and prohibit all Lectures of it by Vacarius and others in the University of Oxford, to their great disappointment, discontent; and involved the whole Kingdom in bloody wars during most of King Stephens reign, wherein these perfidious, ambitious Prelates were the greatest sufferers, as my <sup>n</sup> First Tome will at large inform you. Moreover, it is observable, how God crossed the King by his Bishops, and made them enemies to each other in the point of crowning his son; An. 17 regni sui Rex Stephanus filium suum Eustachium Regio Diademate voluit insignire: postulans igitur ab Archiepiscopo Cantuariensi Theobaldo et cæteris Episcopis, ut eum in Regem ungerent, et benedictione sua confirmarent, repulsam passus est. Papa siquidem literis suis Archiepiscopo prohibuerat, ne filium Regis in Regem sublimarent; videlicet,

Novellæ Hist.  
l. 1. p. 179.  
Mat. Paris,  
Hist. Angl. p.  
71. who recites  
the heads of  
this Oath and  
Charter.  
m History of  
Great Britain,  
p. 484. nu. 4. f

n Page 531,  
to 574.



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quia Rex Stephanus regnum contra iuramentum præripuisse videbatur. *Intimo igitur dolore decolatus & ira nimia fervere, tam pater quam filius in domo quadam omnes includi iusserunt, et debementer angariantes, ut postulata peragerent, compellabant. Illi summo perterriti timore, (Rex namque Stephanus nunquam Clericos liquide dilexerat, by reason of their perjury and encroachments on the Crown, & pridem duos incarceravit Episcopos) resistere tamen, captrum suorum periculo nihil metuentes. Recesserunt tamen omnes illi, possessionibus quidem spoliati, quæ postea Rege penitente habuerunt; as<sup>o</sup> Henry Huntingdon and others story.*

o Hen. Hun-  
don Hist. l. 8  
p. 395. Chro-  
nica Gervasii  
col. 1371. & Actus Pontif. Cant. col. 1668. Antiqu. Eccles. Brit. p. 117. Holinshed, Vol. 3. p. 57, 59. Godwins  
Catalogue of Bishops, p. 41. See Here, Tome I. p. 368, 369.

p Mat. Paris  
Hist. Angl. p.  
88. Mat West.  
p. 43. Henry  
Huntingdon  
Hist. l. 8, p. 398.  
Radulfus de  
Diceto, Ymag.  
Hist. col. 529.  
616. Chron.  
Johannis  
Bromton col.  
1043 Chroni-  
ca Gervasii  
Dorobornensis  
col. 1376, 1377  
& Actus Pontif.  
Cant. col. 1668  
Polychroni-  
con, Fabian,  
Caxon, Poly-  
dor Virgil,  
Graton, Ho-  
linshed, Speed,  
Daniel, Baker  
in Henry 2.  
q Annal. pars  
posterior, p.  
491.  
r Mat. Westm.  
p. 44. Matth.  
Paris, p. 93.  
s Mat Paris  
Hist Angl. p.  
117.

t Gul. Neubri-  
genfis Rerum  
Angl. l. 2. c. 25.  
Gervasii Do-  
robern. Chron.  
col. 1413 Mat.  
Paris Hist.  
Angl. v. 117,  
118. Hoveden  
Annal. pars  
posterior, p.  
518, 519. Ra-  
dulfus de Di-  
ceto, Ymag.  
Hist. col. 553  
554. Speed's  
History p. 505,  
512. Here,  
Tome 2. p. 680,  
690.

Upon the death of King Stephen, Anno 1154. who (after many years bloody intestine wars) to procure his peace was enforced to adopt and declare Henry the 2<sup>d</sup>, son of the Empreſſe Maud, to be both his adopted son, ſucceſſor, and right heir to the Crown. Henry arriving in England, 14. Kalendas Januarii die Dominica apud Westmonasterium ab omnibus Rex acclamatus, à Theobaldo Cantuariensi Archiepiscopo in Regem consecratur, benedicitur et inundus est, præsentibus Episcopis, & Baronibus regni Anglorum & Ducatus Normannorum; (Radulfus de Diceto addes, præſente Archiepiscopo Eboracensi & aliis Episcopis Angliæ, Rogerus Eboracensis Archiepiscopus manum non opposuit: ) hereditariæque regnum sine diminutione suscepit, congaudentibus & conclamantibus turbis, Tibat Rex; writes the Chronicle of Bromton: Astantibus & cooperantibus Archiepiscopis duobus, Episcopis 14. Comitibus & Baronibus Anglicanis et transmarinis, & innumera multitudinis plebis. Regina quoque Alienora, à Rege Francorum Ludovico repudiata, cum ipso Coronata est; as Gervasius Dorobornensis stories. Anno 1158. qui erat Annus 4. regni sui, idem Rex Henricus secundò se fecit coronari apud Lincolniam extra muros Civitatis in Wickeford. Anno Gratia 1159. qui erat Annus 5. regni sui, idem Rex Henricus terriò fecit se, et Alienor. uxorẽ suam coronari apud Werceſtre; ubi cum ad oblationem venirent, deposuerunt coronas suas, et eas super altare obtulerunt; votentes Deo, quod nunquam in vita sua de cætero coronarentur; as<sup>o</sup> Roger de Hoveden, with others story. I finde no mention of any Oath prescribed to him by the Bishops, or taken by him at either of these 3. Coronations in any of our Historians, which they would have mentioned, had he taken any; the last Oath prescribed by the Bishops to King Stephen being such, as the Bishops who opposed his Title durst not tender him at his Coronations.

¶ Anno 1170. King Henry the 2<sup>d</sup>. resolving to Crown his son Henry King in his life-time, Idibus Julii, Convenerunt ad mandatum Regis Anglorum Henrici apud Westmonasterium, Rogerus Archiepiscopus & omnes Suffraganei Cantuariensis Ecclesie Episcopi ad Coronationem Henrici filii Regis primogeniti, qui patre iubente coronatus est solenniter a Rogero Eboracensi Archiepiscopo 14. Kalendas Julii, contra prohibitionem Domini Papæ; qui literas ipsi Archiepiscopo & aliis Episcopis in hæc verba direxit. — Universitati vestræ auctoritate Apostolica penitus inhibemus, ne quisquam vestrum nobis Regem coronando, si fortè casus emerſerit, absque assensu Cantuariensis Archiepiscopi, et Cantuariensis Ecclesie conniventia, secundum ejus antiquam consuetudinem et dignitatem manum apponere, qualibet occasione præsumat, aut id aliquatenus attemptare. — Sed hæc frustra, quia antequam literæ essent promulgatæ, negotium fuerat consummatum. Hereupon, Pope Alexander the 3<sup>d</sup>. (at Archbishop Becket's instigation, then in exile for his Rebellion and Sedition against the King,) excommunicated the Bishops of London, Salisbury, and most other Bishops of England, and suspended the Archbishop of Yorke, the Bishop of Durham, together with the Bishops of Exeter, Chester, Rochester, St. Asaph and Landoff, ab omni officio Episcopali et dignitate, pro reinerariæ præsumptione in Coronatione nobis Regis. confirmato Thoma Cantuariensi Archiepiscopo, ad cuius officium de antiquo jure dinoscitur pertinere. A Coronatione hero illius, NULLA de more, DE CONSERVANDA ECCLESIE LIBERTATE, CAUTIO JURATORIA EST PRÆSTITA, NEC

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NEC (*sicut aiunt*) A VOBIS EXACTA : (as this Pope writ to these Bishops, for which he and *Becket* were much incensed against them) *Sed potius JURAMENTO ASSERTITUR CONFIRMATUM*, ut Regni consuetudines antiquas, SUB QUIBUS DIGNITAS PERICLITATUR ECCLESIAE, illibatae debeant omni tempore observari. *In quo etsi multum praeordinati Regis vehementia nos perturbat, amplius tamen de vestra et aliorum Episcoporum vestrorum possumus infirmitate moveri, qui quod dolendo diximus, facti sunt arietes non habentes cornua, &c. Noverritis itaque vos, tamdiu ab Episcopali officio, commissa vobis a Deo auctoritate suspensos, donec ad sedem Apostolicam, de tanto excessu satisfacturi, accedatis, nisi praefato Archiepiscopo ita satisfacere curaveritis, ut poenam istam ipse iudicet relaxandam.* These high affronts, (together with <sup>u</sup> *Becket's* insolent Letter to the King, telling him; That by the Canon not Common Lawes, nor yet by the Secular power, but by the Bishops and Priests, Almighty God would have the Clergy of the Christian Church to be governed and ruled; that Christian Kings ought to submit all their doings unto Ecclesiastical Rulers, and not to preferre themselves; for it is written (in the Canon Law) That none ought to judge the Bishops, but only the Church, neither doth it pertain to mans Law to give sentence upon any such; but many Bishops have excommunicated Kings and Emperors, &c.) so highly incensed <sup>x</sup> King *Henry* the 2d. against Pope *Alexander*, that by the advise of *Gilbert* Bishop of *London* and others, he sent expresse Messengers and solemn Letters to this Pope, in quibus expresse Domino Papae denunciarent, quod nisi superbiam *Thomae Cantuariensis Archiepiscopi* severitatis pede contereret; Ipse, et omnes Barones Angliae, cum viris Ecclesiasticis ab ejus obedientia recederent: And the King was so extraordinarily enraged against Archbishop *Becket*, that he was almost besides himself; *asserens, se ignobiles et ignobes homines nutritisse, quorum nec unus tot sibi illatas injurias voluerit vindicare.* Whereupon 4. of his Courtiers juramento se constrinxerunt, to reduce *Becket* to a dutifull submission to the King, by absolving those Bishops excommunicated and suspended for Crowning his sonne; (unde videtur, quod et vellet Coronam de Capite tollere; as they told *Becket*;) or else to kill him; who refusing to absolve them upon the Kings Message to, and their expostulations with him, they thereupon slew him as an incorrigible obstinate Traytor, and Rebel to his Sovereign, though soon after Canonized, adored by the Pope and Clergy for a most glorious Saint and Martyr for the Liberties of Holy Church, whose blood was more effectual to save those who prayed to him, then the blood of Christ himself.

From which passages, I shall observe these three particulars; 1. What a usurped absolute power *Becket* and the Archbishops of *Canterbury* claimed, in and by reason of their frequent Coronation of our Kings, that they must not be crowned but by what Bishops they pleased, as a right belonging to them, the violation whereof, though by our Kings expresse commands in their absence, demerited the severest Ecclesiastical censures. 2ly. Pope *Alexanders* and *Becket's* outrageous indignation against the Archbishop of *Torke*, and other Bishops who crowned young King *Henry*, for not proposing to, and exacting from him a Cautionary Oath at his Coronation, for the confirmation of the Churches Liberties, which they imposed on and exacted from *Henry* the 1. and King *Stephen*, to the great derogation of the Churches honor and privileges, but only this laudable, usual Oath, *perpetually* to maintain the antient Constitutions and Liberties of the Kingdom, by which the pretended Liberties and Canons of the Church they contended for were endangered. 3ly. King *Henry* the 2. his great indignation, magnanimous Opposition and resolution against these usurpations and proceedings both of the Pope and Archbishops, as tending to his uncrowning, unkinging; threatening totally to renounce and cast off both the Pope and Church of *Rome*, if they did not right him therein against *Becket's* insolencies: and animating his Courtiers to kill him as an unsufferable, incorrigible Arch-Traytor, not worthy to breath any longer within his Dominions.

King *Henry* deceasing Anno 1189. *Richard* the 1. his son and heir repairing into England, was Crowned with extraordinary solemnity, ceremonies and prayers by *Baldwin* Archbishop of *Canterbury*, Anno 1189. die Dominica 3. Septembris: the solemnities and prayers used at his Coronation are at large related by <sup>z</sup> *Raven*.

<sup>u</sup> Fox Acts and Monuments Vol. 1. p. 178, 279. Here, Tome 1. p. 651, 668.

<sup>x</sup> Mat. Paris Hist. Angl. p. 106, 107. See Tom. 1. p. 669, 670.

<sup>y</sup> Gul. Neubrigenfis, l. 2. c. 25 Chronicon Gervasis, col. 1414, 1415. Hoveden Annal. pars posterior, p. 525, 526. Here, Tom. 1. p. 685, 686. &c. See Speed, Holinshed, Grafton, Daniel.

<sup>z</sup> Ymag. Hist. col. 647.



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a Chronica,  
col. 1587,  
1588.  
b col. 1157,  
1158, 1159.  
c Annal. Pars  
poster. p. 656,  
657.  
d Hist. Angl.  
p. 146, 147.  
e Yodigma  
Neust. ix, p.  
45, 46.  
f Speeds Hist.  
ry of Great  
Britain, p. 50.

phus de Diceto, <sup>a</sup> Gervasius Dorobornensis, <sup>b</sup> the Chronicle of Bromton, <sup>c</sup> Henry Huntingdon, <sup>d</sup> Matthew Paris, <sup>e</sup> Thomas Walsingham, and <sup>f</sup> others. The Oath he then took at the High Altar in Westminster Abbey, is thus registred in Bromton. *Coram pradiis Archiepiscopis, Episcopis, Abbatibus, Comitibus, Baronibus, (there named) Clero & populo Richardus Dux hac tria Sacramenta fecit. Inprimis, itaque jurabit & vovit Sacrosanctis Evangelis, & plurimorum Sanctorum reliquiis coram eo positis, quod pacem et honorem et reverentiam omnibus diebus vite sue portabit Deo et Sancte Ecclesie, et ejus ordinatis. Deinde, jurabit quod rectam justitiam exercebit in populo sibi commisso. Deinde, jurabit quod Leges malas & consuetudines perverfas, si aliqua sint in Regno suo, delebit, & bonas custodiet. Deinde exuerunt eum vestibus suis quibus indutus fuerat, &c. Deinde Archiepiscopus Cantuar. unxit eum in Regem, infundens oleum sanctum desuper eum in tribus locis, scilicet in capite, in scapulis, et in brachio dextero, cum orationibus, &c. Deinde posuit super caput ejus consecratum pannum, &c. Deinde vestierunt eum Regalibus vestimentis, &c. Deinde tradidit ei Archiepiscopus gladium, &c. Deinde indutus mantello, ductus est ad altare, et conjuratus ab Archiepiscopo et prohibitus ex parte Dei, ne hunc honorem sibi assumat, nisi in mente habeat tenere sacramenta et vota quae superius fecit, (not used to any of our precedent Kings at their Coronations) Et ipse respondet, *Se per Dei auxilium omnia supradicta observaturum bona fide. Deinde cepit coronam de altari, & tradidit eam Archiepiscopo, qui posuit eam super caput Regis; et sic Coronatus, Rex ductus est ad sedem suam, &c. Quia vero tunc temporis Londoniensis vacabat Ecclesia, Radulphus de Diceto Ecclesia S. Pauli Decanus, tam in Oleo sancto, quam in Chrismate ministravit Archiepiscopo, as Diceto himself and Walsingham relate.**

g Mat. Paris  
Hist. Angl. p.  
169. Chroni-  
con Joannis  
Bromton, col.  
1258. Henr. de  
Knyghton de  
Event. Angl.  
l. 2, col. 1408.

Anno 1194. King Richard the 1. upon his return from the Holy Land, and redemption from his long captivity; in the 5. year of his reign, *apud Wintoniam in Octavis Pasche, Consilio Primatum suorum, licet aliquantulum renitens ignominia captivitatis jam deterfa, quasi Rex nobis solemniter Coronatus est, Huberto Cantuariensi Archiepiscopo missam celebrante, & Williemo Rege Scottorum piissimo tunc presente. Post Coronationis suae sollemniam (not particularly related) portus marinos statuit observare, &c. I find no Coronation Oath then prescribed to or taken by him at this his second Crowning.*

h Mat. Paris  
Hist. Angl. p.  
189. Roger  
Hoveden An-  
nal. pars poste-  
rior, p. 792,  
793. Matthew  
Westm. p.  
Ralph Holin-  
shed, p. 457.  
Speeds History  
p. 549, 550.  
Polydor Vir-  
gil. Angl. Hist.  
l. 15. p. 265.  
Daniels Histo-  
ry, p. 127, 128.

King Richard deceasing Anno 1199. thereupon Earl John his brother, was crowned and sworn Duke of Normandy at Rhean, and afterwards crowned King of England, rather by election then as an hereditary King, (Arthur Duke of Britain, son of his elder brother, having the best right to the Crown, as many asserted) whose Coronation <sup>a</sup> Mat. Paris, Hoveden, and others out of them, thus relate. *Comes Johannes Rothomagum veniens, in Octavis Pasche gladio Ducatus Norman- niae accinctus est, in matrice Ecclesia, per Ministerium Walteri Rothomagensis Archiepiscopi, ubi Archiepiscopus memoratus ante majus Altare in capite ejus posuit Circulum aureum, habentem in summitate per gyrum rosulas aureas artificialiter fabricatas. Et Dux coram Clero et populo jurabit super reliquias sanctorum et super Echange- lia sacrosancta, quod ipse sanctam Ecclesiam et ejus Dignitates bona fide et sine malo ingenio defenderet, et ordinatos honoraret: Juravit etiam, quod Leges ini- quas, si quae essent, destrueret, & bonas surrogaret. Per idem tempus, Dux Nor- manniae Johannes transfretavit in Angliam, & apud Sorham applicuit octavo Ka- lendas Junii, & in crastino vigilia, viz. Dominica Ascensionis, Londonias venit, ibidem coronandus. Congregatis itaque in adventu ejus, Archiepiscopis, Episcopis, Comitibus, & Baronibus, atque aliis omnibus, qui ejus coronationi interesse debuerunt, Archiepiscopus stans in medio omnium, dixit: Audite universi, Noverit discretio vestra, quod nullus praebia ratione alii succedere habet regnum, nisi ab universi- tate Regni unanimiter, invocata Spiritus gratia electus, et secundum morem suorum eminentiam preelectus; ad exemplum & similitudinem Saul primi Regis inundi, quem praeposuit Dominus populo suo, non Regis filium, nec de Regali stirpe procreatum. Similiter, post eum David semi filium: hunc quia strenuum & aptum dignitati Regiae, illum quia sanctum & humilem. Ut sic qui cunctos in reg- no supereminet strenuitate, omnibus praestet & potestate & regimine. Verum si quis ex stirpe Regis defuncti aliis praepolleret, prout et promptius in electionem ejus est consentiendum. Hac idcirco diximus, pro inclyto Comite Johanne, qui praesens*

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presens est, frater illustrissimi Regis nostri *Richardi* jam defuncti, qui hærede caruit ab eo egrediente, qui providus & strenuus & manifestè nobilis, quem nos, invocata Spiritus sancti gratia, ratione tam meritorum, quam sanguinis Regi unanimiter elegimus univèrsi. *Erat autem Archiepiscopus vir profundi pectoris, & in regno singularis columna stabilitatis, & sapientiæ incomparabilis.* Nec autem erant alii super his adhuc ambigere, scientes quod sine causa hoc non sic distinguerat. Verum Comes *Johannes* & omnes hoc acceptabant, ipsumque Comitem in Regem eligentes et assumentes, exclamant dicentes, *WILLIAM REX.* Interrogatus autem postea Archiepiscopus *Hubertus*, quare hæc dixisset, respondit, se præfata mente conjecturare, & quibusdam oraculis edoctum & certissimum fuisse, quod ipse *Johannes* Regnum et coronam Angliæ foret aliquando corrupturus, et in magnam confusionem præcipitaturus. Et ne haberet liberas habenas hoc faciendi. Ipsum electione non successione hæreditaria, eligi debere affirmabit. Archiepiscopus autem imponens capiti ejus coronam, unxit eum in Regem apud Westmonasterium, scilicet in Ecclesia Principis Apostolorum, Dominicæ Ascensionis die, sexto Kalendas Junii, Philippo Dunelmensi Episcopo appellante, sed non obtinente, ne coronatio illa fieret in absentia G. Archiepiscopi Eboracensis. In hac Coronatione Rex *Johannes* triplici inbolutus est sacramento: Quod viz. Sanctam Ecclesiam et ejus ordinatos diligeret, et eam ab incurssione malignantium indemnem conservaret: & quod perversis Legibus destructis, bonas substitueret, et rectam justitiam in Regno Angliæ exerceret. Deinde adjuratus est ab eodem Archiepiscopo ex parte Dei, et districtè prohibitus, ne honorem hunc accipere præsumeret, nisi in mente habeat opere, quod juraverat, adimplere. Ad hoc ille respondens, promissit se per auxilium Dei, bona fide, ea quæ juraverat, servaturum. In crastino autem, bonagiis & fidelitatibus acceptis, &c.

In this Kings Coronation ( during whose reign the Pope and Prelates usurped more, and greater Jurisdictions over his Person, Crown, Realm, than in all former Kings reigns, as <sup>i</sup> I have already evidenced ) we may observe : First, Archbishop *Huberts* arrogan<sup>t</sup>, cunning, disloyal speech; wherein by his own Archiepiscopal Authority (as the Grand Oracle, Pillar both of Church and State) he proclaimed before all the rest of the Bishops of England, ( being 13 in number named by <sup>k</sup> Hoveden ) besides *Johanne Dublinensi*, & de *Kaguse Archiepiscopo*, & *Rogero de Sancto Andraa* in Scotia, being there present and assenting to it, and before all the Nobles and people then present at his Coronation; That the Crown of England was merely Arbitrary, and elective at the peoples devotion, adding to the Lay-Peers Conditions, these his Clergy Sophismes, and second sed-plot of Treasons; implying, That as he got the Crown by election, so he might as justly lose it, by rejection or demerit, ( as he afterwards did, upon this very ground, as <sup>l</sup> John Speed observes. ) 2ly. That he prescribed him a Coronation Oath, different from, and larger in the first Clause concerning the Church, then that of King *Richard* the first.

In the 9th year of his reign, the <sup>m</sup> Bishops of *London, Ely, Worcester, Hereford, Bath and Wells*, interdicting the Realm by Pope *Innocent* the 3d. his command, (at the instigation of *Simon Langton* Archbishop of *Canterbury*) who afterwards at their instigation excommunicated and deprived King *John* of his Crown, and before his absolution by force and fraud they compelled him to take this Oath, for satisfying of 40000 Marks, and all other damages to themselves, ratified with his Charter, and the Oathes, Charters of the Nobles and other Sureties therein named.

**E**GO Johannes Dei gratia Rex Angliæ, Dominus Hiberniæ, Dux Normanniæ, Aquitaniæ, & Comes Andeg. præfatis juramento promitto, quod tantam pecuniam in manus venerabilium patrum S. Cantuar. Archiepiscopi, & W. London, H. Lincoln. ac E. Elyensis Episcoporum, vel eorum quos ad hoc duxerint deputandos, restituam hiis quibus facienda est restitucio, computatis illis quam persolvi eidem Archiepiscopo & Episcopis, aut aliis hoc negotium contingentibus, de ipsius consilio vel mandato, quod summam Quadraginta Millium marcarum complebo; quibus solutis, et cautione præfata inferius annotata, necnon relaxata sententia Interdicti, deinde singulis annis duodecim Millia marcarum in duobus terminis, commemoratione videlicet Omnium Sanctorum sex Millia, et totidem festo Ascensionis, apud Ecclesiam

i Tom. 2. p. 337, 338. & Here, p. 18, 19, 20.

i Annal. pars posterior, p. 793.

l Hist. of Great Britain, & succession of Monarchs, p. 549, 550.

m See Tom. 2. p. 253, 300.

Clau. An. 16 Johana. m. 9.



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*Ecclesiam Sancti Pauli London. eisdem faciam exhiberi, donec tota summa fuerit persoluta quæ tante Summo Pontifice, declarabitur per inquisitionem de mandato ejus p[ro]inde faciendam. Et ad hoc fideliter exequendum, obligo me per proprium juramentum, ac per patentes literas sigillo meo munitas, necnon per fidejussionem venerabilium patrum P. Winton. & J. Norwic. Episcoporum, ac nobilium virorum Cestrensis & Winton. Comitum, & Willielmi Briwer. atque Willielmi Marecalli Com. de Penbroc. si fueris p[re]sens in Angl. vel Comitibus de Ferrar. seu Com. Arundell. si dictus Willielmus Marecall. forsitan absens fuerit, eorum juramentis et litteris roboratam; Ita quod tam hæredes mei quam successores eorum pari obligatione teneantur stricti. Et si forsitan quisquam de successoribus eorundem vel nequiverint vel noluerint ad hanc obligationem induci, ego alium idoneum fidejussorem constituam, secundum formam inferius annotatam: Alium autem est hoc apud Andegav. septimo-decimo die Junii, anno regni nostri sexto-decimo, Coram Magistro Pand. Domini Pape Subdiacono & familiari ad hoc specialiter destinato, in p[re]sencia venerabilium patrum J. Norwic. & W. Andeg. Episcoporum; R. Com. Cestr. W. Com. de Ferrar. Magistri Alani & Walteri Clericorum Domini Cantuar. Archiepiscopi, Regin. de Pontibus senioris, Pagani de Rupe forti, & Thom. de Erdinton.*

\* See Here,  
Tom. 2. p. 276,  
277.

† See Tom. 2.  
p. 276, &c.

n Tom. 2. p. 279  
Mat. Paris Hist.  
Angl. p. 229,  
230.

\* See Tome 2.  
p. 290.

This Oath and † Caution being given to them before their return into England, upon their arrival here soon after in the 15. year of his reign, they likewise enforced him to take these New Oaths they prescribed to him, before they would absolve him from his Excommunication, and the Kingdom from the Popes Interdict; thus related by Matthew Paris. *ⁿ Rex autem cum Episcoporum adventum cognovisset, venit obviam illis, & viso Archiepiscopo et Episcopis, cecidit p[ro]nus ad terram ad pedes eorum, lachrymis profusus, ut de se et de regno Angliæ misericordiam haberent. Videntes ergo Archiepiscopus & Episcopi tantam Regis humilitatem, (which had better became them than him) cum lachrymis illum de terra levaverunt, ducentes à dextris & à sinistris, ad ipsum Ecclesiæ Cathedralis, ubi cum Psalmo Quinquagesimo, videntibus Magnatibus cunctis, & ubertim p[re] gaudio stentibus, sicut mos est Ecclesiæ, illum absolverunt in Capitulo Wintoniensi. In hac autem absolutione jurabit Rex, tactis sacrosanctis Evangelis, (as if he were then re-crowned, and made King de novo) quod sanctam Ecclesiæ, ejusque ordinatos diligeret, defenderet et manuteneret, contra omnes adversarios suos p[ro] posse suo; quodque bonas leges Antecessorum suorum, et p[re]cipue Leges Edwardi Regis rebocaret, et iniquas destrueret, et omnes homines suos secundum justitiam suam iudicaret, quodque singulis redderet jura sua. Juravit etiam, quod omnibus ad Interdicti negotium pertinentibus infra proximum Pascha plenariam restitutionem faceret ablatorum, sin autem, in p[re]stinam excommunicationis sententiam rebocaretur. Juravit præterea Innocentio Pape ejusque Catholicis successoribus, fidelitatem et obedientiam, sicut \* superius in scripto redactam continetur. These new Oaths being thus extorted from him, this Trayterous Archbishop on the 8. of September being assembled cum Episcopis, Abbatibus, Prioribus, Decanis, & Baronibus in Civitate London. apud Sanctum Paulum; In hoc colloquio convocatis seorsim quibusdam regni Proceribus cepit affari eos secretius in hunc modum, (to raise up a new Rebellion against him;) Audistis quomodo IPSE apud Winton, Regem absolvi, ET IPSUM JURARE COMPULERIM, quod leges iniquas destrueret, & leges bonas, viz. Leges Edwardi rebocaret, et in regno faceret ab omnibus observari, &c. Which Clause thus imposed on, and extorted from him in his new Oath by this Archbishop, differing from that at his Coronation, (agreeing with that extorted for the Conqueror) was afterwards inserted into the Coronation Oaths of King Edward the 3d. and Richard the 2d. by their Bishops, and is still continued.*

King John soon after at the Bishop of London's request, issued this Writ to release a Clerk imprisoned in the Fleet, from prosecuting a suit in Court Christian for a Lay-fee, against his Prohibition.

Pat. 16 Johan.  
Regis, pars 2.  
m. 6. intus.

**R**EX Custodi Carceris le Flete, salutem. Mandamus tibi, quod Willielmum de Bureford Clericum, qui captus fuit et incarceratus, eo quod secutus est placitum

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ctum in Curia Christianitatis de laico feodo Willielmi de Fulebret & Sibilla uxoris sua contra Prohibitionem Justiciariozum, liberari fac. Venerabili patri W. London. Episcopo; quia ille manucepit, quod ille recto habebit, ubi illum habere debet. Et in hujus, &c. T. meipso apud Novum Templum London. 20 die Novembr. Clergymen being then imprisoned for such contempts, notwithstanding their pretended Liberties, and this Kings new Oath,

° King John departing this life An. 1217. (qui se multis exorism præbuit, tum propter tributum, quod sub perpetua servitute regnum Angliæ & Hybernæ compe-  
dit, tum propter guerram quam sua merita provocarunt, &c. viz alicuius meruit lamentatione deplozari; as *Mat. Westminster* writes.) *Lewes the French Usurper* and the Barons adhering to him being then possessed of London and Westminster, *Henry* the 3d. his sonne was thereupon Crowned at Gloucester (when he was but 9. years of age,) thus related by *Matthew Paris*. Defuncto Johanne Anglorum Rege, conveniunt apud Gloverniam in vigilia Apostolorum Simonis & Judæ, in presentia Walonis Apostolicæ sedes Legati, Petrus Wintoniensis, Jocelinus Bathoniensis, & Sylvester Wygorniensis Episcopi; Ranulphus Comes Cestrensis, Willielmus Marefchallus Comes Pembroc. Willielmus Comes de Ferrariis, Johannes Marefcallus, Philippus de Albencio, cum Abbatibus, Prioribus, & turba multâ nimis, ut Henricum Johannis Regis filium primogenitum in Regem Angliæ exaltarent. In crastino autem, paratis omnibus ad coronationem necessariis, Legatus supradictus associatis sibi Episcopis & Comitibus memoratis, duxerunt eum ad Ecclesiam Conventualem cum processione solenni, Regem acclamando. Ubi ante majus altare constitutus, jurabit coram Clero et populo, appositis sibi sacrosanctis Evangelis & plurimorum Sanctorum reliquiis, dictante suramentum Jocelino Bathoniensi, Quod honorem, pacem, et reberentiam portabit Deo et Sanctæ Ecclesiæ, et ordinatis, omnibus diebus vitæ suæ. Jurabit etiam, quod in populo sibi commisso, rectam justitiam tenebit: quodque Leges malas, & iniquas consuetudines, si qua sunt in regno, delebit, & bonas observabit, & ab omnibus faciet observari. Deinde, fecit homagium Sanctæ Romanæ Ecclesiæ et Innocentio Papæ de regno Angliæ & Hybernæ; et jurabit, quod mille marcas, quas Pater ejus Romanæ contulerat Ecclesiæ, fideliter persolveret, quamdiu prædicta regna teneret. Et his ita gestis, Petrus Wintoniensis & Johannis Bathoniensis Episcopi, ipsum in Regem ungentes, coronaverunt sollemniter eum canticis et modulationibus, quæ in coronationibus Regum solent decantari. P. *Henry de Knyghton* writes, Coronatus est & in Regem consecratus, astante Cantuariensi Archiepiscopo Stephano, per manum Walli, Apostolicæ sedis Legati. But *Matthew Paris* living and writing in that age, and *Thomas Walsingham* are to be credited before him, who writ but in the latter end of King Richard the 2d. his reign. Tandem expletis Missarum solenniis, duxerunt Regem cum processione solenni, Episcopi & Comites sacrosanctis, regalibus indutum, ad mensam; ubi omnes in ordine suo sedentes, epulabantur in letitia & exultatione. In Crastino autem Rex cepit homagia et fidelitates ad omnibus Episcopis, Comitibus, et Baronibus, aliisque omnibus qui aderant, et omnes ei fidelissimum obsequium promiserunt.

Wherein we may observe; 1. That King Henry by and with the advise of the Popes Legate, as well as of his Nobles, was anoynted and crowned King, not by the Archbishop of Canterbury, but by the Bishops of Winchester and Bath; and that not as an elective King, as his Father King John, and as Lewes the French Kings son, elected, crowned King by the rebellious Barons, but soon after rejected, and sent packing into France, never to return again into England. 2ly. A Coronation Oath administered to him though but an infant of 9. years, the same in substance with that which his Father King John took at his Coronation. 3ly. A new Additional Clause added to it by the Popes Legate, never taken by any King before or since, faithfully to pay the 1000. marks which his father had conferred on the Church of Rome, so long as he should hold the Kingdoms of England and Ireland, for which he made his homage to the Church of Rome and Pope Innocent before his actual Uncton and Coronation, as King. 4ly. That the next day after he received all the Homages and Fealties of the Bishops, Earls, Barons, and others, as his father did at his Coronation, who very ill observed them.

o Mar. Paris  
Hist. Angl. p.  
278. Mat. West  
103, 104.  
Tho. Walsing-  
ham Ypodig-  
ma Neustriæ,  
p. 56.

p De Eventib.  
Angl. l. 2. c. 15.  
col. 2427.



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q Mar. Paris, p. 298. Henr. de Knyghton de Event. Angl. l. 2. c. 15. col. 2427. Marth. Westm. p. 109. See Fabian, Grafton, Holinshed, Speed, Daniel, & See Here Tom. 2. p. 891. 896.

\* Multoies juravit tueri Ecclesie libertatem & statum. Mar. Paris Auctuarium, p. 152. f Flores Hist. p. 363. t Historiz Angl. p. 5. u Polychron. l. 7. c. 38. Henr. de Knyghton de Event. Angl. l. 3. c. 1. col. 2461. Speed, p. 648. Daniel p. 186. Caxton, part 7. Fabians Chronicle, part 7. f. 133. Holinshed, and Grafton. \* Pat. 2 E. 1. pars unica, m. 9. Memorandum de Coronatione Regis.

x Clause 18 E. 1. dorf. 10. i. Cl. 32 E. 1. m. 36. dorf. Here, p. 417, 418, 1028. & 1188.

y Tho. Walsingham Hist. Angl. An. 1309 p. 69, 70. Ypoudigm. Neustrie p. 99. Chronica W. Thorn. col. 2007. Cicerstrensis, l. 7. c. 31: Henr. de Knyghton de Event. Angl. l. 3. c. 13. col. 2532.

9 Anno 1220. *Coronatus est idem Rex apud Westmonasterium, in die Sancta Pentecostes a Stephano Cantuariensi Archiepiscopo, presente Clero & populo totius regni; or presentibus Pandulpho Legato, Episcopis, & aliis Prælati, Comitibus, Baronibus & Majoribus Angliæ; as Matthew Westminster Stories; 16 Kalendas Junii, Anno regni suo quinto; without any new Oath or Unction mentioned by our Historians (whether antient or modern) who relate it.*

\* In the last of those 50 Articles *pro quibus Episcopi Angliæ fuerant pugnaturi*, drawn up by them in the 41 year of King Henry the 3d. they thus complained, *Cum Dominus Rex juraverit in Coronatione sua conservare jura et libertates Ecclesiis datas, et eas confirmaverit in principio Magnæ Chartæ, incessanter tamen a Ministris suis impugnantur, turbantur, & mutantur, non solum generales, sed etiam speciales, datas scilicet per prædecessores suos, & ab ipsis confirmatæ, & etiam de novo datas, &c.* But I finde no such expresse Clause as this mentioned by our Historians in the Coronation Oath prescribed to him, as they here alledged, but only in \* *subsequent Oaths*; by which they endeavoured to justify all their encroachments upon the Kings Prerogative and Subjects Liberties, comprised in their 50. Articles, and their Antimonarchical Constitutions made in the Council of Lambeth under Archbishop Boniface held that year, against the Kings expresse Prohibitions.

King Henry after a very troublesom, yet the longest reign of any King before or since, departing this world Anno 1272. when his Sonne Prince Edward was warring in the Holy Land against the Saracens; he was presently proclaimed King, but not crowned till after his arrival in England in the year 1274. the manner whereof is thus related by *Matthew Westminster, Walsingham, and others* out of them, *Dominica inter Octavas Assumptionis B. Virginie, in Ecclesia Westm. Eadwardus in Regem inungitur, et Aelianora, soror Regis Hispaniæ, in Reginam, a Roberto Archiepiscopo Cantuar. xiiii. Kal. Septembr. pariter coronantur. Huic Coronationi intererant Alex. Rex Scotiæ, & J. Comes Britannicæ, cum suis uxorebus, sororibus quidem Regis Eadwardi. Et in crastino Coronationis sue recepto publicè homagio & fidelitate Alexandri Regis Scotiæ, &c.* Not one Historian or Record mention any particular Oath or demand then exacted from, made or taken by him to or before this Archbishop at his Coronation. In the Patent Rolls in the second year of his reign there is only this Memorandum entred of his Coronation.

\* *Memorandum, quod Edwardus Rex Angl. applicuit apud Dovor, die Jovis proxima post festum Sancti Petri ad vincula Anno Domini M.CC.LXXIV. Et die Dominica prox. sequente sollempniter coronatus fuit in Ecclesia beati Petri Westm. Anno Domini supradicto, & anno regni ejusdem Regis secundo; Without recording any Oath then taken or Promise made by him, to maintain the Bishops, Clergies, Churches pretended exorbitant Rights, Liberties, and Usurpations on his Crown or Dignity; Yet certain it is he took an Oath to maintain and preserve the rights of his Crown and the Lawes, as these Clauses and the like (frequent in sundry of his Prohibitions to Popes Delegates, Bishops, and others) evidence, *Tepefcere non possumus, quin exheredationem nostram qua statum Corona nostra contigit, sicut EX SACRAMENTI VINCULO ASTRINGIMUR pro viribus evitemus.* \* *De Coronæ et dignitatis nostræ jura depereant studiosam nos debet operam adhibere, et ad ea manutenenda et conservanda eo potius debemus esse solliciti, quo ad hoc VINCULO JURAMENTI TENERI DINOSCIMUR & ASTRINGI;* he opposing the Popes and Prelates Incroachments of usurped Jurisdiction to the prejudice of his Crown, more then all his premised predecessors, as obliged thereunto by his Coronation Oath.*

His Sonne *Edward* the 2d. succeeding him, and reigning as a King by descent one whole year or more before he was Crowned, Anno 1309, *sexto Kal. Martii, die videlicet Sancti Matthæi Apostoli Rex et Regina cum solennitate maxima apud Westm. ab Episcopo Winton. and others, (Commessione Roberti Archiepiscopi Cantuariæ esulantis, as some; or as William Thorne Stories, adhuc in Romana Curia agente, et eisdem vices suas committentis) magnifice coronatur. Cicerstrensis and Henry de Knyghton adde, these Bishops crowned him auctoritate Papæ Clementis, eo quod Robertus Cantuariensis tunc apud Romam esulabat, for his Treasons against King Edward the 1. Of which this Pope made this advantage, to interpose his usurped Authority in this Coronation: (as his predecessor did in the case*

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case of young King Henry during Becket's exile) which yet met with some rubbs from the Nobles, who requested him to remove *Peter Gaveston* from his Court, *sed Rex noluit consentire*: idcirco proposuerunt Comites Coronationem Regiam impedire. Quod Rex intelligens, promissit bona fide, se facturum illis in Parlamento proximo quicquid peterent, tantum ne coronatio differatur; yet he ind. secretly, Coronam Sancti Edwardi (wherewith he was Crowned) tradidit Petro ad portandum manibus inquinatis; ex quo non immerito indignati sunt populus atque Clerus. Fuit autem ibi tanta congregio populi, ut nec Regi Coronato, nec Episcopis ipsum Coronaturis pepercit violentia populi, et ideo cum seditione nimia et quasi sine reuerentia fuit ista solemnizatio consummata; as *Walsingham* stories. What Oath they then administered to the King in this crowd and confusion, is not particularly related by any Historian or Record I have seen: Only I finde in the *Register of Writs* and sundry Records, that this King inserted this Clause into his *Prohibitions* and *Writs*, ad Jura Regia; *Eo studiis suis nos decet operam adhibere, & sollicitum extendere manum nostram, quod ad hoc VINCULO JURAMENTI teneri dinoscimur & astringi.* And that in the 14th year of his reign he refused to secure or remove from him the two *Spencers* till the next Parliament, upon some of the Barons demands, or to give them a safe conduct to repair to his Parliament besides his Writ of Summons, upon this ground among others; *a Po. strend cum juramento addidit, quod noluit Sacrauentum violare ad quod adstrictus fuerat IN CORONATIONE SUA, concedendo literas pacis et indulgentie tam notorie delinquentibus in suis personarum contemptum, et totius regni perturbacionem, et Dissensionem Regie factionem;* as those Lords were guilty of, who refused to come to his Parliament upon summons, raised forces against him and the *Spencers*, and yet presumed to demand his Letters of pardon for themselves and their Companions; which Clauses referr only to the second Clause in the Oath of King Edward the 2d. and 3d, concerning the peace of the Realm.

Anno gratiz 1327. Upon the forcible traycerous imprisoning, deposing of King Edward the 2d. by his Queen, and Earl Mortimer, and electing his son Edward the 3d. King in his stead, whiles living, cui Electioni consensit Archiepiscopus Cantuariæ et omnes Prelati, & Archiepiscopus assumpto themate, Mor populi, hoc Dei sermonem fecit populo, exhortans omnes, ut apud Regem Regum intercederent pro electo; Coronatus est apud Westmonasterium per Cantuariensem Archiepiscopum Walterum in Regem (qui Regem patrem plane deseruit) die Dominica in vigilia Purificationis, as *Cicestrensis* and *Matthew Westminster*; or in Conversione Sancti Pauli, viz. 8 Kalendarum Februarii, as others write. None of our Historians make any particular mention what Oath he took; I shall therefore present you with this Memorandum both of the day of his Coronation, and the Interrogations and Oath then tendred to him out of the *Clause Rolls* in the Tower.

*a* Registrum  
Omnium Bre-  
vium, &c. part  
2. f. 61, 67.

*a* Walsingham  
Hist. Angl. p.  
92. & Clause  
14 E. 2. m. 17.  
Schedula, &  
Clause 15 B. 2.  
dors. 32.

*b* Tho. Wals-  
ingham, Hist.  
Angl. p. 107,  
108. Ypodigma  
110. Henry de  
Knyhton de  
Event. Angl. 3.  
c. 16. col. 2550.  
Cicestrensis, l.  
7. c. 44. Math.  
Parker Antiqu.  
Eccles. Brit. p.  
219. Caxton,  
Fabian, Poly-  
dor Virgil,  
Grafton, Ho-  
linshed, Speed,  
Daniel, in Ed.  
2. & 3. Chron.  
Will. Thorn,  
col. 2039.

**M**emorandum, quod die Dominica post festum Conversionis Sancti Pauli Anno Domini Millesimo CCC vicesimo sexto, litera Dominicali currente per V. Coronatus fuit in Regem, et inunctus Dominus Edwardus filius Regis Edwardi post Conquestum tertius, anno regni sui primo, in Ecclesia B. Petri Westm. ante magnam altare, per manus venerabilis patris W. Cantuar. Archiepiscopi, totius Angl. Primatis, presentibus tunc ibidem venerabilibus patribus J. Elien. Cancellar. A. Hereford. The. J. Winton. J. Cicestren. T. Wygornien. L. Dunolmen. H. Lincoln. J. Landaven. & W. Norwycen. Episcopis, Thoma Norff. & Marefcallo Angl. Edmundo Kanc. Henr. Lanc. Johanne Surr. & Suffex, Johanne de Boun Hereford & Essex Comitibus, Johanne de Hanaud, Rogero de Mortuo Mari, Hen. de Bello Monte, ac aliis Pagnatibus totius Regni. Et fuerunt verba Regis in coronacione predicta sub Juramento prestito, ut patet inferius.

Cl. 1 E 3. pars  
2. m. 24. dors.

*Sire, bolez vous grantier, et garder, et par vostre Serement confirmer au poeple Dengleterre, les Lays et les Custumes a eux grantes per les auciens Rois Dengleterre vos predecesseurs, droitus et debors a Dieu, et notamment les Lays, les Custumes, et les Fzanchises grantez au Clerge et au poeple par le glorieux Roy Saint Edward vostre predecesseur?*

*Responf. Aeo les grantie et promette.*



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Sire, garderez vous a Dieu et a Sainte Eglise et au Clerge, et au poeple, pès et acord en Dieu entièrement, selonc vostre poair ?

*Respons.* Jeo les garderai.

Sire, fréz vous faire en toutz voz jugementz obele et droite justice et discrecion, en misericorde et berite a vostre poair ?

*Respons.* Jeo les fray.

Sire, grantez vous a tenir et garder les Leys et les Customs droitureles, les quels la Communate de vostre Roiaume aurai eü, et les defendez et afforcerez al honneur de dieu, a vostre poair ?

*Respons.* Jeo les graunte et promette.

Without any other Interrogation, Admonition or Clause, concerning maintaining and defending the holy Church and her Liberties. The first Clause in this Oath, was taken *verbatim* out of the premised Oath enforced upon King John by Stephen Langton Archbishop of Canterbury before his absolution from his Excommunication, not extant in his Coronation Oath.

I find in most of the Writs of *Ad Intra Regia*, (of which there were multitudes in this King Edwards reign) this Clause relating to this his Coronation Oath, *quod ad hoc*, or prout JURAMENTI VINCULO tenemur et astringimur. And in the printed Statutes of 15 E. 3. Parl. 1. and the Kings Proclamation for reversing it, 18 E. 3. Stat. 3. c. 1, 2. & 25 E. 3. Stat. 6. against *Provisions*, there are these Clauses inserted concerning this Oath: By the bond of OUR OATH, we be bound to the obserbance and defence of the Lawes and Customs of the Realm; The King as he is bounden by HIS OATH to doe the same to be kept as the Law of this Realm. The King having regard to the quietnesse of his people, which he chiefly desireth to maintain in quietnesse and peace, and to govern according to the Lawes, Usages, and Franchises of this Land, AS HE IS BOUND BY HIS OATH MADE AT HIS CORONATION.

After King Edward the 3d. departed this life, his Grandchild Richard the 2d. was crowned King. The <sup>b</sup> *Petitions, Claims of Nobles and others to do special services* at his Coronation, by their *seniores*; with the Judgements given on them; and the solemnities, Ceremonies used at his Coronation, are specially recorded at large in the *Clause Roll* of An. 1 R. 2. m. 43, 44, 45. with this Title to them. *Processus factus in Coronatione Domini Regis Angliæ Richardi secundi, Anno regni sui primo.* At the cloze whereof there is this Memorial entred. *Memorandum, quod predictus Rex Castellæ & Legionis, Dux Lancastriæ & Seneschallus Angliæ, istum processum per manus suas proprias in Cancellaria Domini Regis liberavit, ibidem in Rotulis Cancellariæ irrotulandum.* In which unquestionable Record, the Oath which the Archbishop of Canterbury (*Simon Sudbury*) then prescribed to and received from him, is thus recorded.

<sup>c</sup> *Clauſ. 1 R. 2 m. 44.*

<sup>\*</sup> Note this new Additional Clause.

*Dominus Rex, &c. subsequenterque capto per prefatum Archiepiscopum Cant. Sacramento Dom. Regis corporali, de concedendo et servando cum sacra confirmatione Leges et Consuetudines ab antiquis justis et Deo debitis Regibus Angliæ, progenitoribus ipsius Regis plebi regni Angliæ concessis, et præsertim leges, consuetudines et libertates a gloriosissimo et sanctissimo Rege Edwardo Clero populoque regni predicti concessis: et servando Deo et Ecclesiæ Sanctæ Domini; Cleroque et populo pacem et concordiam integre in Deo, juxta vires suas: et de faciendo fieri in omnibus judiciis suis æquam et rectam Justiciam et discretionem in misericordia et beritate; et etiam de tenendo et custodiendo\* juxta leges et consuetudines Ecclesiæ; ac de faciendo per ipsum, Dominum Regem eas esse protegendas, et ad honorem Dei corroborand. quas vulgus juste et rationabiliter elegerit juxta vires ejusdem Domini Regis: Prefatus Archiepiscopus ad quatuor partes pulpiti predicti ascendens, exposuit & enarravit universo populo, qualiter dictus Dominus Rex hujusmodi præstitit Sacramentum: inquirens ab eodem populo, Si ipsi consentire vellent de habend. ipsum Regem Dom. suum ligeum, & ad obediendum ei tanquam Regi & Domino. ligeo? Qui utique unanimiter consenserunt.* Then follow some other solemnities, and the Homages made to the King by sundry Noble men, while the Bishops were chanting their Masse. After that the manner of the Kings return from the Church to his Palace; in what Order the Bishops, Nobles, and others

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others sat at his Feast; and his solemn Procession to *Pauls Church* with his Prelates, Nobles, Trayn the next day; with the summe of their Prayers for his happy Reign and Government.

In the Parliament Roll of 1 H. 4. nu. 16 & 17. after the recording of King *Richard the 2.* his Renunciation of his Right to the Crown, and the Articles then publicly drawn up and read against him in that Parliament, they thus record the particular branches of the Coronation Oath which the Kings of *England* used to make to the Archbishop, and King *Richard* took at his Coronation.

*Sequitur forma Juramenti soliti in consueti praestari per Reges Angliæ in eorum coronatione, quod Archiepiscopus Cantuar. ab eisdem Regibus, exigere et recipere consuevit, prout in libris Pontificalium Archiepiscoporum et Episcoporum plenius continetur: Quod quidem Juramentum Richardus Rex Angliæ post Conquestum secundum, in Coronatione sua præstitit, & ab Archiepiscopo Cantuar. erat receptum, et illud idem Juramentum dictus Rex postmodum iterabit, prout in Rotulis plenius reperiri poterit de Recordo.*

*Dei vobis Ecclesiæ Dei, Cleroque et populo pacem ex integro, et concordiam in Deo, secundum vires tuas. Respondebit, Verbo. Facies fieri in omnibus iudiciis tuis æquam et rectam Iustitiam et discretionem in misericordia et veritate, secundum vires tuas, Respondebit, Faciam. Concedes iustas leges et consuetudines esse tenendas, et promittis pro te eas esse protegendas, et ad honorem Dei corroborandas, quas vulgus elegerit secundum vires tuas. Respondit, Concedo et promitto. Adicianturque prædictis interrogationibus quæ iusta fuerint. Pronunciatisque omnibus, confirmet Rex se omnia servaturum Sacramento super Altare præstito coram cunctis.*

*Thomas Walsingham*, who at large relates the Form and Solemnities of this King *Richards* Coronation, hath added this New Clause to the beginning of his Oath then taken, not extant in the premised Records; nor in *Juramentum Regis* quando coronatur, printed in *Toties Magna Charta*, London 1556. part 1. f. 164. After the Bishops Sermon, (writes he) Jurabit Rex coram Archiepiscopo, et Proceribus qui ibi aderant, quoniam ipse soli Juramentum audire poterunt.

*Primò*, quod Ecclesiæ suis permitteret gaudere libertatibus, et eam et Ministros ejus honoraret, et fidem rectam teneret; & rapacitatem, & omnes iniquitates in omnibus gradibus interdiceret.

*Secundò*, ut leges terræ bonas ubique servari faceret, & præcipuè *Leges Sancti Edwardi Regis & Confessoris*, qui in eadem requiescit Ecclesiæ, & malas leges faceret abrogari.

*Tercio*, ut non esset personarum acceptor, sed iudicium rectum inter virum & virum faceret, & præcipuè misericordiam observaret, sicut sibi suam indulgeat misericordiam clemens & misericors Deus.

*Quibus expletis Archiepiscopus, præcedente eum Marescallo Angliæ, Domino Henrico Percy, convertit se ad omnes plagas Ecclesiæ, indicans populo Regum Juramentum, & querens, &c.* as in the *Clause Roll* of 1 R. 2. forecited.

From which Records and Historian I shall observe: 1. That this and other our Kings Coronation Oaths were compiled by our Archbishops and Bishops, and entred by them in their Pontificals. 2ly. That they assumed this transcended Jurisdiction to themselves, to prescribe what new Articles, Interrogations they thought meet to our Kings at their Coronations, which they must solemnly promise and swear to observe, before they would crown them; for which end they inserted this Clause into their Pontificals, immediately after the Kings Oath; <sup>b</sup> Adicianturque prædictis Interrogationibus quæ iusta fuerint. Pronunciatis omnibus, Rex confirmet se omnia servaturum, Sacramento super Altare præstito coram cunctis, &c. 3ly. That they cunningly inserted into this young Kings Coronation Oath this new Clause, not extant in any former Oath, Et etiam de tenendo et custodiendo iustas Leges et Consuetudines Ecclesiæ, &c. to advance their own Ecclesiastical Laws, Canons, and Customs, made for their own grand-ur and advantage in their Convocations, without the consent of King, Lords and Commons in Parliament; and that (as I conceive) in opposition to the Petition of the House of Commons in the Parl. of 51 E. 3. some few moneths before; <sup>c</sup> That the Commoners shall not be bound by any of the Constitutions made

a Hist. Angliæ;  
P. 193, 194;  
195. See My  
Signal Loyalty  
&c. Part 2. p.  
294.

b Rot. Parl.  
An. 1 H. 4. nu.  
16. Toties  
Magna Carta  
p. 164. See my  
Signal Loyalty  
&c. p. 270.  
Cl. 1 R. 2. m.  
44.

c Rot. Parl.  
An. 51 E. 3. nu.  
43.

made



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d Histor. Angl.  
P. 194, 195.

made by the Clergy for their advantage, without the Commons assent thereto in Parliament; car euz ne deullent estre obligez a nul de voz Estatutes ne Ordinances faitz sanz leur assent : with King Edward the 3d. and other our Kings Writs, Appeals, Protestations against them, mentioned in my Epistle Dedicatory. 4ly. If *Tho. Walsingham* may be credited against our Records, they likewise added another new Clause to King Richards Oath, placed in the very front thereof; which they backed with these other passages inserted into their Pontificals for their own advancement, honor, protection by our Kings above all other Subjects, as receiving their Crowns, Swords, Scepters from them alone, for their special defence. For after the Kings anoynting by them on the Crown of his head, breast, shoulders, shoulder-blades, hands and boughes of both his arms, they used these speeches to him at the delivery of his Sword and Scepter. *Post hac Archiepiscopus cum Episcopis tradidit ei gladium, ita dicens; Accipe gladium per manus Episcoporum, licet indignos, bice tamen et auctoritate sanctorum Apostolorum consecratas, tibi regaliter impostum, nostraque benedictionis officio ad defensionem sancte Ecclesie divinitus ordinatum, et esto memor de Psalmsa, qui prophetavit, dicens: Accingere gladio tuo super femur tuum potentissime, ut per eundem vim aequitatis exerceas, molem iniquitatis potenter destruas, et sanctam Dei Ecclesiam, ejusque fideles propugnando protegas, nec minus sub fide falsos in Christiani nominis hostes et secretis ac destruas, &c. Statim post hac, &c. Archiepiscopus datus ei Sceptrum, &c. dicens, Accipe Sceptrum Regie potestatis insigne, virgam scilicet regni rectam, virgam veritatis, qua te ipsum bene regas, sanctam Ecclesiam, populum viz. Christianum tibi a Deo commissum, (not the Bishops and Clergy only, who would appropriate the Title of the Church to themselves) Regia virtute ad improbis defendas, pravos corrigas, rectos Pontifices, et ut biam rectam tenere possint tuo subamine, dirigas, &c. Multatus est Rex Episcopos omnes et Abbates (but none of his Nobles) a quibus statim ductus est postea ad Regale solium, Episcopis inchoantibus hymnum, Te Deum laudamus. Finito hymno, Archiepiscopus ita eum allocutus est: Sta, & retine amodo locum quem hucusque paterna successione tenuisti hereditarie, indico tibi delegatum per auctoritatem Dei omnipotentis, et presentem traditionem nostram, scilicet omnium Episcoporum, ceterorumque Dei servorum; et quanto Clerum sacris Altaribus propinquiores, tanto ei potiores in locis congruis honorem impendere memineris, quatenus mediator Dei & hominum, te mediatorem plebis in hoc regni solio confirmet, & in regnum aeternum regnare faciat Jesus Christus Dominus noster. Which words and form they have since continued.*

The same Solemnities, Ceremonials, Prayers, Speeches used at this King Richards Coronation, and the Interrogations, Oath prescribed to K. Edward the 3d. (without the new additions to King Richards) for ought appears to me continued without any alteration till K. Edw. the 6. together with this Petition, or Pontificale Episcoporum ad Regem, et legitur ab uno, (not mentioned by *Walsingham*, but in the Roman, & other of our own Pontificals, tending only to establish Bishops Canonical Priviledges, Lawes and Constitutions;) *Domine Rex, a vobis perdonari petimus, ut unicuique de Nobis et Ecclesiis Nobis commissis, Privilegium et Debitam Legem atque Justitiam et defensionem exhibeatis, sicut Rex in suo regno debet unicuique Episcopo et Abbati et Ecclesiis sibi commissis. Whereunto Respondit sic Rex, (by their prescription, before he must be Crowned) Animo libenti & devoto promitto vobis, et per dono vobis et unicuique vestram, et Ecclesiis vobis commissis Canonicum Privilegium, (defined by the Popes and their own Canons) & debitam legem & justitiam servabo, & defensionem quantum potero, adjuvante Deo exhibebo; sicut Rex in regno unicuique Episcopo, Abbati, et Ecclesiis sibi commissis, per rectum exhibere debet. But by reason of King Edward the 6. his tender years, and the changes then made in the Religion publicly professed, some Alterations were made both in the Ceremonies, Prayers, and Oath it self at his Coronation, by the Lord Protector and ten of the Privy Counsils advise, whereof *Thomas Cranmer* Archbishop of *Canterbury*, and *Cuthbert Tonsall* Bishop of *Durham* were two; who prescribed him this new Oath, different in some particulars from all preceding it.*

*The Archbishop standing before the King, shall ask him with a loud voyce in manner and form following;*

*Will ye grant to keep to the people of England and other your Realms and Dominions,*  
the

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*the Laws and Liberties of your Realm, and other your Realms and Dominions.* \* I \* The Kings  
grant and promise. Answers.

*You shall keep to your strength and power, to the Church of God, and to all the people, holy peace and concord.* I shall keep.

*You shall make to be done after your strength and power, equal and rightfull justice in all your Dooms and Judgements, with mercy and truth.* I shall do.

*Do ye grant to make no new Lawes, but such as be to the glory and honour of God, and to the good of the Commonwealth; and that the same shall be made by the consent of your people, as hath been accustomed?* I grant and promise.

*Then shall the King rise out of his Chair, and by them that before assisted him, be led to the High Altar, where he shall make a solemn Vow upon the Sacrament, layd upon the High Altar, in the sight of all the people, to observe the premises; and laying his hand again upon the Book, shall say;*

*The things which I have before promised, I shall observe and keep: So God help me and these holy Evangelists, by me bodily touched upon this holy Altar.*

At the Coronations of King *James* and King *Charles* the 1. and 2. the Interrogations to, and Oath taken by King *Edward* the 3d. were used and taken by them, with most of the premised Ceremonies, Prayers, passages used at King *Richard* the 2d. his Coronation, some whereof were omitted at King *Edward* the sixth. Which having <sup>a</sup> elsewhere published at large, I shall here omit.

By these Historial Collections of the Coronations of forreign Emperors, Kings, and our own *British, Saxon, Danish, Norman, English* Kings, by Popes, Patriarchs, Archbishops and Bishops, with the severall Oathes, promises they exacted from them, and altered, enlarged by degrees when crowned, especially when they set the Crown upon Usurpers heads, and disinherited the right lawfull heirs, you may most clearly discover, what successive encroachments they made upon their Royal Sovereignties. What strange Conclusions many *Popes, Popish Bishops, Canonists* and others have thence deduced, I shall here briefly inform you.

1. That all Christian Emperors, Kings, Princes, receive their Crowns, Swords, Scepters, Royalties, and Royal dignities only from Popes, Patriarchs, Archbishops, Bishops, as Pope *Boniface* the 8. with sundry other Popes, Popish Canonists, Jesuites, and our Archbishops *Aldred* of *Torke*, *Ralph* and *Hubert* of *Canterbury* have asserted; who are solidly refuted by <sup>b</sup> *John Serpin*, Advocate to King *Henry* the 4th. of *France* in his *Vindicia*, and others forecited.

2ly. That the Pope and every Bishop is Superior to Emperors and Kings, because without contradiction the *lesse* is blessed, consecrated by the greater, *Hebr. 7. 7.* as Emperors, Kings, are by Popes and Bishops, not they by them; Yea, *Episcopus superminet Regibus, et quibuscumque aliis terrenis Principibus dignitate est preferendus,* quantum plumbum vincitur ab auro: Et Sacerdotum tanto majus est Imperio et omni seculari Principatu, quanto cælum terra pretiosius, et anima est corpori preferenda; as our <sup>c</sup> *Thomas Waldensis*, Cardinal <sup>d</sup> *Bellarmin*, and others determine.

3ly. That as they consecrate, bleesse, crown them Emperors and Kings: so by the like reason they may execrate, excommunicate, uncrown them, if they violate the Oaths and Conditions prescribed to them at their Coronations: which was our Archbishop *Aldreds*, *Ralph* and *Huberts* doctrine, as well as Popes. Hence Pope *Gregory* the 9th. upon Sir <sup>e</sup> *Robert de Twenge* and others threshing out the corn and plundering the goods of *Italian Clergy* men benefited in *England* by Papal provisions, was so highly offended with King *Henry* the 3d. that in an oversharp Letter to him, he vehemently reprehended him for suffering such rapines in his Realm to be done to Ecclesiastical persons, non habens respectum ad juramenta quæ juraverat tempore Cozonationis suæ, non solum de pace Ecclesiæ manutenenda, verum etiam de recta justitia tam Clericis quam Laicis servanda. Mandavit igitur Regi in eisdem literis sub pœna Excommunicationis et Interdicti firmiter præcipiens, quatinus diligenti facta inquisitione, si quos hujus violentiæ inveniret auctores tam graviter puniret obnoxios, ut ex pœna illorum cæteris metum incuteret & terrorem.

4ly. That Emperors, Kings are but the Popes, Bishops Vassals, and their Coronation Oathes meer Oathes of Fealty to them, as their superiour Lords.

5ly. That

<sup>a</sup> In the Second Part of My Signal Loyalty. &c. p. 241, to 327.

<sup>b</sup> In Melchior Goldastus Monarchæ Rom. Imperii, Tom. 3. Francofurti 1613. p. 269, to 272.

<sup>c</sup> Doctrinale Fidei, Tom. 1. l. 2. Artic. 3. c. 74, 75.  
<sup>d</sup> De Pontifice Romano, l. 1. c. 7. De Laicis, c. 8 & 10. See my Epistle Dedicatory to Tome 1.

<sup>e</sup> Mar. Paris Hist. Angl. p. 362. Here, Tom. 2. p. 496.



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gly. That by these their Oathes, and the Liberties, Priviledges of the Church, the persons of Popes, Bishops, and all inferior Clergymen, are totally\* exempted from the secular Jurisdiction, Judicature of Emperors, Kings, their Judges, and Courts; so that they neither can nor ought at all to imprison, condemn, execute, banish, deprive them for any capital Crimes or Offences whatsoever, but must refer them wholly to be tried, judged, purged in, by and before a Synod of Bishops, or their own Metropolitans or Ordinaries; & that they ought not to put them to death till first convicted, degraded, and delivered up by them to the secular powers. Upon which account <sup>e</sup> Adam de Arleston Bishop of Hereford in the 17. year of K. Edward the 2. being accused, arrested and examined of High Treason, before the King and all the Lords in Parliament, for receiving, ayding, counselling, maintaining Mortimer, with other Enemies of the King, and furnishing them with great store of armed men: peremptorily refused to answer his Charge without the connivance and consent of the Archbishop, and the other Bishops his Peers, because he was a Minister, a Member of the Church, and a Bishop. Whereupon the Archbishop and Bishops presently demanded him as a Member of the Church, to be delivered to their Custody and Triall: Some few dayes after the King resolving to arraign him for this Treason before his Royal Tribunal, the Bishops hearing of it, thereupon the Archbishops of Canterbury, York, and Dublin, accompanied with ten Bishops more, and a great troop of men, with their crosses born up before them, marched to the Court where he was to be arraigned, chased away the Kings Officers, took the Prisoner from the Barre by force before he had made any answer, and carryed him away with them; firmly enjoyning all there present on the behalf of God, that none of them under pain of Excommunication should presume to lay violent hands upon this Traytor to bring him back to the barr, whom they had thus violently rescued from publike Justice. The King being exceedingly moved with this unparalleled insolency and affront, as he had reason, commanded the Inquest to be impannelled in his absence; who finding him guilty of the Treason and Rebellion wherof he was indicted, according to the truth of the matter: he thereupon seised his Temporalities, Lands, Goods, and banished the Bishop; who notwithstanding his proscription, was by confederacy of these Archbishops and Bishops with strong hand kept safe from the Kings Justice, in the Archbishop of Canterbury (*Walter Reynolds*) his custody: And not long after, this Trayterous Prelate and his Rescuers confederating with the Queen and young Prince Edward, by force of armes imprisoned, deposed the King himself, without any Trial, Crowned his Son King in his stead; and then murdered him, by this Trayterous Bishops ambiguous unpointed Advise, *Edwardum occidere nolite timere bonum est.*

gly. That Kings and Emperors by the Oathes taken at their Coronations, are bound to obey, maintain, execute all the Popes, Bishops Ecclesiastical Decrees, Canons, Constitutions, Censures of Excommunication, Interdicts, Deprivation, yea of death it self in cases of Heresy or Apostacy, and to become their Bayliffs, Gaolers, Executioners, without examining the justice or legality of their proceedings or sentences, under pain of being excommunicated, interdicted, and deprived of their Offices; as not only Popes, but <sup>e</sup> Boniface, John Peckham, John Stratford, and other Archbishops of Canterbury and their Suffragans have resolved in their Convocations, and Constitutions. Hence our learned Martyr *William Tyndall*, in a Book printed *Cum Privilegio*, London 1573. complained, That the Bishops with the Pope by a certain Conspiracy and secret Treason, have with falshood taken from all Kings and Emperors their right and duties, which now they call their Fradoms, Liberties and Priviledges, AND HAVE MADE EVERY KING SWEAR TO DEFEND THEIR FALSHOOD AGAINST THEMSELVES. So that if any man shall contend to restore Kings again unto their Duties and Right, and to the room and authority which they have of God, and of shadows to make them Kings indeed, and to put the World into order again, then the Kings deliver up their swords and authority unto these Hypocrites to slay them. The Emperors and Kings are now adays but eben Hangmen unto the Popes and Bishops, to kill whomsoever they condemn, without any more ado, as Pilate was unto the Scribes and Pharisees, and the High Bishop (or Priest) to Hang and Crucify Christ. For as those Prelates answered Pilate (when he asked what ill he had done?) If he were not an evil doer, we would not have brought him unto thee; as who should say, we are

\* *Marta, de Jurisdic. pars 4. Cent. 2. casus 132, 133. & all Canonists, De Clericis, & Immunitate Clericorum.*

<sup>e</sup> *Tho. Walsingham Hist. Angl. p. 98, 99, 101, 103, 104, 105. Ypodigm. An. 1326, 1327 Antiqu. Eccles. Brit. p. 226, 227. Ralph Holinshed, p. 319, 329, 340. Godwins Cat. of Bishops, p. 232, 233. Speeds Hist. p. 667, 677, 679, to 686.*

<sup>f</sup> *Sec Tome 2. p. 890, to 912 & Here, Epistle Dedicatory, & p. 235, 236. g Obedience of a Christian man, p. 155. & 137, 138.*

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are too holy to do any thing amisse, thou mayst beliebe us well enough, yea, † and his blood be on our heads, said they: kill him boldly, we will tear the Charge, † Mat. 27. 23, 24, 25.  
our souls for thine; \*We have also A LAW by which he ought to dye, for he maketh himself Gods sonne. Even so say our Prelates, We ought to dye by our Law, We speaketh against the Church; And, YOUR GRACE IS SWORN TO DEFEND THE LIBERTIES & ORDINANCES OF THE CHURCH, and to maintain our most holy Fathers authoritie, our soules for ours, we should do a meritorious deed therein. Nevertheless as Pilate escaped not the judgement of God, even so it is to be feared least our Temporal Powers shall not. † Wherefore, be learned ye that judge the earth, least the Lord be angry with you, and ye perish from the right way. So this our Godly Martyr, who experienced the truth thereof soon after, for \* opposing the Popes and Bishops usurpations on the Crown, &c. and translating the Bible into English. † Psal. 2. 10, 12.  
\* See Fox Acts & Monuments, Vol. 2. p. 362, 363, &c.

7ly. Some Popes, Popish Prelates, and Canonists both at home and abroad, have pleaded an Exemption from all Subsidies, Aydes, Taxes even for the defense of the King & Realm against foreign Enemies, unless specially authorized & approved by the Popes antecedent Bulls, as being contrary to their Coronation Oath, and the Churches Liberties. Witnesse the insolent Bull of a Pope Boniface the 8. and the contests thereupon between King Edward the 1. his Bishops and Clergy, here recited at large, before which his Predecessor Pope Honorius the 3d. seemed to be of a contrary opinion in this memorable Bull of his to the Archbishops, Bishops, Abbots and Clergy of Ireland, for a liberal Ayd to King Henry the 3. thus enrolled in the Patent Roll of Anno xi H. 3. casually omitted in its proper place.

a See Here, p. 684, 685, &c.  
See Tom. 2. p. 6. 721. 1024, 1025. Gratian Causa 23 qu. 8  
Di. Marta de Jurisdict. p. 4  
Cent. 1. Cas. 1, 10, 11, 13. & the Canonists in their Titles, de immunitate Ecclesie.  
b 1 H 3: p. 1. d. 12.

**H**onorius Episcopus, Servus servorum Dei, Venerabilibus Patribus, Archiepiscopis & Episcopis, & dilectis filiis Abbatibus, Prioribus, & aliis Prælatu ac Rectoribus Ecclesiarum in Hibernia constitutis, salutem & apostolicam benedictionem. Non laudatur libertas Ecclesiastica, sed defenditur, cum defensori ejus statu rerum et temporum exigente, subsidium liberaliter exhibetur. Cum ergo karissimo in Christo filio nostro H. Regi Anglorum illustri, multa imminant necessarium honora expensarum, ac propter hoc sibi mandaverimus a Clero Angliæ subsidium exhiberi; Universitatem vestram sollicitandam duximus & hortandam, per Apostolica vobis scripta mandantes, quatenus cum regnum Hiberniæ ad ipsum pertinere noscatur, ac per hoc eidem incumbat defendere vestrarum Ecclesiarum libertates et jura, vosque deceat ipsi cum expellere videtur necessitas liberaliter subvenire, collectam, pensatis singularum Ecclesiarum facultatibus, faciatis ad expensarum ipsius Regis honora supportanda, cum consilio venerabilis fratris nostri Archiepiscopi Dublin, aliquos viros nota prudentia ac probata fideliter, qui pecuniam recipiant per subventionem hujusmodi colligendam, ipsamque assignent ipsi Archiepiscopo & duobus aliis qui ad hoc idonei videbuntur, per eos ad expensas ipsius Regis qua videbuntur ei & regno suo magis necessaria ministrand. Mandatum nostrum taliter impleturi, quod ipsum Regem ad bellum et Ecclesiarum vestrarum laborem per hoc specialiter inclinetis, gratamque huiusmodi ab eo expectare possitis tempore opportuno. Volumus autem quod exhibitio subventionis hujusmodi trahatur ad consequentiam, vel præjudicium generet Ecclesiasticæ libertati. Dat. &c.

c See Tom. 2. p. 396, 406, 407.

Moreover, this Pope was very wary in denouncing any Excommunications, whether general or special, against the King or his Brother, without his special mandate, as this Record then entred with it informs us.

**H**onorius Episcopus, &c. dilecto filio R. Sancti Angeli Diac. Card. Apostolice sedis Legato, salutem, & Apostolicam benedictionem: Discretionis tue auctoritate presentium mandamus, quatenus karissimi in Christo filii nostri illustri Regis Angliæ, vel nobilis viri R. Com. Pic. fratris sui, ad denunciationem vel prolationem generalis et specialis sententiæ Excommunicationis per te vel per alium non procedas, nisi super hoc mandatum nostrum susceperis speciale. Dat. Lat. Id. Maii, Pontif. nostri, &c. An. 10. Though Boniface and other Popes since made no bones at all to excommunicate all Emperors, Kings, Princes, who should demand,

k

and



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d De Jurisdic.  
pars 4<sup>a</sup> Centur.  
l. 1. al. 10 & 11.  
uu. 21, to 30.

e Dr Marta, lb.  
pars 4 Cent. 1.  
Cap. 10 nu. 11.  
p. 413, 655,  
656.

f See Henrici  
Spelmanii  
Concil. Tom. 2

\* See Tom. 2.  
p. 460, 464,  
465.

g Tom. 2. p. 271  
272, 276, 279,  
287, 288, 866,  
400, 464, 466,  
467, 830, 831.  
489 707, 699,  
to 711, 723,  
760, 810, 818,  
838, 191, 896.  
Fox Acts and  
Monuments,  
Vol. 1. p. 298.

† Claus. 19 R. 2.  
m. 17. dorf. &  
Spelmanii  
Concil. Tom. 2  
p. 413, 414,  
655, 656.

and all Clergymen who should pay any Subsidies, without his antecedent special license. Upon which account, <sup>d</sup> Doctor *Marta*, and some other Canonists cited by him peremptorily resolve; *Ecclesiastici sunt immunes a quibuscunque Talliis, Collectis, Tributis, et similibus oneribus realibus, personalibus et mixtis. Ecclesiam nullo modo teneri solvere Tributum, etiam de illis bonis quæ antea Tributaria erant, et postea in Ecclesiam sunt translata. Prædia tributaria in Ecclesiam translata, et locus suppositus Tributo, Ecclesiæ traditus, non debent amplius solvere tributum, quia sunt hæc omnia Deo dedicata;* <sup>e</sup> *Rex nullo modo potest imponere extraordinaria subsidia, quando istud iurabit, prout facit Rex Neopolis, quando invaditur ab hostibus, nulla præcedente culpa Principis aut Civium; nisi de consensu eorundem subditorum propter magnam necessitatem, qui possunt remittere iuramentum.*

8ly That Popes and Bishops by their own inherent Papal and Episcopal Authority, both in their Ecclesiastical Synods, Consistories, and Visitations, may lawfully make what <sup>f</sup> *Oathes, Canons, Visitation Articles* they please, and impose, enforce them not only on their own Clergy and Under Officers, but likewise on Church wardens, and other Laymen, yea excommunicate them for refusing to take such Oathes, or make presentments by vertue of them on all such Articles which they prescribe them, till they submit thereto; seeing they have from time to time both made, prescribed Oathes, Articles to Emperors and Kings themselves at their Coronations, and altered or enlarged them as they thought meet: Witnesse the Oathes not only introduced and imposed on King *John* before his absolution from his Excommunication and the Kingdoms Interdict by the Popes Legate and his Bishops, with <sup>\*</sup> Pope *Gregory* the 9<sup>th</sup>. his new Oath of Homage and Allegiance imposed on all our Bishops and Abbots; the Oathes *de Calumnia, & veritate dicenda*, and Visitation Oaths enforced by Bishop *Grossthead*, his Officers, and others, against our Lawes, and King *Henry* the 3<sup>d</sup>. his <sup>g</sup> *Prohibitions* to restrain them, related in my 2<sup>d</sup> *Tome*; but likewise the Oaths prescribed by *Robert Winchelsey* Archbishop of *Canterbury* An. 1293. to his *Judges, Advocates, Clerks, Officers, Proctors in the Archies*, and this Oath of *John* Archbishop of *Yorke*, and other our Bishops imposed upon the *Lollards* in their Provinces and Diocesses, to worship Images, &c. and obey their Lawes, Canons, Constitutions; entred with this special *Memorandum* in the Clause Rolls of Anno 19 R. 2.

† *Memorandum, quod primo die Sept. Anno regni Regis Richardi secundi post Conquestum decimo nono, Willielmus Dynet, Nicholaus Tayllour, Nicholaus Poucher, & Willielmus Steynour de Notyngham, in Cancellaria ipsius Regis personaliter constituti, sacramenta deditum præstiterunt sub eo qui sequitur tenore. I Willyam Dynet befor yhowe twozschipefull Fader and Lozde Archbisshop of Yhorke and yhowe Clergie with my fre twyll and full abysede, swere to Gode and to all his seyntes, upon this holy Gospells, pat fro this day forthwarde I shall twozschipe ymages, with praying and offering unto hem in the twozschipe of the Seintes, pat pep be made after; and also I shal never moze desypse pylgremage, ne states of holy Chyrche in ne degre: And also I shal be burum to the Lawes of holy Chyrche, and to yhowe as myn Archbisshop, and to myn ower Ordinars and Curates, and kepe po lawes upon my power, and meynten hem. And also I shal neuer moze meynten, ne tochen, ne defenden Erroures, conclusions, ne techinges of the Lollardes, ne stopch conclusions and techinges that men clepyth Lollardes doctryn. Be I shal ber bokes, ne stopch bokes, ne hem oz ony suspect oz diffamede of Lollarderye resceyve oz company withall to ptyngly, oz defende in po matters; and if I knowe any stopch I shal totyh all the haste pat I may do yhowe oz else po ner officers to totyen, and of her bokes. And also I shal excite and stirre all po to goode doctryn pat I habe hinderd with myn doctryn up my power. And also I shal fonde to pbo declaracion toych es heresy, oz errour, and do perafter. And also what penance yhe toll for pat I habe don for meyntenyng of this fals doctryn insoyn me, I shal fulfill it; and I submit me perto up my power. And also I shal make no othr glofe of this myn orbe bot as ye wordes fonde. And if it be so that I com agayn, oz do agayn this Oth, oz any party therof, I yholde me here cotopable as an Heretich, & to be punished be ye lawe as an Heretich, & to forfeir al my godes to the kynges*

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Bynges will withholden any othir processe of Lawe: and verto I require ye So-  
tarie to make of all this, ye which is my Will an Instrument agains me. *Et ex  
habundanti idem Willielmus Dynet eodem die voluit et recognovit, quod omnia  
bona et catalla sua mobilia nobis sint forisfacta in casu quo ipse iuramentum  
predictum, seu aliqua in eodem iuramento contenta de cetero contrabenerit ullo  
modo.*

In this impious Oath, compiled and enforced upon the Kings Subjects by the  
Archbishop of *Torke*, then Lord *Chancellor of England*, by his own Archiepisco-  
pal Authority, we may observe: First, that it is directly contrary to the letter of  
the second Commandement, to sundry other Texts in the Old Testament, and to  
*Acts 17. 24. to 30. Rom. 1. 22, 23, 25. 1 Cor 8. 4, 5, 6 c. 10. 7, 19, 20. 2 Cor.*  
*6. 16. 1 John 5. 21. Rev. 9. 20. in the New.* 2ly. Against the expresse \* *Laws,*  
Statutes of the Realm, and Liberty of the Subjects persons, consciences. 3ly. That  
it prescribes a blinde obedience to all the Canons, Laws, prescriptions of the Arch-  
bishop or other Ordinaries and Curates. 4ly. That it subjects those persons who  
took it to a confiscation of all their goods to the King, for the breach of it, or any  
particular Clause, Article thereof, without any other legal processe, trial, convic-  
tion, and likewise to a Writ de *Hæretico comburendo*; though the violation of  
any branch thereof was never declared Heresie by Scripture, nor by any of the  
4. first *General Councils*; nor was against any Article of the *Nicene* or *Apostles*  
Creeds. 5ly. That it obliged them to submit to all penances they should impose  
upon them, and to betray, discover to them and their Officers, both the persons,  
books, writings of all others reputed *Lollards*. By which exorbitant Oath and  
proceedings, the Bishops became Masters of all mens lives, liberties, estates whom  
they pleased to accuse of *Heresie*, or declared to be *Hereticks*, and would not whol-  
ly submit themselves to their Ecclesiastical usurped authority; which made eve-  
ry Archbishop and Bishop an absolute Pope within his own Province and Dio-  
cesse.

What strange, \* &c. and Visitation Oaths, Articles, for turning our Communion Ta-  
bles into Altars, and rayling them in Altar-wise against the East end of Chancels,  
bowing to, or towards the Altar; receiving the Communion only at their new Rayles,  
with other Innovations, tending to the countenancing or introduction of Popish super-  
stition, devotion, Ceremonies, contrary to our Lawes, have of late times been ri-  
gorously imposed upon Ministers, Church-wardens and others, by Ecclesiastical  
censures, to the general discontent, scandal, oppression, grievance of the people,  
by sundry Archbishops, Bishops, Archdeacons, in their Synods, Visitations, enforcing  
every Church-warden to pay 4 s. 4 d. or more, for taking his Oath, and 6 d. 8 d.  
or 12 d. for their Books of Articles, besides extorted fees for every presentment  
on them; (a new extortion, against all Lawes and Canons too) their own prin-  
ted Canons, Constitutions, Visitation Oathes, and Books of Articles, with the  
\* Votes passed against them in Parliament, That they were against the Kings Pre-  
rogative, the fundamental Lawes of the Realm, the Liberty and property of the  
Subject, and of dangerous consequence; the Impeachments of several Bishops for  
them by the whole House of Commons, and the Statutes of 17 *Caroli* 1. ch. 17. &  
13 *Car.* 2. ch. 12. & 13 *Car.* 2. ch. 1. declaring, condemning such Oaths and all  
others made or imposed by any Authority without the Kings Majesties royal assent, and  
both Houses of Parliament, to be null and void in their first Creation to all intents  
and purposes whatsoever, and against the fundamental Lawes and Liberties of  
this Kingdom, will at large demonstrate.

6ly. Some of our Archbishops of *Canterbury* have grown so insolent, that be-  
cause some of our Kings were not crowned by them, or their predecessors in their  
absence, when exiled by them for their Treasons and Rebellions, as upon that ac-  
count alone to pull the Crown violently from the Kings head at the solemn Coro-  
nation of the Queen; and to excommunicate all those Bishops who presumed to  
Crown them by their royal appointment, without their license or deputation, as  
the premised instances of *Ralph de Turbine* and *Thomas Becket* evidence: whose suc-  
cessors (like the Archbishops of *Rhemes* in *France*) have claimed it as their pecu-  
liar priviledge, to crown all our Kings, as if they had no Liberty or Prerogative

\* *Mag. Char-*  
*12. c. 29. 51 H.*  
*3 c. 21. See*  
*Tom 2 p 699,*  
*704, 705, 708,*  
*709, 710.*

\* See *Canter-*  
*buries Doom,*  
*p. 19, 26, 40,*  
*93, to 104.*

\* *Decemb. 16.*  
*1640.*



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left them to be Crowned by what Bishops, persons, and at what times, places themselves shall think meet to appoint, as they have frequently done.

10ly. Sundry Popes, Popish Prelates, Canonists heretofore, yea Popish Priests and Jesuites of late, have from hence affirmed, the Coronations of Emperors, Kings by them to be an essential antecedent qualification to constitute them real, legal Emperors, Kings, and that they were not such by descent or election, before they were consecrated by, and received their Crowns, Scepters, and other Ensignes of Royalty from the hands of Popes or Bishops. Upon this false pretence, *Watson and Clarke*, two Italianated Roman Priests, conspired with the Lords *Cobham*, *Gray*, and others to seize King *James* and Prince *Henry* his sonne at *Greenwich*, upon their first arrival out of *Scotland*, and to imprison them in *Dover Castle*, or the *Tower*, till they should obtain their own pardons, a toleration of the Popish Religion, and a removal of some Counsellors of State, or else to put some further project in execution against them; affirming to those they drew into their Conspiracy, and pleading it at their arraignments for this Treason; <sup>b</sup> That the Act was lawfull, and no Treason, being done befoze the Cozonation, soz that King *James* WAS NO KING OF ENGLAND, BEFORE HE WAS ANOYNTE<sup>d</sup>; and the Croton solemnly set on his Head: These Priests were condemned and executed as Traytors, but the Lords *Cobham*, and *Gray*, and other their seduced Prose-lytes were pardoned by the Kings grace, upon their acknowledgement of, and craving pardon for their Treason, grounded upon this false Doctrine. Upon this account, the *Guyssian Jesuistical* faction in <sup>i</sup> France asserted some few years before, That they might lawfully take up arms against, depose, murder and stab King *Henry* the 4. of France to death, because he was not Crotoned and anointed King by their Popish Bishops, from whom he should have received his Royal Crown and Authority; and so was no lawfull King, but a Tyrant. Which erroneous treasonable Doctrine, is largely refuted by sundry presidents, reasons in point of Law and Divinity, by <sup>k</sup> Sir *Edward Cooke* in *Calvins* case, by Dr. *Cra-kensthorpe*, in his *Disence of Constantine*, c. 14. p. 341, 342. and <sup>l</sup> *Johannes Ser-evin* Advocate to King *Henry* the 4, in his *Vindicia*, to whom I refer you; who prove the Coronation, Unction of Kings to be a meer Ornamental Ceremony, which many Emperors, Kings never used, received, being Emperors, Kings, by and from their very Elections, descents, without and before this Ceremony; as Historians at- test, and sundry eminent <sup>m</sup> Lawyers and <sup>n</sup> Divines resolve,

<sup>h</sup> Speeds History of Great Britain, p. 1242, 1243. Sir Edward Cooke 7 Report, Calvins case, f. 10, 11.

<sup>i</sup> John de Serres & Grimois General History of France, p. 866.

<sup>k</sup> 7 Report, f. 10, 10.

<sup>l</sup> Melchior Goldastus Monarchia Sacri Romani Imperii Tom. 3. p. 208, to 214. <sup>m</sup> Hierom. Balbus de Ceron. p. 68. <sup>n</sup> Cusanus, l. 3. c. 4. Jac. Almain de Potestate Eccles. & Laic. qu. 2. c. 10.

<sup>†</sup> See My Un-  
bishops of  
Timothy and  
Titus, p. 136,  
to 141.  
<sup>+</sup> Sed & ubi  
tres, Ecclesia est,  
licet Laici.  
Tertul. exhorta-  
tio ad Casti-  
tatem, Tom. 2.  
c. 5. p. 179.  
Paris 1566.  
o Acts 2. 47. c.  
8. 1. c. 11. 26.  
c. 14. 23, 27.  
c. 15. 3, 22, 41,  
c. 16. 5. c. 20.  
17, 24. Rom.  
16. 1, 4, 5, 16,  
23. 1 Cor. 4.  
17. c. 6. 31. c.  
10. 1. c. 11, 16, 18. c. 14. 4, 5, 22, 23, 33, 34. c. 16. 1. 19. 1 Cor. 1. 2. 2 Cor. 1. 2. c. 8. 1, 18, 19, 23, 24. c. 11. 8,  
28. c. 12. 13. Gal. 1. 2, 13, 22. Ephes. 3. 21. c. 5. 27, to 33. Phil. 1. 1. c. 4. 15. Col. 1. 18, 24. c. 4. 15. 1 Thes.  
1. 1. c. 2. 14. 2 Thess. 1. 1, 4. 1 Tim. 3. 5. c. 5. 16. Philem. 2. Hebr. 2. 12. c. 12. 13. Jam. 5. 14. 1 Pet. 2. 19. c.  
5. 1, 2, 3. 2 John 6. 9, 10. Rev. 1. 4, 5, 11, 50. c. 2. 1, 7, 12, 17, 18, 19, 23. c. 3. 1, 7, 12, 14, 22. c. 22. 16,  
And the Harmony of Confessions.

11ly. Sundry Popish Bishops and Priests have inferred from hence, that they only are the holy Church, and Gods inheritance intended in these Kings Coronation Oathes, Charters, with a seclusion of the Laity; <sup>†</sup> appropriating the Title of the Church, Clergy to themselves alone: when as they were never stiled the Church, Congregation of God, or Christ, in any one Text throughout the Old or New Testament, but the believing <sup>\*</sup> Laity, Saints and people of God, as distinct from them, and they only the Ministers, Bishops, Angels, Pastors, Elders, Servants of the Church, or Church of God, whom they are to feed, instruct, and take care of, as their Servants, not Lords, as the <sup>\*</sup> marginal Texts, all Expositors on them, and Mr. *William Tyndall* in his excellent Treatise, What the Church is, resolve and evidence; Whence the Church and Parliament of England in the 19th Article of Religion, and all Protestant Churches else in their publike Confessions, thus define the Church. The visible Church of Christ is the Congregation of faithfull men, in the which the pure Word of God is preached, and the Sacraments be duly administered according to Christs Ordinance; (not the Pope, Bishops or Clergy) and of the Authority of this Church alone, (not the Bishops or Clergy) they affirm Article 20. The Church hath power to decree Rites and Ceremonies, and authority in contro-

verses

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verses of faith, &c. yet not to ordain any thing contrary to Gods written Word; as many Popes, Bishops have done in their Councils and Synods, wherein themselves presided: Therefore the Christian people must be included under the Title of Holy Church, which our Kings swear to defend, as well as the Bishops and Clergy; and their own demands to our Kings, for themselves, and all the Churches committed to their Care, with the forms of Institutions to Churches, evidence the people rather to be the Church then themselves, who are but Overseers Pastors and Curates of the Church.

12ly. Popes and Popish Prelates have from hence usurped a power to impose and enforce upon Emperors, Kings, and other Laymen whom they have interdicted or excommunicated, a cautionary Oath, *De stando et parendo mandatis Ecclesie*, before they would absolve them; now lately revived by some, against the expresse Custom, Lawes, Liberties of our Realm, declared and sworn to by all the Bishops and Nobles of the Realm in the Parliamentary Great Council held at Clarendon under King Henry the second: Yet they themselves by several *Canons* declare, that no Pope nor Bishop ought to swear or take an Oath before any Emperor, King, or Council, but only in the case of faith, to purge himself from suspicion of Heresie; nor any Clerk to take an Oath as a Witness or otherwise in any Temporal Court, or cause, especially if trivial, as all Laymen ought to do, without the Popes or Bishops special license first obtained; but their assertions, in *verbo Episcopi, or Sacerdotis* must be allowed, instead of an Oath, as equivalent to it; *Ne manus per quam corpus & sanguis Christi conficitur JURAMENTO pollutetur*; as I have<sup>r</sup> elsewhere more largely evidenced.

13ly. A reverend French Doctor of Divinity promoted in our Church, in a *Treatise* newly published, recites our Kings Coronation Oath at large, and from thence observes, *That the King in his Oath, swears in a manner, THRICE FOR THE CLERGY PARTICULARLY*, and for no other estate of the Realm besides; to intimate, that as your Law calls the Clergy, A High State, and One of the greatest States of the Realm; so it deserves a special Care and High regard proportionable. That by this Juratory Oath, the King swears in special; That he will be a Protector and Defender of the Bishops and Clergy, not only of their Persons; as so qualified with such Rights, and Liberties, but also of their Possessions: By vertue of which Oath the King and all others are in point of Conscience obliged to restore to the Church, Bishops, Clergy, not only all the lands and possessions taken from them during the late Warrs; but likewise all Mannors, Lands, Rents, Revenues whatsoever, heretofore taken away from any Bishopricks, Abbies, Monasteries, Monks, Nounes, Masse or Chantry Priests whatsoever by any of our Kings by the Legislature power in Parliaments, in former ages, under pain of incurring the sins of *Perjury, Sacrilege*, and drawing down the Curses of God and their founders, and exemplary destruction, judgements on themselves, their families, yea the whole Kingdom and Nation; as he magisterially resolves, because, being once given, consecrated to God and his Church, they can never be taken away from them, or converted to any secular uses by Kings, Parliaments, or other Sovereign powers, for any offenses, idolatrous or superstitious uses limited by the donors, nor for any crimes or abuses of those to whom they were given, there being an eternal holiness annexed to them, which cannot be obliterated. For answer whereunto; I would desire this confident Doctor to resolve these *Quæres*; 1. Whether any Archbishop, Bishop, Priest or Clergyman, can or ought by the Law of God to covet or desire any more, than a competent, convenient maintenance, answerable to his diligence, labor, care in the conscientious discharge of his Ministerial Function, in feeding the flock of Christ which he hath purchased with his own blood? And whether those who labor not in the Word and doctrine, preach not in season and out of season, neglect their pastoral duties, feeding themselves not their flocks, or reside not with them, can lay any claim by divine right to any Church-revenues; since Christ himself resolves, that none but Labourers in and Preachers of the Gospel, are worthy of their meat, hire: and those that labor not, (by St. Pauls resolution) ought not to eat? Whence this Maxime in Law and Divinity, *Beneficium propter officium*, had its original. If so: Whe-

5. 12, 13. x Mat. 10. 10. Lu. 10. 7. 1 Cor. 9. 13, 14. John 21. 15, 16, 17. 2 Tim. 4. 2, 5. 7, 8, 9, 10, 11. Ezecch. 34. 2, 3, to 11.

p See Tom. 2. p. 171, 172, 179, 187, 188, 211, 384, 651, 652. q See Tome 2. p. 830, 831.

r Concil. Trid. burienfe sub Arnulpho. Sur us Concil. Tom. 3. p. 561. See here, Tom. 2. p. 707, 708.

f Dr. Isaac Balfour, his Sacrilege arraigned by St. Paul, London 1660. chap. 9. p. 168, to 174. & p. 220, 221.

t Ibidem ch. 6. throughout. & c. 9, 10, and elsewhere.

u Prov. 30. 8, 9. Mat. 6. 11 c. 10 10 Lu. 10. 7. Rom. 15. 27. 1 Cor. 9. 7, 10 15. Gal. 6. 6. 1 Tim. 3. 2, 3 c. 5. 17, 18. c. 6. 6. to 17. Acts 20. 18, to 36. Phil. 4. 10, to 10. Heb. 13. 5. 17. 1 Pet. 5. 2, 3. 1 Theff. 3. y 2 Theff. 3.

ther



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ther Christian Kings and States may not lawfully without guilt of Sacrilege, or violation of their *Oaths*, resume and take away such superfluous Mannors, Lands given by their Ancestors from the Crown to any Archbishops, Bishops, Priests or other Clergymen, for the neglect of their pastoral duties, especially in cases of public necessity, so as they reserve a competent, sufficient maintenance for those who are pious, laborious, worthy of \* double honour and encouragement?

\* 1 Tim. 5. 17.  
18.

2ly. Whether *High-Priests, Priests, Levites* under the Law, and *Apostles, Bishops, Priests, Deacons* under the Gospel, though of divine institution, solemnly consecrated for Gods immediate service, and the instruction, salvation of the peoples souls, may not justly lose, forfeit, null these their *Sacerdotal* consecrations, and be legally deprived of their respective *holy Orders*, and the maintenance belonging to them for their vicious scandalous lives, *Heresies, Scismes*, yea actually † executed and put to death for their *Murders, Treasons, Rebellions*, without any Sacrilege, their consecrations becoming *unconsecrations*, (as the *Jews* circumcision became *uncircumcision*, by their prophaneſſe, crimes, and violations of Gods Lawes? If so: as the Presidents of *Eljes sonnes*, *Abiathar* the High Priest, with *c* others in the old, and of *d* Judas, who fell from his Apostleship for selling and betraying our Saviour Christ, in the new Testament; with hundreds of *c* presidents of Popes, Patriarchs, Archbishops, Bishops, Priests degraded, executed in all ages, Churches, Kingdoms, and our own; together with the *f* Roman Pontificals in the forms of their depositions, degradations of Patriarchs, Archbishops, Bishops, Priests, Deacons, resolve past all dispute, and this Doctor dares not deny. Then much more may the Temporal Lands and Revenues given to them, being not of divine institution, nor so immediately consecrated to Gods service, nor capable of any real inherent holiness, as they are, lose their relative holiness, by their Crimes, or abuses of them; and thereupon be converted to other uses by our Kings and Parliaments, without any Sacrilege, if they see just cause: so as Gods service be still supported in all places necessary.

† See my Supplemental Appendix to John Hux his Disputation, p. 49, 107.  
2 Rom. 2. 25, 26, &c.  
2 1 Sam. 2. 22, to the end, c.  
3. 11, to 19. c.  
4. 10, to 19. c.  
c. 14. 3.  
b 1 Kings 1. 26, 27, 35.  
c Neh. 7. 64, 65. c. 12. 28.  
Jer. 23. Ezech. 34. & Mal. 2. throughout.  
Ezech. 44. 7. to 25.  
d Acts 1. 16, to 26.  
e See Platina, Balzus, and others de Vitis Pontificum, Eusebius, Evagrius, Theodoret, Sozomen, Nicephorus Callistus Eccles. Historiz, Annales Baronii, Johannes Zonaras & Nicetas their Annales. Fox Acts and Monuments, f Pontif. Romanum, p. 457, 458.

3ly. Whether Temples, Sanctuaries, Cathedral, Parochial, Collegiate Churches, and private Chappels, solemnly erected, consecrated to Gods sacred Worship, with their respective materials, ornaments, vessels, vestments, utensils, when forsaken, abhorred by God, decayed, demolished, or deserted by fire, inundations, earth-quakes, wars, pestilence, or seized on by conquering Enemies of a different Religion, expelling the Natives who erected them, for the Bishops, Priests, or peoples sinnes, together with the soyl whereon they were built, and Churchyards adjoining to them, do not thereby lose their Consecrations, and become common or prophane? If so: as (1) sundry sacred Texts, the presidents of (2) Shiloh, Gods own House, Temple, in the (3) Holy City of Jerusalem, all the (4) Synagogues of God in the Holy Land, the famous Churches of Ephesus, Antioch, Philippi, Colosse, Thessalonica, Thyatira, Pergamus, Philadelphia, Sardis, Corinth, Smyrna, Constantinople, Alexandria, with many hundreds of particular Churches, Chappels destroyed, suppressed by the invasions of the Goths, Vandals, Saracens, Turkes, Tartars, Danes, throughout Asia and Europe, and our own Realms, evidence; and Hugo Grotius, de Jure Belli & Pacis, l. 3. c. 5. with the Authors there cited by him prove at large. Yea *Popes*, and *Popish Bishops, Canonists* (who attribute most holiness to consecrated places) unanimously determine, *Si Ecclesia in*

(1) Jer. 12. 7. Plal. 78. 60.  
Lam. 2. 6, 7.  
Jer. 7. 12, 14. c. 16. 6, 9.  
(2) Plal. 78. 60.  
(3) 2 Kings 25. 9, to 18.  
2 Chron. 36. 16, to 21. Jer. 5. 2. 13, to 18. 5, 26, c. 9, 12.  
Isay 63. 10. 64. 11, 22. Lu. 10. 44. c. 21. 5, 6. Mat. 24. 2, 3. Pl. 74. 3, to 10. Pl. 80. 1, 2. Dan. 11. 31. Lam. 1. 10. c. 3. 7, 20. c. 4. 1. Dan. 8. 11, 13. c. 9. 16. Amos 7. 9. (4) Pl. 74. 8. g Iginus Papa, Gratian, de Consecratione, Distinct. 1. Barth. Brixienſis, Johannis de Thierry, & others in their Gloss: thereon, Angelus de Clavasio, Summa Angelica; Consecr. Ecclesiaz, nu. 3. Augustinus Bafola, De Officio & Potestate Episcopii, Pars 2. Allegatio 27. nu. 13, to 20. Paulus Piascius, in Praxi nova Episc. D. c. 5. nu. 4. Gambarupa, De Casibus reservatis, c. 25. cal. 2. e. 2. Vgolinus Dist. 29. nu. 4. v. 1. Lud. Miranda, d. art. 4. Concl. 2. Marius Alterius de Consecra. Tom. 2. Dis. 3. c. 2.

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totum corrui, vel destruitur quoad tectum & parietes, aut in majori parte, ita ut oporteat eos noviter simul reficere; vel si parietes ipsi igne de crustentur intus & exterius, minime retinent antiquam consecrationem, et execrata censeantur. Etiam quando Ecclesia in simul & in totum destruitur, eo animo ut iterum readificetur ex eadem materia: Vel si parietes corrui in totum vel in majori parte erit Ecclesia execrata censenda, et noviter consecranda. And they further resolve, <sup>h</sup> Si populus noluit Ecclesiam qua minatur ruinam, restanrare, ea debet penitus destrui, et Episcopus potest vendere lapides Altarium vel Ecclesiarum destructarum: Ecclesie vetustate collapsæ, quando reparari nequeunt, sunt in totum destruendæ, without any sinne or Sacriledge. Yea the Act for Rebuilding of London made this Parliament An. 19 Caroli 2. c. 3. enacts, That the Parish Churches to be rebuilt within the City of London which were demolished by the late fire shall not exceed the Number of 39. And that the Scites and Materials of the other (40) Churches which are not intended by this Bill to be rebuilt, together with the Churchyards, shall be and are thereby vested in the Lord Mayor and Aldermen of the City of London for the time being, and that: such of them as shall not upon the rebuilding of the City of London be layd into the streets, shall be sold or otherwise disposed of (for buildings or market places) by the said Lord Mayor and Aldermen, or the major part of them, by and with the consent of the Archbishop of Canterbury, and Bishop of London for the time being: and the money raised by such sale disposed of and employed towards the rebuilding of such Parish Churches, as by this Act are intended to be rebuilt. Yea the Canonists themselves resolve, That both Cathedral, Collegiate, and Parish Churches, may be translated from one place to another, either by reason of the incursions of Enemies, the unwholsomnesse of the air, the peril of inundations, or remoteness from the parishioners, and that they may be demolished, and Forts, Castles built in their places to hinder the incursions of foreign enemies in times of Warr, so as other lands by way of exchange be given in recompente for them, without any Sacriledge: Therefore there is no such inherent inseparable holinesse in them, as this Doctor surmiseth: much lesse in the Lands and Temporalities belonging to them, which were never solemnly consecrated, and revert to the founders or Donors themselves, when the Churches are destroyed, ruined, deserted, translated to other places; as our Judges, Lawes, have long since resolved, *In gulphi Historia*, p. 895, 896. 8 H. 5. Tit. Abbe. 28. 20 H. 6. 8 b. 20 H. 8. Brooke Extinguishment 35. & Corporation 78. 11 E. 4. 4. a. per Chok. 7 E. 4. f. 11, 12. Fitzh. Graunt 17. & Cookes 3 Report, f. 75. b.

4ly. Whether God himself hath not expressly commanded in <sup>i</sup> several Texts, all Temples Places, High-Places, Altars, Groves, Images dedicated to the Worship of Idols, false Gods, or to be utterly destroyed, cut down, and burnt with fire, though dedicated with a pious, but erroneous intention, for the honor, worship of a Deity, though false, and that the consecrated Priests of these Idols, and their worshippers, revolting from the true God, should be put to death, which King Hezekiah, Josiah, Jehu under the Law, and <sup>k</sup> Constantine the Great, with other Christian Emperors, Kings under the Gospel, zealously executed, for which they were highly applauded? Whether <sup>l</sup> Moses himself did not thus destroy the Golden Calf, made and consecrated by Aaron to represent, worship the true God in and by it, (as the sacred History, and <sup>m</sup> Livines accord) and burn, grind it to powder, strow it upon water, and make the children of Israel drink thereof? Whether Jeroboams Calves, and their Temples at Dan and Bethel, made to represent and worship God in and by them, (which proved the destruction of him and his family,) were not likewise destroyed by Josiah, as being directly contrary to the second Commandement? And whether Hezekiah did not break in pieces the brazen serpent which Moses had made, because the children of Israel did burn Incense unto it, to Gods dishonor, though a <sup>o</sup> Type of Christ? If so: Whether by the self-same reason, Temples, Monasteries, Chappels, Chauntries, Images of the sacred Trinity, of God the Father, Sonne, Holy Ghost, of the Virgin Mary, other Saints, Angels, erected in times of Popery, for the worship of the true God in an Idolatrous, superstitious, erroneous use, against his Word and precepts, may and ought not by the self-same reason to be demolished by our Christian Protestant Kings, Parliaments; and the

<sup>h</sup> Joan. Aloysius Riccius in Praxi Aurea, Resol. 201, 208 fran. Zerula in Praxi Episc. 2. Verb. Paroch. Sect. 6.9. Navarrus de spoliis Cler. Sect. 18. nu. 11. ver. 1. De Episcopis, nu. 15. August. Barbosa, de Offic. & Potestate Episcopis, pars 3. Allegat. 66. nu. 14, 15, 17, 19.

<sup>i</sup> Levit. 26. 30. Numb. 33. 52. Deut. 7. 5, 6. c. 12. 2, 3. c. 13. Judges 2. 2. 2 Kings 18. 4. 22. c. 23. 5. to 17. 2 Chron. 14 3. 4. 5. c. 17 1, 5. c. 31. 1. c. 34 3, to 8. 1 Kings 13. 2. 2 Kings 10. 19, to 31. Ezech. 6. 3, 6. c. 18. 30. k See Here, 1. p. 46. 110. l Exod. 32. 1, to 35. Deut. 9. 21. Ps. 106. 19, 20, 21. m Sec Dr. Raynolds de Idololatria Romanæ Ecclesiæ, l. 2. c. 3. nu. 16, 17. &c. Calvin's Institutes, l. 1.

c. 11. n 1 Kings 11. 26, to the end, c. 13. 1, 2. 2 Kings 1. 1. o 2 Kings 18. 4. Numb. 21. 8. p John 12. 32, 33.

Lands,



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Lands, Revenues, annexed to them for the maintenance of Popish idolatry and superstition, be lawfully confiscated, and converted to publike secular uses, without any *Sacrilege*, or violation of *Prov. 20. 15. Ait. 5. 1. to 17. Rom. 2. 22.* or any other sacred Text? And whether Gods special direction to *Moses, \* to make broad plates for the covering of the Altar of the brazen censers of Korah and Dathan which were hallowed, on purpose, to be a memorial to the children of Israel, that no stranger, which is not of the seed of Aaron come near to offer incense before the Lord, that he be not as Korah and his company, (on which this Doctor much relies) be any way pertinent, to prove it Sacrilege, to convert such lands to secular uses.*

\* Num. 16. 37, 38, 39.

¶ See Justinian Cod. cis. l. 1. tit. 1. & 8. De Hereticis & Manichæis, Gratian de Consecratione Distinct. 1. Heret. Tom. 1. p. 48, 49. & My Sword of Christian Magistracy supported.

¶ly. Whether Churches built, consecrated, endowed with lands, revenues by Hereticks and Schismatics, may not lawfully be demolished or taken away from them by *Christian Emperors, Kings, and confiscated to their Exchequers without any sacrilege or impiety, (as in the cases of the Donatists, Novatians, Manichees, Arians, and other Hereticks and Schismatics in former ages) being the most probable means to suppress their Heresies and Schisms? If so: (as I presume this Doctor, who much inveighs against Schismatics throughout his Treatise against Sacrilege, will readily grant;) then by the self-same reason our Kings and Parliaments might justly suppress, demolish all Monasteries to suppress Popish Idolatry, Heresie, Superstition, and confiscate most of their lands and revenues to the Kings Eschequer, without any Sacrilege or impiety.*

¶ly. Whether the Lands or Revenues given and dedicated to one religious Order of Monks or Nunnes, upon their dissolution, can be justly challenged by any other religious Order to whom they were never granted nor designed; any more then lands given or bequeathed to one person and his heirs, or to one City or Corporation and their successors, can be justly claimed by another person or Corporation upon the attainders or dissolutions of those to whom they were given, for any treason or felony? If not, as is most certain by *all divine and human Lawes: then how can any of our Evangelical Bishops, Presbyters, Priests or Deacons, who are of divine institution, by any Lawes of God or man, challenge a lawfull Title, right, interest in, or to all or any the Livings, Lands, Tenements, Rents, Revenues heretofore given, dedicated, appropriated to any Orders of Monks, Friars, Nunnes, Monasteries, of meer Papal, not Divine institution, by any of our ancient Kings or others, either for the expiation of their horrid scandalous Sinnes, Murders, Rapines, Adulteries, Whoredoms, Perjuries, or other Crimes; or else for the salvation of their own and others souls, and ransoming them from Hell or Purgatory flames, by their merits, fastings, alms, or prayers for them to the Virgin Mary, and other Saints departed; in high derogation of the all-satisfactory merits, mediation of our Lord Jesus Christ, the sole Mediator between God and man; the only Advocate and propitiation for the sins of men: and condemn it as most impious, inexpiable Sacrilege, not to restore them to their actual possession, to whom they were never given, dedicated, nor intended, and that for the performance of such superstitious Popish services, which themselves condemn, and neither can nor ought to perform? If then St. Pauls divinity be orthodox, and his assertion legal, *We have an Altar whereof they have no right to eat, which serve the Tabernacle. And the Priesthood being changed, there is made also of necessity a change of the Law: so that the Cities, Glebes, Oblations anciently belonging to the Jewish High Priests, Priests and Levites abolished by Christs priesthood, could not be thereby legally challenged or transmitted to the Apostles and Ministers of the Gospel. Our clamorous Doctor and his Confederates must henceforth give over their pretended divine and legal claims, titles, to all or any of our dissolved Abbeys and Monasteries, Lands, Revenues, with their Satyrical invectives against all who refuse to resign or restore them to those Churches, Church-men, to whom they were never given, and from whom they were not taken, for fear they incur the Prophet Isay his Censure of the covetous lazy Priests in his age; "They are all dumb dogs, sleeping, lying down, loving to slumber: Dea, they are greedy dogs, who can never have enough: shepherds that cannot understand, they all look to their own way, every one for his gain from his quarter. Come ye, say they, we will fetch wine, & we will fill our selves with strong drink, and to morrow shall be as this day, and much more abundant; as the fat lazie Monks and Abbots did; especially if they**

¶ Semel donata, data & relicta a fidelibus in suum Ecclesiarum utilitatem & unum casum primatam jure antiqua, quam nova Concilii Tridentini Constitutum applicari non possunt, sine Papæ auctoritate, August. Barbosa, de Officio & Potestate Episcopis pars 3. Alleg. 64. nu. 17. f. Hebr. 9. 15. 1 John 2. 1, 2. t. Hebr. 13. 10. c. 7. 12.

¶ Isay 56. 10, 11, 12.

*can*

## The Epistle to the Reader.

can once effect their long prosecuted design of gaining all ancient Abbey Lands and Revenues by their Satyrical invectives against *Sacriledge*.

Now whereas this <sup>a</sup> Doctor argues; that *admis the Clergymen were guilty of all the* <sup>a</sup> *Sacriledge crimes laid to their charge, yet their personal delinquency cannot forfeit their Lands arraigned, ch. 8 which they have in Jure Ecclesiæ, & in Jure Dei, they being but usufructuaries of* <sup>b</sup> *P. 156, 157. the profits of them during their lives; and in nature of Tenants for life, who cannot forfeit Gods inheritance and fee.*

I answer : 1. That all our <sup>b</sup> *Lawbooks* resolve ; that *Bishops, Abbots, and other Clergymen* are seized of their *Lands in fee in Jure Ecclesiæ*; and *not tenants for life*. 2ly. That they may therefore forfeit the *Lands they have in Jure Ecclesiæ & i. ei*; either by <sup>c</sup> *alienations of them for life, or in fee to their bastards, whores, kindred, others,* <sup>d</sup> *E. 3. 54. 38 E. 3. 19. 22 H. 4. 11. 9 E. 4. 6. Dyer 238.* against the donors intentions, or by their neglecting and ceasing to perform the *Divine services, and works of piety, charity, devotion* for which they were specially given to them; and that by the expresse provision, words of the Statutes of 13 E. 1. c. 41. & 6 E. 1. cap. 4. which gives the Donors and their heirs Writs of *Contra formam collationis*, and of *Cessavit*, to recover the Lands so forfeited by their abuses, or non-performance of the *divine services, or almes for which they were given*. 3ly. This is evident by sundry memorable presidents, recorded in our *Histories, Records and Law-books* : The 1. is that of the <sup>d</sup> *Abbesse and Nunnes of Berkeley in Gloucestershire*, who being all bigg with childe by Earl Godwins Nephew, and so found by inquisition, King Edward the Confessor thereupon dissolved the Monastery for their whoredoms, and gave the Lands to Earl Godwin, from whom the *Barons of Berkeley* have enjoyed it as the seat of their *Barony* for many hundred years. The 2. the <sup>e</sup> *Abbesse of Ambresbury*, who having three bastard children after her profession, and about 30. of her *Nunnes* being likewise convicted of incontinency; thereupon *their order was dissolved*, and their lands given by King Henry the 2. to the *Nuns of the Order of Font-Ebrard in Picardy* by the advise of Pope Alexander, Richard Archbishop of Canterbury, and the rest of our Bishops, Earls, and Barons, as the <sup>f</sup> *Charters, Patents of Henry the 2. Richard the 1. King John, Henry 3. 4. & 6.* assure us, and Roger Hoveden, Gervasius, Bromton, Henry de Knyghton, and others story. To which I might adde the presidents of the *Nuns of St. Eligius in Paris*, Anno 1107. of *Argentol*, and of *St. Johns of Landune*, Anno 1129. who for their *infamous, diabolical whoredomes*, were deprived, ejected, suppressed, and their *Lands, Monasteries, transferred to others*. *Nunneries* (as <sup>g</sup> *Nicholau de Clemangis* and others complain) degenerating frequently into *Stewes and Brothels, Non Dei sanctuaria, sed Veneris execranda prostibula*. The 3. is the famous Order of the *Knights of the Temple of Jerusalem*, who being instituted about the year of Christ 1118. and endowed with most ample possessions, priviledges both by Christian Emperors, our own and other Kings, Popes Bulls, and Decrees of Councils, for the defence of the *Holy Land, Christianity and Christians* against the *Saracens* and other *Infidels*, were yet for their intollerable pride, avarice, abuse of priviledges, *Apostacy, Sodomy, and other crimes*, (whereof many of them were accused, and found guilty by their own confessions, if we believe Pope Clements Bull) upon the frequent complaints of the *French King & others* against them, after near 200 years continuance, notwithstanding their Bulls, Priviledges, in the *General Council of Vienna*, totally and finally suppressed by that Council and Pope Clement the 5th. An. Dom. 1312. whereupon all their persons were imprisoned in one day throughout *England, France and Christendom*; their *Manors* (amounting to 9000. in all places,) with their *Lands, goods in England, seized into the hands of K. Edw. the 2. as escheated to him & other Lords by Law by their dissolution*; though most of their lands afterwards by the Decree of this Council, and a special Act of Parliament, were translated to the *Hospitallers*, as our <sup>h</sup> *Records, i. Historians* and the Bulls of this Pope to the Archbishops and Bishops of England, and Archbishop of *Torke*, at large relate. The 4. is

Analesta, p. 23, 24, 25. Gulielmus de Nurgiaso Chronol. Anno 1129. g De Corrupto Ecclesiæ statu, cap. 23. Ivo Carnotensis, Epist. 70. h Cart. 1 Johan. Regis nu. 7, 1023. & 91, to 102. Chron. Gervasii, Anno 1453, 1454. Mat. Paris, An. 1118. p. 64, 196. Surius Concil. Tom. 3. p. 707, 624. Antoninus Tit. 15. c. 20. Polychronicon, l. 7. c. 16. \* Claus. 1 E. 2. dorf. 12. Cedul. Cl. 7 E. 2. d. 16. Ced. & d. 12. Cl. 17 E. 2. m. 4. 1. 7, & 17. i Chron. Johannis Bromton col. 1008. Chron. Gervasii col. 1454. Tho. Stubs Actus Pontif. Ebor. col. 1730. Henr. de Knyghton de Event. Angl. l. 3. c. 14. col. 2531. Surius Concil. Tom. 2. p. 459, to 463. the

b 1 E. 3. 29.  
6 E. 3. 10.  
24 E. 3. Juris  
Utrum 4. 25  
E. 3. 54. 38 E.  
3. 19. 22 H. 4.  
11. 9 E. 4. 6.  
Dyer 238.  
Cooks 1 Instit.  
f. 300 b. 341 a.  
b. 2 Instit. f.  
417.  
c Fitz. & Brok  
contra formam  
Collationis,  
7 R. 2. Cessa-  
vit 13. Reg. 11.  
238 a. Old  
Nat. Brev. 247.  
b 32 E. 3. Cef-  
savit 24. 9. 12  
H. 4. 24 a. Fitz.  
Nat. Br. 209. to  
212. Litz. sect.  
136. 137. Coe.  
2 Instit. p. 457;  
to 460. Here,  
p. 334.  
d Gualter  
Mapes de Nu-  
gis Cuiuslibet,  
MS. in Bibl.  
Bodleiana :  
Cambdens Bri-  
tannia, p. 262,  
263. Here Tom.  
1. p. 310, 311.  
e Chanze An-  
tiquæ GG. & 1.  
nu. 8. Cart. 1  
Joan. Regis,  
n. 103. Cart.  
12 H. 1 nu 11.  
Cart. 8 E. 2.  
nu. 24. Pat. 3  
H. 4. pars 1. n.  
24. Pat. 22 H.  
6. nu. 11. 04.  
Here, Tom. 1.  
p. 799, &c.  
Tom. 2. p. 218.  
Monasticon  
Angl. Vol. 2.  
p. 191, 192.  
856.  
f Joannis Lydii  
ad Clemangem



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<sup>k</sup> See Cooks  
<sup>2</sup> Instit. p. 334.  
<sup>3</sup> Here, p. 458.  
<sup>1</sup> Acts of Eng-  
 lish Votaries.  
<sup>m</sup> Page 1042,  
 1043. Henry  
 Stephen his  
 Apology for  
 Herodorus, cap.  
 21. f. 183.  
<sup>n</sup> My Supple-  
 mental Appen-  
 dix to John  
 Hus his Dis-  
 putation, p. 93,  
 to 112.

the Case of <sup>k</sup> Thomas Pye Abbot of Stonely, who had more Bastards then Monks, An.  
 38 E. 3. and of many Abbots, Monks of England, who being found guilty by several  
*Inquisitions upon Oath of most detestable Sodomies, Adulteries, Whoredoms, and other*  
*Crimes in King Henry the 8. his reign, epitomized by <sup>1</sup> John Bale, and <sup>m</sup> Speed in his*  
*History of Great Britain, were thereupon totally suppressed, and their Lands by Act*  
*of Parliament confiscated, and transferred to this King, his heirs and successors;*  
 who sold and converted most of them to secular uses: Which alienations, together  
 with his resumptions, alienations of several Mannors from our Archbishops and  
 Bishops, were ratified as legal, by the Popish Parliament, and all our Prelates,  
 Clergy, the Statutes of 1. & 2 Phil. & Mary, chap. 8. and by the Bull of Pope  
 Julius to Queen Mary; without the guilt of Sacrilege, wherewith this Doctor  
 now asperseth them, as I have <sup>n</sup> elsewhere evidenced at large, and therefore shall no  
 further insist on.

I pretermitt all other particular advantages, and encroachments of Jurisdiction of  
 lesser moment, which Popes, Popish Archbishops, Bishops, Priests, Canonists, and  
 Divines have usurped by, and deduced from the Coronation Oathes prescribed by  
 them to Emperors and Kings. But these recited are of such publike, grand concern-  
 ment to their Prerogatives, Sovereignities, Crowns, their Kingdoms, Peoples Laws,  
 Liberties, and so pertinent to my Subject-matter in this, the precedent, as well as  
 subsequent *Tomes*, that I could not pretermitt, but recommend them to your  
 special observations.

I have only one thing more to inform you of; that since the finishing of this  
*Tome*, I have discovered two grosse mistakes together, relating to King John, his  
 successors and Realm, in a modern Great French Historian, Andre de Chesne his  
*Histoire D'Angleterre, Descoffe, & D'Irland*, \* newly printed in two large folio Vo-  
 lumes at Paris: who relating the story of King Johns resignation of his Crown, and  
 Realms of England and Ireland to Pope Innocent, and homage to him as his Vassal  
 and Tributary under the annual rent of 1000 marks; affirms, 1. *Que de son temps*  
*mesme, et jusque a ce que le Roy Henry 8. renonca le Pape et l'Eglise Romaine l'an*  
*MD. XXXIV. le cens et tribut annuel fut tous jours payen*: when as the payment  
 \* thereof was oft opposed, and constantly denied from the 17 year of Edward the 1. since  
 which it was never payd, though demanded by Popes from him and his successors;  
 yea it was unanimously and magnanimously resolved against both by the King,  
 Prelates, Nobles and Commons in the Parliament of 40 E. 3. Rot. Parl. nu. 7, 8.  
 in case the Pope should demand it. 2ly. *Que Roys Inas par une humble piete, ren-*  
*dit son Royaume tributaire a l'Eglise Romaine, environ l'an 740. tellement que*  
*chacun maison devoit payer une piece de argent, & les appelloient vulgairement,*  
*Les deniers de Saint Pierre*: which he stiles and reputes le Tribut annuel; et  
 desloz l'Angleterre n'aboit jammes failly de faire la mailly bonne aux Papes  
 jusque a ce que Henry viii. tout le premier fit defense de leber cet argent. When  
 as Peter-pence was never granted nor payd as a Tribute to the Pope or Church of Rome,  
 but as a meer voluntary Almes to the English School in Rome, and its payment fre-  
 quently interrupted, denied, before our King Henry the 8. abolished it by Act of Par-  
 liament, as I have <sup>y</sup> largely evidenced, against Baronius and other Pontifician Hi-  
 storians and Divines before this new Historians Books came forth in print: The  
 very same I finde <sup>z</sup> likewise asserted in, *Divers Traitez sur les Droits & Preroga-*  
*tives des Roys de France*, printed A Paris, avec Privilege le Roy, Anno 1666.  
 p. 79. who from thence argues, the Precedency of the Kings of France before the  
 Kings of England, for that they held their Crowns immediately from God, when  
 as the Kings of England (as Offa, Inas, Ethelwolfe, and King John) rendred them-  
 selves Tributaries and Vassals to the Pope.

Since the compleating of this *Tome* and the *Epistles* to it, one Mr. Cressy a Bene-  
 dictin Monk (an Apostate from the Church of England, who writ two or three <sup>2</sup> Pam-  
 phlets against our Church & Religion to ingratiate himself with the Roman party, and  
 advance Oral Tradition above the Scriptures, as the only Rule of Faith) hath publi-  
 shed a large \* folio Volume, of the Church History of Britanny, from the beginning of  
 Christianity till the Norman Conquest, dedicated to the QUEEN: wherein though  
 he impertinently mentions my Church-History in his Preface to the Reader, yet he  
 neither refutes nor takes Notice of any passages in my former *Tomes* throughout  
 his History, as I and others expected.

If

<sup>x</sup> Anno 1666.  
 Avec Privilege  
 du Roy, lib. 12.  
 p. 514. & lib.  
 20. p. 5455.

\* See Tom. 1.  
 p. 299, to 302,  
 306, to 315.  
 & Here, p. 157,  
 to 160, 390,  
 391.

<sup>y</sup> Tom. 1. p.  
 202, to 209.  
<sup>z</sup> Tom 2. p. 301  
 302, 314. &  
 Here, p. 390,  
 391.  
<sup>2</sup> Refuted by  
 Dr. John Ty-  
 lison, in His  
 Rule of Faith,  
 p. 92, 93, 97, 98  
 107, 119, 123,  
 to 132, 154, 10  
 158, 217, 158,  
 159, 284, 294.  
 \* Printed at  
 Paris 1668,  
 newly brought  
 over by the  
 French Embas-  
 sador.

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## *A Table of the Chapters, &c.*

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If upon perusal of this *Tome*, any Readers shall reap satisfaction, information, or profit by my *Collections* or *Observations* therein, let me enjoy the benefit of their prayers, at least a candid acceptation of these my *Labors*, and if they shall chance to discover any involuntary real mistakes therein, (besides the *Erratae* at the Presse, which I have amended, and desire them to correct before they read this *Volume*) I shall humbly crave their friendly advertisement of them, that so I may rectifie them if there be just cause upon second thoughts. *Farewell.*

From my Chamber in the  
Tower of London,  
August 18. 1668.

*William Prynne.*

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### A TABLE of the several *Chapters* and their *Contents* in this *Third Tome*; to which I have made some small *Additions*, where needfull.

**BOOK V. CHAP. I.** *Containing sundry Records, Popes Bulls, Writs, Prohibitions, Attachments for suits in Courts Christian, not formerly printed; and some Historical Passages, during the reigns of King JOHN, and HENRY the Third, relating to their Ecclesiastical Jurisdiction, the Church-affairs in England and Ireland: Their Transactions with Popes, Popes Legates, Nuncios, Delegates, Popish Prelates: together with their several Usurpations on, Attempts against their Royal Rights, Prerogatives, Subjects Liberties, Properties; and these Kings, their Nobles, Parliaments, Counsils, and Judges Oppositions against them: With the Elections, successions, Acts of Popes, of English and Irish Bishops, and what concerns them; as an Appendix to the Second Tome, Page 2. to Folio 133.*

**CHAP. II.** *Containing several Records, Prohibitions, and Historical passages, evidencing the Ecclesiastical Supremacy of our renowned King EDWARD the 1. in and over all Persons, Causes Spiritual, as well as Temporal, in England, Ireland, and other his Dominions. His Oppositions against Papal, Prelatical Usurpations, Incroachments upon the Rights of his Crown, Laws, Subjects Liberties. The Chief Transactions, Bulls, Letters between Him, and the Popes, Court of Rome: And the Elections, Confirmations, Successions, Acts of Popes, Archbishops, Bishops, Abbots, and other Clergy-men in England, Ireland, and his forraign Dominions, from the beginning of the First, to the end of the Tenth Year of his reign. With some other particulars of Note and publike concernment, p. 117. (next after fol. 133.) to p. 298.*

**CHAP. III.** *Comprising several evidences out of Records and Histories of King Edward the 1. his Sovereign Ecclesiastical Jurisdiction over all Persons, Causes, and chief management of all Ecclesiastical affairs in England, Ireland, Scotland, and other his Dominions: With Popes, Bishops various Encroachments thereon: And His, his Parliaments, Counsils, Judges Oppositions, Prohibitions against them: together with the most considerable Negotiations between Him, and the Popes, Cardinals, Court of Rome; the Elections, Confirmations, Successions of Bishops in England, Ireland, his Dominions in France, and of Popes in Rome; from the beginning of the 11. till the end of the 20. year of his Reign: As also the Transactions*



factious concerning his Superiority over the Realm of Scotland, as Sovereign Lord thereof; with the Pleadings of the Competitors to the Crown of Scotland before him as their Superior Lord; and his Judgement given therein for John Bailiol, p. 298. to 549.

**CHAP. IV.** *Containing King Edward the 1. his Claim, exercise of Sovereign Ecclesiastical Jurisdiction over all Persons, Causes within England, Ireland, Scotland, and his other Dominions. His Oppositions, Prohibitions, Edicts against Bishops and other Clergy-mens Encroachments thereon; especially Pope Boniface the 8. his Constitution, prohibiting all Clergy-men under pain of Excommunication to grant or pay any Taxes, Subsidies to any King, or for Kings to demand or receive them, without the Popes precedent license: He puts his Bishops and Clergy out of his Protection for submitting to it, and denying him an Ayde demanded, till they were enforced to purchase general and particular Protections from him. A Catalogue of those Ecclesiastical and Religious persons who purchased such Protections for their safety. His Opposition against this Popes Bulls concerning his Sovereign Dominion, Title, to the Realm of Scotland and other Kingdoms. The negotiations between King Edward, the Popes, Court of Rome, the French, and Scots. The French King Philips, and Pope Boniface the 8. their Contests, Proceedings, and Declarations against each other. The Elections, Successions, Acts of Popes, English, Irish Archbishops, Bishops, and other Church, State-affairs, (especially the Contests between the King and his Barons, concerning the Confirmation of the Great Charters, Deafforestations, and between the Scots and Him) faithfully collected out of Records and Historians from the beginning of the 21. to the end of the 30th year of his Reign; The Scots Kings, Prelates, Nobles, Commons solemn reiterated Oaths to him; with their Names, perfidious violations of them, and punishments for it. p. 549, to 980.*

**CHAP. V.** *Containing the imprisonment, death of Pope Boniface the 8. The Letters, Bulls, Negotiations between King Edward the 1. and this Popes Successors, with their Successions in the See of Rome. This Kings Acts of Sovereign Ecclesiastical Jurisdiction over the Churches, Prelates, Clergy of England, Scotland, Ireland, and Sovereign Dominion over Scotland. His Prohibitions, Statutes, Edicts against Papal Provisions, Extortions, and Prelatical Usurpations upon the Rights of his Crown and Temporal Courts. The Elections, Acts, Successions of Archbishops, Bishops, Abbots, and other Prelates, Priests, in the Churches of England, Ireland, Scotland, and Forraign Dominions; With other Particulars relating to our Publike Church and State-Affairs, from the beginning of the 31. year of King Edward the 1. till his death, in the 35th year of his reign; Collected out of the Records of those years and Historians, p. 980, to 1204.*

**A Supplemental Appendix of Records, Bulls, Prohibitions, Epistles, Petitions, to the Reign of King Edward the 1. from the 2d. to the 25th, year of the said King, to the same effect as those in the 2, 3, and 4. premised Chapters, p. 1204. to 1308.**

**14** *Several Tables Containing all the particular Matters in this Tome, printed at the end thereof.*



# THE THIRD TOME OF

An exact Chronological Vindication, and Historical Demonstration of our British, Roman, Saxon, Danish, Norman, English KINGS Supreme Ecclesiastical Jurisdiction, in, and over all Religious or Ecclesiastical Matters, Causes, Persons, as well as Temporal, within their Realms and Dominions.

## The PROLOGUE.



*MY* constant daily attendance in Parliament during its Sessions, besides other publick Employments, and the extraordinary increase of the late raging Pestilence (Anno 1665.) in London and its Suburbs, interrupting me in my perusal of all the ancient Records in the White-Tower-Chappel, (there buried in dust and oblivion in one confused Chaos for many years past) necessitated me to omit in my second Tome and Appendix, sundry pertinent Records, Popes Bulls, Letters, Writs, Prohibitions, Attachments at the Kings and griev'd parties prosecutions against the Usurpations, Citations, Provisions, Excommunications, Interdicts, Exactions, Innovations of Popes, Popes Legates, Delegates; and our Archbishops, Bishops, Ordinaries, Archdeacons, Deans, Officials, their Courts Christian and Officers upon the ancient Rights and Prerogatives of the Crown, the Liberties, Properties of the Subjects, the Temporal Courts, Laws of the Land during the Reigns of King John and Henry the 3. (with some material passages in our Historians) which I have since discovered, not unworthy publick view; Which (according to my Chronological method) I shall here present to the Readers in a distinct Chapter, before I proceed to the Reign of King Edward the First; with some brief, usefull (and I hope not unseasonable nor unacceptable) Observations on and from some of them, for the better information as well of the Professors as Students of the Common Law; and a clearer detection then hitherto hath been made, of such usurped Jurisdictions in some Temporal causes, which the Popish Prelates, Councils, Clergy, Courts Christian in these Kings reigns endeavour'd to monopolize into their own hands and wrest out of these Kings and their Courts; and other Prelates, Canonists since, (yea in this very age) have overboldly claimed by confident false averments in their Councils, Canons, Decretals, Glosses, Writings, Arguments, as the ancient sacred Rights, Liberties of Holy Church, peculiar to Courts Christian, upon apparent Mistakes and Forgeries of their own coyning, which they would then and now obtrude upon the ignorant World as undoubted Truths; to enlarge their Phylacteries, advance their Papal Canon Laws above the Common, the Popes and Bishops Miters above the Imperial Crown. The discovery and countermining of which long-agitated Design in successive ages, is the principal scope, end of these my Chronological Collections, to which I shall now address my self without further Prologue, in the ensuing Chapter; augmented with new Additions (especially of Prohibitions, Suits and Attachments on them against Ecclesiastical Judges, Officers, persons) in this reimpression, the most part of the former printed Copies, and the preceding Tomes being burnt to ashes by the late consuming Fire in the Printers house, to my great loss, and retarding of this Volumes publication.



## BOOK V. CHAP. I.

Containing sundry Records, Popes Bulls, Writs, Prohibitions, Attachments for suits in Courts Christian, not formerly printed; and some Historical passages during the Reigns of King John, and Henry the III. relating to their Ecclesiastical Jurisdiction, the Church-Affairs of England and Ireland, their transactions with Popes, Popes Legates, Nuncios, Delegates, Popish Prelates: together with their several Usurpations on, attempts against their Regal Rights, Prerogatives, Subjects Liberties, Properties; and these Kings, their Nobles, Parliaments, Counsils and Judges oppositions against them.

An. 1 Joh.  
han. Regis.

a See Cart. 1.

Johan. Regis,

part. 1. nu. 5,

7, 10, 15, 18,

31, 37, 41, 45,

51, 53, 57, 59,

60, 61, 63, 68,

86, 90, 98,

101, 112, 133,

156, 158, 159,

162, 171. And

part. 2. n. 5,

11, 15, 32, 38,

48, 56, 57, 58,

60, 68, 70, 71,

76, 81, 86,

123.

b Chart. primo

Johann. n. 68.

m. 24. parte

prima.

Chart. An.

1 Johan. parte

1. m. 8. n. 160.

**T**OME 2. Page 227. Line 3. after *Christians*, insert; King JOHN was no sooner possessed of the Realm of England, but he immediately (in the very first year of his Reign) evidenced to all the World, not only his Piety and Regal Duty, but Ecclesiastical Sovereignty, both by ratifying, protecting, enlarging the Ecclesiastical as well as Temporal Liberties, Priviledges, Churches, Chappels, Tithes, Lands, Possessions granted by his Ancestors to several *Archbishopricks, Bishopricks, Monasteries* in England, Ireland and Normandy, by sundry <sup>a</sup> Charters extant in his Charter-Rolls in the Tower: using this expression in the Prologue of confirmation to the Monastery of Cirencester.

*Johannes Dei gratia, &c.* Quoniam honori nostro concedens, et salutis nostrae necessarium, loca sancta et religiosa quae ab avo patris nostri Rege H. primo, sunt fundata, et a Rege H. secundo patre nostro confirmata defendere, custodire, et amplificare. Inde est, quod Deo & Ecclesiae Sanctae Mariae de Cirencestr. & Canonicis Regularibus ibidem Deo servientibus, damus & concedimus, &c. (*the Liberties and Lands therein mentioned at large*) Dat. per manum H. Cantuar. Archiep. Cancellar. nostri apud Sag. 7. die Augusti, anno Regni nostri primo. Which Prologue he likewise used in other of his Charters.

Moreover, to manifest his superintendency over, and special care even of Hubert Archbishop of Canterbury his Chancellors soul, as well as of his person or estate; he inserted this expression into his Charter, whereby he authorized him to make a Will, and devise his goods; which he could not then legally do without his Royal license.

*Johannes Dei gratia, &c.* Quanto venerabilem patrem nostrum in Christo H. Cant. Archiepiscopum artiori vinculo dilectionis amplectamur, tanto magis cupimus & frequenter optamus omnia quae personam suam tanguent, et ea maxime quae ad salutem animae pertinent, in summa firmitate et stabilitate permanere. Volumus igitur & firmiter precipimus, quod testamentum quod idem Archiepiscopus tam de bonis Archiepiscopatus Cant. quam de aliis quibuscunque bonis suis, secundum Deum condiderit, firmum sit et stabile, nec alicujus voluntate immutetur in aliquo vel impediatur. His testibus S. Andr. Episcopo, &c. Dat. per manus S. Archid. Willel. J. de Grey, &c.

Lo here this Archbishop, who used to prove and confirm other men Wills after their deaths, had his own Will ratified by this Kings Royal Charter for the good of his soul, as Supreme Ordinary, during his life, to make it valid, irrevocable after his decease.

About the same time the King confirmed to this Archbishop and his Successors all the donations of Lands, Liberties, Customs, Exemptions, and all other things granted to the Church of Canterbury by any of his predecessors, or any other Ecclesiastical or secular persons, by this short Charter.

Chart. An. 1  
Johan. Regis,  
part. 1. p. 159.

*Johannes Dei gratia, &c.* Noveritis nos pro salute animae nostrae, & animarum antecessorum & successorum nostrorum, et ob reverentiam beati Thomae Martyris, & omnium Sanctorum quorum in Cant. Ecclesia reliquiae requiescunt, concessisse, & presenti

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

King John.

presenti Carta nostra confirmasse Deo & Ecclesie Christi Cant. & venerabili patri nostro H. ejusdem loci Archiepiscopo & successoribus suis imperpetuum, omnes donationes terrarum, tenementorum, libertatum, & liberarum consuetudinum, quietanciarum, & omnium aliarum rerum & possessionum quæ ex donatione nostra, vel antecessorum nostrorum, vel ex donatione quarumlibet aliarum personarum Ecclesiasticarum vel secularium adepti sunt: Statuentes & firmiter precipientes, ne quis eis contra prædictas donationes aliquam injuriam vel molestiam inferat, aut in aliquo contra libertatem prædictarum donationum venire præsumat. Volumus etiam & firmiter precipimus, quod prædictus Archiepiscopus & Successores imperpetuum omnia prædicta adeo benè & quietè, liberè & integrè habeant in omnibus, & possideant sicut debent & solent, & sicut hucusque habuisse & possedisse dinoscuntur, & sicut Chartæ quas inde habent rationabiliter testantur. Teste R. Episcopo Sancti Andree, Roberto Com. Leicestrie, &c. Dat. per manum J. Wellen. Archid. & Johannis de Greiapud Chinnonem, 26. die Sept. anno regni nostri primo.

An. 1. Joh. Regis.

He likewise ratified by his Sovereign Ecclesiastical Authority and † Charter the \* premised Charter of King Richard, touching the exchange between Archbishop Hubert and the Bishop and Monks of Rochester, of the Mannor of Lambeth for other lands, and the Clause therein, authorizing the Pope, Archbishop of Canterbury, Bishops and Clergy of England, to excommunicate the infringers thereof. Besides, he appropriated several parochial Churches in perpetuity to the Bishoprick of Coventry and Litchfield; converted other parochial Churches into præbendaries; and ratified the Orders made by Bishop Hugh for the better Regulation of that Church, by these two Charters.

† Chart. 1. Joh. Regis, pars 1. nu. 158. \* Here, Tome 1. pag. 1102.

Johannes Dei gratia, &c. Sciatis nos pro salute animæ nostræ, & antecessorum & successorum nostrorum animabus, dedisse & concessisse, & presenti Charta nostra confirmasse G. Coventr. Episcopo, omnibusque successoribus suis Ecclesiam de Wellehale, & Ecclesiam de Forton, cum omnibus ad eas pertinentibus, in puram & perpetuam Eleemosynam, habendas et tenendas in propriis uibus suis, libere et quiete, et sine omni exactione in perpetuum. Præterea confirmamus Deo & Ecclesie Sanctæ Mariæ & Sancti Cedde de Lichfeld, & prædicto Episcopo & successoribus suis Ecclesias de Ruggles & de Canoch, quæ ex dono Regis H. patris nostri in prædicta Ecclesia de Lichfeld sunt præbendatæ. Quare volumus & firmiter precipimus, quod prædictus Episcopus & successores sui præfatas Ecclesias cum earum pertinentiis (sicut prædictum est) habeant & teneant liberè & quietè, honorificè & pacificè in perpetuum. Teste G. filio Pet. Com. Essex, W. Marechal. Com. de Pembroc. Rob. fil. Rob. &c. Dat. per manus S. Wellen. Archid. & J. de Gray Archid. Glouc. apud Worcester. die 25. die April. Anno Regni nostri primo.

Chart. 1. Joh. Regis, pars 2. n. 147.

Johannes Dei gratia, &c. Sciatis nos pro amore Dei, & pro salute animæ nostræ, et animarum antecessorum et successorum nostrorum, dedisse et concessisse, et presenti Carta nostra confirmasse Deo et Ecclesie Sancti Mariæ et Sancti Cedde de Lichfeld, et venerabili patri nostro G. Coventren. Episcopo, et successoribus suis Ecclesiam de Bathekewell, cum præbendis et omnibus aliis ad Ecclesiam pertinentibus, ut secundum ordinem et dispositionem quem Hugo bonæ memoriæ Coventr. Episcopus super eadem Ecclesia de Bathekewell fecit, ea cum omnibus pertinentiis suis in proprietatem de Lichfeld Ecclesie convertatur; Salvo tamen servitio tum Presbyterorum qui in eadem Ecclesia de Bathekewell deserviant, et juxta arbitrium Episcopi Diocesani rationabilem sustentationem habebunt. Ordinationem namque H. prædicti Episcopi, quam super hoc fecit, ratam habemus, et futuris temporibus semper habebimus. Ecclesia autem de Lichfeld concessit nobis unum Presbyterum præbendarium in Ecclesia de Lichfeld, qui singulis diebus vitæ nostræ Missam cantabit pro salute et incolumitate nostra, et post mortem nostram omnibus diebus Missam pro salute animæ nostræ cantabit imperpetuum. Quare volumus, et firmiter precipimus, quod prædictus G. Episcopus, et successores sui post eum habeant et teneant prædictam Ecclesiam de Bathekewell, cum Præbendis, et omnibus aliis ad eam pertinentibus benè et in pace, liberè et quietè, integrè, plenariè et honorificè, cum omnibus libertatibus et liberis consuetudinibus suis, sicut prædictum est. Teste Willielmo Marechal. Com. de Pembroc. Willielmo Com. Sarum, Johanne de Pratell, Rob. de Turham, Tho. Basset, &c. Dat. per manum S. Wellen. Archid. apud Valen. 3. Feb. Anno Regni nostri primo.

Cart. 1. Joh. Regis, pars 2. num. 25.

The like Charter of confirmation of Churches, Tithes, and Liberties he made to the



An. 1 & 3 Bishop of \* Exeter and his successors the same year; which those who please may  
Joh. Regu. peruse in the Charter Roll.

\* Chart. 1. Jo-  
han. pars 2.  
num. 73.

Chart. 1. Jo-  
han. pars 1. m.  
13. dorso.  
Carta Lexovi-  
en. Episcopi  
de Vicecom.  
\* Which con-  
futes the  
grounds, and  
shewes the ab-  
surdity of the  
New Popish  
Doctrine, of  
Oral Tradi-  
tion.

A great difference arising between this King, and the Bishop, Sheriff of *Lexovia* concerning his and the Sheriffs rights within that City, he referred it to a legal trial in his Court; and then ratified the Bishops rights by this ensuing memorable Charter, reciting the proceedings therein; and his care to protect the Churches dignities, *Johannes Dei gratia, &c.* Inter ea quæ ad conservationem justitiæ pertinere noscuntur, nihil specialius Regibus et Principibus Christianis incumbit, quam dignitates Ecclesiasticas in sua stabilitate tueri. Et ne forte per \* obliviones hominum, rerumque ac temporum mutabilitates, ea quæ pia consideratione gesta sunt, præcipue per judicium diffinita, novis in posterum possint implicari calumpniis, authenticorum scriptorum patrocinio communire. Cum autem inter nos et dilectum nostrum in Christo *Willielmum de Rupetra Lexoviensem* Episcopum, super jure et potestate ab antiquis temporibus antecessorum nostrorum in Civitate et Banlenca *Lexovien.* ad nos pertinente contentio verteretur, tandem ne quid de jure Episcopi et Ecclesiæ *Lexovien.* videretur nobis aliquatenus usurpasse, fecimus per multitudinem legitimorum et antiquorum Militum de vicinia illa juramentis interpositis recognosci, quantum juris ad nos in Civitate et in Banlenca prædicta, quantum ad ipsum Episcopum *Lexoviensem*, et quantum ad Militem quendam *Robertum* scilicet cognominatum *Vicecomitem* pertinebat, qui videlicet Miles Vicecomitatum sibi apud *Lexovium* hereditario jure competere asserbat. Recognitum est autem in Curia nostra coram nobis et Baronibus nostris per testimonia Decem et octo Militum juratorum, nos tantummodo tria placita quæ de Spata vocantur, in illa Civitate et Banlenca habere, videlicet de summonitione exercitus, De via Curie nostræ, et de moneta. Quæ etiam tria placita per manum dicti Episcopi vel Ballivorum suorum ante nos vel Senescallum nostrum ibidem inter assisas nostras debent adduci. Ita tamen, quod nihil de emendis alicujus istorum trium placitorum sibi posset Episcopus vendicare; Sed eas per manum ipsius vel Ballivorum suorum debemus habere. Et præter hæc tria placita nichil nobis juris in prædicta Civitate remanet aut Banlenca. Cætera autem omnia jura et placita, tam de Spata quam alia quibuscunque modis vel causis eveniant, cum eorum emendis ad Episcopum sine omni contradictione pertinent et querela. Recognitum fuit etiam per eosdem Milites, quod prædictus *Robertus* nichil juris vel hereditatis habuit in prædicto Vicecomitatu. Ipsaque *Robertus* postmodum in Curia nostra coram nobis et Baronibus nostris remisit ipsi Episcopo et successoribus suis imperpetuum totum jus quod sibi vendicaverat et clamaverat in Vicecom. illo. Quare volumus et firmiter præcipimus, quod idem Episcopus et omnes successores sui libere habeant, teneant et possideant Civitatem et Banlenecam suam cum omnibus immunitatibus supradictis, absque omni molestia, gravamine et exactione per nos seu per ministros nostros ibi deinceps facienda, Acut superius in hac pagina prænotatum est.

King John having occasion to constitute a Proctor in the Court of *Rome*, as well to promote the affairs of the Emperour *Orto* his Nephew, as to prevent the malicious designs of the Bishop of *Senns* against him and his Realm, with whom he had a controverſie, constituted *Peter Bayell* his Proctor by this Charter.

Chart. 1. Jo-  
han. pars 1.  
dorso, m. 6.  
num. 16.

SANCTISSIMO Patri et Domino *Innocentio*, Dei gratia sanctissimo Summo Pontifici, et Dominis in Christo venerabilibus Episcopis, Presbyteris et Diaconis sanctissimæ Sedis Apostolicæ Cardinalibus, universisque has litteras inspecturis. *Johannes* ejusdem gratiæ dono Rex *Anglia*, Dominus *Hyberniæ*, Dux *Normanniæ*, *Aquitaniæ*, Com. *Andegaviæ* salutem. Super controversia quam *Hamelinus Senon.* Episcopus personæ nostræ et Regni persecutor publicus nititur intentare, dilectum et familiarem Clericum nostrum Magist. *P. Bayell* loco nostro Procuratorem constituimus, et ejus objectionibus responsalem. Ratum habituri quicquid per *G.* ratione prima statuatur, Teste meipso apud *Rupem Aurinal.* 14 die *Januarii*.

\* Chart. 1 Jo-  
han. pars 1.  
nu. 12. dorso.  
Sc pars 2. n. 3.

An. 3 Jo-  
han. Regu.

a Pat. 3. Jo-  
han. m. 83.  
nu 33.

What monies the King borrowed of others for this Proctors accomodation at *Rome*, the \* *Charter-Rolls* of that year record.

Tome 2. p. 234. after *Marcii*, insert; King John in the third year of his Reign by his Ecclesiastical Sovereignty licensed *Peter Builler* to enter into what Religion he pleased, by this memorable Charter.

REX, &c. Omnibus, &c. Sciatis nos dedisse licentiam *Petro Builler* transse-  
rendi se ad quam voluerit Religionem. Et inde has litteras nostras patentes  
ei re-

ei relinquitur in testimonium. Teste meipso apud *Barneville*, 29 die *Octobris*. An. 3 & 4. The same year King John sending two special messengers to *Rome*, to promote his Affairs there (where nothing could be procured without money) authorised them to take up 500 marks in *Silver* from any Merchants, which he obliged himself by this Patent to satisfy them. Job. Regis.

J. Dei gratia, &c. Universis mercatoribus has literas inspecturis, salutem. Novembris. Pat. 3. Regis Johan. m. 6. & 10. rit universitas vestra quod nos latores presentium, *Hugonem de Feritate & Rob. de Sablene*, pro negociis nostris promovendis ad *Romanam Curiam* destinamus, et mercatoribus a quibus pecuniam usque ad D. marcas argenti pro ipsis negociis promovendis mutuo acceperint, ipsam pecuniam persolvere tenebimur; & nos per presentes literas principales super hoc constituimus debitores, et terminum statutum secundum conventionem inter predictos Clericos nostros et mercatores factam, illis qui presentes litteras nobis vel mandato nostro reddent, una cum litteris predictorum Clericorum patentibus, summam pecunie mutuo acceptæ, protestantibus prætaxatam pecuniam ex integro faciemus persolvi. Teste meipso apud *Silham*, 6. die *Januarii*.

After which follow three Obligations more, with two Sureties for borrowing and repaying this *D. marks* and *M. marks* more; for what end, unless to oppose the \* Popes provision to the Bishoprick of *Saint Davids*, or the † *Irish* Bishops usurpations in electing an Archbishop of *A. mach* without his license, against whom he appealed, I cannot conjecture. \* See Tom. 2. p. 214. to 238. † Tom. 2. pag. 240.

The same year the King issued this Writ to the Barons of *Britain* to maintain the Countess of *Britains* Will, lest the Pope by his usurped authority, or some other should seize upon her goods, belonging to him.

Johannes Dei gratia, &c. Bar. Brit. Mandamus vobis rogantes quod Testamentum C. quondam Comitissæ *Brit.* sicut ipsa illud rationabiliter condidit, & secundum Deum teneri faciatis in hiis quæ ad nos pertinent, ne Dominus Papa vel alius ad hoc valeat manus apponere. Teste meipso apud *Hich.* 30 die *Jan.* Pat. 3. Regis Johan. m. 5.

The King the same year to secure himself against his enemies and the Popes usurpations, entred into this offensive and defensive League with *Sancius* King of *Navarre*, against all persons whatsoever (not excepting the Pope) save only the King of *Marocco*, not mentioned by any of our Historians.

Sancius Dei gratia Rex *Navar.* Omnibus Christi fidelibus ad quos litteræ istæ pervenerint, salutem & sinceræ vinculum caritatis. Vobis omnibus presentium significatione facimus manifestari, quod nos facimus & firmamus pacem & veram amicitiam cum Domino *Johanne* illustri Rege *Angliæ* & successoribus ejus, & super Crucem & Evangelia sancta Juramus, nos illam toto tempore vitæ nostræ firmiter et fideliter servaturos. Juramus et firmamus, quod bona fide et sine omni fraude dabimus eidem Regi consilium et auxilium modis omnibus pro posse nostro, tam per nos ipsos quam per homines et fideles nostros, et cum pecunia nostra contra omnes homines, solo Rege *Maroccorum* excepto; nec cum aliquo inimicorum predicti Regis sine consensu et voluntate ipsius pacem vel concordiam, aut Treugam aliquam faciemus. Ad majorem autem hujus rei memoriam & certitudinem, præsens inde scriptum fieri præcepimus, & sigillo nostro muniri. Et notandum, quod hæc Carta facta fuit apud *Chin.* 14. die *Octobris*, anno regni Domini Regis tercio, & liberata fuit in Camera B. Clerico, eodem die. Pat. 3. Regis Johan. m. 9.

The *French* King perfidiously breaking his Truce with King John, made in the first year of his reign, (endorsed on the † *Charter Roll*) to carry on that War, he not only demanded a Supply of monies from his Nobility and Clergy, but likewise from the \* *Cistercian* Abbots; by this memorable Letter enrolled in his Patent Rolls. † Chart. 1. Johan. part. 1. dorso.

R. EX, &c. Universis Abbatibus *Cisterciensis* Ordinis per *Angl.* constitutis, salutem. Discretionem vestram nequaquam credimus ignorare, qualiter Rex *Franciæ* rupta fide scæderis & pacis inter nos initæ, contra multimoda Juramenta sua et Cartas, nos nititur infestare, & terras nostras ad destructionem & direptionem secus quam deberet exponere. Unde quia ad defensionem capitis, æquum est universalem membrorum subventionem accurrere; Universitatem vestram rogandam duximus, quatinus vos qui de bonis et largitionibus prædecessorum nostrorum fundati estis et ditati, ad tanti hostis propulsandam violentiam, grauitum nobis et efficaciter conferatis auxilium. Ita quod vobis inde debeamus grates condignas impendere, & in hiis quæ a nobis duxeritis expetenda devotionem vestram. \* See Mat. Paris Hist. Angl. p. 201. An. 4. Johan. Regis. a Pat. 4. Johan. sub nu 10.



King John. *An Exact History of the Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 4 Johan. Regis.

stram benignius expedire; Scituri pro certo, quod nos huiusmodi subventionem a vobis impoſterum faciendam in conſequentiam non trahemus, immo ex veſtra ſavore; biliori tuitionis præſtito manuteneſe curabimus et ſovere. Et quid in hac parte duxeritis efficere, id nobis per dilectum & fidelem Clericum noſtrum S. Præpoſitum *Beverlaſi*, quem ob hoc ad vos ſpecialiter duximus deſtinandum, quam citius ſcire faciatis: Cui etiam in hiis quæ vobis ex parte noſtra. proponet fidem plenam adhibeatis. Teſte meipſo apud *Ar.* 11 die *Decembris*.

He alſo writ Letters in this form to the Abbots of the *Ciſtercian* Order throughout the Province of *York*, to lend him monies upon this occaſion, which he promiſed to repay them.

Pat. 4 Johan. m. 12. vel 13.

**R**EX, &c. Univerſis Abbatibus de Ordine *Ciſterciienſi* per Provinciam *Elorum* conſtitutis, &c. Satis noſtis ſicut norunt univerſi, qualiter Rex *Francia* contra pacem inter nos factam, & Juramento & Cartis confirmatam, nos aliter quam decretiſ impugnât, & qualiter ad exhæredationem noſtram omnibus modis aſpirat. In hac autem neceſſitate tam veſtram quam aliorum fidelium noſtroꝝ nullatenus debet vel poteſt deſſe ſubſidium. Rogamus igitur vos quatinus ſicut nos & honorem noſtrum diligitis, de pecunia ad opus noſtrum mutuo querenda, ſic, & cum tanta diligentia vos intromittatis, ut veſtram diligentiam nobis ſentiamus fructuoſam. Et vobis in agendis veſtris cum opus habueritis benignè & efficaciter ſubvenire debeamus; et nos dictam pecuniam in terminos quos ſtatueritis integre perſolvi faciemus, et in huius rei teſtimonium has literas noſtras patentes ſecimus. Teſte meipſo apud *Bonum Portum*, 6 die *Julii*.

Sub eadem forma ſcribitur Abbatibus ejuſdem Ordinis per Provinciam *Cant.* exceptâ hac clauſulâ poſt, faciemus: Et inde Dominum *Cant.* & G. fil. *Petri* Juſtic. noſtrum fidejuſſores conſtituimus; & in huius rei, &c.

What ſucceſs theſe Letters had with theſe exempt covetous Abbots, I cannot reſolve; only I read, that this year, \* *Innocentius Papa*, cum ab Ordine *Ciſterciienſium* infinitam pecuniam ad iter *Cruceſignatorum*, ut dicit, ad occultandam ſuam avaritiam violenter exigeret, a beata *Maria*, ejuſdem Ordinis advocata, nimis acriter correptus, ab hac quieſcit exactione, timore percuſſus. To which intended voyage all others contributed the 40<sup>th</sup> part of the Rents of all their Churches, ad infantiam *Innocentii Papa*, when theſe *Ciſtercians* went ſcot-free.

The ſame year the Church and City of *Rhoan* being conſumed with fire, King John granted them his Letters Patents for a liberal contribution throughout *England* towards the repair of that Church, principally for the Virgin *Maries* ſake, to whom it was dedicated, then ſadored more than God himſelf: Of whoſe Image at *Sardennay*, and the oyl dropping out of it curing moſt diſeaſes, yea turning into fleſh and blood, and of fleſhy Paps growing out of this her idolized Image; you may read at large in \* *Matthew Paris*, if you dare credit the Miracle.

Pat. 4 Johan. m. 8.

**R**EX, &c. Omnibus, &c. Ad veſtram credimus noticiam perveniſſe, qualiter Eccleſia *Roſhomagenſis*, Mater Eccleſiarum *Normannie* & Magiſtra, cum tota Civitate ſtammis irruentibus ſit everſa. Nos autem tenerè diligimus & ſincerè, tum quia fratrum & amicorum noſtroꝝ ſepultura nobis eam venerabilem imperpetuum commendat, tum quia floret in ea beneficium Sanctorum, quorum meritis Regni noſtri & honoris proſperitas augeatur. Ea propter vos rogamus & exhortamur in Domino, quatinus nuncios ejus cum ad vos venerint benignè recipere, & efficaciter audire velitis, & eleemoſinas veſtras ad reparationem ejus intuitu Dei et beate *Virginis*, in cujus honore dedicata eſt, transmittere velitis formam & exemplum noſtris ſubditis nobiſcum pariter tribuentes, qui ei ſurta Regiæ dignitatis munificentiam ſubvenimus. Talem igitur ad preces noſtras eiſdem Nuntiis liberalitatem impendatis, ut de impenſa veſtra merito noſtras preces ſibi gaudeant aſſuiſſe, & nos debeamus veſtram devotionem in Domino commendare. Prohibemus autem ne quis prædictis Nunciis injuriam inferat vel gravamen, & ſi quis eis in aliquo foriſfecerit, id eis ſine dilatione faciatis emendari. Et duret iſta prædicatio à die Purificationis beate *Mariæ* Regni noſtri anno quarto, in duos Annos. Teſte meipſo apud *Roſhomagum*, 16 die *Octobr.* The ſiſt Patent of ſuch a Collection I have yet met with.

Page 243. l. 11. King John having by his ſpecial Charter granted to *William* Biſhop of *London* (though he had Parks of his own) the *Tiſhe* of all his *Veniſon* taken in *Effex* for his own uſe; iſſued this Patent to his Foreſters to ſee it duly executed.

R E X

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

King John.

**R**EX, &c. Omnibus Forestariis *Essex*, salutem. Præcipimus vobis, quod sine impedimento faciatis habere venerabili Patri nostro in Christo Domino *W. London* Episcopo, decimam venationis quæ capietur ad opus nostrum in *Essex*, secundum tenorem Cartæ nostræ quam inde habet, et prohibemus ne super hoc venationem aut molestationem faciatis aliquam, aut fieri permittatis.

An. 6 Joh.  
han. Regis.  
a Pat. 6 Johan.  
m. 10. nu. 25.

How ill this Beast of the Forest and fleshly undutifull Prelate requited him for this special favour, in *interdicting his whole Realm*, and inciting the Pope to excommunicate and deprive him of his Crown, I have at large related in my \* *Second Tome*. On whose behalf King John this year, as supreme Protector of the Church and Churches possessions, issued this Writ to several Sheriffs, to prohibit any person to intrude himself into any the Lands of this Bishop of *London* or his Church without his license or assent, and to remove all such who had so intruded, out of possession.

\* See there,  
p. 253, 268,  
&c.

**R**EX, &c. Justic. Vicecom. &c. Sciatis quod nos prohibuimus ne aliquis mit-teret se in feodum venerabilis patris nostri in Christo *W. London* Episcopi, vel in feodum Ecclesiæ suæ absque assensu & voluntate ipsius Episcopi, vel exempto vel vadio; Et adhuc prohibemus, ne aliquis de cætero in feodum ipsius Episcopi se sic mittat; unde vobis mandamus & firmiter præcipimus, quod si aliquis inveneritis qui se absque assensu & voluntate præfati Episcopi in feodum suum vel Ecclesiæ suæ ita miserit, et contra prohibitionem nostram venerit, ipsum à feodo illo sine dilatio-ne expellatis, & omnem vim amoveatis, ita quod justitia nostra in hac parte firmiter observetur, et prædicto Episcopo feodum illud in bona pace habere faciatis, ut inde facere possit quod facere debet. Teste G. filio Petri, apud Turrim *London*, tertio die *Novembrii*, Anno, &c. sexto.

Pat. 6 Johan.  
memb. 10.

What favour and justice he likewise expressed to the Bishop of *Chichester*, in assisting him to recover all things alienated from his Church, in his own or the Kings Courts by the assistance of his Justices, this Patent will demonstrate.

**R**EX, &c. Omnibus, &c. Sciatis nos concessisse venerabili patri nostro in Christo *Simoni Cicsstrieus* Episcopo liberam & plenam potestatem per has li-teras nostras patentes, revocandi in Curiam suam per judicium Curie suæ, omnia alienata ab Episcopatu suo; Et si quæ loquelæ in Curia ipsius Episcopi motæ autho-ritate literarum istarum, tales fuerint, quod Curiam suam inde noluerit ponere in Curia nostra ad habend. assensum Justic. nostrorum de judicio inde faciendo; concedimus quod eis in Curia nostra ponat; præcipientes quod cum Justic. nostri super hoc requisiti fuerint, non expectato alio mandato, ad audiendas loquelas illas & terminand. diligenter intendant, salvis in omnibus prædicto Episcopo misericordiis & aliis inde provenientibus. Testibus Domino H. Cantuar. Archiepiscopo, G. fil. Petri Com. *Essex*. Comite W. Marefcallo apud *Oxoniam*, tertio die *Augusti*, anno regni nostri sexto.

Pat. an. 6 Regis  
Johan. m. 10.

How ungratefully this undutifull treacherous Bishop likewise recompensed him for this favour, in *interdicting his Realm*, and instigating the Pope to excommu-nicate and deprive him, enforcing him to resign his Crown, I have \* elsewhere related.

\* Tom. 2. pag.  
253. to 280.  
Pat. 6 Johan.  
Regis, m. 10.

The King having granted the Patronage of the Chappel of *Bosham* within the Diocese of *Chichester*, to the Bishop of *Exon* and his Successors, he thereupon claimed it to be exempt from the Bishop of *Chichester*'s former Jurisdiction: where-upon the King declared the contrary by this Patent, though he might have specially exempted it from his Diocesan Jurisdiction and Visitation, had he pleased, as after-wards it was exempted.

**R**EX, &c. Omnibus, &c. salutem. Licet Domino *Exon* Episcopo quantum ad patronum pertinet dederimus Capellariam nostram de *Bosham*, nunquam tamen prætencionis aut propositi fuit dictam donacionem facere eo intuitu ut Juri Diocesani Episcopi et Ecclesiæ *Cicsstrieus* in Ecclesia de *Bosham* & ejus pertinenciis in aliquo præjudicaret, sed ut saluum sit eis jus suum in omnibus, id per præfatas literas nostras patentes durimus protestandum. Testibus W. Comite *Sarum*, W. fil. *Groseldi*, Hugone de *Nevill* apud *Newton* 27 die *Jan.* anno regni nostri sexto.

Pat. 6 Johan.  
m. 10. n. 29.

How pious this King was, in offering one Ounce of Gold to GOD every Lords-day and Holiday, which the Archbishop of *Ganterbury* then offered and disbursed for him, or claimed as his fee, being allowed it in the Exchequer upon his account, these Records besides others will instruct us.

R E X,



An. 5 & 6  
Joh. Regis.  
Claus. 6 Jo-  
han. Regis,  
memb. 12.

**R**EX, &c. Baronibus de Scaccario, &c. Computate Domino Cantuar. Archiepiscopo in debito quod nobis debet, debita subscripta quæ ei debemus de oblationibus nostris quæ aretro sunt; scilicet de die Sancti Johannis Baptiste, anno regni nostri sexti 1 unciū Auri, de die Apostolorum Petri & Pauli proximo sequenti 1 unciū Auri, de die Sancti Petri ad vincula proximo sequenti 1 unciū Auri, de die Assumptionis beatæ Mariæ proximo sequenti 1 unciū Auri, de die Nativitatis proximo sequenti 1 unciū Auri, de die Sancti Michaelis proximo sequenti 1 unciū Auri, de die Omnium Sanctorum sequenti 1 unciū Auri. Teste meipso apud Westmonasterium, primo die Novembris. And, lb. d. m. 22. nu. 228. Faciatis etiam ei computari in debito quod nobis debet debita subscripta, quæ eis debemus de oblationibus nostris quæ aretro sunt; scilicet de die Dominica in ramis Palmarum anno regni nostri quinto 1 unciū Auri, de die Pasche prox. sequenti 1 marc. Auri, de die Ascensionis Domini prox. sequenti 1 unc. Auri. Teste meipso apud Mereton, 14 die Junii.

An. 5 Jo-  
han. Regis.  
Ibid. m. 11.

Pat. 5 Johan.  
Regis, memb. 5.

Tom. 2. p. 241. l. 8. after *Constitutis*, subjoyn; This year the men of *Holderness* refusing to pay their *Traves* due to S<sup>r</sup>. John of *Beverly* out of their ploughed lands to the Farmer of them, as they did to the Provost and Chapter before, the King by his Prerogative issued this Writ to the Sheriffs of *Tork* to seise the persons and goods of those the Provost and Chapter should excommunicate, and detain them till payment, since he and his Tenants duly payd them out of his and their demesnes.

**R**EX, &c. Justic. Angl. & Vicecomitibus Ebor. salutem. Mandavimus omnibus hominibus de *Holderness*, firmiter præcipientes, quod sine contradictione & difficultate reddant de Carrucis suis ad hostia Grangiarum suarum trabas Sancti Johannis *Beverlac*. per manum propriam, vel servientium suorum, sicut facere solebant antequam travæ illæ datæ essent ad firmam, cum & sic nos faciamus de Dominicis nostris in *Waldo*, & homines de *Waldo* similiter tam in Dominicis nostris quàm alibi; quod si non fecerint; mandamus vobis & præcipimus, quatinus vos vel alter vestrum qui prius inde requisitus fuerit, eorum corpora et catalla capi faciatis, quos Præpositus & Capitulum *Beverlac*. vobis propter hoc denunciarunt excommunicatos, et tandiu incarceratos, secundum consuetudinem *Angliæ* et libertatem *Beverlac*. Ecclesiarum teneri faciatis, donec prædictis Præposito et Capitulo inde fuerit plene satisfactum. Teste Domino W. Arch. Reib. W. Com. Arundel, W. de *Prænos* apud *Reib*. 9 die Novembris. Anno regni nostri quinto.

An. 6 Jo-  
han. Regis.  
Claus. 6 Jo-  
han. Regis,  
m. 6.

*Geoffry Fitz-Peter* the Kings Chief Justice and Counsellor having formerly taken the Cross upon him for the Holy land, being summoned by the Pope to go in that service, King John because he could by no means spare him in regard of the present state of his affairs and Realm, by reason of wars and insurrections, sent this Letter to the Pope to respite his voyage thither for 4 or 5 years.

**R**everendissimo patri in Christo, &c. J. Dei gratia summo Pontifici, &c. J. Dei gratia Rex Angl. &c. & debitam ac devotam in omnibus reverentiam. Quoniam in tali sumus statu, quod grave esset nobis fideles nostros qui nobis familiarius adherent, et de quorum fidelitate non dubitamus, et per quorum consilium terra nostra regi debet et defendi, maxime quia dies mali sunt, et de die ista diem visum fuit transfugis fraudulenter et dolose a fidelitate et servicio nostro recedere, et in nos insurgere, per quod status terræ nostræ, sicut novit Sanctitas vestra, turbatur. Excellentie vestræ, ea qua possumus devotione supplicamus, quatinus habita consideratione ad statum nostrum, differre velitis usque ad quatuor vel quinque annos peregrinationem dilecti et fidelis nostri G. fil. Petri Justic. nostri Crucesignati, cujus præsentia nobis et terræ nostræ ita est necessaria quod eo nullatenus carere possumus, et nos, Domino dante, tam ipsum quam alios Crucesignatos in terr. *Jerusal.* mittamus sicut terræ redierint; moveat igitur et ad hoc inducat paternitatem vestram status nostri conditio, ita quod vobis proinde merito grates scire debeamus. Teste meipso apud *Winton*. 14 die Novembris.

Tom. 2. pag. 243. lin. 11. after *age*, subjoyn; I find by these three Writs in the Claus-Roll of *Anno 6* of King John, that as the King seised the Bishop of *Tork* Temporalties, and imprisoned two of his servants for denying and opposing the Sheriff of *Tork* in levying in his *Eschuge*; so upon his subsequent security to pay it, he ordered his Temporalties to be restored, and that he might levy *Eschuge* from his Tenants

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nants by Knights service, and enlarged his servants upon bayl to appear and render themselves to Justice before him when he should come into those parts.

**P**receptum est Vicecomiti *Glouc.* quod faciat habere Domino *Eborac.* Archiepiscopo plenariam seisinam de omnibus terris suis in Balliva sua cum pertin. quæ seistæ fuerunt in manum Domini Regis, occasione scutag. quod ipse debet Domino Regi. Per Justic.

An. 6, 7 & 8  
Job. Regis.

Claus. 6 Io.  
han. Regis,  
memb. 14.

**R**EX, &c. Vicecomiti *Lycestr.* &c. Præcipimus tibi, quod si Archiepiscopus *Eborac.* te securum fecerit reddendi scutagium quod ipse nobis debet, tunc distringas omnes Milites & liberè tenentes in Balliva tua, quod sine dilatione ei reddat scutagium quod ei facere debent, & facere consueverunt de tenementis quod ipsi de eo tenent. Teste G. filio P. apud *Waltham* 13 die *Octobris*.

**R**EX, &c. Vicecomiti *Eborac.* &c. Præcipimus tibi, quod replegiari facias per bonos et securos pleg. Domino Archiepiscopo *Eborac. Warinum et Mall.* homines suos qui sunt in pisona nostra, ita quod eos habeat coram nobis cum venerimus in partes illas ad stand. recto in eo statu quo modo sunt. Per G. fil. *Petri*.

Moreover King John out of his piety, to prevent prophaneſs of the Lords-day, the same year removed the Market of *Launceſton* from the Lords-day, whereon it was formerly kept, to the Thursday, as this Record attests.

An. 7 Jo.  
han. Regis.

**H**omines de *Launceſton* dant 5 marc. per sic, quod *Percatum de Launceſton* quod esse solet per diem Dominicum, fiet per diem Jovis. Ita tamen quod non sit ad nocumentum vicinorum Mercatorum. Et mandatum est Vicecomiti, quod sic ita faciat.

Rot. Fin. 7  
Ioh. pars 1. m.  
12. Cornub.

King John sending for the Prior of *Bath* and Canons of *Wells*, who differed about the election of their Bishop, in the seventh year of his Reign, to the Court at *Nottingham*, and after that to *Windsor*, to make an election of a new Bishop, where they attended the Kings leisure, and at last elected \* *Joceline*, whom he recommended; (who yet afterwards proved a Traytor to him, interdicting the Realm and flying out of it to *Rome* with other Bishops who joyned with him in that *Interdict*) he allowed them twenty Marks out of the Temporalities of the Bishoprick for their expences, as this Writ testifies, and for their Committees entertainment of him one night at *Glaſton* and another night at *Pilton*.

\* See Godwins  
Catalogue of  
Bishops, pag.  
296.  
Here, Tom. 9  
pag. 293.

**R**EX, &c. Baronibus, &c. Computate *H. Archid. Wellen. & W. de Wyrotham* Archid. *Tanton.* Custodibus Episcopatus *Bathon.* de exitibus Episcopatus *Bathon.* xx. marcas, quas liberaverunt Priori *Bathon.* et Canonici *Wellensis* Ecclesie, ad expensas suas veniendo ad nos apud *Notingh.* et apud *Windleſore*, et in mora eorum in Curia nostra ad electionem Episcopi faciendam; & xxv. sol. liberatos Magistro *Regero* nepoti Decani *Well.* de termino Sancti *Mich.* & xxv. sol. liberatos *Thome Turnay* de eodem termino, & xij. s. vj. d. liberatos *Herveo de Traſcy* de eodem termino de pæbendis suis, quas habuerunt ante tempora S. quondam *Bathon.* Episcopi, & xij. l. & xvij. s. iij. d. & ob. in expensa nostra apud *Glaſton* per unam noctem, & apud *Pilton* per aliam noctem, & xl. d. liberatos *H. Archid. Wellenſi* de redditu suo antiquo de *Glaſton*. Teste meipſo apud *Windleſore* 4 die *Novembris*.

Claus. 7 Io.  
han. Regis,  
m. 10.

King John being informed that his Archbishops, Bishops and Clergy intended to hold a Council at *Saint Albans* by the authority and command of Pope *Innocent* the third, about the payment of *Romſcot* against custom, and sundry other unusual exacti- ons, to the great destruction not only of the Laity, but of the whole Realm, and derogation of his prerogative Royal, in summoning Councils within his Realm, notwithstanding the reverence he bare to his faith and the Pope, upon complaint thereof by his Nobles and people, issued this memorable Prohibition to them, expressly forbidding them upon their Allegiance, not to hold any Council there by the Popes or any other authority, nor to consult or treat of those things, nor to act or ordain any thing against the custom of the Realm, as they endred him or this honour, or tranquillity of the Kingdom, until he conferred with the general Council of his Realms about it.

**R**EX Archiepiscopis, Episcopis, Abbatibus, Archid. et omni Clero apud *S. Albanum* ad Concilium convocato, salutem. Conquerente universitate Comitum, Baronum, Militum et aliorum fidelium nostrorum audivimus, quod non solum in laicorum gravem perniciem, sed etiam in totius regni nostri intollerabile dispendium super *Romſcote* præter consuetudinem solvendo, et aliis pluribus inconſuetis exactionibus, auctoritate summi Pontificis consilium inire; et Concilium celebrare decrevisſis; Nos vero licet ob honorem fidei nostræ, et debitum reverentiæ quam

An. 8 Jo.  
han. Regis.

Pat. An. 8 &  
Ioh. Regis,  
num. 3.



An. 8 & 9  
Joh. Regu.

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*Sanctæ Romanæ Ecclesiæ* impendere tenemur, voluntati ejusdem patris nostri Domini Papæ Innocentii optemperare cupiamus, tamen onittere non possumus quin querelis fidelium et subditorum nostrorum clamaucium, et de sacura sua sibi timencium, prout necesse est, subueniamus, et emergentibus causis quæ indemnitati pacis et unitatis regni nostri obviare possunt, qua decet celeritate et diligencia occurramus. Vobis igitur præcise mandamus, et expresse prohibemus, ne super prædictis, vel aliquibus aliis Concilium aliquod auctoritate aliqua, in fine qua nobis tenemini, teneatis, vel contra regni nostri consuetudinem aliquod novum statuatis, set sicut nos et honorem nostrum, et communem regni tranquillitatem diligitis, a celebrazione hujusmodi Concilii, et a prædictis tractatibus ad præsens superledeatis, quousque cum universitate nostra super hoc colloquium habuerimus: Scientes pro certo, quod expediet honori Sanctæ Romanæ Ecclesiæ, et Domino Papæ, et nobis et vobis, quod istud ad præsens negotium differatur, donec generalem habuimus conferenciam quomodo possit commodius et honestius explicari: et quod vobis hæc mandamus, pro honore et commodo sanctæ Ecclesiæ, et nostro, et regni nostri id facimus: Quia talia audivimus, quod hæc ita fieri necessario expedit, sicut vobis dicemus cum vobiscum locuti fuerimus. Teste meipso apud Ebor. 26 die Maii.

See Mat. Paris,  
Hist. Angl.  
p. 281.

The Archbishops, Bishops, Abbots, Priors and Great men of England having granted King John an Ayd for defence of the Realm against his enemies, and recovery of his Rights in France, sent this Writ to the Archdeacons, Official, and all the Clergy of the Province of Canterbury to do the like, and each of them to set down the particular summe he would give.

Pat. 8 & 9 Io-  
han. Reg. n. 2.

**R**EX Archid. et Officiari, et toto Clero Archiepiscopatus Cantuar. salutem. Notis satis quod Archiepiscopi, Episcopi, Abbates, Priores, & Magnates regni nostri auxilium nobis fecerint ad defensionem regni nostri, et recuperationem terrarum nostrarum; verum quia de vobis confidimus, quod nos et honorem nostrum diligitis, et defensionem regni nostri, et recuperationem terrarum nostrarum assedatis, vos rogamus attentius, quatinus tale auxilium nobis exemplo vestro ex parte nostra faciatis, ut inde grates vobis scire debeamus; et quod alii rectores Ecclesiarum vicini vestri ad auxilium nobis faciendum exemplo vestro facilius invitentur. Et quantitatem auxilii quod nobis quilibet vestrum facere voluerit, quilibet vestrum separatim inhiberi faciatis; Ita quod per ipsos infra Octabas sanctæ Trinitatis inde possimus certificari. Teste meipso apud Ebor. 26 die Maii.

\* See Tom. 2.  
p. 240, 241.

King John having seised and detained in his hands the Temporalities of the Archbishoprick of Armagh in Ireland, for that the Archbishop was \* elected without his license, against his will, and Appeal; two Monks coming to him, proffering him 300 Marks a year in Silver, and 3 Marks a year in Gold for to have the lands, liberties and rights thereof; he returned them to his Chief Justice there, to do what was fitting in it, by this Writ.

Pat. 8 & 9  
Johan. m. 3.  
verso.

**R**EX Justic. Hibern. &c. Sciatis quod Benedictus Monachus, & Frater Giraldus de Mellifonte venerunt ad nos, et optulerunt nobis pro Archiepiscopo Armach. ex parte sua CCC. marc. argenti, et tres marc. auri, pro habendis terris et libertatibus quæ recognitz fuerunt esse jus Ecclesiæ Armach. coram Hamone de Valouis, quondam Justic. Hibernia; unde vobis mandamus, quod faciatis inde secundum statum terræ nostræ, & secundum quod tempus se habet, sicut nobis videritis expedire. Et sciatis, quod mandavimus Hugoni de Lasey, quod faciat de terris prædictis id quod ei ex parte nostra dicetis. Teste Domino P. Wint. Episcopo apud Cliton. 30 die Augusti, anno regni nostri 8.

John Remond coming from Rome to lay claim to a Prebendary in Hastings, sued to the King for his license and safe conduct to come into and return from England; which he granted upon this condition, that upon his arrival he should give security, that he came hither for no ill to the King, nor for any other business but that Prebendary.

Pat. Annis 8  
& 9 Johan.  
Regis. m. 5.

**R**EX omnibus, &c. Sciatis quod dedimus Johanni Remond licenciam & saluum conductum veniendi in Angliam propter Præbendam de Hastings, quam dicit esse suam, & revertendi, data securitate ubi applicuerit, quod propter malum nostrum non veniet in Angliam, nec propter aliud quam propter Præbendam illam. Et duret conductus iste a die Sancti Johannis Baptiste in 15 dies. Anno regni nostri 8. Et in hujus rei testimonium, &c. Teste Comite G. filio Petri apud Winton. 14 die Maii.

The like license he granted to the Archbishops brother Simon Langton, upon the same and stricter conditions.

R E X

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

King John.

**R**EX Magistro *Simoni de Langton*, salutem. Sciatis quod concessimus, quod vos et vestri qui vobiscum venient, salvo veniatis in *Angl.* ad loquendum nobiscum, sicut continetur in literis nostris patentibus de Conductu quas vobis mittimus; Ita tamen, quod coram Abbate de *Bixedon* securitatem faciatis, quod nec vos, nec vestri qui vobiscum venient, aliquid facietis in hoc itinere in terra nostra, per quod aut nobis, aut regno nostro malum aut dampnum possit evenire, et quod tantum de loquela quæ est inter nos et fratrem vestrum tractabitis, et de nulla alia. (*So suspitions was the King of all Nuncios and others coming from Rome, that they had some ill designs to the hurt and damage of him and his Kingdom, which he had then found by wofull experience.*)

An. 8 & 9  
Joh. Regis.  
Claus. 9 Joh.  
Regis, m. 8.

What allowances the King made this year to his Chancellor for Gold for his Oblations, this Record will inform us.

**R**EX *W. Thesaurario, & G. & R. Camer. &c.* Liberate de *The saur*, nostro dilecto & fideli nostro *W. de Gray* Cancellar. nostro pro Oblationibus nostris quæ ei aretro sunt; scilicet de die *Omnium Sanctorum*, anno regni nostri nono, 15. sol. pro una uncia Auri; de die *Natal. Domini* proximo sequenti, 18. marc. pro duabus marc. Auri; de die *Circumcisionis Domini*, 15. sol. pro una uncia Auri; de die *Epiphan. Domini*, 15. solid. pro una uncia Auri. Teste meipso apud *Lambh.* 22 die Jan. anno regni nostri nono. *Per Rich. de Marisco.*

Ibid. m. 9.

Tom. 2. p. 246. l. 28. after assent; adde; This appears to be the business, by this memorable Letter sent by King John to the Pope by special messengers, to claim and justify this ancient undoubted right which he and his Royal ancestors enjoyed, to provide and prefer Archbishops and Bishops to the See of *Canterbury* and all other Cathedrals, attested by the Letters of the Bishops of *England* and other credible persons, desiring him to preserve the rights of the Church and Realm of *England* entire and inviolable by his fatherly provision.

**S**anctissimo patri & Domino *J. Dei gratia summo Pontifici*, *J. eadem gratia Rex Angl. &c.* Destinamus ad pedes Sanctitatis vestre latores presentium nuncios nostros, attentius rogantes, quatinus dignitates nostras quas nos et antecessores nostri habuimus super provisionibus tam *Ecclesie Cant.* quam aliarum cathedralium sedum, quod vobis per litteras Episcoporum *Anglia* et aliorum fide-dignorum constare poterit, integras et illas conservare velitis, et *Ecclesie Anglicana* et regno in arto constitutis paterna provisione providere. Teste *G. filio Petri Comite Essex.* apud *Porte.* 26 die *Maii*.

Pat. 8 & 9 Joh.  
han. Regis,  
nu. 18.

Who the Nuncios were the King then sent, what sums of money he allowed them to take up from Merchants, and how to secure their payment, these following Records will fully inform us; by the latter whereof it will appear what their expences, bribes, pensions payd to the Popes and Cardinals Nephews and Officers at *Rome*, were, in that and their former journey thither.

Pat. 8 & 9 Joh.  
han. Regis,  
n. 5. m. 3.

**R**EX omnibus Mercatoribus, &c. Sciatis quod quicumque accommodaverit dilecto & fideli nostro *H. Abbati de Bello loco*, quem pro negotiis nostris ad *Curiam Romanam* mittimus, pecuniam usque ad summam *xl. marcarum*, nos ei vel certo nuncio suo litteras istas ad nos deferenti cum litteris ipsius Abbatis prestitum id testificantibus, pecuniam illam persolvemus, & ad hoc per has litteras nostras patentes nos obligamus. Teste *P. Winton.* Episcopo apud *Niort.* 25 die *Augusti*, anno, &c. 8.

**R**EX omnibus Mercatoribus ad quos, &c. Sciatis quod quicumque mutuo traderit *H. Abbati Belli loci*, & *Thoma de Ardinton*, & *Amfredo de Dene*, nunciis nostris, quos misimus ad *Curiam Romanam* pro negotiis nostris, quingentas marcas; nos ei vel nuncio suo has litteras nostras referenti una cum litteris predictorum nunciorum testificantibus summam illius mutui, eas plenè persolvemus; & ad hoc nos obligamus per has litteras nostras patentes. Teste Domino *P. Winton.* Episcopo apud *Rokingham* 20 die *Febr.* anno regni nostri 8. Et injunctum est *Thoma de Ardinton* & *Anfredo de Dene*, qui habent in hac forma quatuor paria Cartarum, singulas de *D. marcis*; ita quod per totum sunt *M. M. marcæ*: quod nichil inde expendant sicut diligunt corpora sua, ante consummationem negotii pro quo remittuntur ad *Curiam*: Et debent reddere *Iustic.* Cartam de *M. marcis* de priore itinere suo, in quo ruserunt Cartas de *M. M. M. marcis*, et non expenderunt per totum nisi *M. M. marcas*, et 25. marc. vacatis inde 30. marc. de uno anno de feodo *P. fil. Ric. fratri Domini Papæ*, et *O. Hannibal* 60. marc. et ad dict. termin. cassand. de 50. marc. et nepoti Domini *Port.* de 20. marc. Et præceptum est *Iustic.* quod Cartam illam affe-

Quatuor Car-  
te misse ad  
Cur. Roman.  
pro mutuo,  
M.M. marca-  
rum, per Tho.  
de Ardinton  
& Anfredum  
de Dene.



King John.

*An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*An. 9 Jo-  
han. Regis.

rat Regi; & præceptum est *Thoma de Hardinton* quod Cartam nepotis Domini *Petr.* quæ liberetur antequam, nomen inferebatur, (afferat) quoniam nomen nesciebatur cum Carta scripta fuit.

The King granted this license to the Executors of the Bishop of *Chichester* to administer his moveables according to his Testament under seal, except the stock, chattels and goods on his Temporalities, and one Legacy.

Claus. 9 Jo-  
han. Regis.  
m. 14.

**R**EX Magistro *Roberto de Glouc. &c.* Custodibus Episcopatus *Cicestr. &c.* Mandamus vobis quod permittatis, quod executores Testamenti Domini *H. Episcopi Cicestr.* exequant Testamentum ipsius juxta tenorem autentici scripti sui à quo sigillum suum dependet, de rebus suis mobilibus; salvis instauris, et aliis catallis et rebus quas invenit in eadem Episcopatu, et salvis centum marcis quas legavit pro anima Domini *H. quondam Archiep. Cant.* Teste meipso apud *Herper.* 16 die *Septemb.*

Tom. 2. p. 254. l. 22. after *Worship*, add; Amongst others, I find these Writs of the King for seiling, sequestering and committing all the Mannors, Lands, Chattels and goods of the Bishop of *Coventry*, Abbots, Priors, Religious persons and Monks within the County of *Derby*, and all the lands of the *Templers*, for submitting to the Popes and Bishops Interdict of the Realm, and not celebrating Divine service, as the King enjoyned them.

Claus. 9 Jo-  
han. Regis,  
m. 4.

**R**EX Vicecomiti *Derby*, salutem. Præcipimus tibi quod liberes *Thoma de Ardinton* omnia maneria Episcopi *Coventr.* quæ sunt in Balliva tua, cum omnibus in eis inventis, et omnes terras et res Abbatum, Priorum, Religiosorum et Clericorum de Balliva tua, ad faciend. inde præceptum nostrum; ita tamen quod nobis scire facias quæ ei liberaveris, & quæ receperit. Teste meipso apud *Cler.* 21 die *Marci.*

ibidem.

**R**EX, &c. *G. de Arjes, &c.* Sciatis quod comisimus *G. fil. Petri* Justic. nostro, omnes terras, redditus et res fratrum *Philicæ Templi* in *Angl.* quæ scissiti fuerunt in manum nostram, occasione interdicti; Quia ipse nobis inde respondebit; & ideo tibi præcipimus quod omnia prædicta in Balliva tua ei habere facias. Teste meipso apud *Sutton* 9 die *Aprilis.*

Moreover, he commanded all the Prebendaries of the *Romans, Lombards* and *Cardinals* to be seised; and ordered the Farmers to pay their Rents to him, or where he should appoint, at the terms reserved in their Leases, as these Writs assure us.

Cl. 9. Johan.  
Reg. m. 3.

**R**EX *Roberto de Veteri Ponte, &c.* Sciatis quod concessimus quod Præbendæ *Romanorum et Lombardorum* in Ecclesia *Eborum*, liberentur Firmariis qui eas tenuerunt, ad respondendum nobis, vel ubi illos attognabimus de firmis quas inde reddere consueverunt, et ad eodem terminos ad quos illas reddere solebant. Et ideo vobis mandamus, quod accepta securitate à prædictis Firmariis de firmis illis reddendis, nobis vel ubi illas attognabimus ad terminos ad quos illas reddere solebant, prædictas præbendas illis liberari faciatis, et illos eas bene et in pace per prædictas firmas tenere permittatis. Teste meipso apud *Notingh.* 13 die *Augusti.* Per ipsum Regem.

Cl. 9. Johan.  
Regis, m. 15.

**R**EX *Briano de Insul.* Mandamus vobis quod permittatis Priorem de *Novo loco* tenere Præbendam de *Exsson* ad firmam, sicut eam tenuit *de Gregorio Cardinali Romano*; ita tamen quod nobis de firma illa respondeat. Teste meipso apud *Ludeham,* 14 die *Augusti.*

Tom. 2. p. 254. l. 32. after *respondebat*, add; On the contrary the King likewise issued this Writ for the restitution of the Lands, rents; and protection of the persons and goods of the Bishop of *Bath*, his Canons, Monks and Clerks, who conformed to his Royal Writs and commands, and said Divine Service notwithstanding the Popes Interdict.

Claus. 9 Jo-  
han. Regis,  
m. 3.

**R**EX *G. de Arjes, &c.* Scias quod reddidimus Venerabili patri nostro *J. Bath.* Episcopo omnes terras & tenementa, redditus & prisonas quæ ad ipsum & Cathedralis Ecclesias suas pertinent, tam Canonicorum quam Monachorum, & omnes terras & tenementa, redditus & prisonas eorundem Canonicorum & Monachorum, & etiam Clericorum qui de advocacione ipsius Episcopi, vel prædictorum Canonico- rum, Monachorum & de feudis suis tenentur, adeo integrè cum omnibus pertinentiis suis, sicut ea habuerunt ante Interdictum. Et ideo tibi præcipimus, quod omnia prædicta quæ sunt in Balliva tua ei sine dilatione haberi facias, et si quid inde amotum fuerit postquam occasione interdicti in manum nostram capta fuerunt, id eis sine dilatione reddi facias. Et præterea reddi facias eidem Episcopo omnes oblationes integre

integre quæ probenerunt, et receptæ vel arrestatæ sunt a tuis in Balliva tua post interdictum. Et prohibeas omnibus in Balliva tua, quod sicut corpora sua diligunt, malum non faciant nec dicant viris religionis vel Clericis de Episcopatu Bathon. set eis firmam pacem nostram portent. Teste meipso apud Merleb. 10 die Aprilis.

Yea he was so zealous to protect all such dutifull, loyal, religious persons, Clerks, from violence by any of the Popes Instruments or others, that he commanded the Sheriffs to make this publike proclamation throughout their Counties by way of terror; that he would hang up any on the next Oak that should be attainted of doing or speaking any evil against them contrary to his protection.

**P**Ræcipimus tibi, quod clamari facias sine dilatione per Com. tuum, quod nulli sicut diligunt corpora et catalla sua, malum faciant vel dicant viris religionis, vel Clericis, contra pacem nostram. Et si quem inde attingere possumus, ad proximum quercum suspendi faciemus. Teste meipso apud Merleberg; 11 die Aprilis.

The like restitution and protection he granted by several Patents, to William Priest of Bradewater, William de Wrotham Archdeacon of Tannou, the Abbot of Saint Edmund, the Canons of Exeter, and sundry others.

The Church of Exeter wanting a Bishop during the Interdict, the King out of his piety and Ecclesiastical sovereignty, sent the Archbishop of Armach Primate of Ireland, thither, to execute his Episcopal Office in that Bishoprick, giving order to defray his expences out of the Mannors of the Bishoprick, as this Writ records.

**R**EX Custod. Episcopatus Exon. &c. Sciatis quod misimus venerabilem patrem E. Armachan. Archiepiscopum et Hibernie Primatem, ad erequendum Episcopale officium in Episcopatu Exon. Et ideo vobis mandamus, quod cum contingerit ipsum facere transitum per domineca maneria Episcopatus, inveniatis ei rationale estuverium suum cum sex equis: et computabitur vobis ad Saccharium nostrum. Teste meipso apud Divis. 19 die Julii.

Thus did the King provide for his peoples souls, which the Pope and Bishops who interdicted the Realm endeavoured to starve and destroy, by interdicting all Divine publick worship, Service and Sacraments.

Moreover, the King the same year soon after the Interdict, by his Ecclesiastical prerogative, nominated and sent a Bishop into Ireland to the Bishoprick of Limerick then void, commanding his Justice of Ireland first to invest him therein, and then to induce the Clergy thereof to elect and receive him for their Bishop; as this Record assures us.

**R**EX M. Justic. Hybern. &c. Sciatis, quod concessimus Magistro Gaufrido Personæ Ecclesiæ de Dunganon Episcopatum Limeric. qui vacat: Et volumus et as. sentimus, ut præficiatur Episcopus Ecclesiæ Limericnsis: Et ideo vobis mandamus, quod Episcopatum illum ei habere faciatis, et moneatis et inducatis Clerum illius Episcopatus, quod ipsum eligant et recipiant in Episcopum. Teste meipso apud Frigidum Mantellum, 5. die Decemb.

The loss of all Charter, Clause, Patent and Fine-Rolls of King John, from Anno 9. till 14. of his Reign, have deprived us of sundry occurrences during those years.

Tom. 2. p. 268. l. 55. after Anglia, adde. The Archdeaconry of Stafford becoming voyd by the Election and confirmation of \* Henry London Archdeacon thereof to the Archbishoprick of Dublin by the Kings nomination and consent during the Interdict, the King granted it by this Patent to Robert de Gloucester.

**R**EX omnibus Decanis, Personis, Vicariis & Clericis in Archidiaconatu Stafford constitutis, salutem. Sciatis quod concessimus intuitu Dei, & quantum ad nos pertinet dedimus dilecto Clerico nostro Magistro Roberto de Gloucester. Archidiaconatum Stafford, cum omnibus pertinentiis suis, qui fuit dilecti nostri H. Dublin. electi, qui in Archiepiscopum est confirmatus, & qui ad nostram spectat donationem, ratione Episcopatus Cestrensis vacantis et in manu nostra existentis: Et ideo vobis mandamus, quatenus ei tanquam Archidiacono vestro sitis in omnibus quæ ad officium suum pertinent intendentes & obedientes. Et in hujus rei testimonium has literas nostras Patentes vobis mittimus. Teste meipso apud Windlesor, 5. die Martii. Per Dom. Winton. Episcopum, & per Consilium.

In which Patent there are 4. points observable; 1. That by an English Archdeacons taking an Archbishoprick in Ireland, his Archdeaconry in England became \* voyd in Law even in K. John's reign, upon his confirmation before his consecration.

2ly, That

An. 9 & 14. Joh. Regis.

Claus. 9 Joh. Regis, m. 3.

Cl. 9 Johan. Reg. m. 3.

Cl. 9 Johan. Reg. m. 11.

An. 14 Joh. Regis.

\* Mat. Westm. An. 1213. p. 94. 2 Pat. 14 Joh. Reg. m. 2.

\* See Crooks 2 Report, p. 691. Woodl. lyes case.



King John. *An Exact History of the Popes Intollerable Usurpations, B. 5. ch. 1.*An. 14 & 15  
Joh. Regis.

† Vid. ibid.

41 E. 1. 11

H. 4. 37.

Brooke Pre-

sentment, al

Esq. life, 3, 14.

48, 50, 61.

37 E. 3. 40. 2.

An. 15 Jo-  
han. Regis.

a Mat. Westm.

An 1213. p. 93.

See Tom. 2.

p. 283.

\* Agreeing  
with the Char-  
ter Roll.

\* Chart. 15

Johan. Regis,

nu. 289.

† De Eventu-

bus Angliz,

l. 2. c. 15. col.

2419, 2410.

Pat 15 Johan.

in Rot. mino-

re, m. 8. in

majori, m. 12.

2ly. That the King claimed the right of granting this Archdeaconry upon his translation to the Archbishoprick, only by reason of the Bishoprick of Chester's vacancy, to whom the patronage belonged; † not by reason of his Translation: Of which there are many like presidents in antient Records. 3ly. That he granted it by way of collation, not presentation. 4ly. That during King John's Excommunication, and his Kingdoms Interdict by the Pope, there are above one hundred presidents of his presenting Clerks to Benefices, Archdeacons, Præbendaries belonging to vacant Bishopricks, Abbies, and others, which he seized into his hands for the Treasons or Contempts of the Archbishop, Bishops, Abbots and Clergymen, who interdicted and fled out of the Realm, or submitted to the Interdict, as likewise sundry Licenses granted by him for Elections, and his Royal assent to elections of Bishops, Abbots and Priors, extant in the Patent-Rolls of 9, 14, and 15. years of his reign. So little did he regard his Excommunication or Interdict by the Pope.

Tom. 2. p. 274. l. 44. after *clamante*, adde. \* *Mat. Westm.* passeth this censure of King John's Resignation, Charter of his Kingdom, and Homage to Pope Innocent: *Reignavit igitur (Rex Johanni) Coronam Anglia Innocentio Papæ, et ei fecit homagium, et fecit de libera regione ancillam, ut princeps provinciarum fieret sub tributo, chartam inde conficiens, omnibus eam audientibus lugubrem et detestabilem.* The Charter which he registers differs from that in *Mat. Paris* in these words, clauses; *gratia ipsa sancta inspirante, ad optimum consilium Baronum micorum effecimus*: which *Mat. Paris* thus amplifies; *gratia Sancti Spiritus inspirante, non vi Interdicti, nec timore coacti, sed nostra bona spontaneaue voluntate, ac communi consilio Baronum nostrorum conferimus.* *Mat. Westm.* adds after *successoribus eius*, *omne jus patronatus, quod habemus in Ecclesiis Anglicanis*, (not in the Charter Roll, nor printed Copies of *Matthew Paris*, nor of *Henry de Knyghton*) *totumque regnum Angliæ, &c. & amodo illa a Deo & Ecclesia Romana tanquam feudatarius recipientes.* *Mat. Paris* renders it, *Ejusque Catholicis successoribus, totum Regnum Angliæ, &c. & amodo illa ab eo & Ecclesia Romana tanquam secundarius recipientes.* *Mat. Westm.* adds, *Fidelitatem exinde Domino Papæ, &c.* *Mat. Paris* omits *Fidelitatem*. *Matth. Westm.* is, *Ad indicium autem hujus perpetua oblationis*; agreeing with the \* Record in the Tower. *Mat. Paris* and *Hen. de Knyghton* render it, *Hujus obligationis.* *Mat. Westm.* pro omni consuetudine. *Mat. Par.* pro omni servitio et consuetudine. † *Henry de Knyghton*, relating the manner how King John was decyded to make this Charter while under the Popes Excommunication and Interdict, adds; *Antequam beneficium absolutionis possit promereri, de libero fecit se servum, et de Dominante servientem, terramque Anglicanam quæ esse solebat libera, et ab omni servitute quicta, fecit tributariam et ancillam pedissequam, subjectionemque suam confirmavit per scriptum suum in hæc verba conceptum.* *Johannes Dei gratia Rex Angliæ, &c. Universitati vestre per hanc Chartam aurea Bulla unitam, volumus esse notum, &c. nec quid quod dignè offerre possumus pro satisfactione Deo & Ecclesie facienda nisi nos ipsos habemus et regna nostra: volentesque* (which words in the Record, and him, were omitted by the Printers negligence in my second Tome, p. 289. l. 17.) *nos ipsos humiliare, &c.* *Henry de Knyghton* his Copy agreeth verbatim with the Charter Roll, except in 5. words, whereof *obligationis*, for *oblationis*, is most material: After which Charter he immediately subjoyns of King John, *Sicque de libero servus effectus est, & beneficium absolutionis apud Winton. consecutus, & Interdicti relaxatio facta est statim, in eodem anno 1214. sexto Non. Julii feria sexta, facta prius restitutione cuilibet petenti.* All by his Popish Prelates Treachery.

Tom. 2. p. 278. l. 33. after *delay*, adde; He was enforced to restore to these Traiterous Bishops Proxies, before their arrival, in the presence of *Pandulphus* the Popes Legate, their respective Bishopricks, to remit his indignation against them; and receive them with their adherents persons, lands, goods into his Royal protection before the Interdict realeased; as these ensuing Records most fully evidence.

**R**EX Omnibus tenentibus de Episcopatu *Herefordensi, &c.* Sciatis quod reddidimus Domino *E. Herefordensi* Episcopo per manum Magistri *Pandulphi Domini Papæ* nuntii Episcopatum *Herefordensem*, cum pertinentiis suis; Et idem Episcopus constituit coram eodem Magistro *Pandulpho* Decanum & Thesaurarium *Herefordenses, &c.* generales Procuratores suos ad prædictum Episcopatum nomine suo suscipiendum & custodiendum. Et ideo vobis mandamus, quod eisdem Decano & Thesaurario tanquam generalibus procuratoribus suis sitis intendentes quamdiu eidem Episcopo

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Episcopo placuerit. Teste Domino P. Wintoniensi Episcopo apud Winesf. primo die Junii, anno 15. Per eundem, & G. filium Petri Marescallum.

An. 15 Joh. han. Regis.

Eodem modo scribitur tenentibus de Archiepiscopatu Cantuariensi committendo Magistro Roberto de Penn; & tenentibus de Episcopatu Londoniensi de Richardo Capellano & Willielmo Clerico; & tenentibus de Episcopatu Elyensi de Simone de Insula; & tenentibus de Episcopatu Bathoniensi de Petro de Cicestria; & tenentibus de Episcopatu Lincolniensi, de Decano Lincolniensi, & tenentibus de Prioratu Cantuariensi de fratre Ricardo Monacho. Teste eodem.

**R**EX Justiciariis, Vicecomitibus, Præpositis, & omnibus Ballivis & fidelibus suis, &c. Sciatis quod venerabilis pater noster Dominus W. Londoniensi Episcopus plenam gratiam nostram habet, & ipsum & omnes homines, terras, res, & omnes possessiones suas in protectionem & defensionem nostram suscepimus: Et ideo vobis mandamus, quod ipsum et omnia sua protegatis et defendatis tanquam nostra dominica. Et prohibemus, ne ponatur in placitum de aliquo tenemento quod in pace tenuit die quo ultimo ab Anglia recessimus in Piccardiam ad transfratandum, donec inde reversi fuerimus in Angliam. Et in hujus rei testimonium, &c. vobis mandamus. Teste ut supra.

ibid. nu. 13.

**R**EX omnibus Vicecomitibus, & Forestariis, & Ballivis in quorum Ballivis Dominus H. Sarisburiensis Episcopus & Canonici sui terras habent & tenementa, salutem. Præcipimus vobis, quod sine dilatione & occasione faciatis habere venerabili patri nostro Domino H. Sarum Episcopo & Canonici suis plenariam satisfactionem de omnibus terris & tenementis Episcopatus & Ecclesie Sarum in Ballivis vestris, et dominicis, et feodis et garbis, et omnibus libertatibus ita integre sicut melius et liberius tempore inchoate discordie ea habuerunt, et cum omnibus exactis quæ proveniunt de terris suis a tempore inchoate discordie inter nos et ipsos. Teste meipso apud Porcestriam, 18 die Julii. Anno regni nostri 15.

Pat. 15 Johan. m. 8.

**R**EX omnibus Vicecomitibus, & Forestariis, & Ballivis suis, salutem. Præcipimus vobis, quod Priorem & Monachos Cantuarienses pacifice habere permittatis omnes libertates & liberas consuetudines suas in ballivis vestris, sicut habuerunt a tempore discordie inter nos et ipsos motæ. Teste Rege apud Wintoniam, 21 die Julii. Anno regni nostri 15.

Ibidem.

Eodem modo scribitur Archidiacono Dunelmensi, & Philippo de Ulesor. Teste eodem.

**R**EX omnibus Ballivis & fidelibus suis, &c. Sciatis quod recepimus in gratiam nostram Willielmum filium Walteri Archidiaconum Herefordensem, et ei indignationem nostram dimissimus quam erga ipsum habuimus occasione recessus sui ab Anglia. Et ideo vobis mandamus, quod ipsum tanquam dilectum et fidelem Clericum nostrum, et omnes homines, redditus et res suas in Ballivis vestris manuteneatis et defendatis, nec ei, vel suis faciatis, vel fieri permittatis injuriam, molestiam vel gravamen: Et si quid eis forisfactum fuerit, id ei sine dilatione faciatis emendari. Et in hujus rei testimonium has literas patentes vobis inde mittimus. Teste meipso apud Wintoniam, 21 die Julii. Anno regni nostri 15.

Pat. 15 Johan. m. 10. minoris rotuli. \* See Tom. 2. pag. 167.

**R**EX Gilberto filio Reinfredi, &c. Mandamus vobis, quod sicut nos et absolutio nem nostram diligitis, statim visis literis istis sine dilatione plena fiat restitutio de omnibus terris, feodis, & tenementis Eustacii de Vesey, sicut melius & liberius tempore inchoate discordie ea habuit, quæ propter hoc ad nos venerint, scientes, \* quod in eandem sententiam in qua prius fuimus incidemus nisi citius hoc feceritis. Scire autem faciatis venerabili patri nostro S. Cantuariensi Archiepiscopo, et G. filio Petri Justiciario nostro quando hoc feceritis. Et in hujus rei testimonium has literas nostras patentes vobis inde mittimus. Teste meipso apud Wintoniam, 21 die Julii. Anno regni nostri 15.

Pat. 15 Johan. m. 8. nu. 34.

\* See Tom. 2. p. 279.

**R**EX omnibus fidelibus suis, salutem. Sciatis quod præcepimus ut Roberto filio Walteri, & Eustachio de Vesey, & suis sine dilatione plena fiat restitutio omnium immobilium suorum & libertatum sine difficultate, statim postquam nos vel illi quibus curam regni nostri committeremus super hoc infra Natale Domini fuerimus requisiti. Et si foris (quod Deus avertat) ita non fieret, concessimus, et \* concedimus bona fide, quod liceat venerabili patri nostro S. Cantuariensi Archiepiscopo nos, appellatione remota, in eundem statum reducere in quo fuimus ante formam pacis a nobis acceptatam. (To which unworthy condescensions he was enforced to submit, by his Trayterous Bishops, before he could be absolved from his former Excommunication.)

Pat. 15 Johan. m. 8. n. 35.

\* See Tom. 2. p. 279.

Et



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An. 15 Johan. Regis.

Et in hujus rei testimoniam has literas nostras patentes vobis inde fieri fecimus. Teste meipso apud *Wintoniam*, 19 die *Julii*. Anno regni nostri 15.

Pat. 15 Johan. m. 5.

Tom. 2. p. 282. l. 45. after *supradictis*, adde; King John to give some present satisfaction to these Trayterous Prelates for their damages during their flight and exile, (only to effect his Excommunication and dethroning) was enforced to pay them 15000 Marks forthwith, for which he issued this Writ.R E X *Hugoni de Nevill, &c.* Mandamus vobis, quod sine dilatione visis Literis istis liberari faciatis certis nunciis Domini *Cantuariensis Archiepiscopi*, et *Episcoporum Londoniensis, Elyensis, Herefordensis, Bathoniensis, et Lincolnensis*, literas nostras patentes deferentibus 15 millia marcatum de denariis nostris qui sunt in custodia vestra apud *Merlebergiam*. Et in hujus, &c. apud *Rading*, 12 die *Decembris*.Tom. 2. p. 282. l. 13. after *remeavit*, adde; The King being at *Portsmouth* with his Forces to pass over into *Poitiers*, made *Peter Bishop of Winton* Custos of the Realm; and committed it likewise to the custody, protection of God, the Church and Pope of *Rome*, and of his Legate, during his absence, as these Patents inform us.

Pat. 15 Johan. m. 5. n. 12.

R E X Archiepiscopis, Episcopis, Abbatibus, Comitibus, Baronibus, Justiciariis, Vicecomitibus, Prapostis, & omnibus Ballivis & fidelibus suis, &c. Sciatis quod constituimus Justiciarium nostrum *Anglie* venerabilem patrem nostrum *P. Wintoniensem* Episcopum quamdiu nobis placuerit, ad custodiendam loco nostro terram nostram *Anglie*, et pacem regni nostri. Et ideo vobis mandamus, quod ei tanquam Justiciario nostro *Anglie* intendentes sitis & respondentes. Et in hujus rei testimonium, &c. vobis mittimus. Teste meipso apud *Portsmouth*, 1 die *Februarii*. Anno regni nostri 15.

Ibidem.

R E X Archiepiscopis, Episcopis, Abbatibus, Comitibus, Baronibus, & omnibus fidelibus suis has literas inspecturis, &c. Sciatis, quod pro magnis negotiis nostris transfretamus ad præsens in *Pisclaviam*, et regnum nostrum *Anglie* ad custodiam et protectionem *DEI*, et *Sancæ Romanæ Ecclesiæ*, et Domini *Papæ*, et Domini *N. Tusculanensis Episcopi*, Apostolicæ sedis Legati commissimus, et loco nostro ad pacem regni nostri tuendam venerabilem patrem nostrum Dominum *P. Wintoniensem* Episcopum constituimus. Et ideo vobis mandamus, quod ei ad defensionem regni, & pacis conservationem, auxiliantes sitis & intendentes. Et in hujus rei testimonium, &c. vobis mittimus. Teste ut supra.

He likewise granted the Bishop power, to give restitution of the Temporalties of all Churches, to whom he or his Commissioners should give his Royal assent, and to all elections to them upon voydances, during his absence.

Pat. 15 Johan. m. 5. n. 10.

R E X Domino *P. Wintoniensi* Episcopo, &c. Mandamus vobis, quod cum electi Ecclesiarum vacantium qui electi fuerint de assensu nostro, vel assensu dilectorum et fidelium nostrorum Abbatum de *Eboraco*, et de *Bello loco*, et de *Seleby*, et *Willelmi Briverr*, et *Willelmi de Cantilupo*, quos ad hoc loco nostro assignavimus, ad vos venerint, eis liberam assignationem terrarum suarum, & omnium possessionum ad Ecclesias suas spectantium habere faciatis. Et in hujus rei testimonium, &c. vobis mittimus. Teste meipso apud *Portsmouth*, 1 die *Febr.* anno regni nostri 15.

The King amongst other constitutions to be observed by his Army then raised, made these ensuing for the preservation of the Churches Priviledges, to please his Clergy.

Clauſ. 15 Joh. pars 2. m. 8. dorſo. Constitutiones faciendæ in exercitu Domini Regis.

D Ominus Rex habeat in qualibet terra sua duos Marescallos, scil. de *Anglia Radulphum de Bray*, & *Radulphum de Mandevill*, de *Normannia*, *Philippum de Albiaco*, & *Engmerguey de Boun*, de aliis terris, illos quos Dominus Rex elegerit.

Isti jurabunt, quod bene et fideliter pacem Ecclesiæ observari facient. Ita quod si necesse fuerit aliquid de Ecclesiis vel Cimiteriis, pro defectu exercitus capere, illi qui præerunt Ecclesiis commoneantur, ut venditioni exponant ea quæ necessaria fuerint exercitui, et antequam aliquid inde amotum fuerit eis satisfaciant de præcio. Quod si forte custodes Ecclesiarum absentes fuerint, vel id facere neglexerint, præcium rerum venalium in Ecclesia reponetur ad opus illoz quozum venalia illa fuerint, &amp;c.

Hoc idem quilibet Baro, et quilibet Miles, et quilibet Capitalis serviens familiaris suæ se firmiter observaturum jurabit. Ita quod si aliquis transgressor hujus institutionis inventus fuerit, Marescallis inde tradatur ad faciendum inde quod iustum fuerit.

Moreover K. John out of his piety, to prevent prophanations of the Lords-day, the same

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same year removed the Market of the City of *Exon* from the Lords-day, whereon it was formerly kept, to the Monday, as this Record attests.

**R**EX Vic. Devon. &c. Sciatis quod Civibus nostris *Exon.* concessimus, quod habeant Mercatum suum in Civitate nostra *Exon.* per diem *Lune*, quod habere solebant per diem *Dominicam*. Et ideo vobis mandamus, quod hoc ita fieri faciatis. Teste meipso apud *Dorec.* 29 die *Julii.* *Before which, in the seventh year of his reign, he made the like alteration of the Market of \* Lancelton, from the Lords-day.*

An. 14 Johan. Regis.  
Claus. 15 Joh. pars 3. m. 3.

\* Here, pag. 9.

Tom. 2. pag. 283. l. 41. after *eundem*, adde; The King likewise to gratifie the Pope, granted a license and safe conduct to the Freers of the Hospital of *St. Mary*, in *Rome*, to preach and make collections throughout *England*, for the maintenance of their Hospital, (built by the Pope) by these Letters Patents.

**R**EX omnibus fidelibus suis in *Anglia*, tam Clericis quam Laicis, ad quos pervenientes literæ pervenerint, salutem. Sciatis, quod concessimus fratribus Hospitalis *Sancæ Mariæ* in *Saxia* quod apud *Roman* a Domino Papa de novo est constructum, licentiam fideiiter prædicandi in regno nostro *Anglia*, et fidelium elemosynas karitative petendi et accipiendi ad sustentationem pauperum prædicti Hospitalis, secundum formam privilegii Apostolici quod inde habent. Et ideo vobis mandamus, rogantes quatinus prædictos fratres & nuncios & homines eorum quocunque venerint in *Angliam* benigne & honorifice suscipiatis, & eis de bonis vestris inturu Dei beneficiatis, nec permittatis eis molestiam fieri vel impedimentum, quia eos et omnia sua in protectionem nostram suscepimus. Concessimus etiam eisdem fratribus, ut ipsi & res sue per omnem terram nostram et aquam liberum habeant transitum et securum. Et in hujus rei testimonium, literas, &c. eis fieri fecimus, per totum hunc annum duraturas. Teste meipso apud *Rading.* 10 die *Decemb.* Anno regni nostri 15.

Pat. 15 Johan. m. 7. n. 20.

**R**EX omnibus Ballivis et fidelibus, &c. Sciatis nos suscepisse in protectionem nostram fratres Hospitalis *Sancæ Mariæ* de *Kertevall*, præsentium latores, in eundo per totam potestatem nostram ad prædicandum et petendum elemosynas domini sui karitative conferri. Et ideo vobis mandamus, quod nullum eis super hoc faciatis vel fieri permittatis impedimentum. Et in hujus, &c. Teste meipso apud *Grantam*, 1 die *Aprilis*.

Pat. 15 Johan. m. 1.

Tom. 2. pag. 287. lin. 29. after *Septembris*, insert; This Epistle to the Popes approaching Legate he seconded with another of the same date.

**V**enerabili Patri in Christo N. Dei gratia *Tusculanensi* Episcopo Apostolicæ Sedis Legato, f. eadem gratia Rex *Anglia*, &c. & debitam Patri cum devotione reverentiam. Audito adventu vestro versus partes nostras, nos cum toto Regno nostro gavissimus in Domino, de Religionis et honestatis vestra fiduciam gerentes pleniorum. Missimus autem ad vos (sicut decens et dignum esset) Nuncios nostros, nisi communis relatio nos decepisset, quæ vos in festo exaltationis *Sancæ Crucis* Capitulo *Cisterciensis* debere interesse assererat. Cum vero certos \* de appropinquatione vestra audissemus, fuimus in remotis Regni nostri partibus ultra *Eboracum*; et statim latores præsentium prudentes viros et familiares nostros *Eborac.* et *Seleby* Abbates in occursum vestrum misimus; mandantes quod bene veneritis, et plures et solempniores nuncios misissemus, si vir fidelibus nostris tutæ essent. Nos vero in occursum vestrum versus mare venire festinamus: Vestram rogantes Sanctitatem, quatinus quam citius poteritis in *Angliam* venire festinetis, et voluntatem vestram nobis, si placet, significetis. Teste meipso apud *Thikehill*, 19 die *Septembris*. So highly did he court this Legate, on whom he conferred the custody of *St. Edmunda's* rich Abby, after his arrival.

Claus. 15 Johan. pars 1. m. 7. dorso.

\* Deest rumor, or nuncios.

Tom. 2. p. 297. l. 23. after *dying day*, adde; Yea *M. Westminster* (though a Monk) observes, that the very same year King John resigned his Crown, Realms to the Pope, became his Tributary, and put himself under his protection, though he confederated with the Earl of *Flanders* and other foreign Nobles, qui \* magnum exercitum, de conduclitiis stipendiis, distribuentes Regium thesaurum prodigaliter, constiterunt; propositum habentes, ut Regem Francorum Philippum, die *Dominica*, non constructum tali die arma portare, subito invaderent et confunderent. Yet, Rex Franciæ (though he had three horses slain under him) triumphum inopinabilem, Deo propiciante, reportavit, apud *Boumes* in *Flandria*. Capti sunt multi magnates tam de Imperio quam de regno *Angliæ*. Imperator autem *Otho* cum suis qui aderant paucis, elapsus est, & nunquam

\* Flores Hist. An. 1214. pag. 96, 97.



King John.

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han. Regis.

nunquam postea est fama sua redintegrata. Ad majorem confusionem Regis Johannis Anglorum, amotus est idem Rex à castro quod Rupes Monachorum dicitur; quod obsiderat cum magno exercitu, per adventum Ludovici filii Regis Francorum; ita quod audito rumore de captione n. agnatum suorum apud Boives, & impotentia resistendi ex alia parte, comperit Deum et homines, sibi esse undique offensos et exosos. Fugit igitur turpiter et ignominiose a prædicta obsidione, et nisi dans XI. millia marcarum argenti pro treugis triennialibus citius in Angliam, procurante Roberto de Curci, tunc in Francia Legato, recessisset, profecto probroze captus exstisset. Rex igitur in Angliam confusus et inglorius 14 kal. Novembris venit. Where he was soon after abandoned, renounced by most of his Prelates, Nobles, people; and Lewes of France called in and crowned King in his stead: Whereupon Pope Innocent the III. in a general Council at Rome, anno gratia 1215. Ludovicum Regis Francorum primogenitum, et omnes Comites et Barones Anglia, cum complicibus suis conspirantes, et insurgentes in Regem Anglia, Romana Ecclesie vassallum, die Sancti Andree Apostoli excommunicavit: who slighted, derided this his Papal thunderbolt with greatest contempt. Crescebat jam guerra in Anglia de die in diem, Baronibus totam patriam Northampton, cum ipsa villa occupantibus. Barones vero inde venerunt London, & 15 kalendas Junii civitatem ingredientes, nullo contradicente, occuparunt.

Tom. 2. p. 333. l. 22. after *Patens*, insert.Pat. 15 Jo-  
han. m. 15.

**R**EX dilectis sibi in Christo Priori & Conventui S. Edmundi, salutem. Sciatis, quod commisiimus venerabili Patri nostro Domino Thome Cantuariensi Episcopo Apostolice Sedis Legato custodiam Abbacie vestre cum omnibus pertinent. suis quamdiu nobis placuerit, salvo nobis Regali nostro, scilicet in electione Abbatis, et in redditibus Ecclesiasticis vacantibus et exactis conserendis. Et ideo vobis mandamus quod ei tanquam Custodi vestro sitis intendentes. Et in hujus rei testimonium has literas nostras patentes vobis inde mittimus. Teste meipso apud Turrim London. 3 die Jan. Anno regni nostri 15.

Tom. 2. p. 336. l. 51. after *dilecti*, adde; Besides, the Archbishop and Bishops covertly to gain into their hands and power the administration and disposal of the Chartels and Personal estates of all Lay persons and Free-men of England dying intestate, inserted this new Clause into K. John's Charter; "Si aliquis liber homo intestatus decesserit, catalla sua per manum propinquoꝝ, parentum et amicoꝝ suozum per usum Ecclesie distribuuntur, salvo unicuique debitum quod defunctus ei debebat: not extant in King Henry the 1. his Charter, anno 1100. whose confirmation they pretended onely to contest for, and to have ratified, running only in these words; "Si quis Baronum vel hominum meorum infirmabitur, sicut ipse dabit vel dare disposuerit pecuniam suam, ita datam esse concedo. Quod si ipse præventus armis, vel infirmitate, pecuniam suam nec dederit, nec dare disposuerit (by his last Will and Testament) uxor sua, sive liberi, aut parentes, aut legitimi homines ejus (not the Church, Bishop, or Ordinary not mentioned in this Clause, or Law) eam pro anima ejus dividant SICUT EIS MELIUS VISUM FUERIT; without the Churches, Ordinaries view or disposition, according to the precedent Laws both of King Knute and Edward the Confessor (elsewhere cited: ) Notwithstanding which, the King and all Lords of Manors before this his Charter made, especially during the reigns of King William the Conquerour and William Rufus, usually claiming, seising, disposing of the Goods, Chartels, Moneys, Personal estate of all their Barons and Tenants dying intestate, to the great prejudice of their Wives, Children, Parents, Kinred; which grievance among others, King Henry the 1. (to induce the Bishops and Nobles to crown him King) at their request promised by his Oath to reform, and redressed by this Clause in his Charter. After this King Stephen, (at the Bishops request, who most treacherously, against their Oaths, Loyalty to King Henry the 1. and his Daughter and heir Queen Maude, elected and crowned him King) inserted this farther Clause into his Charter of Liberties granted to the Bishops and Clergy, Anno 1156. at his Coronation. "Ecclesiasticarum personarum et omnium Clericoꝝ et rerum eozum iustitiam et potestatem, et distributionem bonozum Ecclesiasticozum in manu Episcoporum esse perhibeo et confirmo. Si quis autem Episcopus vel Abbas, vel alia Ecclesiastica persona ante mortem suam rationabiliter sua distribuerit, vel distribuenda statuerit (by his Will) firmum manere concedo. Si vero morte præoccupatus fuerit, pro salute anime ejus Ecclesie consilio eadem fiat distributio. This is the first Charter, for ought I can find, that gave Clergy-men power

a Mat. Paris,  
Hist. Angl.  
p. 248.b Mat. Paris,  
p. 232, 245.c Mat. Paris,  
Hist. Angl. p.  
52, 53. Spelm.  
men. Concil.Tom. 2. p. 33.  
Lib. Rub. in  
Seac. f. 161.d Chron. Jo-  
han. Bromton,  
col. 914, 929.930. Spelm.  
Council.Tom. 1. p. 332.  
e Here p. 141,  
142, 332.f See here,  
Tom. 1. p. 400.Mat. Paris, p.  
52, 53 & M.  
na Charta cap.18 Cooks 9.  
Report, f. 38f See Tom. 1.  
p. 491, 492.  
Glauvil. l. 7.cap. 16.  
g Will. Mal-  
mesburienfisHist. Novell.  
l. 5. p. 179.  
Spelm. Con-  
cil. Tom. 2.  
p. 38.

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King John.

power to dispose of their Church-goods by Will, and Bishops or Ordinaries Jurisdiction to distribute their Clerks Goods dying intestate, for the good of their Souls, they then having no Wives nor Children, as Lay-men had, to whose goods therefore this *Charter* never extended; but only to Church-mens goods belonging to their Churches.

Before this *Charter* of King Stephen, the antient Law, custome of England was, that if any Bishop, Abbot, or other Ecclesiastical person who held of the King, and received his Temporalties from him deceased, all his goods and chattels (except the ornaments of his Church, Chappel dedicated to God's Service, or the stock annexed to his Bishoprick by the Kings special Charters) <sup>a</sup> belonged of right to the King, especially if he dyed intestate; neither could any of them by Law make a Will, or devise his goods or chattels, unless the King out of his special grace, by special Patents authorized them to devise them by their Testaments; neither did the Laws of King <sup>b</sup> Cnut, the Confessor, and Conquerour, or Charter of K. Henry the 1. extend to Bishops, Abbots or Clergy-men, who had neither Wives nor Children, being then prohibited by sundry Canons to marry, but only to the temporal Barons and Lay-subjects who had Wives and Children, as the words of their Laws, Charters, the old Writs *De rationabili parte honorum* grounded on them, and the words thereof,

(*Cum secundum consuetudinem regni nostri hactenus obtentam, pueri post mortem patrum suorum habere debent rationabiles partes suas quae fuerunt patrum suorum, &c.*) demonstrate, and King Stephen's Charter intimates; which had been needlets, useles, had the Law or custome of England been then concurrent with it. Neither was this the Prerogative only of the Kings of England in that age, but also of France; as is evident by this memorable acknowledgement of the Bishop elect, Dean and Chapter of *Mascon* in France to King Philip Augustus, Anno Domini 1201.

<sup>\*</sup> Notum quod ego P. electus Matisconensis veniens ad Dominum nostrum Philippum, illustrem Regem Franciae, potestatem habens à Decano & universo Capitulo Matisconensi, per literas ejusdem Decani & Capituli patentes, Cognovi Jus Dom. Regis Franciae quod habet in Regalibus Matisconen. scilicet, quod mortuo Episcopo Matisconensi, vel quocumque Sedes Matisconensis vacaverit, omnia Regalia et omnes proventus Regalium existentes in regno Franciae libere sunt Dom. Regis Franciae, sicut & ea Episcopus possidebat. Et si Episcopus Matisconen. decesserit intestatus, tam omnia mobilia quam proventus omnes sunt Domini Regis Franciae integre et absolute. Quod ut ratum et firmum pronunciavit, &c. Actum Parisiis, An. Dom. 1201. mense Martio. Yea Johannes Andraas, and † Pierre de Pitbou assert, Que les Roies de France et d'Angleterre in hoc sunt antiquo jure defendendi. And that this was the ancient Law, right, prerogative of the Kings of Scotland then, and in the reign of our King Edward the 1. I shall \* elsewhere evidence by our own Records. If then the Bishops and Clergy of England and Scotland could not dispose of their own goods and chattels by Will, but by the Kings special license, and absolutely and wholly belonged to the Kings of England, France and Scotland if they dyed intestate, by their Prerogatives; not to the Archbishops, Bishops or Church to dispose, or distribute to their Kinred, Churches, or any pious uses for their Souls pretended benefit: then doubtless they had no legal Jurisdiction or authority at all to distribute or dispose of any Lay-mens goods or chattels in those times, to any pious or other uses.

Whereupon the Bishops not long after to revive, confirm and enlarge this their new-acquired Jurisdiction granted them by this *Usurper's* Charter (which † expired with King Stephen, and never bound his Successors and extended only to the Goods of Clergy-men) endeavoured to extend it to the Goods, Chattels of all English Free-men of the Laity; for which end they cunningly inserted the premised Clause, amongst others, into King John's Great Charter: Which, although in the Kings and Nobles intentions, it gave them no Jurisdiction at all either to grant Administrations of, or distribute any Intestates Goods for the benefit of their Souls, which they wholly left by expresse words to the administration and distribution of their nearest Kinred, Parents, Friends, yet by colour of these three words, per visum Ecclesiae, by the view of the Church; (which if a personal Trust reposed in the Bishop himself by this *Grand Charter*, as our Bishops and Canonists thence argue, was certainly to be executed personally by the Bishop alone, not by

C 2

An. 15 Jo-  
han. Regis.

a Glanvil, l. 7.  
c. 16. Here, p.  
130 to 134,  
222, 332, 333,  
350, 381, 386,  
543, 544.  
b See here, p.  
141, 142, 332,  
333.

c Glanvil, l. 12.  
c. 10. Bracton,  
l. 2. c. 16. f. 60,  
61. Fleta, l. 2.  
c. 57. Bundela  
Brevium, An.  
15 E 2. in  
Turre Lond.  
Here, p. 352.

\* Pierre de Pi-  
thou, Preuves  
des Libertez de  
l'Eglise Galli-  
cane, Chap. 16.  
sect. 5. p. 598.

† Ibidem.

\* Here, p. 543,  
544.

† See here, p.

his



An. 15 John. Regis.

W

\* See Mr. Will. Tyndals Treatise, What the Church is.

a See Cooks Reports, f. 33. Hen. 6. case.

b As Orthodox Constitutions and Aton's Gloss thereon, f. 95. affirm.

c See Magna Charta, ch. 18. and Cook's Institutes thereon.

d See Tom. 1. p. 810, 891, 899, 909, 910. Mat. Par. 1. Addamenta, pag. 199, 100, 201.

e Joh. de Aton Confia Legit f. 138. Guil. Lindwode, Provincial, l. 5. f. 216, 227. Here, Tom. 2. p. 899.

f Mat. Parif. Addamenta, p. 100, 101. Here, Tom. 2. p. 803.

g Johan. de Aton Constitutions Legit. m. p. 94, 95.

h Lindwode Provinc. l. 3. f. 125, 150. Joh.

han. de Aton Provinc. Conf. f. 1. 7. Spelman. Concil. Tom. 2. p. 585.

a Provincial. l. 3. de Immunitate Ecclesiarum, f. 199.

his Vicar General, Commissary, Official, or Judge of the Arches, who now grant all Administrations, and make the distributions of Intestates personal estates, against the express words and intention of this Law, which might be more properly interpreted of the *Parson, Church-wardens, and Parishioners* of the *Parish* where the deceased person lived, than of the *Bishop, his Chancellor and Under-officer*, being single Persons, and no *\* Church*: ) the Bishops and their Officers by pretext of these words, ( which at most gives them only the oversight, not power of or in the distribution, and no more authority to dispose of the Goods, than Overseers usually named in Wills have, wherein there are likewise Executors appointed, to whom the right, power and disposition of the Testators Goods alone belong by Law ) <sup>a</sup> usurped a Jurisdiction soon after by degrees, not only over all deceased Lay-mens Wills, Chattels; but over the Goods and Chattels of all Lay-men dying intestate, committing their administration and distributing them by their Vicars, Commissaries, Chancellors and other Officers at their pleasures to such persons and pious uses as themselves, or their Officials thought meet; yea many times <sup>b</sup> appropriated them to themselves and their Churches, against the true intent of King John and his Barons. Whereupon at the renewing of this *Great Charter* by K. Henry the 3<sup>d</sup>. in the 9<sup>th</sup> year of his Reign, in a grand Parliamentary Council, this premised *Clause* concerning Intestates Goods, inserted by the Bishops fraud, craft covertly to usurp a Jurisdiction over the Laity, and all Intestates estates, was wholly <sup>c</sup> expunged, as prejudicial to the Kings Prerogative and the Nobles, Free-mens franchises, liberties, properties; and that *Charter* was then and hath been since successively ratified by above 40. Parliaments, without this *Clause*; Yea the King and Lords then and immediately after would by no means permit the Bishops or Ordinaries to intermeddle with the Goods and Chattels of any Free-men dying intestate, or to distribute them for their Souls good at their pleasures; although Saint <sup>d</sup> Edmund Archbishop of Canterbury, and Boniface his next Successor (Uncle to King Henry the 3<sup>d</sup>. his Queen) with the rest of the Bishops, frequently importuned King Henry the 3<sup>d</sup>. his Nobles and Council, not to hinder their Tenants or Villains to make Wills, or prove them before their Ordinaries, nor to disturb or prohibit Bishops to distribute the Goods of Persons dying intestate for their Souls health; nor would they grant them this power upon any termes, but prohibited them to do it, as is evident by this passionate Complaint thereof by Archbishop Boniface, his Suffragans and Clergie, in the Prologue to their Constitutions in the Council of Lambeth, Anno 1251. <sup>e</sup> Regem ipsum frequenter monuimus ac supplicavimus ei, et supplicari fecimus cum instantia sapius reverenter, necnon apud Principes et Magnates regni, et Consiliarios quorum moderamine disponuntur negotia regni, precibus et exhortationibus pullavimus importuna opportunitate et frequenter, quatinus intra memoriam recolentes quot plagis *Aegyptii* fuere percussi, &c. Huic privilegio tam pio, tamque nobili preicio comparata deferrent humiliter, ob reverentiam Redemptoris; permittendo Clerum Anglicanum in sollicitudine libertatis sacrificium laudis Domino immolari, &c. Licet autem in precibus inculcandis diu laboraverimus sustinendo, et sustinuerimus laborando; adhuc cum instantia nostra sepius iterata, ad erauditionis gratiam ingressum mereri non potuit, nec effectum potiri diutius expectatum. Compared with their Articles of Complaint, <sup>f</sup> Art. 25. Item, mortuo laico intestato, Dominus Rex, et ceteri Domini feodorum, bona defuncti sibi applicantes, non permittunt de ipsis debita solvi; nec residuum in usum liberorum et proximorum suorum, et alios pios usus per loci Ordinarium quorum interest, aliqua converti; and their Constitution made against it in this Provincial Council summoned at London by this Archbishop's usurped authority (against the King's express Writ of Prohibition directed to him, printed in my 2<sup>d</sup> Tome) attests. Indeed I find in the <sup>g</sup> Constitutions of Othobon the Popes Legate, made in a Council held at London but 11. years after, (Anno 52. H. 3.) *De Bonis Intestatorum*, mention of a Provision antiently made by the English Prelates with the assent of the King and Nobles concerning Intestates Goods, which he thus confirms and orders to be strictly observed: Provide super bonis decedentium ab intestato, provisionem quae olim a Praelatis Regni Anglia cum approbatione Regis et Baronum dicitur emanasse, firmiter approbantes, districte inhibemus, ne Praelati vel alii quicunque bona intestatorum hujusmodi quocunque modo recipiant vel occupent contra Provisionem praedictam. Which Provision I find likewise mentioned in <sup>h</sup> Archbishop Stratford's Constitutions made Anno Dom. 1342. What this Provision should be, or when or where made, our learnedst Canonists cannot resolve: <sup>a</sup> Will. Lindwode the chiefest of them,

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in his Gloss on Archbishop Stratford's Constitution, on the words *abolim*, writes ingeniously, *Cujus Regis temporibus hoc ordinatum sit, non reperio*: But<sup>b</sup> John de Aton in his Gloss on Ottobon's Constitutions, refers it to the Statute of Westm. 2. Anno 13 E. 1. ch. 19. But this being made at least 18. years after Ottobon's Constitutions, and not *abolim*, long before them, must needs be a gross mistake; therefore (if real, not forged by the Bishops, or a meer dubious report then raised by them, without ground or truth, as Ottobon's, *dicuntur*, implies) we may well conclude, since Archbishop Boniface, his Prelates, Clergy in the Council and Articles of Lambeth but 11. years before, made no mention at all thereof, (as questionless they would have done, had there been any such Provision) it can be no other, but either the premised Clause and Provision inserted by the Prelates into King John's Charter, expunged out of K. Henry the Thirds, and Edward the Firsts Great Charters, in all our manuscript Statutes, in the Statute-Roll in the Tower of London, and all our printed Statutes of Magna Charta 9 H. 3. ch. 19. wherein that Clause of *Intestates Goods* is omitted: Or else it must be the Provision in the Laws of King Canute confirmed by the Confessor, Conqueror, or Charter of K. Henry the 1. to which Ottobon's Constitution seems most probably to relate, being the most antient Provision, prohibiting Bishops, as well as the King and Lords, to dispose of Intestates Goods, as his Constitution likewise doth in my opinion, since made soon after K. Henry the 3. and the Kingdoms complaint and appeal to the Pope against the Constitutions of Archbishop Boniface and his Suffragans, promulged by them in *præjudicium juris et dignitatis Regis, contra libertates, et consuetudines Regni nostri Angliæ. et in nostri et Cozonæ nostræ præjudicium et gravamen*, as the King declared in his *Letters of Procuracion and Appeals* against them to the Pope, Pat. 45 H. 3. pars 1. m. 8. and Pat. 46 H. 3. m. 17, 19. Which Constitutions of Boniface, though thus solemnly condemned, appealed, protested against by the King and Kingdom; who would by no means assent to them or their Articles, after so many reiterated prayers, monitions and importunities, are yet since printed, Glossed on by Lindwode and Aton, yea now cryed up by ignorant Canonists for the Canon-Law of England, and that of *Intestates Goods* revived, enlarged without any legal authority, by Archbishop Stratford, in his *Provincial Constitutions*, though not put in practise before; & *etiam à multis in dubium revocatum*. Which voyd illegal Constitutions of Boniface and Stratford are in truth the sole foundations I can yet discover, of our Ordinaries usurped Power to compell Administrators by bonds and censures to distribute the surplusage of *Intestates Goods*, to such pious uses as they shall appoint, against the expresse Provision of the Royal Charters of Henry 1. and Hen. 3<sup>d</sup>. Whereupon our Judges of late times upon Complaints of Administrators, after grand deliberation and debates, have granted<sup>d</sup> Prohibitions out of the *Kings Bench and Common Pleas*, to restrain such coercive dividends of *Intestates Goods* by Ordinaries, as mischievous, grounded only on these illegal Constitutions, mis-interpreted Charters, and this old *Papish error*, *That the distribution of Intestates Goods after their decease, (though without their order, knowledge) by the Bishop, or their Administrators, would expiate and procure pardon of their Sins, redeem their Souls from purgatory, or abate the pains thereof, or of Hell*; which being exploded by the authorized Doctrine of our Church, the Ordinaries pretended Jurisdiction of distributing *Intestates Goods* to pious uses, in *remedium peccatorum et pro salute animæ*, must be exploded with it. Which power of disposing *Intestates Goods* and *Estates*, being reputed by our Bishops and Nobles, unsafe to be vested in the King himself, as the premised Charters of Henry the 1. imply; was, and is much more unfit for every inferior indigent Ordinary, Archdeacon, Chancellour, or Commissary then or now to be invested with, usurp or exercise upon such false and sandy foundations.

Tom. 2. p. 338. l. 43. before this Charter, adde: The King to maintain his Royall Prerogative, and prevent schismes in elections of Bishops and Abbots, appointed certain Commissioners to be present at, and give their and his Royal assent unto them; as these with other Charters evidence.

**R**EX Priori & Conventui de Evesham, salutem in Domino. Quoniam Ecclesia vestra jam diu sine Pastore extitit desolata, vellemus et desideramus super hoc ei salubriter provideri. Unde mittimus ad vos dilectos et fideles nostros H. Abbatem de Bello Loco, Willielmum Briverr, & Willielmum de Cantilupo, quod invocata Spiritus sancti præsentia, Pastorem vobis et Abbatem sine dilatione eligatis, quia prædictis fidelibus nostris vices nostras commisimus ad præsens, ut electioni quam secundum Deum et Regni nostri consuetudinem et Regiam dignitatem feceritis, assensum præsentem ex parte nostra, ut id quod illis præsentibus et assentientibus inde feceritis

An. 15 Joh. han. Regis.

b Constat. Leg. g. l. 95.

\* See Tom 2: p. 483, 990, 991.

c Lindwode, l. 3. f. 124, 125, 190. Aton, fol. 137. Spelman. Concil. Tom. 2. p. 385, 386.

d Hobards Reports, p. 83, 151. Judge Crooks Reports, Part 1. p. 163, 201. Mores Reports, p. 804. See Orthobani Constit. and Atons Gloss thereon, p. 94.

Pat. 15 Johan. m. 6.



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*An. 15 & 16* feceritis ratum habebimus et acceptum. Et si forte prædicti tres fideles nostri præ-  
*Job. Regis.* sentes esse non possint, duobus eorum præsentibus id quod prædictum est fieri volumus. Et in hujus rei testimonium, &c. vobis mittimus. Telle meipso apud *Waltham* 2. die *Januarii*. Anno, &c. 15.

Eodem modo scribitur Priori & Conventui *Wygorn*. de Episcopo eligendo. Telle eodem, data eadem, & ibidem.

The Prior and Covent of *Worcester* having elected a Bishop according to the Kings license and Patent, in the presence of his Commissioners, the King thereupon thus certified his Royal assent thereto, to the Archbishop of *Canterbury* for his confirmation.

*Pat. 15 Johan. m. 16.*

**R**EX Domino *S. Cantuariensi* Archiepiscopo, totius *Angliae* Primati, & Sanctæ *Romanae* Ecclesiæ Cardinali, &c. Noverit paternitas vestra Priorem & Conventum *Wygorn*. canonice elegisse sibi in Episcopum *Walterum de Gray* Cancellarium nostrum, et nos eidem electioni assensum nostrum præbuimus, ipsumque *Walterum* ad vos transmittimus, \* a neribus Curia absolutum. Rogantes quatinus beneficium confirmationis ei impendere velitis. Et in hujus rei testimonium, &c. vobis mittimus. Telle meipso apud *Porcestriam*, 26 die *Januarii*. Anno regni nostri 15.

\* Nota.

The like License in *Terminus* issued to the Prior and Covent of *Evesham*, *Pat. 15. Johannis*, nu. 15. And the like to the Prior and Covent of *St. Swithune* in *Winchester*, with this variation.

*Pat. 15 Johan. m. 2.*

**R**EX Priori & Conventui Sancti *Swithune Wintonie*, salutem. Volentes Ecclesiæ vestræ providere in Pastore idoneo vobis præficiendo, mittimus ad vos venerabiles viros *P. Eboraci*, *H. Belliloci Regis*, & *R. de Seleby* Abbates, & dilectos & fideles nostros *Willielmum Briwer*, & *Willielmum de Cantilupo* Senescallum nostrum. Mandantes quatinus secundum Regni nostri consuetudinem virum idoneum vobis eligatis in Pastorem; scituri quod quicquid inde actum fuerit cum uno vel duobus prædictorum Abbatum, salva libertate nostra et regni nostri indemnitate, ratum habebimus et inconcussum. Et in hujus rei testimonium has literas patentes vobis mittimus. Telle meipso apud *Engolismum*, 6 die *Aprilis*, Anno regni nostri 15.

*An. 16 Johan. Regis.*

*Tom. 2. p. 331. l. 48.* after *Valete*, adde: Earl *Ferrers* in pursuance of the Popes award, and King *John's* Oath, entred into this ensuing Obligation, before *Pandulphus* the Popes Legate, as the King's Surety for satisfaction of the fugitive Bishops damages, which he ratified likewise with his Oath, as this Record demonstrates.

*Pat. 16 Johan. Rot. Spiff m. 17. dorso.*

**W**. Comes de *Ferrariis*, Omnibus præsens scriptum visuris, salutem in Domino. Noveritis quod cum Dominus meus *Johannes Rex* Illustris *Anglorum* singulis annis post relaxationem Interdicti duodecim millia *Marcarum* in duobus terminis, Commemoratione videlicet *Omnium Sanctorum* sex millia *Marcarum*, et totidem in *Ascensione Domini*, in manus venerabilium patrum *S. Cantuariensis* Archiepiscopi, *London. Elyensis*, ac *Lincoln. Episcoporum*, vel eorum quos ipsi ad hoc duxerint deputandos, in Ecclesia Sancti *Pauli London.* tenetur solvere, donec tota Summa fuerit perfoluta, quæ tarante Summo Pontifice declarabitur per Inquisitionem de mandato ejus perinde faciendam: Ego una cum aliis quinque fidejussoribus, constitui me fidejussorem in solidum pro ipso Rege et hæredibus suis, per solemnem stipulationem promittens, quod si ipse et hæres suus (quod absit) in solutione antedicta cessaverit, ego infra quatuor menses postquam fuero ammonitus vel requisitus, sine dilatione et difficultate qualibet inde satisfaciam eisdem. Pro quo observando obligavi me, et omnia bona mea. Renuncians in hoc privilegio fori, et novæ Constitutionis beneficio, omnique alii exceptioni mihi competenti vel competituræ. Insuper tactis sacrosanctis Evangeliiis juravi in præsentia Domini *Pandulphi*, Domini Papæ Subdiaconi et ejus familiaris ad hoc destinati, et *J. Norwicensis* Episcopi, *Thome de Erdinton*, & Magistris *Alani & Walteri* Clericorum Domini *Cantuariensis* Archiepiscopi, me bona fide et sine fraude observaturum hæc omnia supradicta. Et in hujus rei testimonium huic scripto Sigillum meum apposui. Actum apud *Rupem fortem*, 16 die *Junii*. Anno regni Regis *Johannis* sextodecimo.

*Thus must these Traitors have both the King and Nobles Obligations, Charters, &c. See Henr. de Oathes, for restitution of their goods, profits, forfeited by, and \* seized on for their Treason before the Interdict released, without any oath made or sureties given by them to the King for their future loyalty and obedience to him.*

*l. 2. col. 2418.*

*Tom. 2. p. 333. l. 48.* adde: King *John* to ingratiate himself with the *Romish Cardinals*

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Cardinals and Court, granted them annual pensions out of his Eschequer, the arrears whereof he ordered to be satisfied in the first place; and likewise gave Benefices or Prebends to their Nephews and Creatures, as these Records attest.

**R**EX Domino P. Wintoniensis Episcopo, &c. Satis novit prudentia vestra qualiter redditum concessimus dilecto Consanguineo nostro Domino Guidoni Petro Leoni Cardinali Sancti Nicolai in Carcere T. ad Scaccar. nostrum percipiendum; unde vobis mandamus, quod de Consilio Domini Norwicensis, Abbatis de Bello Loco Regis, & Thome de Ardinton, per rotulos Scaccarii nostri diligenter inquiratis, quantum redditus ei concessimus, et quantum inde perceperit postquam primo ei redditum illum concessimus; et computatis annis, Residuum procuratori suo restitui faciatis in primis redditibus ad Scaccarium nostrum assignandis quicquid inde restat reddendum. Mandamus autem vobis, quod in fide qua nobis tenemini quicquid alias vobis mandaverimus de redditibus assignandis, assignetis Johanni Petro Leonis nepoti prefati Guidonis in primo beneficio Ecclesiastico quod de donatione nostra vacare contigerit, tantam summam beneficii quanta est summa redditus quem prefato Guidoni concessimus ad Scaccarium nostrum. Et in hujus rei testimonium, &c. vobis inde mittimus. Teste meipso apud Rupellam, 9 die Julii. Anno regni nostri 16.

An. 16 Joh. han. Regis.

Pat. 16 Joh. pars 1. m. 15. sub n. 8.

**S**imon Nepos Domini N. Tusculanensis Episcopi, & Apostolicæ sedis Legati, habet literas Domini Regis patentes de Archidiaconatu Eborum qui vacat, & ad donationem Regis spectat, ratione Archiepiscopatus Eboracensis vacantis & in manu Regis existentis, scilicet ad resignationem Sampsonis nepotis prefati Legati. Et diriguntur literæ Decano & Capitulo Eborum, rogantes, quod ipsum ad prefatum Archidiaconatum admittant, stallum in choro, & locum in Capitulo secundum consuetudinem Ecclesiæ Eboracensis assignantes. Teste Rege apud Novum Templum London. 11 die Nov. Anno regni Regis Johannis 16.

Ibid. m. 8.

**R**EX Decano & Capitulo Eborum, salutem. Sciatis, quod ad resignationem venerabilis viri Magistri Stephani de Fossa nova Domini Papæ Camerarii, concessimus, & quantum ad nos pertinet dedimus dilecto Clerico nostro Petro nepoti ejusdem Magistri Præbendam de Neuband, cum omnibus pertinentiis suis quæ ad nostram spectat donationem ratione Archiepiscopatus Eborum vacantis & in manu nostra existentis, Ipsum vobis per has literas nostras patentes ad dictam Præbendam præsentamus. Rogantes quatenus ipsum in corporalem possessionem illius Præbendæ sine dilatione inducat, stallum ei in choro, & locum secundum Ecclesiæ vestræ consuetudinem assignantes. Teste meipso apud Windesores, 14 die Maii. Anno, &c.

Pat. 16 Joh. pars 1. m. 1.

Thus these Roman Locusts succeeding one another devoured the wealth, and possessed themselves of the Ecclesiastical promotions of our Church. He likewise granted protections to those Delegates the Pope employed in any business, as this Record attests.

**V**enerabilibus in Christo patribus G. Dei gratia Bituricens. Archiepiscopo, & Aurelian. Episcopo; Johannes eadem gratia Rex Angliæ, &c. Cum causa habeatur inter Priorem Grandmontensem & quosdam malos & inobedientes Ordinis sui fratres conversos; et Dominus Papa vos super eadem causa delegaverit Iudices, ut audivimus: Notum vobis facimus, quod vos et omnia ad vos pertinentia, et omnes qui vobiscum, vel sine vobis pro dicto Priore venerint, quociens hac de causa ad Grandmontem accesseritis, in salvo conductu in toto posse nostro et coadjutorum nostrorum recipimus, et omnibus ad nos et nostros pertinentibus Regia districtione præcipimus, ut vos ex parte nostra in eundo et redeundo, salvos custodiant et indempnes. Ut hoc autem notum sit omnibus, vobis patentes literas sigillatas sigillo nostro destinavimus. Teste meipso apud Rupem Monachi, 23 die Junii. Anno regni nostri 16.

Pat. 16 Joh. m. 16. sub nu. m. 10.

**R**EX omnibus Ballivis & fidelibus suis, &c. Sciatis quod suscepimus in saluum conductum nostrum venerabilem patrem nostrum Dominum Bituricensem Archiepiscopum in eundo ad Ecclesiam Grandmontis & redeundo, ad mandatum Apostolicum exequendum. Et ideo vobis mandamus, quod cum per partes vestras in eundo illuc & redeundo, liberè & sine impedimento transire permittatis. Et in hujus rei testimonium, &c. Teste meipso apud Spinam, 11 die Junii. Anno regni nostri 16.

Ibidem.

Eodem modo scribitur omnibus Ballivis & fidelibus Domini Regis pro Domino Aurelianensi Episcopo. Teste ut proximo supra.

How he courted all the Cardinals with his Letters to facilitate his affairs in the Court



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han. Regis.Pat. 16 Johan.  
Regis, m. 11.

Court of *Rome*, as well as gratified them with gifts, pensions, and conferring benefices on their Nephews, this his Epistle will inform us.

**R**EX universis Sanctæ Romanæ Ecclesiæ Cardinalibus, salutem. Quoniam propter varium periculum devotioni singulorum vestrorum scribere non possumus, Universitatem vestram sollicitare, & ea quæ præsentiam vestram ex parte nostra tangunt, sub modulo unici tenoris supplicare compellimur; hoc enim in multis universaliter et singulariter vobis gratiarum actionibus ex eo nos facitis fortius obligatos, quod indefinenter perseveratis in procurandis honoribus et utilitatibus nostris, sicut ex frequenti relatione Nuncios nostrorum et experimentis probatissimis comperimus. Inde est quod paternitatem vestram negotiis nostris honorare, et speciali confidentia Nuncios nostros, et quociens emergerint negotia nostra imponere et commendare audacter volumus. Mitimus autem ad pedes Papæ, dilectos & fideles nostros Abbatem *Belli Loci*, Fratrem *Alanum Martell*, *Thomam de Erdinton*, & *Petrum Sarum*, pro negotiis nostris, supplicantes, quatinus conducta devotione ipsos et eadem negotia promovere velitis in omnibus sicut videritis melius expedire, amicitabiliter procedentes. Teste meipso apud *Novum Templum London*, 18 die *Novembris*.

Tom. 2. 334. l. 8. after *Quinto*, adde; He likewise issued these following Patents and Writs to his Officers on behalf of the Trayterous Bishop of *Lincoln*.

Pat. 16 Johan.  
m. 11. intus.

**R**EX Vicecomitibus, Forestariis, & omnibus Ballivis & fidelibus suis, salutem. Sciatis nos recepisse in plenam gratiam, amorem et familiaritatem nostram venerabilem patrem nostrum *H. Lincolnensem* Episcopum, sicut unquam aliquo tempore melius fuit, & ipsi omnem indignacionem, si quam erga ipsum hæcenus concepissemus videbamur, omnino remisisse. Volentes & firmiter præcipientes, quod omnes fideles nostri ipsum tanquam fidelem et familiarem nostrum habeant, &c. sicut nos diligunt arctius commendare. Vobis igitur universis & singulis districtè præcipimus, quatinus ipsum, & Ecclesiam suam, & omnia ipsos tangencia specialiter custodiat, manuteneatis, & promoveatis, non inferentes vel inferri permittentes eis vel hominibus suis, rebus, possessionibus, feodis, juribus, aut libertatibus eorum molestiam, injuriam vel gravamen, set ipsos et omnia sua sicut nostra propria defendatis, manuteneatis, promoveatis et protegatis, ut sollicitudinem vestram possint et debeant merito commendare.

Thus must this Traytor and all his be pardoned, protected by the King, against whom he notwithstanding continued trayterous and rebellious to his death.

What reparations he and his heirs were bound to make of the Trayterous Bishop of *London's* Castle of *Storteford*, which he seized during the Interdict, this Record will inform us.

Pat. 16 Johan.  
m. 51.

**R**EX omnibus fidelibus ad quos præsens scriptum pervenerit, salutem. Sciatis quod ad rationabilem summonicionem venerabilis patris nostri *W. Londoniensis* Episcopi tenemur reparare Castrum de *Storteford*, adeo bene et forte sicut fuerit in initio discordiæ inchoatæ inter nos et Clerum *Angliæ*. Et si forte de nobis humanitus contigerit priusquam prædictum Castrum reparavimus, hæres noster id facere tenebitur: si verò prædictus Episcopus in fata concesserit priusquam prædictum Castrum reparatum fuerit, ad rationabilem summonicionem successoris ipsius Episcopi, nos vel hæres noster illud reparabimus. Et in hujus rei testimonium has literas, &c. Teste Domino *P. Wintoniensi* Episcopo apud *Novum Templum London*, 22 die *Novembris*. Anno regni nostri 16.

Tom. 2. p.

339.

Ibidem

Pat. 16 Johan.  
n. 11.

Moreover to gratifie the Archtraytor *Stephen Langton*, he granted the Patronage of the Bishoprick of *Rockester* to him and his successors by his \* forecited Charter, and this Patent.

**R**EX Priori & Monachis *Roffensibus* ac liberè tenentibus de Episcopatu, salutem. Sciatis quod reddidimus venerabili patri nostro Domino *S. Cantuariensi* Archiepiscopo, patronatum Episcopatus *Roffensis* cum omnibus pertinentiis, tanquam jus suum. Et ideo vobis mandamus, quod ei tanquam Domino & patrono ejusdem Episcopatus sitis in omnibus intendentes. Et in hujus rei, &c. Teste ut proximo supra.

Besides to remunerate the Trayterous Bishop of *Ely* for his pardoned Treasons against him, he granted him by this Patent the patronage of the Abby of *Torney*.

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**R**EX Abbati & Conventui de *Torneia*, salutem. Sciatis quod intuitu Dei concessimus venerabili patri nostro *R. Elyensi* Episcopo & successoribus suis in perpetuum Patronatum Abbacie predictae, cum omnibus pertinentiis, dignitatibus, et liberis consuetudinibus suis, sicut plenius continetur in charta nostra, quam ei inde fieri fecimus. Et ideo vobis mandamus, quod ei inde & successoribus suis de cetero tanquam Dominis et patronis vestris in omnibus sitis intendentes et respondentes, secundum chartae nostrae tenorem. Teste ut proximo supra, anno eodem ut supra. *The King thus parting with the rights of his Crown, to make these Traitors more then Lords, and himself less then a King.*

An. 16 Joh.  
han. Regis.  
Pat. 16 Johan.  
m. 5.

**R**EX Domino *P. Wintoniensi* Episcopo, &c. Significavit nobis venerabilis pater Dominus *N. Tusculanensis* Episcopus Apostolicæ sedis Legatus, quod Prior *Coventrensis* electus de *Seleby*, pastorem ejusdem domus curam penitus recusavit, & quod expediens est tam honori nostro, quam animæ nostræ saluti, ut de gremio Ecclesie sue sibi pastorem eligi concedamus. Et ideo vobis mandamus, si ita est, electioni quam Monachi ejusdem domus fecerint dicto modo per consilium ejusdem Domini Legati de persona domui suæ utili, et nobis fideli, favorem vice nostra præbeati et assensum. Eodem modo scribitur Magistro *R. de Mariscis* & Domino *W. Briverr.* Teste Rege apud *Partiniacum*, 30 die *Aug.*

Pat. 16 Johan.  
m. 13.

Tom. 2. p. 335. l. 23. after *adjectis*, insert; How zealous King John was to extirpate Hereticks out of his Dominions, appears by this Record; an excellent evidence of his piety and care of Religion in the midst of his troubles.

**R**EX, &c. *R. de Pontibus* Senescallo *Wascen.* salutem. Audivimus quod de novo in terra nostra coepit in partibus *Wascen.* detestanda hæreticorum quorundam pullulare perfidia, quæ cum fidelibus sit omnibus odibilis et inimica, \* Nobis tamen ad præsens restat a sinibus nostris et nostrorum præ cæteris extirpanda, ne in terra nostra et dominio nostro maliciæ recipiatur alicujus exordium, per quod in posterum possit universitati fidelium provenire dispendium; Nobis igitur in fide qua nobis tenemini mandamus, sicut nos diligitis, et ne pro defectu vestri dampnum, quod abut, aliquatenus incurramus, ne ipsorum etiam hæreticorum nequitia videamur sequaces et participes, quatinus cum omni posse vestro, qualiter et occasione et dilacione postpositis, qui sint, vel per quos hujusmodi malicia fuerit de novo suborta, efficaciter et diligentissime inquiratis, eosque, cum ipsorum detestabili nequitia funditus confundendo, penitus extirpare curetis. Mandavimus etiam per literas nostras Magistro *P. de Bevenent*, predictæ *Romane* Ecclesie Cardinali et Apostolicæ Sedis Legato attentius exorantes, quod nobis ob reverentiam Dei et dilectionis vestre obtentu ad hujusmodi negotii consummationem efficaciter consulat, et sit in auxilium, et ad ipsorum nequicias viriliter eradicandas sollicitudinem adhibere studeat efficacem. Teste meipso apud *Novum Templum London.* 20 die *Novembris*.

Pat. 16 Johan.  
m. 10. b. 35.

\* Nota.

Tom. 2. p. 343. l. 52. before *Cumque*, insert: Besides these two Epistles printed in *Mat. Paris*, I find two other Bulls and Epistles of Pope *Innocent* recorded in the Patent-Rolls in the *Tower*, and three original Bulls I lately discovered in the *White Tower*; the first to King John himself, to encourage him to proceed in his voyage for relief of the *Holy Land*, for which end he had made a Truce with the King of *France*; the next to *Eustace de Vescy*, (a principal stickler against him \* formerly banished, whom he had restored to his lands and favour, to continue with a sincere heart and mind in his sworn loyalty to the King; and not to attempt, hinder or suffer others to disturb the King's Officers in the execution of their offices) the other three to the Bishops, Barons and Commons of *England*, not mentioned by any of our Historians; wherein he sharply reprehends the Archbishop and Bishops for not endeavouring to compromise the differences between the King and Barons, but fomenting, and siding with them all they could; and rebukes, censures the Nobles for seeking to wrest their Liberties by Rebellion and force of arms from their King, which they ought humbly to petition for, if there were cause; and exhorts the generality of the Barons and Commons to all dutifull obedience and humble submission to the King, thereby to appease and reconcile him to them; and with all humility and dutifulness, not with insolency or armed violence to request what they desired from him, preserving his honour and regality, whom he had intreated and conjured graciously to grant all their just requests; and not to hearken or adhere to those few factious Barons who would stir them up to Rebellion; that so the publick peace of the Realm might be established, the relief of the *Holy Land* promoted, and he

\* See Tom. 2.  
p. 359.



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An. 16 Johan. Regis.

Anno 16 Johan. Regis, in Turre London.

An. 16 Johan. Regis, in Turre London.

Pat. 16 Johan. pars 1. m. 1. dorso.

\* Nota.

\* Did not this Pope himself do so, to enforce K. John to resign his kingdoms to him?

might more readily bestow on them his assistance and favour in all their necessities; with which I shall present you in order, as not unworthy publick view.

**INNOCENTIUS** Episcopus, servus servorum Dei, charissimo in Christo filio **JOHANNI** Regi *Anglorum* Illustri, salutem & Apostolicam benedictionem. Literas quas nobis Regia sublimitas destinavit recepimus benignitate. Et quæ de treugis initis cum charissimo in Christo filio nostro **Ph. Rege Francorum** Illustri significasti, per eas notavimus diligenter. Cum igitur treugas ipsas ut subveniri possit expeditius *Terræ Sanctæ* asseras inisse, — *Serenitatem* tuam rogamus attentius, monemus et exhortamur in Domino quatinus ad ejusdem *Terræ* succursum intendas sollicitè ac potenter. Dat. *Latan.* 14 Kal. *Novembris*, Pontificatus nostri anno septimodecimo.

**INNOCENTIUS** Episcopus, servus servorum Dei, dilecto filio nobili viro *Eustachio de Vesci*, salutem & Apostolicam benedictionem. Cum per illius gratiam qui fecit utraque unum, discordantes parietes copulans in se lapide angulari, sit omnino sopita discordia quæ olim inter Regnum et Sacerdotium in *Anglia* vertebatur, occasione cujus confederationes et conjurationes contracte fuisse dicuntur, quia pace reddita & concordia reformata, cum causa cessare debet effectus; Comitibus, Baronibus et aliis nobilibus per *Angliam* constitutis dedisse meminimus in mandatis, ut in fidelitate charissimi in Christo filii nostri *Johannis* Illustris Regis *Anglorum* et heredum ejus, sincero corde ac puro animo perseverare deberent, tales se circa devotionem ipsius per omnia exhibendo, quod tam a nobis quam ab ipso possent merito commendari. Ut igitur mandatum illud majoris roboris consequatur effectum, Nobilitati tuæ per Apostolica scripta mandamus, quatinus prætextu confederationum et conjurationum illarum in sollicitudine Regia nullius difficultatis opponas obstaculum; Justiciarios et alios Officiales Regis ejusdem, nec per ipsum impediens, nec patiens quantum in te fuerit per alios impediri, quominus commissis ipsis officia efficaciter exequantur. Dat. *Latan.* Non. *Novembris*, Pontificatus nostri anno septimodecimo.

**INNOCENTIUS** Episcopus, servus servorum Dei, venerabilibus fratribus *S. Cantuariensis* Archiepiscopo, Sanctæ Romanæ Ecclesiæ Cardinali, & Suffraganeis ejus salutem, & Apostolicam benedictionem. Mirari cogimur et moveri, grave gerentes plurimum et molestem, quod cum inter vos et charissimum in Christo filium nostrum *J. Regem Angliæ* Illustri, par ad honorem Dei et Ecclesiæ sit feliciter reformata, dissensiones inter ipsum et quosdam *Magistratus* atque *Barones*, necnon complices eorundem, dissimulastis hactenus, et conniventibus oculis pertransistis, ad sopiendum illas non curantes interponere partes vestras, quamvis nullatenus ignoretis, quod nisi celeriter fuerint prudenti consilio ac studio diligenti sopitæ, tantum et tale scandalum eorum occasione possit accidere toti Regno, quod scire nequitet absque multo dispendio ac magno labore sedari, nonnullis suspicantibus et dicentibus, quod super quæstionibus contra ipsum Regem noviter suscitatis, \* vos illis præbetis auxilium et favorem, cum temporibus claræ memoriæ patris et fratris sui, necnon ipsius usque post pacem inter nos et ipsum vestra sollicitudine reformatam, hujusmodi quæstiones non fuerint suscitata. Illud autem reprobamus omnino, si quemadmodum a multis asseritur, conspirationes fecerint ausu temerario contra ipsum, quodque cum \* armis irreverenter et indevote repetere præsumperunt, quæ cum humilitate ac devotione, si opus esset, repetere debuissent. Ne igitur ipsius bonum propositum hujusmodi occasionibus volueritis impediri, fraternitatem vestram rogamus et exhortamur in Domino, per Apostolica vobis scripta præcipiendo mandantes, quatinus ad reformandam inter utrosque concordiam diligens studium impendeatis, et operam efficacem; omnes conjurationes et conspirationes præsumptas a tempore subortæ discordiæ inter Regnum et Sacerdotium Apostolica denunciante auctoritate cassatas, et per excommunicationis sententiam inhibentes, ne talia de cætero præsumantur: præfatos Nobiles monendo prudenter, et efficaciter injungendo; per devotionis et humilitatis indicia ipsum Regem sibi placare ac reconciliare procurent, exhibentes ei servicia consueta quæ ipsi et prædecessores sibi et suis prædecessoribus impenderunt. Ac deinde si quid ab eo duxerint postulandum, non insolenter, sed reverenter implorent, Regalem ei conservantes honorem, ut sic quod intenderint valeant facilius optinere. Nos enim eundem Regem rogamus, et obsecramus in Domino, in remissionem sibi peccaminum injungentes, quatinus prædictos Nobiles benigne pertractet, et iustas petitiones eorum clementer admittat, ut et ipsi congru-

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King John.

congaudientes conquiescant, eum divina gratia faciente in meliorem statum esse mutatum. Ac per hoc ipsi et heredes eorum sibi et successoribus suis promptius et devotius debeant famulari. Dat. Laterani, 14 Kal. Aprilis, Pontificatus nostri anno octodecimo.

**I**NNOCENTIUS, &c. Dilectis filiis Magnatibus & Baronibus Anglie salutem, & Apostolicam benedictionem. Grave gerimus et molestum quod sicut accepimus, inter karissimum in Christo filium nostrum J. Regem Anglorum Illustrissimum, et quosdam vestrum propter quæstiones noviter suscitatas discordia est suborta, grave dispendium paritura, nisi celeriter fuerint prudenti consilio ac studio diligenter sopita. Illud autem \* reprobandum omnino, si quemadmodum a multis asseritur, conspirationes aut confurationes feceritis ausu temerario contra ipsum, quodque cum armis irreverenter et indevote repetere præsumpseritis, quæ cum humilitate ac devotione, si opus esset, vos repetere debebatis. Ne igitur ipsius bonum propositum huiusmodi occasionibus volueritis impedire, nos omnes conspirationes et confurationes præsumptas a tempore subortæ discordiæ inter Regnum et Sacerdotium, Apostolica denunciavimus auctoritate cassatas, et per excommunicationis sententiam inhibemus, ne talia de cætero præsumantur; Vos monendo prudenter et efficaciter inducendo, ut per manifesta devotionis et humilitatis indicia, ipsum Regem vobis placare et reconciliare curetis, exhibentes ei servitia consueta, quæ vos et prædecessores vestri sibi et suis prædecessoribus impendistis; ac deinde si quid ab eo duxeritis postulandum, non insolenter, sed cum reverentia imploretis, Regalem ei conservantes honorem, ut sic quod intenderitis valeatis facilius optinere. Nos enim eundem Regem rogamus et obsecramus in Domino, in remissionem ei peccaminum insurgentes, ut vos benigne pertractet, et iustas petitiones vestras clementer admittat: sic et vos ipsi congaudiendo cognoscatis eum divina gratia auxiliante in meliorem statum esse mutatum, ac per hoc vos et heredes vestri sibi et successoribus suis debeatis promptius et devotius famulari. Quocirca nobilitatem vestram rogandam durimus et monendam, per Apostolica vobis scripta mandantes, quatinus tales in hoc vos exhibere curetis, quod Regnum Anglie optata pace letetur, et nos in necessitatibus vestris cum opus fuerit, necessarium vobis impendere debeamus auxilium et favorem. Dat. Laterani, 14 Kal. Aprilis, Pontificatus nostri anno octodecimo.

If Pope Innocent himself, or his predecessors before, or successors after him, had observed these instructions he gave to the Archbishops, Bishops and Nobles of England, there had not been one quarter so many Rebellions and insurrections against King John and other Christian Kings, Emperors in England, Germany, Italy, France, and other Kingdoms, as there have been by Popes contrary Bulls and Epistles, exciting them to rebell and take up arms against their Sovereigns, to depose or expell them by force, for not submitting to their Papal usurpations over, or anti-christian Edicts, Censures denounced against them.

The Barons notwithstanding this Papal Bull persisting in their armed violence and Rebellion against the King, the Pope thereupon in July following sent this ensuing \* Bull to the universality of the Barons and Commonalty of England.

**I**NNOCENTIUS Episcopus, nobilibus viris universitati Baronum Anglie hanc paginam inspecturis, salutem & Apostolicam benedictionem. De partibus Anglie nuper auribus nostris rumor accessit \_\_\_\_\_ quosdam inter eos & carissimum \_\_\_\_\_ esset cum humilitate ac devotione \_\_\_\_\_ super hoc iidem Barones suos ad nos nuncios destinassent; & nos (venerabilibus \* patribus Cantuariensi Archiepiscopo, et Episcopis, Archidiaconis) dedissemus literis in præceptis, ut conspirationes et confurationes præsumptas a tempore subortæ discordiæ inter Regnum et Sacerdotium Apostolica (denunciaret auctoritate cassatas per excommunicationem inhibentes) ne talia de cætero temptarentur; insurgerent Baronibus antedictis ut per devotionis et humilitatis indicia tam animum Regis placare quam reconciliare sibi studerent; et si quid ab eo ducerent postulandum, conservando sibi Regalem honorem, exhibendo servitia debita, quibus ipse Rex non debebat absque iudicio spoliari; ac insuper moneri mandavimus Regi præfato in remissione peccaminum sibi injungendo, quatinus benigne pertractans nobiles antedictos, iustas petitiones eorum clementer admitteret, plena eis in veniendo, morando ac recedendo securitate concessa pariter atque data. Ita quod si forte non posset inter eos con-

\* Yet the Bishops and all his other Subjects must thus conspire, &c. against him. before his Charter of resignation, by this Popes instigation, to effect his designs against him.

\* Nota.

\* The original whereof I found in the White Tower, somewhat defaced in the first lines. An. 16 Regis Joh. in Turri London.

\* Tom. 3. p. 337, 341.

\* See Tom. 3. p. 341. Mat. Paris. Hist. Angl. p. 196, 197.



An. 16 Joh.  
han. Regis.

\* Nota.

cordia provenire, in Curia sua per pares eorum secundum Regni consuetudines atque leges, nota deberet dissentio terminari, Barones ipsi, nostro non expectato responso, postquam idem Rex signum Crucis assumpsit in subsidium Terræ sanctæ, contemptu iustitiæ, quum ipse Rex superhabundanter offerebat eisdem, contra dominum suum arma movere temeritate nefaria præsumperunt, non timentes taliter Crucis negotium impedire, ac Regni periculum procurare, cum pecunia quam pro liberatione Terræ sanctæ deberet expendere, in destructionem etiam terræ suæ profundere compellatur: Quodque nefandum est et absurdum, cum ipse Rex quasi perverfus Deum et Ecclesiam offendeat, illi assistebant eidem; cum autem conversus Deo et Ecclesie satisfecit, ipsum impugnare præsumunt, neque videtur quod conspirationem inhiere detestandam, ut eum taliter de Regno possint efficere, hominis et fidelitate sibi præstitis penitus violatis; quod quam crudele sit actu, et horrendum auditu, cum perniciosi exempli materia sit et causa nostris temporibus inaudita, manifeste cognoscit quicumque iudicio utitur rationis: Unde valde dolendum existit cum hoc in injuriam summi Dei, Ecclesie Romanæ, ac nostrum contemptum, Regis et Regni obprobrium et periculum, et Terræ sanctæ ad cuius subsidium se devoverat Rex præfatus, nimium detrimentum redundet. Cum igitur debeamus & libenter velimus pacem Regni Angliæ procurare, ipsius turbationes procellere, ac dicti Regis, QUI VASSALLUS NOSTER EXISTIT conservare iustitias, et injurias propulsare; maxime cum idem propter caretterem Crucis assumptum sub nostra protectione specialiter consistat, præfatis Archiepiscopo et Suffraganeis ejus in obedientiæ virtute districte dedimus in præceptis, quatinus, nisi præfati Barones infra octo dies post susceptionem litterarum nostrarum ab eis vel aliquo ipsorum diligenter ammoniti, receperint et servaverint formam descriptam superius a nunciis eorum præsentibus cum multa deliberatione provisam, idem, omni cavillatione postposita, eos et fautores ipsorum sublato cuiuslibet contradictionis et appellationis obstaculo, excommunicationis mucrone percellant, et terras illozū Ecclesiastico subiciant Interdicto, facientes utramque sententiam per totam Angliam singulis diebus Dominicis et festivis sollempniter publicari. Ne igitur propter quosdam perverfos universitatis sinceritas in Angliā corumpatur, quæ hactenus ab infidelitatis contagio fuit proflus immunis, universitati vestræ per Apostolica scripta præcipiendo mandamus, et in remissionem injungimus peccatorum, quatinus præfato Regi adversus perverfos huiusmodi opportunitatem impendatis auxilium et favorem, ita quod in confusionem ipsius et aliorum Regnorum non possit tanta nequitia prævalere, sed tempestate sedata, Regnum ipsum optata tranquillitate lateatur. Scientes pro certo, quod si Rex ipse remissus esset aut tepidus in hac parte, nos Regnum Angliæ non patremur ad tantam ignominiam et vililitatem deduci, cum sciamus per Dei gratiam et possumus talium insolentiam castigare. Dat. Terentini, 14 Kal. Julii, Pontificatus nostri anno octodecimo.

From this memorable Bull not (extant in any of our Historians) we may observe, 1. This Popes zealous censures of and declamations against all undutifull, contemptuous proceedings, conspiracies, insurrections of the Barons against K. John, to extort their demanded liberties from him by force of armes, not by humble petitions, dutifullness and obedience to him as their Sovereign, after he became his sworn Vassal, diametrically contrary to his Bulls, Excommunications, Interdicts and Excommunications of his own Subjects, Barons, Prelates and the French King against him, to depose & un-King him before he surrendered his Crown, Kingdoms to, and resumed them from him by his detestable Charter. 2<sup>ly</sup>. That King John's Charter and subjection of his Crown, Realm to the Pope and Church of Rome, as their Vassal, was the principal cause of his Barons and Nobles insurrections against him, and that in contempt of the Pope, Church of Rome and their anti-monarchical usurpations, who for the most part constantly adhered to him against the Pope during the Interdict and his Excommunication. Therefore doubtless they never assented to, but opposed his Charter of Resignation, and this clause inserted into it, De consensu omnium Baronum suorum, must needs be a forgery, as this his Bull demonstrates. 3<sup>ly</sup>. That the ground of these his Bulls, was not any real piety or zeal to God, or King John; but because he was HIS VASSAL, and under his Papal protection, as Crossed to relieve the Holy Land. 4<sup>ly</sup>. This Popes Antichristian spirit, pride, insolency, in denouncing Excommunications and Interdicts not onely against the Barons, but menacing

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menacing to chastise King John himself, in case he were remiss or cold in executing what he prescribed by this Bull for the Barons just satisfaction; and the Kingdoms, what he prescribed by this Bull for the Barons just satisfaction; and the Kingdoms, tranquillity. An. 16 Joh. Regis.

I shall here present you with the greatest part of a memorable Letter (the residue being illegible) which I found in the *White Tower Chappel*, sent from *Rome* to King John by *W. Maucelere* his devoted Clerk and messenger by whom he sent Letters to the Pope, rendering this account of his negotiation; and of the Popes, Cardinals and Barons proceedings and complaints against him by the Barons Proctors in the Court of *Rome*, and the affairs of the Emperour his Nephew, worthy publick view.

**R**everendo Domino suo J. Dei gratia Rex Anglia, Dominus Hybernæ, Dux Norman. Aquit. & Com. Andegav. suus W. Maucelere semper valere, fidelis & devotus Clericus illucem & cum debita subjectione semper fidele servitium. Nos, verit excellentia vestra, Domine reverende, quod quamvis magna infirmitate in itinere essem detentus, tandem Dei gratia securus & in dolibus die Martis prox. ante festum Beati Michaelis Apostoli Romam veni, & inveni Dom. Papam apud Lateranum, & eodem die accessi ad eum, et eum ex parte vestra cum debita reverentia salutavi, et literas testras porrexi, quas ipse benigne suscipiens, et diligenter inquisivit de statu vestro, ac de parte Regni vestri. Cum autem per responsum meum intelligeret, quod omnia circa personam vestram bene haberent, multum gavissus est, gratias inde referens Altissimo. Set postea, scilicet die Sabbati prox. antedicti Cinerum, venerunt ad Coriam Johannes de Rorby Clericus, Eustachius de Vescy, & quidam Capellanus dictus de Paris, Johannes Sancti Osberti nomine, deferentes literas Magnatum Angliæ, super literas illas in recessu latens presentium Dominus Papa nonnumquam audivit, & quid in litteris illis contineretur nondum plene mihi consulerat: Set hoc scio pro vero, sicut didici ex relatione Dom. Johannis de Colampna fidelissimi amici vestri, et relatione aliorum amicorum vestrorum, quod Magnates Angliæ, scilicet Barones, & ut prædicti Nuncii dicunt Papa, omnes Barones totius Angliæ instanter Domino Papæ supplicant, quod cum ipse sit Dominus Angliæ, vos diligenter admoneret, et si necesse fuerit compellat, antiquas Libertates suas per Cartas antecessorum vestrorum et proprio juramento vestro conformatas, eis illas conservare. Dicunt autem prædicti Nuncii, quod cum vos a prædictis Baronibus inde requisiti fueritis in Epiphania Domini apud London, ipso proprio sacramento vestro, non tantum libertates suas antiquas et consuetas eis concedere contempnissetis, immo voluissetis quod ipsi vobis promitterent, et etiam per Cartas suas darent, quod nunquam de cetero tales libertates a vobis vel successoribus vestris erigerent. Quod omnes Barones præter Dominum Wynihon, & Comitem Cestrie, & Wilhelmum Brinwerr hoc facere renuerent: Supplicant autem Domino Papæ, quod ipse super hiis eis provideret, cum satis constet ei, quod ipsi audacter pro libertate Ecclesiæ ad mandatum suum se vobis opponerent, et quod vos annum redditum Domino Papæ et Ecclesiæ Romanæ concessissetis, et alios honores quos ei et Romanæ Ecclesiæ exhibuissetis, non sponte, nec ex devotione, imo et timore et per eos coactus, fecissetis. Doleo autem Domine, quod tales rumores oportet me Excellentie vestre significare: Set quia credo, quod expedit honori vestro, quod vobis super hoc caute quam citius poteritis provideatis, nullo modo ausus fui tacere. Præterea sciatis Domine quod multum desiderant amici vestri, Dominus Camerarius, & Dom. Johannes de Columpna, quod vos Domino Imperatori Nepoti vestro efficax consilium impendatis. Dicitur autem in Curia, quod in bono statu esset si haberet pecuniam, quia multi de Magnatibus Imperii ad fidelitatem ejus redeunt. Et ut nobis quantum

ipse Dominus Moirguntinus

Fredericus verò G. pacem fecit cum Imperatore, & est de familia ipsius, ut dicitur, in Curia. Præterea sciatis Domine

treugarum quærelæ

quod pro reverentia vestra, tantam inveni gratiam tam in conspectu Domini Papæ, quam in oculis omnium Cardinalium, quod dicitur in Curia,

quod non fuerit aliquis, &c. omnes Cardinales qui

de tua vestra gratiam inveniret

qui & gratiam invenio

Domino Ph. de Colst, & fidelitatis

pro amore vestro

fecerunt: Et sciatis, quod Dom. Papa et omnes Cardinales doluerunt quod non

posui negotium meum, quod dicto Ph. de Colst per vestras ostenditur (the next line

is illi

Nota



King John. *An Exact History of the Popes Intolerable Usurpations, B. 5. ch. 1.*

An. 16 Jo. is illegible in most words ) ————— Et sciatis ————— quod  
 ban. Regis. non habui adversarium in Curia, set quod potuit in ————— benigne Dominus Papa,  
 Scribatur autem Domino Papæ Judicibus quod Magister W. ————— (the two next  
 lines are illegible) ————— Miratur Dominus Papa & amici vestri in  
 Curia quod Nuncii vestri ad Curiam non venerunt, & consilio quantum audio,  
 quod nisi ————— (about 7 lines more are illegible.)

The close of the Letter concerns the advancement of some particular person to a Deanry, whose preferment the Pope and Cardinals did most desire, and the suspension of another, with some advice concerning it, which is so sullied and defaced, that I think fitter to omit, then to present some broken fragments of it. From the former part thereof concerning the Barons complaint and suggestions to the Pope against the King, it is observable; First, that the Pope made use of the Barons as well as the Bishops to enforce the King to make his detestable Charter of his Crown, Realm, and resume them from him under an annual rent, sore against his will; which they used as the strongest inducement to persuade the Pope to compell K. John to grant and confirm those Charters, Liberties to them which they contested for. Therefore this Clause inserted into his Charter by the Popes Agents; *Non vi induiti, nec timore coacti, set nostra bona, spontaneaue voluntate offerimus et libere concedimus Deo et sanctis Apostolis ejus, &c.* must needs be a notorious falshood. 2ly. That the King after this detestable Charter and surrender, made use of the Popes power, Bulls, Excommunications and Interdicts to curb the Barons and Archbishop, and \* null the Charter of Liberties they forcibly extorted from him, and to enforce them to disclaim them, Such an *ambidexter* was he to promote his own usurped authority over them both, as his Vassals, and make them the new instruments of their own servitude and bondage.

\* See Tom. 2.  
 p. 340, to 348.

Tom. 2. pag. 356. l. 28. after *Aprilis*, adde; I find this special License to elect a Bishop, granted by the King to the Chapter of *Bangor* upon their petition, wherein he recommended a Pastor to them, whom they thereupon elected.

Pat. 16 Johan.  
 pars spississima.  
 m. 5. n. 33.  
 \* The King  
 conferred Bi-  
 shopricks be-  
 fore, without  
 Petitions or  
*conge-deliars*.

R E X dilecto sibi Capitulo *Bangorensis* Ecclesie, &c. Literas vestras clausas suscepimus continentes in pluribus, ut licentiam eligendi pastorem vobis concederemus. Et licet hoc facere \* non consueverimus, tamen ad preces vestras licentiam eligendi quam postulastis vobis concedimus; rogantes, quantum Abbatem de *Alba Landa* vobis eligatis in pastorem, et cum elegeritis, mittatis nobis literas vestras patentes et testificantes, quod ipsum elegeritis ad petitionem nostram, et nostrum electioni vestre petetis assensum addideri. Et in hujus, &c. vobis mittimus. Teste meipso apud *Sutton*, 13 die *Marci*, anno regni nostri 16.

The effect whereof in complying with the King, is thus recorded.

Ibid. m. 4.

A Rchiepiscopo *Cantuariensi* Rex, &c. Sciatis quod Canonici de *Bangor* invocata Spiritus Sancti gratia, unanimiter elegerunt sibi in Episcopum & Pastorem laudabilem virum C. Abbatem de *Alba Landa*: Nos autem huic electioni regium independentes favorem, paternitati vestre supplicamus rogantes, ut eidem Electo munus consecrationis impartiri velit. Teste meipso apud *Oxoniam*, 13 die *Aprilis*.

The Prior and Covent of *Ely* electing *Robert* of *York* the same year for their Bishop, contrary to the Kings pleasure and Royal dignity, he thereupon sent three Prohibitions and Appeals against it: one to the person elected, not to accept of his election or confirmation to it; another to the Archbishop, not to confirm his election; a third to the Prior and Monks, not to proceed in the election; and committed the Temporalities of the Bishoprick during his pleasure, to his own special Trustees, as these Records assure us.

Pat. 16 Johan.  
 m. 4. vel 5.

R E X Magistro *Roberto* de *Eborum*, &c. Audivimus quod Prior & Conventus *Elensis* de persona vestra nominationem quandam fecerunt de electione sibi facienda in Episcopum: Et quoniam sambudum scriptum tam in Capitulo eorum, quam alibi, pro jure nostro et Regia dignitate appellavimus, et postmodum appellationes easdem innovavimus, cum ista nominatio de persona vestra facta nostræ dinoscatur contraria esse dignitati, appellamus; prohibentes vobis ne ad electionem vel confirmationem procedatis, nec circa personam vestram super hoc ad promotionem vestram aliquid contra dignitatem Regiam statuatur. Et ad appellationem nostram innovandam mittimus fideles Clericos nostros *Robertum* de *Arenes*, & *Jocelinum* de *Alia*

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*Alta ripa.* Et in hujus, &c. vobis inde mittimus. Teste meipso apud *Rading.* *An. 16 Joh.*  
14 die *Aprilis*, anno regni nostri 16. *han. Regis.*

**V**enerabili in Christo patri S. Dei gratia *Cantuariensi* Archiepiscopo, &c. 7. *Ibid. n. 26.*  
Eadem gratia Rex *Anglia*, &c. salutem. Audivimus quod Monachi *Elisenses* contra appellationem a nobis pro dignitatibus nostris ad Dominum Papam dudum interpositam, et postmodum coram vobis et alibi multociens innovatam, quantum in eis est Magistrum *Robertum de Eborum* nominarunt. Quia vero hoc contra nos et dignitates nostras expresse factum esse reputamus, ad sedem Apostolicam appellamus, ne illam nominationem sive electionem, & tamen eam pro electione habeatis, confirmetis. Et ad hanc & alias appellationes innovandas latores presentium *Paganum & H. de Vec.* paternitati vestre transmittimus. Et in hujus, &c. vobis mittimus. Teste meipso apud *Radinges*, 14 die *Aprilis*, anno regni nostri 16.

**R**EX Priori & Conventui *Elieu*, &c. Sciatis vobis constare nos sæpius tam in *Ca-* *Ibidem.*  
pitulo vestro quam alibi, pro iure nostro appellasse, ne quid contra dignitatem et libertatem Regiam fieret super electione in Ecclesia vestra facienda, et appellationes nostras innovasse. Et quoniam datum est nobis intelligi, vos nominationem quandam fecisse de *Roberto de Eborum* vobis in Episcopum eligendo, adhuc appellationes nostras innovavimus, prohibentes ne contra dignitatem nostram in electione aliqua circa personam prefati R. vel alicujus alterius procedatis. Et in hujus, &c. vobis mittimus. Teste meipso apud *Radinges*, 14 die *Aprilis*, anno regni nostri 16. Ad has autem appellationes innovandas ad vos mittimus Magistrum *Robertum de Aremes*, & Magistrum *Jocelinum de Alta ripa*. Teste eodem.

**R**EX Militibus & liberè tenentibus & omnibus aliis ad Episcopatum *Elisensem* *Ibidem.*  
pertinentibus, salutem. Sciatis quod commisimus dilectis & fidelibus nostris *Radulpho de Normanvill*, & *Roberto de Kancia* Episcopatum *Elisensem* custodiendum, quamdiu nobis placuerit. Et ideo vobis mandamus, quod eis sitis intendentes & aliis negotiis nostris quæ ipsi vobis dicent. Et in hujus, &c. vobis mittimus. Teste meipso apud *Walingesford*, 14 die *Aprilis*.

Tom. 2. p. 357. l. 41. after *discrimen*, insert; Pope *Innocent* the 4<sup>th</sup>. under pretext to relieve the *Holy Land*, but in truth to exercise and enlarge his Papal Jurisdiction over Kings and Kingdoms, enjoined King *John* and the King of *France* to make a *Truce*, under pain of inflicting his Ecclesiastical Censures on them, as this Bull and Epistle of his to King *John*, not formerly printed, informs us.

**I**NNOCENTIUS Episcopus servus servorum Dei karissimo in Christo filio *Pat. 16 Johan.*  
J. illustri Regi *Anglorum*, salutem & Apostolicam benedictionem. Cum ex *m. 17.*  
guerra quæ vertitur inter te & karissimum in Christo filium nostrum *Philippum Francorum* Regem illustrem, impediatur *Terra Sancta* succursus, ad quem pro salute populi Christiani, ardentissime aspiramus, aliaque innumera timeantur ex ea pericula proventura; Nos Apostolicæ servitutis debito provocati, ad reformationem pacis intendimus interponere partes nostras, unde consulitur nobis a viris prudentibus et honestis, quatinus tibi ac prefato *Francorum* Regi firmiter injungamus, \* per  
censuram Ecclesiasticam vos, si necesse fuerit, compellendo, ut pro tot et tantis periculis evitandis, treugas ineamus et observetis adinvicem, saltem usque post generale Concilium in proximo celebrandum, rebus in eo statu manentibus in quod erint cum ipsæ treugæ à partibus firmabuntur. Et duo mediatores pacis absque malicia eligantur, qui fideliter interim tractent de concordia reformanda: Quæ, si forte provenire non posset, nostro vos arbitrio committatis, præstitis super his cautionibus quæ tanto aut tali negotio fuerint opportune, ut ertunc ad tam periculofam discordiam sopiendam nos ipsi personaliter intendamus. Quocirca serenitatem Regiam rogamus, monemus & exhortamur in Domino, quatinus habita super his deliberatione prudenti, nobis non differas per idoneum nunciam respondere. Dat. *Rome*, apud Sanctum *Petrum*, 10 Kal. *Maii*, Pontificatus nostri anno septimo-decimo.

These Popish Trayterous Prelates were so harsh and ungratefull to King *John*, that after their restitution and reparation, they stirred up several Abbots to demand what they freely gave the King during the Interdict, as if he had took it away by force; whereupon he writ thus to them, not to demand restitution thereof, but remit it, being freely given to him.

**R**EX Abbatibus, Prioribus, & Clericis in Episcopatu *Elisensi* constitutis, salutem. *Pat. 16 Johan.*  
Memoriter retinemus & benè recolimus quod vobis tenemur in multis, et *m. 10.*  
maxime



An. 16 & 17  
Job. Regis.

An. 17 Jo-  
han. Regis.

\* Anno 1215.  
p. 98.

\* Septa.

\* Anno 1215.  
p. 100.

\* See Tom. 2.  
p. 359, 360.

Pat. 17 Johan.  
m. 16.

maritime in hiis quæ nobis deb. His tempore Interdicti, et quæ tunc ablata vocantur. Et vos rogamus, ut ea quæ nobis dedistis, nunc nobis remittatis data, non repetendo, set ex mera liberalitate vestra ea nobis concedatis, ut ad gratiarum vobis teneamur actiones, et de cetero vobis obnoxiores efficiamur. Et quid ex mera liberalitate vestra nobis facere volueritis, per dilectos et fideles Simonem de Insula, Guyemara de Bassingeburne, & Archidiaconum Sarrum nobis significetis. Teste meipso apud Novum Templum London. 22 die Novembris.

Tom. 2. p. 351. l. 38. after *Sword*, this should have followed. \* *Mat. Westminster* renders us this account of this Kings military proceedings against the Barons, and sad consequence of this unhappy Civil War, as well to the Bishops and Clergy as Barons and Laity. *Stipatus igitur agmine detestabili alienigenarum, cuius Dux & praeceptor Falcarius de Breauté, vir quidem ignobilis, & gentitura bastardus, Neuter genere constitutus est; Rex Johannes furia invelitus, partes Angliæ Aquilonares cepit devolare, Castra Baronum vel diruere, vel sibi mancipare. Aulas & municipia immisericorditer, quæ Baronum fuerant, concremare, incolas excogitatis tormentis, ut pecuniam extorqueret, exagitare, ita ut videretur Dominus furere irasci populo suo, et hereditatem suam abominari: ubique luctus, ubique miseria. Factus est Sacerdos ut populus, et \* sceptrum Ecclesiæ prophanantur. Proscribuntur Episcopi, effugientibus pastozibus gregum agmina disperguntur. Eodem tempore, quia fuit corrector, et in quo potuit, corrector Regis Johannis, semper tamen recalcitrantis, ab officio suspensus est Stephanus Cantuar. Archiepiscopus, quasi esset lautor adversariozum vassalli Domini Papæ, scil. Regis Johannis, per omnia desipientis. In Concilio etiam generali suspensionem prenotatam Dominus Papa confirmavit. Tandem vir, multis tamen elaborantibus, meruit idem Archiepiscopus absolutionis beneficium obtinere. \* Interea afflictione magna, dum nobilium mulieres ludibrio traierentur, domus comburentur, sylva succiderentur, terra alienis donarentur, pecunia a quovis, tormentis exquisitis, extorqueretur. Depopulata est Insula Eliensis per Falcatum, qui etiam Ecclesiam ipsam Cathedralē equum infidens, evaginato gladio irreverenter intravit, extrahensque inde nobiles viros et matronas, necnon et Clericos, ipsumque Dominum Stephanum Riddel, virum clarissimæ famæ, honestum & dapilem, ad gravissimam compulit redemptionem. Et dum talia agerentur, ad instantiam Regis, qui quasi ad Dominum suum Papam nuncios crebro destinavit, ipse Summus Pontifex, ut vassallum suum novum, nobis Dominus protegeret viriliter et efficaciter, Barones Angliæ, quos prius excommunicavit in genere, jam iterato excommunicavit \* nominatim, et in specie. Barones autem, jam in arcto constituti, postquam cognoverunt, quod Dominum Papam pro subjectione regni, et vassallagio Regis inclinati validum haberent persecutorem, quem prius habuerunt defensorem: Ludovicum, primogenitum Philippi Regis Francorum, sibi in Regem electum diutius expectarunt. Cui obfides cum chartis, & aliis obligationum generibus de fidelitate, & ligantia transmissis, solennibus legationibus destinavunt, qui parandis preparatis adventum maturavit. Rex vero Johannes, audiens de adventu Ludovici in Angliam, Cantuariam advolavit. Et interim applicuit Gualo Legatus, missus a Domino Papa Innocentio 3. ad tuitionem Regis Johannis. Qui transitu facto per Regem Francorum Philippum, ex parte Domini Papæ omnibus modis dissuaserat, ne filium suum Ludovicum in succursum excommunicatorum transmitteret, ne Ecclesia Romana patrimonio suo privaretur. Quod cum intellexisset Rex Philippus, hoc de regno Angliæ dictum fuisse, ita mox respondit; Regnum Angliæ patrimonium Petri, vel Ecclesiæ Romanæ nunquam fuit, nec est, nec erit.*

Tom. 2. p. 360. l. 4. after *XVIII.* adde: To procure this Excommunication and Interdict, and the Popes confirmation of his Charters of Queen *Perengaria* her dower, *K. John* dispatched *Pandulph*, the Popes Legat, and several Proctors to *Rome* to Pope *Innocent*, as these ensuing Records and Letters attest; wherein he complained, that the Barons who were devoted to him before he surrendered and subjected his Realm to the Pope, had since for that very reason, as they publicly protested, most violently risen up in rebellion against him, imploring his ayde and protection of Himself and Realm against them; and the obstinacy, disobedience of his treacherous Prelates, who hindered the good effects of his former care and endeavours to protect and support him; for which he returned him all possible thanks.

Reverendo Domino suo & Patri sanctissimo J. Dei gratia Summo Pontifici J. eadem gratia Rex Angliæ, &c. salutem & debitam tanto Domino ac Patri reverentiam,

renciam. Cum Comites et Barones Anglia nobis devoti essent antequam nos et An. 17 Jo-  
nostram terram Dominio vestro subicere curassemus, extunc in nos specialiter \* ob han. Regis.  
hoc, sicut publice dicunt, violenter insurgunt. Nos vero post Deum vos specialem  
Dominum et Patronum habentes, defensionem nostram et totius Regni (quod  
vestrum est) esse credimus vestre paternitati commissam, et nos quantum in nobis  
est Curam et sollicitudinem istam vestre reservamus dominationi; devotius sup-  
plicantes, quatinus in negotiis nostris quae vestra sunt consilium et auxilium efficac  
apponatis, prout melius videritis expedire. Latrores praesentium venerabiles Pa-  
tres W. Burdegal. & H. Dublin. Archiepiscopos, Magistrum R. Canc. nostrum, Ab-  
batem Belli Loci: Magistrum P. Ebor. Ecclesiae Praeceptorem, & H. Archidiaconum,  
& Magistrum R. de Arenio Canonicum Eborum, & Nobiles viros J. Marefcallum,  
& G. Luterell fideles nostros, quos propter hoc ad pedes vestros transmittimus be-  
nignius exaudientes. Nos enim super omnibus quae ad nos et Regnum nostrum  
pertinent vices nostras et auctoritatem sanctitati vestre committimus. Datum  
habitu et firmum quicquid inde cum consilio nuntiorum nostrorum duxeritis ordi-  
nandum. Teste meipso apud Doveram, 13 die Septembris. (A strange enforced  
condescension.)

What fruit and effects these Letters and Proctors produced for the Kings and King-  
doms defence against the Barons, you heard out of Matthew Paris: what his  
other Complaints were against his refractory Bishops, this his memorable Letter to  
the Pope will inform us.

**I**tem, Domino Papae, &c. In conspectu Paternitatis vestre nos humiliamus, ad Pat. 17 Johan.  
grates multiplices prout melius scimus et possumus exhibendas, pro Cura et sol. m. 15 dorlo.  
licitudine quam ad defensionem nostram et Regni nostri Angliae; Paterna vestra  
benevolencia indefinenter apponit, licet \* duricia Prelatorum Angliae atque inobe-  
dientia maliciose impediant pax vestre provisionis effectum. Nos tamen pro affectu  
sincero quem ad nos geritis clementiae vestre devocius inclinamus, qui etiam ad  
praesens a superbis et a malevolis ad insipientiam sibi censeatur inefficax, nobis erit  
Domino concedente ad tuicionem et pacem, et inimicis nostris confusionem et ter-  
rorem inducet. Et licet Dominus Pandulphus fidelis Subdiaconus vestre Normicen-  
sis Electus nobis pernecessarius esset in Anglia, utpote qui honorem Ecclesiae Roma-  
nae ac vestrum, et totius Regni nostri fideliter et devote procurat, quia tamen nullo  
modo de statu nostro et Regni paternitas vestra certificari poterit melius quam per  
ipsum, ad pedes vestros eundem destinamus invitum, devocius supplicantes qua-  
tinus per ipsum specialiter, et per alios fideles nostros illatæ vobis in persona no-  
stra insurta, veritate comperta ad regimen Regni nostri et nostrae observandam  
dignitatis paternae manum sollicitudinis apponatis, prout excellens vestra discretio  
viderit expedire, quod per Dei gratiam laudabiliter facitis et fecistis. Pro certo  
habentes, quod post Deum personam vestram et auctoritatem Apostolicæ Sedis ha-  
bemus unicuique et singulare praesidium, et sub vestri confidentia patrocinii respira-  
mus, (after he became their Vassal) Teste, &c.

**D**omino Papae, &c. Erga Sedem Apostolicam habentes multa proponere, et per Pat. 17 Johan.  
Dei gratiam et vestram plurima impetrare, coram vobis in propria persona m. 15 dorlo.  
nostra summo desiderio desideravimus interesse: quia tamen juxta hujus voluntatis  
nostrae desiderium, impediende locorum difficultate pariter & Viarum, necnon per-  
turbatione Regni nostri quam ex inopinato patimur, coram praesentia vestra sanctita-  
tis in propria persona nostra comparere non possumus, \* venerabiles Patres nostros Idcirco.  
Burdeg. & H. Dublin. Archiepiscopos, Magistrum R. de Mar. Cancellarium no-  
strum, & Nobles viros J. Marefcal. & G. Luterell praesentium portitores ad Sedem  
Apostolicam destinamus, quos ita Procuratores constituimus in Causis et negotiis  
quae sive de Anglia, sive aliunde habemus, sive habuimus in Curia Romana expedi-  
enda, sive in agendo, sive defendendo, ac si singula singulariter expressa fuissent, non  
tantum illis generalem sed administrationem liberam in omnibus concedentes. Ra-  
tum habituri & gratum quicquid per jam dictos Procuratores, aut tres, aut saltem  
duos eorum in vestra praesentia factum erit. Promittimus etiam pro eis judicatum  
solvi, si opus fuerit. Haec ita Sanctitati vestrae significanda duximus, ut eadem ad-  
versariis nostris, si qui in praesentia vestra apparuerint intimentur. Teste, &c.

**I**tem, Domino Papae, &c. omnia ut supra usque huc: venerabiles Patres nostros Ibidem,  
W. Burdegal. & H. Dublin. Archiepiscopos, Magistrum R. de Mar. Cancellar.  
nostrum, Abbatem Belli Loci Reg. Magistrum B. Ebor. Ecclesiae Praeceptorem, & H.  
Archi-



King John. *An Exact History of the Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 17 Joh. Archidiaconum, & Magistrum R. de Aren. Canonicum Ebor. & Nobiles viros J. Mareſcallum, & G. Luterell fideles nostros pro negociis nostris quæ habemus vel habuerimus in Curia Romana expedienda, siue de Anglia, siue aliunde, ad Sedem Apostolicam Nuncios destinamus, quibus si placet Apostolicæ serenitatis gratiam exhibentes, in hiis qui ex parte nostra, & pro nobis paternitati vestræ proposuerint indubitanter credatis, & eos in nostris istis petitionibus clementer audire & paternaliter exaudire velitis. Teste; &c.

King John having at this time made two Charters touching the Dower of Queen Berengaria, wife to his deceased Brother King Richard the 1. sent them by these his Proctors to the Pope to procure his confirmation of them, according to his Covenant therein specified.

Pat. 17 Johan.  
m. 16. dorſo.

**R**everendo Domino suo & Patri in Christo sanctissimo Innocentio Dei gracia Summo Pontifici, *Nobannes* eadem gracia Rex Angl. &c. & debitam tanto Domino & Patri cum devocione reverenciam. Mittimus, Pater sanctissime, transcriptum Convencionis factæ inter nos & Reginam Berengariam, de verbo in verbum, cujus tenor talis est. *J.* Dei gracia Rex Anglorum, &c. Omnibus ad quos præſens scriptum pervenerit, salutem: Sciatis, ita convenisse inter nos & Dominam Reginam Berengariam quondam uxorem Domini Richardi Regis Fratris nostri, de dote sua quam petebat, & de quadam questione quæ quondam inter nos & ipsam facta fuit super eadem dote, de qua mille Marcas de nobis recipere debebat annuatim, videlicet, quod nos modo ad præſens damus ei duo millia Marc. pro omnibus arretragiis, & pro solucione præſentis anni, & de cætero dabimus ei annuatim mille Libras bonorum & legalium sterlingorum; scilicet quingentas Libras in festo Omnium Sanctorum, & quingentas Libras in festo Ascensionis. Hanc autem pecuniam solvemus ei in domo *Novi Templi* apud *London*. Licebit autem eidem Domine Regine repetere dotalicium suum ab omni detentore extra Regnum Anglia, præterquam à nobis & Successoribus nostris, & nos de hoc non erimus contra eam, nisi nos teneamur de jure illud ei warrantizare; & neque nos, neque Successores nostri poterimus capere in manum nostram res illas super quibus ipsa in causam traxerit detentores, salvo nobis & hæredibus nostris post ejus obitum jure nostro. Concedimus etiam quod ipsa Regina & homines de familia ejus liberum habeant omni tempore introitum in terram nostram & exitum ab eadem, possintque ibi morari quamdiu voluerint, & tam eos quam omnes res eorum salvum conductum nostrum & fidelem securitatē nostram recipiemus inveniundo, in redeundo, & morando, præſtito Sacramento, quod per eos nobis malum non eveniet aut Regno. Concedimus etiam quod in omnibus portubus maris liberum habeant transitum quando voluerint, prohibentes quod nullus Ballivorum vel hominum nostrorum ipsos impediatur, vel consuetudinem recipiat ab eisdem. Compositionem autem facimus tam pro nobis quam hæredibus nostris; statuantes quod si forte, quod absit, nos vel aliquis Successorum nostrorum ipsam Convencionem infringere, quod facere non possumus salva fide, & infra xl. dies commoniti, nos vel Justiciarius noster si extra Regnum fuerimus, id non emendaverimus, dotalicium suum integrè restituere teneamur eidem omni dilacione & occasione remota. Præterea fecimus iurare in animam nostram *Gandefridum Lauterell*, Militem nostrum, quod omnia quæ in Carta ista continentur observabimus illibata. Et ad majorem securitatem ea omnia a Domino Papa confirmari impetrabimus. Rogamus etiam Dominum Papam et humiliter petimus, ut præſenti Compositioni addat securitates quas viderit expedire, et nos ratum habebimus quicquid inde statuerit. Volumus etiam quod omnia fideliter observentur, & nolumus quod prædicta possit super hæc ab aliquo in posterum molestari. Et sciendum est, quod in hoc festo Omnium Sanctorum anno Regni nostri 17. solvemus dictæ Domine Regine primas quingentas libras de supra dictis mille Libris sibi annuatim solvendis. Hiis testibus Dominis *P. Winton*, & *S. Exon*, Episcopis, Magistro *Pand. Norwicensi* Electo, *H. Abbate de Bello-Loco*, Fratres *Alano Mariell*, Magistro *P. Archid. Surr.* Dat. per manum Magistri Ric. de *Mar.* Cancellarii nostri apud *Donr.* 2. die Septemb. anno Regni nostri 17. Cum igitur, Pater reverende, volumus hanc Convencionem Sedis Apostolicæ munimen optinere, præces Sanctitati vestræ effundere decrevimus, supplicantes quatinus in majorem hujus Convencionis securitatem, eidem Convencioni quas videritis expedire securitates apponi jubeatis, facientes, si placet, eandem perpetuo Sedis Apostolicæ munimine gaudere. Teste meipſo apud *Donr.* 11 die Septemb. a. r. n. 17.

Karissimo

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

King John.

**K** Arissimo Domino suo & Patri in Christo sanctissimo I. Dei gratia Summo Pontifici, f. eadem gratia Rex Angliæ, &c. Mittimus vobis, Pater reverende, transcriptum cujusdam Conventionis factæ inter nos & Dominam Berengariam, cujus de verbo in verbum tenor talis est. f. Dei gratia, &c. Omnibus, &c. Notum vobis facimus nos concessisse Dominæ Berengariæ quondam Angl. Reginæ uxori Regis Ricardi Fratris nostri, quod si fortè per pacem suam cum Regæ Franciæ, vel aliquo modo Civitatem Cenomann. recuperare poterimus, ipsam habeat in tota vita sua & possideat, cum tota Quinta liberè, & in pace, & quietè. Concedimus etiam quod si Castra de Segreio & de Mairnent ad manum nostram devenerint in vita ipsius Reginæ, nos ei sine dilacione Castra illa restituemus. Habendum quamdiu vixerit tanquam partem dotalicii sui : & ut contra Compositionem nos vel Hæredes nostri venire aliquo modo non possimus, fecimus Gaufridum Lutetel Militem nostrum jurare in animam nostram, et omnibus illis obligationibus in hac Carta nos eidem Reginæ obligavimus quibus sumus ei obligata in alia Carta, in qua ei assignavimus mille Libras sterlingorum annuatim. Supplicamus etiam Dom. Papæ quod Cartam istam confirmet sicut et aliam, et addat etiam securitates quas viderit expedire, et ratum habebimus quicquid inde statuerit. Testibus Dominis P. Winton, & S. Exon. Episcopis, Magistro Pandulpho Norwicensi Electo, Abbate de Bello-Locho, Alano Mariell, Hugone de Burgo Justic. nostro. Dat. per manum Magistri Ricardi de Mar. Cancellar. nostri apud Down. 4 die Septemb. anno regni nostri 17. Petimus igitur, sanctissime Pater, sanctæ Sedis Apostolicæ Conventionem istam munimine roborari, et securitates quas videritis expedire addi eidem, quia quicquid inde vestra statuere providencia decreverit nos ratum habebimus. Teste me ipso apud Downam, 4 die Septemb. a. r. n. 17. *Thus this holy Father the Pope must ratify the King's Temporal Contracts, and add what further Clauses and Securities to them he should deem meet, for this Queen's satisfaction.*

An. 17 & 18  
Job. Regis.  
Pat. 17 Johan.  
Regis, m. 16.  
dotto.

Tom. 2. p. 358. l. 49. after Bull, this should have followed. King John having sufficient experience of the treachery, perjury, disloyalty of most of his Bishops, Abbots, Clergy, by their Interdicting the Realm, procuring the Pope to excommunicate, depose him, and give away his Kingdom; and by their confederating with his Barons in their Wars against him, after their restitution, and his reconciliation to them notwithstanding their unparallel'd Treasons; did thereupon in the last year of his reign insert a new clause into his Licenses for electing Bishops, Abbots, Priors both in England and Ireland, as this Record assures us.

An. 18 Jo.  
han. Regis.

**R**EX Subpriori & Canonicis de Coventre, salutem. Suscepimus literas vestras per quas nobis significastis, quod Prior vester viam universæ carnis est ingressus, petentes à nobis licentiam Priorum vobis eligendi, unde licentiam vobis concedimus, mandantes quatinus talem virum & tam idoneum vobis unanimiter præficiatis in pastorem, qui nobis et regno nostro utilis sit ac fidelis, et domui vestræ competens et honestus. Teste me ipso apud Corff. 29 die Junii, a. r. n. 18. *Which form hath been generally observed with very little variation in after ages.*

Pat. 18 Johan.  
par. 1 & 2. m.  
6. innu.

Tom. 2. p. 367. l. 6. after death, this should have been inserted : \* Rannulfus Cestrensis renders us this account of K. John's death, and what common fame there was that he was poysoned by a Monk. Rex Johannes 17 regni sui anno, & sexto mense, obiit apud Newerk morbo dissenterico die Sancti Calixti Papæ, set apud Croghton Monasterium ordinis Præmonstracensis exenteratus est, & apud Wygorniam in medio Chori Monachorum sepultus. Tradit tamen vulgata fama, quod apud Monasterium Swynhenede alborum Monachorum intoricatus est. Furaverat enim ibidem (ut asseritur) prudens, quod panem tunc obolum valentem faceret infra annum si viveret 12 denarios valere. Quod audiens, unus de conversis fratribus loci illius venenum consecit, Regi porrerit, set et ipso sumpto prius viatico catholico simul cum Rege interiit. \* Henry de Kynghton a Canon of Leicester superaddes another cause and way of poysoning him, and what became of him after his death : Rex ipse Johannes ad Monasterium de Swyntheued, quod à Sancto Botolpho distat per quinque leucas, hospitandi causa declinaret. Audivit Abbatem ejusdem loci pulchram habere sororem, Priorissam cujusdam loci propinqui, accensumque ex more libidine, misit satellites suos ut eam adducerent ad se. Quod cum audisset Abbas frater ejus, tristis admodum effectus est, noluitque à fratribus consolationem accipere. Cui dixit unus conversus suus qui curam gerebat hospitii, & familiaris, & notus Domino Regi, Quidnam habes Pater ? cur decedit vultus tuus, & tristior solito est facies tua ? Cui Abbas ; Sororem habeo, inquit, unam, sponsam Christi,

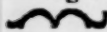
\* De Event.  
Angl. l. 2. c.  
15. col. 2419.



King John.

*An Exact History of the Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 18 John. Regis.



Christi, quam dilexi; Proponit eam deturpare Rex. At ille; Ignosce mihi pater, & ora pro me, et auferam vitam iniqui a terra, et timorem ipsius a conversatione hominum. Cui ille; Wellem hoc, inquit, fili mi; non tamen licet in personam Regis manum extendere. Processit itaque conversus, & tulit pira nova, quibus ipsum Regem libenter vesci sciebat, apposuitque venenum in singulis præter tria, quæ cum cæteris reposita optime denotabat. Denique cum Rex sederet in mensa & confabularetur cum suis militibus qui assiderant, accepto uno pane, non quidem ut Dominicam cœnam faceret, sed ut in perniciem suam loqueretur & moriem: Quæsit à ministro, quanti pretii esset panis ille si venditioni traheretur? At illi; Valeret, inquit, obolum. Et ille; Verè, inquit, fertilitas ista maxima fecit Barones & populum meum insurgere in me; nunc autem si per annum integrum comites mihi fuerint vita & salus, faciam tanti panem ponderis 12 obolos valere. Et scandalizati sunt ministri ejus in verbo isto, & retrocedebant quidam eorum. Conjurant omnes cum converso in mortem ipsius. Venit itaque conversus ille, & applausit Regi sicut & alias facere consueverat, & dixit ei; Placetne tibi, ô Rex, comedere de fructu novo? Placet, inquit, vade, & affer: Tulitque præparata pira, & statuit ea coram Rege. Moxque lapides pretiosi, qui coram Rege fuerant, in sudorem vertebantur: Et ait Rex; Quid attulisti frater? nunquid venenum porrexisti? At ille; Non venenum, ô Rex, sed fructum optimum. Et Rex; Comede, inquit, de fructu tuo. Moxque apprehenso uno ex piris cognitis comedit: Et Rex; Comede, inquit, & alterum; & comedit: Adde, inquit, & tertium; & fecit sic. Nec se ulterius potuit continere Rex, apprehenso uno ex venenatis comedit, eadem nocte extinctus est. Nec tamen perit conversus, sed inter manus eorundem tantum dilapsus est, liberavitque Deus per mortem Regis iniqui prædictam Sanctimonialem sponsam suam a novo (ut creditur) sponso Diabolo. Mortuo itaque Johanne sic extincto, tandem postmodum sepultus est Wygornia die Sancti Luca Evangelista, Anno Domini 1216. & regni sui anno 17. Sepultus dico est, sed non cum honore, quia terra quæ in operibus ejus pessimis turbata extitit, non ad plenum pacificata quævit. Sacerdos quidam qui Regi Johanni familiariter adhaeserat in vita sua, post mortem ejus ab amore ipsius non est ex toto separatus. Profusus enim lacrymis & precibus multis Deum frequenter exorabat, ut si ejus voluntas esset, ostenderetur sibi in signo aliquo, utrum cum anima Domini sui judicialiter vel misericorditer ageretur. Cumque dies in hac voluntate permansisset, tandem in visione nocturna apparuit ei vir splendidus in vestibus quasi deauratis, dicens ei; Quid flet? Quid ploras? surge, tolle & lege Psalmum 52. Quare gloriaris in malitia? et ibi videre poteris quid meruit Dominus tuus. At ille expergefactus à somno rediit in se, et nihil boni inveniens in Psalmo illo, cessavit præce sua. The Chronicle compiled at St. Albans Anno 1483. printed by Will. Caxton. Anno 1502. thus more particularly relates his poisoning, Pars 7. of the death of King John: The Kyng came by the Abbey of Swyneshede, and there hee abode two dayes; And as he sate at mete, he axed a Monke of the house, How moche that loof was worth that was sette before hym uppon the table? And the Monke said, That the loof was worth but an half-penny. O said the Kyng to the Monke, Here is grete chepe of brede; Now sayd he to the Monke, And I may lyve ony while, such a loof will be worth xx. shillinges or half a year be gone. And so when hee sayd this worde, moche hee thought, and often hee sighed, and toke and ete of the brede, and sayd; By God, the worde that I have spoken, it shall be soth. The Monke that stode before the Kyng was for this worde full sorry in his herte, and thought rather hee would hymselfe suffre deth, and thought yf he might ordeyne therefore some manere remedye. And anon the Monke wente unto his Abbot and was shryven of him, and tolde the Abbot all that the Kyng had sayd; And prayed his Abbot for to assyle him, for he would peve the Kyng such a drynke, that all Englonde sholde be glad thereof and ioyfull. Tho yede the Monke into a gardeyne, and founde a grete Tode therein, and toke her up and put her in a Cuppe, and pyeked the Tode thogh with a broche many tymes, till that the venym came out of every lode in the Cuppe. And tho toke the Cuppe and filled it with good ale, and brought it before the Kyng, kuelynge sayenge; Sir, sayd hee, Wassayll, for never the dayes of all your lyfe dronke ye of so good a Cuppe. Begyn Monke, sayd the Kyng; And the Monke dranke a grete draught, and toke the Kyng the Cuppe, and the Kyng dranke also a grete draught, and set doونه the Cuppe. The Monke anon ryght wente in to farmerye and there dyed anon, on whoos soule God have mercy, Amen. And fyve Monkes spye for his soul specially, and shall tople that the Abbape standeth. The Kyng rose up anon

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

K. Henry 3.

anone full evyll at ease, and commaunded to remove the table, and axed after the Monke, and men tolde him that hee was dead, for his tombe was broken in sundre. When the Kyng herde this, he commaunded for to trusse, but it was for nought, for his belly began to swelle for the dypnke that he had dzonke, and within too dayes hee deped, on the morowe after saynt Lukis daye. Such execrable Traytors were the Prelates and Monks to King John, as thus to deprive him both of his Crown, Life.

**King Henry III.**

Tom. 2. p. 370. l. 43. after *videbant*, insert.

**U**Pon the untimely death of King John by poison, Anno 1216. his young son Henry the 3<sup>d</sup>. being crowned King at Gloucester by Gualo the Popes Legate, (more out of zeal to preserve the Popes new acquired interest in England, by King John's Charter of Relinquation, then any cordial affection to the King or Kingdom;) <sup>a</sup> *Hujus (Gualonis) consilio & amonitione idem Rex cruce signatus est in festo Omnium Sanctorum eodem anno. Puer novem annorum in Regem erigitur viribus et industria Gualonis Legati Papæ, Wintoniensis Episcopi, Cemitum de Pembroc. & Cestrie: of whom Henry de Knyghton gives us this character. Rex vero novus qui patri barbato impubes successit, præventus à Deo benedictionibus dulcedinis à senectutis innocentie sue annis, superni Regis amorem ferbozemque concepit in tota vita: titulo humilitatis & innocentie puritate conscientie, morum suavitate & gravitate sic excellit, ut prædecessores suos, quibus solo nomine Regio congruebat, quæ sanctus et inter homines imperabat, et terrenus quidem Angelus videretur. Unde fertur ipsum novum Regem dum die quadam coram altari beati Virginis & Filii sui Regis (pictured like an Infant in his Mothers lap) assisteret; tale verbum protulisse, Rogo te puerum Regem, ut me Regem puerum de cætero reges et defendas.*

An. 1 H. 3.

a Henry de Knyghton de Event. Angliæ, l. 2. c. 15. col. 2127. c. 16. col. 2428. Polychron l 7. c. 34.

\* See Tom. 2. p. 13, 14, 15.

After his Coronation, the Legate excommunicating the Usurper Lewes, with all his adherents, every Lords-day and Holy-day, the Barons adhering to him being informed of his secret design to banish and disinherit them all, so soon as he had conquered England, deserted him; <sup>b</sup> præterea sententia excommunicationis, quam Angli præ omnibus nationibus formidant, (as Mat. Westminster observes) ipsos Barones ad proprium Dominum naturalem, scilicet Ludovico, diatim revocavit: Et viriliter se habentes Barones, (in fighting for King Henry) meruerunt absolvi, et Regis novi dilectionem. Whereupon the Usurper Lewes craving leave peaceably to depart out of England, taking an Oath never to return into, or infect it more, departed into France with dishonour.

b Mat. West. Ann. 1216, 1217. p. 104. Henry de Knyghton de Event. Angliæ, l. 2. c. 16.

How prevalent this Legate then was in the Kings Councils, how carefull to settle peace, prevent discontents, inconveniences, and promote the welfare of the Realm of England, will appear by this Record, to stop the Earl of Chester's present pilgrimage to the Holy Land, which would prove mischievous to the whole Realm at that season.

**G**ualo miseratione divina titulo Sancti Martini Presbyter Cardinalis, Apostolicæ sedis Legatus, H. Dublinensis, W. Eborum Archiepiscopi, P. Wintoniensis, J. Bathoniensis, S. Glastoniensis, & S. Wigorniensis Episcopi, W. de Lascey, L. de Monemart, & H. de Mortuo mari Nobili viro, Petro de Manlay, salutem. Cum Nobilis vir R. Comes Cestrie Crucesignatus, qui semper bene et fideliter servivit et servit Dominis suis Regibus Angliæ, votum peregrinationis suæ instanter adimplere decrevisset exiundo a regno, Regem et regnum ipsum sic desolatum volens relinquere, motus maxime et ad hoc inductus, quod Will. de Lancast. quem ei præcepit liberari, pridem & sæpius Dominus H. Rex Angliæ illustris, habere non potuit. Ipse tamen ad maximam instantiam nostram, et preces multiplices ad præsens a peregrinatione illa subsistit. Assumpta jam Cruce in pectore ad prosequendum hostes Dei & Ecclesiæ, adversarios Domini sui Regis Angliæ, unde cum ipsis obsequium tam laudabile Domino Regi et regno plurimum sit expediens: Vobis mandamus, quatinus sicut honorem ipsius Domini Regis, et regni utilitatem diligitis, ipsum Willielmum statim, & sine omni occasione & difficultate sub salvo conductu mittatis usque Glouc. & cum

Claus. 1 H. 3. dorso 11.



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An. 1 H. 3. eum ibi liberari faciatis *Radulpho Musard* Vicecomiti *Gloucestræ*. Scientes pro certo, quod nisi istud quam citius feceritis, poterit inde, quod *Deus* avertat, *Domino* Regi et regno magnum dampnum accidere, quod totum non immerito vobis poterit imputari. Valete.

\* *Max. Westm.*  
Anno 1213.  
p. 94.  
Pat. 1 H. 3.  
m. 8. *Hibern.*

Soon after the Legate and Kings Council sent \* *Henry de London* Archbishop of *Dublin* into *Ireland*, both to instruct and comfort his Church, and reform the state thereof, by the advice and assistance of the *Chief Justice*, as this Patent informs us.

REX dilectis & fidelibus suis Baronibus *Hibernia*, salutem. Licet præsentiam venerabilis patris nostri Domini *H. Dublin*, Archiepiscopi in partibus *Anglia* nobis & regno nostro scierimus extitisse pernecessarium, ipsiusque consilio vix carere valeamus. Ipsum tamen ad partes *Hibernia* destinamus, ut Ecclesiam suam ejus absentia sæpèidem desolatam, instrueret et consoletur, statusque terræ nostræ *Hibernia* emendationi, et agendorum nostrorum in partibus vestris expeditioni post vestrum consilium et juvamen intendat: Unde vobis mandamus, quod ei in omnibus quæ ad nos spectant ordinandis & disponendis sitis intendentes, unâ cum dilecto & fidei nostro *G. de Marisco* Justiciario nostro *Hibernia*. Volumus etiam & præcipimus, quod omnia ad nos spectantia per ipsius Domini Archiepiscopi dispositionem, una cum Justiciarii nostri & vestro juvamine & consilio ordinentur. Et in hujus rei testimonium has literas nostras patentes, &c. vobis mittimus. Teste *Comite* apud *Wintoniam*, 16 die *Aprilis*, anno regni nostri 1.

I find in the Clause Rolls of 1 H. 3. this memorable Writ sent to the Chief Justice of *Ireland*, giving him a full account of *K. John's* decease, of *King Henry's* being anointed and crowned King at *Gloucester* by the Popes Legate, of his confirmation of the Charters and Liberties granted by *King John*, his promise to redress all just grievances, of the *English* Barons and Prelates homages and fealties done to him at his Coronation, and in a Council held at *Bristol*, (not mentioned by our Historians) and his granting the self-same Charter of Liberties to *Ireland* as the *English* Free-men enjoyed; with an order to receive the fealty of all the Nobles of *Ireland* to him, beginning with thanks for his former fidelity to his deceased Father, and to be now exhibited to himself.

Clauſ. 1 H. 3.  
m. 25. dorſo.

REX *G. de Mareſcallo* justiciario suo *Hibernia*, salutem. Multiplices vobis referimus gratiarum actiones de bono & fidei servitio vestro scilicet memoriz *J.* quondam Regi *Anglia* patri nostro exhibito, nobisque exhibendo, & de hiis quæ per fidelem nostrum *Radulphum de Norwico* Clericum nobis significastis. Cum igitur jubente ipso cujus famulantur imperiis mors & vita, Dominus & pater noster ex hac luce sæliciter commigravit, cusus animam \* celestibus collocetur; vos scire volumus, quod celebratis sollempniter ex more debito regalibus exequiis in Ecclesia beata *Maria Wigorniensis*, convenerunt apud *Gloucestriam* plures regni nostri Magnates, Episcopi, Abbates, Comites et Barones, qui patri nostro viventi semper constiterunt fideliter & devotè, & alii quamplurimi; ubi in festo Apostolorum *Simonis & Jude* in Ecclesia beati *Petri Gloucestræ* applaudentibus Clero et populo, per manus Domini *G.* titulo Sancti *Martini* Presbyteri Cardinalis, et Apostolicæ sedis Legati in *Anglia*, et Episcoporum tunc præsentium, invocata Spiritus Sancti gratia, publice fuimus in Regem *Anglia* inuncti et coronati, fidelitate et homagio omnium illorum nobis exhibetis. Quod vobis ut fidei nostro duximus intimandum, ut de honore et successu nostro sælici gloriemini. Sane cum audierimus indignationem quandam inter memoratum Dominum patrem nostrum, & quosdam Nobiles regni nostri exortam, cum causa vel sine causa nos nescimus, sic agitatum extitisse, et illam volumus imperpetuum aboleri et obliſci, quod nunquam menti nostræ adharcat, et ut cessante causa cesset effectus, quicquid extiterit erga ipsum conceptæ indignationis, parati sumus et volumus pro viribus nostris expiare, singulis præbendo quod ratio dicaverit cum subditorum consilio, et deletis de regno præbis consuetudinibus in libertatum et liberarum consuetudinum innovatione dies nobilium patrum nostrorum reformare graciosos, unicuique tribuendo, quod sibi debet cum ratione competere. Ad hoc sciatis, quod celebrato nuper Concilio apud *Bristol*, ubi convenerunt universi *Anglia* Prælati, tam Episcopi, Abbates, quam Priores, et multi tam Comites quam Barones, qui etiam universaliter fidelitatem nobis publice facientes, concessis eis libertatibus et liberis consuetudinibus ab eis prius postulatis, et ipsis approbatis, prompti et prout ad mandatum nostrum in partes suas cum gaudio sunt reversi. Speramus quidem & in Domino confidimus, quod regni

\* Not in Hell,  
where the  
Monks would  
place it, Tom.  
2. p. 366.  
† adhaſerunt.

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regni nostri status, divina favente clementia in melius commutabitur. De Domina Regina matre nostra vel fratre nostro mittendis in *Hiberniam*, vobis respondemus, quod habito consilio fidelium nostrorum et assensu, quod nobis et commodo nostro et regni nostri expedire viderimus faciemus. Rogamus igitur dilectionem vestram, quatinus et si bona memoria J. patri nostro fideles extiteritis et devoti, tanto nobis fideliores existere curetis, quanto scitis nos auxilio et consilio vestro in hac teneritate nostra plurimum indigere, capientes fidelitatem de singulis *Hibernie* Magnatibus, et aliis qui nobis ipsam facere tenentur. Retinuimus adhuc nobiscum *Radulphum de Norwico*, ut de hiis & aliis per ipsum voluntatem nostram plenius vobis significemus, volentes ut eisdem vos et ceteri fideles nostri *Hibernie* gaudeatis libertatibus quas fidelibus nostris de regno *Anglie* concessimus, et illas vobis concedimus et confirmabimus. Teste, &c.

An. 1 H. 3.

The Canons of *Carlisle* contemning both the Popes and his Legates authority and Censures, contumaciously celebrating Divine Service and Sacraments notwithstanding their Interdicts; adhering, submitting, and swearing Fealty to the King of *Scots*, King *Henry's* and the Popes declared Enemy; yea electing an interdicted, excommunicated Clerk for their Bishop, against the Kings and Legates wills; and dividing the antient Revenues of the Bishoprick amongst themselves, the Kings Council thereupon sent this Epistle to Pope *Honorius* the 3<sup>d</sup>. (\* who succeeded *Innocent* the 3<sup>d</sup>. this year) in the Kings name, totally to remove these Schismatical Canons, and place Prebends in their rooms; to augment the Bishops Revenues, (being so small that no able or loyal person would accept thereof) and displace the intruded Bishop, for the reasons expressed in this memorable Record.

\* Mat. Westm. An. 1217. pag. 1005.

**R**everendo Domino ac Patri in Christo karissimo *Honorio*, Dei gratia Summo Pontifici, *Henricus* eadem gratia Rex *Anglie*, &c. salutem, et debitam cum omni honore et subiectione Reverentiam. Noverit sancta Paternitas vestra quod Canonici *Carleolensis* Ecclesie faventes & adherentes Regi *Scocie*, et aliis adversariis et inimicis vestris, et nostris, procurantes quantum in ipsis est exheredationem nostram, \* spreta penitus auctoritate vestra, et Sedis Apostolicæ Legati, in locis interdictis et excommunicatis irreverenter, et impudenter, et contumaciter divina celebrare non verentur. Prædicto etiam Regi *Scocie* inimico *Romane* Ecclesie et nostro, interdicto et excommunicato, urbem *Carleolensem* hostiliter occupanti se subdiderunt, et ipsum in Patronum et Dominum receperunt, et fidelitatem ei fecerunt. Ita etiam quod in præjudicium juris nostri et Ecclesie *Eborac.* ad instantiam dicti Regis *Scocie* inimici nostri, quendam Clericum suum interdictum et excommunicatum eligerunt sibi in Episcopum et Pastorem. Cum etiam prædicta Ecclesia *Carleolensis* sita sit in confinio Regni *Scocie*, maxime expediret tranquillitati & Paci nostræ, & Regni nostri, quod tale ibi constitueretur caput et talia membra, per quæ nobis et Regno nostro utiliter et efficaciter provideri, et adversariis nostris facultas nocendi possit recludi. Paternitati vestræ devote supplicamus, quatinus consulentes nobis et Regno nostro, statum Ecclesie prædictæ in melius commutare velitis. Amoventes, si placet, funditus ab eodem prædictos schismaticos et excommunicatos. Cum enim ipsi in multis habundent, Episcopus eorum ita hactenus egestate afflictus est et inopia, quod vir habet ubi caput suum reclinet: Et non invenitur aliquis, qui in aliquo nobis utilis esse poterit aut necessarius, qui Episcopatum illum recipere voluerit. Scientes pro certo, quod non poterit nobis melius provideri in partibus illis, prout de consilio fidelium et Magnatum nostrorum evidenter intelleximus, quam si prædicti schismatici et excommunicati penitus amoveantur, et loco eorum qui dicuntur Regulares, (cum sint proflus irregulares et Ecclesie *Romane* Inimici et inobedientes) constituentur Prebendarii, qui *Romane* Ecclesie obedientes, et nobis in Consilio sint prudentes, et in auxilio efficaces, ut eorum poena a consimili delicto alios deterreat. Et super hiis voluntatem vestram karissimo Amico nostro Domino Legato significare velitis. Et quia nondum habuimus sigillum, has Literas sigillo Comitum *Willielmi Mariscalii* Rectoris nostri & Regni nostri, sigillavimus. Teste eodem Com. apud *Wynton*. 26 die *Aprilis*.

\* Nota.

Upon which Letter the Pope ordered *Gualo* his Legate by the Kings Royal assent to constitute \* *Hugh* Abbot of *Beleis* Bishop of *Carlisle*, as the Kings Letters Patents \* See Tom. 1. for augmentation of the Revenues of his Bishoprick, ( Pat. 3 Hen. 3. memb. 5. pag. 357. 376. dorso ) attest.

*Gualo*



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*An. 2 & 3* Gualo the Popes Legate, having made an accord between *Lewes*, King Henry, and his Barons, and settled the Realm in a peaceable posture, *An. 1218*. Clitellis, auto et argento refertis, *Romam* postquam electionem *Richardi de Marisco* plenius procuraverat, et de multis *Anglorum* ad libitum redditibus disposuerat, remeavit. Hereupon, *Pandolphus electus in Episcopum Norwicensem*, qui recedente *Gualone Legato* successit in Legationem eadem, venit London. apud *Sanctum Paulum*, to execute his Legantine domineering authority, fill his purse, and rule all things at his pleasure. Soon after, *Rex Henricus proprium sigillum sibi fecit fabricari*; sealing all his Patents and Writs till then with the Legate *Gualo's*, or *Earl Marshalls* Seals.

*Claus. 2 H. 3. m 3, 6. Claus. 3 H. 3. m. 4. 629, 11, 12, 13.* Tom. 2. p. 373. l. 4. after *seige*, adde. I find in the \* *Clause-Rolls* of *An. 2, & 3 H. 3.* that the King by his Ecclesiastical Prerogative and Writs, removed the respective Markets of *Numanton* in *Devonshire*, of *Wallingford* in *Berkshire*, of *Berchamsted* in *Bedfordshire*, of *Leominster* and *Bractee* in *Gloucestershire*, of *Rosne* in *Lincolnshire*, of *Winborne*, *Lyminster*, *Perfor*, *Watham*, and *Woburn* (in *Worcestershire*) usually held on the *Lords-day* before, to *Mondays*, *Thursdays*, or *Saturdays*, out of his piety, and that honour he then gave to the due observation of the *Lords-day*, much prophaned by those Markets held thereon.

*An. 3 H. 3.* Tom. 2. p. 374. l. 7. after *King*, insert. To these I shall annex this memorable Record evidencing the Kings Sovereign Ecclesiastical Jurisdiction in *Ireland*. The Canons of *Lismore* electing a Bishop without the Kings precedent License, and sending their Proctors into *England*, to procure the Kings royal assent to their Election; the King's Council declared it to be illegal and null, being made against his ancient Prerogative, ratified by the Pope himself, that \* *no Elections ought to be made without his special precedent Royal License to elect*. Whereupon these Proctors renounced the first Election as void, and by vertue of their Procuracion, by the Kings special License re-elected the same Bishop; which election the King approving, issued this Writ to the Chief Justice of *Ireland* to restore his Temporalities.

*Pat 3 H. 3: pars 1. Rot. Spiss. m. 6. Hibernia. De electione Lismorensis Ecclesie in Hiberniam. 6. & part. 2. m. 5.*

**R**EX G. de Mar. Justiciario Hibernie, venientes ad nos in *Angliam* Magister *Macrobinus & David* Canonici *Lismorensis* Ecclesie, in presencia Domini P. Dei gratia *Norwicensis* Electi, Domini Papae Camerarii & Apostolicae Sedis Legati, coram Consilio nostro proposuerunt, quod Magistrum *Robertum de Bedesford* elegerunt in Pastorem Ecclesie suae praedictae tunc vacantis, et petierunt assensum huius electioni Regium exhiberi; sed statim obiectum fuit eis a Consilio nostro, quod nulla fuit electio illa, nec rite celebrata, cum secundum dignitatem nostram multis diebus optentam, et a Domino Papa confirmatam, debuit electionem suam petita et impetrata a nobis eligendi licencia praebenisse. Intelligentes igitur dicti Canonici, quod non rite processum fuit in hac parte, renunciaverunt electioni tali, dicto Magistro *Robertum de Bedesford* eidem pro se renunciantem, porrigentes Consilio nostro literas Capituli *Lismorensis* continentes, quod dictos Magistros M. & D. tam in electione facienda, quam ceteris Ecclesie suae negotiis Procuratores constituerunt; statum habituri quicquid ex parte Capituli in hiis ducerent disponendum. Audito vero earum literarum tenore, & data eis audientia, petierunt a nobis humiliter licentiam eligendi: quae ut laboribus eorum et Capituli parceremus, eis benigne concessa, praehabita deliberatione eundem Magistrum *R. de Bedesford* in Pastorem sibi elegerunt. Quorum electioni cum sic rite facta fuisset, nostrum praestituimus favorem et assensum. Hec igitur vobis protestantes, praesentibus literis vobis mandamus, quatinus eidem Magistro R. vel Procuratori suo plenam seisinam habere faciatis de Episcopatu *Lismorensi*, cum omnibus maneriis ad eundem pertinentibus, & cum omnibus pertinentiis suis plenam seisinam habere faciatis. Teste Domino P. *Wintoniensi* Episcopo apud *Westmonasterium*, 12 die *Decembrii*, anno regni nostri tertio. Per eundem & Comitum *Marescallum*.

By the like reason the Bishops keeping Courts and exercising all manner of coercive Ecclesiastical Jurisdiction by their own authority in their Dominions, without the Kings special License, was as void, illegal, and as much against the Law, Kings Crown and Dignity, as their first Election, the Earl of *Cornwall's* Sonne holding Plea of an Assize of *Mordancester*, or of *Novel disseisin*, and constituting Justices of Assize in *Cornwall* in his County Courts by his own authority, without the Kings License; which being then complained of to the Kings Council, they resolved to be against

against the Kings honour, Crown, and dignity, and thereupon prohibited by this memorable Writ of *Prohibition*. *An. 3 H. 3.*

**H.** Dei gratia, &c. Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Militibus, libere Tenentibus, & omnibus de Comitatu *Cornubie*, salutem. Intimatum est Consilio nostro, quod *H.* filius Comitis *Corn.* Assisam quandam de morte Antecessoris capi fecit in Comitatu *Cornubie* sine precepto nostro, et sine Iusticiariis ad hoc constitutis ex parte nostra; et quod \* auctoritate propria Iusticiarios constituit ad Assisas nostre disseisinas capiendas ad quemlibet Comitatum, unde mandavimus ei et firmiter injungimus, ut a talibus desistat, nec placitum aliquod ad Coronam nostram pertinens teneat, sine speciali precepto et warranto nostro, nec quicquam attemptet quod credere possit in dispendium dignitatis nostre. Vobis igitur mandamus firmiter injungentes in fide qua nobis tenemini, ne hujusmodi fieri permittatis pro posse vestro; et prohibemus districte, ne aliquis liber homo in hujusmodi Assisas se ponat vel poni permittat, sine speciali precepto nostro, cum sint manifeste tales Assise contra honorem Regie dignitatis. In cujus rei testimonium, &c. has Literas nostras patentes vobis mittimus. Teste *H.* de Burgo Iusticiario apud *Novum Templum London.* 17. die *Septembris*, anno, &c. tertio. Coram Domino Legato & *P. Wintoniensi* Episcopo.

*Pat. 3 H. 3. m. 2. De Assisibus Cornubie.*

\* As Archbishops then and since constituted Chancelors, Officials, Vicars, and other Ecclesiastical Judges under them, by the rown authority.

The same year *Pandulphus* the Popes Legate, by his Legatine authority, took upon him to write to the Kings Consilio to release *William de Latham* a Clerk, who had been a long time imprisoned, (unless his Offences were such for which he ought not to be released by Law) by putting in Pledges or sufficient caution, not hereafter to oppose the King or Church of Rome (which it seems he had formerly done) as this Record relates.

**R.** EX *Waltero de Godardvill*, salutem. Literas Domini Legati recepit consilium nostrum in hac verba: *Venerabili in Christo Patri P. Dei gratia Wintoniensi Episcopo & Nobili viro W. Marefcallo Anglie*, *Pandulphus eadem gratia Norwicensis Electus*, Domini *Pape Camerarius*, et Apostolicæ sedis Legatus, salutem, & sinceram dilectionis affectum. Cum *Willielmus de Latham Clericus sub custodia Walteri de Godardvill* teneatur carceri mancipatus, ac diu fuerit ibidem oppressus, discretioni vestre Legationis qua fungimur auctoritate mandamus, quatinus eum in diutinis miseriis ejus eidem compati teneamur, ipsum facientes restitui pristina libertati, et quod Domino Regi et Ecclesie Romanæ se de cetero non opponet, quinimo eorumdem fidelis existens, eorum Jura modis omnibus servabit illæsa, cautionem ab eodem Clerico recipiatis sufficientem, nisi talis fuerit ejus excessus pro quo merito debeat retineri. Dat. &c. Et ideo vobis mandamus quatinus, nisi excessus ejus talis fuerit pro quo merito ipsum retineri debeat, ipsum mittatis ad Consilium nostrum a Prisona liberatum, accepta ab eo securitate sufficienti, quod fidelis erit Sanctæ Romanæ Ecclesie et nobis, et eidem Sanctæ Romanæ Ecclesie se de cetero non opponet: et si pro excessu suo merito retineri debeat, significetis Domino Legato excessum suum pro quo captus est, et detentus. Teste *Comite apud Westmonasterium*, 20 die *Jan.* anno regni nostri tertio. Per ipsum Comitem coram Domino *Wintoniensi* & Iusticiariis. By which Record it is evident, that Clerks in that age were subject to imprisonment and other punishments for their Offences against the King, as well as Lay-men, and to give security and caution for their dutifull obedience and loyalty to the King as well as Pope, before their enlargement out of prison.

*Pat. 3 H. 3. m. 5. De liberatione Willielmi Latham Clerico.*

The King having made a New Great Seal in the 3<sup>d</sup>. year of his reign, to prevent the disinheriting of the Crown by granting Lands or Liberties under it to any Ecclesiastical or Temporal Persons during his minority, the Popes Legate, with his Council, Bishops, Abbots, Earls and Nobles, by common advice made this memorable Constitution, ratified under his New Great Seal by this Patent, the very first they sealed therewith, that all Patents sealed with this New Seal, against this ordinance, during his minority should be voyd.

\* *Pat. 3 H. 3. m. 6. Prima Litera Novi sigilli Dom. Regis de Carta vel Literis Patentibus non faciendis, &c. hic incipit sigillum Dom. Regis currere.*

**H.** ENRICHUS Dei gratia Rex Anglie, &c. omnibus has literas inspecturis salutem. Sciatis, quod provisum est per commune Consilium Regni nostri, quod nulla Carta, nullæ Litteræ Patentes de confirmatione, alienacione, vendicione vel donacione, seu de aliqua re quæ in perpetuitatem, sigillentur Pagno Sigillo nostro usque ad statum nostram completam. Testibus *Gualone* tituli Sancti Martini Presbytero Cardinali, & Apostolicæ Sedis Legato; Domino *S. Cantuariensi* Archiepiscopo, *Willielmo Marefcallo* Comite *Pembrok*, *Huberto de Burgo* Iusticiario



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An. 3 H. 3. nostro *Angliae*, coram *W. Londoniensi*, *P. Wintoniensi*, *R. Dunolmensi*, *J. Batoniensi* & *Glastonburienfi*, *H. Lincolnensi*, *S. Exoniensi*, *W. Coventrenfi*, *R. Sarresburienfi*, *B. Roffensi*, *H. Herefordensi*, *R. Ciceftrenfi*, *W. Wigornienfi* Episcopis, & *H. Carleolenfi* Electo, *H. Abbate Sancti Edmundi*, *W. Abbate Westminsterii*, *A. Abbate Sancti Augustini Cantuariæ*, *W. Abbate de Sancto Albano*, *R. Abbate de Burgo*, *H. Abbate Ramseiesi*, *R. Abbate de Bello*, *R. Abbate de Waltham*, & *S. Abbate Radingensi*, *W. Comite Sarresburienfi*, *W. Comite Arundel*, *G. Comite Gloucestriensi*, *H. Comite Herefordensi*, *W. Comite Arimariæ*, *W. Comite Essexiæ*, *R. Comite Oxoniensi*, *H. filio Comitum*, *Roberto filio Walteri*, *Roberto de Ros*, *Galfredo de Say*, *Willielmo Brimere*, *Petro filio Herberti*, *Petro de Manlay*, *W. Marefcallo juniore*, *Willielmo de Cantilupo*, *Falk de Breant*, *Willielmo de Hunting*, *Roberto de Cardigan*, *Johanne Marefcallo*, *Willielmo de Albinaco*, *Willielmo de Bello Campo*. Provisum est, et per Commune Consilium Regni nostri, et coram prædictis omnibus, quod si aliqua Carta, vel aliqua Litera Patentes factæ secundum aliquarum prædictarum formarum sigillatæ inveniantur prædicto Sigillo, irritæ habeantur et inanes. Testibus prænominatis, et multis aliis.

After which the King constituted *Proctors* in the Court of *Rome*, for or against all things that concerned himself, his Guardians, Counsellours, or Bailiffs, by this Patent.

Pat. 3 H. 3. m. 5. De Procuratoribus constitutis in Curia Romana.

**S**anctissimo Patri & Domino *Honorio*, Dei gratia Summo Pontifici, *Headem* gratia Rex commendationem & pedum oscula. Proveritis, Pater sancte, nos constituisse Procuratores in Curia vestra dilectos et fideles nostros Magistrum *Galfredum de Caletto*, & *Deodatum*, ac *Willielmum de Sancto Albino* Clericos, latrores præsentium, ad impetrandum, contradicendum, et Judices eligendos, prout viderint expedire, in omnibus negotiis quæ pro, vel contra nos, et Consiliarios, Rectores, et Ballivos nostros fuerint propolita in Curia vestra. Ratum habituri quicquid circa prædicta cum eis et eorum altero fuerit expeditum. Durent autem Literæ istæ a Natali Domini anno regni nostri tercio, usque ad Festum Sancti Michaelis anno eodem. Teste Domino *P. Wintoniensi* apud *Westmonasterium*, 14 die Decembris, anno regni nostri tercio.

The same year by this Legates, and his Counsils advice, the King changed the heathenish, unnatural, long-continued ancient Trials in criminal Causes by *Fire* and *Water*, into other wayes of trial, and punishments by imprisonment or abjuring the Realm; as his fore-cited Writs issued to all his *Justices itinerant*, Tom. 2. Appendix, p. 20. attest; to which this Patent should have been added.

Pat. 3 H. 3. m. 5.

**E**odem modo scribitur Domino *Batoniensi* & *Glastonienfi* Episcopo, & sociis suis Justiciariis Itinerantibus in Comitatus *Somerset*, & *Dorset*, & Justiciariis Itinerantibus in Comitatu *Oxoniæ*, & Justiciariis Itinerantibus in Comitatu *Kancie*, & Justiciariis Itinerantibus in Comitatus *Essex*, & *Hereford*, & Justiciariis Itinerantibus in Comitatu *Eborum*, & Justiciariis Itinerantibus in Comitatus *Bedf.* & *Bucking.* & Domino *H. Lincolnensi*, & sociis Justiciariis Iterantibus.

King *John* having committed the possession and custody of his Castle of *Merpis*, and Hostages to *R. de Ponte* a kinsman to the Bishop of *Carnton*, who refused to surrender them to the tuition and protection of the See of *Rome*, and treacherously surrendring the Castle by the Bishops consent into the hands of his Enemies, and releasing the Hostages, Pope *Honorius* upon complaint thereof issued this Bull to the Bishop of *Engolism* and others to excommunicate *R. de Ponte*, and enforce him to restore the Cattle and hostages to him, the original whereof I found in the *White Tower*.

An. 3 H. 3. in Turfe Lond.

**H**onorius Episcopus servus servorum Dei, venerabili fratri Episcopo *Engolism*, & dilectis filiis Abbati de *Nancolio Pillav.* Diocesis, & Decano *Burdegalsi*, salutem & Apostolicam benedictionem. Quanto libentius hætenus venerabili fratri nostro Episcopo *Cauntonen.* detulimus & deferre intendimus de gratia speciali; tanto ab hiis se accuratius convenit abstinere; per quæ nobis displicens reputari possit ingratus. Quin potius ita debet se nostris beneplacitis coaptare, quod de gratia in gratiam probehi mereatur. Karissimus siquidem in Christo filius noster *H. Rex Angliæ* illustris suam ad nos querimoniam destinavit, quod cum claræ memoriæ *Johannus* pater ejus Castrum suum de *Merpis* custodiæ nobilis viri *R. de Ponte* senioris, germani Episcopi supradicti, fiducialiter commisisset, nunc prænominato *J.* viam universæ carnis ingresso, prædictus *R.* Castrum ipsum & obsidem ipsum & ob-

sides

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fides eidem Regi reddere denegavit pluries requisitus : quinetiam, ad suæ infidelitatis nequitiam palliandam, ad partes transmarinas (vel potius, ut dicitur, in Hispaniam) simulata devotione se transferens, dolose intendit prædictos obsoles libere; tanquam per ipsius affectatam negligentiam, quæ utique aperta est, malicia evasuros: & ut qualem fidelitatis affectum erga Regem habebat exhibebat in effectu, tales in ipso Castro dimisit, qui non solum præfato Regi Castrum et obsoles reddere aspernantur, verum etiam proditorie rebellantes, ipsos homines hostiliter persequuntur; et (quod vix credere possumus) hoc perpetrant non sine ipsius Episcopi consilio et assensu; cum a prædicto fratre suo dispositioni ejusdem credamur esse commissi. Quod ex eo liquidem præsumitur probabiliter, quia cum illi sint in sua Diocæsi constituti, eos non solum non reprimunt, verum etiam fovere favorabiliter non desistit. Cum igitur causam prædicti Regis pupilli, Crucesignati, et custodia Sedis Apostolicæ derelicti, omnibus modis defendere teneamur; eidem Episcopo per scripta nostra firmiter dedimus in præceptis, ut prædicto Regi Castrum suum et obsoles reddi procuraret; detentores eorum spirituali et temporali districtione compellens. Ita quod non solum nulla ex hoc contra se possit suspitio exoriri, verum etiam sua exinde possit circumscriptio commendari. Quocirca discretionem vestram per Apostolica scripta mandamus, quatinus detentores Castri et Obsoles prædictorum ad restitutionem eorum præfato Regi debitam faciendam, per censuram Ecclesiasticam appellatione postposita compellatis; et super hiis inquiratis diligentius veritatem. Quæ inveneritis ad nos fideliter remittentes, ut per vestram relationem instructi, procedamus super hiis . . . . . diu et justitiam viderimus expedire. Quod si non omnes, &c. tu ea (frater Episcopo) cum eorum altero, &c. Dat. Rom. apud Sanctum Petrum . . . . . Pontificatus nostri anno tertio.

About the same time, (as I conjecture by the \* fore-cited Writs) Pope Ho-  
norius sent this Bull to the Bishop of Winchester and others of the Kings Barons,  
(the original whereof I found in the White Tower, having the first lines, date, and  
last words of each line cut off) wherein he complained to the Bishop and other  
Barons, that sundry Earls, Barons and Castellans, who in words professed them-  
selves faithful to the King, were yet enemies to him by their deeds, in de-  
taining his Demesnes, Lands, Castles, and due services from him, enjoining  
them to assist Pandulphus his Legate to enforce them to restore them by temporal  
power and distresses, since they contemned his Ecclesiastical Censures; as this  
Fragment of it (which I have supplied in some places by words, in a Parenthesis)  
attests.

(Honorius, &c.) — erat et patenter, quia frustra et ridiculose fides præ-  
tenditur ubi operis evidentia (refutatur) Comites, Barones, Castellani  
et alii Nobiles se fideles Regios appellantes, sed in (dispendium) charissimi in  
Christo filii nostri H. Regis Anglorum illustris dampnabili aviditate detinent —  
utpote qui Crucesignatus, pupillus et orphanus sub speciali Apostolicæ Sedis  
protectione — præcipiend. mandavimus ut prædicta omnia Regi restituentes  
eidem (debita servicia, as I conjecture) impendant, et alias de cetero vita sua sine dis-  
cultate persolvant; et quoniam alio — ludari, dilecto filio P. Norwiche. electo  
Camerario nostro Apostolicæ, sedis Legato nostra (dedimus in mandatis,) aut eos  
\* temporali districtione, appellatione remota, compellat. Ceterum quia frater qui  
a fratre — attente per Apostolica scripta mandantes, quatinus eidem  
Legato super hiis et (aliis assistatis, ut) corripere inquietos, et pusillanimes va-  
leat consolari, et nos devotionem (vestram commendamus.) Dat. Viterbii, 2 Idus  
Maii, Pontificatus nostri —

Which Bull hath this endorsement on it; Quod Barones assistant Pandulpho Le-  
gato, et restituant Castra et Dominia Regi: for disobeying whereof the \* Earl of  
Albemarle and others were excommunicated, and by Lay-force compelled to sur-  
render the Kings Lands and Castles to him.

The Bishops to advance their Power and Jurisdiction as well in Temporal as Eccle-  
siastical affairs, procured this Infant King (against their own Canons and Consti-  
tutions) to constitute them not only his chief Counsellors and State-officers in England  
and Ireland, but also his Justices itinerant, by his Patents; witness Benedic. Bishop  
of Rochester, Richard Bishop of Sarum, Hugh Bishop of Lincoln, William Bishop of  
Bath and Glastonbury, Richard Bishop of Durham, H. Abbot of Ramsey, and  
other



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An. 3 & 4 other Clergy-men, all made *Justices Itinerant* this year, as the *Patoni-Rollof* 3 H. 3. attests.

To which *Justices Itinerant* the King issued this memorable Writ for the speedier execution of Justice in *Assises*, where the Writs of *Assise* after the Jurors sworn, and view of the Lands, were lost, through the negligence or knavery of Sheriffs.

Pat. 3 H. 3. m. 5. **R**EX venerabili Patri in Christo H. eadem gratia *Lincolniensi* Episcopo & Sociis suis *Justic. itinerantibus* in Comitatibus *Lincolniensi*, *Notingh.* & *Dereby*, salutem. Monstratum est Consilio nostro multis conquerentibus, quod cum plura *brevia Assisarum* perquisita fuerint *sampzidem* et *Wiccomitibus* pozepta, unde Juratores electi fuerunt & visus terræ factus fuit, *brevia* illa postea deperdita sunt, propter quod multorum negocia differuntur. Et ideo vobis mandamus, quod cum de huiusmodi *brevis* deperditis querela coram vobis venerit, diligenter inquiri faciatis per Juratores *Assisarum* illarum, et per probos homines ejusdem visneti, si Juratores *Assisarum* electi fuerint, et visus terræ factus sicut conquerentes dicunt; et si ita inveneritis, non obstante eo quod *brevia* illa deperdita sunt, *Assisas* prædictas capiat per recordum et testimonium ipsorum Juratorum. Teste Domino P. *Wintoniensi* Episcopo apud *Westm.* 24 die Jan. anno regni nostri tercio.

Eodem modo scribitur *Justic. Itinerantibus* in Comitatibus *Essexie* & *Bedf.* & *Buking.* & *Eborum*, & *Northumberl.* & *Justic. Itinerantibus* in Comitatu *Southamp.* & *Justic. Itinerantibus* in Comitatu *Cumberl.* & *Justic. Itinerantibus* in Comitatu *Kancie*, & *Justiciariis Itinerantibus* in Comitatibus *Somersetia* & *Dorsetia*. A very memorable President, worthy the knowledge of those of the long Robe.

An. 4. H. 3.

\* See Mit. Pa. ris and Mat. Westm. Anno 1220. Godwins Catalogue of Bishops, p. 207. mistaken in the year.

The Bishoprick of *Ely* becoming voyd by the death of *Eustace* the trayterous Bishop thereof, anno 1214. \* *Robert* of *York* being elected Bishop against King *John's* good liking, who denied to give his Royal assent thereto, appealing against it to the Pope and Archbishop, Pope *Honorius* thereupon nulling his Election, recommended the Ordination of a new Bishop in that See, by way of Provision, to the Archbishop of *Canterbury*. *Pandulphus* his Legate, and the Bishop of *Salisbury* who, upon deliberation made choyce of *John*, Abbot of *Fountain* (a *Cistercian*) to be Bishop of *Ely*; to which the Pope assenting, they certified it, and sent him to the King, admonishing him to assent to this their Election, and receive his fealty; which the King allowing, thereupon writ to the Chancellor and Chief Justice to issue Writs for the restitution of his Temporalities; as appears by this his Mandate in two Bundles of Writs and Letters, An. 4. H. 3. which I found in the *White Tower* Chappel, and rescued from oblivion.

Bundela Bre-vium & Lit. An. 4 H. 3. in Turre Lond.

**E**gregio Domino H. Dei gratia illustri Regi *Anglorum*, Domino *Hib.* Duci *Nor-mannie* & *Aquitaniae*, & Comiti *Andegaviae*, *Pandulphus* miseratione divina *Norwicensium* Electus, Domini Papæ *Camerar.* Apostolicæ Sedis Legatus, salutem in auctore Salutis. Cum venerabilibus in Christo Patribus Domino *Canuariensi* Archiepiscopo, & *Saresburien.* ac nobis ordinationem *Elieus.* Ecclesiæ Dominus *Papa* duxerit commendandam; nos post diutnam deliberationem habitam inter nos, communiter convenimus in virum venerabilem Abbatem de *Fontibus*, ordinis *Cisterciensium*, vita & fama merito commendabilem; & de ipso ad honorem Dei & vestrum, *Elieus.* Ecclesiæ duximus providendum. Qui nostræ prævisioni auctoritate Domini Papæ de ipso factæ (sicut decuit) assensum præbuit, ipsum ad vestram duximus præsentiam transmittendum; rogantes celsitudinem vestram et commonentes in Domino, ut ipsum benigne recipientes, fidelitatem ab ipso (sicut moris est) recipiatis. Credimus enim & speramus in Domino, quod Deo acceptus erit, ac vobis et toti regno utilis et fidelis. Dat. apud *Wellen.* 12 Kal. *Februarii*.

In eadem Bundela.

**V**enerabili in Christo Patri Dei gratia *Wintoniensi* Episcopo & Nobili viro H. de *Burg.* *Justiciario Angliæ*, *Pandulphus* eadem gratia *Norwicen.* Electus, Dom. Papæ *Camer.* Apostolicæ Sedis Legatus, salutem in Domino. Cum nos, & venerabiles in Christo Patres *Canuarien.* Archiepiscopus & *Saresburien.* Episcopus auctoritate Domini Papæ, virum venerabilem Abbatem de *Fontibus* *Elieus.* Ecclesiæ (sicut scitis) in pastorem duximus providendum, et ad præstandam fidelitatem Domino Regi transmissimus eundem, monemus discretionem vestram et mandamus, ut *Ballivis* Episcopatus *Elieus.* per *sigillum* Regium demandetis, ut univcrsa Regalia sine dilatione ac difficultate assignent eidem. Dat. apud *Wellen.* xvij. Kalend. *Februarii*.

\* See Godwins Catalogue, p. 426.

\* *Henry* Bishop of *Landaff* dying about the year 1218. thereupon *Pandulph* the Popes

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Popes Legate presumed by his new usurped power, by way of provision rather than by a free election, to confer it upon *William* Prior of *Goldcliffe*, as this original Letter of his to King *Henry* to receive his Fealty, (filed in a bundle of his Legatine Letters I found in the *White Tower*) informs us.

**E**xcellentissimo Domino *H. Dei gratia Regi Anglia, Domino Hibernie, Duci Normannia & Aquit. & Com. Andegav. Paudulph.* miseratione divina *Norwicenf. Electus, Dom. Pape Camerarius, Apostolicæ Sedis Legatus*, salutem. *vestra memoria non credimus excidisse, quatinus dilecti filii Canonici Ecclesiæ Landaven. a vobis et a nobis Ecclesiæ suæ pastorem eligendi licentiam impetrarunt. Merum quia Ecclesia illa diu erat viduata pastore, nec eam volumus diutius pastore carere: dilectum filium Willielmum Priorem de Goldcliffia, virum providum & honestum, & ut credimus vobis & Regno vestro utilem & fidelem, illi Ecclesiæ providimus et concessimus in pastorem. Ideoque excellentiam vestram rogandam duximus & monendam, quatinus electioni ipsius Regium præbentes assensum, Jurementum fidelitatis, sicut mos est, recipiatis ab ipso. Datum Salop. 5 Idus Julii.*

*Bundela Bre-  
vium in Turre  
London. An.  
4 H. 3. nu 3.*

He likewise sent this Letter directed to the Pope in the Kings name, for relief of the Citizens of *Bayon* against the Archbishop of *Auxitan's* oppressions, and other enemies; commanding the King's Chancellor to seal it under the King's Great Seal, and then to return it to the bearer thereof.

**P**audulphus Dei gratia *Norwicenf. Electus, Dom. Pape Cancellarius, Apostolicæ Sedis Legatus, R. de Nevill Domini Regis Vicecancellario*, salutem & sinceræ dilectionis affectum. Cum pro facto *Baionen.* Rex scribat Domino Pape, et nos tibi mittamus sub sigillo nostro secundum quem debeat scribi; mandamus discretionis tue, quatinus secundum formam ipsam literas fieri facias sigillo Regio sigillari, & latori præsentium vel Magistro *Johanni* nuncio committatis; quam uni ipsorum sine qualibet difficultate assignes.

*In eadem Bun-  
dela, nu. 3.*

**S**anctissimo in Christo patri Domino suo karissimo Domino *Honorio*, Dei gratia summo Pontifici, *Henricus eadem & sui gratia, &c.* Cum in meis et meorum negotiis fidelium, in vobis et sacrosanta Romana Ecclesia spes mea consistat et fiducia, pro his quocumque necessitas imminet, ad auxilium gratiæ vestræ recurro humiliter et devote. Hinc est quod ad pedes Sanctitatis vestræ latorem præsentium Magistrum *Johannem fidelem nostrum, nuncium Civium Baionen. fidelium nostrorum quos Auxitanus Archiepiscopus, adversarius & inimicus noster capitalis, aggravat in odium nostrum multipliciter & molestat, transmitters: omni qua possum paternitati vestra supplico devotione, quatenus ipsum benigne recipientes super his qua à Sanctitate vestra pro defensione fidelium nostrorum justè petent, consilium & auxilium vestrum impendatis secundum quod vestra pietas videris expedire: Ita quod et nos a nostris amulis non confundemur, sed de protectione sedis Apostolicæ potius relivemur.*

*Per eundem modum (scribitur) Cardinalibus universis.*

The Archbishoprick of *Burdeaux* becoming voyd about the same time, by the Archbishop's death, thereupon the Bishop of *Winchester* advised *Hubert de Burgo* Chief Justice, to write and send a Letter to the Dean and Chapter in the Kings name, with an inclosed Licence to them under the Great Seal, to elect such an Archbishop as might not to be suspected to the King, (then under the custody and protection of the Church of *Rome*) but really wished and loved the Kings honour, with the profit of him and his Realm, and safely to keep the Castles belonging to the Bishop, for the Kings benefit.

**P** Dei gratia *Winton. Episcopus amico in Christo carissimo Domino H. de Burg. Justic. Anglia*, salutem & sinceræ dilectionis affectum. Innotuit nobis per *de la. Dominum G. de Nevill. Camerarium*, quod Archiepiscopus *Burdegalenfis* ingressus est viam carnis universæ. Unde expedire credimus, & consulimus, quod vos faciatis scribi sub Sigillo Domini Regis Decano & Capitulo *Burdegalenfi*, quod ipsi provideant de tali Pastore, qui non sit suspectus Domino Regi et Consilio ipsius, immo qui velit et diligit honorem et utilitatem Domini Regis et regni; præsertim cum Dominus Rex sit sub custodia et protectione Ecclesiæ Romanæ. Faciatis etiam scribi Domino *Alano de Monte Morelli*, quod Castra, quæ tenet ex præcepto prædicti Archiepiscopi, salvo custodiat ad commodum et fidelitatem Domini Regis; & Literas, quas mittimus Decano & Capitulo *Burdegalen.* si placet, simul cum Literis Domini Regis eis faciatis deferri. Vale.

He



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An. 4 H. 3.

He also writ this Letter to the Dean and Chapter of *Burdeaux* to this effect.An. 4 Hen. 3.  
In eadem Bunde-  
la, in Turre  
London.

**V**iris venerabilibus & in Christo dilectis, Decano & Capitulo *Burdgalen*. P. divina miseratione *Wintonien*. Ecclesie Minister humilis, salutem & sinceram dilectionis affectum. Quia bonae memoriae Archipræfulem vestrum audivimus decessisse, discretionem vestram rogamus atque monemus in Domino diligenter, quatinus circumspiciatis status terræ vestræ et Regis *Anglia* circumstantiis, qui in defensione et custodia *Romanae* Ecclesie consistit; in provisione pastoris taliter vos habeatis, quod & dignitas Ecclesie vestræ illibata servetur, et vos et Ecclesia vestra (quantum ad Regem naturalem Dominum vestrum) gaudere debeatis temporali-  
bus incrementis. Et quoniam huiusmodi negotium aliquantam deliberationem capit, consulimus in Domino, quatinus pensatis omnibus sicut prædiximus, honore videlicet Ecclesie vestræ & utilitate, atque patriæ tranquillitate, in hoc facto providere & consulti vos studeatis habere. Nos vero quantumcunque cum honestate poterimus, ad executionem boni propositi vestri, & alios consiliarios Domini Regis per nos habebitis & benignos. Valeat universitas semper in Domino.

About the same year this imperious Legate sent this Letter to *Peter* Bishop of *Winton* and *Hugo de Burgh*, to prohibit and suppress the Usury of the *Jews* taken from Christians, and to stay a suit brought by a *Jew* against the Abbot and Convent of *Westminster* before the Justices of the *Jews*, wherein he exacted Usury from them, to the great scandal of Christianity and the Kings dishonour, and to joyn some discreet, honest persons with the Sheriff in each County for the collection of *Amerciaments*, to prevent their malice and extortions.

In eadem Bunde-  
la.

**V**enerabili in Christo patri P. Dei gratia *Wintoniensis* Episcopo & nobili viro H. de *Burg*. Justiciario, *Pandolphus* eadem gratia *Norwicensis* Electus, Domini Papæ Camerarius, Apostolicæ sedis Legatus, salutem in Domino. Frequentes ac assiduos Christianorum clamores contra *Judaorum* perfidiam vir iam tolerare valemus; qui propter graves et immoderatas Usuras, quas a Christianis nituntur omnimodo, contra statuta *Lateranens.* Concilii, extorquere; Christiani facultatibus propriis sic exhaustis, vir possunt etiam respirare; super quo vobiscum meminimus nos habuisse tractatum. Sane dilectis filiis Abbate et Conventu *Westmonast.* referentibus nos noveritis accepisse, quod *Isaac* Judæus de *Norwico*, coram Justiciariis Judæorum eos super iniusta Usurarum veratione molestare non cessat. Nos igitur volentes super præmissis honori Regio (cui in hiis maxime derogatur) et Christianorum indemnitatibus providere; discretionem vestram rogamus, monemus, atque consulimus pro honore vestro, quatinus dictis Justiciariis insungatis, ut, usque ad adventum nostrum ad partes illas, in causa supercedeant memorata: ut tunc de nostro et aliorum prudentium nostrorum consilio hiis malis ad honorem Dei et Ecclesie et Domini Regis; et ad tantum scandalum absciendum de Regno finis debitus apponatur. Præterea, cum de consilio fuerit communi provisum, ut ad colligenda *amerciamenta* propter malitiam Vicecomitum socii eis darentur, miramur, quod generaliter est ipsis mandatum, ut ipsi per se ipsa colligant, quod ad damnum non modicum Domini Regis noscitur redundare. Quare vobis mandamus, ut (sicut communiter fuit statutum) ad colligenda *amerciamenta* ipsi Vicecomitibus in quolibet Comitatu, viros discretos & Domino Regi fideles, dari socios faciatis; mandantes per literas Regias *Waltero Maucel.* ut *amerciamenta* in Comitatibus *Lincoln.* *Nottingh.* *Dereb.* una cum ipsis Vicecomitibus colligere ad opus Domini Regis studeat fideliter & devotè. Dat. *Wint.* Non. Julii.

How busie *Pandolphus* the Popes Legate was to promote the peace and welfare of the King and Kingdom, (then under the Popes protection) and the prolonging of the Truce with *Lewelin*, and *France*, he thus relates in these his Letters to *H. de Burgo* Chief Justice of *England*.

In Bunde-  
la  
Literarum in  
Turre Lond.

**P***andolphus* Dei gratia *Norwicen.* electus, Domini Papæ Camer. Apostolicæ sedis Legatus, Nobili viro & amico carissimo *H. de Burg.* Justiciario *Angliae*, salutem & sinceram dilectionis affectum. Utinam quod singuli et universi, qui sciunt et possunt Regis et regni prodesse negotiis, ea ad promovenda darent operam efficacem, (sicut tenentur) necessitate temporis exigente. Nos enim (teste Deo) ad ea facienda, quæ Regi expedire videntur et regno fideliter intendimus et libenter; nec pepercimus nobis adhuc in laboribus vel expensis. Verum quia difficile nobis esset (maximè tempore isto) venire versus partes *London.* & exinde versus *Wigorn.* laborare, ubi præfixus est dies *Lewelin.* & aliis de *Marchia* in Octavis Purificationis, non

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non miremini si ad præsens secundum quod scripistis non accedimus ad partes ipsas: *An. 4 H. 3.* Unum autem vellemus, et hoc consulimus et mandamus instanter, ut secundum formam quam vobis mittimus interclusam, vel aliam meliorem (si videritis) fiant literæ ex parte Domini Regis ad Regem Francie, pro treugarum prorogatione requirenda, secundum formam quam transmissit, si habere nequiverimus meliorem. Et mittatis ipsam sine mora per aliquem virum religiosum, quem ad hoc videritis opportunum: Provisuri ut (si unquam esse poterit) apud Wigorn. prædicto termino veniat. Interim ad factum Scaccari detis operam efficacem, sicut Regi et regno cognoscatis expedire. Hiis nos scribimus, Winton. Episcopo, & Domino W. Briwer. Dat. Bathon. 4 Idus Jan.

The form of the Letter to the King of France and Popes Nuncio concerning the Truces prorogation he then sent to H. de Burgo was this, wherein he relates the Popes (usurped) imperative power in commanding Kings to make Peace and Truces at his pleasure.

**I**llustri Regi Francorum; venerabilis Pater & Dominus noster Summus Pontifex, nuper & sæpius nobis per literas suas intimavit, quod Excellentie vestre sua scripta direxerat pro treugarum prorogatione, quæ capta fuerunt inter vos & bonæ memoriæ f. patrem nostrum. Meruntamen nobis insunxit, ut ad hoc efficiend. ex parte nostra ad præsentiam vestram nuncios mitteremus. Et nos suis monitis et mandatis obedire volentes, et cupientes habere pacem et gratiam vestram, literas & nuncios nostros propter hoc jam sæpius misimus, & adhuc latores præsentium mittimus ad præsentiam vestram: Celsitudinem vestram rogantes, ut secundum mandatum Apostolicum et prout nobis vestris literis intimastis, treugas ipsas prorogare velitis. Nos enim parati sumus per Prælatos, Comites & Barones regni nostri treugas ipsas asseruere, cum vestros duxeritis propter hoc nuntios transmittendos.

Anno 4 H. 3.  
in eadem Bunde  
dela in Turre  
London.

Item; Magistro Petro de Colomedio Domini Papæ Capellano, dilecto Clerico & amico suo. Intellecto studio & diligentia tua, quæ circa negotia nostra apud Dominum Regem Francie fideliter adhibuisti, prudentiæ tuæ gratiarum referimus actiones, fidem & devotionem tuam dignis in Domino laudibus commendantes. Merum quia juxta mandatum Domini Papæ per te et latores præsentium prorogationem treugarum a Domino Rege Francie durinus requirendam; monemus discretionem tuam & rogamus, ut una cum ipso ad ipsius præsentiam accedentes, ei nostras literas præsentetis, & procedatis in facto secundum quod videritis expedire.

Istis formis addatis & subtrahatis, quicquid vobis melius visum fuerit; & injungatis nuntio, ut statim, habito responso Regis, nobis studeat intimare; nec recedat de Francie donec recipiat responsum nostrum.

Hereupon it seems the Truce was renewed and prolonged by these Kings, as this Charter and Oath of Earl Waren to observe it (filed with these Letters) intimates.

**O**mnibus Christi fidelibus præsentis literas inspecturis vel auditoris, W. Comes Waren. salutem. Noveritis nos jurasse tantis Sacrosanctis Evangelis, in præsentia venerabilis patris nostri Domini Pandulphi Dei gratia Norwic. electi, Domini Papæ Camer. & Apostolicæ sedis Legati; Domino nostro Henrico Rege Angl. præsentis & mandante; & præsentibus etiam nunciis Domini Philippi Regis Francie, videlicet, Magistro Simone de Domibus Clerico, & Domino Wilhelmo de Valle Oloris, quod toto posse nostro & bona fide observabimus & observari faciemus Treugas captas inter Dominum Philippum Regem Francie, & Dominum nostrum H. Regem Anglæ, sicut in literis Domini Philippi Regis Francie, & Domini H. Regis Anglæ super eisdem Treugis confectis continetur. Quod ut firmum sit & stabile, præsens scriptum sigilli nostri munimine roboravimus. Actum apud London. anno ab Incarnatione Domini Millesimo ducentissimo decimo nono, mense Martio.

In eadem Bunde  
dela.

It seems Pandolphus was purposely sent for to London by Hubert de Burgo about this Truce and affair, as this Epistle to him seems to import.

**P**andolphus Dei gratia Norwic. electus, &c. Nobili viro & amico suo H. de Burgo. Justiciario Angl. salutem in Domino. Quod versus partes Wallie appropinquavimus, non pro utilitate fecimus speciali; sed quia honoris Domini Regis et suorum fidelium sic vidimus expedire. Et licet grave sit nobis plurimum et molestum (non peracto negotio quod incepimus; quod erat jam ad perficiendum paratum) discedere à partibus illis; tamen quia non venimus facere voluntatem nostram,

In eadem Bunde  
dela.



K. Henry 3. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

**An. 4 H. 3.** nostram, sed quæ honori Ecclesiæ et utilitati Regis et regni expedire noscuntur, mutato proposito, juxta vestri consilii instantiam pro certis & multis necessitatibus, quæ (sicut dicitis) occurrerunt de novo, versus *London*, direximus iter nostrum; et sumus (ducente nos Domino) in veniendo. Utinam vestrum consilium utilitatem contineat, et noster sit labor utilis et fructuosus. Dat. apud *Cirencestr.* 3 Kalend. *Februarii*.

In another Bundle of Letters about the same year in the *White Tower*, I found this Letter of *Pandulphus* to *Hubert de Burgh* concerning *Poissiers*, and his prohibition of *Torneys* and *Fusts* under pain of Excommunication, prohibited likewise by \* *several Writs* and the Common Council of the Realm, under pain of confiscation of all their goods, which yet notwithstanding some had transgressed, whose lands he desired to be seized into the Kings hands for their contempt.

\* Pat. 1 H. 3.  
m. 2. dorso.  
Pat. 1 Hen. 3.  
dors. 3. Pat. 3  
H. 3. m. 31.

Bundle Bre-  
vium in Turri  
Lond. An. 4  
Hen. 3.

**P**andulphus Dei gratia *Novic.* electus, Domini Papæ *Camer. Apostolicæ sedis* Legatus, nobili viro et amico suo *H. de Burgo* Justic. *Angliæ*, salutem in Domino. Literas quas nobis misit *Philippus de Ulesot* vobis mittimus presentibus interclusas; monentes discretionem vestram et mandantes, quatinus provideatis terræ illi quæ per defectum Consilii Regis videtur manifestè perire: Nos enim nullam fiduciam habuimus de *Ph. de Ulesot* ut illuc ire deberet, quamvis vos videremini esse valde certi in negotio ipso, ambulando semper super maria et montes, et querendo illa quæ non possunt haberi, dilatum est usque adhuc non absque multo rubore, et valde timemus ne dampnum veniat inde grave, præterea sicut nostis, inhibuimus, hoc anno torneamenta et excommunicavimus publice torneatores, et de Comuni Consilio fuit statutum ut si nec sic desisterent a torneando, eorum bona confiscarentur: Unde cum nunc, sicut dicitur, congregentur ad torneandum, monemus et mandamus, ut eis per literas Regias inhiberi facientes, terras eorum præcipiat capi in manus Domini Regis, qui mandata Regis nolunt obedire. Expectavimus enim ut veniretis versus partes *Dorcestrie* in quibus nunc sumus, ut de facto *Cornubiæ* tractaremus, & miramur quod non venistis. Dat. apud *Cery*, 8 Kal. *Septembris*.

He likewise writ a Letter to the Bishop of *Wynton* to the same effect, as this his answer thereto imports.

In eadem Bun-  
dela. Anno 4  
Hen. 3.

**R**everendo in Christo patri *Pandulpho* Dei gratia *Norwicens.* electo, Dom. Papæ *Camerario*, *Apostolicæ sedis* Legato, *P.* divina miseratione *Winton.* Ecclesiæ Minister humilis, salutem, & paratum semper cum devotione obsequium. Super hoc quod nobis mandastis, ut pro negotio *Pistol.* solliciti essemus: Sciatis quod propter hoc Deo volente hac instanti die Dominica post decollationem Sancti *Johannis Baptistæ Winton.* veniemus, ubi cum Domino Justiciario inde tractatum habebimus, & circa idem negotium omnem quam poterimus curabimus diligentiam adhibere, & ibi si posset fieri præsentia vestra esset necessaria. Hac de causa etiam virum venerabilem Decanum *Pistol.* qui nuper venit ad nos detinemus nobiscum, eo quod ipsum idoneum, & utilem esse credamus, pro mandato hujusmodi exequendo, ad trengas videlicet impetrandas, vel ad negotium alio modo, prout melius poterit, procurandum. Cum autem de processu negotii hujus, juxta quod provisum fuit certi esse poterimus, vestræ Sanctitati curabimus intimare, præfatum etiam Decanum retinebimus, quousque suscepimus mandatum vestrum. De torneatoribus, noverit vestra Paternitas, quod nullum eorum recepimus vel recipimus scienter in domo nostra qui ad ultimum fuerit torneamentum, sed nec aliquis de nostris Militibus ibi fuit; Et si sciremus aliquem de nostris ibi fuisse à familiaritate nostra perpetuò esset exclusus, nec de cætero sine mandato vestro apud nos gratiam inveniret. Per totum quoque Diocœsim nostrum terras eorum qui ibi fuisse noverimus, subiciemus interdito, quousque nobis confiterit, qui de ipsis vestræ placuerit Sanctitati. Nepotes quidem nostros & quosdam alios de Militibus nostris hac consideratione ad partes nostras remisimus, ne in *Angliæ* ferrent arma. Pro negotio Domini *Rob. de Cardin.* qui pro fidelitate & servitio Domini Regis dampna plurima, & injurias graves sustinuit; vestræ Paternitati humiliter supplicamus, quatinus & taliter providere velitis ad honorem Dei, & Sanctæ Ecclesiæ, & Domini Regis, ut alii exemplum inde capiant, ne vestram de cætero audeant offendere Sanctitatem. Valeat Sanctitas vestra semper in Domino.

Moreover he sent this Letter to Chief Justice *Hubert* to issue Writs to prohibit Sheriffs to exact any thing for *Robert Fitzwalter*, who had Crossed himself for the Holy

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*Holy Land*, and was in Christs service; against the Decree of a General Council, *An. 4 H. 3.* exempting such from all exactions.

**P**andulph Dei gratia *Normicn.* Elect. Domino Papæ Camerar. Apostolicæ Sedis Legat. Nobili viro & karissimo amico *H. de Burgo* Justiciario *Anglie*, salutem, & sinceræ dilectionis affectum. Cum omnes Crucesignati existentes in servitio Crucifigri ab omnibus exactionibus immunes esse debeant et collectis, juxta constitutionem Concilii generalis, monemus discretionem vestram et mandamus, quatinus pro dilecto filio *Roberto filio Walteri* existente in subsidio Terræ sanctæ, Domini Regis literas prohibitorias ad Vicecomites *Essex. Hertford. Norff. & Suffolcie* fieri faciatis, ne occasione Domini Regis aliquid erigerent ab eodem, quod tamen in servitio Terræ sanctæ constitit eum esse. Dat. *London.* 8 Kal. *Octobris*.

To which I shall annex this Letter to the Bishop of *Winchester* and *William Brimer*, to receive the Castle of *Fodring* from the Earl of *Pembroc* for the Kings possession, in obedience to the Popes premised Bull, and his Legates commands and censures.

**V**enerabili in Christo Patri *P. Dei gratia Wintoniensi* Episcopo, & nobili viro *W. Isidoro Brimer*; Pand. miseratione divina *Normic.* electus, Domini Papæ Camerar. Apostolicæ sedis Legatus, salutem in Domino. Si nullum adhuc misistis pro recipiendo Castro de *Fodring* a nobili viro *W. Marescallo* Comite *Pembr.* quia nos nullum misimus, monemus discretionem vestram & mandamus quatinus secundum quod inter nos conditum fuerat, mittatis aliquem de familia Domini Regis cum literis ipsius patentibus pro recipiendo Castro ipso a nobili memorato, qui illud diligenter custodiat, donec cum Domino Rege *Scotia* locuti fuerimus. Dat. apud *Stamford.* 8 Idus *Octobris*. In eadem Bundle.

He likewise writ this Letter to the Chief Justice, *Hubert*.

**P**andulph. Dei gratia *Normicn.* electus, Domini Papæ Camerar. Apostolicæ sedis Legatus, Nobili viro & amico suo *H. de Burg.* Justic. *Anglie*, salutem in Domino. Visis & intellectis universis literis quas *P. de Hulecot* super facto *Rog. Bertran.* misit, & vos nobis super eodem destinastis, dolemus plurimum & movemur, quod indiscreto usus consilio, Domini Regis ac nostrum mandatum erequi non curavit, occasiones frivolas præponendo. Et quia propositi nostri est excessum hujusmodi non dimittere impunitum, et hæc offensa tangere noscitur totum regnum, absque vestro et aliorum Regis fidelium consilio procedere nolumus in hoc facto; ne forte temerarium diceretur ab æmulis, vel minus providum, etiamsi esset satis bonum solum consilium nostrum. In proximo enim cum simul erimus circa partes *Wigorn.* ubi vos et omnes alios volumus et rogamus habere præsentem, de hijs et alijs pluribus, quæ inminent, taliter auctore Domino cum deliberatione provida disponemus, quod ad honorem Domini Regis et infidelium consensum cedet, et statuta nostra debitam firmitatem tenebunt. Si enim super hijs vestrum & aliorum qui sunt in *Scaccario* expressissetis consilium, processissemus forsitan adhibito consilio vestro. Dat. apud *Malmesb.* 8 Kal. *Februarii*. In eadem Bundle.

I pretermitt all his other Letters in that Bundle, being of less publick importance; these transcribed being sufficient to manifest the Nuncios domineering power in the Realm, during the Kings minority.

In the same Bundle I find this Petition of the Prior of *S. Patrick* of *Dune* in *Ireland* to the King to grant them some small Cell to reside in in *England*, their houses in *Ireland* being frequently burnt and consumed by the Wars, for *S. Patrick's* and other *Irish* Saints sakes, whose Reliques they then sent to the King for a present.

**V**enerabili Domino suo *H. Dei gratia illustri Regi Anglie*, Domino *Hibernie*, In eadem Bundle. Duci *Normannia*, Comiti *Andegavia & Aquitania*, Prior & Conventus Ecclesiæ Sancti *Patricii* de *Duno*, salutem & orationes in Christo. Excellentie vestre transmittimus Monachum nostrum cum feretro patronorum *Hibern.* *Patricii*, *Columbe* & *Brigide*, & eorum reliquiis; quatinus pro eorum reverentia & pro promisso quod Dominus noster pater vester promisit, scilicet, se benefacturum Ecclesiæ nostræ, et pro vobis qui Dominus estis totius terræ, patronorum *Hibernie* et patronus, aliquam mansuiculam in *Anglia* ubi cum opus fuerit poterimus hospitari, nobis caritative detis; domus vero Sancti *Patricii* sæpe per *Werram* desolatæ sunt & combustæ, cum Ecclesia quæ de novo incipit reedificari; unde auxilio vestro quamplurimum indigemus. Valet.



An. 4 H. 3.

In the same Bundle also I found this Letter of the Prior and Covent of *S. Edmunds* to the Dean of *Lichfield*, not to sue or suffer his Officers to molest their Tenants at *Hingham* for Tithes of Hay, Mills, Heaths and other things which they had peaceably enjoyed Tithe-free for 40 years; there being Lands given them in lieu of Tithe-hay.

An. 4 Hen. 3.  
In eadem Bunde-  
la, in Tur. London.

Venerabili viro Domino & amico in Christo, charissimo *R. de Nevill* Decano de *Lichfield*; *H. Prior Sancti Edmundi* & Conventus ejusdem loci, obsequiorum plenitudo cum salute. Serenitati vestre super beneficiis totiens nobis & nostris liberaliter impensis gratiarum referimus actiones; rogantes quatinus solita liberalitate vestra precipiatis Capellano & servient. vestris apud *Hingham*, ne nova et indebita erigant a Dominicis nostris et hominibus nostris, ratione Decimarum; turbando nos et nostros super his quæ pacifice possedimus per quadraginta annos; videlicet, Decimas de *Sceno*, et de *Polendinis*, et de viduis Denar. *Santi Petri*; quod est nostris partibus inauditum. Præterea non lateat vos, quod antiquis temporibus data fuit una *Acra Prati* pro decimatione *Sceni*; et est Ecclesia, sicut dicitur, in possessione illius *Acra*. Item, erigunt Decimas de *Buariis*, quas nunquam dedimus, nec aliquis vicinorum nostrorum. Rogamus igitur, ut de pacifica possessione gaudere possimus, donec colloquium habuerimus super hiis vobiscum. Valete in Domino.

The Bishop of *Lincoln* and Abbot of *Dorchester* molesting, suing, and excommunicating the Tenants of the Manor of *Bensington* held of the King, to their great injury and grievance for their Lay-fees, to defraud the King of his right; they thereupon prayed the Chief Justice to stay their proceedings, and to assign a day to hear both parties before the King and his Council in the Exchequer, where they would defend the King's right and Title against their encroachments.

In Bunde La-  
terarium, &c.  
An. 4 H. 3. in  
Tur. Lond.

Domino & amico charissimo *H. de Burgo* Domini Regis Justiciario, suus *Engel. de Sigon.* salutem, & paratam ad obsequia voluntatem. Noveritis, Domine, quod Dominus *Lincol.* Episcopus, occasione cujusdam exclusæ quam idem tenet de Domino Rege, per servitium duorum solidorum per annum, & Dominus Abbas de *Dorchester*, occasione cujusdam prati, quod tenet de Domino Rege per servitium trium solid. & sex denar. per annum; Domino Regi michique & hominibus Domini Regis de Manerio de *Bensington*, magnam injuriam et gravamen diebus singulis pro posse suo inferre non cessant, Dominum Regem de jure suo intendentes, proculdubio spoliare; super quod Dominus *Lincol.* Episcopus de duabus causis prædictis, homines nostros Dominicos, et homines dicti Manerii, quia jus Domini Regis et suum pro posse suo defendunt, Excommunicationis sententia innodavit, et adhuc tenet excommunicatos; ad quod dilectionem vestram omni quæ possum devotione deprecor, quatinus literas Domini Regis prædicto Domino *Lincol.* et Domino Abbati de *Dorchester*, directas de defensione, quod non procedant de Feodo laicali quod tenent de Domino Rege sicut dictum est; et quod intendunt in puram Elemosinam trahere, nobis vestri gratia habere faciatis eisdem; et de loquela quæ vertitur inter ipsos et nos, pro jure Domini Regis, dicere certum coram vobis et aliis Constariis Domini Regis ad *Scaccarium* assignatis; & ego in propria persona mea una cum hominibus meis dicti Manerii, ad jus Domini Regis observandum interesse procurabo: super quibus vestri gratia, pro honore vestro, et jure Domini Regis observandis curam apponatis. Valete.

About the same year, in the same Bundle, I met with this Epistle of a *Roman* Cardinal, (formerly a Notary, to whom King *John* had granted an annual pension of 20 Marks a year for his good services to him) writ to King *Henry* his successor, importuning him to pay all the arrears of it due unto him for 6 years, and likewise to augment his stipend since his advancement to an higher degree, for the grand services he had done, and would alwayes do for him in the Court of *Rome*.

In eadem Bunde-  
la,

Magnifico & sublimi Principi amico karissimo Domino *H. Dei gratia Regi Anglorum* illustri, *R.* miseratione divina Sanctæ *Mariæ in Cosmidin*, Diac. Cardinalis, salutem & sinceræ dilectionis affectum. Si regia circumspexio suæ Serenitatis inflecteret oculos, ut suorum merita respiceret amicorum, nos fortè cenferet collato nobis beneficio Regio non indignos. Si enim sciretis plenius, & retineretis memoriter labores multiplices, anxietates et sollicitudines quas nos olim pro claræ memoriæ Domino *J.* parte vestro et vobis, non sine sudore vultus nostri et vigiliis multis pertulimus, nullo modo dubitare possemus, quin devotionis

nostre

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nostræ haberetis diligentiam cariozem. Sanè cum in minore dudum constituti officio, *Natavia gerentes exercitum*, pro negociis Regiis frequenter nobis commissis cum omni studio et diligentia laboravimus die noctuque, cum id summa necessitas postularet, quæ se subsequentibus casibus ingerebat; ipse Dominus Rex pater vester hoc audito à pluribus nuntiis suis, (qui quod viderant fideliter retulerunt) annuum redditum viginti marcarum nobis liberaliter contulit; promittens nobis in uberiori beneficio, prout Regiam deceret munificentiam et recipientis status exigeret, providere. Cum autem postmodum nos Dominus in gradum provexit altiorum, eodem patre vestro (sicut Domino placuit) sublato à medio, sinceræ devotionis affectum, quem ad ipsum habuimus, ad vos extendimus successive, pro vobis utique (sicut feceramus pro ipso) quotiens expedire visimus, indefessa laborare sollicitudine non cessantes; sicut nuntii vestri, qui pro vobis frequenter ad sedem venerunt Apostolicam, vobis potuerunt et poterunt (si voluerint) plenius declarare. Unde non immerito credimus & speramus, ut et vos paternis vestigiis inherentes, dilectionem illam, quam erga nos Dominus Rex pater vester habuerat, habere velitis, et erga nos suæ liberalitatis propositum impleatis. Veruntamen vehementer cogimur non sine causa mirari, quod jam per sex annos nostrum nobis non fuerit beneficium persolutum. Quare Cellitudinem Regiam affectione qua possumus exoramus, quatinus redditus nostros totius temporis præcedentis venerabili patri Domino \* P. Norwiche. Episcopo, vel ei quem ipse ad hoc procuratorem nostrum constituerit, facientes (si placet) cum integritate persolvat. Nobis in antea in aliquo uberiori beneficio, (assignando in aliquo certo loco) iuxta quod vestræ liberalitatis munificentiam deceat, providere velitis; Scituri pro certo, quod nos vobis omni tempore (quantum cum Deo et honestate nostra poterimus) de bono in melius cupimus et disponimus totis viribus complacere. *Out of lucre to gain a Pension, without which Popes themselves, their Officers and Cardinals would dispatch no business for him.*

\* Therefore this was written before his return out of England, Anno H. 3.

Tom. 2. p. 379. l. 41. after *Wars*, insert; \* *Mat. Westminster* thus relates this business: Circa idem tempus Gulielmus de Fortibus Comes de Alba Marla, occupans quendam Castra injustè, ad pacem Domini Regis nolens redire, excitavit contra eum hostilem rebellionem in Lincoln. unde Episcopo (who confederated with the Earl against the King) et singulis fautoribus ejus a Legato Pandulpho et Episcopis et Clero Angliæ, ob scelus tale perpetratum, excommunicatis, idem Comes irreverenter coactus est ad deditionem, quibusdam ex suis carceribus mancipatis, quibusdam exilium perpetuum subeuntibus.

\* Mat. Westminster. P. 111.

The same year I meet with this memorable Record, concerning a marriage contract between Alexander King of Scots, and King Henry the 3<sup>d</sup> (then an Infant) that Alexander should marry Joan, eldest Sister of King Henry, by a set time; and that King Henry should cause both of the King of Scots Sisters sent into England to be there married to his and their honour by a certain time, or else to return them safely into Scotland; which several Bishops and one Abbot, as the Kings sureties, promised only in the word of truth to see performed, and to excommunicate all oppugners thereof within their respective Diocesses; but the Temporal Lords which were his sureties, took a solemn Oath before the Popes Legate to see performed; as if their promise upon their Honours, Truth, without an Oath, were not so valid or obligatory as the Bishops and Abbots words, who then upon all occasions advanced themselves and their Ecclesiastical Censures too, over Kings and Nobles, even in cases of civil contracts ratified by an Oath.

**R**EX Archiepiscopis, Episcopis, Abbatibus, Comitibus, Baronibus, Militibus, & liberè tenentibus, & omnibus fidelibus suis ad quos præsens scriptum pervenerit, salutem, Ad universitatis vestræ notitiam volumus pervenire, quod nos dabimus dilecto & fideli nostro A. illustri Regi Scotiae, Johannam primogenitam sororem nostram in uxorem, ad festum Sancti Michaelis anno ab Incarnatione Domini 1220. si eam habere poterimus, & nos & consilium nostrum laborabimus ad eam habendam. Et si fortè eam habere non poterimus, dabimus ei in uxorem Isabellam juniorem sororem nostram infra 15 dies proximos sequentes post prædictum terminum. Maritabimus etiam Margaretam & Isabellam sorores ipsius A. Regis Scotiae, à festo Sancti Dionysii anno ab Incarnatione Domini 1220. in unum annum in terra nostra, ad honorem nostrum & ipsius Regis Scotiae; vel si eas non maritaverimus infra prædictum terminum, reddemus eas dicto A. Regi Scotiae salvo & liberè in terram suam infra mensem proximum post terminum prædictum. Domi-

Pat. 4 H. 3. m. 5.



An. 4 & 5  
Hen. 3.  
\* Without  
Oath.

nus *W. autem Eboracensis Archiepiscopus, P. Wintonensis, R. Dunelmensis, & Cellarius noster, H. Carleolensis Episcopi, & S. Abbas Reding. promiserunt* \* verbo veritatis, quod bona fide laborabunt quod omnia prædicta compleantur, et quod compellent contradictores, singuli scilicet in Parochiis suis, per censuram Ecclesiasticam quod prædicta observentur, et super hoc Cartas suas dederunt eidem *A. Regi Scotia. H. etiam de Burgo Justiciarius noster Anglia, W. Comes Waren. W. Comes Albemarie, Robertus de Ros, Falkesius de Breant, Willielmus de Cantilupo, Willielmus de Lancastria, Galfridus de Nevill, Radulphus de Troublevill, Robertus de Vallibus, Phil. de Albinaco, Hugo de Bolebec, Rogerus Bertram, Osbertus Giffard, Johannes Russel, juraverunt se observaturos bona fide hoc idem quod Archiepiscopus et Episcopi promiserunt in verbo veritatis, et inde similiter Domino A. Regi Scotia Cartas suas fecerunt. Et nos ad majorem rei hujus securitatem hanc Cartam eidem A. Regi Scotia fieri fecimus, sigillo nostro sigillatam. Dat. apud Eborum, in præsentia Domini Pandulphi Norwicensis electi, Domini Papæ Camerarii, et Apostolicæ sedis Legati, 15 die Junii, anno regni nostri quarto.*

An. 5 H. 3.

The same year the King, at the Legates instigation, both under pain of imprisonment and forfeiture of Lands and Goods, and likewise of Excommunication by the Popes Legate, (not Archbishop or Bishop of the Diocese) prohibited Torneys or Jufts to all his Nobles and Subjects, by this Writ; though King \* Henry the 2<sup>d</sup>. sometimes commanded and authorized them, against sundry Canons of Popes and Councils.

\* Here, Tom. 1  
p. 1049, 1050.

Pat. 5 H. 3.  
m. 3.

**R**EX omnibus qui venturi sunt ad Torneamentum die Martis in Octabis Apostolorum *Petri & Pauli*, salutem. Mandamus vobis firmiter præcipientes, quatinus in fide qua nobis tenemini sicut corpora vestra, res, terras, & omnia catalla vestra diligitis, nullatenus ad Torneamentum conveniatis apud *Brackel*, nec Torneamentum ibi teneatis. Quod si feceritis, proculdubio indignationem nostram, et sententiam excommunicationis a Domino Legato latam incurretis. Et insuper nos ad corpora vestra, terras, res, et catalla vestra nos capiemus. Telle *H. apud Kidem, 4 die Julii. Here is a quadruple penalty threatened, for this one offence.*

\* Mat. Westm.  
p. 109, 110.

Tom. 2. p. 383. l. ult. after *relation*, adde; \* *Mat. Westminster* renders us this brief account of the Kings second Coronation, and premised contention between *Richard Bishop of Durham* and his Monks: Anno 1220. Rex *Henricus coronatus est apud Westmonasterium die Pentecostes à Stephano Cantuariensi Archiepiscopo, præsentibus Domino Pandulpho Legato, & Episcopis aliis, Prælatibus, Comitibus, Baronibus & Majoribus Angliæ, à quo Archiepiscopo prædicatur ibidem Crucis signato. Hoc etiam anno, imminente tempore Adventus Domini, orta est contentio gravissima inter Dunelmensem Episcopum Richardum, & Monachos, eo quod esset substantiæ Ecclesiasticæ indiscretus et prodigus dilapidator. Unde sub appellatione se protegens Episcopus, plus solito profusus opibus, Romam abiit, ubi Ecclesiam suam plusquam triginta millibus marcarum confavit: (such was the fruit of his appeal, such the intollerable bribery and corruption of the Roman Court.) Prioratus vero et Episcopatus hac continuata controversia, damna incurrit impæciabilia, as Matthew Westminster observes.*

\* Mat. Westm.  
p. 110, 111.  
See Tom. 2.  
p. 384.

Tom. 2. p. 384. l. 23. after *consecratur*, adde; \* *Benedicto Rossensi Episcopo, gerente vices Domini Stephani Cantuariensis Archiepiscopi, qui tunc propter spiritualia negotia sanctæ Ecclesiæ & regni Angliæ, in partibus agebat transmarinis, Legato vero præsentis. In brevi postea, die Lunæ, videlicet proxima ante festum beatæ Mariæ Magdalene, Pandulphus Norwicen. electus cessit legationi suæ ex mandato Domini Papæ Honori, præsentibus Richardo Sarisbur. Petro Winton. Eustachio London. Episcopis, apud Westmonasterium, nullo alio tunc ei in legatione succedente. Ille quidem multos bellicos tumultos, nondum congelatos, auctoritate sibi tradita tempore legationis viriliter compzimebat. Idem recessit ab Anglia post festum Sancti Michaelis.*

Several persons seising and detaining the Lands and Escheats belonging to King Henry the 3<sup>d</sup>. during his infancy, and detaining them in their hands to his prejudice, being under the Popes protection as an Orphan, *Crossed for the Holy War*; he thereupon sent this Bull to his Privy Council, to compell them by the power given them to restore them to his hands notwithstanding any Appeal, or former Bull of his to the contrary; the Original whereof I found in the *White Tower*.

An. 5 H. 3. in  
Turre Lond.

**H**ONORATUS Episcopus, servus servorum Dei; venerabili fratri *Wintonensi Episcopo*, & dilectis filiis nobilibusque viris *H. de Burgo Justiciario, R. Comiti*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

K. Henry 3.

Comiti *Cestria*, *Willielmo Brignere*, ac aliis Consiliariis charissimi in Christo filii nostri *H. Regis Anglorum* illustris, salutem & Apostolicam benedictionem. Cum charissimus in Christo filius noster *Henricus Rex Anglorum* illustris *Crucesignatus* et *Orphanus* sub speciali sedis Apostolicæ protectione consistat, indignum est penitus et absurdum, nobisque posset non immerito imputari, si eum qui propter ætatis defectum se defendere nequit fraudari suis iuribus pateremur. Cum igitur sicut ex parte ipsius nostris est auribus intimatum, *Gaurda & Escheata* pertinentes ad Regem detineantur à pluribus occupata, qui eas Domino invito contrectant; Universitati vestre per Apostolica scripta mandamus, quatinus ipsas ad manus Regis ejusdem revocare curetis, contraditores potestate vobis tradita, sublato appellationis obstaculo compescendo: nullius literis obstantibus a sede Apostolica impetratis, cum non sit verisimile nos in Regis præjudicium, aliquas literas de certa scientia concessisse. Dat. *Lateran.* 3 Kal. *Maii*, Pontificatus nostri anno quinto. Dorsò. *De restituendis Terris & Castris Regi*; scribendum est *Papæ ultimum verbum*.

An. 5, 6 & 7  
Hen. 3.

Tom. 2. p. 384. l. 19. after *sexto*, adde; This year Pope *Honorius*, who by his former Bulls constantly endeavoured to preserve the rights of the infant-King against the Barons and others who detained his Lands, Castles, Wards, Escheats and services, endeavoured to deprive him and his Temporal Courts of all their Jurisdiction in cases of Præbendaries and Advowsons, commanding his Legates to inhibit the King Justices to hold Plea of a Præbendary which the Archbishop of *Tork* pretended to belong to his Church, at the suit of *Henry de Percy* who laid claim unto it, inhibiting the Kings Council to countenance his suit, as contrary to the Churches liberties, menacing to take some severer course against them if they did it not, by this insolent Bull, the original whereof I found in the *White Tower*.

**H**ONORIIUS Episcopus, servus servorum Dei; dilectis filiis Consiliariis charissimi filii nostri *H. Regis Anglorum* illustris, salutem & Apostolicam benedictionem. Venerabilis frater noster Archiepiscopus *Eboracen.* transmissa nobis petitione monstravit, quod cum olim nobilis vir *Richardus de Percy* Miles, suæ Dioc. ipsum super collatione ejusdem Præbendæ *Eboracen.* ad donationem ejusdem Archiepiscopi pertinentis, per literas Regias ad forumulare traxisset, licet dilecti filii nostri *G.* titulo Sancti *Martini* Præbyster Card. primo, postmodum *P. Norwiche.* electus, tunc Apostolicæ sedis Legati literarum ipsarum usum expresse interdixit *Epiliti* supradicto, Justiciariis Regis nichilominus inhibendo, ne super hujusmodi libertatem Ecclesiæ interponerent partes suas tamen; idem *Piles* super Ecclesiæ de *Dunigthue* quæ ipsius Præbendæ membrum existit, novam contra eundem Archiepiscopum suscitans quæstionem, ipsum in eodem foro nititur convenire. Cum igitur non solum absurdum sit, sed etiam abusum, ut Ecclesiasticæ causæ in foro seculari tractentur, nec nos id deceat æquanimiter tolerare; discretionem vestram monemus et hortamur attente, quatinus vos nullatenus intromittatis de prosecutione hujusmodi quæstionis, nullumque *Epiliti* prædicto super hoc præstetis suffragium vel favorem, ita quod exinde aliter procedere non cogamur. Dat. *Alatri*, 7 Kal. *Junii*, Pontificatus nostri anno sexto.

An. 6 H. 3.  
In Turre London.  
don. An. 6 H. 3.

Yet notwithstanding this Bull the King and his Judges held \* Plea of Advowsons and Præbendaries, and granted Prohibitions to Ecclesiastical Courts not to hold Plea of them against the rights of his Crown. \* See Tom. 2. pag 388, 389.

The Popes Delegates holding Plea in a case of Matrimony between *William Talbot* and the Wife of *St. William de Breant*, her husband thereupon to preserve his interest, appealing from the Delegates to the Pope, procured this ensuing Bull to them; the original whereof I found in the *White Tower*.

An. 7 H. 3.

**H**ONORIIUS servus servorum Dei, venerabili fratri Episcopo *Wintoniensi* & dilectis filiis Abbati & Priori de *Dorchester* *Lincoln.* Dioc. salutem & Apostolicam benedictionem. Ex relatione *Willielmi* Militis de *Breante* nos noveritis accepisse, quod cum *Will. Talbot* laicus *Saraburien.* Dioc. de *Merlai*, uxorem ipsius Militis coram venerabili fratre nostro Episcopo *Lincoln.* & conjugibus suis auctoritate nostra super matrimonio conveniret, dictus *Piles* rem suam agi conspiciens, et sibi ex hoc metuens præjudicium generari, nostram pro sur suo audientiam appellavit; ideoque discretionem vestre per Apostolica scripta mandamus, quatinus si est ita, revocato in statum debitum quicquid post hujusmodi appellationem in ipsius *Epilitis* præjudicium temere inveneritis attemptatum, audiat quod idem *Piles* pro se duxerit proponendum, et hinc inde propositis intellectis quod Canonium

Anno 7 H. 3.  
in Turre London.  
don.



An. 7 & 8  
Hen. 3.

Canonicum fuerit appellatione postposita statutis; facientes quod statueritis per censuram Ecclesiasticam firmiter observari. Alioquin partes ad Priorem Judicum remittatis eramen, appellanti in expensis legitimis condemnantes; Testes autem qui fuerunt nominati si se gratia, odio, vel timore subtraxerint per Censuram eandem appellatione cessante cogatis veritati testimonium perhibere. Quod si non omnes hiis exequendis potueritis interesse, tu frater Episcopo cum eorum altero ea nichilominus exequaris. Dat. Laterani, 3 Kal. Maii, Pontificatus nostri anno septimo.

Dorso. *Judicibus super quodam Matrimonio.*

Tom. 2. p. 387. l. 21. after *Norwic.* adde; It appears by this ensuing Writ that King Henry the 3<sup>d</sup>. his Officers seized and claimed the disposition of Intestate persons Goods, by virtue of his Royal Prerogative as Supreme Ordinary; not then legally appertaining to his Bishops or Ordinaries, who by degrees usurped a Jurisdiction over them, by colour of the \* forecited clause in his Father King John's Charter, which gave them no such Jurisdiction.

\* See here, p.  
18, 19, &c.

Claus. 7 H. 3.  
pars 1. m. 16.  
See Cooks 9.  
Report, f. 38.  
39. Henloes  
case, and 1 lu.  
fit p. 491.

**R**EX Vicecomiti *Linc.* salutem. Constat nobis per inquisitionem missam sub sigillis *S. de Segrave*, & aliorum proborum & legalium hominum, quod *Richardus* filius *Idonia* non obiit intestatus: Et ideo tibi precipimus, quod omnia catalla ipsius *Richardi* in manum nostram capta in *Balliva* tua, (by pretext that he dyed Intestate) sine dilatione habere facias Prioribus de *Nokinton*, & Sanctæ *Katerina Linc.* & Subdecano Ecclesiæ *Lincoln.* & Suppriori de *Nokinton*, & *Richardo de Linc.* Clerico, executoribus testamenti ipsius *Richardi*, ad faciendum inde rationabile testamentum suum. Teste *H. &c.* apud *Gloucestriam*, 20 die *Marci*.

An. 8 H. 3.

\* Spelmani  
Concil. Tom.  
2. p. 137, to  
151.

It seems that Anno 1223. (not 1217. as Sir \**Henry Spelman* mis-conjectures) immediately after the Council of *Oxford*, An. 1222. mentioned by him, *Richard Poore* Bishop of *Sarum*, by his Episcopal authority, took upon him to make several Constitutions for his Diocese of *Sarum*, and also of *Durham* after his translation thither, to advance his Episcopal Jurisdiction over the Clergy and Laity; wherein as you may observe the frequent whoredomes, and general incontinency of Priests, Prebends, Monks, in keeping of Whores and Concubines openly, to the scandal of the people, (being prohibited marriage, though he makes it a Sacrament, and highly recommended it to all Lay-men, to prevent these sins;) with the frequent abuse of Excommunications in several cases, in pursuance of the Council of *Oxford's* Decree; So he published sundry Constitutions, prejudicial to the Liberties and Properties of the Laity; witness his Constitutions *De Testamentis faciendis*. Precipimus quod Laicis inhibeatur frequenter, ne testamenta sua faciant, sine presentia Sacerdotis, sicut diligunt quod eorum extremæ voluntates adimpleantur. † *Inter alia etiam singuli Sacerdotes infirmos suos monent & efficaciter inducant, quod subzix Sarum Ecclesiæ suæ memores, prout Deus inspiraverit illis, in Testamento suo, de bonis suis relinquunt. Sacerdotibus autem similiter inhibemus, ne Testamenta sua per manum ordinant Laicalem: Ne viri Ecclesiastici Sacramentum fidelitatis Laicis præstent, for the Temporalities held of them. Si Patroni, vel Advocati, aut Fundarii, seu Vicedomini alicujus Ecclesiæ Rectorem, vel alium Clericum ipsius Ecclesiæ, per se, vel per alios occidere ausu nefario præsumserit, Patroni jus usque ad quartam generationem amittant, et posteritas talium in Clericorum collegium nullatenus assumatur, nec in dignitatibus Dominicis alicujus Prælati assequatur honorem: Ne quis Rector Ecclesiæ ædificet in loco Laicali.* Which were all likewise decreed in the \* *Provincial Constitutions* made and published by *Edmund* Archbishop of *Canterbury*, Anno Dom. 1236. Thus did our usurping Popish Prelates, like so many petty Popes, by their own illegal Constitutions, never consented to by the King and Parliament, encrease continually, by degrees, in matters of Testaments and other things, upon the Liberties, rights, properties and free-holds of the Lay-Subjects, as well as Prerogatives of the King.

\* Joh de Aton,  
Const. Provin.  
4. 144, 145.  
Spelmani  
Concil. pag.  
204, 205, 206.  
Lindwode, l.  
55. c. f. 221.

Pope *Honorius* being informed that King *Henry* forgetting the great and faithfull services done by the Bishop of *Winchester* to him and his Father King *John* had injured and molested him concerning the Liberties of his Church, and denied him leave to repair to *Rome* about the breach of his Vow, in not going to the *Holy Land*, and the affairs of his Church; which he could not do without the Kings special license, sent this original Bull to him upon these occasions; which I met with in the *White Tower*.

HONO.

**H**ONORIS, &c. Charissimo in Christo filio Henrico Regi Angliæ illustri, &c. Sinceræ fidei & devotionis constantia, quam venerabilis frater Wintoniensis Episcopus claræ memoriæ Johanni Regi Angliæ patri tuo ac tibi ipsi exhibuit in non parvæ necessitatis articulo, excidere non debet à tua memoria, sed in perpetuis temporibus inhzere. Audivimus autem, & audientes nequivimus non mirari, quod quasi ejus fida utiliaque obsequia dicto patri tuo ac tibi exhibita jam oblivionem acceperint, libertates ejus Ecclesiæ ab eodem patre tuo aliisque Regibus Anglorum indultæ (sicut apparet per literas eorundem) te dissimulante jugiter infringuntur. Monemus igitur circumspectionem tuam & hortamur attentius, quod ejusdem Episcopi fidem et obsequia recolens, et quantum tibi vitanda sit nostra et Apostolicæ sedis offensa diligenter attendens, prædictam Ecclesiæ (quam dudum in nostram protectionem receperimus) cum omnibus bonis ejus habeas propensius commendatam; et injurias eidem illatas facias emendari: eamque ne ipse molestes super libertatibus et aliis honoribus vel iustitiis suis, nec a tuis permittas subditis molestari: sed eam, sicut ad Regiam pertinet celsitudinem (specialiter consideratione dicti Episcopi) protegas et defendas. Ad hæc cum idem Episcopus disposuerit ad nostram venire præsentiam, tractatum nobiscum super executione voti, (quod de transeundo in subsidium Terræ Sanctæ suscepto signo Crucis omisit) aliisque suis et Ecclesiæ suæ negotiis habiturus, et hiis qui volunt ad partes accedere cismarinas egressus (sicut fertur) non pateat absque tuâ licentia speciali, prædictum Episcopum cum comitatu suo libere venire permittas ad nos, et ad Romanam Ecclesiæ matrem suam, nec impediri per aliquos aliquatinus patiari; quia hoc non magis in suam quam in nostram et Apostolicæ sedis injuriam redundaret. Te spero nobis obsequentem exhibueris in omnibus supradictis, quod rumorem, qui super hiis ad nos venerit, comprobare esse falsum, et operis exhibitione demonstrares te memorem esse et reverentiæ quam debes Apostolici sedis, et puræ fidei Episcopi supradicti, quarum nullo debet tempore oblivisci. Dat. Laterani, 15 Kal. Februarii, Pontificatus nostri anno octavo.

In the Plea-Rolls in the Tower, Anno 8 Hen. 3. I found these three Suits and Attachments for suing for Lay-ees, and Chattels not of Testament or Matrimony in Courts Christian, and holding Plea of them against the Kings Prohibitions; the br. of hereof I shall here present you with.

Elias Pester *Essex*, Magistri Thom. Foliot, & *Essex*, Prioris Hereford. opt. se 4 die vers. Willielmum de Wearwaling & Walterum Spignel, de Plac. quare ipsi tenuerunt placitum in Curia Christianitatis de laico feodo in Dadelington, contra prohibitionem, &c. Et ipsi non venerunt, &c.

Will. de Francers per Att. obt. se 4 die vers. Robertum fil. Andree, de Plac. quare secutus est placit. in Curia Christianitatis de laico feodo ejusdem Roberti in Stockton, contra prohibitionem, &c. Et ipse non venit, &c.

H. de Codungham obt. se 4 die vers. Patr. S. Frideswith & Decanum Oxon. quare tenuerunt placitum in Curia Christianitatis de catallis, &c. quæ non sunt de Ecclesiâ, vel Matrimonio, &c. contra prohibet. &c.

In a Bundle of Letters in the White Tower there is exant this original Letter written by the Bishop of Lichfield to the Chancellor of England, concerning the Popes and Cardinals great affliction, advise, and assistance to the King in his intended Marriage with the Earl of Britains Daughter, and his affairs in Poitiers and France; whereby we may discover their craft and delays, to gain more moneys, pensions, presentments, and a greater compliance with their demands from the King.

**V**enerabili in Christo patri R. Dei gratia Cicestren. Episcopo, A. ejusdem miseratione Lichfeld. Ecclesiæ Minister humilis & suus collega, salutem in Domino. Discretionem vestram latere nolumus, quod cum pro negotio nobis injuncto laboraverimus (si fas est dicere ultra quam fas sit credere) tandem, (concedente Domino) quod petivimus, obtinimus in principali; licet literas suas super hoc ad præsentem nosse Dominus Papa concedere. Sed de mandato suo speciali literas suas nobis dirigunt, (quas etiam coram se legi fecit Dominus Papa) subscripti Cardinales. Literas autem, licet habebamus eas deputatas, non duximus præsentibus nunciis propter marium pericula committere: tenor autem earum hic est; Egregio & magnifico viro, Domino H. Dei gratia Regi Angliæ illustri, P. miseratione divina Episcopus Albanensis, G. titulo S. Martini, S. Basilicæ duodecim Apostolorum, & J. titulo Sanctæ Praxedis, Præbyteri Cardinales, Salutem in eo qui Regibus dat salutem:

Pro

An. 8 H. 3.

Anno 8 H. 3.  
in Turri London.Placit. apud  
Westm. an 8  
H. 3. rot. 4 in-  
tus, Hereford.Ibid. rot. 5.  
Wiltes.Ibid. rot. 6. a  
die S. Trin. in  
tres testima-  
nas, Oxon.Bundela Lite-  
raturum in Turri  
London. An.  
8 H. 3.



K. Henry 3. *An Exact History of the Popes Involerable Usurpations, B. 5. ch. 1.*

An. 8 H. 3.

Pro obtinenda dispensatione matrimonii inter vos et filiam nobilis viri Comitis *Britannie* contrahendi, cum venerabili patre Episcopo *Covenrentensi* apud Dominum Papam diligenter institimus et frequenter, fidelitatem et dilectionem vestram et regni vestri studiosius exponentes. Qui licet sinceritatem dilectionis, quam erga vos et regnum vestrum habet, satis nobis exprefferit, et sapius inculcaverit, quare non facit Rex Angliæ factum suum, adjiciens placere sibi, quod efficaciter in negotio processisset eodem, literas tamen suas nobis ad præfens super hoc concedere reculavit. Sed placuit ei, quod de conscientia sua nostras vobis literas mitteremus: nos igitur de certa ejus conscientia serenitati Regiæ duximus consulendum, quatinus secunde ad hujusmodi consummandum negotium procedatis. Indubitanter & ut credimus, quod Dominus Papa gratiam vobis in hoc factam minime subtrahet, sed in hoc et in aliis vobis tantquam speciali et devoto filio præstabit consilium et favorem. Nos igitur de consilio dictorum Cardinalium consulimus Domino Regi, quod severe procedat ad hujus negotii consummationem; quia nihil oportebit vos timere, quoad Deum vel homines, ut sæpius inculcaverunt nobis prædicti Cardinales. Et etiam Dominus Hostiensis, qui, quia tunc præfens non fuit quando signatæ sunt literæ memoratæ, sigillum suum non apposuit, cum aliis, non minus ipsis propter hoc laboravit. Alia verò negotia — quia de consilio Cardinalium concessæ fuerunt (ut dicit) Domini Papa literæ directæ *Pictaviensibus*, & de consilio eorundem suspensæ, non potuit Dominus Papa suspensionem revocare, quia non consentiunt fratres. Sed habebimus literas memoratas ad omnes vassallos Domini Regis, continentes invectionem contra resistentes et recedentes a fide veri Domini sui, ut fidelitatem Domini sui vigozosius resulant et conferrent. Præterea petivimus, quod amoverentur *Gallici*, qui sunt in partibus *Albigensium*, de terris quæ sunt de feodo Domini Regis, si quas forsan invaserint: sed quia nescivimus super hoc certum petere, nec ipsi respondere; sed cum sciverint, quæ sunt terræ (si quæ fuerint) quod suum erit, volenter exequentur; præsertim cum prohibitum fuerit Regi *Francia*, ne aliquid in partibus illis attemptaret in præjudicium Imperatoris, vel vestrum, vel aliorum fidelium. Comes autem *Tholosanus* juvari non poterit, nisi mittat ad Curiam nuncios speciales. Ad quid autem expediat ei mittere, prout poterimus, inquiremus. Veruntamen benè placet saniori parti Curie, quod suos hostes viriliter et (prosequatur) — *The remainder of this Letter is purrified.*

In the same Bundle of Letters to the Bishop of *Chichester* Chancellor of England, I find this of the Popes Nephew, a Prebend of the Church of *York*, for the payment of an Annuity granted him by the King out of his Exchequer; whereby we may discern what preferments and favours the Popes Nephews and creatures then gained from King Henry during his minority.

In Bundela  
Literarum  
Cancel. Regis,  
in Turre Lon-  
don. An 8 & 9  
H. 3.

Venerabili in Christo patri, Dei gratia *Cicestren.* Episcopo, illustris Regis *Anglorum* Cancellario; *Nicholans* nepos Domini Papæ & *Eboracensis* Canonicus, salutem & recommendationem in Domino. Paternitatem vestram, de qua plenè confidimus, tenore præsentium duximus exorandam, quatinus quadraginta marcas, quas in *Decenario* Paschæ annuatim debemus percipere, secundum quod in rescripto literarum Domini Regis continetur, Domino *Stephano* Capellano Domini Papæ pro instanti termino Paschæ, nomine nostro, sine difficultate faciatis persolveri. Sanè, quia corde & animo vestri sumus, & avidam gerimus voluntatem vobis, in quantum possumus, complacendi, fumentes quandam audaciam, cum non præcesserint merita, vos attentè duximus exorandum, dare velitis operam efficacem, quod redditum prætaratum Dominus Rex, secundum quod in præfato rescripto continetur, in Ecclesiasticum beneficium nobis debeat commutare. Ita quidem quod penes vos preces nostræ effectum possint consequi postulatulum; & nos vobis proinde fortius obigemur, & Domino Papæ nos possumus de vobis plurimum commendare, ac in vestris negotiis penes eundem Dominum semper prompti non immerito existamus.

In the same Bundle of Letters, I met with this Epistle of *William* Archbishop of *Burdeaux* to King Henry, relating the great promises of the French to draw him to their party from the King, the grand losses and extremities he sustained for his fidelity to the King and his Brother, the dangerous condition of their affairs without the Kings speedy assistance which he craved, with his Excommunication and proceedings against the invaders of his Churches liberties.

Illustris.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Henry 3.

**I**llustrissimo & serenissimo viro *Henrico* Dei gratia Regi *Anglia, &c. Willielmus* An. 8 H. 3.  
 eadem gratia *Burdgalensis* Archiepiscopus, salutem, & de hostibus suis desidera-  
 tam victoriam posse cum gloria obtinere. Majestati vestræ per literas nostras signi-  
 ficasse meminimus, quod cum olim nobilis vir *Johannes de Beaumont* pro Rege *Fran-*  
*corum* contra terram vestram cum maxima multitudine militum advenisset, nobis,  
 ex parte Regis *Francie*, idem *J.* maximam obtulit pecuniarum quantitatem, eandem  
 personaliter deferendo; promisit etiam nobis *J.* prædictus, quod si partem Regis  
*Francie* sustinere vellemus pariter & fovere, nobis assignaret & conferret redditus  
 competentes nobis & successoribus nostris imperpetuum possidendos, parentes  
 nostros & homines mihi gratiosos sublimaret: & si fortè aliquid de redditibus nostris  
 vel aliud alicubi amitteremus, omnia deperdita nobis Rex *Francie* resarciret, &  
 super hoc suas patentes literas nobis daret, & benè faceret nos securos. Nos vero  
 pro vobis et fratre vestro omnia respicimus, et nihil recipere volumus ullo modo.  
 Die verò sequenti nobis quasdam literas *Francigenæ* detulerunt; in quibus (sicut  
 vobis meminimus nos scripsisse) Rex *Francie* nobis districtius prohibebat, ne ter-  
 ram suam aliquatenus intraremus, & ne in terra sua nos auderet aliquis receptare.  
 Et cum ipse sibi jam ferè totam nostram Provinciam subjugasset, multa incommoda  
 passi sumus, & adhuc etiam sustinemus; quia Castra, Civitates, & Villas, quas  
*Francigenæ* detinent subjugatas, intrare ullatenus non audemus. Redditi etiam  
 nostros apud *Rupellam* detinet superatos, quos nobis nunquam restituere voluerunt,  
 super multis aliis existentes nobis injuriosi graviter & molesti. Cumque propter  
 hæc *Romanam* Curiam adiremus, à *Francigenis* in *Alvernia* ad captionem fugati fui-  
 mus vel ad mortem, & sicut per Clericos vestros qui præsentem erant in *Romana*  
 Curia potuistis plenius edoceri, multum laboravimus pro vestris & fratris vestri  
 negotiis promovendis, præter expensas, quas fere ultra quingentas *Marcas* feci-  
 mus in Curia supradicta, in eundo etiam et redeundo. Et cum de eadem Ecclesia  
 rediremus, cum nobis in pluribus locis insidias *Francigenæ* præparassent, cum quo-  
 dam solo Clerico ferè per totum iter usque ad terram vestram venimus, & quasi sim-  
 plex Clericus incedentes, nostram post nos manticam ferebamus; Literas etiam de  
 securitate propter causam, quæ est inter nos & *Bituricæ* Archiepiscopum, non nisi  
 per duos menses, scilicet usque ad Octavas Nativitatis Domini proximò præteritas,  
 Rex *Francie*, sublatu de vitæ medio, voluit nobis dare. Inter cetera quidem in-  
 commoda & injurias, quas pro vobis & fratre vestro multipliciter sustinemus, gen-  
 tes fratris vestri cum convenimus *Torcis*, et postmodum ex quo venimus, Ecclesie  
 Dei, et nobis, et nostris hominibus dampna plurima intulerunt. De quibus prout  
 dicunt, si possent, satisfactionem nobis facerent competentem. Quia verò vestros  
 nuncios ad Barones tantum mittere tardavistis, admonitione quantâ possumus admo-  
 nemur, quoniam super amorem & dilectionem nostram ad partem Regis *Francie*  
 transulerint se Barones, & propter hoc contingat vos & fratrem vestrum (quod  
 absit) amittere terram vestram, nobis debet proculdubio imputari. Inde est quod  
 Nobilitatem vestram monendam duximus & attentius exorandam, quatinus in facto  
 vestro & fratris vestri & nostro festinanter consilium & auxilium apponatis ergà  
 nos, qui cruce signati sumus, et parati sumus ad prosequendum negotium *Jesu*  
*Christi*: Taliter vos habentes, ut nos, qui vobis & vestris tenemur, vobis & vestris  
 magis obnoxii teneamur; & in facto vestro & fratris vestri tale consilium & auxi-  
 lium apponere, mora qualibet postpositâ, studeatis, quod vobis & fratri vestro cedat  
 ad gloriam & honorem. Ut sciatis quod cum à nobis Nuntius iste reaccessit, nos  
 cum fratre vestro (mirum est quia tam audacter audet committere se fortunæ)  
 apud fortunatum verò, circa quem & ejusdem negotia assistendo expensis non par-  
 cimus aut labori. Expectabamus enim ibidem nuncios de colloquio quod apud  
*Thoarchum* Barones inciperant, inde cum Rege *Francie* loquuti; quod tunc in  
 illo colloquio fuerit ordinatum nihil cum à nobis recessit lator præsentium cogno-  
 vimus; scituri pro certo, quod nisi illa sincera dilectio retexisset qua quondam  
 dileximus patrem vestrum, eadem vos & fratrem vestrum sinceritate diligentes, in  
 ipsum fratrem vestrum, & suos, & terram quam vos in votum habetis — propter  
 dampna & injurias quas gentes suæ Ecclesie Dei, nobis et nostris hominibus  
 intulerunt silentium tulistemus, nec vivit aliquis hodie, cui nos nisi vobis aut fra-  
 tri vestro parere curassemus. Proveritis insuper, quod frater vester gaudet gratia  
 populi et laudis, tamen interdum contra Deum et Ecclesiam facere cogitur, cum  
 sibi expensarum copia subtrahatur. Statum verò vestrum, quem sicut proprium de-  
 sideramus



K. Henry 3. *An Exact History of the Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 8 H. 3. fideramus prosperum & jucundum, & voluntatem vestram super pramissis nobis quam citò poteritis rescribatis. Valet, &c.

Tom. 2. p. 392. l. 14. after *Mat. Westminster*, adde; This Letter of King Henry to the Pope, in answer of his to him on the behalf of the Earl of Chester and Falcatus, which I found in the *White Tower*, thus relates *Falcatus* and the Earls insolent deportment towards him, in taking and detaining his Castles from him by force.

Bundels Literarum in Turris London. An. 8 H. 3.

See Mar. Paris, p. 308. Contra Falcatum de Brent.

**D**omino Papæ, &c. Rex, &c. Cum nuper post festum *Pentecostes*, venerabiles Patres nostros Archiepiscopos & Episcopos, Abbates, ac omnes Magnates totius Regni nostri vocassemus, ut nobis occurrerent apud *Northampton*, daturi nobis ibidem consilium, & auxilium facturi ad defensionem terrarum nostrarum in *Pictavia*, quam Rex *Francorum* impugnare parabat. Recepimus ibidem, literas vestras, continentes (inter alia) quod dilectos nostros Venerabilem patrem, *Winton.* Episcopum, Com. *Cestria*, & quosdam alios de regno nostro, qui tempore patris nostri f. quondam Regis *Angliae* illustris, & postmodum tempore nostro contra inimicos nostros pro conservatione Juris nostri fideliter laborasse dicebantur & potenter, familiares habere debemus in Consiliis nostris, et oppressionibus illorum providere: (*he only inferring them to restore his Castles and lands they detained from him, for which they were excommunicated*) de quibus sicut scimus pro certo clamores ad aures vestras tulerunt, Ne ex talibus, quod sustinere non possent, ulterius cogerentur \* —

\* excitare.

vos ad pejora. Ad hoc etiam fuimus ibidem per venerabiles patres in Christo Cant. Archiepiscopum, Bath. & omnes Episcopos auctoritate literarum vestrarum quas receperant, diligenter moniti et efficaciter inducti, licet non esset necesse nos pro eo rogati, quod fecimus et facturi eramus etiam non rogati, praefertim cum ipsi qui se voluntarie subtraherant, nunquam fuerint a nostris Consiliis, nobis jubentibus, aut volentibus, amoti. Etenim per breve tempus praecedens *London*, in quodam Consilio nostro praedictos Com. *Cestria*, ac alios omnes Nobiles nostros qui cum *Iusticiario* nostro contenderant, ac ipsum cum illis convenire fecimus in pacem. Osculo pacis utrinque dato & recepto, Nos ipsi & oblivisci volentes potius injuriarum, quae multa praecesserant, quam reminisci, omnes recepimus in pacem et gratiam, qui demeritis suis exigentibus per nos offendi meruerunt; sperantes habere de omnibus et singulis ad nostra negotia Consilium et auxilium tam magnificum quale et quantum a nobis in suis necessitatibus expectare debent. Sanè cum ad diem Consilii nostri de *Northampton* in quibusdam partibus terrarum nostrarum Judices discretos dedissemus & Nobiles, ad audiendas & corrigendas querelas multorum de rapinis & spoliandis terrarum & bonorum suorum, quas multi detulerant ad aures nostras, secundum Regni nostri consuetudinem obtentam & approbatam ab antiquo; & quidam de Magnatibus nostris, *Falcatus* nomine, coram Judicibus eisdem in sexdecim Causis fuisset convictus inter alios, & ad restitutionem ablatorum, & satisfactionem plenam debito modo condemnatus. Molestè ferens quod cogebatur esse quietior, qui prius suo vitio renuerat esse pacificus, poni fecit insidias uni de Judicibus praedictis versus nos venienti *Northampton*, ac ipsum inermem ac suos, per quendam *Willielmum* fratrem suum & multitudinem armatorum captum, violenter, viuliusque tractatum, in quodam Castro nostro quod habebat in custodia, vinculis & carceri mancipavit. Monitus & vocatus per nuncios solempnes, incontinenti de Consilio Magnatum totius regni nostri qui nobiscum erant, ut & Captos redderet, & statutis die & termino compareret de pace nostra violata, & aliis multis quae habuimus contra seipsum responsurus, ac Malefactores suos produceret per Judicium Regalis Curiae & regni Jura tractandos, nec illos producere, nec seipsum offerre Juri voluit, cum alias teneatur ratione possessionum magnarum, & officii maximi quod habuit in Curia nostra, ad nos in Consiliis nostris venire non vocatus; Exerensque virus quod diu conceperat, indignans ex hoc quod cogi debuit esse sub Domino, qui dominandi cupiditate torquebatur; et captos reddere negavit, et comparere coram nobis, ac suos producere Juri parituros, Castellum nostrum muniens contra nos audacter, quod instantè nobis reddi petebamus: propter quod ad illud obsidendum et expugnandum per Consilium Curiae nostrae statumimus cum exercitu nostro, quod in proximo dante Domino in Bello habere speramus. Ad hæc licet dolentes & magna necessitate coacti, ut iniquitati ipsius et plurimum Complicum, in illius Castri expugnationem concludatur, omissis ad praesens omnibus aliis negotiis nostris, quae in partibus *Hyberniae* & *Pictaviae* nos urgent. Quae quidem pericula imminencia nobis ad praesens, nisi ea Deus avertat, praedicto *Falcato* suisque Complicibus,

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plicibus non immerito debemus imputare; nec minus moveri contra seipsum et suos, quam si totius hereditatis nostre dispendium, quod absit, interamus. An. 8 H. 3.

Yet notwithstanding after *Falcatus* his Excommunication by the Bishops, and judgement, exile by the King and Lords for his Rebellion, the Pope and his Legate being bribed with his large gifts, writ and interceded for his restitution to his Lands, and favour; as appears not only by our Historians, Tom. 2. p. 392, 398. and this Epistle, but by two Epistles of the Popes Legate, (which I rescued out of the rubbish in the *White Tower* Chappel) informing the Pope, and *Falcatus* his friends at *Rome*, how ill the King and kingdom of *England* relented the Popes intercession for him, and intermeddling with the state and affairs of *England*, contrary to former custom.

**D**omino Papæ. Sanctitati vestræ duxi tenore præsentium intimand. quod antequam ad me literæ vestræ, quas mihi misistis pro facto *Falkarii* pervenissent, idem in *Burgundia* captus erat. Quibus devotè receptis, & quæ continebantur in eis intellectis, statim illis personis scribere diligentius procuravi, per quas ipsum credebam debere restitui libertati. Recepi postmodum literas et nuncios ex parte Regis *Angliæ* illustris; quibus intellexi, quod tam ipse Rex quam fere totum regnum *Angliæ* pro missione ejusdem *F.* quam faciatis, turbati sunt plurimum et commoti, et ipsius inimici decisionem ejusdem in hac parte percipientes, elati sunt in superbiam. Unde videtur per hoc, quod negotium pacis vel treugarum inter eundem & Regem *Francorum* illustrem, pro quo tantum (Deus novit) laboravi, non possit effectui mancipari; & sic per consequens negotium *Albigen.* patet (sicut credimus, retardari. Cum itaque diebus istis, propter malitias hominum, et Regum et regnozum sint scandala evitanda, cum totus mundus fere sit positus in maligno, plus etiam quam creditis; si placet, Sanctitas vestra provideat quid sit erinde faciendum.

Bundela Literarum in Turre London. An. 8. H. 3.

**M**agistro T. Paternitati vestræ tenore præsentium intimamus, quod antequam literæ Domini Papæ pervenissent, quas nobis pro facto *Falkarii* destinavit, idem *F.* in *Burgundia* captus erat; sed statim post receptionem Literarum ipsarum illis personis scripsimus, per quas credebamur ipsum debere restitui libertati. Recepi postmodum nuncios & literas ex parte Regis *Anglorum* illustris; quibus intelleximus evidenter, quod tam ipse quam fere totum regnum *Angliæ* valde turbati sunt, plurimum et commoti, pro missione quam Dominus Papa facit in *Angliam* super negotiis *Falkarii* memorati. Unde videtur per hoc quod negotium pacis vel treugarum inter duos Reges, pro quo tantum (Deus novit) laboravimus, non possit effectui mancipari; & sic per consequens negotium \* *Albigen.* prout credimus sit quasi penitus exsufflatum. Cum itaque diebus istis, propter hominum malitias, Regum et regnozum sint scandala evitanda, cum totus mundus fere in maligno sit positus, plus etiam quam creditis vos et alii; qui cum estis in cameris vestris non cogitatis huiusmodi; set ut videtur Ecclesiæ Dei parantes ercidium, \* Reges et regna non ad devotionem Ecclesiæ, set potius ad scandalum et discordias provocatis. Scientes quod plurimum admiramur, et multi alii commoventur, quod cum regnum *Angliæ* nunc in bono statu consistat, quare Dominus Papa et vos ad vocem unius, ad inquirendum de facto Regum *Angliæ*, (quod antea de hiis quæ Regiam contingant potestatem fieri non consuevit,) et de statu ipsius regni et Prælatorum ejusdem, mandatis. Et ideo (si placet) provide in hac parte utentes consilio (sicut decet) procedatis in ipso negotio, (Deum solum habentes præ oculis) prout melius videritis expedire.

\* *Albigen.* prout credimus, against whom they intended a Cossack.

\* *Nota.*

Scribat Magistro *Egidio* Episcopo *Alban.* Magistro *Rapier*, Magistro *P. Capuar.* Episcopo *Hofien.* Domino *S. Sancti Albani.* Soon after \* *Falcatus* died miserably in exile; a just punishment for his Sacrilegious rapines and rebellions against the King.

\* *Mat. Paris.* Hist. Angl. p. 323.

This *Falcatus de Breant* was not only Excommunicated by \* all the Bishops in general, but likewise by the Bishops of *Coventry* and *Exon* in special in a most solemn manner; as this Epistle of the Bishop of *Coventry* to the King assures us, wherein he advises him how to proceed in that affair.

\* *Tom. 2. p.* 392, 398.

**R**everendissimo Domino suo *H. Dei gratia Rex Angl. &c.* devotus & fidelis suus *A.* divina permissione *Coventrensis* Ecclesiæ Minister humilis, salutem, &c. Noverit excellentia vestra, quod cum essemus apud *Coventr.* dictum est nobis, quod *Falkatus de Breant* moratur per tria Milia ultra *Cestr.* Quo audito, nos cum venerabili

Bundela Brevarum & Literarum. An. 8. H. 3. in Turre London.



K. Henry 3. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

An. 8 H. 3. nerabili fratre nostro *Exoniensi Episcopo* solemniter cum cum omnibus fautoribus suis, et complicitibus, et ejus favore vos scitis subantibus, pulsatis Campanis et Candelis accensis excommunicavimus. Quoniam autem ad partes illas tendimus, proponimus cum ipso habere colloquium de honore et utilitate vestra per Dei gratiam (nisi propositum nostrum per mandatum vestrum mutaveritis) diligentissima circumspectione adhibita tractaturi. Quia vero non solum armis, sed etiam blanditiis turbationes et seditiones sedare oportet, Dominationi vestre bonâ fide consulimus, quod *Leisino* scribatis amicabiliter, eum rogantes & arcus inhibentes, ne dictum turbatozem in terra sua receperet. Nos autem si Clementiæ vestre placuerit bene procurabimus, qualiter ad ipsum mandatum vestrum competenter perveniat. Credimus autem firmiter & speramus, quod non oportebit maliciam *Falkasi* in partibus istis timeri; dummodo de præcepto vestro sint contra ipsum Ballivi vestri omnes præmuniti; Super hiis igitur & aliis, quæ de vestre fuerint beneplacito voluntatis, nobis si placet rescribatis, quia affectuosè procurabimus quod nobis duxeritis injungendum. *It seems Falkatus and the Earl of Chester complained to Pope Honorius of the Kings proceedings against them, and by money purchased a Letter from him to the King on their behalf.*

What encroachments the Ecclesiastical Courts this year made upon the Kings Crown and temporal Courts, these Suits for proceeding against Prohibitions will instruct us.

\* Rot. 6 ad-  
iuc de quin-  
dena.  
Cantebr.

Rot. 3 dorso.  
Linc.

\* Placita apud *Wistm.* in Octabis sanctæ Trinitatis, anno regni Regis Henrici filii Regis Johannis octavo.

Richardus le Curteis opulit se 4 die versus Willielmum de Alta ripa de Placito; quare secutus est placitum in Curia Christianitatis, de catallis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et Magister non venit, &c.

Radulphus filius Simonis opulit se 4 die versus Archid. Exon. & conjudices suos de Placito, quare ipsi tenuerunt placitum in Curia Christianitatis, de catallis quæ non sunt de Testamento, &c. Et versus Dominum Archiepiscopum Ebor. de placito, quare secutus est placitum, &c. de eodem, &c. Et nullus eorum venit, &c. Et Rad. quæstus de quibus catallis, dicit, quod de blado et aliis catallis ejusdem Arch. captis tempore guerræ, tam de Ecclesiis quam de terra ejusdem Archiep. captis; & præterea cognovit, quod intravit ante Prohibitionem in Curia Christianitatis. Ita quod productiones testium capta fuerunt. Et postea cognovit quod Archiepiscopus remisit ei omnem demandam hominum suorum, et omnia catalla quæ capta fuerunt extra Cimiterium; et petit licenciam recedendi de hære, et habuit, et inde sine die.

Tom. 2. p. 393. l. 3. after us, adde; John Bishop of Arfercen in Ireland procuring himself to be consecrated, and getting possession of the Temporalities, and refusing to appear upon an Appeal before the Pope at the suit of G. who pretended himself lawfully elected Bishop; the Pope thereupon sent this Bull to the Bishop of Dublin, to enforce him to restore his Bishoprick to G. and put him into possession of the Temporalities, and intreated King Henry not to hinder but assist him therein by this Bull, the original whereof I rescued out of the rubbish in the White Tower.

Anno 8 H. 3.  
in Turic Lon-  
don.

HONORIUS Episcopus servus servorum Dei, charissimo in Christo filio Henrico Regi Anglorum illustri, salutem & Apostolicam benedictionem. Cum Johan. Presbyter qui se temere consecrasset in Episcopum Ecclesiæ Arfercen. ad nostram contemplerit venire præsentiam, venerabili fratri nostro G. Arfercen. Episcopo responsurus; Nos ejus contumacia erigente, mandavimus venerabili fratri nostro Archiepiscopo Dublinen. ut ipso se ab eadem Ecclesia prozsus amoto, et coacto resignare prætato Episcopo universa quæ ad Arfercen. nescuntur Episcopatum pertinere; ipsum Episcopum in corporalem ipsius Episcopatus possessionem inducat, et defendat inductum: auditurus postmodum, si præfatus se aliquid voluerit proponere contra eum. Ideoque serenitatem tuam rogandum duximus attentius & hortandum, quatinus eundem G. habens pro reverentia divina & vestra propensius commendatum non impedias, nec a subditis tuis impediri permittas quominus Episcopatum suum iuxta mandatum nostrum pacifice possideat et quiete. Dat. Laterani, 12 Kal. Julii, Pontificatus nostri anno octavo.

\* Tom. 2. p.  
293.

Whereupon the King issued a \* Writ to the Archbishop of Dublin to restore the Temporalities to G. at the Popes request.

Tom. 2. p. 393. after Episcopi, this should have been inserted; These Proctors of

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of the King coming to *Rome*, rendred him this account of their journey to, and reception at *Rome* by the Pope and Cardinals, with the sense they had of the Kings dangerous and almost desperate condition, informing him of a new confederacy between the *French* King and his discontented Barons, in case the Pope crossed or condescended not to the *French* King, to invade *England*, to dispossess the King of the Crown, (as they did his Father King *John*) and of *Falcatus* his Imprisonment in *France*; which Letter I found in the *White Tower* Chappel.

CARISSIMO Domino suo H. Dei gratia Regi *Anglorum* illustri, Domino *Hibernie*, In Turre London. An. 8. Ducis *Normannie*, *Aquitannie*, Comiti *Andegavia*, fideles sui G. de *Quancumb* & S. de \* *Luca*, devotam in omnibus reverentiam. Noverit dominatio vestra quod die *Lune* prox. post festum *Omnium Sanctorum* applicuimus ad portum quandam juxta *Wiclow*, & inde per *Franciam* aliasque terras medias salvo transi- H. 3. euntes, die Dominica prox. post festum beati *Nicholai* venimus *Viterbium*, fratrem *Johannem Brisepet*, qui quasdam literas vestras deculit ibidem per tres dies expectantes, & Magistros *Reinerum* & *Egidium* Cardinales in eadem villa morantes, Domi- \* *Lucy*. numque *Gualonem* qui interim ibidem advenit super agendis nostris consulentes, eo diligentius quod tunc ibi aderant, *Dalatham* & de *Noun*. Episcopi, *Guido de Monteforti*, & quidam alumnus Regis *Franc.* qui frequentem tractatum cum dictis Cardinalibus habentes; multa falsa suggererunt eidem tum de hoc facto *Pisavia*, Regem *Francie* maliciose excusantes, tum predecessores vestros de terris cismarinis, Affe- rentes fuisse paratos exigente justitia si par est, eam postmodum per nos et Domi- num *Petrum Saracen*, qui fideliter nobis in omnibus quæ nos contingunt afficit, sibi vero \* magnam fidem sicut nobis frequenter videbatur dictis *Gallicis* forte, Non habuerunt. Sanè accedente ad nos interim dicto fratre *J.* infimul cum Domino credentes Car- *Gallon*, *Roman* venimus die *Jovis* proxima sequente, quem quidem valde commotum dinales.

invenimus et turbatum multipliciter, studuimus pro posse nostro reducere ad temperanciam. Dominum Papam quidem et Cardinales non solum commotos circa statum vestrum et regni vestri perpendimus, verum penitus se desperatos unanimiter fatebantur. Nam *Rex jerosol.* et dicti *Gallici* predicabant omnibus, quod *Pas- sores Anglie* obsides offerebant usque ad de reddendo sibi terram cum primo venire curaret ad illam. Adicientes, si aliquo in Curia Romana contra voluntatem Regis *Francie* attemptaretur, incontinentur *Rex* transfretaret in *Angliam*, et præter illos alii forsitan de terra \* qui aliquandiu steterunt pro vobis \* 1 conceive et si alia sinistra (sicut audivimus) insinuare nitebantur; it should be *Pisavie*.

Ita quod in narrationibus et petitionibus vestris plures nobis adversabantur, et multa obiciebantur. Responsio tamen ad illa non fuit difficilis cum veritas nos non laceret, & eadem nos turbatos liberaret, licet hoc solum grave nobis esset, quod vix potuerunt induci quidam ut aliquam fidem adhiberent veritati. Porro cum singulos Cardinales visitassemus et super statu vestro terrarumque vestrarum *Anglie*, *Wallie*, *Hibernie*, et de facto *Bedeford*, et *Pisavia*, et aliis articulis nobis injunctis instruxissemus diligenter, habitoque postmodum colloquio cum Papa in secreto die *Mercurii* proxima ante festum *Santi Thomæ Apostoli*, coram Papa et fratribus causam adventus nostri plene exposuimus, petitiones vestras tunc ibi Domino Papæ committentes. Veruntamen quia Nuncii Comitis *Tholosani*, Episcopi, Milites & Clerici post festum *Santi Michaelis* in Curia uniformiter steterant, et Papa cum fratribus jam per multos dies super facto illo licet novum plene deliberaverant, distulerunt usque post Natale de vestris negotiis providere; Et sperabatur quod dictus Comes competens responsum esset accepturus, licet *Rex*, et *Gallici* prædicti sibi fortiter resisterent. Die *Jovis* proxima recepit Papa literas *Portuensis* Episcopi Legati *Aleman*, quod idem *Portuen*. tractatum habitum inter Reges *Alemanie* & *Francie*, super Matrimonio de quo scitis, impedivit; Dixit tamen nobis Papa, quod *Rex Francie* pro eodem facto Nuncios suos ad Imperatorem iterum transmissit, sed quid egerunt adhuc nescivimus. De *Falkasio de Breath* dicebatur nobis circa principium adventus Domini, quod erat in veniendo *Roman*, attamen die Dominica proxima ante Natale Domini quando recederet lator præsentium percepimus, quod non ille erat de quo cavebatur illa die quia die Dominica detinet eum quod captus erat in *Francie* & detentus. Valeat Dominus noster, et quicquid Papa disponendum de facto vestro duxerit, Dominus nichilominus dirigat actus et voluntates vestros et nostros, si placet vigilatis caveatisque vobis.

Tom. 2<sup>o</sup> p. 379. l. 36. after *took*, adde; The Earl of *Albemarle* detaining the Kings



K. Henry 3. *An Exact History of the Popes Intollerable Vsurpations, B. 5. ch. 1.*

An. 8 H. 3. Kings Castles and Lands from him, notwithstanding the Legates, Archbishops, and Bishops Excommunications; he thereupon issued this Writ to Roger de Leyburne, to repair to him forthwith to Northampton with all the armed power he could raise, to reduce the rebellious Earl to obedience.

Bundela Bre-  
vium in Turre  
London. An. 8  
H. 3.

**H.** Dei gratia Rex Angl. Dominus Hybernie, Dux Normannie, Aquit. & Comes Andegavia, dilecto & fidei suo Rogero de Leiburn, salutem. Cum W. Comes Albemarl. excommunicatus a Domino Legato, Archiepiscopo Ebor. et Episcopis Angl. cum omnibus fautoribus, complicibus, et ei adhaerentibus propter multiplices et manifestos excessus sancte Ecclesie et nobis impenso, sediciose et furtive ceperit Castrum de Fodering quod fuit in manu nostra, et maliciose detineat; terram nostram devastando, depredando, et pacem nostram et regni nostri perturbando et vehementer infringendo. Vobis mandamus firmiter precipientes in fide qua nobis tenemini, et sub debito sacramenti vestri nobis prestiti, quatinus vobis litteris istis cum tota gente armata quam ad presens habere poteritis veniatis ad nos usque Northamt. bene parati equis et armis, ad eundem cum corpore nostro et cum fidelibus nostris qui nobiscum venient super eundem Comitem, qui sic spreta fide et obsequio nostro nos et regnum nostrum presumpsit temere et maliciose inquietare et perturbare: Et gentem nostram quam ad presens paratam non habetis venire faciatis post nos cum omni festinatione, & ita acceleretis adventum vestrum & gentis nostrae, ut & nunc per experientiam sentiamus quantum nos & terrae nostrae tranquillitatem diligatis. Teste H. de Burgo Justiciario nostro apud Westm. 23 die Januarii.

The like Writ of the same date, issued Galfrido de Nevil, &c. the original whereof I found in the White Tower.

An. 8 H. 3. in  
Turre Lon-  
don.

**HENRICHUS** Dei gratia Rex Anglia, Dominus Hibernie, Dux Aquitaniae, Comes Andegav. Dilecto & fidei suo Galfrido de Nevil, salutem. Quoniam H. Comes Albemarl. Excommunicatus a Domino Legato, Archiepiscopo Eborum, et Episcopis Anglia, cum omnibus fautoribus, complicibus, et ei adhaerentibus propter multiplices et manifestos excessus sancte Ecclesie, et nobis impenso, sediciose et furtive ceperit Castrum de Fodering quod fuit in manu nostra, et maliciose detineat, terram nostram devastando, depredando, pacem nostram et regni nostri vehementer perturbando et infringendo: Vobis mandamus firmiter percipientes in fide qua nobis tenemini & sub debito Sacramenti vestri nobis prestiti, quod vobis litteris istis cum tota gente nostra armata quam habere ad presens poteritis veniatis ad nos usque Northampton, bene parati equis & armis ad eundem cum corpore nostro & cum fidelibus nostris qui nobiscum venient super eundem Comitem, qui sic spreta fide et obsequio nostro, nos et regnum nostrum presumpsit temere et maliciose inquietare et perturbare. Et gentem nostram quam ad presens paratam non habetis venire faciatis post nos cum omni festinatione, & ita acceleretis adventum vestrum & gentis vestrae ut tunc per experientiam sentiamus quantum nos & terrae nostrae tranquillitatem diligatis. Teste H. de Burgo Justiciario nostro apud Westm. 23 die Januarii.

The same year King Henry the 3<sup>d</sup>. evidenced his Sovereign Ecclesiastical Jurisdiction, in sending these memorable Prohibitions and Appeals to the Popes Delegates and others, not to proceed in a suit of the Archdeacon of Colchester against the Dean of S. Martins, for Procurations demanded by him from the Church of Newport, the chief part of that Deanry, S. Martins being his free Chappel, exempt from all Episcopal Jurisdiction and Procurations; this suit being to the great prejudice of his Crown and Dignity.

Clauſ. 9 H. 3.  
pars 1. m. 8.  
dorſo.

**R**EX Archidiacono, Cancellario, & Decano Oxon. salutem. Cum super Decanatu Ecclesie sancti Martini London. quae Dominica Capella nostra esse noſcitur, ea gaudemus dignitate a temporibus predecessorum nostrorum diu optenta, quod ab omni jurisdictione Episcopi Diocelani et subditorum ejus sit exempta, ita quod Decanus cum debuerit institui, a sola manu Regia stallum recipit in choro et locum in capitulo, super omnia ad Decanatum illum spectantia, ab omnibus hucusque procuracionibus Archidiaconorum et suorum libera fuerit et quieti. Audivimus, (unde non immerito miramur et movemur) quod Archidiaconus Colcestriae, licet ad descendendum multa sit prece nostra requisitus et ammonitus, dilectum et fidelem nostrum G. de Boelund Decanum illius Ecclesie, coram vobis auctoritate litterarum Domini Papae, in causam trahere non desistit; exigendo ab Ecclesia de Newport, (quae

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(quæ est ejusdem Decanatus pars maxima, et præcipua) Procuraciones hucusque insolitas, in grave præjudicium Regiæ dignitatis. Cum igitur tam regni nostri consuetudinis, quam Regiæ sit potestatis eorum inhibere processum quæ in dignitatis nostre præjudicium vertuntur; Vobis prohibemus, ne in Causa illa procedatis, cujus proculdubio processus in nostræ fieret dignitatis læsionem. Insuper autem si forte hanc prohibitionem non duxeritis (quod non credimus) reverenter admittendam, pro dignitate, ne a nobis vel ab ipso Archidiacono contra ipsam quicquam attemptetur, ad Sedem Apostolicam appellamus. Teste Rege apud *Merleberg*, 21 die Julii.

An. 9 H. 3.

In hac forma scribitur Archidiacono *Colecestrensi* de Causa illa non prosequenda. **R**EX eisdem Judicibus, salutem. Reminimus nos vobis alias inhibuisse, ne in Causa quam movit coram vobis in Curia Christianitatis Archidiaconus *Colecestrensis*, contra dilectum et fidelem nostrum *G. de Boeland*, Decanum Capelle nostre Sancti Martini London. super procuracione quam idem Archidiaconus sibi fieri erigit pro Ecclesia de *Newport*, quæ est dicti Decanatus pars maxima et præcipua, procederetis, cujus proculdubio processus in nostræ cederet læsionem dignitatis: cujus optentu dicta Capella nostra ab omni jurisdictione Episcopi Diocesani subditorumque ejus soleat et debeat immunis permanere; hincque inhibitioni appellationem ex parte vestra recolimus interdictam. Ne igitur suggeri possit quod ab hiis desistere velimus, vel in præjudicium Regiæ dignitatis præsumatis in dicta Causa procedere, tam dictam inhibitionem nostram quam interdictam appellationem præsentibus literis innuimus. Teste meipso apud *Merton*, 31 die Aug.

Ibidem.

Eodem modo innovata est appellatio versus Archidiaconum *Colecestriæ*, ne prosequatur.

In the Plea-Rolls of *Placita in Octavis S. Michaelis*, An. 9 H. 3. Rot. 6. dorso Suthr. I find this ensuing Action for holding Plea in Court Christian of Lay-fee, against the Kings Prohibition.

Johannes Sward *Essex*, Henr. le Sauvage obtulit se 4 die versus Decanum de *Winton de plac.* quare tenuit placitum in Curia Christianitatis de Laico seodo ipsius Henrici in Tyfid. &c. contra Prohibitionem, &c. Et ipse non venit, &c.

Plac. An. 9 H. 3. in Turre London.

The same year there arising a difference between the Parson of the Chappel of *Limerick*, and the Treasurer thereof, to which of them the Tithes of Fish-ponds and Mills of *Limerick*, &c. belonged: the King thereupon issued forth this Writ to inquire the right and certifie the truth thereof.

**R**EX venerabilibus in Christo patribus, *M. Casselensi* Archiepiscopo, & *J. Fernensi* Episcopo, & *G. Lismorensi* electo, salutem. Mandamus vobis regantes, quatinus ad certum diem & locum conveniatis apud *Lymeryc*, & ibi præsentem *Galfrido de Mariscu*, vel illo quem ad hoc assignaverit, diligenter inquiretis per bonos et discretos homines, tam Clericos quam Laicos, qui melius sciant & velint dicere veritatem, utrum *Bartholomæus de Camera* tempore Domini *Johannis* Regis patris nostri, ante guerram motam inter ipsum & Barones suos *Angliæ*, fuit in seissina Decime de *Piscariis* et *Polendinis de Lymeryc*, & de terra de *Drumyn*, nomine Capelle de *Lymeryc* cujus persona est, vel *Wilhelmus de Caerdis* eo tempore seissus fuit de prædicta Decima nomine *Thesauraria* quam habuit in Ecclesia de *Lymeryc*: Et si forte omnes ad inquisitionem illam faciendam intendere non possitis, duo vestrum eam nichilominus exequantur. Teste Rege apud *Westm.* 21 die Aprilis, anno regni nostri nono.

Pat. 9 H. 3. in longiori Rot. m. 5. intus.

The Bishoprick of *Acaden* in the County of *Connacht* in *Ireland* becoming voyd, and the Clergy thereof according to their custome electing a Bishop without the Kings precedent license and Royal assent, contrary to his Royal prerogative; and exceptions being now taken both to the manner of the Bishops Election, and likewise against his person; *Henry de Londres* Archbishop of *Dublin* thereupon (conceiving the donation thereof to be devolved to himself by lapse, in which he was grossly mistaken) writ this Epistle to receive the Kings Royal pleasure how to proceed in this case for the maintenance of the Kings prerogative, which I found in the *White Tower* Chappel.

**E**xcellentissimo Domino suo & amantissimo *H. Dei gratia illustri Regi Angliæ*, &c. devotissimus suus *H.* eadem gratia *Dublinensis* Archiepiscopus, Apostolicæ sedis Legatus, promptum cum devotione famulatum. Vacante nuper sede *Acaden*, sita in ultimis partibus *Connaciæ*, ubi minus informetur Ecclesia sedis ejusdem

Bundela literarum & certificationum An. 9 H. 3. in Turre London.



An. 9 H. 3. dem Clerus ignorans, & inconluctus hucusque modum et formam in electione facienda secundum aliarum terrarum statuta conservare, ad celebrandam electionem Regia licentia non petita, iuxta priorum ejus consuetudinem processit, qua tamen celebrata, electus ipse cum quibusdam Electoribus ad Justiciarium vestrum *Hibernie* accessit, Regium expostulans assensum supplere; cupiens post electionem quod contra Regis dignitatis privilegium ante eam videbatur omissum, licet in partibus illis in celebrandis electionibus minime consueverit hucusque Regia postulari licentia. Unde ad instituendam et observandam debitæ sollemnitatis formam tam in Regia dignitate quam in electionis celebratione, examinata postmodum coram nobis eadem electione, ab adversariis Electi plura fuerunt obiecta et prolata, tam in personam Electi quam in formam eligendi; propter quæ videbatur ipsa electio minus valida, si universa deberent judicari et conservari secundum aliorum consuetudinem regnorum et Regis dignitatis conservationem, de quibus gentis illius ruditas usque ad tempus præsens noticiam non habuit, nec eas observare consuevit. Dumque videbatur ex hiis quæ omissa sunt tam in modo electionis, quam in observatione Regis dignitatis, ipsius Ecclesie ordinatio ad nos tanquam superiorem devolvi, quia volumus et affectamus Regiam dignitatem in illis partibus firmari, et induci, et consolidari ubi quondam convaluit, nec obtinuit cum in partibus eisdem nullus Anglicus fructificare possit adhuc, — aut morari; maxime propter loci paupertatem et gentis contrariæ hostilitatem; Super ordinatione ejusdem Ecclesie consilium et voluntatem vestram nobis significetis; fidei nostro præsentium latores credentes, qui de hiis et aliis vobis plenius exponet. Valete.

Which he seconded with the other Epistle to this King, wherein he relates the great labors and expenses he had undergone for the King, and his Father King John.

In eadem Bunde-  
dela, An. 9  
H. 3. in Turre  
London.

Excellentissimo Domino suo & amantissimo, Henrico Dei gratia illustri Regi Anglie, &c. suus eadem gratia H. Dublinensis Archiepiscopus, salutem & devotum in omnibus famularum. Quot et quantos labores, quantas etiam expensas sustinuerimus pro Domino Rege patre vestro, necnon et pro vobis, non est necesse vobis exprimere, cum satis et vobis et vestris liquida sint et manifesta. Regis igitur excellentie cum quanta possumus supplicamus devotione, quatinus ad labores et expensas pro vobis et vestris factas oculo pietatis respicientes, Justit. vestro *Hibernie* dare velitis in mandatis, ut nos et Ecclesiam nostram super possessionibus et dignitatibus nostris a bonæ memoriæ H. Rege avo vestro, necnon et piæ recordationis J. patre vestro obtentis per Cartas suas confirmatis aliquid attemptare, vel in aliquo vetare non præsumat. Tantum super hoc, si placet, facere velitis, ut omnes nos oculo velit respicere propior, et nos et Ecclesia nostra vobis ad obsequia promptiores esse debeamus et devotiores. Valete. *Which was writ upon this occasion.*

Thomas Fitz-Adam, to whom the King committed the custody of his Forests in Ireland, distraining and apprehending some of the Archbishop of Dublin's men and Tenants within the Forest, exempted by King John's and other Charters from Forest Laws and Duties, the Archbishop excommunicated him for this his proceeding, yet afterwards offered to absolve him upon his submission; the Archbishop upon this occasion writ this Letter and the former, sent by a special Messenger to the King mis-relating the proceedings, extant in the Bundle of Letters and Certificates I found in the White Tower, (about An. 9 H. 3.) as I conjecture.

In eadem Bunde-  
dela, An. 9  
H. 3. in Turre  
London.

Excellentissimo Domino suo & amantissimo H. Dei gratia illustri Regi Angl. Domino *Hibernie*, &c. devotus suus H. eadem gratia Dublinensis Archiepiscopus, Apostolicæ sedis Legatus, cum fidelitate promptum et devotum servitium. Terræ et tenementa Ecclesie nostræ ipsi ab antiquo in liberam elemosinam assignata semper pro majori parte libera extiterunt a Forestariis et omnibus aliis exactionibus mundanis. Punta est etiam Ecclesia nostra in suis libertatibus antiquitus debitis et consuetis per Cartas et confirmationes inclitæ memoriæ Domini J. patris vestri a Forestariis et omnibus aliis mundanis exactionibus et oneribus. Et si forte aliquando contra libertates illius præsumptuosè fuisset aliquid attemptatum, unde et venerandæ memoriæ antecessor noster exulavit ærumpnis et tribulationibus septennis exilii, libertates ipsas in statum debitum reformavit. Hoc vestra et fidelium vestrarum discreta provisione deletum esse videtur a consequentia per Cartam vestram ad partes *Hibernie* nuper transmissam, in qua non solum Ecclesiis & Ecclesiasticis viris, sed omnibus secularibus & mundanis antiquas debitas et consuetas libertates

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libertates concessistis et confirmastis. Hiis autem non consideratis ut deceret T. An. 9 H. 3. filius Ade cui Forestam vestram de Hibernia commisit, terras nostras contra antiquas et debitas Ecclesiarum nostrarum libertates infestare contendit, et novas oppresiones et exactiones inducere, capiendo homines nostros et denarios, potius voluntate propria, ut videtur, quam auctoritate Regia. Qui cum propter huiusmodi et alios graves excessus ab Archidiacono nostro fuisset excommunicatus, tandem ad cor reversus, absolvi meruit; de hoc autem & propter negotia vestra cum disposuissemus vestram adire presentiam, supervenerunt nuntii vestri qui nobis negotia vestra presentaverunt, qui cum nondum recessu latoris presentium cum Justiciario in remotis partibus agente locuti fuissent, post ejus allocutionem secundum ipsius responsionem ad commodum & utilitatem vestram in omnibus faciemus. Interim, si placet, donec ad vos veniamus significare dicto T. filio Ade & aliis Ballivis vestris, ut a dictis molestacionibus nostris cessant, et nobis et Ecclesiarum nostrarum debitas permittant libertates. Latori autem presentium David nuncio nostro super his quae vobis dicet ex parte nostra de hiis & aliis vestris negociis credatis, in cujus ore multa posuimus vobis dicenda, per quem quaedam munuscula Regiae celsitudini transmittamus, in proximo per Dei gratiam inissuri vel personaliter allaturi meliora. Conservet Altissimus incolumitatem vestram in tempora longissima.

How little cause this Archbishop Henry had to complain to the King, or to Excommunicate Thomas Fitz-Adam, yea how insolently and violently he demeaned himself in Excommunicating this Kings Officer against the Kings prerogative and the Kings Justices commands, and what an enemy, Traytor he was to the King, this Letter of Fitz-Adam to the King and his Council, concerning the difference between him and this Archbishop will abundantly evidence, extant in the same Bundle in the Tower, with his precedent Letters.

R Everendo Domino suo H. Dei gratia Regi Angl. Domino Hyb. &c. suus, si placet, Thomas filius Ade, salutem & fidele servitium. Sciatis, Domine, quod terra vestra Hybernia Dei gracia in bono statu est, set Dominus Dublinensis nullo modo patitur agenda vestra adeo bene se habere ut vobis expediret in partibus vestris, et nititur omnibus viribus suis vos exheredare de Foresta vestra in Hibernia, ut vobis alias mandavi: Ingerendo michi custodienti Forestam illam per praeceptum vestrum diversa intollerabilia occasione illius Forrestae. Contigit quod quidam octavo Epiphaniae proximo praeterita qua Justiciarius itinens in Foresta ad inquirendum plenius jura vestra Forrestae, venerunt contra me Forestarii turpiter verberati et lacerati, dicentes, quod ex quo possunt vadia hominum Archiepiscopi secantium nemus vestrum in Foresta vestra — homines Archiepiscopi, et per praeceptum ejus, cum clamore et utragio insurgunt in eos, et vi vadia sua a Forestariis extorqueunt, Forestarios turpiter infestantes. Eodem die venientes quidam homines de eadem Foresta indicaverunt michi quendam malefactorem conversantem in Foresta in terra Archiepiscopi, qui a longo tempore in vita Domini mei patris vestri usque ad hoc tempus destruerat Forestam; Et est malefactor ille — prout tota terra testatur totius regni vestri. Hoc audito, misi servientes nostros ad querendum malefactorem illum, & illo invento in domo sua, servientes scrutaverunt domum, si possent invenire in domo sua perinde esset melius athaciandus, et sumerant arcum suum cum sagitta sanguinolenta, et perchias Cervi sanguinolentas cum corio et quadam portione venationis — Servientes duxerunt ad me malefactorem cum athaciamento: Ego vero incontinenti feci convenire omnes probos homines cujusdam villae vestrae de eadem Foresta, et feci ducere malefactorem illum cum athaciamento coram eis, et athaciamentum coram eis inhebiari, et malefactorem posui in prisonam vestram. Hoc audiens Dominus Archiepiscopus, misit ad me Decanum Dublin. cum tribus Presbyteris, et postulavit hominem suum quietum captum super terra Ecclesiae. Ego vero intelligens illum non esse reddendum, et maxime Presbytero (mero,) nisi Archiepiscopus vellet eum replegiare ad habendum illum in Curia vestra, nolui eis illum dimittere. Nec mox, eadem die, scilicet vigilia Epiphaniae, mandavit omnibus Presbyteris Civitatis Dublin. et extra, quod (a divinis) cessarent dummodo essent in villa. In crastino, in die Epiphaniae, venerunt ad me duo Presbyteri, & postulaverunt dictum malefactorem quietum ex parte Archiepiscopi; subentes de parte sua ne illum plus tenerem, et nisi illum ita redderem excommunicarent me. (A daring insolency.) Hoc audito, appellavi ad Dominum Archiepiscopum ab illo die in viij. dies; si hoc nichil esset per eum pro vobis et statu vestro, et libertatibus

In eadem Bundle, circa An. 9 Hen. 3. in Turre Lond.

\* Notorius



An. 9 H. 3. libertatibus vestris, et pro me et hominibus meis coram Archiep. in villa *Dublin*. ad  
 bozam; et si hoc esset parum, ego appellavi supradicto modo in presentia Domini  
 Papæ; et si hoc probesse non posset, petii inducias quousque loquutus fuisssem cum  
 Iusticiario vestro *Hiberniæ*. Hiis omnibus postpositis steterunt in contrariis; in  
 eadem die *Epiphaniæ* pronunciarunt sententiam Excommunicationis in me. Super  
 quo nimium motus fui ad Archiepiscopum in crastino, et monstri ei gravamen et  
 pudorem minus circumspecte et consulte quam deceret michi fore illatum; et ipse  
 interrogabit hominem suum quietum et absolvet me; et dixit, quod ego nec alius  
 potui capere hominem illum nec alium super terram suam quamvis esset in *Fozesta*.  
 Dicens \* Terram esse suam, Remus esse suum, *Fozestam* esse suam, *Feras* esse  
 suas: Et ex quo audiui quod atraxit ad Aus suum omne Aus vestrum, nolui dimit-  
 tere ei hominem suum quietum nisi vellet replegiare eum ad habendum eum in Cu-  
 ria vestra, vel saltem coram Iusticiario vestro in adventu suo in partes illas: quod  
 omnino refutavit, nec potui absolvi. Et ego mandavi Iusticiario causam Sententiæ  
 in me latæ, rogans quod mandaret super hoc voluntatem suam. Iusticiarius vero  
 mandavit michi, quod nullo modo redderem malefactorum quietum, nisi Archiepisco-  
 pus vellet replegiare ad habendum eum in Curia vestra. Mandavit etiam eidem Archi-  
 episcopo quod replegiaret Sententiam qualemcumque in me latam, et tantum inde  
 faceret ne deterius inde contingeret, et ne negocia vestra remaneret facienda, et michi  
 in nullo potuit proficere: Immo per totam terram vestram facit me prosequi,  
 prohibendo communionem hominum et assiamenta villarum, ita quod ad quoddam  
 arduum negotium vestrum exequendum interesse non potui; videlicet, quod habe-  
 retis donationem Ecclesiarum de *Connallia*, quam nunquam habuistis. Ad hoc,  
 quod in tota *Hybernia* non habetis unam Ecclesiam dandam. Nec etiam potui esse  
 ad tenend. Affisas vestras *Dublin*. in Octabis Sancti *Hylarii*; et ita in hunc modum  
 promovebat idem Archiepiscopus negocia vestra in partibus *Hyberniæ*. Quidam vero  
 dixerunt Archiep. quod defamaverat me multum; et ultra, quod ad me excommunicand.  
 (non debet procedere) et etiam propter privilegium quod habetis, ut dicunt, quod ca-  
 pitales *Wapllivi* vestri non sunt excommunicandi, vobis inconsultis. Ad quod re-  
 spondit Archiepiscopus, quod cum videret privilegium illud tunc crederet vos illud  
 habere, sed non antea. Ita et in hunc modum se habet idem Archiepiscopus erga vos  
 et erga me pro vobis, super quo, si placet, vobis et michi provideatis. Scituri, quod  
 in mandatis meis non invenietis me alium quam mandatorum certarum rerum: et  
 quamvis vincula quibus ligatus sum molestant me, sustineo illa donec vobis super  
 prædictis provideatis, quia volo vos pro posse meo tenere intus *Wallivam* libertatum  
 vestrarum super prædictis, \* et pro Deo et servicio meo provideatis michi,  
 si fieri potest, quod absolvet ab alio, non ab Archiepiscopo, qui fecit pronuciari  
 Sententiam in me latam, quoniam hoc vobis cederet ad honorem: desicut credo,  
 quod tenebat me in Sententia illa, quousque abquiescam in omnibus voluntati ejus  
 — sed hoc non expediret vobis, secundum quod adhuc operatur erga  
 vos. Provideatis etiam vobis de aliquibus probis hominibus & legalibus (in terra)  
*Hybern.* ad prosequendum negocia vestra, et maxime contra dictum Archiepisco-  
 pum, qui proponit exheredare vos in partibus illis — solus ad iura  
 vestra manutenenda, quamvis non esset nisi contra dictum Archiepiscopum. Quo-  
 niam apponit se — et principaliter ad libertates vestras prosteruendas. Ego  
 mando vobis agenda vestra, prout se habent, & — emendanda illa —  
 ubi emendacione indigent libenter emendarem. Voluntatem vestram & benepla-  
 citum super prædictis & omnibus aliis, si placet, michi scire faciatis. Valeat Excel-  
 lentia vestra in Domino.

\* Pro vobis.

Dorso. Domino Regi et Consilio suo, pro seipso.

The Rector of the Church of *Carthwyl* being Excommunicated by the Pope and his Delegates, and contemning their Excommunication, for suing and molesting the Tenants of the Abby of *Ramsay*, against the privileges granted them by the Pope; and their Excommunication being certified to the King by the Bishop of *Lincoln*, whereby a *Capias excommunicatum* issued against them; thereupon the Rector procuring a Prohibition to the Delegates upon this suggestion, that they Excommunicated him for bringing an Affise of *Mordancester* against the Abbot and Covent of a Manor, the Delegates made this ensuing Certificate of the state of their proceedings and sentence against him to the King, denying the truth of his suggestion.

Illustrissimo

**I**llustrissimo Domino suo, H. Dei gratia Regi Angl. Domino Hybernie, Duci An. 9 H. 3.  
 Normannie & Aquit. Comiti Andegavia; H. dictus Abbas de Lest, & Prior In eadem Bua-  
 Sancti Leonardi, & Decanus de Donewico, salutem temporalem & eternam. Sere- dela. An. 9  
 nitati vestre significamus, quod cum quardam Causa a summo Pontifice nobis esset H. 3. in Turri  
 commissa inter Abbatem & Conventum Ramseys ex una parte, & Nicholaum Recto- London.  
 rem Ecclesie de Corthewrd ex altera. Et partibus in presencia nostra constitutis, ex  
 parte Abbatis & Conventus Ramsef. facta fuit conditio in hunc modum, Richard-  
 us, &c. sint viri Religiosi et in protectione Domini Papae constituti, et a Sede Romana indultum sit eis ne liceat cuiquam possessiones suas Ecclesiasticas ausu temerario invadere vel perturbare, Nicholaus Rectoz Ecclesie de Corthewrd. in dispendium anime suae, tanquam filius Leviathan, possessiones suas Ecclesiasticas perturbare non cessat, ipsos & homines suos interdum per se, interdum per alios inquietando iniuste, et sic privilegia sua violare presumit. Dicunt etiam Abbas & Conventus, quod in privilegiis a Sede Romana eis indutis lata est sententia Excommunicationis in omnes tales invadentes et perturbatores; unde dicunt ipsum Nicholaum incidisse in sententiam Excommunicationis a summo Pontifice latam, et petunt ut appellatur per Iudices suos desistere a tali perturbacione, et satisfacere commissis. Et etiam ut adeat Sedem Romanam, et ibi impetret beneficium absolucionis a summo Pontifice a quo est Excommunicatus. Et ut plenius constet eidem Nicholao, in quibus dicunt ipsum possessiones suas Ecclesiasticas perturbasse, dicunt quod cum mota fuit quardam Causa auctoritate Domini Papae inter ipsos et Thomam Rectorem Ecclesie de Anewelle super decimis de Dominico Reginaldi le Moine in villa de Anewelle, idem Nicholaus pro viribus suis nitebatur praedictas decimas a Monachis Ramsef. subtrahere, et adhuc nititur. Eodem modo fecit Nicholaus in quadam Causa mota inter ipsos & Theobaldum de Lest, super decimis de Dominico dicti Theobaldi. Eodem modo fecit idem N. in aliis & similibus Causis, ut dicunt dicti Abbas & Conventus. Et propter istas causas dicunt dictum N. incidisse in sententiam Excommunicationis a summo Pontifice latam. Ista dicunt salvo sibi jure addendi, mutandi, vel minuendi: Recitata igitur ista condicione coram nobis & eidem Nicholao traditis, sigillis nostris in iudicio signata, sponte et sine difficultate aliqua jurisdictioni nostrae se subiecit, et litem contestatus est intentioni dictorum Abbatis & Conventus penitus contradicendo. Et datus fuit dies de consensu parcium ad testes producendos; quo die idem N. contumaciter se absentavit. Et quia nolimus, licet de jure possemus, in ejus absencia testes contra ipsum admittere, fecimus ipsum pluribus et legitimis edictis vocari. Tandem praecedentibus aliis legitimis penis, propter multiplicatam contumaciam suam sententia excommunicationis ipsum innodavimus, et excommunicatum publice denunciari fecimus. Cum autem in praedicta sententia per quadraginta dies et longe amplius praedictus Nicholaus perseverare non erubuit, nec adhuc erubescit; dedimus in mandatis Domino Lincolnensi Episcopo, ut seriem facit excellentiae vestre significaret, qui quod suum erat in hac parte diligenter esse executus: postquam vero decrevisset ipsam fore sufficiendum per brachium seculare; et super hoc litteras vestras Wiccomiti Huntingdon direxisset, prout nobis intimatum est, suggessit vobis idem Nicholaus, quod praedicti Abbas et Conventus traxerunt eum in Causam coram nobis super hoc; quod idem N. perturbaret pacificam possessionem suam de quodam Manerio suo de Strevele: Maxime quia idem N. araniavit versus eos Assisam mortis antecessoris super eodem Manerio. Nos vero quia nolimus quod factum nostrum vos lateat in aliquo, Dominationi vestre ea qua decet reverentia significamus, quod nunquam in presencia nostra de praedicto Manerio facta fuit mencio, nec etiam de aliquo Laico feodo dictam causam contingente. Sed jam per unum annum integrum durabit contencio inter eos super Decimis in condicione praescripta nominatis, et super perturbacione possessionis suae de eisdem Decimis: Si enim super jam dicto Manerio vel aliquo alio Laico feodo vel etiam Laicis catallis coram nobis mota fuisset questio, statim decrevissemus convictionem talium ad nos non pertinere. Valeat dominacio vestra in Domino.

The Archbishops and Bishops having freely granted the King the 20<sup>th</sup>. part of theirs and their Villains goods for his supply to be taxed and collected only by themselves; the King thereupon issued this Writ to his Collectors, not to intermeddle with the taxing or collecting thereof, but only of the goods and chattels of Abbots, Priors and other religious persons.



An. 9 H. 3.

Bundela Bre-  
viarium, An. 8  
H. 3. in Turre  
London.

**T**axatoribus & Col. salutem. Cum Archiepiscopi et Episcopi regni nostri vice-  
mam bonorum suorum et villanorum suorum nobis liberaliter sui gratia concel-  
serint, et volumus quod ipsi huiusmodi vice-  
et colligi faciant, in forma eis per nos tradita et iuncta; vobis mandamus, quod  
de taracione seu collectione vice-  
vos intromittatis; proviso quod vice-  
Priorum, et ceterorum Religiosorum Com. pradiati taxari et colligi faciatis, sicut  
vice-  
vicesima alibi taxatur et colligitur in regno nostro. Testibus, &c.

Some of the Nobility who had formerly Crowned *Lewis* of France King, and  
been the cause of King *John's* death, for which they were banished the Realm, en-  
deavouring to return into England and set up the French Kings interest, and domi-  
neer over the King and his faithfull counsellors, by circumventing Pope *Honorius*,  
thereupon *Hubert de Burgo*, and nine more of the Kings Council (about the 8<sup>th</sup>.  
year of King *Henry's* reign, as I conjecture) sent this memorable Epistle to Pope  
*Honorius* to assist the King and them as he formerly had done, and prevent this  
dangerous Plot and design; a Copy whereof in a very excellent hand, I met with  
in the *White Tower*.

In Turre Lon-  
don. circa An.  
8 H. 3.

**S**anctissimo Patri ac Domino *Honorio* Dei gratia Summo Pontifici, devoti sui  
*H. de Burgo* Justiciarius Anglie, *R. Comes Cestrie*, *Falcat. de Breantis*, *Phi-*  
*lippus de Aubigny*, *Willielmus de Cantilupo*, *Galsfridus de Nevill*, *Brian. de Insula*,  
*Engelardus de Cigogny*, *Hugo de Nivona*, fideles Domini Regis Anglie, seipsos ad  
oscula pedum beatorum. Paternitati vestre quascunque possumus gratiarum re-  
ferimus actiones, eo quod circa devotissimum vestrum Dominum nostrum *Henricum*  
Regem Anglorum illustrem, tam per vestram, quam per Domini *P. Norwicens.*  
electi Legati vestri sollicitudinem, manum indictam et curam vigilantem in om-  
nium suorum promotione bonorum dignatur vestra Sanctitas exercere, universa  
ejusdem Domini nostri negotia, plusquam possumus dicere, laudabiliter promovendo.  
Verum cum juxta verbum sapientis, *Non sit minor virtus quam querere partem*  
*tueri*, Dominationem vestram non desinimus pia sollicitare instantia, ut consideran-  
tes infinitas angustias et labores graves quas vestra Sanctitas sibi non parcens, ut  
nobis posset proficere, per se ac suos in defensione Domini nostri et totius regni, non  
recusavit nec timuit sustinere: Incrementum adeo boni nominis, et cum tanta dis-  
ficultate ex culti conservetis ab inimici hominis conculcatione maligna, ne perdatur  
per aliquorum nequitiam id quod per tantam providentiam, vestri gratia, in Do-  
mino nostro condidistis ac nobis. Sicut enim ex quorundam provida significatione  
didicimus, quidam persuasionibus hujus Sanctitatem vestram circumvenire inten-  
tos, illos qui pro sua immensitate malicie et sacrosanctae Romanae Ecclesiae contemptu,  
ac laeae Majestati Regiae vicio, et totius regni turbatione, per nostram et Apostolicam  
Sedis deliberationem a toto regno sententialiter sunt exclusi, ad regnum revocare, et  
in ipso promovere nituntur. Ac etiam super ipsum Dominum Regem et regnum,  
potestatem suam et dominium ampliare. Cumque nulli sit dubium quin universa  
Domini Regis et regni detrimenta valeant pullulare, si tales scismaticos et perversos  
ad regnum, quod abest, revocari; aut ipsos aut fautores ipsorum in regno promo-  
veri vel exaltari contingat. Paternitatem vestram exoramus attentius, ut cum  
Dominum Regem ac regnum tanto diligentius vos oporteat conservare, quanto  
specialius vestre sumus dominationi subiecti, placeat Sanctitati vestre prohibitis scis-  
maticis taliter claudere viam reversionis ad regnum, ne de cetero vos presumat  
quisquam super hoc infestare; nec liceat illis aut eorum fautoribus nos qui pro  
fidelitate Domini nostri et vestra, ac sedis Apostolicae devotione, parati sumus et sui-  
mus qualibet incurrere detrimenta, ad effusionem nostri sanguinis, et turbationem  
quietis et pacis nostrae ulterius provocare. Ut autem super hoc Sanctitati vestre  
nostra intentio penitus declaretur, pro certo teneat vestra Paternitas, quod in nul-  
lius necessitatis articulo a devotione sedis Apostolicae et fidelitate Regia aliquatenus  
recedamus; unde ut in hiis firmi et stabiles persistamus, praecavere volentes cui-  
libet eventui sive facto per quod posset nostro proposito praesudicium generari, nulla-  
tenus volumus vel permittemus aliqua ratione, ut hi qui in partibus vestris ma-  
lorum omnium initium extiterunt, qui sacrosandam Romanam Ecclesiam contemp-  
nentes, Domini nostri majestatem nisi honore Regio spoliare, et gloriantes se cau-  
sam dedisse mortis clare memoriae *J. Regis Angliae* Domini nostri, filii sui, ac no-  
stroque omnium fidelium ejus sanguinem sitiebant, ad regnum aliquatenus rever-  
tuntur,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Henry 3.

tuntur, vel ipsi vel aliqui qui eis consensum præstiterant aut favorem, regno præstentur; aut ulterius promoveantur in ipso. Non enim decet ut aliqui super Domini Regis et nostra capita dominantur, de quibus constet nos mortali fuisse odio persecutos. Paternitas igitur vestra circa ista consideret, et attendat ea quæ honori suo expediant, et ad Domini Regis et regni pertineant tranquillitatem et pacem.

In the Plea-Rolls of Michaelmas Term, An. 9 & 10 H. 3. I met with this memorable Case for suing in Court Christian for a Lay-fee, against the Kings prohibition.

Philippus de Ardern Clericus attach. fuit ad respondendum Johanni filio Roberti, quare trahit eum in Placitum in Curia Christianitatis de Laico feodo ipsius Johannis fil. Robert. contra Prohibitionem, &c. Unde idem Johannes per Attornatum suum queritur, quod idem Philippus trahit eum in Placitum de bosco de Lec, et de moza de Wycton; Et similiter de hoc, quod ubi ipse Johannes & homines sui capiunt vadia ipsius Philippi pro deterioracione bladi et prati, et aliorum dampnorum; de illa captione trahit idem Philippus eum in Placitum, per quod deterioratus est, &c. ad valenciam C. Marcatum, et inde producit sextam, &c.

Et Philippus venit & dicit, quod non debet eidem Johanni vel Attornato suo de aliquo Placito respondere, quia excommunicatus est; et inde profert literas Domini Archiepiscopi Ebor. quæ hoc testantur in hæc verba; W. Dei gratia, &c. Sciatis quod Abbas de Kokerland, et de Kokerland et de Rokeham Priores denunciaverunt vobis, seobilem virum Johannem filium Roberti auctoritate Domini Papæ vinculo excommunicationis innovasse. Mandantes ut ipsum talem denunciaremus, quod vobis ad instantiam Magistri Philippi latozis præfencium significamus, ut super hoc certitudinem habeatis. Valete. Dat. &c. Et ideo idem Philippus dicit, quod non vult ei respondere nisi Curia consideraverit.

Et Johannes per Attornatum suum venit & dicit, quod de Placito coram illis Judicibus non queritur, quia de decimis Scenorum et Molendinorum quod ibi exigebat libenter faciet quod de jure facere debet, sed de prædicto Laico feodo suo; et præterea de quodam Heremitagio, et de decima Bestia foreste suæ eum implacitavit contra Prohibitionem, &c. coram W. Thesaurario, et G. Penitenciario Eborum; et inde habet sextam, &c. et bene concecit ei, &c. decimas Sceni, et Molendinorum, et Pannagii.

Et Philippus hoc totum defendit, nisi tantum de decima Bestia quam erigit, et unde Ecclesia sua fuit seista; & dicit quod ipse & homines sui semper habuerunt pasturam suam per totum in foresta, & idem Johannes & homines sui capiunt homines suos et auferunt ei pasturam et communam suam.

Ad diem illum quia Johannes nichil ostendit per citationes vel alio modo, quod idem Philippus aliquod Placitum secutus fuit in Curia Christianitatis, de aliquo Laico feodo, consideratum est quod Philippus erat inde quietus, et Johannes in misericordia. Et prohibitum est Philippo ne sequatur aliquod Placitum contra Cozonam Domini Regis.

Dies datus est ei de audiendo Judicio suo in Octab. Sancti Hillarii prece parium.

From which Case I shall observe, 1. That the Ecclesiastical Courts had then no Jurisdiction of Lay-fee, Common of Pasture, Lay-contracts or Services, and were strictly prohibited to hold any Plea of them against the Kings Crown and dignity. 2ly. That they and the Popes Delegates then held Plea with the Kings permission of the Tithes of Hay, Mills, and Pannage. 3ly. That an \* Excommunication by the Popes Delegates in England published and certified into the Kings Court by any Bishop or Archbishop, was no good barre in Law against the Plaintiff, whereof the Judges would take no notice, though pleaded in barre in this Case, unless Excommunicated by the Archbishop himself.

Tom. 2. p. 402. l. 40. after Decano, adde. About this year, (as I conjecture) the Prior and Covent of St. Benedi<sup>ct</sup> de Hulmo, having upon their petition obtained a License to elect an Abbot, after their election sent this Certificate to the King, humbly imploring his confirmation of the Abbot elected by them, in this form: the Original whereof I found in the White Tower, expressing great humility, devotion and affection to the King in their proceedings therein.

Everendo Domino suo H. Dei gratia illustri Regi Angliæ, Domino Hiberniæ, Duci Normanniæ, Aquitaniæ, Com. Andegaviæ; Frater L. Prior Sancti Benedi<sup>cti</sup> de Hulmo, & ejusdem loci humilis Conventus, salutem in eo qui dat salutem

Reg bus,

An. 9 & 10  
Hen. 3.

Plac. in Octab.  
S. Mich. An. 9  
& 10 H. 3.

\* See Cooks  
1 Instit. fol.  
134. a.

An. 10 H. 3.

Bundela literarum  
& certificationum An.  
10 H. 3 in Turre  
London.



K. Henry 3. *An Exact History of the Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 10 H. 3. Regibus. De licentia nobis eligendi Pastorem a donatione vestra benigne concessa, vobis multiplices referimus gratiarum actiones. Qua grante obsecra, nos unanimi assensu & communi voluntate omnium fratrum Capituli nostri, invocata Sancti Spiritus gratia, iuxta formam Concilii et mandatum vestrum nobis per fratres nostros & Com-monachos a Serenitate vestra directum; Dominum Robertum de Torkesey Priorem de Ramsesya, virum morigeratum, bene literatum, Deo (ut firmiter credimus) acceptabilem, vobis et regno vestro utilem et fidelem, et ad regimen Abbatie nostrae intus et exterius providum et discretum, elegimus in Pastorem nostrum et Praelatum. Hinc est quod vestre quanta possumus humili affectione supplicamus Dominationi, quatinus divinae pietatis intuitu, et beati patris et patroni nostri Benedicti, electioni nostrae secundum Deum (ut credimus) celebratae, assensum et favorem vestrum praebere non dedignemini. Et eundem Electum nostrum ad gratiam vestram (si placeat) admittatis. Scientes pro certo, quod nos apud Deum semper speciales habebitis intercessores. Valeat Excellentia vestra per tempora longa.

Tom. 2. p. 403. l. 35. after *absolutionis*, adde; Pope Honorius having gratified King Henry, by his menacing Bull to Geoffry de Lisimaco, earnestly demanded by Otto his Legate all the arrears of the 1000. Marks Annual rent granted by his \* Father King John, due from the beginning of his Papacy, and the Kings reign; who thereupon payed all the arrears, amounting to ten thousand Marks; for which he desired the Popes acquittance by this Letter.

Clauſ. 10 H. 3. m. 21. dorſo. D Omino Papae, salutem. Ad instantiam Magistri O. Subdiaconi & Capellani vestri, viri utique prudentis & merito commendabilis, qui ad nos transmissus ex parte vestra, requirebat a nobis instanter ea quae restare a tempore Papatus vestri credidit de annuo Censu nostro vobis debito; Paternitati vestrae praesentibus intimamus, quod venerabili Patri P. Norwicen. Episcopo, Septem millia quadringentas et tresdecim marcas, et dimidium de praedicto Censu solvimus, sicut meminit ipse pariter et constitetur; et ad perficiendum octo millia marcarum, praedicto Magistro Ottone solvi fecimus quingentas quater viginti et sex marcas et dimidium; et praeterea mille marcas sibi assignari fecimus. De mille vero marciis vobis satisfecerunt Magister Stephanus de Ekeston, et Magister Stephanus de Ducey, Huntii nostri, sicut nobis significastis; et sic de toto tempore Papatus vestri plenarie vobis est satisfactum. Supplicamus igitur Sanctitati vestrae quatinus nobis super hoc litteras vestras patentes dignemini destinare. Teste meipso apud Westmonast. 24 die Martii, anno regni nostri decimo.

Tom. 2. p. 306, 307. This is the very first Record I find for the payment of this annual sum by the King to the Pope, after King John's Charter and Grant thereof, omitted in the \* second Tome. That which induced the King and his Council now to pay it, was his promised Bull, and a *Quindism* which this Pope had granted him from the Clergy of England and Ireland, with other affairs of grand importance, for which he craved and needed the Popes and his Cardinals favours, mentioned in his Letters to them soon after: towards the speedy granting and collecting of which *Quindism*, he issued forth these ensuing Writs, wherein to gratify the Clergy, and induce them to grant him this Fifteen, he did at the Archbishops and Bishops requests, command the Tithes of Hay and Mills to be paid to the Clergy out of all his Crown-land, (not formerly paid, being exempt from Tithes) and promised to induce all the Nobles to pay them likewise out of their demesnes.

Clauſ. 10 H. 3. m. 14. dorſo. R EX venerabili patri in Christo R. Ciceſtren. Episcopo, & Cancellario suo, salutem. Expectantes post obtentam de liberalitate vestra et ceterorum Praelatorum Angliae mobilium suorum quintamdecimam, et ex beneficiis Ecclesiasticis, iuxta quod scripsit Dominus Papa venerabilibus patribus Archiepiscopis, Episcopis, et universo Clero regni nostri, ut auxilium competens et efficax nobis faciant universi, scripsimus singulis Decanis et Capitulis per litteras nostras clausas, simul et Abbatibus, Prioribus et Praelatis omnium domorum Religionis in Dioec. vestra constitutis in communi per litteras nostras patentes, quatenus necessitatibus nostris compatiens, tale nobis auxilium de beneficiis suis, de quibus quintam decimam non recepinus, impendant, ut de collato nobis in hac parte beneficio singulis et universis ad gratiarum actiones teneri, et in agendis suis promittendis adesse debeamus promptiores; De dilectione igitur vestra confisi, paternitatem vestram rogamus attentius, quatinus Decanos et Capitula, viros religionis, et universum Clerum

Dioecesis

Diocesis vestra, quos dictum tangit negotium, in presentia vestra constitutos, adque mox dispendio ad auxilium nobis efficaciter impendendum de prædictis beneficiis efficaciter inducere velitis, instantes mandato Domini Papæ vobis et ceteris Ecclesiarum Prelatis directo, ac literis nostris, de quibus superius mentionem fecimus, amicitabiliter et prudenter utentes: Ut non solum eorum liberalitati, verum etiam instantiæ vestræ erga eos pro nobis assumptæ ascribere debeamus ea quæ nobis impensa fuerint in hac parte. Cupientes autem non solum facere, sed et aliis faciendo exemplum præbere; ea quæ communi Ecclesiæ et Cleri convenienti utilitati et honori, ad consilium venerabilis patris *Cantuariensis* Archiepiscopi et Co-episcoporum suorum, concessimus, ut decimæ scæni et molendinorum (omni cavillatione cessante) de singulis Dominicis nostris in regno nostro de cætero præstentur. Hoc idem singulis Ballivis nostris per literas nostras mandantes, laborabimus in bona fide ut Pagnates regni nostri simili præstationi Decimarum de cætero consentiant, litis dispendio cessante. T. apud Westm. 27 Maii.

An. 10 H. 3.

Nota.

ibidem.

**R**EX dilecto (b. in Christo Decano & Capitulo Ciceriæ salutem. Condolens affectu paterno, Dominus Papa insufficientiæ nostræ scripsit dudum venerabilibus patribus et universo Clero regni nostri, monens attentius et mandans, ut obtemperanti pietatis subsidium efficaciter et competens de beneficiis suis nobis facerent anteveri, quatinus ipsorum præstationibus adiuti, paci Ecclesiæ et regni nostri commodius possemus et fortius providere. Poti ergo misericorditer ad succurrendum nobis, immo potius ipsi in nobis. Prelati terræ nostræ prædictæ consenserunt de quintadecima mobilium suorum nobis subvenire, consensum ipsum operum effectu prosequentes. Quoniam igitur de liberalitate vestra dependeat consummatio negotii prædicti, benignitatem vestram rogamus attentius, quatinus necessitatibus nostris moti, velitis affectione sincera, quod quidem expectaremus, de voluntatibus vestris nullo præcedente mandato. Tale igitur auxilium et tam efficaciter nobis in hac parte facere velitis, ut Ecclesiæ Romanæ de collato nobis per vos beneficio ad gratiarum actiones teneri, et vobis singulis et universis in negotiis vestris promodendis esse debeamus promptiores: Cupientes tantum non facere, sed et aliis faciendo exemplum præbere, ea quæ communi Ecclesiæ et Cleri convenienti utilitati et honori, ad consilium venerabilium patrum Cantuariensis Archiepiscopi et Co-episcoporum suorum concessimus, ut decimæ scæni et molendinorum, omni cavillatione cessante, de singulis Dominicis nostris de cætero præstentur. Hoc idem de singulis Ballivis nostris per literas nostras mandantes: laborabimus quidem bona fide ut Pagnates nostri simili præstationi Decimarum de cætero consentiant, dispendio litis cessante. Teste ut supra.

Eodem modo scribitur Abbatibus, Prioribus, et ceteris viris Religiosis, et omnibus Ecclesiasticis personis in Episcopatu Ciceriæ constitutis, hoc appositum post. Tale igitur, &c. Facere curetis de beneficiis & bonis vestris, de quibus quintadecimam non recepimus, ut Ecclesiæ Romanæ, &c. ut supra.

In pursuance of which promise, the King issued these Writs to several Sheriffs and Bayliffs for payment of the Tithes of Hay and Mills out of his Demesnes.

**R**EX Vic. Suffex. salutem. Scias quod ad consilium venerabilium patrum Archiepiscoporum et Episcoporum nostrorum, concessimus ut Decimæ scæni et Molendinorum de singulis Dominicis nostris in regno nostro de cætero præstentur; et ideo tibi præcipimus, quod id per totam Ballivam tuam clamari, et de singulis Dominicis nostris in Balliva tua facias observari. Teste ut supra.

Claus. 10 H. 3. m. 14. dorso.

**R**EX Ballivo suo de Odham, salutem. Scias quod ad Consilium, &c. ut supra. et ideo tibi præcipimus, quod de Dominicis nostris, quæ sunt in custodia tua, Decimas dari facias, sicut prædictum est. Teste ut supra.

ibidem.

Eodem modo scribitur Ricardo de Argentaria, de decimis scænorum et Molendinorum de Essenden & Beisford, & Constabular. de Hertford. & Ballivis de Dominicis Domini Regis quæ sunt in custodia sua.

Eodem modo scribitur Ballivis Exon. de decimis Molendini Domini Regis juxta Caltram Exon. quod est in manu sua, cum Villa Exon. Teste Rege apud Westmonast. quinto die Julii. Custodi Honoris Wallingford in Balliva sua. Ballivis de Charingburgh in Balliva sua.

Eodem modo scribitur Ballivis de Gastrington de decimis, &c. in villa de Gastrington; Ballivis de Paikering, & Ballivis de Pocklington, &c. in Balliva sua. Vicecom. Nottingham & Derby in custodia sua. Constabular. de Bruges in Balliva sua.

Eodem



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An. 10 H. 3. Regibus. De licentia nobis eligendi Pastorem a donatione vestra benigne concessa, vobis multiplices referimus gratiarum actiones. Qua grater obtemperantes, nos unanimi assensu & communi voluntate omnium fratrum Capituli nostri, invocata Sancti Spiritus gratia, iuxta formam Concilii et mandatum vestrum nobis per fratres nostros & Com-monachos a Serenitate vestra directum; Dominum Robertum de Torkeseye Priorem de Ramseya, virum morigeratum, bene literatum, Deo (ut firmiter credimus) acceptabilem, vobis et regno vestro utilem et fidelem, et ad regimen Abbatie nostrae intus et exterius providum et discretum, elegimus in Pastorem nostrum et Praelatum. Hinc est quod vestrae quanta possumus humili affectione supplicamus Dominationi, quatinus divinae pietatis intuitu, et beati patris et patroni nostri Benedicti, electioni nostrae secundum Deum (ut credimus) celebratae, assensum et favorem vestrum praebere non dedignemini. Et eundem Electum nostrum ad gratiam vestram (si placeat) admittatis. Scientes pro certo, quod nos apud Deum semper speciales habebitis intercessores. Valeat Excellentia vestra per tempora longa.

Tom. 2. p. 403. l. 35. after *absolutionis*, adde; Pope Honorius having gratified King Henry, by his menacing Bull to Geoffry de Lismaco, earnestly demanded by Otto his Legate all the arrears of the 1000. Marks Annual rent granted by his \* Father King John, due from the beginning of his Papacy, and the Kings reign; who thereupon payed all the arrears, amounting to ten thousand Marks; for which he desired the Popes acquittance by this Letter.

Clauſ. 10 H. 3. m. 21. dorſo. D Omino Papae, salutem. Ad instantiam Magistri O. Subdiaconi & Capellani vestri, viri utique prudentis & merito commendabilis, qui ad nos transmissus ex parte vestra, requirebat a nobis instantanter ea quae restare a tempore Papatus vestri credidit de annuo Censu nostro vobis debito; Paternitati vestrae praesentibus intimamus, quod venerabili Patri P. Norwiche, Episcopo, Septem millia quadringentas et tresdecim marcas, et dimidium de praedicto Censu solvimus, sicut meminit ipse pariter et constitetur; et ad perficiendum octo millia marcarum, praedicto Magistro Ottone solvi fecimus quingentas quater viginti et sex marcas et dimidium; et praeterea mille marcas sibi assignari fecimus. De mille vero maris vobis satisfacerint Magister Stephanus de Ekeston, et Magister Stephanus de Ducey, Huntii nostri, sicut nobis significastis; et sic de toto tempore Papatus vestri plenarie vobis est satisfactum. Supplicamus igitur Sanctitati vestrae quatinus nobis super hoc litteras vestras patentes dignemini destinare. Teste meipso apud Westmonast. 24 die Martii, anno regni nostri decimo.

Tom. 2. p. 306, 307. This is the very first Record I find for the payment of this annual sum by the King to the Pope, after King John's Charter and Grant thereof, omitted in the \* second Tome. That which induced the King and his Council now to pay it, was his promised Bull, and a *Quindism* which this Pope had granted him from the Clergy of England and Ireland, with other affairs of grand importance, for which he craved and needed the Popes and his Cardinals favours, mentioned in his Letters to them soon after: towards the speedy granting and collecting of which *Quindism*, he issued forth these ensuing Writs, wherein to gratify the Clergy, and induce them to grant him this Fifteen, he did at the Archbishops and Bishops requests, command the Tithes of Hay and Mills to be paid to the Clergy out of all his Crown-land, (not formerly paid, being exempt from Tithes) and promised to induce all the Nobles to pay them likewise out of their demesnes.

Clauſ. 10 H. 3. m. 14. dorſo. R EX venerabili patri in Christo R. Ciceſtren. Episcopo, & Cancellario suo, salutem. Expectantes post obtentam de liberalitate vestra et ceterorum Praelatorum Angliae mobilium suorum quintamdecimam, et ex beneficiis Ecclesiasticis, iuxta quod scripsit Dominus Papa venerabilibus patribus Archiepiscopis, Episcopis, et universo Clero regni nostri, ut auxilium competens et efficax nobis faciant universi, scripimus singulis Decanis et Capitulis per litteras nostras clausas, simul et Abbatibus, Prioribus et Praelatis omnium domorum Religionis in Dioc. vestra constitutis in communi per litteras nostras patentes, quatenus necessitatibus nostris compatiens, tale nobis auxilium de beneficiis suis, de quibus quintam decimam non recepimus, impendant, ut de collato nobis in hac parte beneficio singulis et universis ad gratiarum actiones teneri, et in agendis suis promouendis adesse debeamus promptiores; De dilectione igitur vestra confisi, paternitatem vestram rogamus attentius, quatinus Decanos et Capitula, viros religionis, et universum Clerum

Dioces

Diocessis vestra, quos dictum tangit negotium, in presentia vestra constitutos, *An. 10 H. 3.* absque moræ dispensato ad auxilium nobis efficaciter impendendum de predictis beneficiis efficaciter incurrere bellis, immitentes mandato Domini Papæ vobis et ceteris Ecclesiarum Prelatis directo, ac literis nostris, de quibus superius mentionem fecimus, amicitia et prudenter utentes: Ut non solum eorum liberalitati, verum etiam instantiæ vestre erga eos pro nobis assumptæ ascribere debeamus ea quæ nobis impensa fuerint in hac parte. Cupientes autem non solum facere, sed et aliis faciendo exemplum præbere; ea quæ communi Ecclesiæ et Cleri continent utilitati et honori, ad consilium venerabilis patris *Cantuariensis Archiepiscopi et Coepiscoporum suorum*, concessimus, ut decimæ scæni et molendinorum (omni cavillatione cessante) de singulis Dominicis nostris in regno nostro de cætero præstentur. Hoc idem singulis Ballivis nostris per literas nostras mandantes, laborabimus in bona fide ut Magnates regni nostri simili præstationi Decimarum de cætero consentiant, litis dispendio cessante. T. apud *Westm.* 27 Maii.

**R**EX dilecti sibi in Christo Decano & Capitulo *Cicestr.* salutem. Condolens affectu paterno, Dominus Papa insufficientiæ nostræ scripsit dudum venerabilibus patribus et universo Clero regni nostri, monens attentius et mandans, ut obtentu pietatis subsidium efficaciter et competens de beneficiis suis nobis facerent universi, quatinus ipsorum præstationibus adiuti, paci Ecclesiæ et regni nostri commodius possemus et fortius providere. Poti ergo misericorditer ad succurrendum nobis, immo potius ipsi in nobis. Prelati terræ nostræ predictæ consenserunt de quintadecima mobilium suorum nobis subvenire, consensum ipsam operum effectu prosequentes. Quoniam igitur de liberalitate vestra dependeat consummatio negotii predicti, benignitatem vestram rogamus attentius, quatinus necessitatibus nostris moti, bellis affectione sincera, quod quidem expectaremus, de voluntatibus vestris nullo præcedente mandato. Tale igitur auxilium et tam efficaciter nobis in hac parte facere velitis, ut Ecclesiæ *Romanæ* de collato nobis per vos beneficio ad gratiarum actiones teneri, et vobis singulis et universis in negotiis vestris promovendis esse debeamus promptiores: Cupientes tantum non solum facere, sed et aliis faciendo exemplum præbere, ea quæ communi Ecclesiæ et Cleri continent utilitati et honori, ad consilium venerabilium patrum *Cant. Archiepiscopi et Coepiscoporum suorum* concessimus, ut decimæ scæni et molendinorum, omni cavillatione cessante, de singulis Dominicis nostris de cætero præstentur. Hoc idem de singulis Ballivis nostris per literas nostras mandantes: Laborabimus quidem bona fide ut Magnates nostri simili præstationi Decimarum de cætero consentiant, dispendio litis cessante. Teste ut supra.

Eodem modo scribitur Abbatibus, Prioribus, et ceteris viris Religiosis, et omnibus Ecclesiasticis personis in Episcopatu *Cicestr.* constitutis, hoc appositio post. Tale igitur, &c. Facere curetis de beneficiis & bonis vestris, de quibus quintadecimam non recepimus, ut Ecclesiæ *Romanæ*, &c. ut supra.

In pursuance of which promise, the King issued these Writs to several Sheriffs and Bayliffs for payment of the Tithes of Hay and Mills out of his Demesnes.

**R**EX Vic. *Suffex.* salutem. Scias quod ad consilium venerabilium patrum Archiepiscoporum et Episcoporum nostrorum, concessimus ut Decimæ scæni et Molendinorum de singulis Dominicis nostris in regno nostro de cætero præstentur; et ideo tibi præcipimus, quod id per totam Ballivam tuam clamaris, et de singulis Dominicis nostris in Balliva tua facias observari. Teste ut supra. *Claus. 10 H. 3. m. 14. dorso.*

**R**EX Ballivo suo de *Odiham*, salutem. Scias quod ad Consilium, &c. ut supra. et ideo tibi præcipimus, quod de Dominicis nostris, quæ sunt in custodia tua, Decimas dari facias, sicut prædictum est. Teste ut supra. *Ibidem.*

Eodem modo scribitur *Ricardo de Argentini*, de decimis scæni et Molendinorum de *Essenden & Beisford*, & Constabular. de *Hertsford*. & Ballivis de Dominicis Domini Regis quæ sunt in custodia sua.

Eodem modo scribitur Ballivis *Exon.* de decimis Molendini Domini Regis juxta Caltram *Exon.* quod est in manu sua, cum Villa *Exon.* Teste Rege apud *Westmonast.* quinto die Julii. Custodi Honoris *Wallingford* in Balliva sua. Ballivis de *Charisburgh* in Balliva sua.

Eodem modo scribitur Ballivis de *Gairington* de decimis, &c. in villa de *Gairington*; Ballivis de *Paikering*, & Ballivis de *Pocklington*, &c. in Balliva sua. Vicecom. *Nottingham* & *Derbe* in custodia sua. Constabular. de *Bruges* in Balliva sua.

Eodem

Nota.

Ibidem.

\* See Register of Writs, f. 26. b. F. 2. N. Brev. 40. N. 41.



K. Henry 3. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

*An. 10 H. 3.* Eodem modo scribitur Constabular, de *Merleberg*, de Balliva sua. Constab. *Divis.* & de *Merleberg*, de Dominiciis Domini Regis quæ sunt in custodia sua faciat habere. R. *Sarum* Episcopo, & aliis personis Ecclesiasticis.

Eodem modo scribitur Constabul. de *Bruges* de *Polendino* de *Foneston*, quod decimas *Polendini* illius solvi faciat Ecclesie, in cujus parochia *Polendinum* illud situm est.

Eodem modo scribitur Archiepiscopo *Eborum*, quod decimas dare faciant de singulis Dominiciis Domini Regis in Balliva sua, et Ballivis de *Geipewic*, quod decimas dari faciant de singulis Dominiciis Domini Regis in villa de *Geipewic*.

*Ibidem*, m. 3. Eodem modo scribitur Ballivis de *Coisham*, de decimis *Fræni* de Dominiciis Domini Regis de *Coisham* dandis Ecclesie de *Coisham*.

*Ibidem*, m. 3. REX scribit Abbati de *Wellebec*, quod de *Polendinis* quæ ad firmam habet de Domino Rege in parochia de *Ratford*, personis Ecclesie de *Ratford* decimas dari faciat. Teste Rege apud *Westm.* 8 die *Octobris*.

\* See Mr Seldens History of Tithes, ch. 21. Register, f. 36. b. Fitz. Nat. Brev. 40 N. These I conceive were the first Original \* Patents, Writs, Concessions, that made all the Kings Mills and Demesnes liable to pay such Tithes for the future, (from which they were formerly exempted by his Prerogative,) worthy our observation. After which he issued these following Writs to the Bishops for collecting and sending accounts on set dayes of all arrears of the Quindismes they had granted to him.

*Clauſ. 10 H. 3.* *parunica, m. 14. dorſo.* Littere de Arre- *ragiis Quintadecimæ.* TALI Episcopo, salutem. Rogamus vos quatinus omni dilatione & occasione postpositis, mittatis usque *Westmonasterium* aliquos de vestris qui ad hoc sufficiant, ita quod ibi sint tali die coram venerabilibus patribus *J. Bathoniensi* & *R. Sarresberienſi* Episcopis, ad reddendum compotum et omnia arrearagia quintadecimæ vestre de qua tenemini respondere. Ita quod ad prædictum diem, coram prædictis Episcopis, tam de compoto, quam de omnibus arrearagiis quintadecimæ prædictæ ibidem nobis plene satisficiant. Teste Rege apud *Rading*, secundo die *Junii*.

REX Vicecomiti tali, salutem. Precipimus tibi quod distringas omnes illos qui iusticiarii fuerunt in Balliva tua ad quintadecimam nostram colligendam, quod sint, vel pro se mittant aliquos de suis qui ad hoc sufficiant apud *Westmonasterium* tali die, omni dilatione et occasione postpositis, coram venerabilibus patribus *J. Bathoniensi* et *Sarresberienſi* Episcopis, ad reddendum compotum, et omnia arrearagia quintadecimæ nostræ de qua tenentur respondere. Ita quod ad diem prædictum coram prædictis Episcopis, tam de compoto quam de omnibus arrearagiis quintadecimæ prædictæ ibi nobis plene satisficiant. Alioquin sciturus, quod ad te nos inde capiemus. Teste Rege apud *Rading*, secundo die *Junii*.

Archiepiscopus *Cantuariensis*, Episcopus *Roffensis*, *Lincolniensis*; Senescallus *Norwicensis* Episcopi; } In Octabis Sancti *Baptiste*, apud *Westm.*  
Vic. *Suffex.* & *Roteland*.

Episcopus *Wintoniensis* ad eundem terminum de quintadecima & carucagio.

Episcopus *Londoniensis*, Abbas de *Waltham*, *Westm.* } In Crastino Sancti *Johannis Baptiste*, apud *Westm.*  
*S. Albani*, Vic. *Essex.* & *Hertsford*.

Episcopus *Coventrenſis*, Episcopus *Herefordensis*, } Die Sanctæ *Johannis Baptiste* in 15 dies.  
Episcopus *Exoniensis*; Abbas de *Evesham*, de Sancto *Edmundo*, de *Malmesbury*; Vic. *Wy-*  
*gorniensis*, *Stafford.* & *Salop.*

*Clauſ. 10 H. 3.* *m. 22. dorſo.* REX Episcopo *Lincolniensi*, salutem. Mandamus vobis rogantes quatinus diligenter audiri faciatis compotos de quintadecima nostra per Ballivos et ministros nostros collecta, tam de terris nostris et feodis quam virozum Religiozorū in Diocesi vestra, et compotos ipsos distinte et aperte in scripta redactos liberetis sub sigillo vestro apud *Westm.* à die *Pasche* in 15 dies, coram venerabili patre *J. Bathoniensi* & *R. Sarresberienſi* Episcopis, una cum omnibus arrearagiis ipsius quintadecimæ eisdem Episcopis ibidem liberandis. Teste R. *Londonienſi* Episcopo apud *Westm.* 25 die *Febr.*

Eodem modo scribitur omnibus Episcopis *Angliæ*, & Abbatibus exemptis, de terris & feodis suis.

*Clauſ. 10 H. 3.* *m. 26. dorſo.* REX *Willielmo Basset*, *Radulpho de Crumbwell*, *Willielmo de Fernyn*, *Thoma Tuschet*, *Henrico de Derleg*, Canonico *Suwell* Clerico, *Roberto de Lor*, salutem. Mandamus vobis de singulis receptionibus quintadecimæ nostræ per vos assise & collectæ de illis qui quintadecimam illam receperunt, & eam vobis liberaverunt compoto coram

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coram vobis diligenter audito, venire faciatis, omni dilatione & occasione postpositis, *An 10 & 11 H. 3.*  
coram venerabilibus patribus *J. Bathoniensi, & R. Sarresberienfi* Episcopis, vel eorum assignatis apud *Westm.* in Crastino Purificationis beatæ Mariæ, duos ex vobis, scilicet unum Laicum & unum Clericum, ad reddendum ibidem pro vobis & pro se-  
ipsis finalem computum de universis et singulis receptionibus prædictæ quintadecimæ  
\* distincte et aperte. Ita videlicet, ut prædicti duo secum deferant, et ibidem red-  
dant omnia arreagia ejusdem quintadecimæ, taliter in hiis vos gerentes, ne si ali-  
quid omissum fuerit vel minus actum de prædictis, ad vos nos capere debeamus.  
Mandavimus autem Vicecomiti *Notingham & Derby*, quod ad hoc plenè diligenter  
exequend. partes suas interponat, prout opus fuerit, & vobis viderit expedire. Teste  
meipso apud *Westm.* 14 die Dec. Anno regni nostri 10.

**R**EX Vicecomiti *Notingham & Derby*, salutem. Mandavimus Justiciariis præ-  
scriptis, quod de singulis receptionibus Quintadecimæ nostræ per eos assisæ &  
collectæ, compoto coram eis diligenter audito de illis qui pecuniam illam receperunt,  
& eam illis liberaverunt venire faciat, omni dilatione & occasione postposita,  
coram venerabilibus patribus nostris *J. Bathoniensi, & R. Sarresberienfi* Episcopis,  
vel eorum assignatis, in crastinum Purificationis beatæ Mariæ, anno regni nostri  
decimo, apud *Westm.* duos ex eis, scilicet, unum Laicum & unum Clericum, ad red-  
dendum ibidem finalem computum de universis et singulis receptionibus prædictæ  
Quintadecimæ distincte et aperte: Ita videlicet, ut secum deferant et ibidem reddant  
omnia arreagia ejusdem Quintadecimæ. Tu igitur literas nostras inde eis di-  
rectas, eis sine dilatione mitras, & ad hæc diligenter exequenda partes tuas inter-  
ponas, prout opus fuerit & nobis videris expedire. Ita quod in nullo pro defectu  
tui damnum incurremus. Teste meipso apud *Westmonast.* 14 die Decembris, anno  
eodem.

Eodem modo scribitur Justic. & Vicecomitibus subscriptis, mutatis tamen diebus  
solummodo, ut patet inferius.

*Linc. Thoma de Muleton, } a die Purificationis beatæ Mariæ in tres  
Alex. &c. } Septimanas.*

There are other Writs to the like effect in the dorse of the same Roll, which I pre-  
termit; wherein I likewise meet with this gratuity and promise of a reward or  
Annual pension by the King to a *Romish* Cardinal, to engage him to promote his  
affairs in the Court of *Rome*, where nothing was then attainable but by such pen-  
sions or bribes to Popes and their Officers.

**R**EX S. Titulo Sancti *Adriani* Diacono Cardinali, salutem. Proveritis centum *Claus. 10 H. 3. m. 1. dorso.*  
Marcas quas vobis misimus post mortem Domini *J. Regis* patris nostri, et  
liberalitatis nostræ mero dono, ut agendis nostris expediendis impensam diligentiam  
vestram conspiceremus vobis fuisse transmissas, cum non crederemus, nec adhuc no-  
bis vel consilio nostro visum sit, quod ex facto dicti patris nostri vobis teneamur in hac  
parte. Parati tamen gratiam vobis & honorem impendere, dilectionem vestram  
rogamus attentius, quatinus circa agenda nostra nichilominus solliciti sitis sicut  
prius, nec in hiis quæ ad nos tepide vos geratis, si placet, fiduciam certam habentes,  
quod diligentia vestra circa honorem et commodum nostrum impensæ pariter et im-  
pendendæ, digna pro tempore curabimus favente Domino vicissitudine respondere.  
Teste Rege apud *Westm.* 23 die Octobris.

I find in *Clause 10 H. 3. m. 28. dorso*, this Entry: *Dominus Rex scripsit Domino  
Pape*, quod bene placet ei, si placet Domino *Pape* et Capitulis *Lissemor. et Water-*  
*ford. Ecclesiarum*, quod uniantur ipsæ dux *Ecclesie*; Ita tamen quod *Sedes* remaneat  
apud *Waterford* Civitatem Domini Regis. To which receiving no answer, he se-  
conded it with the \* succeeding Epistle for their Union, which himself might have \* Here, p. 80.  
made without the Pope by his Prerogative Royal.

In the Plea Rolls of *Hilary Term*, *An. 11 H. 3.* in the *Tower*, I found this accord  
made between the King and Archbishop of *Canterbury*, to the prejudice of the  
rights and forfeitures due to the Crown.

*Kent ff.* Cum contencio esset inter Dominum Regem & Dominum S. Cantuarien-  
sem Archiepiscopum super quibusdam libertatibus, videlicet, de iudicio & iusticia fa-  
ciendis de hominibus feodi ipsius Archiepiscopi restatis & indistatis de pace Domini  
Regis infra facta, & de attachamentis faciendis de eisdem hominibus, & de custodia & in-  
carceratione eorundem hominum, & de catallis fugitivorum, & de seisinis faciendis de  
terris recuperatis in Curia Domini Regis, & de bobus habendis. Ut omnes malicie &  
con-

*An. 11 H. 3.  
Plac. Term.  
Hilary. an. 11  
H. 3. rot. 4. in  
Turre Lond.*



An. 11 H. 3. contenciones amoverentur, & plena pax inter eos firmaretur, Dominus Rex ad instantiam et petitionem Magnatum suorum, et pro salute animæ suæ et animarum antecessorum suorum et successorum suorum concessit; Quod cum aliquis de feodo ipsius Archiepiscopi relictus fuerit vel indistinctus de aliquo quod ad Coronam Domini Regis pertineat, loquela illa in Curia Domini Regis per Inquisitiones & alio modo plenè deducatur usque ad Judicium; & tunc ad requisitionem Ballivorum ipsius Archiepiscopi mittatur loquela illa in Curia ejusdem Archiepiscopi; ut ibi presentibus duobus Justic. Domini Regis vel tribus Judicium et Justitia ibi fiant, siue homo ille deliberandus siue dampnandus. Habeat etiam Archiepiscopus custodiam & incarcerationem talium hominum. Concessit etiam, quod habeat catalla hominum fugitivorum de feodo suo, et quod per Ballivos ipsius Archiepiscopi fiant seisinæ de terris quæ sunt de feodo suo recuperatis in Curia Domini Regis, siue per assisam, siue alio modo: Et quod Archiepiscopus habeat boves occasione earundem seisinarum habendos. Attachiamen. etiam facienda de hominibus feodi Archiepiscopi fiant a Ballivis ipsius Archiepiscopi per visum servientis Domini Regis, &c.

Thus did the Archbishop then gain upon the rights and prerogatives of the Crown, to advance his own grandeur and seignory.

In the same Term, I find this Suit for prosecuting a Suit in Court Christian for Chattels and Debts not of Testament or Matrimony, against the Kings Prohibition.

Plac de Term.  
Hillar. An. 11  
H. 3. rot. 9  
intus, in Turre  
London.

Robertus Halcrum obtulit se 4 die versus Herbert. Canonicum Sancti Pauli London. de plac. quare secutus est placit. in Curia Christianitatis, de catallis quæ non sunt, &c. ibid. dorso. Bedf. Richardus Prior de Barstaple attachiatus fuit ad respondend. Johanni de Justue et Ric. Inge, quare traxit eos in placitum in Curia Christianitatis de catallis ipsorum Johannis et Richardi quæ non sunt de Testamento vel Patrimonio, &c. contra Prohibitionem, &c. Et Prior venit & dicit, quod non implacitavit eos nisi de Decimis et Oblationibus et his quæ pertinent ad Ecclesiam suam. Eodem modo respondit contra Johannem Pampol, Alexand. Juvenem, (and seven more there named) quare secutus est eos de eodem, &c.

Tom. 2. p. 406. l. 15. after us, this Patent should have been inserted.

Pat. 11 H. 3.  
parte prima,  
m. 11: Hi-  
bernica de auxi-  
lio fac. Dom.  
Regi.

R EX venerabili patri H. Dublin. Archiepiscopo & suffraganeis suis, salutem. Cum Dominus Papa statu rerum et temporum exigente multiplici nos viderit auxilio indigere, ac propter hoc tanquam pius pater et providus auxilium nobis liberaliter mandaverit, de bonis et possessionibus Ecclesiasticis tam in Hibernia quam in Anglia, &c. (verbatim, as in that there printed to the Abbots.) Ut autem vos & totum Hibernia Clerum securos efficiamus & certos, quod non trabetur in contententiam, vel præjudicium generabit Ecclesiasticæ libertati subventionis hujusmodi exhibitio, super hac Immunitate vestra et totius Hibernia Cleri, literas nostras patentes conceptas in eadem forma qua Prælati et Clero Angliæ literas nostras con- similes dedimus, vobis durimus transmittendas. Teste Rege apud Westmonast. 10 die Decembris.

Eodem modo scribitur Armacano Archiepiscopo, Tnamensi Archiepiscopo, Cas- selenfi Archiepiscopo.

De Immunita-  
te pro eodem  
Auxilio.

R EX Archiepiscopo Dublin. & suffraganeis suis, salutem. Cum Dominus Papa Honorius tertius propter urgentia negotia nostra, Archiepiscopis terræ nostræ Hibernia per literas Apostolicas dedisset in mandatis, ut Clerum Hibernia sibi subditum moverent diligenter & inducerent, quod de beneficiis suis competens auxilium caritative nobis facere debent, ad conservationem pacis Ecclesiasticæ et regni nostri Angliæ, et ad recuperationem juris hereditatis nostræ, Clerus præfatus ad faciendum præmissa prona devotione inductus, liberaliter concessit & benignè sextadecimam partem beneficiorum suorum secundum æstimationem \* 1. anni competentem; Ita quod ex hac gratia gratis et liberaliter tunc nobis impensa, processu temporis Ecclesiis vel Ecclesiasticis personis seu beneficiis nullum posset aliquatenus præjudicium generari. Nos igitur nolentes occasione gratiæ et liberalitatis nobis ut præmissum est affectu favorabili impensa, Ecclesiæ Dei, Archiepiscopis, Episcopis, aliisve Prælati, Clericis aut Ecclesiasticis seu Religiosis viris, vel Ecclesiasticis possessionibus quibuscumque, vel feodis, vel hominibus eorum præjudicium, vel gravamen aliquod aliquo tempore generari, nec similem præstationem trahi posse in consuetudinem vel debitum, presentibus literis nostris cum multiplici gratiarum actione protestamur, beneficium taliter nobis collatum ex sola liberali gratia Cleri

\* unius.

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Cleri processisse, nec illud a nobis, vel heredibus nostris occasione, vel exemplo tali in debitum vel consuetudinem trahi posse. In cuius, &c. fieri fecimus. Teste ut supra.

An. 11 & 12 Hen. 3.

Eodem modo scribitur prædictis Archiepiscopis *Hibernie*.

Tom. 2. p. 408. l. 2. after *Novembris*, adde; The King needing the Popes and Cardinals assistance in a business which highly concerned his exaltation and honour; writ these ensuing gratulatory and complemental Epistles to them, fully to promote and effect it.

**D**omino Papa, salutem. De beneficiis ineffabilibus à sanctitate vestra nobis piè collatis, devoti et humiles ad gratiarum vobis assurgimus actiones; significantes Dominationi vestræ, quod tranquilla pace per totum regnum nostrum nobis integrè reddita, & statu nostro per omnia jocundius & plenius solito, divina præventi gratia gratulamur. Verum cum ex gratia sanctitatis vestræ dependent, ut ad plenum respicimus, pedibus sanctitatis vestræ provoluti in lacrimis vestram implozamus, (quatinus cum Ecclesia Romana nobis sibi per cunctis terræ principibus specialiter et fortiter affecta) teneatur non deesse, negotium pro quo prius ad vos destinavimus venerabilem patrem *A. Coventren*, Episcopum, in cuius negotii promotione consistit exaltatio nostra, et honoris nostri perpetui spes certissima, ea affectione curetis expedire, (si placet) qua personam nostram, et summæ promotionis nostræ maturatum diligitis effectum. Teste Rege apud *Wism*. 18 die Jan.

Clauſ. 11 H. 3. pars 2. fol. 1. dorſo.

**C**ardinali sic. De beneficiis innumeris à sanctitate vestra nobis impensis, ad devotas vobis assurgimus gratiarum actiones; Significantes dilectioni vestræ, quod tranquilla pace, &c. ut supra. Verum cum ex gratia sanctitatis Apostolicæ, (quam supplex et devotus requirit venerabilis pater *A. Coventrenſis* Episcopus, ad Curiam Romanam nupèr transmissus) dependeat ut ad plenum respicimus; et in ea maxime consistat exaltatio nostra et honoris nostri perpetui spes certissima; ad obtinendum quod petit pro nobis, ea velitis affectione laborare, qua personam nostram et summæ promotionis et restitutionis nostræ maturatum diligitis effectum. Teste ut supra.

Ibidem.

In hac forma scribitur *G. Titulo sancti Marini Præsbytero Cardinali, S. Titulo sancti Adriani Diacono Cardinali, J. Titulo sancti Praxedis Præsbytero Cardinali, H. Hostiensis & Willerensis Episcopo, S. Basilicæ 12 Apostolorum Præsbytero Cardinali, R. Titulo sanctæ Mariæ in Cosmedin. Th. Titulo sanctæ Sabine Præsbytero Cardinali, et universis Cardinalibus per litteras patentes.*

In the Plea Rolls in the Tower, Term. S. Michaelis, An. 12 H. 3. I found these ensuing Suits for holding Pleas against the Kings Prohibitions in Courts Christian.

An. 12 H. 3.

Willhelmus de Cobevill *obtulit se 4 die vers. Dom. Archidiaconum Dorset. & Rich. Decanum de Bedepar, de plac. quare tenuerunt placitum in Curia Christianitatis de laico feodo suo in Badwaddon; & contra Magistrum Rogerum de Pontesham, de plac. quare secutus est idem placitum in eadem Curia contra Prohibitionem Domini Regis, &c. Et ipsi non venerunt, &c.*

Dorset.

Engeramus de la Shagh *obit. se 4 die vers. Johannem D'caum de Preston, de plac. quare tenuit plac. &c. de laico feodo ipsius Eng. in Engleham en la Shagh, contra Prohibitionem Dom. Regis: Et vers. Johannem Personam Ecclesiæ de Hileworth, quare secutus est placit. illud, &c. Et ipsi non venerunt, &c.*

Rot. 10. Norhampr. ff.

Willhelmus Præcentor de Kernewell, & Magistr. Johannes Penitentiarius de Ely attachiati fuerunt ad respond. Roberto fil. Walteri, quare tenuerunt placitum in Curia Christianitatis de Advoc. Ecclesiæ de Sevechaux contra Prohibitionem Regiam; & Andr. de Stallerns sum. fuit ad respondend. eidem Roberto; quare secutus est placitum de eadem Advocat. contra eandem Prohibitionem: Et Præcentor & Magistr. Johannes venerunt & defendunt, quod non tenuerunt placit. contra Prohibitionem Regiam; sed revera aliquod tenuerunt placitum, sicut prædict. est contra Andream, Petrum & Richardum Clericum, Personam de Seveches, de hoc petunt Ecclesiæ de Sevechaux, ut Capellam pertinent. ad Ecclesiæ ipsius Andree de Hundon: sed statim postquam mandatum Dom. Regis de Prohibitione susceperunt, cessaverunt; et hoc idem dicit Andreas. Et Robertus filius Walteri per Attorn. suum dicit, quod post Prohibitionem illam Excommunicaverunt Richardum Clericum suum, nisi idem Richardus amitteret Ecclesiæ suam: Et Judices dicunt, quod hoc fuit ante Prohibitionem propter contumaciam suam; Et bene concedunt, quod amplius non tenebant placitum, et quod absolvent eum: Et ideo sine die.

Ibid. Rot. 14 Cant. brig. ff.



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An. 12 H. 3. Johannes de Burghill Clericus opt. se 4 die vers. Rob. Vicar. de Burghill, de placit. quare secutus est placit. in Curia Christianitatis de laico feodo ipsius Roberti in T. contra prohibitionem Regiam; Et quia non venit attachiatus fuit, &c.

ibid Rot. 21. Hereford. ff.

Claus. 12 H. 3. m. 22.

Tom. 2. p. 416. l. 6. adde; The King likewise sent this Epistle to the Emperour, Imperatori, &c. Ecclesiastica pace gaudere, et de inimicis Crucis Christi triumphum. Venientem ad nos Imperialis Aulæ nuncium præsentium latorem Militum vestrum, affectu quo decuit recepimus, & porrectis nobis literis Celsitudinis vestre audivimus & intelleximus diligenter, quæ fuerant in eisdem contenta super statu vestro, & aliis quæ circa personam vestram nuper acta dicuntur, de quibus ante susceptionem nuntii & literarum vestrarum Dominus Papa per literas suas nos fecerat certiores: pro quo, si placet Dominus noster, nihil indignationis concipiat, si vobis usquequaque non scribimus ad præsens ut deceret, licet ad vos & honorem nominis vestri sincerum nichilominus habuimus affectum. Condolemus quidem, et compatimur quatinus possumus Majestati vestre, parati pro viribus offensæ vestre mederi, et Imperiali Celsitudini subvenire, honore Ecclesiastici semper integritate servata. Attendentes quidem quantum discrimen immincat negotio crucifiri in obio et discordiæ seminario, quod humani generis inimicus inter Ecclesiam Romanam et vos nititur excitare, quantum etiam periculum orbis terrarum expectare possit ex eodem, sperantes etiam ex parte alia, quod Dominus Papa salubribus Consiliis et precibus nostris et monitis, (utpote qui ei inter ceteros mundi Principes magna et speciali devotione quadam sumus affecti) facilem et favorem præbere debeat auditum. Scripsimus eidem cum multo precum et consilii conatu, quatinus humanæ mentis motu domi recluso, ad liberationem Terræ sanctæ dirigat intuitum interioris hominis et affectum, injuriarum obliviscens hiis diebus quas, alio forte tempore poscente, iustitia cogeretur ulcisci, ut etiam vos sine cuspis ministerio liberationem Terræ prælatæ mundus nescit indicare, ad manum suam et Ecclesiæ pacem nobis omnibus satagat revocare. Sane quia non nocet admissio subdere calcar equo, currentem decrevimus monere, dum vobis consulimus & facere suademus quod præter consilium nostrum facturi estis etiam non rogati. Consilium igitur nostrum est, ut non contempnentes Ecclesiæ manum quam in personam vestram extendit, relaxationem sententiæ suæ, pietatis instanter nichilominus insistentes propositis, quod pro liberatione patrimonii Jesu Christi a primævo tempore vestro laudabiliter concepistis, quod abut, hoc tempore quo tradidit omnipotens Deus in manibus vestris vires mundi, teperare videamini a consummatione laboris quem vobis scilicet fortuna commendabit. Teste ut supra.

This Epistle he seconded with another enrolled in the *Clause Rolls* in the *Tower*.

Claus. 12 H. 3. m. 12. dorso.

Excellentissimo Principi & dilecto sibi in Christo amico F. Dei gratia Romano Imperatori, &c. H. eadem gratia Rex Angliæ, &c. Ecclesiastica pace gaudere, et de inimicis Crucis Christi triumphum reportare: Literas magnificentiæ vestre eo quo decuit honore suscepimus, et gratiarum actione gaudentes, si jam transretastis in obsequium Crucifiri, prout Literæ vestre continebant. Ponemus igitur excellentiam vestram, et exhortamur in Domino, quatinus in illis vos exerceatis operibus solliciti quæ Deo et sacrosanctæ Ecclesiæ cedant ad honorem. Ex affectu enim sincero quem erga vos gerimus desideramus, ut in arcepto itinere sic procedatis, ut Deo et Ecclesiæ reconciliati, gloriam exinde reportetis et honorem. Speramus enim in Domino, quod si inceptis vestris secundum Deum et honorem Ecclesiæ procederitis, multi exemplo strenuitatis vestre promptiores et paratiores invenientur ad succursum Terræ sanctæ. Teste Rege apud Westm. 15 die Julii.

Claus. 12 H. 3. m. 12. dorso.

Domino Papæ. Sanctitatis vestre Literas devotione qua decuit recepimus, continentes narratione brevi defectum succursus Terræ sanctæ, quem in præsentem sperabatis per ministerium Imperatoris ordinatum fuisse. Sanè dolorem vestrum, quem brevem esse decet, non audivimus sine dolore maximo, cum in salute vestra et Ecclesiæ statu pacifico, regnancium par consistit et regnorum. Recepimus autem postmodum Literas Imperatoris, qui de multis gravaminibus et injuriis ei, ut dicebat, præter suorum exigentiam meritozum, conquerendo, in eisdem literis notum fecit nobis, sicut & in aliis regnis publicasse se dicit, quod in medio instantis Maii proponit nichilominus transretare. Literas easdem ostendimus Clerico vestro Magistro Stephano tunc præsentem nobiscum: De cuspis consilio, Imperatori rescripsimus consulendo, ut a debita vobis et Ecclesiæ devotione nullius temeritatis ausu recedens, similiter obediat et obsequatur, &c. Vobis siquidem ut Patri et

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et Domino, cui in totius fidelitatis et obsequii plenitudine adesse volumus et tenemur, consulimus in Domino pro negotio Terræ Sanctæ, cuius liberationem mundus desiderare debet ardentius, quatinus eundem si cum humilitate debita ad eorum reverti voluerit, vestrisque parere mandatis, misericorditer recipere velitis ad pacem. Teste Rege apud Westm. 20 die Febr.

An. 12 H. 3.

Tom. 2. p. 432. l. 27. before *How*, insert; The Dean and Chapter of *Imileth* in *Ireland* unanimously elected this *John Colingham* their Chancellor for their Bishop; whom yet the Archbishop refused to confirm and consecrate, because elected without the Kings license and subsequent approbation: Pope *Gregory* the 9<sup>th</sup>. upon their appeal and complaint issued this Bull to the Archbishops of *Armagh* and *Dublin* and the Bishop of *Fern*, to examine the merits of the election and person, and to confirm and consecrate him if canonically elected, and inflict Ecclesiastical censures on the opposers; the original whereof I found in the *White Tower* Chappel.

**G**REGORIUS Episcopus, servus servorum Dei; venerabilibus fratribus *Armaghan. & Casselen.* Archiepiscopis, & Episcopo *Fernenfi*, salutem & Apostolicam benedictionem. Ex parte dilectorum filiorum, Decani & Capituli *Imilacen.* fuit propositum coram nobis, quod eorum Ecclesia Pastoris solatio destituta, ipsi, ad quos electio Episcopi pertinebat, ad tractandum de futuri substitutione Prælati simul in Capitulo convenerunt: ad quorum vota scrutanda tres assumpti fuerunt de suo Collegio fidedigni, qui, singulorum voluntatibus inquisitis & publicatis, postmodum in communi cum fuisset, habita diligenti collatione repertum, quod omnes in Magistrum *Johannem*, Cancellarium ejusdem Ecclesiæ convenissent, ipsum invocata Spiritus sancti gratia, in suum Episcopum eligerunt. Cumque a te (frater Archiepiscopo *Casselenfi*) confirmari electionem suam humiliter supplicassent, tu, sicut exposuisti per literas tuas, licet tam electionis quam electorum et Electi studiis inquisitis et meritis, invenisses electionem de persona idonea canonice celebratam, eam tamen omisisse hactenus confirmare: unde a nobis fuit ex parte prædictorum Decani et Capituli suppliciter postulatum, ut cum viduatis Ecclesiis mox in præficiendo sibi Pastorem consueverit esse damnosa, providere super hoc paterna sollicitudine dignaremur. Quocirca fraternitati vestre per Apostolica scripta mandamus, quatinus occasione et timore postpositis, de electionis, electorum et Electi meritis inquisitis, si vobis constiterit, de persona idonea canonice celebratam electionem eandem, confirmationis et consecrationis munus impendatis Electo, et ei faciatis, sicut eorum Episcopo, obedientiam et reverentiam exhiberi. Contradictores per censuram Ecclesiasticam, appellatione postposita, compescendo. Quod si non omnes hiis exequendis potueritis interesse, duo vestrum ea nichilominus exequantur. Dat. *Anagnine*, 6 Non. Julii, Pontificatus nostri anno primo.

An. 13 H. 3.  
in Turle Lond.

Whereupon the King appointed *Lawrence* of *London* his Proctor to defend the rights of his Crown before these Delegates, against this Bishop, being elected without his precedent License or Royal assent.

In the Fragments of *Placita Assisarum Term. S. Mich. anno 12 H. 3. Rot. 13. dorso*, (extant in the *Tower of London*) before the Justices Itinerant, I met with this memorable Attachment for suing in Court Christian for all the Tithes belonging to a Chappel, and by consequence for the Advouson it self; the first of this Kind I have observed.

Magister Ricardus de *Eseburn* attachatus fuit ad respondendum *Johanni* de *Sancto Georgio*, quare secutus est placitum in Curia Christianitatis contra prohibitionem Domini Regis, de advocacione Capellæ ipsius *Johannis* de *Tudeham*; unde idem *Johannes* dicit, quod antecessores sui fuerunt in seisinâ de advocacione ipsius Capellæ per 100 annos, & semper presentaverunt ad eandem Capellanum. Et prædictus Ricardus exigit ab eis omnes decimas ad eandem Capellam spectantes, et ita \* indirecte et advocacionem, quia si amitteret decimas illas, ita per consequens amitteret advocacionem illius Capellæ.

\* The ground of the Writ of Indicavit, in like cases, Register, f. 35. 36. Fitz. Nat. Brev. 44. 45.

Et Ricardus venit & dicit, quod de nulla advocacione trahit eum in placitum, sed revera Capella illa sita est infra Parochiam suam, et Ecclesia sua semper habuit tertiam partem decimarum de garbis, et minutas decimas. Ita quod antecessores ipsius *Johannis* dederunt suas partes illarum decimarum quibusdam Monachis qui illas diu tenuerunt; et postea concesserunt cuidam Capellano decimas illas, qui illas decimas diu tenuit et nunc clamat in Capella, unde Episcopus loci sequestravit decimas illas in manum suam et tenet illas. Et prædictus *Johannes* sepius tenuit illas



An. 12 H. 3. illas in manu sua sine servicio quod faceret Capellæ illi. Et unde idem Ricardus petit illas sicut de aliis parochianis suis, et non alio modo, &c.

Postea convenit inter eos, quod si prædictus Johannes habeat ibi Capellanum qui Capellæ illi deserviat, libenter concedit idem Capellano decimas illas percipiendas; alioquin non concedit, quod decimæ remanerent in manu laicali.

By which Record and Plea it is evident: First, That owners of Lands originally, as well as our Kings, did by their Charters give their Tithes to what persons or Churches they pleased, as all the *Charta Antiqua*, and \* Mr. Selden's History of Tithes abundantly evidence. 2ly. That they might lawfully give their Tithes to a Chappel, to maintain a Chaplain to do Divine Services therein, which gifts were admitted good in Law against the Parson of the Parish Church within which the Chappel was situated. 3ly. That the Bishop sequestred the Tithes belonging to the Chappel; that the Parson of the Parish claimed them, whiles there was no Chaplain to officiate in it; and that the Patron could not justly detain them in his own hands, during the vacancy of a Chaplain.

The Kings Tenants in Capite, and others alienating some of their Tenements to religious Houses without his special License, and others of them removing from their Tenements held of the King to the Lands held of Monasteries, to his prejudice; he thereupon issued Proclamations to all Sheriffs, to prohibit such Alienations and Removals; and to inquire of all offences of this kinde, before the Statute of Mortmain.

Clauſ. 12. H. 3. m. 12 dorſo.

R EX Vic. *Kanc.* salutem. Præcipimus tibi, quod statim visis Literis illis per totam Ballivam tuam clamari facias, quod nullus qui de nobis tenet in Capite in Balliva tua, et Dominicis nostris, sicut corpus et tenementum suum diligit, aliquid de tenemento suo conferat, vel vendat, vel aliquo alio modo alienet alicui Domui religioſe, vel aliquibus personis Ecclesiasticis sine licentia nostra. Firmiter etiam prohibeas quod nullus de nobis tenens in Capite, sive miles, sive liber homo, sive alius se transferat a terra quam de nobis tenet, ad terram alicujus Domus religionis vel personæ Ecclesiasticæ ad manendum super eam, per quod simus perdetes in serviciis, tallagiis, vel aliquibus aliis modis ad nos pertinentibus. Diligenter etiam inquiras per sacramentum proborum et leg. hominum Com. tui, qui de hominibus nostris de nobis tenentibus in capite Dominicis nostris, sicut prædictum est, viderint, vel vendiderint, vel alio modo alienaverint aliquid de tenementis suis, et quibus viris Religioſis vel Ecclesiasticis personis ea alienata fuerint, et a quo tempore, et quantum singula illa tenementa alienata valeant. Et inquisitionem inde factam, &c. nobis mittas, et has Literas. Teste Rege apud Westm. primo die Febr.

\* See Godwins Catalogue, p. 516.

The \* King consenting to the Election of Richard Poor Bishop of Salisbury to the Church of Durham, after his refusal of him they first elected; he thereupon issued these Writs concerning the restitution of the Temporalities of Durham, (excepting two Castles) and of the Corn he had sown on his Temporalities of Salisbury.

Clauſ. 12 H. 3. m. 5.

D Ominus Rex ordinacioni, scil. de ven. Patre R. quondam Sarr. Episcopo in Episcopum Dunholm. assensum Regium præbuit et favorem. Et mandatum est Magistro Stephano de Lucy, quod Castris de Norham. & de Dunholm. in manu Domini Regis retentis, Ballivis ipsius Episcopi seisinam habere faciat; Apposita etiam salva custodia in eisdem Castris, ad nos sine dilacione veniat nobiscum locuturi. Teste Rege apud Westm. 22 die Julii.

Et mandatum est Vic. Wiltes, quod Magistro Elya de Derham, & Reginaldo de Kanc. quibus Dominus Rex Episcopatum Sarr. vacantem commisit custodiendum quamdiu Domino Regi placuerit, in hiis quæ ad prædictum Episcopatum pertinent ista vice in nullo se intromittant. Teste ut supra.

Eodem modo scribitur Vic. Surr. Dorset. Glouc. Berk.

Et mandatum est prædicto Reginaldo de Kanc. quod prædictus R. Episcopatu custodiendo una cum prædicto Magistro Elya diligenter intendat. Ita quod cum Episcopus Dunholm. in partes Sarr. veniat sacramentum præstet coram eo de prædicto Episcopatu custodiendo. Fideliter, sicut prædictum est.

Dominus Rex concessit rev. pat. R. quondam Sarr. Episcopo, nunc Dunelm. omnia blada instantis autumnus quæ sunt in Dominicis Episcopatus Sarrum, quæ quidem blada idem Episcopus seminari fecit in eisdem Dominicis. Ita quod idem Episcopus blada sua colligi faciat per occupationes & consuetudines debitas maneriarum ejusdem Episcopatus; Retentis autem de eisdem bladis semine ad prædicta Dominica seminanda, et liberationibus servientum quantum necesse fuerit.

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Et mandatum est Magistro *Elye de Derham*, & *Reginaldo de Rancia*, quod eidem Episcopo blada prædicta habere faciant, sicut prædictum est. Teste ut supra. *An. 12 H. 3.*

Tom. 2. p. 421. l. 48. adde.

**E**T mandatum est Vic. *Northumbr.* quod occasione vacationis illius Ecclesie manum ad eam non mittat, nec in aliquo se intromittat, quia Dominus Rex nolens venire contra factum prædecessorum suorum, mandavit *Eborum* Archiepiscopo, ut supra continetur. *Claus. 12 H. 3. m. 14.*

The King this year issued this Writ to the Committees of the Temporalities of the Archbishoprick of *Canterbury* to deliver all the Goods of Archbishop *Stephen Langton* to his Executors to perform his Will, and to enquire and certifie what Stock he received, and how to dispose of the Corn then growing.

**R**EX *Bertramo de Crysil*, & *Alano Pomant*, salutem. Mandamus vobis, quod omnia blada de anno præterito quæ fuerunt *S. quondam Cantuar.* Archiepiscopi in maneriis Archiepiscopatus, & omnia Catalla tam in Animalibus quam in Instauris, & aliis, quæ fuerunt ejusdem Archiepiscopi, habere faciatis ven. *P. A. Coventr. & H. Ross.* Episcopis, Magistro *Simoni de Langton* Archidiacono *Cantuar.* Magistro *1 b. de Freckenham*, & Magistro *Elye de Derham*, Executoribus Testamenti ipsius Archiepiscopi, ad executionem ejusdem Testamenti libere faciendam. Et si quid inde amotum fuerit vel distractum, id venire et eisdem Executoribus reddi faciatis. Blada verò instantis autumnus de terris quæ fuerunt ipsius Archiepiscopi, per servientes qui fuerunt apud singula maneria tempore prædicti Archiepiscopi, per operationes & consuetudines debitas hominum de eisdem maneriis, & ad cultum de eodem blado faciend. colligi faciatis, accepto ab eisdem servientibus Sacramento, quod sine vasso et distractive blada illa sub vobis fideliter colligent, et salvo custodient: Et si videatur Executoribus prædictis quod aliqui de prædictis servientibus minus idonei fuerint ad prædicta utiliter faciend., & Executores ipsi alios loco eorum quos viderint magis idoneos vobis præsentaverint, illos ad prædicta faciend. recipiatis, accepto ab eis simili Sacramento, quod sicut et alii blada prædicta sub vobis colligent et salvo custodient. Diligenter etiam inquiri faciatis per sacramentum proborum et legalium hominum de singulis maneriis per quos rei veritas melius inquiri potest, quantum instauri ut in bobus, vaccis, equis, et aliis, idem Archiepiscopus recepit tempore quo Archiepiscopatum prædictum recepit. Et inquisitionem inde factam distinctè & aperte in scriptum redactam nobis scire faciatis apud *Westm.* ad Scaccarium nostrum à festo Sancti *Michael.* in unum mensem. Teste Rege apud *Westmonast.* 22 die *Julii.* *Claus. 12 H. 3. m. 5. dorso.*

His Executors being obliged to leave, or make good as much.

Tom. 2. p. 423. l. 28. after evidenced, adde: I find this Writ issued to certain Commissioners to take, examine and certifie the Archbishop of *Dublin's* account concerning the monies raised out of the vacant Bishopricks in *Ireland* granted to him, and concerning the remainder of the debts due to him.

**M**andatum est *J. Fernensi* Episcopo, & *R. de Burgo* Justic. *Hibernie*, & *G. de Thurevill* Archid. *Dublin.* quod audiant compotum *H. Dublin.* Archiepiscopi, de Archiepiscopatus et Episcopatus vacantibus, et terris, et firmis, et redditibus qui extiterunt in manu sua ad percipiendum fructus inde provenientes, in parte solutionis debitorum quæ Dominus Rex eidem Archiepiscopo debet, et compoto illo diligenter audito fructus quos idem Archiepiscopus inde recepit, et *L. libz.* quas Dominus Regi concessit pro quintadecima sua de Dominicis suis, in debito prædicto in quo Dominus Rex ei tenetur, eidem Regi faciant allocari. Ita quod Dominum Regem certificare possint de quanto ipsum se Dominus Rex vertus ipsum Archiepiscopum acquietaverit, et quantum restet de prædicto debito solvendo. Teste Rege apud *Westm.* 10 die *Maii.* *Claus. 12 H. 3. m. 8.*

What other Rents he had granted him in *Ireland* toward the satisfaction of his Debts, and how they grew due by his services for King *John* in the Court of *Rome*, and as his own Chief Justice in *Ireland*, this Record will inform us.

**R**EX eidem *Ricardo.* Scias, quod in solutione debiti quod debemus venerabili patri *H. Dublin.* Archiepiscopo, pro mutuo quod fecit pro Domino *J. Rege* patre nostro per præceptum suum, et pro expensis suis factis per ipsum Archiepiscopum in Curia Romana pro negotio ipsius patris nostri expediendis, et pro expensis quas ipse Archiepiscopus fecit in servitio nostro in *Hibern.* dum ultimo fuit Justic. noster *Hibern.* assignavimus eidem Archiepiscopo Centum libras de firma Civitatis nostræ de *Limerick*, recipiendas ad duos terminos, videlicet ad festum Sancti *Michaelis* *Claus. 12 H. 3. m. 2. Hibern. pro Archiep. Dublin.*



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An. 12 & 13 Hen. 3. *Michaelis* quinquaginta libras, & ad *Pascha* quinquaginta libras. Assignavimus etiam eidem Archiepiscopo in solutione ejusdem debiti, quinquaginta marcas per annum percipiend. de firma Civitatis nostræ *Dublin*. sicut plenius continetur in nostris patentibus quas inde fieri fecimus. Et ideo vobis mandamus, quod prædictas centum libras de firma prædictæ Civitatis *Limerik*, & prædictas quinquaginta marcas de firma Civitatis nostræ *Dublin*. eidem Archiepiscopo recipere permittatis, quousque prædictum debitum ei persolvatur. Teste ut supra.

What Pension the Bishop of *Fern* received from the King in *Ireland* for his Service, is thus recorded in the same Roll.

Ibidem, Hib.  
pro Episcopo  
Fem.

REX dilecto & fideli suo *Ricardo de Burgo* Justic. suo *Hibern.* salutem. Sciatis quod loco quadraginta librarum quas venerabilis pater *J. Fernensis* Episcopus percipere solebat singulis annis per præceptum nostrum de manerio nostro de *Novo Castello de Lenan*. ad se sustentandum in servitio nostro, concessimus eidem Episcopo, quod recipiat de cætero ad Scaccarium nostrum *Dublin*. singulis annis ad se sustentandum in servitio nostro 40 libras, videlicet ad Scaccarium Sancti *Michaelis* 20 libras, & ad Scaccarium *Pasche* 20 libras. Ita tamen quod habeat blada sua ejusdem manerii de hoc autumno anno regni nostri 12. Et ideo vobis mandamus, quod ex quo prædicta blada fuerint collecta, manerium illud in manum nostram capias, & de consilio ipsius Episcopi, & aliorum fidelium nostrorum ad commodum nostrum salvo custodiri faciatis, computatis eidem Episcopo rationabilibus & necessariis expensis quas posuit in emendatione domorum ejusdem manerii. Teste meipso apud *Westm.* 8 die *Maii*, anno, &c. 12.

The Bishoprick of *Imelic* in *Ireland* becoming voyd, the King granted the custody thereof by this Patent to *Ralph of Norwich* his Clerk.

Ibid. m. 9.  
Hibern. De  
Episcopatu  
Imelic.

REX dilecto & fideli Clerico suo *Rad. de Norwic.* Episcopatum *Imelican*. vacantem custodiendum quamdiu nobis placuerit. Et ideo vobis mandamus, quod eidem *Rad.* vel certo nuncio suo has literas deferenti de omnibus quæ ad prædictum Episcopatum pertinent, plenam seisinam habere faciatis, in eodem statu quo fuit die quo *H.* quondam *Imelicanensis* Episcopus obiit. Teste meipso apud *Westm.* 26 die *Aprilis*, anno regni nostri 12.

\* See Tom. 2.  
p. 373, 374,  
381, 382.

The first \* union of the Bishoprick of *Lismore* to the Bishoprick of *Waterford* in *Ireland*, made by the Popes Legate about the third Year of *H. 3.* being adjudged voyd by the Popes Delegates, the King upon the next avoidance of the Bishoprick of *Lismore*, by his Letters Patents, re-united it to *Waterford*, by reason of the poverty of both Bishopricks, the Bishops being inforced to beg and live out of their Diocesse, which union he desired the Pope to ratifie, (though valid in Law without him) by this Epistle endorsed on the *Clause-Roll* of 12 *H. 3.*

Clauſ. 12 H 3.  
m. 5. dorſo.

REVERENDO DOMINO & PATRI IN CHRISTO SANCTISSIMO G. DEI GRATIA SUMMO PONTIFICI *H.* eandem gratia Rex *Anglia, &c.* salutem & debitam tanto Patri reverentiam. Quia redditus et possessiones tam *Waterford.* quam *Lissemor.* Episcopatus adeo tennes sunt et exiles, quod propter utriusque paupertatem coguntur Episcopi eorum necessitate compulsi extra Provinciam suam necessaria mendicare, quod quidem indecens nobis valde videtur et inhonestum, quod hujusmodi personæ tantæ subiaceant egestati: cupientes egestati, necessitati et insufficientiæ utriusque prospicere quantum in nobis est, concedere durimus, et assensum nostrum præbere, quod supradictus *Lissemorensis* Episcopatus jam Pastore vacans, dummodo sanctitati Sedis Apostolicæ placeat, uniatur *Waterfordensi*, ut sic uniti potius sufficiant ad officium Pastorale decenter erequendum, quam si divisi remaneant amobos mendicare faciant et egere. Rogamus igitur Sanctitatem vestram eo quo possumus affectu, intuitu pietatis et nostræ petitionis interventu, paternam provisionem necessitatem istam respicere, et quod unio ista fiat, assensum velitis et Apostolicæ Sedis favorem clementer impertiri, precibus nostris aures pietatis vestræ et mansuetudinis inclinantes, quod pro gratiarum actionibus specialiter referendis paternitati vestræ debeamus inclinari. Teste meipso apud *Westm.* 17 die *Julii*.

An. 13 H. 3.

Tom. 2. p. 423. l. 47. after *Februarii*, insert: What Sovereign Ecclesiastical Jurisdiction King *Henry* the 3<sup>d</sup>. exercised this year in demolishing the Church of *Saint Peters* in *Chichester*, having but two Parishioners, unable to repair it, and uniting it for the future to the Hospital of *S<sup>t</sup>. Maries* near that Church, upon the Bishop of *Chichesters* petition, this memorable Patent will demonstrate.

REX

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

K. Henry 3.

**R**EX omnibus hoc scriptum auditoris vel inspecturis, salutem. Sciatis quod cum Ecclesia S. Petri in foro Cicestrensi, quæ de nostra fuit donatione, ita tenuis esset in redditibus & proventibus, quod ad eam non spectarent nisi duo parochiani, set nec redditus alii seu proventus qui sufficere possent ad ipsius Ecclesiæ reparationem & conservationem, & ministris etiam in ea deservituris, Nos ad instantiam venerabilis patris Radulphi Cicestrensis Episcopi, & Cancellarii nostri, concessisse, quod eadem Ecclesia demolitur, et prædicti duo parochiani qui spectabant ad ipsam, assignentur imperpetuum Hospitali Sanctæ Mariæ, quod eidem Ecclesiæ est vicinum, ut ibi deinceps percipiant spiritualia et sint parochiani ejusdem Hospitalis. Concessimus insuper eidem Hospitali aream in qua sita est eadem Ecclesia, ut liberè & quierè eidem dono nostro remaneat imperpetuum, in liberam, puram & perpetuam eleemosynam. In cujus rei testimonium has literas nostras patentes fieri fecimus. Dat. per manum nostram apud Westm. 4 die Maii, anno r. n. 13.

An. 13 & 15  
Hen. 2.  
Pat. 13 K. 3.  
m. 7. n. 6.

Pope Gregory the 9<sup>th</sup>. to induce King Henry to consent to a Disme intended to be imposed by him towards the relief of the Holy Land, sent this Bull of Credence to him by Gerard de Grandison his Chaplain, imployed by him to solicit this business, and the affairs of his Brother Edmund; the Original whereof I discovered in the White Tower.

**G**REGORIUS Episcopus, &c. Charissimo in Christo filio H. Regi Angliæ illustri, salutem & Apostolicam benedictionem. Licet ex gestis præteritis ad Terræ Sanctæ liberationem ferventem Zelum te habere monstraberis; Rogamus tamen serenitatem Regiam attentius & hortamur, quatinus attendens quod de ipsius finali subsidio et liberatione jam apparent probabiles conjecturæ, super hoc commendatam habeas causam Christi, his, quæ dilectus filius Gerardus de Grandisono (Capellanus noster) ad tuam præsentiam veniens, super hoc & negotio dilecti filii, Nobilis viri Edmundi fratris tui, ex parte nostra tibi dixerit, fidem non dubiam adhibendo. Datum Lugduni 10 Kal. Augusti, Pontificatus nostri anno tercio. In dorso, Illustri Regi Angliæ.

Bundle of Letters & Bre-  
vium, An. 13.  
H. 3. in Turri  
London.

In a Bundle of Letters and Writs An. 13 H. 3. I found this imperfect Letter relating to the former affair, from the Archdeacon of Surrey, whom the Pope refused to imploy therein to his great grief.

**A**U treshaut et trespuisant — myfres Count — trefnobiles Roy de Engleterre, freres bona cord nenne digne Arcedecne de Sur. salut et reverence comme a son especial Seigneur. Sachiez sire vostre hauteice, que quant je fui appareilliez por venir a vostre queronement, homme fist autandant, et furent parsones bu. procheine — que le je lessasse aucetans ou la Terre Sante, est ausi grant que leglise en Angleterre. Nostre sire le Pape eust male conscience de moi, por quoi sire je — et nostre Seignour le Pape sonneaire a graunt anguisse de mer — apareille toz jors de fere voz commandanz comme de meilour Seigneur — sachiez sire que sus ce ave comis a Maistre Girard de Grantison, — le porteur de ces lettres qui me doient esculer, car vos pri sire que la poure yglise desire, et vostre Clers, et vostre servant layenesque vos soient recomandez, car je face ce qe il ne soit mye present le jor de vostre Coronement corporelment, il issera espirituel nostre Seigneur qe celle sainte a ceo, qe vous entendu vorra estre plus anes nostre Seigneur me deine au cele — dignite qe je puisse veoir sa, &c.

In Turri Lon-  
don.

Tom. 2. p. 429. l. 36. after *voluntati*, adde: It seems the Prelates at last granted the King after many delays, 40 s. out of every Knights Fee they held of him, but upon these two conditions. 1. That they should receive the like summe of 40 s. for every Knights Fee held of them; amounting to as much, as then they granted to the King. 2ly. That it should not be drawn into consequence for the future to their prejudice, or the Kings advantage; as this Record attests.

An. 15 H. 3.

**R**EX omnibus, &c. salutem. Cum peteremus à Prælati Angliæ, quod nobis auxilium facerent pro magna necessitate nostra, de qua eis constabat; videlicet Episcopis, Abbatibus, Prioribus & Priorissis, qui de nobis tenent in capite, ipsi nobis liberaliter concesserunt auxilium tale; scilicet, de singulis feodis Militum suorum quadraginta solidos, de tot feodis de quot ipsi tenentur nobis respondere, quando faciunt nobis servitium militare; et nos concessimus eisdem Prælati, quod ad prædictum auxilium nobis faciendum, habeant de singulis feodis Militum quæ de eis tenentur 40 sol. Nos igitur nolentes, quod ex hac eorum concessione nobis

Pat. 15 H. 3.  
m. 3. intus.

facta



K. Henry 3. *An Exact History of the Popes Intollerable Usurpations*, B. 5. ch. 1.

An. 15 & 16 Hen. 3. *facta de mera liberalitate sua, et non alia ratione, Ecclesiis suis, vel eis, vel eorum successoribus possit praejudicium aliquod generari, vel Ecclesiasticæ libertati in aliquo derogari; per has literas nostras patentes hoc duximus protestandum. Nosolumus etiam quod propter hanc concessionem nostram quam fecimus, aliquid nobis vel heredibus nostris accrescat vel decreascit. In cuius, &c. Teste Rege apud Westm. 15 die Aprilis, anno regni nostri 15.*

*Has literas habent singuli Prelati, tam Episcopi quam Abbates, Priores, Abbatissæ et Priorissæ.*

An. 16 H. 3. Tom. 2. p. 437. l. 5. after *Usury*, insert: This very Original, over-sharp, insolent and carping Letter of Pope Gregory then writ to King Henry about the spoyling of the Romans goods, and threshing out their Corn in all places, which extremely incensed the Pope, mentioned by *Mat. Paris*, I discovered in the *White Tower*, defaced and illegible in some lines; the Fragments whereof I shall here present you with, (with some conjectural *supplements* in a *Parenthesis*) being very elegant.

An. 16 H. 3.  
in Tuni Lon.  
don.

GREGORIUS Episcopus, servus servorum Dei, charissimo in Christo filio illustri Regi Angliæ, salutem & Apostolicam benedictionem. (Si *Majestas tua*) detractones et odia, suggillationes et gravamina quæ pro te ac prædecessoribus tuis Ecclesia Romana vestris temporibus et antiquis sustinuit, nec non et beneficia quæ diversis temporibus tibi et regno tuo contulit, animadverteret, — et cellula commendata memoria in animo suo sapius recensita revolveret, et nobis non esset — quærelæ materia, et locum ingratitude vitium non haberet. Sanè omisissis aliis quæ præterito tempore acciderent, quod longum esset numerare, & difficile revolutis regestis per singula recitare, cujus instinctu potest Regalis serenitas oblivioni mandasse; qualiter tempore felicitis memorix J. Papæ prædecessoris nostræ nobis tunc in minori officio constitutis, gratum negotium Legati utiliter procuravi; prædictum regnum (jura) regni, honorem J. patris tui, et personam tuam a servitute perpetua; et non a qualiquali adversario, vel verius adversariis regni alieni, sicut etiam domesticis Romana Ecclesia liberavit. Quæ memoria quanquam labili maxime et in proprio negotio non teneret, qualiter exheredationis tui et regni tui liberatione oblecto; Ecclesia tandem spiritualiter et temporaliter partes suas constanter (agens,) cum vestra gente virtutem oblidentem (fregit) manus oblecti (roboravit) cum — et — pacis — (defuncto) patre tuo quasi jure testamentario adoptatum in filium matris Ecclesiæ, tutelæ officium quod in te (susceperat) — præfidentes, in ipso te ac regnum tuum conservando, per — credendum est te, quod patet lippis & tonsoribus, si de nostris temporibus agitur. Præterea, quod in minori officio constituti sententiam cum effectu exhibere curavimus — in honoris regni tui, statum Apostolicæ sedis — contulimus, quæ referre per singula — beneficiorum tuorum, quod non credimus vos f — oblivio — (nos) pro certo tenere credimus, (vos) à primordiis tibi & fidelibus tuis favorabiliter assistisse, non solum ab hiis quæ — tranquillitati — ex omni parte regni tui potentiam inducere — nec tantum tutelæ officium — conserventis, tempore nostro nos gessisse meminimus; sed te jam ætate provecum (restituimus) privilegia (regni) — in integrum, quasi præscriptione temporis relegata, in omnibus quæ Regis et regni contingerint honorem studiose — subveniendo, — sapius in gratiam convertendo. Hiis etiam diebus nostræ tibi non desuit gratiæ plenitudo — consilia — quorundam Principum & potentum verbum pro te nemine faciente, quædam caute dissulimus, quæ progressus tuos — impedirent; ut autem providus reddaris et cautus, scire te volumus, quod à tam — Ecclesiæ postulans gratiam non novam, concessam pluribus, nec juri contrariam, quod si fuisset, ad sacram exauditionem — fuisset oblita, nequaquam cordis imperio oculus innuisset, manus cessasset, — continuationis — operum nova temeritas detexisset; præsertim ubi timore pœnæ amor justitiæ superatur. Nec apud — quod adeo tenerime in te ubera matris extendimus, quod verbera patris omisimus; sperantes — acerbitate timeri. Sed quod dolentes referimus, et non sine amaritudine cordis recolimus, risus in luctum ac gemitum convertitur, pro pane lapis, pro ovo scorpio, pro melle absinthium præparatur. Eja!

nec

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nec non reformatione Ecclesiasticæ honestatis, et corrigendis excessibus transgressorum literas Apostolicas in terra Angliæ per\* Cur. sicut et per alia mundi regna transmisiimus, quod obedientia ipsa demeruit; ut a vassallis tuis (Nuncio nostro) non sine timore Dei (comparato) et inhumaniter in frustra conciso, et altero semivivo relicto, literis etiam dissipatis, Bulla nostra conculcatur, (quæ) exaltationi continua apud Reges et Principes per diversas seclæ regiones transmissa totiens perorabit. Si (verò) patri in terra filii, si tutozi in terra pupilli, si Domino et bene merito in terra vassalli securitas vix præcluditur, ubi Bullæ nostræ locus tutior requiretur? in cuius — Reddite Cæsari Cæsari, et quæ sunt Dei Deo, Ecclesiæ Romanæ, vel verius Iesu Christo filio Dei vivi, ejusque in terris vicario ministrante — (Vassalli tui) manus in Clericos violentas, — tam Italicos quam etiam, ut fertur, Anglicanos (injecerunt); alios oblederunt, alios diversis afflicentes suppliciis, (& eorum) agentes, bonis omnibus spoliaverunt; adeo debacchantes in Clero, quod jam quasi Neronis nequitia

An. 16 H 3.

Curios.

ad — quorundam Prelatorum ad hæc Megalis sensit auctoritas, ut sub favoris specie facilius trahent quos obviunt ad ruinam (quod tantum) perturbati animi motum exagerit, quantum dilatio vindictæ conturbat. Quare — sperare poterimus ne ab illis quos in omni genere debiti nostri esse tenentur, tantæ crudelitatis subiceretur immanitas, et Ecclesiasticæ libertatis cultus — conculcatur. Veruntamen apud nos pro honore tuo, nec non et nostro saltem, qualis qualis excusationis (causæ) comparuissent — observentur et — utcumque tanti sceleris satisfactione congrua præcedente, Deo et universali Ecclesiæ, nec non et nobis illatis injuriis palliantur; immo quod gravius reputamus culpam forte (aliorum) et dilatione vindictæ resudisse videris in tuam, dum scrupulum conniventis non — obviasti, — per satisfactionis celeritatem in suo errore quasi confortando perverfos, præcedentem negligentiam (nondum) expiasti; ex quibus contingit quod via pacis æmulis locus se offert (discordiæ) inimici regni et Regis insultant in nobis læto animo, quasi digito scribentes poëta, ecce Rex Angliæ, filius devotus matris suæ! ecce pupilli devotio! ecce vassalli fideles! ecce reverentia filialis! ecce beneficiorum condigna retributio perceptorum! ecce quomodo amabat eundem! Hiis & similibus auribus nostris sæpius inculcatis, Vide fili, vide et considera si doloze nostro doloze non succedit; dum nostris tuisque temporibus Ecclesia Romana (quondam Domina, nunc) ancillata, pro grano paleam, pro uba labruscam, pro rosa spinas, pro siccis tribulos, pro beneficiis ingratitudinem, pro devotione irreverentiam, pro subiectione inobedientiam, pro lucro dampnum, pro libertate servitutem, pro honore opprobrium sub quodam novo quasi marito (colligit & patitur.) Accelleret igitur Megalis excellentiæ providentia, et præteritam negligentiam redimens per diligentiam subsequentem malefactorum ipsos ad restitutionem plenariam de subtractis et — (aliis) aliquando offensis tradita sibi potestate compellat — facinoris ydolatriam animum Regium viriliter et prudenter exerceris; Creatoris injuriam, Ecclesiæ Romanæ ac nostram ignominiam, tuum et regni tui opprobrium — Deo (& Ministris ejus) expiariis — quod exemplo Moysi, fide grandis effectus, cinctusque gladio super femur, contra ipsos ydolatras a porta in portam discurrens cum clavo signatis exceptis; ex animo tanquam filius Ecclesiæ libere officium Megalis magnanimitatis — cum nostra et Apostolicæ sedis reverentia pro populo ad Dominum intercedas: alioquin, quantumcumque personam tuam sinceris affectibus diligamus, et ad regni tui exaltationem et gratiam quantum cum Deo fieri potest sine juris injuria procurare — remaneat forsitan impunita — (& ne) posteris in exemplum ad vindictam malefactorum laudem vero, — bonorum illud licet invidi cogitare (cogamur) quod ex præmissis injuriis, et Bullæ (conculcatione) — resurget, et ubicumque injuriose delata fuerit, injuriatorum acerbitas gloriose quid referre valeat posteritas vestrum ad honorem et nostrum, vindictæ qualitas indicabit. Inquisitionis — nobilis — justitiamque, & ad denunciationem totiens nobis factam, quam de jure ulterius obaudire non licuit, Regalem constantiam — aliquatenus debuisset cum ipsum, quem sincera diligimus in Domino caritate, utpote cujus fidei &

Stephano Capellano nostro referentibus in multis sumus experti, ejusque negotia disponamus, quantum cum Deo possumus, sine juris injuria promovere. Datum: Spolet. 7 Idus Junii, Pontificatus nostri anno sexto.



K. Henry 3. *An Exact History of the Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 17 H. 3. Tom. 2. p. 439. l. 35. after *Crown*, adde: That the principal cause of *Hubert de Burgo* his prosecution, was his connivance at, and not punishing the plunderers of the *Roman* and *Italian* Clerks preferred by the Popes provisions in *England*, what proceedings were thereupon had, and Judgements given against him for it, not extant in our Historians, this memorable Record will inform us.

Pat 17 H. 3.  
dorset. m. 1.

**N**otum sit omnibus Christi fidelibus, quod cum Dominus Henricus Rex Anglie, mandatum Domini Patris suscepisset super transgressionibus Ecclesie Romanae et Clericis Italianis et aliis in Regno Anglie contra pacem suam illatis corrigendis, idem Dominus Rex hoc sicut decuit emendando a pluribus fide dignis didicisset, quod per *Hubertum de Burgo* quondam Justiciarium Anglie, videlicet tempore predictarum transgressionis, factae fuerunt transgressionis illae. Et Dominus Rex volens hoc emendare, misit quosdam de suis ut corpus suum arrestarent, et eorum eo adducerent responsurum de transgressionibus illa et aliis transgressionibus, et praesertim de transgressionibus illa. Qui *Hubertus* inde praemunitus fugit in quandam Capellam, a qua ipsum sequentes, licet hoc eis non esset injunctum, timentes Dominum Regem, extraxerunt, & *Londonium* adduxerunt. Quod cum Dominus Rex audivisset, ut libertas Ecclesiae in omnibus observaretur illa, ipsum ad eandem Capellam reduci praecipit, et in eodem salbo reponit. In qua cum per dies plures moram fecisset, requisitus, utrum vellet tenere se in Capella illa, vel exire, & stare iudicio terrae Domini Regis super transgressionibus praedictis, & super aliis quae ei ibidem obicerentur, tam a Domino Rege, quam a pluribus aliis de eo multis modis conquerentibus; Tandem sponte elegit, quod exire voluit ad standum juri. Tamen petiit misericordiam Domini Regis, & sic exivit, & Ballivi Domini Regis qui tunc praesentes erant ipsum receperunt, & *Londonium* duxerunt, & tradiderunt eum Constabulario Turris. Et cum Dominus Rex adhuc esset incertus, utrum spontanea voluntate an coactus exivisset, misit ad eum Nobiles viros Dominum *S. de Sedgrave* tunc Justiciarium Anglie, *J. de Lascey*, Comitem *Lincolniae*, & Constabularium *Cestriae*, *B. de Insula*, & alios viros idoneos Clericos & Laicos. Quibus ad ipsum venientibus & ipsum inde alloquentibus, Respondit, quod gratis exivisset, & non coactus, nec pro aliquo defectu villualium, & tali modo exivit ad faciendum voluntatem Domini Regis de terris suis & catallis, & de corpore suo, & pigebat eum quod tam diu moram ibidem fecerat. Postea vero cum Dominus Rex nichil adhuc ei inde concederet, eo quod multi de eo de novo conquesti fuerunt, tam de morte hominum quam de multis per eum injuste exheredatis, & aliis pluribus criminibus & transgressionibus, volens de eo conquerentibus justiciam exhibere, praecipit eum deliberari a custodia praedicti Constabularii, ut liberè venire posset ad Curiam suam, conquerentibus de eo tam Domino Regi pro transgressionibus contra Dominum Papam, quam contra seipsum et omnibus aliis responsurus; & sic venit apud *Cornhill* in *Londoniis* Vigilia Sancti Martini, & comparuit coram Dominis *R. Comite Cornubiae & Pictaviae*, *W. Comite Warren*, *R. Marescallo Comite Pembroke*, *J. Comite Lancastriae*, & Constabulario *Cestriae*, *S. de Sedgrave* Justiciario, *Radulpho filio Nicholai*, & aliis fidelibus Domini Regis, tam de corpore quam de terris & omnibus aliis rebus. Tandem Dominus Rex pietate motus, ad instantiam Magnatum Anglie, & ad petitionem ipsius *Huberti*, & suorum parentum & amicorum, & similiter de permissione conquerentium, Judicium posuit in respectum, licet Judicium jam in eadem Curia Domini Regis formatum esset: per quod ipse & sui attendentes corporis sui periculum imminere, & exheredationem haeredum suorum, spontanea voluntate concessit provisionem subscriptam, scilicet, Quod omnes terrae & omnia tenementa & libertates in omnibus rebus quae tenuit de Domino Rege in capite, & de Domino *J. Rege* patre suo, remaneant Domino Regi quietè, imperpetuum, & haeredibus suis, tam de Wardis, Ballivis, quam de aliis rebus, & omnes cartas, & circographa, & instrumenta quae habuit de praedictis reddidit Domino Regi, & concessit, quod si aliqua impofterum inveniantur in cujusvisque manibus fuerint, pro nullis habeantur. Et Dominus Rex de gratia sua concessit, quod ipse *Hubertus* & haeredes sui habeant & retineant terras & tenementa quae eidem *Huberto* descenderant ab antecessoribus suis, & similiter omnes terras & tenementa quae tenuit de aliis, & de alterius dono quam de dono Regum. Itatamen, quod omnibus inde conquerentibus secundum consuetudinem regni sine dilatione ipse & sui respondeant, & omnia alia catalla ubicunque sint remaneant Domino Regi tam in auro & argento, quam in denariis & aliis mobilibus, & corpus suum remaneat apud Castrum *Divis*. & in custodia Dominorum *R. Comitis Cornubiae & Pictaviae*, *W. Comitis Warren*, *R. Marescalli Comitis Pembroke*, & *J. Comitis Lincolniae & Constabularii Cestriae*

## Upon the Liberties of the Kings and Subjects of Engl. &amp; Irel.

K. Henry 3.

Cestrix donec habitum Templariorum susceperit, quem prius petierat, quod modo facere non potest, quia uxoratus est, vel donec per commune consilium Domini Regis & omnium predictorum Baronum Custodum, necnon & aliorum Magnatum terra liberatus fuerit, de quibus si aliquem mori contingat, illi qui residui erunt assument sibi alium loco ipsius defuncti quem voluerint, qui custos cum eis existat sicut ille fuit qui defunctus fuerit. Et liceat eidem Huberto dum fuerit in prisona, si quam terram tenuerit injuste, illam reddere si voluerit; non obstante eo quod in custodia predictorum fuerit: Et si de prisona aliquo modo exierit, nisi pro dicto habitu suscipiendo, & de licentia & consensu Domini Regis & predictorum Magnatum, vel per commune consilium Custodum & Baronum, ut predictum est, & vel per se vel per alios, siue per quemcumque aliquid attemptaverit contra predictam provisionem, vel aliquo tempore saltem de facto contra predictam conventionem venerit, siue de conscientia sua impetratum fuerit siue non, & ipse vel alius ibi voluerit impetrare, per que corpus suum liberetur, tunc pronuncietur iudicium predictum contra eum, & fiat de eo sicut de negligato ubicumque & a quocumque inventus fuerit; & omnes terre & omnia tenementa que Dominus Rex de gratia sua ei concessit, forisfacta sint & remaneant Dominis feodorum de quibus tenuit, salvo Domino Regi anno suo & catallis. Et Dominus Rex concessit pro se & heredibus suis, quod eidem Huberto aliam gratiam neque crudelitatem faciet quam predictum est. In cujus rei testimonium, Dominus Rex & predicti R. Comes Cornubie & Pillavia, W. Comes Warenn. R. Marscallus Comes Pembrocchia, J. Comes Linc. & Constabularius Cestria, huic scripto sigilla sua apposuerunt. Huius testibus, Radulpho filio Nicholai, Th. de Muleton, Willielmo de Insula, Ricardo Duket, Adam filio Willielmi de Raleigh, Roberto de Lexington, Radulpho de Norwico, & Civibus London. & aliis fidelibus Domini Regis ibidem existentibus.

An. 17 & 18  
Hen. 3.

I found in the *White Tower* this memorable Appeal of the Archbishop of York ratified by the King against the Coronation of *Alexander King of Scots*, as well to the prejudice of the Kings rights, as of the rights of the Church of York.

De appellatio-  
ne Regis con-  
tra Coronatio-  
nem Regis  
Scotie.

**R**EX Appellationem quam W. Ebor. Archiepiscopus, *Anglia Primas*, per se vel per certos nuncios suos interpositurus est tam pro iure Regis quam pro suo, ne Rex *Scotie* in Regem se faciat coronari, in prejudicium Regis dignitatis, et libertatis ipsius Archiepiscopi, et Ecclesie sue, ratam habet et acceptam. Et dicitur breve omnibus, &c. Teste S. de Segrove apud Westm. 6 die Maii, anno regni Regis H. decimo septimo.

Tom. 2. p. 443. l. 7. after *Februarii*, insert: The Archbishops and Bishops in *Ireland*, (as well as *England*) holding Plea in their Ecclesiastical Courts of Advowsons of Churches, Chappels, Lay-fees, and Chattels that were not Testamentary, or Matrimonial, against his Royal Crown, Dignity, and the Laws and Customs of the Realm of *England*, which his Father had established in *Ireland*, by common consent; the King thereupon sent this memorable *Prohibition* to all Earls, Barons, Knights, Free-men, and other his Subjects in *Ireland*, not to presume from thenceforth to prosecute any such Suits; and to all the Archbishops, Bishops, Abbots, Priors, Deans, Prelates, and Ecclesiastical persons in *Ireland*, not to presume to hold Plea of any such Cases before them in their Ecclesiastical Courts, threatening to punish them severely if they did offend therein; and commanding his Chief Justice of *Ireland* to cause these his Letters Patents of Prohibition to be publickly read and observed.

An. 18 H. 3.

**R**EX Comitibus, Baronibus, Militibus, & liberis hominibus, & omnibus aliis de terra *Hibernie*, salutem. Quia manifeste esse dinoscitur contra Coronam et Dignitatem nostram, et consuetudines et leges regni nostri *Anglie*, quas bonæ memorie Dominus *Johannes Rex pater noster* de communi omnium de *Hibernia* consensu teneri statuit in terra illa, quod placita teneantur in Curia Christianitatis de advocacionibus Ecclesiarum, et Capellarum, vel de Laico feodo, vel de catallis que non sunt de Testamento vel Patrimonio: vobis mandamus prohibentes, quatinus huiusmodi placita in Curia Christianitatis nullatenus sequi presumatis, in manifestum Dignitatis et Coronæ nostræ prejudicium: Scituri pro certo quod si feceritis, dedimus in mandatis Iusticiario nostro *Hibernie*, quod statuta Curie nostræ in *Anglia* contra transgressores huiusmodi mandati nostri cum iusticia procedat, et quod nostrum est exequatur. In cujus, &c. Teste Rege apud *Winchecomb*, 28 die *Octobris*, anno regni nostri 18.

Pat. 18 H. 3.  
m. 17. Inna.  
Hybernica.

Et mandatum est Archiepiscopis, Episcopis, Abbatibus, Prioribus, Archidiaconis,



An. 18 & 19 Hen. 3. nis, Decanis, et omnibus Prelatis et personis Ecclesiasticis, quod hujusmodi placita in Curia Christianitatis tenere non presumant.

Et mandatum est Justiciario Hibernia per literas clausas, quod predictas literas patentes publice legi et teneri faciat.

I met with this original Bull of Pope Gregory the 9<sup>th</sup>. to K. Henry the 3<sup>d</sup>. in the *White Tower*, to advise and hasten the marriage of his Sister *Isabella* to *Frederick* the Emperor, as beneficial and honourable to him and his Realm, and no longer to defer it.

An. 18 H. 3. in  
Turre Lond.

**G**REGORINS Episcopus servus servorum Dei, charissimo in Christo filio illustri Regi Anglia, salutem & Apostolicam benedictionem. Quia tua Celitudinis respiciant incrementum libenter tibi facienda suggerimus, & eadem per nosippos opportuno tempore procuramus. Hinc est quod cum charissimus in Christo filius noster *F. Romanorum* Imperator semper Aug. *Ferns.* & *Sicilie* Rex illustris, pro dudum tractato & firmato, sicut dicitur, matrimonio inter te et ipsum, de dilecta in Christo filia *Isabella* sorore tua illustri feliciter consummando; ac pro ipsa, duce Christo, ad eundem abdicato tarditatis spacio deducenda, iuxta consilium nostrum, ad tuam presentiam sollempnes nuncios duxerit destinandos: sublimitati tuae bona fide consulimus, et attente rogamus, quatinus prudenter advertens, quid tibi et regno tuo utilitatis proferat et honoris, cum Principe terrarum Regibus preminenti contrahere parentelam, tanti complemento negotii finem tribuas affectatum; diligentiam habiturus; ut a re tam honorabili, tam salubri nullius iniquo consilio te distrabi patiaris. Ceterum memoratos nuncios sereno vultu recipiens, & honore pertractans quo tibi competat, & mittenti eorum verbis quae super hiis tuae Celitudini proponenda duxerint fidei plenitudinem largiaris. Datum *Perusii*, Non. Decembris, Pontificatus nostri anno octavo.

An. 19 H. 3.

Tom. 2. p. 458. l. 33. after *Februarii*, adde; The Popes Legates and our Popish Prelates bearing the chiefest sway in King Henry's Councils and Government of the Realm during his Minority, not only endeavoured by degrees to draw the consueance of all Causes touching Advowsons, Presentations, Church-lands, Freeholds, Debts, Goods, Chattels, and Civil contracts in *England* and *Ireland*, into their Ecclesiastical Courts, but likewise to introduce and advance the Canon Laws and Decretals, compiled by *Gratian*, Pope Gregory the 9<sup>th</sup>. and others, above the Common and Antient Laws of the Realm. For which end they presumed to read them publicly (without the Kings authority) in the Schools of *London*, encouraged thereto by Pope Gregory the 9<sup>th</sup>. his command; (as *Mat. Paris* assures us, An. 1235.) His quoque temporibus Papa Greg. videns turbosam Decretalium prolixitatem, sub quodam compendio eas eleganter abbreviavit et collectas, solenniter et authentice per totius mundi latitudinem legi precepit et divulgari. Illas autem ab auctore ipsarum Gregorianas appellamus. Whereupon the King to preserve the rights and prerogatives of his Crown, and Laws of the Realm against the batteries of those Papal Canons and Decretals, issued not only frequent Prohibitions to Ecclesiastical Judges, not to hold Plea of Advowsons, Free-holds, Trespasses, Debts, Chattels or things not belonging to them, but also prohibited the reading or teaching the Canon Laws in their Schools, as this Writ of Proclamation to the Major and Sheriffs of *London* imports.

d Cl. 19. H. 3.  
m. 22. intus.

**M**andatum est Majori & Vicecomitibus *London*, quod clamari faciant et firmiter prohiberi, ne aliquis Scholas regens de Legibus in eadem Civitate de cetero ibidem Leges doceat, et si aliquis fuerit hujusmodi Scholas regens, ipsum sine dilatione cessare faciant. Teste Rege apud *Basing*. 11 die Decembris.

e In his Pro-  
me to his 2.  
Institutes on  
Magna Charta.  
f See Mr. Sel-  
dens Review  
of his History  
of Tithes, pag.  
491. & ad Fle-  
tam Disserta-  
tio. c. 8. p. 515.  
g Lib. 1. c. 8.  
l. 1. c. 9. fol.  
107.  
h Lib. 1. c. 5.

<sup>e</sup> *St. Edw. Cooke*, in his posthumous *Institutes*, (who had a most unhappy faculty in mistaking most Records he cites) affirms, this writ was issued to them, to suppress the Readings of such learned men in the Laws of the Realm, who kept Schools of the Law in the City of *London*, and taught such as resorted to them the Laws of the Realm, taking their foundation of *Magna Charta* and *Charta de Foresta*, which the King by ill advice sought to impeach. Whereas our learned Antiquary <sup>f</sup> *Mr. John Selden* asserts, Credibile non videtur de Legibus Anglicanis earumque praedicatione mandatum hoc fieri. And *Sir Edward Cooke* himself in his *Commentary* on the *Statute of Merton*, cap. 9. asserts, That the Nobility of *England* have ever had the Laws of *England* in great estimation and reverence, as their best Birth-right; and so have the Kings of *England* as their principal Regality and right belonging to their Crown and dignity. Yea <sup>g</sup> *Broton*, a Judge under King Henry the 3<sup>d</sup>. and <sup>h</sup> *Fleta* resolve; Lex facit Regem: Et quia per legem factus est Rex, attribuat igitur Rex legi, quod

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ley attribuat ei, videlicet, Dominationem et potestatem; et dignum est quod per ipsum tueatur lex, cui honorem tribuit et potestatem. Therefore it is altogether incredible that this Writ was intended either of the Common Laws of England, or Readings on the Great Charters of Liberties or of the Forest, but only of the Canon and Roman Papal Laws: formerly burnt, torn, suppressed, banished the Realm by King Stephen, as M<sup>r</sup>. Selden proves at large in his *ad Fletam Dissertatio*, c. 5 & 8. and I have <sup>a</sup> elsewhere most fully evidenced.

And great reason had the King and his Council to prohibit the Reading and use of the Canon Law and Popes Decretals, especially the Decrees of Gratian then most cryed up, authorized by *Ensebius* the 3<sup>d</sup>. and other Popes; For as *Marc de Valsan* a learned French Advocate, in his accurate Treatise, *De la Puissance du Pape, & de Libertes de l'Eglise Gallicane*, l. 3. c. 2. and <sup>c</sup> others inrefragably prove, That all the Ancient Popes Decretal Epistles (collected by Gratian) on which his Decrees are founded, are mere forgeries and Impostures, never heard of in the World till above 830 years after Christ, not mentioned by any antient Ecclesiastical History or Father; far different both in style, matter, from these Popes genuine Epistles, inconsistent with the state of the Church in the ages wherein they lived, yea not extant in the ancient Roman Code of Canons, as <sup>d</sup> Gratian himself acknowledgech. And as there are such a grand number of Errors, Falsities, Forgeries, in the body of the Canon Law compiled by Gratian, that *Antonius Augustinus* in the first Dialogue of his first Book *De Emendatione Gratiani*, asserts, it will be a very difficult thing to number all his Errors in a whole day, (amongst which he enumerates the antient Popes forged Decretal Epistles, out of which there are about 500 Canons, and Rubricks extracted by Gratian;) So these their Decretal Epistles and his Decrees out of them, were purposely published, to overturn the antient Orthodox Doctrine of the Apostles, primitive Church, Fathers, the Canons of several Councils, the Prerogatives, Rights, Laws of all Christian Emperors, Kings, Realms, and to advance the Popes, Prelates, Clergies usurped Jurisdiction over them: For which end these forged Epistles and Decrees of Popes are thus cryed up by Pope Nicholas and Gratian, as inrefragable, yea equal to the Canonical Scriptures. <sup>e</sup> Inter Canonicas Scripturas Decretales Epistolæ connumerantur: Whence they decree, Omnes sanctiones Apostolicæ sedis inrefragabiliter observandæ sunt, tanquam ipsius divina voce Petri firmatæ. Quicquid Romana Ecclesia statuit, ab omnibus est observandum; et Pontificalibus sit alienus officis, qui Apostolicis non vult obedire præceptis: (to wit, the Popes not Christs Apostles precepts.) Tolerandum est jugum quod a Sancta sede imponitur licet intolerabile videtur. <sup>f</sup> Ab Apostolicis præceptis non licet recedere. Apostolicis præceptis nullus superbe resistat. Non potest statutis Pontificum consuetudo cuiusquam retrahari. Yea more, <sup>g</sup> Constitutiones Principum et Imperatorum Ecclesiasticis Constitutionibus non præminent sed obsequuntur. Leges et Judicia Imperatorum Ecclesiastica jura dissolvere non possunt. Constitutiones Regum contra Canones et Decreta Pontificum Romanorum, nullius sunt momenti. In Ecclesiasticis causis Regia voluntas Sacerdotibus est postponenda. Tribunalia Regum Sacerdotali sunt potestati subiecta: Constitutiones Principum Ecclesiasticis legibus opponendæ sunt ubi Canonicis Decretis obviaverint. Dedit enim Deus Sacerdotibus Principatum multo perfectiorem Principatibus Regum. Nunquid iustum vobis videtur si cedat spiritus carni (id est Ecclesiastica constitutio seculari constitutioni, as *Johannes de Thierry*, *Bartholomæus Brixienfis*, and others Gloss it) si a terrenis ecclesia suparentur, et si divinis (as they style their Canons) præferantur humana? To omit other Paradoxes of this nature.

Pope *Eugenius* the 2<sup>d</sup>. having confirmed these and the rest of Gratian's Antimonarchical Canons, Rubricks, extracted out of his predecessors forged Epistles, sent them to all Universities and Christian Realms to be publicly read, interpreted, observed; and sent <sup>i</sup> Gratian himself, (who first taught them in Rome) to the University of Paris, and *Vacarius* into England there openly to read and expound them in the University of Oxford, as the Laws by which all Churches, Kingdoms, Kings, Christians, ought to be governed, especially in all Ecclesiastical affairs. Which as the Universities and Churches of France would never receive nor submit to, as *Marc de Valsan*, <sup>k</sup> *Claude Fauchet*, and *Pierre de Pithou* assert; so King <sup>l</sup> Stephen as soon as they were taught in England, silenced *Vacarius* from reading them, tearing

Ac. 1911. 3.

a Tom. 2. pag. 530 to 538.

b A Geneve, 1635.  
c Bn. Jewel.  
Dr. Raynolds,  
Dr. James.  
Cockes Censura Patrum, and others.

d Distinct. 9.

e Parisiis, 1667.

f Gratian Distinct. 19. and other Doctors Glosses thereon.

g Gratian Distinct. 21, 22.

h Gratian Distinct. 20.

i Gratiani Vita, Marc de Valsan l. 3 c. 2. Tom. 1 p. 531.

k Les Libertes des Eglises Gallicanes, c. 2. l See Here, Tom. 1 p. 531.

l See Here, Tom. 1 p. 533.

and



An. 19 H. 3. and burning the Books themselves. After which being introduced again and publicly read in the Schools in London during King Henry's minority; together with Pope Gregory the 3<sup>d</sup>. his *Decretals*, then newly published and sent into England and all other Countries to be publicly read and taught: when he came to years of discretion, he prohibited the reading and teaching of them, by the premised Writ, as inconsistent with his royal Prerogative, the Common Laws, Statutes, and Priviledges of the Realm, which Popes, their Legates, and his own usurping Prelates endeavoured to subvert, or enervate by their Canons and Ecclesiastical constitutions.

It was the Observation of Henry de Bracton (*a Justice Itinerant*, An. 29 & 30 H. 3<sup>d</sup>. writing about this time,) in his Book, *b De Legibus & Consuetudinibus Angliæ*. *Episcopi contrarii sunt Legibus et Consuetudinibus Angliæ; et Curia Christianitatis in quibusdam contraria est Legi et consuetudini Angliæ*; especially in cases of *Bastardy*; they then endeavouring with all their might to subvert the *c Common Law*, in making children born before marriage legitimate, and inheritable, by their Canon Laws and Constitutions, which were Bastards, illegitimate, and not capable to inherit Lands by the Common Lawes and Custom of England. Whereupon if Bastardy were pleaded generally in barre of any real action, it ought not to be tried in Court Christian, nor by Certificate from thence to the Kings Court, *d cum nihil aliud sit, sub tali obscuritate transmittere inquisitionem de Bastardia faciendam, quam venire contra Legem et Consuetudinem Angliæ. Ad talem igitur errorem tollendum, necesse est causam (bastardia) addicere*. Besides the Popes and Bishops before and about this time, by their *Canons and Constitutions*, engrossed the Consuance of all causes touching *Advowsons, Presentations, Church-lands, Snies* by or against *Clergy-men and Religious persons*, antiently belonging to the Kings Crown, Courts alone, to their *Ecclesiastical Courts*, and attempted to make the King, as well as other Patrons subject to *Lapses*, if he presented not within 6 months to *Bishopricks, Abbies, Churches and Ecclesiastical Dignities whereof he was Patron*, or to which he had right to present by his *Prerogative*; against the rights of his Crown, and this Maxime of the Common Law, *Nullum tempus occurrit Regi*; which *e Edmund Archbishop of Canterbury* then endeavoured by a special Bull from the Pope to divest him of, to the prejudice of his Crown; yea they *f prohibited Clergymen to grant any Aydes to Kings, without the Popes special license, and exempted the Clergy from all Secular Jurisdiction*. Whereupon he, his Judges and Council, had very good reason to issue forth the precedent Writ, to prohibit the publick Reading or Professing of the Canon Law, so diametrically contrary to his Prerogative, and subversive to the antient Laws and Customes of the Realm. The rather, because some *h Canonists* then and since have publicly asserted, *Statuentes contra libertatem Ecclesiæ sunt excommunicati. Item scriptores Statutorum, Consilarii, Potestates, Consules, atque Rectores locorum ubi Statuta edita sunt: item iudicantes secundum illa atque redigentes iudicata in publicam formam. Et quod statuta huiusmodi sint nulla. Impprimis igitur, non solum Papa sed etiam quilibet Episcopus potest dicta Statuta tollere, et declarare esse contra Ecclesiæ libertatem, atque mandare sub excommunicationis pena ipso facto incurrenda, illa non esse observanda, etiam non citatis Statuentibus: Et quia Episcopus tenetur ex debito officii præcipere Statuentibus contra libertatem Ecclesiæ, ut de libris Statutorum illa cassent; nec sufficit si permittat illa revocari tantum, quia tenetur ex debito officii illa cassari facere, et ad id sunt iurejurando ascripti; ideo non satisfacit debito Episcopalis officii si tantum declaraveris esse contra libertatem Ecclesiæ, quia hoc non est eorum Canonum, mandantes dicta Statuta cassari debere, quæ contra Ecclesiæ sunt libertatem. Item Episcopus animabus eorum, qui excommunicationem incurrunt providere non posset concedendo absolutionem, nisi vere et realiter dicta Statuta cassata fuerint; Quare debet præcipere Statuentibus quibus ab universo populo commissum est, ut dicta Statuta cassent, et nisi obedierint, censuris affectos esse declarandi sunt, atque eorum loca interdicto supponenda donec obedierint, et poenitentiam condignam egerunt. Therefore it was great reason for K. Henry and his Council strictly to prohibit the Readers and Teachers of such Antimonarchical, Papal Canons, Laws, and Decretals, which thus Excommunicated, Interdicted all Kings, Parliaments, Peers, Judges, and Officers of Justice to make Acts or execute any Statutes in defence of their Crowns, Realms, Laws, Properties, Persons, against the Popes and Bishops Antimonarchical usurpations on them, or their pretended Liberties of the Church; till they should not only repeal, but null their Statutes of this nature,*

a Claus. 29 H. 3. m. 8. dorso.  
Claus. 30 H. 3. m. 8. dorso.  
b Lib. 5. Tit. de Exceptionibus, cap. 19. f. 416. b.  
c See the Stat. of Merton, An. 20 H. 3. c. 9. See Tom. 2. p. 445. 472. & Tom. 1. p. 809.  
d Bracton, l. 5. de Exceptionibus, c. 19. fol. 416. b. Cooks 1 Instit. Sect. 399. 400.  
e Instit. p. 96. 97.  
f Gratian Distinct. 63. See Here, Tom. 1. p. 804. 806. 810.  
g See Tom. 2. p. 563.  
h Tom. 1. p. 807. & Tom. 2. p. 837.  
i Dr. Martia de Jurisdictione, l. 2. c. 44. Felynus in cap. Ecclesiæ Sanctæ Mariæ, nu. 108. 109.  
Joan. de Bono no in singulari 75. Archidiacon. in cap. quæ Lothar. rus, and others cited by Dr. Martia.

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nature, and expunge them out of their Statute-Books upon every Bishops Injunction. *An. 19 H. 3.*

The same year the Church of St. Martins in the Isle of Sere, wanting competent maintenance; the King thereupon out of his Sovereign piety and care to promote Gods service, granted to it the Tithes of his Demesnes in that Island, (formerly Tithe-free) by this Writ.

**R**EX Custodi Insularum suarum de Gernse, & aliarum Insularum suarum in par- *Clauf. 19 H. 3.*  
tibus Normannie, salutem. Sciatis, quod concessimus dilecto nobis in Chz. Ro. *m. 22. intus.*  
Ricardo Vicario Ecclesie sancte Marie de Sere, quod de cetero imperpetuum red-  
dantur Decimæ de Camparto nostro in eadem Insula Ecclesie antedictæ. Et ideo  
vobis mandamus, quod Decimas plenarias de Camparto nostro in Insula prædicta  
Ecclesie memoratæ reddi de cetero faciatis. Teste Rege apud S. Albanum, 27 die  
Novembrii.

I found this original Certificate of the Dean and Chapter of Lincoln to King Henry the 3<sup>d</sup>. of the Election of Robert Grossthead for their Bishop, to whom the King thereupon granted his Royal assent.

**E**Xcellenissimo Domino suo H. Dei gratia illustri Regi Angliæ, Domino *Bundela Cer-*  
Hiberniæ, &c. devoti sui W. Decanus & Capitulum Lincoln, salutem, & quam *tif. & Lr. in*  
debitam tam devotam cum summa devotione reverentiam. Dominationi vestræ *Turri Lond. &*  
supplicamus humiliter & deoide, quatinus electionem Ecclesie nostræ Lincoln, quam *Clauf. 19 H. 3.*  
de viro idoneo, eminentis literaturæ, conversationis honestæ, laudabilis vitæ, et præ- *m. 24. intus.*  
claræ sanæ, Magistri Roberti Grosseteste Concanonico nostro unanimiter celebavi-  
mus, et Canonice, assensum Regium præbere dignemini; quod ad Regiam pertinet  
dignitatem intuitu Dei, et ob reverentiam gloriose Virginis circa ipsum ulterius  
exequentes favore consueto. Valeat Dominatio vestra in Domino.

\* Matthew Paris renders us this account of his Predecessors death, and his *\* Hist. Angl.*  
Election and confirmation; Eodem tempore obiit Hugo de Valles Lincolnienfis Epi- *p. 395. See*  
scopus, Monachorum persecutor, Canonicozum et omnium malleus Religiosorum, *Godwins Ca-*  
septimo Idus Februarii, & sepultus est apud Lincolniam in Ecclesia Cathedrali quarto *talogue, p. 139.*  
Idus ejusdem. Cui successit Magister Robertus cognomento Grosseteste, vir quidem  
nimis literatus, à primis annis scholis educatus; qui apud Radingam ab Edmundo  
Cantuariensi Archiepiscopo consecratus est, tertio Nonas Junii: reclamantibus Mona-  
chis Cantuariensibus, et allegantes ne alibi consecraretur quam in Ecclesia Cantua-  
riensi; sed id tandem hac vice permiserunt, ne labores et expensæ frustrarentur con-  
venientium; ita tamen quod id in consequentiam amplius non traheretur.

The Bishop of Worcester having Excommunicated the Kings Baylif, for seising into the Kings hands the Church of Fekenham, to which the King had presented his Clerke, though appropriated to the Abby of Lyra by former Charters, he upon sight of them revoked his presentation, and requested the Bishop to absolve his Baylif, and take off his Sequestration, commanding the Church to be restored to the Abbot and Monks of Lyra by this Writ.

**R**EX venerabili in Christo patri W. eadem gratia Wigornienfi Episcopo, salutem. *An. 19 H. 3.*  
Quia constat nobis per inspectionem cartæ H. Regis avi nostri, quam Abbas *in Turri Lon-*  
& Monachi de Lyra habent de jure Patronatus Ecclesie de Fekenham, & etiam ex *don.*  
tenore litterarum nostrarum quibus fidem, sicut debet, adhibemus, didicimus, quod  
prædicti Abbas & Monachi Ecclesiam illam a longo tempore excepta vicaria in usus  
proprios tenuerunt, Paternitati vestræ significamus, quod possessionem eorum, ex  
quo res ita se habet, impedire non curamus, unde licite potestis sequestrum factum  
de Ecclesia præfata occasione præsentationis nostræ nuper de Thoma de Nortleth  
Clerico ad Ecclesiam ipsam, præfatis Monachis relaxare, quod si placet sine impedi-  
mento, non obstant præsentacione nostra, facere velitis. Præcipimus enim Ballivo  
nostro de Fekenham (cui vestri gratia culpis suis exigentibus excommunicationis  
vinculo innodato, absolutionis beneficium ex interventu nostro impendistis) quod de  
terris & redditibus ad Ecclesiam ipsam pertinentibus quas occasione prædicta in  
manum nostram cepit, eisdem Abbati & Monachis plenam seisinam habere faciat,  
ad disponendum inde pro voluntate sua nunc sicut prius. Teste Rege apud Westm.  
3 die Maii.

The Bishop of Norwich complaining this year to the King, that some persons im-  
prisoned upon a Capias Excommunicatum were enlarged by the Sherif, before satis-  
faction given to the Church for their injuries and contempts, issued this Writ to the  
Sherif of Norfolk and Suffolk, to prohibit it for the future.

M

R E X



*An. 19 H. 3.* **R**EX Vicecomiti *Norff. & Suff.* salutem. Mandavit nobis venerabilis pater *Thomas Norwicensis* Episcopus, quod excommunicatos de Diocesi sua captos et detentos in prisona nostra per preceptum nostrum, facis a prisona deliberari, priusquam sancte Ecclesie, tam de injuria sibi illata, quam de contemptu satisfecerint. Et ideo tibi precipimus, quod de cetero illos qui excommunicati fuerint et capti, et in prisona nostra detenti, a prisona nostra non deliberes nisi prius sancte Ecclesie satisfecerint, sicut predictum est. Teste Rege apud *Westm.* 19 die *Novembris*.

Because many women being Nurfes and Servants to *Jews*, were thereby infected with *Judaism*, the King by his Ecclesiastical Prerogative commanded the Sheriff of *Norfolk* and *Suffolk* to publish this Proclamation to prohibit it for the future.

*Claus. 19 H. 3.* *m. 24. intus.* **M**andatum est Vicecomiti *Norff. & Suff.* quod in Civitate de *Normico* & in singulis bonis villis Comitatum suorum clamari faciat, quod nulla femina Christiana de cetero serviat *Judeis* ad alendos parvulos suos, vel in aliquo alio officio. Teste Rege apud *Westm.* 20 die *Novemb.* Per ipsum Regem.

The Archbishop of *Canterbury* claiming the Custody of the Temporalities of the Bishoprick of *Rocheſter* during the vacancy as Patron thereof, by \* King *John's* Charter, the King thereupon issued this Writ, with a saving of his own rights and others thereto.

*Claus. 19 H. 3.* *m. 27. intus.* **R**EX Vicecomiti *Canthariens.* Sciatis, quod concessimus venerabili patri *E. Canthariensi* Archiepiscopo, quod habeat seſſimam Episcopatus *Roffensis* vacantis, & omnium terrarum ad eundem Episcopatum pertinentium, salvo jure nostro et omnium aliorum, si qui in custodia predicti Episcopatus jus sibi vendicent. Et ideo tibi precipimus quod de predicto Episcopatu vel de aliquibus terris & possessionibus ad eundem Episcopatum pertinentibus in nullo te intromittas, & si quid inde cepisti vel amoveri fecisti, id eidem Archiepiscopo reddi facias. Teste Rege apud *Stratford.* primo die *Marci*.

Eodem modo mandatum est Vicecomiti *Norff. & Suff.*

The Bishops, Abbots and Priors who held of the King by *Knights service* in Capite, having granted an Ayd to the King this year, of their Lands so held, he commanded the Sheriffs to summon most other Abbots and Priors who held not of him in Capite to appear before him (to grant him an other kind of Ayd) by this Writ.

*Claus. 19 H. 3.* *m. 7. dorſo.* **M**andatum est Vicecomiti *Oxon.* quod omnes Abbates & Priores de comitatu tuo qui non tenent de Rege in capite, per servicium Militare, quoscunque sint ordinis præter ordinem *Cysterſienſem* & *Pramonſtraenſem*, venire faciat coram Rege apud *Wudeſtok* in crastino Sancte *Mariæ Magdalene*, anno, &c. ad loquendum cum Rege de negociis suis quæ eis habet exponenda. Teste Rege apud *Westm.* 16 die *Julii*.

Eodem modo scribitur Vic. <sup>*Hersf.*</sup> <sup>*Glouc.*</sup> <sup>*Wigorn.*</sup> apud *Glouc.* die Veneris prox. sequente, &c.

The King likewise this year in pursuance of his former promise and grant to the Clergy, commanded the Tithes of Mills and Hay to be paid out of all his Mills and Lands within the Honor of *Richmond*, then in his hand:

*Claus. 19 H. 3.* *m. 3. intus.* **R**EX Custodi Honoris *Richmund.* salutem. Sciatis, quod concessum est de consilio nostro, quod decimæ *Fœni* et *Polendinozum* dentur de dominicis nostris in regno nostro *Angliæ*. Et ideo tibi precipimus quod decimas *Fœni* et *Polendinozum* de dominicis *Honoris Richmund.* dari facias personis quibus debentur quandiu *Honor* ille fuerit in mana nostra. Teste Rege apud *Derl.* sexto die *Septembris*.

How carefull the King was for the advancement of Learning, Religion, and to preserve the Libers of the University and Scholars of *Oxford*, against the extortions and abuses of the Townsmen, and a composition formerly made for that purpose between them by his Order, which the Townsmen would not observe, will appear by this Record.

*Claus. 19 H. 3.* *m. 13. dorſo.* **H.** Dei gratia Rex *Angliæ*, &c. Majori & probis hominibus suis *Oxonie*, salutem. Quia sicut ad nos pervenit ex querela Universitatis *Scolarium* studentium, injuria vestra faciente, contentiones quedam de novo exortæ sunt inter vos et Universitatem prædictam super quibusdam articulis in Compositione quadam inter vos inita, quam eidem Universitati observare contradicistis, ut de Sacramento in

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in capite Anni præstando, de victualibus prædictis Scholaribus iusto ac rationabili pretio vendendis; vobis præcipimus firmiter injungentes, quod sicut indemnitate vestram diligitis, per vos ipsos dissensiones prædictas super singulis articulis in prædicta Compositione contentis, et maxime super præstatione supradicti Sacramenti, servare et pacificare studeatis. Ita quod non debeat ad nos clamor iteratus pervenire. Scituri, quod si ab aliquo in prædicta Compositione contento recesseritis, assignavimus discretum virum G. de Craucumb. per quem volumus Compositionem prædictam in omnibus suis articulis firmiter observari. Teste Rege apud Westm. 21 die Februarii.

The Townsmen of Oxford instead of observing their Articles, assaulting and wounding some of the Scholars the next year, the King thereupon issued these two Writs to preserve the Universities Privileges, and his own Jurisdiction over it.

**A**udita querela Universitatis Oxon. videlicet, quod quidam Clerici contra pacem Regis in villa prædicta graviter vulnerati sunt, ita quod de vita eorum adhuc desperatur, Rex ad villam prædictam misit Magistrum Simonem Normannum, & Johannem Gaband Mariscallum suum ad inquirendam veritatem super præmissis. Et mandatum est Majori & probis hominibus Oxon. quod eis intendentes sint in hijs quæ eis dicent ex parte Regis. Teste Rege apud Selveston, 6 die Februarii.

An. 20 & 21 Hen. 3.

Pat. 20 H. 3. m. 11. dorlo. Pro Universitati Oxon.

**R**EX venerabili in Christo patri R. Dei gratia Lincoln. Episcopo, salutem. Cum contentiones inter universitatem Cleri Oxon. ex parte una, & Communa villæ prædictæ motæ, specialiter nos tangunt, dilectum & fidelem nostrum Magistrum Willielmum de Kilkenny, quem una cum dilectis & fidelibus nostris W. de Kirkeham Decano S. Martini London. & Godefrido de Craucumb Senescallo nostro, in occursum vestrum duximus mittendum, ad dictas contentiones sedandas una vobiscum, quem procuratorem nostrum constituimus, ad appellandum pro nobis si necesse fuerit; ne per aliquam proceßum negotium præfatum contingentem in nostrum vel Regiæ dignitatis præjudicium aliquod attemptetur. Gratum & ratum habitori quicquid idem Magistro W. in hac parte mediante justitia duxerit agendum. In cujus rei, &c. Teste Rege apud Theok. 8. die Julii.

Pat. 20 H. 3. m. 5. intus. De Procuratore Oxon.

Tom. 2. p. 476. l. 8. after *Vicesimo*, adde; What Jurisdiction the Pope and his Delegates then exercised in England, in cases of Appeal against a sentence given in case of Divorce by our Bishops, this Record will evidence.

**R**EX Constabulario Castri de Kenebanton, salutem. Scias, quod Divortium celebratum per Episcopum Norwiche. & conjudices suos, inter Rogerum de Dauntes, & Matil. Comitissam Essex. uxorem suam, per R. Hereforden. Episcopum & conjudicem suum, auctoritate literarum Domini Papæ, est revocatum; & prædicta Comitissa ei, tanquam uxor sua legitima, adjudicata; sicut eidem Judices per literas suas patentes nobis significarunt. Et ideo tibi præcipimus, quod prædictum Castrum cum pertinentiis eidem Rogero liberes. In cujus, &c. Teste Rege apud Theok. 14 die Julii.

Pat. 20 H. 3. m. 9. intus.

Whereunto I shall adde this Bull of Pope Gregory to the Bishop of Norwich, to augment the maintenance of the Archdeacon of Norwich, whose ordinary Revenues were too small to maintain him, by addition of a competent Benefice to it, and this Bishops Charter made in pursuance thereof to the Archdeacon; which I found in the White Tower Chappel.

An. 21 H. 3.

**O**mibus sanctæ matris Ecclesiæ filiis ad quos præfens scriptum pervenerit, Th. Dei gratia Norwicensis Episcopus, salutem, &c. Noverit Universitas vestra, nos mandatum Domini Papæ in hæc verba suscepisse. Gregorius Episcopus. &c. venerabili fratri Episcopo Norwic. salutem & Apostolicam benedictionem. Dilectus filius Radulphus de Bluwick Archidiaconus Norfole. tue Diocesis nobis humiliter supplicavit, ut cum proventus Archidiaconatus sui adeo sunt tennes & exiles, quod ex ipsis non valeat per dimidium annum, nec alias habeat, unde possit congruè sustentari, & a te, qui ipsum (ut asserit) in Archidiaconum ordinasti, tantum suppleri in Ecclesiastico beneficio faceremus, quod ex hoc & præfatis proventibus congruæ sustentationis subsidium assequatur. Quocirca fraternitati tue per Apostolica scripta mandamus, quatinus eidem Archidiacono, ob reverentiam sedis Apostolicæ et nostram, suppleas quoddam de beneficio competenti; Mandatum nostrum valicè impleturus, quod idem affectum se gvideat quod intendis, & nos devotionem tuam merito possumus commendare. Datum Viterbii, 7. Kal. Febr. Pontificatus nostri anno nono. Nos igitur præfati

An. 21 H. 3. in Turri Lond.



K. Henry 3. *An Exact History of the Popes Intollerable Usurpations, B. 5. ch. 1.*

*An. 21 H. 3.* Archidiaconi nobilitate & genere, morum honestate, necnon & liberalitate & hospitalitate, quas exercet, regionis etiam consuetudine quæ majores requirit expensas, onere etiam dicto Archidiaconatu circa expensas annexo, maxime pro eo quod quasi nobile membrum et principale *Normicensis Ecclesie*, & tanquam unus de majoribus, inter omnes post Episcopum idem ratione Archidiaconatus censeatur, ac aliis ejusdem meritis, conditionibus, ac circumstantiis diligenter consideratis, ob reverentiam sedis Apostolicæ et ipsius mandatorum, præter proventus Archidiaconatus & alia quædam præoptenta Beneficia, auctoritate Apostolica decernimus eidem Archidiacono fore supplend. ut redditus Centum librarum sterlingorum sub communi æstimatione in Ecclesiasticis Beneficiis, etiam si curam animarum habeant annexam, in supplementum congruæ sustentationis recipere valeat, & ea cum præmissis licite retinere; Et ne præmissa in posterum revocentur in dubium, præsentem paginam patenter duximus consignandam. Actum anno ab Incarnatione Domini 1236. septimo decimo die mensis Junii. Pontificatus nostri anno decimo.

In the Plea-Rolls in the Tower (Term. Mich. An. 20 & 21 H. 3.) I meet with these Actions and Attachments for holding Plea in Court Christian of Debts and Chattels which concerned Testaments or Marriage, and likewise of Lay-fee against the Kings Prohibitions.

Plac. An. 20 &  
21 Hen. 3. in  
Turri Lond.

de Hulle optulit se quarto die versus Johannem Archiepiscopum Cantuar. Magistrum Lucam de Brie, & Magistrum Willielmum de Halyngberge, Alexandrum de — & Aliciam uxorem ejus, Johannam & Lorettam sorores ejusdem Alicie, de Placito, quare tenuerunt placitum in Curia Christianitatis de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio, &c. Et de placito quare prædicti Alexander, Alicia, Johanna, & Loretta secuti fuerunt idem Placitum in eadem Curia contra prohibitionem, &c. Et ipsi non venerunt. Et præceptum fuit Vicecom. quod Attach. eos, &c.

The like Suits for holding and prosecuting Suits in Court Christian against Prohibitions for the like Cause, I find in the same Plea-Rolls the same Term, brought and prosecuted by *Galfridus le Cave & Rogerus le Cave*, versus *Johannem Priorem de Carebrok*. By *Elson*. *Rogeri filii Stephani de Chalke* versus *Clementem de Tyculsde*.

*Wilces*. *Reginaldus Lawrence* obtulit se 4 die versus *Johannem Cavenard*, &c.

*Suffex*. *Magister Thomas de Burn & Ricardus Vicarius Ecclesie de Kyngeston* Attach. fuerunt, ad respondendum *Roberto Fagy* de placito, quare tenuerunt placitum in Curia Christianitatis de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio contra prohibitionem, &c.

Et unde idem *Robertus* queritur, quod cum prædicti *Thomas & Ricardus* tenuissent placitum in Curia Christianitatis, de eo quod idem *Robertus* diffamasse debuit quemdam — et ipse die, &c. in præsentia, &c. porrexisset eis Regiam prohibitionem, ne placitum illud tenerent: Ipsi spreta Regia prohibitionem, nihilominus placitum illud tenuerunt in Curia Christianitatis; et ipsum postea ab ingressu Ecclesie suspenderunt, et postea excommunicaverunt: in contemptum Domini Regis, &c. Unde dicit quod deterioratus est, et damnum habet ad valentiam decem librarum. Et inde producit scilicet, &c.

Et *Thomas & Ricardus* per Attornatum suum venerunt; Et dicunt, quod non debent ei ad hoc breve respondere, quia dicunt, quod cum prædictus *Robertus* per breve suum asserat ipsos tenuisse placitum in prædicta Curia Christianitatis de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio, &c. Et in narratione sua dicit ipsos tenuisse placitum de Diffamatione, &c. quæ mere spectat ad Curiam Christianitatis, &c. Et petunt judicium, &c. Et *Robertus* non potest hoc didicere. Ideo consideratum est quod *Robertus* nihil capiat per Breve suum, sed sit in misericordia pro falso clamore: Et prædicti *Thomas & Ricardus* inde sine die, &c. Condonatur per Justic. quia pauper, &c.

*Warwic*. *Robertus le Provost de Hunyngham* optulit se versus *Magistrum Hugonem Sancar*. &c. quare secutus est Plac. &c. de Catallis, &c. quæ non, &c.

\* Mat. Paril.  
Hist. Angl. p.  
420, 421. Mat.  
Westm. pag.  
143, 144.

Tom. 2. p. 486. l. 12. after *Templarius*, adde; \* *Mat. Paris* relates, That Anno Domini 1237. qui est annus Regis Henrici tertii 21. tenuit idem Rex Curiam suam ad Natale apud Wintoniam. Misit autem continuè per omnes fines Angliæ scripta Regalia, precipiens omnibus ad regnum Angliæ spectantibus, videlicet Archiepiscopis, Episcopis, Abbatibus, & Prioribus installatis, Comitibus & Baronibus, ut omnes sine omissione in Octavis Epiphaniæ Londoniis convenirent, Regia negotia tractaturi totum regnum

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contingentia. Quod audientes Magnates, Regis preceptis continuo paruerunt; credentes se vel Imperialia vel alia ardua negotia provisuros. Venis igitur die Sancti Hilarii Londonias infinita Nobilium multitudo, scilicet regni totalis universitas. Et cum voluntatem Regis audirent, in Regio Palatio Westmonasterii confederunt; surrexit in medio Willhelmus de Kze Clericus ac Domini Regis familiaris, vir quidem discretus & legum terrarum peritus, ut quasi mediator inter Regem & regni Magnates, Regium propositum & voluntatem in publicum propalaret. Ait igitur; Mandat vobis Dominus Rex, quod hactenus quicquid fecerit, ex hoc nunc & amodo, vestrum omnium, quasi fidelium & naturalium hominum, consiliis se subdet indubitanter. Veruntamen illi qua sua tractantes, sui thesauri custodes hactenus extiterunt, infideliter computum pecuniarum omnium reddiderunt receptarum. Nunc ideo Dominus Rex, pecunia penitus destitutus, sine qua quislibet Rex extat desolatus, auxilium a vobis simpliciter postulat pecuniarum. Ita videlicet, ut illa pecunia ad beneplacitum vestrum collecta, secundum dispositionem aliquorum vestrum ad hoc electorum, in usus regni necessarios reservetur expendenda. Quod verbum cum omnes & singuli, nil tale expectantes, graviter acceperunt murmurantes, Alter in alterius iactantes lumina vultus, dixerunt ad invicem: Fuderunt partum montes, en ridiculus iocus! Et indignantes responderunt; se undique & sepe nunc vicesima, nunc tricesima, nunc quinquagesima gravari promittendo & persolvendo; asserentes, indignum nimis fore et injuriosum, permittere Regem tam leviter seducibilem, qui nunquam unum ex inimicis regni, etiam minimum, repulit, vel exterruit, nec fines regni unquam ampliavit, sed arcebat, et alienis subjugavit; ut a naturalibus hominibus suis, quasi a servis ultimae conditionis, in detrimentum eorum, et alienorum subamen, tantam pecuniam, tot, toties, extorqueere argumentis: Quod cum Rex audisset, cupiens murmur hoc sedare generale, pollicebatur sub iuramentando, se nunquam amplius Nobiles regni injuriando lacerare, vel molestare; dummodo sibi ad praesens tricesima pars nobilium Anglia benigne concessa solveretur; quia paulo ante multa pecunia, quam Imperatori miserat, suum thesaurum in magna parte (ut asseruit) pro matrimonio sororis suae, & iterum in proprio, mutilaverat. Ad quod non tacite responsum fuit, quod haec omnia sine consilio fidelium suorum fecerat, nec debuerant esse poenae participes, qui fuerant a culpa immunes. Seceperunt tandem in locum secretum secretiorum, ut Regis exactioni contemperantes, & exigentia satisfacientes, inirent consilium de modo & quantitate iuvaminis, quod exigebatur, contemnendo. Secedentibus igitur illis seorsum, Gilebertus Basset Regi in communi dixit audientia, minus quam deceret in verbo circumspiciens: Domine mi Rex, mittatis aliquem de vestris, qui interfuit illorum, scilicet Baronum vestrorum, colloquio; sedebat enim ille, dum haec diceret, Regi paucis intermediis collateralibus. Ad quod ex alia parte respondit Richardus de Percy, qui in colloquio Magnatum extiterat, non sine causa stomachatus; Quid est, amice Gileberte, quod dixisti? nunquid & nos alieni, & non de Regis amicis sumus? Et reprehensus est Gilebertus in verbo illepido & repentino. Et sic deceptionibus multiplicatis, protrahunt colloquium in moram quadriduanam.

Rex vero admodum perturbatus, suorum cupiens Baronum sibi gratiam conciliare, se ex tunc deinceps, quicquid factum fuerat antea, dedit se consilio fidelium ac naturalium hominum suorum. Praeterea, de hoc quod dicebatur, quod conabatur ea quae concesserat, et Chartas confirmaverat, per authenticum summi Pontificis infirmare: dicebat Rex, hoc falsum esse. Et si tale quid forte fuerat suggestum ei, in irritum affirmavit, seque talia penitus revocare. Praeterea, sereno vultu, et spontanea promissit voluntate, libertates Magnae Chartae suis fidelibus regni sui, ex tunc inviolabiliter observare. Et quia videbatur non penitus immunis a sententia, quam tulerat Archiepiscopus Stephanus cum omnibus Episcopis Angliae, in omnes violatores praedictae Chartae, quam malo consilio fretus in parte laxerat, fecit in publico innovare sententiam preparatam, in omnes eiusdem Chartae contraditores aut violatores. Sic, ut si ille per aliquem conceptum rancorem forte eam non observaret, in latam sententiam gravius recideret. (Thus did the King voluntarily subject himself to the Excommunication and Censure of his Bishops, as well as his other Subjects, to procure their favours and a supply of his pressing publick necessities.) Unde factum est, ut omnium corda hac audientium, ubi mirabiliter in verbo illo conciliavit. Et deliberatum est, quod videretur durum, subito consilium quod in praesentiarum habuit, ab eo quasi reprobum sequestrare, appositione aliquorum Magnatum additorum illud roborant, adjuvantes ei Comitem Warenne, Willielmum de Ferrariis,

An. 21 H. 3.

Nota.

\* As K. John his Father did, Tom. 2. p. 240, to 244.



An. 21 H. 3. rariis, & Johannem filium Galfridi. Et fecit eos Rex jurare quod nullo modo muneribus, vel aliquo alio modo a via veritatis deviant, quin darent ipsi Regi sanum et salubre regno consilium, sicut antea fecerat Rex apud Windleshores. Concessa est igitur benigne tali conditione Regi ea vice tricesima regni pars, omnium scilicet mobilium, ad thesaurum suum restituerandum; salvis tamen unicuique auro suo & argento, equis & armis, in Reipublica militatam expendendis. Quae pars tricesima, sub hac forma per quemlibet Comitatum diligenter colligitur. Eligendi sunt quatuor fide digni Milites, cum Clerico, quem Rex illis addet in unoquoque Comitatu, & jurati de fidelitate una cum Clerico Regis, pecuniam colligent; & collecta reponetur in Abbacia, sacra Aede, vel Castro: Illi si forte velit Rex a proposito (quod tamen absit) resilire, & reddatur unicuique quod suum est, fideliter distributum. Consentientibus igitur primum Archiepiscopo Cantuariensi cum suis Episcopis et Clero, sub hac conditione concessa est Regi tricesima mobilium regni ab omni Prelato, secundum tenementum Baronum suorum, et Milite, per totum regnum generaliter colligendum. Sæpe tamen annexum fuit in conditione, quod ex tunc et deinceps consilio alienigenarum, (especially of Othobon, and other the Popes Legates, who most swayed, infatuated him, and pillaged his Subjects) qui semper fuit, non regni amici esse consueverunt, et regni bona distrabere, non adunare, et omnium innaturalium derelicto, suorum fidelium et naturalium hominum consiliis adhaerebat. Et sic soluto Concilio, non sine interiori murmuratione & multa concepta indignatione, eo quod cum difficultate tanta Regis animum ad salubre consilium contorquerent, & consiliis eorum, a quibus omnem honorem terrenum habet, obscurarent, ad propria quisque remeavit.

The King in pursuance of his promise to the Bishops and Nobles in this Parliament, for the salvation of his soul, and exaltation of the Church, &c. re-confirmed the Great Charter of Liberties, and of the Forest, being now of full age, notwithstanding they were made during his minority, by this Charter enrolled in his Charter-Roll of that year (in the Tower of London) not formerly published to my knowledge.

Cart. An. 21  
H. 3. m. 7. n. 4.  
Carta de Libertatibus.

\* An. 1 & 9  
Hen. 3.

R EX omnibus Christi fidelibus presentem Cartam inspecturis, salutem. Sciatis, quod intuitu Dei, et pro salute animarum nostrarum, & animarum antecessorum & heredum nostrorum, et ad exaltationem sanctæ Ecclesiæ, et emendationem regni nostri, concessimus & hac Carta nostra confirmavimus Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Militibus, liberis hominibus, & omnibus de regno nostro Angliæ, omnes libertates et liberas consuetudines contentas in Cartis nostris quas eisdem fidelibus nostris fieri fecimus, cum minoris essemus ætatis, scilicet tam in Magna Carta nostra, quam in Carta nostra de Foresta. Et volumus & præcipimus pro nobis & heredibus nostris, quod præfati fideles nostri & successores & heredes eorum, habeant & teneant in perpetuum omnes libertates, & liberas consuetudines prædictas, non obstante eo quod prædictæ Cartæ confectæ fuerunt cum minoris essemus ætatis. Hiis testibus, venerabilibus patribus E. Cantuariensi Archiepiscopo, P. Wintoniensi, J. Bathoniensi, R. Dunelmensi, W. Carleolensi, W. Exoniensi, R. Saresburiensi, H. Elyensi, R. Lincolniensi, R. Herefordensi, A. Coventrensi & Lichfeldensi Episcopis, W. Valencia, W. Wigorniensis Electis. R. Comite Cornubiæ & Pictaviæ, Johanne Comite Cestrie & Huntingdoniæ, G. Marescallo Comite Pembroke, J. Comite Lincolnæ, & Constabulario Cestrie, W. Comite de Ferrariis, W. Comite Warennæ, H. Comite Kancii, H. Comite Essexiæ & Herefordiæ, Simone de Montiforti, Willielmo Lungespe, Willielmo de Ferrariis, Willielmo de Vescy, Ricardo de Percy, Ricardo de Munficheth, Willielmo de Ros, Johanne Biset, Gileberto de Ilmsframvill, Willielmo de Lancastria, Willielmo de Cantilupo, Waltero de Clifford, Johanne de Moremæ, Radulpho de Mortuo mari, Willielmo Manduit, Rogero la Zuche, Olivero de Vallibus, Gileberto Basset, & aliis. Dat. per manum venerabilis patris R. Cicerstrensis Episcopi Cancellarii nostri apud Westm. 28 die Januarii, anno regni nostri 21.

Consimilem Cartam habent Archiepiscopi, Episcopi, Abbates, Priores, Comites, Barones, & omnes alii de Comitatu Suthanton.

The Church of St. Petroch in Ladesford wanting maintenance for a Chaplain to officiate therein, the King out of his Piety and Ecclesiastical Sovereignty, granted the Tithes of the Herbage of Dartmouth to it, to maintain a Chaplain therein, by this Patent.

R E X

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**R**EX dedit & concessit Deo & Ecclesie Sancti Petrochi de Ladeford, & Capellano ministranti in eadem Ecclesia, ad sustentationem suam quicumque pro tempore ibidem Capellanus fuerit, decimam Herbagni de Dertemore. In cujus rei, &c. Teste Rege apud Wudestok, 12 die Julii.

An. 21 H. 3.

Pat. 21 H. 3.

m. 6 intus.

Pro Ecclesia

S. Petrochi.

Et mandatum est Hereberto filio Matthei, quod personæ ejusdem Ecclesie decimas prædictas habere faciat. Teste ut supra.

Pope Gregory the 9<sup>th</sup>. (Anno 21 H. 3.) sent this Bull (the original of which is extant in the *White Tower*) to the King, to desire his Royal protection for some Freers-mendicants of a foreign Hospital, to grant them a convenient House, and liberty to collect the Almes of charitable persons throughout his Realm, for relief of the poor; who afterwards drew it into custome in succeeding times.

**G**REGORIUS Episcopus servus servorum Dei, charissimo in Christo filio Illustri Regi Angliæ, salutem & Apostolicam benedictionem. Quanto magis majus est Christi pauperibus gaudium cum eis gratia hospitalitatis impenditur, & suis necessitatibus misericorditer subvenitur, tanto id facienti salubrius, & omnium bonorum retributorum acceptius pro certo esse credimus, & speramus. Nos igitur ad hujus pietatis opera tuam salutem optantes, Celsitudinem Regiam fiducialiter invitamus, monentes, & obsecrantes in Domino Iesu Christo, quatinus dilectos tuos, fratres Hospitalis de *Alto passu*, qui ad sustentationem pauperum totaliter se effundunt, doctrina Dominica eruditi, habens divinæ retributionis intuitu pro nostra & Apostolicæ sedis reverentia commendatos, eis per totam terram tuam provideas in sicuro conductu, ipsique domum aliquam quæ hospitalitati conveniat ac opus hospitalis ipsius liberali pietate concedas, ut per hoc sanctorum orationum quæ in Hospitali prædicto ad Dominum jugiter offeruntur, particeps effici valeas, et locus tibi inter sanctorum agmina præparatur æternus. Dat. Interimni 12 Kal. Decembris, Pontificatus nostri anno decimo.

Anno 21 H. 3.

in Turri Lon-

don.

The Abbot of *S. Saviours of Blavia in Gascoigne*, as the Popes Delegate, having denounced a sentence of Excommunication and Interdict against the Earl of *Tholouse* and *William A. de Tantal*, the Kings Subject, on behalf of the Prior of *Manfo*, whom they banished and deprived of his Lands and Goods, for opposing and acting against them by the Popes command, and refusing to make restitution of them to the Prior according to his sentence; he thereupon revived and aggravated his sentence of Excommunication against them, and all places, persons that should harbour, or any wayes converse with, or assist them. Which they notwithstanding contemning, the Abbot thereupon certifying the King of this their contempt, desired and required him to compel *William A. de Tantal*, being his Subject, to obey his sentence, in making restitution to the Prior according to the sentence, or else to enforce him thereto by his secular power, by seising his Castles and Lands, or by any other means, till he performed his sentence; threatening to denounce a sentence of Interdict against all the Kings Lands and Subjects in *Gascoigne*, in case he neglected to do it: Whereupon the King issued forth this Writ to his Seneschal of *Gascoigne*, to seise his Lands and Goods, if he made not restitution to the Prior within 40 dayes after admonition to do it; as this memorable Record (discovering the insolency, tyranny of Popes Legates and Delegates over Kings, Earls persons, Lands and Subjects) informs us.

**R**EX Senescallo suo *Wasconiae*, salutem. Litteras dilecti nobis in Christo Abbatis Sancti Salvatoris de *Blavia* recepimus in hac forma: Illustrissimo Domino H. Deigratia Anglorum Regi, P. divina miseratione Abbas Sancti Salvatoris de *Blavia*, salutem, et Apostolicis obedire mandatis. Cum auctoritate sedis Apostolicæ qua fungimur in hac parte, sententias latas pro venerabili viro R. D. Priore de *Manfo* ac Decano Burdegalsensi contra Comitum Tolosanum, & Willielmo A. de *Tantalo* hominem vestrum, & Senescallum ipsius Comitum, contra restitutionem ipsius *Villæ* de *Manfo*, Justiciario Seculari, & aliis ad plenum dominium ejusdem *Villæ* spectantibus, cum fructibus ex præmissis medio tempore perceptis, & dampnis, & expensis, et excommunicationes in personam Comitum memoratorum, et Willielmi A. de *Tantalo* Senescalli ejusdem Comitum, et Interdicti sententiam in totam terram ipsius Comitum, et etiam in quemlibet alium locum ad quemcumque ipsum Comitum contingeret devenire quandiu ibidem existeret præses, eidem confirmavimus Justicia mediante, et ipse Comes et prædictus W. A. ab errore suo et contumacia minime resisterent. Nos tamen

Pat. 21 H. 3.

part. 1. m. 3.

dorso.



An. 21 & 22  
Henr. 3.

\* *Nota.*

\* *Nota.*

\* Their great  
excommunication  
is but contempt-  
ible without  
Kings tempo-  
ral power to  
back them.

tamen prout infra nobis auctoritate Apostolica officio debeamus, manum nostram contra ipsos durimus aggravandam, ipsi iterato excommunicantes, et omnes eisdem scienter participantes comedendo, bibendo, salutando (emendo) vel modo aliquo contrahendo, eisdem facto vel verbo consilium vel auxilium impendendo eodem excommunicationis vinculo innodantes, et omnes illos qui eisdem \* Juramento ascripti tenebantur ab ipso Juramento, auctoritate Apostolica absolventes, quandiu in sua pertinacia remanerent. Verum cum nos ulterius per nos facere non possumus et ipsi gladium Ecclesie quo utimur, more suo solito vilipendant, et predictas sententias publicari fecerimus per Narbonensem, Arelatensem, Aquesensem, et Burdegalensem Provincias, et etiam in Capella Domini Regis Francie fecerimus publicari, et adhuc facimus singulis Dominicis et diebus festis, pullatis campanis, et incensis candelis, et ipsi \* adhuc ut prius, et etiam durius in rebellionem suam perseverent et nequitia; et prefatum Priorum de Manso, qui tempore guerra pro negotio pacis et fidei viriliter et potenter (non sine rerum et personarum dispendio) pro se et suis contra ipsum Comitem et pacis et fidei inimicos, noscitur laborasse, per prefatos Comitem et Willielmum A. modo extra nationem suam propriam bonis omnibus Ecclesiasticis, et mundanis spoliatus, compellitur exulare; praesertim cum ipse Comes talia faciendo, contra proprium veniat Juramentum, et ipsum in poenam appositam in forma pacis inter Ecclesiam ex una parte et ipsum ex altera, non sit dubium incidisse. Nos tamen oportet \* ad aliud auxilium convolare. Quocirca Serenitatem vestram, tanquam Dominum Ecclesie, monemus et exhortamur in Domino, vobis auctoritate qua fungimur Apostolica in hac parte, salva Regali magnificentia, nichilominus injungentes, quatinus dictum Willielmum A. de Tantalio spoliatozem et persecutozem Ecclesie Dei, et ipsius Prioris, tanquam hominem vestrum seculari brachio per occupationem terrarum quam habet sub Dominio vestro, et bonorum ipsius et aliorum modis quibuscunque poteritis, seculari brachio compellatis, ut sepedicto Priori de Manso et Ecclesie suae super praemissis plenarie satisfaciatur. Alioquin, licet Regali Celsitudini vestre deferre velimus et etiam debeamus, dicto tamen Priori deicere non possumus, quin in terram vestram et contra vestros procedemus censuram Ecclesiasticam exercendo. Datum in Crastino S. Johannis Baptiste, anno gratie M. CC. XXXVII. Quocirca vobis mandamus in fide qua nobis tenemini districte precipientes, quatinus visis his litteris Willielmum A. de Tantalio sub testimonio bonorum virorum moncatis, quod memorato Priori de Manso & Ecclesie sua debita celeritate satisfaciatur de praemissis. Quod si praedictus Willielmus infra 40 dies post ammonicionem factam hoc minime fecerit, & de hoc vobis legitime constare possit, ipsum Willielmum per fortalicium suum de Tantalio, et omnes alias terras et tenementa sua quae sub dominio vestro, sine mora dispendio compellatis, Ita quod eidem Priori de Manso & Ecclesie sua plenarie satisfaciatur de praemissis. Mandatum nostrum in praemissis ea affectione erequentes quod diligentiam vestram debeamus habere commendatam, et quod idem Prior ad nos pro defectu vestro redire minime compellatur. Teste meipso apud Nottingham 9 die Septembris.

Tom. 2. p. 489. l. 44. after *utilitatem*, adde: The occasion of the Kings sending to the Pope for this Legate Orhobon, and his proceedings in this Council, are thus briefly related by \* *Mat. Westminster*. Ipsi quoque temporibus, praenituit Regem tot & tantos honores fratri suo Richardo, necnon & Gilberto Marescallo, & quibusdam aliis, qui sibi videbantur ingrati, contulisse. Misit igitur Romam nuncios secretos et familiares ad Papam, rogans attentius, ut per Legatum in ipsum Angliae regnum, (quod sibi specialiter spectare videbatur) quem dignaretur sine dilatione destinare, statum regni periclitantem procuraret reformare. Magister igitur Orhobon, Sancti Nicolai in Carcere Tulliano Diaconus Cardinalis, venit Legatus in Angliam, circa festum beatae Mariae Magdalenae (Anno 1237.) qui postea in Octavis beati Martini solenne celebravit Concilium London. in Ecclesia Sancti Pauli, quod per tres dies continuos perduravit. Convocatis omnibus Prelatis Angliae & Walliae, Dominis Cant. & Ebor. Archiepiscopis, de prima et proxima sessione a dextris ipsius Legati altercantibus, in dicto Concilio, multa ad reformationem status Anglicanae Ecclesiae fuerunt agitata, et quaedam vetera innovata. Et ne videretur nihil fecisse, aut pro nulla Ecclesiae reformatione in Angliam venisse, fuit sub formidabili poena, ut Ecclesiae non dedicate dedicarentur.

An. 22 H. 3.

Tom. 2. p. 504. l. 48. after *Innovations*, adde; Pope Gregory the 9<sup>th</sup>. (Anno 22 H. 3. sent an insolent Bull to King Henry, whereby he commanded him to revoke all

\* Ann. 1137.  
p. 146. Flores  
Hist. p. 146.  
See Henr. de  
Knyghton de  
Event. Angl.  
l. 3. c. 16. col.  
2433.

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all Alienations made by him to the prejudice of his Crown, and the See of Rome, *An. 22 H. 3.* non obstante juramento; which \* Bull as I found in the *White Tower* and rescued from oblivion, so I likewise there found this parchment Note of three more Bulls \* See *Tom. 1.* to the same effect soon after, (transcribed upon some special occasion) though not the Bulls themselves.

Transcriptum Bullæ Gregorii Papæ, per quem ortatur Regem Angliæ, ad revocandam alienata in præjudicium Cozonæ, non obstante juramento; cum Decreto, quod Rex non tenetur ad ejus observationem.

Transcriptum Bullæ Gregoriæ Papæ, quod revocet alienata, &c. non obstantibus juramentum et instrumenta, &c.

Transcriptum Bullæ Gregorii Papæ, per quem mandat Prælati et Nobilibus, quod inducerent Regem ad revocandum alienata, &c. et quod pareant O. (Ottoni) Cardinali, quem Papa misit ad Regem ad injungendum ei, quod non obstante, &c. sua revocet alienata.

To which Note there is this memorable Cedula affixed, which I conjecture to be a Decree of this insolent Pope, vacating an Act made by the King, Prelates and Nobles in Parliament but the \* year before, against the Aliens governing or residing \* See p. 93. 94. in the Realm.

Castamus illud statutum factum, quod regnum Angliæ de cetero per indigenas gubernetur, necnon errent alienigenæ non reverfuri, exceptis illis quorum moram fideles regni communiter acceptarent. Ordinantes per dominium nostrum, quod liceat alienigenis morari in dicto regno secure. Et quod Rex possit alienigenas et indigenas vocare secure ad consilium suum, quos sibi viderit utiles et fideles, sicut facere potuit ante tempus prædictum: That so his Legate *Otho* might thereby rule both the King and Kingdom at his pleasure, as he did to their grand prejudice and oppression. On the Dorfe whereof is written with the same hand, *Non ostendatur alienigenis nec indigenis nisi Magistris Ricardo de Chaddewell, & Henrico de Cantuaria*, the Popes and his Legates Privy-Counsellors.

\* *Mat. Paris*, and † *Mat. Westminster* relate this memorable Story of Pope Gregory's grand indignation against King Henry the 3<sup>d</sup>. and the English for lending aid to the Emperour Frederick his Brother-in-law, against his Italian Rebels, and writing an Epistle to this Pope, to deal more mildly with him: *Eodem anno* (1238, *p. 148.* *An. 22 Hen. 3.*)

statim post Pascha, misit Dominus Rex Angliæ militare præsidium ad Dominum Imperatorem subandum contra Rebelles suos in partes Italiæ sub ducatu Henrici de Trubleville, viri in re militari peritissimi, & Gulielmi Elelli Valentini, cum quo etiam misit J. Mansel, & Willielmum Hardel Clericum & Civem Londinensem, cum pecunia stipendiarius distribuenda. Et strenuè per totam astatem exercitus Regis Imperatori militavit, & quorundam Civitatum Cives, volentes obviare, vicerunt, & Imperio reddiderunt non sine magno damno Longobardorum, Imperio Rebellium; ubi strenuè dictus J. Mansel gessit, a Rege stipendiatus. Quod Papa nimis moleste tulit, unde maximam contra Anglos accepit indignationem. Et circa idem tempus direxit \* Rex elegantem Epistolam Papæ, petens, ut mitius ageret cum Domino Imperatore (whom he Excommunicated, absolving all his Subjects from their Allegiance and obedience to him, and stirring them up to rebell against him to depose him: ) quod gravius accepit Papa, secus respondens quam deceret, et commotus est in tantam iram, ut per aliquod tempus omnia negotia, præcipue Anglicorum suspenderentur. To such an height of Antichristian insolency was this arrogant usurping Pope grown, that King Henry must neither assist his Brother-in-law and Ally against his rebellious trayterous Subjects with his Forces or Purse, nor presume to write to this Pope to deal more Christianly and mildly with him, without incurring his high indignation, and suspending all English-men's Suites and Affairs in the Court of Rome: Yet notwithstanding his indignation for a season; circa idem tempus Domino Imperatore circa Mediolanum obsidionem continuante, omnes fere mundi Principes, exemplum a Rege Angliæ accipientes, ei præsidium militare destinarunt; being all their Cases and concernment to ayde each other against their rebellious Subjects, though fomented, excited, protected by Popes themselves in their Rebellions.

The same year a wicked false Clerk of Oxford (as Fabian informs us) endeavouring to murder the King, was condemned, executed as a Traytor, and his Quarters sent to, and hung up in several parts of the Realm by the Kings command



An. 22 H. 3. for his Treason, notwithstanding his sacred Orders, as *Mat. Paris*, *Mat. Westm.* and others thus register to posterity, for the terror of all other Traytors.

\* *Mat. Paris*.

P. 458. 459.

*Mat. Westm.*

P. 149. Quidam

facinorolus co-

natur Regem

in Thalamo

jugulare.

Polychroni-

con. l. 17. c. 35.

H. de Knygh-

ton, de Event.

Angl. l. 2. c. 16.

col. 2431.

Fabians Chro-

nicle, part 7.

P. 57.

\* Eodem anno accidit Regi periculum omnes audientes reddens nimis attonitos; in crastino enim Nativitatis *Mariae*, (circa festum Sancti *Matthaei*, quidam facinorosus Pseudoclericus, (as *Mat. Westm.*, *Ranulphus Cestrensis*, *Henry de Knyghton* and others style him;) though *Mat. Paris* for the Clergies honour terms him, *Ar-*

miger quidam literatus (ut dicitur) venit ad Curiam Regis apud *Wodestok*, infatuatum se simulans, donec secreta diverticulorum explorasset in Curia Regis, dicens Regi, Designa mihi Regnum quod injuste usurpavi. Addidit quoque, quod

signum Regale gestabat in humero; Quem cum ministri Regales arripissent, volentes eum baculatum à praesentia Regis propellere, Rex irruentium in eum impetum compescuit: dicens, *Sinite infatuatum, ut talem decet, desipere; verba enim talium*

*carent pondere veritatis.* \* Media autem nocte, ecce ille idem per fenestram Regis thalami introgressus, cultellum portans extractum, lectum Regis adiit furibundus; quem cum non invenisset, confusus est, Regis & Regina in alia camera, divina eos

protegente clementia, eadem nocte decubantibus. Festinus igitur quæsit cum per plura thalami diverticula. Erat autem tunc temporis, Domino providente, Rex quiescens cum Regina. Quædam autem puella Reginae, cum forte vigilaret

*Psalterium psallebat ad candelam*, erat enim sancta & Deo devota, nomine *Margareta Briseth*. Illa cum videret prædictum furibundum, omnia abdita ut Regem jugularer, perferutari, & voce terribili, ubi Rex esset, percunctari, attonita nimis coepit clamare. Ad cuius clamorem terribilem ministri Regales expergesfacti festinanter

profluunt occurrentes, & ostium, quod ipse latro repagulo firmiter obseverat, confringunt, & ipsum repugnantem arripiunt, vinculis astringunt arctius angustis. Qui tandem ore polluto confessus est, se missum illuc, ut Regem mox assassina-

rum occideret, a *Willielmo de Marisco*, filio *Galfridi de Marisco*, alios quoque in idem facinus asseruit conspirasse. Quo cognito, Rex eum, quasi Regis Majestatis occi-

sozem, membratum laniatum apud *Covenre*, post modicum temporis intervallum, exemplum terribile, et spectaculum lamentabile præbere iussit omnibus audientibus

alia machinari. Primo enim equis distractus, postea decollatus, et corpus in tres partes divisum est. \* Quilibet enim pars per suam de majoribus Angliæ Civitatem

pertracta est, et postea Cruci appensa latronali; notwithstanding his Clerkship.

In the *Placita Assisarum* (in the *Tower*) before the Justices itinerant, de *Termino*

*S. Hill*. anno 22 H. 3. I find these following Suits and Attachments against several Persons for prosecuting and holding Suits in Ecclesiastical Courts against the Kings

Prohibitions, for Goods and Chattels whereof they had no legal Consuance.

*Rot. 4. Cumberland. ff.* Radulphus de Liminton Attach. fuit ad respond. *Thomæ de Mulclere* et *Willielmo de Ireby* de *Plac.* quare secutus est *plac.* in Curia

Christianitatis, de catallis ipsorum quæ non sunt, &c. Venit coram Justic. & per licentiam invenit plegios, quod amodo non sequet aliquod placit. in Curia Christianitatis

quod tangat Coronam Domini Regis.

*Rot. 8. Bedf. ff.* Willielmus filius *Henr. Esson*, *Gerardi de Furnival*, &c. optulit se 4 die vers. Priorem de *Bitmede*, de *Plac.* quare secutus est placitum in Curia

Christianitatis de catallis, &c. quæ non sunt de Testamento vel Patrimonio, &c. et fuit attachiatus, &c.

*Rot. 9. Essex.* Rogerus *London*. Episcopus Attachiatus fuit ad respondend. *Godefrido* de *Shepeland* de *Plac.* quare tenet placitum in Curia Christianitatis

de catallis quæ non sunt, &c. et contra Prohibitionem, &c. Et unde idem *Godefridus* queritur, quod idem Episcopus trahit eum in *plac.* Curie Christianitatis, & petit

ab eo catalla ad valenc. xj. s. occasione cuiusdam divorcii celebrati inter ipsum & quandam mulierem quam ipse desponsaverat; & imponit ei, quod catalla ea fuerunt ejusdem

mulieris, unde deterioratus est, & damnum habet. Et Episcopus venit, et quia manifestum est, quod catalla illa sunt de Patrimonio sicut idem cognoscit, consideratum est,

quod Episcopus eat sine die, et procedat in causa si voluerit; Et *Godefridus* in misericordia. Pauper est. Et dictum est Episcopo, quod rationabilem faciat taxationem

de prædictis catallis inter ipsum *Galfridum* et prædictam mulierem, &c. ne ipse penitus amittat catalla illa, eo quod videtur (to the Judges) quod non debent omnino cedere in usus ipsius mulieris. In which Case the Kings Justices directed the Bishop how to proceed according to Equity, Law and Justice, even in the case of these Goods, whereof they granted he had Jurisdiction to hold Plea.

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In the same *Placita*, Rot. 6. Leycest. Willielmus de Skilinton *optulit se*, &c. *An. 2; H. 3.*  
*versus* Johannem Archidiacon. Leycestr. &c. quare tenuit placitum in Curia  
 Christianitatis de debitis quæ non sunt, &c. et contra Prohibitionem, &c. &  
*versus* Herbertum fil. Murrel. quare secutus est idem placitum, &c. et omnes in misc-  
 ricordia, &c. for this offence.

In *Placitis apud Sanctam Brigidam London. de Termino S. Trinitatis, anno Regis*  
 Henrici filii Regis Johannis 23. in Turre London. I met with these several Suites  
 for holding and prosecuting Suites in Court Christian for *Lay-fees*, and for Chattels  
 and Debts which concerned not Testaments or Matrimony, against the Kings Pro-  
 hibitions.

Johannes de Brok per *Attornatum suum optulit se 4. die versus Thomam Archid.* Rot. 5. dorso.  
 Toton. & Magistrum Regin. *Officialem ejus, de placito*, quare tenuerunt placitum Devon.  
 in Curia Christianitatis de laico feodo ipsius Johannis in Radeclive, &c. contra  
 prohibitionem, &c. & *versus* Henr. de Hyll *de placito*, quare secutus est idem  
 placitum in Curia, &c. contra, &c. Et ipsi non venerunt, &c. Et Vic. mandavit quod  
 Clerici sunt, & non habent laicum feodum per quod possint distringi, &c. Et ideo man-  
 datum Episcopo Exon. quod faciat eos venire a die Sancti Michaelis in 15 dies, &c.

Magister Radulphus de Maidenstan Attach. fuit ad respondendum Thomæ Dur- Rot. 8. Essex.  
 dun, de placito, quare secutus est placitum in Curia Christianitatis de laico feodo  
 ipsius Thomæ in Wyham, contra prohibitionem, &c. Et unde idem Thomas queritur,  
 quod ipse trahit ipsum in placitum de quodam Chimino in Wyham; & unde deterio-  
 rans est, et dampnum habet ad valenciam centum solid. Et inde producit *scellam*, &c.

Et Magister Radulphus venit & defendit contra ipsum & *scellam* suam, quod nun-  
 quam post Prohibitionem implacitabit eum, &c. de aliquo laico feodo, nec ante Pro-  
 hibitionem; set cognovit quod convenit eum super violenta manuum iniectione: Et  
 ideo consideratum est, quod vad. legem se 12 manu; & veniat cum lege a die Sancti  
 Michaelis in tres septiman. Pleg. de lege Philippus de Wendover & Martheus de  
 Hanckelston.

Thomas filius Walteri & Ifolda uxor ejus Attach. fuerunt ad respondendum Ri- Rot. 10. dorso.  
 cardo Mascelin et Matil. uxor ejus de placito, quare secuti sunt placitum in Curia Luk.  
 Christianitatis de laico feodo ipsorum Ricardi, et Matildi, in Stanistratford, contra  
 Prohibitionem, &c. Et unde idem Ric. et Matil. queruntur, quod cum ipsi tulissent  
 Regiam prohibitionem quod non sequerentur placitum illud, scilicet, die Sancti  
 Gregorii prox. praterito. Idem Thomas et Ifolda, spreta Prohibitione, nichilominus  
 secuti sunt placitum illud, &c. unde deteriorati sunt et dampnum habent ad valen-  
 ciam 40 sol. Et inde producant, &c. Queruntur etiam, quod fecerunt eos innodari  
 vinculo Excommunicationis, &c.

Et Thomas et Ifolda venerunt et defendunt, quod nunquam ante nec post secuti sunt  
 placitum illud contra ipsos, &c. nec ammodo sequuntur. Et inde invenerunt Plegios  
 Laur. del Brok. et Michaelem de Lerm. Et dictum est eis quod faciant eos absolvi, &c.

Robertus le Fauconer et Willielmus de Winestansanne opt. se 4. die versus SIMO- Rot. 15. dorso.  
 nem de Cormeges de placito, quare secutus est placitum in Curia Christianitatis de Suffex,  
 laico feodo ipsorum Roberti et Willielmi in Henr. contra prohibitionem, &c. Et  
 Simon non venit. Et preceptum fuit Vic. quod Attach. eum. Et Vic. mandavit quod  
 Clericus est, et non habet laicum feodum per quod, &c. Et ideo mandatum est Archi-  
 episcopo Cantuar. quod faciat eum venire in crastino Sancti Martini, &c.

Samuel de Melles Attach. fuit ad respondendum Ernif. de Dunheved de placito, Sumerf.  
 quare secutus est placitum in Curia Christianitatis de laico feodo ipsius Ernif. in  
 Dunheved, contra Prohibitionem, &c. Et unde idem Ernif. queritur, quod homines  
 falcabant *Jannum* in quadam Bruera quam habet in Dunheved, Samuel venit, et  
 propter hoc Excommunicabit homines suos, et trahit eos in placitum in Curia  
 Christianitatis. Et unde deterioratus est ad valenciam, &c.

Et Samuel venit et defendit, quod nunquam secutus est placitum in Curia Christia-  
 nitatis, set revera dicit, quod petit decimas illius Janni in Dunheved quando sal-  
 ratum fuerit; Et Ernifus bene concedit, quod ipse habeat decimas vel persona de  
 Dunting. in cuius parochia Jannum illud est, et hoc alias concessit, sicut patet in Rotula  
 Sancti Michaelis, an. r. H. 3. 23. Et ideo sine die, &c.

Robertus Marescal opt. se 4. die versus Radulphum Purcel de placito, quare secutus Rot. 4. Staff.  
 est placitum in Curia Christianitatis de catallis, &c. quæ non sunt de Testamento



An. 33 & 24 Hen. 3. *vel Patrimonio, &c. contra Prohibitionem, &c. Et Radulphus non venit, &c. Et preceptum fuit Vic. quod Assach, cum: Et Vic. mandavit quod idem Radulphus Clericus esset, & non habet laicum feudum per quod, &c. Et ideo mandatum est Archid. Stafford, quod faciat eum venire à die Sancti Michaelis in 15 dies, &c.*

Rot. 12 dorlo. Nouff. Simon de Thoftes, et Magister Walterus de Thoftes, et Stephanus Persona de Lineford Attach. fuerunt ad respondendum Roberto de Tunneiton de placito, quare secuti sunt placitum in Curia Christianitatis de catallis quæ non sunt, &c. contra Prohibitionem, &c. Et unde idem Robertus queritur, quod ipsi petunt ab eo in Curia Christianitatis 6 marcas, quas Willielmus de Thoftes ei commisit ad emendum duas marcas redd. &c.

Et Simon et alii venerunt, et bene cognoverunt quod ipsi implacitaverunt in Curia Christianitatis, et quod petunt ab eo prædictas 6 marcas nomine Testamenti prædicti Willielmi de Thoftes, eo quod idem Willielmus in ultima Voluntate sua eas legavit, quia prædictus Robertus non emit inde redditum prædictum: Et Robertus non potuit hoc didicere, et cognovit quod ipse recepit Denarios illos. Et ideo dictum est prædictis Simoni et aliis, quod ipsi procedant in placito prædict. non obstante Prohibitione prædicta. Et Robertus in misericordia.

Rot. 13. Buk. Isabella qua fuit uxor Willielmi de Lanleg Attach. fuit ad respond. Abbati de Woburn de placito, quare secuta est placitum in Curia Christianitatis de catallis quæ non sunt, &c. contra Prohibitionem, &c. Et unde idem Abbas per Assorn. suum queritur, quod trahit ipsum in Curiam Christianitatis in placitum, et petit ab ipso 22 Marcas ex una parte, et 100 Solidos ex alia; unde deterioratus est et dampnum habet ad valenciam 40 Marcarum.

Et Isabella venit et defendit, quod nunquam post Prohibitionem vel ante secuta est placitum illud in Curia Christianitatis de aliquibus catallis quæ non sunt de Testamento. Inimmo de catallis quæ sunt de Testamento prædicti Willielmi quondam viri sui: Et hoc idem continetur in edicione quam idem Abbas inde proferit. Et ideo Abbas in misericordia. Et dictum est Isabellæ, quod non sequatur versus eum in Curia Christianitatis de aliquibus catallis, nisi sint de Testamento, &c.

Rot. 26. Bedf. Johannes de Aberton, &c. Attach. fuit ad respondendum Thomæ de Hoile de placito, quare secutus est placitum in Curia Christianitatis de catallis ipsius Thomæ quæ non sunt, &c. contra Prohibitionem, &c. Et unde queritur, quod ipse erigit ab eo 4 bussell. ozdei, et 4 bussell. fabarum; unde deterioratus est et dampnum habet ad valenciam 20 sol. Et inde producit seltam, &c.

Et Johannes venit et defendit contra ipsum et seltam suam, quod nunquam post Prohibitionem implacitavit eum in Curia Christianitatis de aliquibus catallis, &c. Et ideo consideratum est quod vadiet legem se 12 man. Et veniat cum lege in adventu Justic. &c.

Rot. 27. dorlo. London. Petrus de Bedinton opt. se, &c. versus Magistrum Johannem Officiale Archid. L. de placito, quare tenuit placitum in Curia Christianitatis de debitis quæ non sunt de Testamento, &c. contra Prohibitionem, &c. Et versus Elyam de Wudcote de placito, quare secutus est idem placitum contra, &c. Et ipsi non venerunt, &c. Et Officialis attach. fuit per Johannem de Ory, et Ricardum fratrem ejus: Et Elyas Attach. fuit per Radulphum de Gardino et Walterum Milkpote. Et ideo pokantur per mel. pleg. quod sint in Octabis Sancti Michaelis, et primi, &c.

An. 24 H. 3. Tom. 2. p. 552. l. 2. after related, adde: by \* Mat. Westminster: Sub eisdem temporibus (An. 24 H. 3.) videns Imperator, quod Papa Concilium convocaberat ad defectionem super hoc, quod idem Papa seculare brachium, et præcipue hostium Imperis publicorum in auxilium ejus advocabit, et formam convocationis, secus quem prælocutam fuerat, alterabit; penituit eum in hoc consensisse, ut Concilium convocaretur. Et resistens, significabit Regi Anglorum, ut munit omnes regni sui Prælatos ex parte Imperatoris, (by his Imperial Sovereignty) ne veniant ad illud generale Concilium (the ancient undoubted right of calling, or recalling General Councils being solely in the \* Emperour, not Pope) in personis et rebus securitatem in ditione sua penitus denegantis, et nolentis ubi prædesse inimicus ejus capitalis, causam committere dubio solo tam excellentem. Dominus Papa, ei contra scripsit; significans eisdem Prælati, ut humanis minis postpositis, Patri suo spirituali obedirent et obsecundarent, nec omitterent quin ad Concilium communiter venire ad terminum statutum properarent. Unde Episcopi fluctantes in proposito, quid agendum foret, dubitabant. \* Nonnulli vero Episcoporum

\* See Here, p. Tom. 1. p. 60, to 75. 106, 107, 118, 119, 122.

\* Mat. Westminster. An. 1141 pag. 158, 160, 161.

scoporum

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seporum regni Angliæ, & quidam Abbates mare transierunt, (notwithstanding the An. 24 H. 3.  
Emperours prohibition upon the Popes contrary command) ut si aliquo modo pateret  
transitus per terram vel per mare, veniendi ad Concilium, præceptis Apostolicis satis-  
facturi, illuc properarent. But observe the issue of their and other Bishops obe-  
dience to the Popes commands. Imminente tempore æstivali, Otho, quandoque Lega-  
tus in Angliæ, & qui Legatus fuerat in Francia, (with other Legates) infinitam  
secum Prælatorum trahentes multitudinem, naves ascenderunt apud Genuam Civi-  
tatem, ut sub Ducatu Genuensium salvo ad Concilium pervenirent. Ad quos animat-  
dos Papa unum Legatum destinaverat, qui ab eodem Papa potestatem acceperat,  
omnes imminenti periculo se opposituros, ab omnibus peccatis suis absolvendi  
(which yet could not absolve them in the Court of Heaven or Earth from their dis-  
obedience to the Emperor, against \* Solomon's, Saint † Paul's and Peter's express  
Precepts, as the event did evidence: ) Sed cum omnes vasto mari se commendassent,  
venissent eis obviam piratæ Imperiales, qui omnes sub captione miserabili concluserunt,  
et multos ex eis vel submerferunt, vel irreverenter trucidarunt. Quos autem  
acceperunt, post longos maris tractus sub caumate intollerabili adfectos, sub vinculis  
et arcta custodia (notwithstanding their Legatine Robes, Cardinal Caps, Episcopal  
Rochers, and pretended privileges) Neapolim (ubi ex præcepto Imperatoris  
carceri sunt additi) in totius Ecclesiæ dedecus et ignominiam, pertrahunt. Facta  
autem fuit hæc insaustra navalis congressio, die Sancti Marci Evangelistæ; (ever ho-  
noured by this remarkable victory over these contumacious Popish Legates and  
Prelates.) \* Interim duo Papales exaltores Petrus videlicet Rubeus, Domini Papa  
consanguineus & familiaris (talis enim erat titulus Epistoliarum suarum) & Petrus de  
Supino (through the Kings supinels) per Angliam, Scotiam, & Hiberniam, pecu-  
niam infatigabiliter ad opus Domini Papæ exquisitis argumentis abradere non  
cessant, Rege vero hæc omnia malo nimis consilio permittente. Whereupon, Impe-  
rator scripsit Regi Angliæ elegantem Epistolam, in qua increpat Regem, quod in  
perniciem regni sui, et imperii, terram suam, per Papales quæstionarios depau-  
perari, et ipsum solenniter excommunicari permittit, qui magis rationabilem quam  
alii Principes Christiani, haberet excusationem huic præcepto Domini Papæ re-  
sistendi, eo quod sorozus erit Domini Regis. \* His denique temporibus, absolbe-  
batur quicumque vellet, pro pecunia crucesignatus, prædicantibus et illud persua-  
dentibus ex præcepto Papæ, fratribus tam P. nozibus quam Prædicatozibus; ita,  
ut multi hodie crucesignati in crastino a voto suo, data, quam \* possent pecunia,  
non sine multorum admiratione absolverentur per Prædicatores et P. nozes, in scan-  
dalum Ecclesiæ, et ordinis ipsorum. This being a mere impious Papal cheat to pick  
their Purses to maintain the Popes wars against the Emperor, (instead of resisting  
the Saracens in the Holy Land,) who then took \* Viterbium and distressed Rome  
in ira magna, ad ultionem super diffamatione magna, qua nomen suum Dom. Papa  
in universis finibus Christianorum denigraverat: Et votes Ecclesiæ Romanæ  
sux subdidit ditioni; unde Ecclesiæ Romana magnam induit cum desolacione con-  
fusionem.

Tom. 2. 562. l. 24. after Febr. adde: Walter de Cantilupo Bishop of Worcester  
in a Diocesan Synod, (An. 1240.) presumed to make several Ecclesiastical Consti-  
tutions, and among others, this concerning Intestates Goods: Si autem laicus liber  
homo intestatus decesserit, Dominus ejus et Ecclesiæ, cujus parochianus extiterat, ha-  
beant quod ex testamento, si fieret, eis fuerat tribuendum. Quod autem de bonis super-  
fuerit, in solutionem debitorum defuncti, si quæ fuerint, & stipendia servientium, et alios  
pios usus per visum Domini defuncti, et ipsum quem Episcopus ad hoc deputaverit,  
crogetur; allowing the Lord an equal power in the distribution of the surplusage  
of the Intestates estate with the Administrator, which Archbishop Boniface and  
Stradford their subsequent Constitutions denied to the Lord and Administrators,  
appropriating it to the Ordinary, contrary to the \* forfeited Charters of King Henry  
the First, King John, and other usages.

Tom. 2. p. 572. l. 35. adde: † Matthew Westminster relating the rapines and  
extortions of these two Popes Agents, the vast summs of money collected by them  
for the Pope in Scotland and Ireland, and Otto his revocation from England; writes  
thus of Petrus Rubeus, Papa familiaris & consanguineus; Cito transit Angliam, &  
in Scotiam veniens, ibidem vicissim ad opus Papæ non sequiter abijt. Eodem tem-  
pore, Magister Petrus de Supino in Hiberniam missus, ut ibidem vigilantiter meteret,  
quicquid

\* Prov. 24.  
21, 22.  
† Rom. 13.  
1, 2, 3, 4.  
Tit. 3. 1.  
1 Pet. 2. 13,  
14, 15.

\* Mat. Westm.  
An. 1240 pag.  
154, 155. See  
Tom. 2. p. 544,  
545, 613.

\* Mat. Westm.  
p. 154, 161. See  
Tom. 2. p. 546.  
\* Poscerent.

\* Mat. Westm.  
p. 155.

Spelmanni  
Concil. Torr.  
2. p. 240, to  
260.

\* See p. 18,  
to 22.

† Flores Hist.  
pars 1. Anno  
1240. p. 156.



An. 24 & 25 quicquid poterat iade, non sicut Papæ questionarius, appropriabit. Quæ præda  
Henr. 3. ad numerum mille et quingentarum marcarum et amplius dicitur ascendisse.

Collecta autem Petri Rubei, quantà Scotorum finibus emamit, hanc summam creditur duplicasse. Non postea remeans per Angliam, domos religiosorum perscrutans, nobis argumentis pecuniam ad opus Papæ argute nimis erexit, cogens eos jurare, quod illud Sacramentum, quasi confessionis arcannum, usque in dimidium anni celarent. In quo corpora fidelium dixerit a devotione et dilectione Romanæ Ecclesiæ, et doloze magno sancitavit. Ipso tempore, rebocatus est (Otto) Legatus, per autentium Papale, multum admonitus, ut adventum suum ad Romanam Curiam maturaret, & Concilium generale anticipando præveniret, ut fratres, præhabita morosa deliberatione, tractatum haberent simul cum eo de imminente ejusdem ruina, et periculo irreparabili, Imperatoze jam dotes Ecclesiæ inhabente.

Nota.

This pragmatical Pope Gregory so far interested himself in Suites depending in the Kings Temporal Courts, as at the suit of a Freer to send this Bull to the Abbot of Waltham, to assist the Freers brother in a Suit then depending, to recover a small Inheritance detained from him; the Original whereof I met with in the White Tower.

An. 24 H. 3.  
in Turri London.

**G**REGORIUS Episcopus servus servorum Dei, dilecto filio Abbati Sanctæ Crucis de Waltham, Londonien. Dioc. salutem & Apostolicam benedictionem. Provenit de favore impenso pauperibus attritis vexatione potentium, quod Regis æterni pietas & temporalem prosperitatem retribuit, & vitæ gloriam perennis impendit. Sanè, Guilielmo Germano dilecti filii fratris Guilielmi de ordine Minorum familiaris nostri accepimus, intimante, quod W. dictus Scotus Clericus & quidam alii Londonien. Dioc. quasdam domos, terras, & possessiones ad ipsum hæreditario jure spectantes, contra justitiam detinent, & ei reddere contradicunt. Verum cum sibi tenuem, ut dicitur, facultatem habenti, propter potentiam partis alterius dispendiosum existat super hiis subire litigium; nos fratris ejusdem precibus inclinati devotionem tuam rogamus & hortamur attentè, per Apostolicæ tibi scripta præcipientes mandantes, quatinus dicto Guilielmo te favorabilem exhibens & benignum, detentores hujusmodi, qui sub tua jurisdictione consistunt, ut eidem prædicta bona restituant, & de perceptis ex eis fructibus satisfactionem exhibeant congruentem, pro nostra et Apostolicæ sedis reberentia operam tribuas efficacem; preces nostras taliter impleturus in eadem per auxilium gratiæ tuæ & suam consequi gaudente justitiam, nos tibi ad grates exinde teneamur. Datum Lateran. 10 Kalend. Maii, Pontificatus nostri anno tertio-decimo.

An. 25 H. 3.

Tom. 2. p. 576. l. 5 after *Octobris*, adde: The Bishops, Archdeacons, and other Ecclesiastical Judges itill usurping the Conusance of holding Pleas in their Courts Christian, of Goods and Chattels that were not Testamentary, against the Kings Prohibitions issued by the Judges, I find sundry Attachments and Suits against them, and the prosecutors of those Suits in the Plea-Rolls (in the Tower) before the Justices Itinerant in the 25<sup>th</sup>. year of King Henry the 3<sup>d</sup>. I shall instance only in these ensuing.

*Rotuli de Placitis & Essoniis de malo veniendi captis apud Rading. in Octabis Sancti Michaelis, anno regni Regis Henrici filii Regis Johannis vicesima quinto, coram, &c. Justiciariis Itinerant.*

Rot. An. 25  
H. 3. intus.

Leyc. ff. Mattheus Persona de Skakerton attachatus fuit ad respondendum Willielmo de Oddeston de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem Domini Regis, &c. Et unde queritur quod idem Mattheus petiit ab eo in Curia Christianitatis duas marcas quæ non sunt de Testamento, &c. Et unde dicit, quod detulit ei prohibitionem Regiam vigilia festi Sancti Petri ad vincula, anno 25. Unde dicit, quod deterioratus est et dampnum habet ad valenciam 4 marcarum. Et inde producit sectam, &c.

Et Mattheus venit & defendit contra ipsum & sectam suam, Quod nunquam secutus est placitum illud postquam detulit ei prohibitionem. Et ideo consideratum est, quod vadit legem, se duodecima manu. Et venit cum lege à die Pasche in tres Septimanas apud Westm. plegii de lege, Robertus de Eggeton, de Comitatu Wygorn. & Johannes de Crutterbir. de eodem Comitatu.

Robertus

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Robertus Prior de Estlegh & Robertus Prior de Perfore similiter Wygornia attachiati fuerunt ad respondendum eidem Willielmo, quare tenuit idem placitum, &c. contra prohibitionem, &c. An. 25 & 26 Hen. 3.

Et ambo Priores venient & bene defendunt, quod non omnino tenuerunt placitum illud post prohibitionem, &c. Et dictum est eis, quod de cetero non teneant, &c. Et Willielmus per se remittit eis legem. Ideo ipsi inde sint die.

Suff. Alexander de Stanham per Willielm. de Cyresy optulit se 4 die versus Willielmum filium Walteri de placito, quare secutus est placitum in Curia Christianitatis de catallis quæ non sunt de Testamento vel Patrimonio, & Willielmus non venit, et fuit attachiatus per Simonem Clericum de Wrtte, & Henricum de Dunmere. Et ideo consideratum est, quod ponatur per vadum & meliores plegios, quod sint à die Pasche intris Septimanæ inde responsuri & ostensuri, quare non fuit coram Iudiciariis Itinerantibus apud Rading. à die Sancti Michaelis in 15 dies. Et primi, &c. Mem. 12 dorf.

Suff. Robertus de Badingeham attachiatus fuit ad respondendum Adæ filio Walteri & Matildæ uxori ejus de placito, quare secutus est placitum in Curia Christianitatis de catallis et aliis debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c. as before. Mem. 13 intus.

Somerf. Margareta de Sum. optulit se 4 die versus Johannem Decanum de Kelneton de placito, quare tenuit placita in Curia Christianitatis de catallis ipsius Margarete, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c. Et versus Henr. de Gant. de placito, quare secutus est idem placitum in eadem Curia, contra prohibitionem, &c. as before.

Ricardus filius Roberti optulit se 4 die versus Priorem de Wymundham de placito, quare tenuit placitum in Curia Christianitatis de catallis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c. Et Prior non venit, &c. Et habuit diem per Essoniatorem suum, &c. Mem. 19 intus.

Idem Ricardus optulit se 4 die versus Johannem Turf, Hugonem Dache, Willielmum filium Walteri, Thomam Hardekin, Radulphum Goodie, Willielmum Aylsted, Reginaldum Malling, Nicholaum Mory, Ernaldum Underwode, & Nicholaum Sutorum de placito, quare secuti sunt idem placitum in eadem Curia Christianitatis, contra eandem prohibitionem. Et ipsi non venerunt, &c. Et habuerunt diem per Essoniatorem suum ad hunc diem, &c. Et quia Wiccomes non attachiavit eos sicut præceptum ei fuit, præceptum est ei, quod attachiet eos quod sint ad eundem terminum; et Wiccomes sit auditorus Iudicium suum de eo, quod ipsos non attachiavit.

Cornub. Robertus filius Ham. Esson. Willielmi de Beckeley opt. se, &c. versus Adam, de Keryor, Johannem de Rotomago, & Henr. de Trewyth de placito, quare secuti sunt placitum in Curia Christianitatis de catallis ipsius Willielmi quæ non sunt de Testamento, &c. contra prohibitionem, &c. Et Adam & alii non venerunt. Et Johan. attach. fuit per, &c. Et Henr. per, &c. Rot. 10. dorf.

Essex. Lucas de Terlinges & Walterus Godyler opt. se, &c. vers. Rogerum Decanum de Wyham de placito, quare tenuit placitum in Curia Christianitatis de catallis eorum quæ non sunt de Testamento, &c. contra prohibitionem, &c. Et versus Ricardum Lessey & Thomam fratrem ejus; quare secuti sunt idem placitum, &c. Et Rog. attach. fuit per Ricardum le Messer & Rogerum le Gise; Et Ric. & Tho. fil. Galfr. Martyn, & Edm. Juvenem, ideo ponantur per mel. pleg. quod sint in Osta-bia, &c. Et primi, &c.

The are some more of like nature that year, but these may suffice; to shew the frequency of these Ecclesiastical Courts encroachments, to the prejudice of the Crown, and Subjects great vexation.

Tom. 2. p. 578. after *Septembris*, adde; The Nuns of *Boleton* being bound by their Order not to go forth of the limits of the Nunnery; the King by his Royal Prerogative and Charter, notwithstanding their Constitution, gave the Abbess liberty to constitute an Attorney in all cases, wherein they had cause to sue or be sued, by this Patent.

Quia Moniales de la Grace de Dieu de Boleton de constitutione Ordinis sui ita incluse sunt, quod nunquam cepta domus sue eribunt; Concessit Dominus Rex Priorissæ & Monialibus ibidem, quod si contingat ipsam Priorissam ab aliquo vel aliquibus implacitari, vel necesse habeat alios implacicare, prædicta Priorissa, non obstante contraria constitutione regni, Regis liberam habeat potestatem Attor-natum

Pat. Ann. 26 H. 3. m. 2. intus.  
Yet others entered into them.



An. 26, 27, tum suum inde faciend. per Literas suas patentes. Et mandatum est Justiciariis, & 28 H. 3. Vicecomitibus, & omnibus Ballivis & fideibus Regis, quod Attornatos predictæ Priorissæ taliter admittant. In cujus, &c. Teste Rege apud *Portesm.* 7 die *Maii*.

Tom. 2. p. 603. l. 23. before *Cui*, adde; I find this Commission in the Patent-Rolls issued to the Archbishop of *Tork* and others, to summon all the *Abbots* of the *Cistercians* and *Præmonstratenses* before them, to demand an ayde from them, with a *Proviso* not to draw it into consequence to their prejudice, to induce them to it.

Pat & Carte  
n simul de an-  
no 26 H. 3. m.  
3. intus.

**R**EX Eborum Archiepiscopo, & W. Carlesolensi Episcopo, & W. de Cansilupo, salutem. Cum, sicut non ignoratis, pecunia plurimum indigemus pro negotiis nostris expediendis in partibus transmarinis; Vobis mandamus rogantes, quatinus coram vobis convocari faciat omnes Abbates de Ordine *Cyfferciensis* et *Præmonstratensis*, et ipsos cum omni sollicitudine inducat ad subsidium nobis contribuendum, quo mediante guerram nostram commodius sustinere possimus, & quod nobis ad utilitatem & ipsis cedere debeat ad honorem. Gratanter quidem loco subsidii à singulis dictorum Abbatum sanam unius anni reciperemus. Ad quod ab eis optinendum (nisi modo alio commodius & decencius negotium istud procurare possitis) laborare curetis. Intimantes eisdem ex parte nostra, quod ex mera gratia sua auxilium ad præsens ab eis postulamus: Volentes ex eo ipsi in aliquo præjudicari; nec si nobis concedatur ad præsens quod trahi possit in consequentiam. Teste Rege apud *Bard.* 4 die *Octobris*.

How the Archbishop executed this Commission without success, (these Abbots refusing to grant him any Ayd of wool or monies, but only of their prayers,) *Mat. Paris* thus relates, as Tom. 2. p. 603.

An. 27 H. 3. Tom. 2. p. 652. l. 4. after *shrewith*, adde; *Mat. Westminster* records, Anno 1143. that by Pope *Innocent* the 4<sup>th</sup>. and his Cardinals instigation, ipsa tota civitas *Viterbii*, cum partibus adjacentibus, per Reinerum de *Viterbio* Cardinalem, conversa est ad Romanos, qui partes *Papæ* confovebant. Et eodem tempore recesserunt ab Imperatoris fidelitate multi *Nobiles* et *Potentes*: qui igitur oderunt eum, extollentes caput, comminati sunt ei, quod eum usque ad internecionem persequerentur. Humiliatus igitur Imperator secundum illud *Davidicum* (Imple facies eorum ignominia, & quærent nomen tuum Domine) formam pacis obtulit *Ecclesie*; scil. ut juraret, se libenter stare censuræ *Ecclesiasticæ*, de injuriis ei illatis satisfacturum, ita scilicet ut præcognosceret in quibus, et prævisa via, et omnibus præcognitis: (refusing to take a blind general Oath without particulars.) Quod cum denegaretur ei, magis solito desavit in *Ecclesiam*, et viros *Ecclesiasticos*. Fecit etiam inter alias suas tyrannides, (so they styled his Royal Justice against trayterous Monks and spies) duos fratres de Ordine *Predicatorum*, & tot de Ordine *Minorum* incarcerari, quia *Episcopos* inter Principes et Magnates, in Imperatoris et Imperii detrimentum, deprehensi sunt basulasse, (to stir them up to revolt from him to the Pope, and take up arms to dethrone and destroy him, for which he might have justly hanged them for Traytors) qui in carcere ob immanitatem pressuræ desecerunt. Et tunc temporis (by reason of the Popes extortions, the Corruptions of his Court, Clergy, and these Treacheries against the Emperour, in partibus maximè *ultramontanis*, multiplicati sunt heretici, (as the Monk files them, for opposing the Popes Usurpations, Errors, Vices,) præcipuè illi, quos *Paterinos* appellamus, (the same with the *Waldenses* or *Albigenses*) qui temporibus retroactis latuerunt, & deprehensi gravi morte puniebantur; Jam non erubescerent, neque punitionem, neque *Ecclesiasticam* censuram formidantes, in publicum, et recta cerbice prozumpunt, ita ut finis mundi a multis creditur imminere. Transiit ergo annus ille *Ecclesiæ* periculosus, regno *Angliæ* præcelsosus, *Italicis* præliofus, *Templariis*, *Hospitalariis* schismaticus, & scandalis generativus.

An. 28 H. 3. Tom. 2. p. 615. l. 35. after *conferendus*, adde: This Bishop of *Bath* was elected by the Prior and Monks of *Bath* alone, who refused to joyn with the Chapter of *Wells* in the election; whereupon they opposed it: but the Pope being his friend, the King at the Popes request approved his Election, and issued this Writ for restitution of his Temporalities; with a saving of his *Royal right*, and the right of the Church of *Wells*.

\* See Godwins  
Catalogue of  
Bishops, p. 297.  
Pat. 28 H. 3.  
m. 6 intus.  
Pro Electo  
Bathonensi.

**R**EX adhibuit assensum & favorem præfectioni factæ de Magistro *Rogero* quondam *Præcentore Saresburiensi* in Episcopum *Bathoniensem*, ad instantiam *Domini*

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mini Papæ de gratia Regis speciali, salvo jure Regis et Ecclesiæ *Wellsi*. Et mandatum est Militibus, liberis hominibus, & omnibus aliis tenentibus de Episcopatu prædicto, quod ei in omnibus quæ ad prædictum Episcopatum pertinent intendentes sint & respondentes. In cujus, &c. Teste ut supra. An. 28 H. 3.

Et mandatum est Custodi Episcopatus *Barboniensis*, quod ei de omnibus terris & tenementis, & aliis rebus ad prædictum Episcopatum pertinentibus seisinam ei habere faciat, retentis ad opus Regis bladis et aliis ad Regem pertinentibus. Teste ut supra.

The same year the King for the honour of the University of *Oxford*, and quiet of the Scholars there, by his Royal Prerogative, granted the Cognisance of all Suites and Contests arising between the Scholars and Townsmen, to the Chancellor and Vicechancellor of the University, notwithstanding any Prohibition issued to them, by these his Letters Patents.

**R**EX omnibus, &c. salutem. Roveritis nos pro quiete Universitatis *Stu-* Pat. 28 H. 3.  
pars unica, m.  
6. intus.  
Pro Universi-  
tat. Oxonii.  
dentium *Oxonii*, de speciali gratia nostra concessisse Cancellario et Universitati prædictæ, quamdiu nobis placuerit, in causis Clericorum, ex mutuis datis aut receptis, aut taxationibus, seu locacionibus domorum, aut equis conductis, venditis seu commodatis, seu pannis & victualibus ortum habentibus, seu aliis quibuscumque rerum mobilium contractibus in municipio aut suburbio *Oxonii* factis, nostra prohibicio non currat, set hujusmodi causæ coram Cancellario Universitatis *Oxonii*, non obstante prohibitione nostra deducantur. In cujus, &c. Teste Rege apud *Radiges* 10 die *Maii*.

The King likewise by this Patent licensed the Bishop of *Durham* to make a Will, and thereby freely to dispose of the Corn and goods he had in Right of his Church or otherwise, without interruption of him or his Officers, which else he could not dispose of.

**R**EX omnibus, &c. salutem. Sciatis quod concessimus *N. Dunelmensi* Epi- Pat. 28. H. 3.  
ibid. m. 2. intus.  
Pro Domino  
Dunholmenfi  
Episcopo.  
scopo, quod quandoque voluerit, libere et licenter condere possit Testamentum suum, et pro voluntate sua ordinare tam de bladis seminatis in terris Episcopatus sui et Ecclesiæ suæ, quam de omnibus aliis suis, et similiter immobilibus personam suam, ratione Ecclesiæ suæ, seu ratione sui ipsius contingentibus. Ita quod si de eo humanitus contingat (quod nollemus) executores Testamenti sui liberam habeant administrationem omnium prædictorum ad executionem Testamenti sui, prout inde ordinaverit faciendam, sine impedimento nostri et hæredum nostrorum et Ballivorum nostrorum. In cujus, &c. Teste Rege apud *Shirburn* 22 die *Augusti*.

Among the *Essoin-Rolls* of this year in *Easter Term*, I find these Suits and Attachments for holding and prosecuting Pleas in *Court Christian*, for Chattels not Testamentary, &c. and for Lay-fees.

*Essoinum de malo veniendi apud Westm. à die Pasche in quindecim dies, anno regni Regis Henr. fil. Regis Johannis, 28.*

*Wigorn.* Willielmum le Bercher optulit se 4 die versus Priorem de *Evesham* de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c. et versus Magistrum *London.* de *Stratford* de placito, quare secutus est placit. idem in eadem Curia, contra, &c. Et ipsi non venerunt. Et Vic. mandavit quod Clerici sunt et non habent laicum feodum per quod possint distringi. Et ideo mandatum est Abbati de *Evesham*, quod habeat prædictum Priorem in Octabis sancti Johannis Bapt. Et mandatum est Episcopo *Wigorn.* quod habeat prædictum Magistrum Robertum ad eundem terminum, &c.

*Ebor.* Osbertus fil. Willielmi *Essex.* Willielmi Clarel optulit se 4 die versus Thomam Priorem de *Bridlington*, et versus Ricardum Priorem de *Kyrkham* de placito, quare tenuerunt placitum in Curia Christianitatis de catallis quæ non sunt, &c. contra prohibitionem, &c. Et versus Radulph. Priorem sancti Oswaldi de placito, quare secutus est idem placitum, &c. Et ipsi non venerunt, &c. Et Prior de *Bridlington* attach. fuit per Robertum de *Rednesse*, et Willielmum de *Basingby*. Et Prior de sancto Oswaldo attach. fuit per Willielm. filium Alexandr. de *Bramham* et Henr. Slegg de eadem. Ideo pon. per mel. pleg. Et primi, &c. Et Prior de *Kirkham* non venit, &c. Et preceptum fuit Vic. quod attach. eum, &c. Et Vic. nichil inde fecit. Ideo sicut prius preceptum est Vic. quod attach. eum, &c. Et quod sit ad prædictum Terminum. Et Vic. sit auditors judicium suum, &c.



An. 30 & 31  
Hen. 3.

*Surr.* Willielmus de Ponte optavit se 4. die versus Willielmum Personam de Mikelham de placito, quare tenuit placitum in Curia Christianitatis de laico feodo ipsius Willielmi de Ponte in Mikelham, contra prohibitionem, &c. Et Will. Persona non venit. Et habuit diem per Esson. suum ad hunc diem, postquam fuit attach. per Rob. de Mikelham & Henr. de la Rosse. Et ideo ponatur per meliorem pleg. quod sit in Oñab. Sancti Johannis Bapt. Et primi, &c.

An. 31 H. 3.

† A Treatise concerning Oaths, exacted by Ordinaries and Ecclesiastical Judges. \* Mar. Paril. Additament. p. 199, 200, 207.

Tom. 2. p. 706. l. 31. after *Junii*, adde: That these Inquisitions and Recognitions upon Oath, thus successively prohibited by all the premised Writs to the Bishop of Lincoln, his Archdeacons, Officials, Rural Deans and Clerks, were Articles of Inquiry in their *Visitations*, which † some peremptorily deny, not acknowledgements of Deeds or Civil Contracts with Oaths to perform them under pain of Ecclesiastical Censures, as they assert, is most evident. 1. By the Writs themselves. 2<sup>ly</sup>. By Archbishop Boniface and his *Suffragans* Articles and Constitutions against these Writs and Prohibitions, Tom. 2. p. 890. \* Artic. 9. Cum Prelati Ecclesiastici inquirere volunt de peccatis subditozum, prohibentur Laici ne de veritate dicenda, aut de credulitate, aliquod Juramentum erponant, aut Prelatis super hujusmodi obediant, propter quod multozum excessus et peccata mortalia incorrecta et impunita relinquuntur, &c. p. 907. Cum insuper Prelati Ecclesiastici ex officii sui debito inquirent, de mozum disciplina, peccatis et excessibus subditozum, quia Rer, Magnates et alia Potestates seculares ipsozum officia impediunt in premissis, Laicis sibi subditis \* inhibendo, ne ad mandatum ipsozum Prelatozum, de veritate dicenda subeant juramentum, &c. Impedientes vero ne hujusmodi juramenta prestantur, per Interdicti et Excommunicationis sententias arctius compellantur.

\* Additamenta Mar. Paris. pag. 207. Johannes de Aton Constit. Provinc. l. 138. Linde-wood Provinc. l. 3. De immunitate Eccles. fol. 188. Spelmanii Concil. Tom. 2. p. 588. 59. \* None might be cited or visited out of his Parish in that age.

4<sup>ly</sup>. By Archbishop Stratford's and his Councils Constitutions, An. 1340. De impedientibus Jurisdictionem Ecclesiasticam: Accidit novitate perversa, quod cum Ecclesiarum Prelati de mozum disciplina, peccatis et excessibus subditozum nituntur inquirere, Magnates et Potentatus alii seculares, officia impedire molientes eozum, inhibent laicis ipsozum tenentibus aut natis, (by the Kings Writs to the Sheriffs and them) ne ad Ordinariozum citationes pro suozum criminum vel excessuum correctionibus canonicis subeundis, (quozum correctio et punitio ad ipsos Ordinarios noscitur pertinere de consuetudine de de jure, &c.) \* extra locum sui domini veniant vel compareant coram eis: Et ne in locis sui domini per Prelatos exerceantur premissa, impediunt, et procurant nequiter impediri; sibi que super his Jurisdictionem Ecclesiasticam exercentes, et suis subditis, et pro eozum culpis et excessibus poenitentias corporales, seu pecuniarias imponentes, ac ipsos facere cogentes, eadem sicut ordinare ipsis licet; aut poenitentis corporalibus juxta modum excessuum suozum impositis, redemptiones pecuniarias prout fuisse poterunt admittentes, de et super extorsionibus et excessibus indicant; sicque indicatos attachant ac incarcerant; ac super his in foro seculari eos sibi respondere compellunt: quibus multas pecuniarias ea occasione in dicto foro seculari imponi procurant et faciunt indebite (as they falsely suggested) pro libito voluntatis. 5<sup>ly</sup>. This is most irrefragably evident by Bishop Grossthead's own Articles of Inquiry, (whereupon those Writs then issued) intituled, *Articuli Inquisitionis per Archidiaconatus Episcopatus Lincoln. a singulis Archidiaconis facienda*, being 50 in number, published of late in the 2<sup>d</sup>. Tome of \* Sir Henry Spelman's Councils; the same in effect and form with our Bishops and Archdeacons modern Visitation Articles, (which they inforce Lay-men to inquire of upon Oath) which I shall here present you with.

\* Concil. Tom. 2. p. 192, 193. Ex perverusto Cod. MS. penes Sam. Roper, de Hospitio Lincoln Armig. an 1647. † This he could better discover by his own examination of them, then by illiterate Lay-men's Oaths. \* This his Archdeacons could best inform him of.

1. An aliqui † Rectores Ecclesiarum, vel Vicarii, vel Sacerdotes Parochiales sint enormiter illiterati?
2. An Sacramentum Eucharistia portetur ad infirmos cum debita reverentia; & sicut decet, custoditur?
3. An aliqui prebati, vel aliqui infra sacros Ordines constituti, sint incontinentes?
4. An incontinentes sint correpti per \* Archidiaconum loci, et quoties unusquisque sit correptus, et qualiter?
5. An aliqui convicti vel confessi super Incontinentia obligaverunt se ad resignationem Beneficii, vel ad aliquam poenam Canonicam si reciderint, et si quisquam eozum reciderit post obligationem?
6. An aliqui Beneficiati, in sacris Ordinibus constituti, sint urozati?

7. An

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7. An aliqui Clerici frequentant Ecclesiam Pontialium sine causa rationabili?
8. An aliquis Clericorum in sacris Ordinibus teneat mulierem cognitam sibi, vel aliam, de qua oritur suspicio mala?
9. An aliqui sint Ebriosi, vel tabernas frequentantes, vel Usurarii, vel Pegotia- tores, vel pugnantes, vel alio vitio notentur?
10. An aliqui sint Firmarii, dantes vel recipientes ad Firmam Ecclesias, sine licen- tia Episcopi?
11. An aliqui sint Vicecomites, vel Iusticiarii seculares, vel tenentes Ballivas a Laicis, unde obligentur eis ad rationem?
12. An aliqui Rectores faciant pactum cum Sacerdotibus suis annuis, ut præter stipendia à Rectore recepta, possint recipere ab aliis Annualia vel Trien- nalia?
13. An aliquis \* Sacerdos Parochialis non habeat a Rectore suo sufficientem sus- tentationem?
14. An Laicis detur ad Firmam aliqua libera terra alicujus Ecclesie?
15. An Redditi assignati ad Luminaria, vel alios usus Ecclesie certos, in certos usus Ecclesie convertantur, vel in usus Rectorum vel Vicariorum?
16. An alicubi compellantur Parochiani, ut in die Pasche simul communicent & offerant?
17. An aliqui intendant Distractionibus, vel ludant ad aleas, vel tarillos?
18. An aliqui portent arma, vel non habeant consuram & habitum congruen- tem?
19. An aliquis habeat plures curas animarum sine dispensatione?
20. An aliquis Rector sive Vicarius sit filius proximo ministrantis?
21. An aliquis Sacerdos extorqueat pecuniam pro poenitentia vel aliis Sacramentis, vel inungat poenitentias lucrativas?
22. An Diaconi ministrant Sacramenta solis Sacerdotibus commissa, vel audiant Confessiones?
23. An aliquis Rector vel Vicarius non sit in Ordine, qui erigit sua cura, vel non facit residentiam in suo Beneficio?
24. An Ecclesia aliqua non habeat Clericos vel Clericum honestum secundum facul- tates Ecclesie?
25. An Mercata, vel Ludi, vel Placita secularia sint, vel fiant alicubi in locis sacris?
26. An \* Cimiteria sint ubique clausa, & Ecclesie decenter edificata, & ornata, & vasa sacra rite custodita?
27. An aliquis Sacerdos celebret de Aceto?
28. An aliqui Beneficiati audeant vel doceant leges seculares?
29. An Canon Missæ sit rite correctus?
30. An alicubi levantur arietes, vel fiant Scottalos, vel decertetur in præeundo cum vexillo matricis Ecclesie?
31. An ad mandatum Ecclesie & Episcopi hæc in singulis Ecclesiis aliis sint pro- hibita?
32. An aliquis Clericus vel Laicus, teneat in hospitio suo Concubinam Clerici, et ubi sunt Concubinarum receptacula?
33. An aliquis Sacerdos sit desidiosus ad visitandum infirmos?
34. An Crismalia convertantur in usus seculares?
35. An aliqui Religiosi appropriaverint sibi aliquas decimas vel Ecclesias, sine licen- tia Episcopi loci, vel aliqua hujusmodi?
36. An aliqua Ecclesia sint vel fuerint retenta sine Sacerdote?
37. An aliqui Vicarii se faciant Rectores, vel è converso?
38. An aliqui illegitimi, cum quibus non est dispensatum, habeant Ecclesiastica Beneficia, vel in sacris Ordinibus constituti?
39. An aliqui gerant se Rectores vel Vicarios, qui non sunt per Episcopum in- stituti?
40. An Superaliaria sint honesta, & non molentur super ea colores, & quæ Ecclesie sunt dedicanda?
41. An aliqua Ecclesia post Oxoniense Concilium sit diruta sine Episcopi li- centia?
42. An Judæi morentur alicubi, ubi non consueverunt morari?

An. 31 H 3.

No. a.

\* This the Priest himself could best in- form him.

\* This they might discover best by their own personal view and Visi- tation of them.



An 31 H. 3. 43. An Adulteria, vel crimina publica Laicorum, sint rite per Archidiaconum correcta, et aliqua sint incorrecta?

44. An in singulis Archidiaconatibus sint sufficientes Pœnitentarii Episcopi?

45. An aliqui Laici sint pertinaces, ut sint in Cancellis cum Clericis; et qui Sacerdotes sunt Ordinati alibi extra Episcopatum, et per quem licentia sunt ad celebrandum?

46. De vita et honestate Archidiaconorum, Decanorum et Clericorum, qui ministrant in Ecclesiis?

47. An aliquis Sacerdos bis celebret in die, nisi in casibus concessis, & in propria persona, in propria Ecclesia?

48. An aliqua Anacrita facta sit sine assensu Episcopi?

49. An in aliqua Capella celebretur sine assensu Episcopi?

50. An aliqui morentur Monachi vel alii Religiosi in Grangiis, vel aliis possessionibus suis, et quomodo se gerunt, et cujus famæ sunt? De famulis eorum et servientibus, quomodo se gerunt, et cujus famæ sunt?

On these very Articles of Inquiry, the King, his Council and Judges prohibited any Lay-men to be cited, to make Inquisitions or Recognitions upon Oath, by the \* *premised Writts*.

\* Tom. 2. p.  
699, 701, 704,  
707, 712, 718,  
760, 818, 830,  
831, 892, 907,  
969, 970.

From these Visitation Articles we may observe: 1. That the prohibiting of Priests marriages, (against Gods Law and institution) made them very incontinent, to keep Whores, Concubines, frequent Nunneries and deflower Nuns, to satisfy their lusts. 2<sup>y</sup>. That sundry Priests in that age were married and had children, whose sonnes sometimes succeeded their Fathers in their Benefices, notwithstanding all Canons and Constitutions made against it. 3<sup>ly</sup>. That Pluralities, Non-residence, and Clergy-mens exercising any Temporal Jurisdiction, Office, or employments, and studying the secular Laws of the Realm, were prohibited as scandalous and criminal in this age. 4<sup>ly</sup>. That the Bishops in all their Visitations and Inquiries, amongst other things endeavoured to advance their Jurisdiction over all Lay-mens persons, rights, privileges, to subject them to their own and their Archdeacons, Officers, Inquisitors censures; which Encroachment King Henry and his Council thought meet to restrain, by successive Writts of \* *Prohibitions* issued to this Bishop of Lincoln Groshead, and others.

\* Tom. 2. p.  
699, 704, 705,  
706, 969, 970.

If the premises be not sufficient to answer the Objection, that these Prohibitions were not intended of these Visitation Oaths and Articles of Inquiry, then set on foot by Groshead; I shall then adde for further satisfaction, that it is generally agreed, that all <sup>a</sup> *Episcopal Visitations* were originally founded on Acts 15. 36, 42. Then Paul said unto Barnabas, let us go again, and (ἐπισκεψώμεθα, Visitemus) visit our brethren in every City, where we have preached the word of the Lord, and see how they do: and Paul went through Syria and Cilicia confirming the Churches, (by his preaching personally to them) without using any such Citations out of their own Parishes, or Articles or Oaths of Inquiry, as Groshead with his Archdeacons, Deans and Officials then prescribed to and enforced on the people of his Diocese, of which we find no mention or intimation in the Acts of the Apostles, nor in the antient Canons or Constitutions we read of concerning Bishops Visitations: in our own or other Churches; Witness those of <sup>b</sup> Boniface Archbishop of Mentz (an Englishman, and Popes Legate,) sent by him to our English Bishops, Anno Domini 745. of the Council of Cloveshoeve under Cuthbert Archbishop of Canterbury, Anno 747. cap. 3. of the Council of Calcuth under the Popes Legates, An. 787. cap. 3. and of Odo Archbishop of Canterbury, An. 943. c. 3. which enjoyn every Bishop at least once every year, to go in circuit throughout his Diocese, cum omni vigilantia <sup>c</sup> *predicando verbum Dei* (as Saint Paul did) *populumque diversæ conditionis ac sexus aperte doceat, diligenter Conventicula per loca congrua constituendo, quo cuncti convenire possunt ad audiendum verbum Dei, et omnibus viam salutis demonstraret, utpote eis qui raro audiant verbum Dei, Prohibens et inter cetera peccamina, paganas observationes, gentiliūque errata, ne aliquis per incuriam pastoris per devia cuiuslibet ignorantie errans, rugientis leonis morsibus invadatur, & vigilantis cura gregem sibi commissum pascat, confirmet: Et ne quis turpis lucris gratia, sed spe mercedis eterne, gregem sibi commissum pascere studeat. Quod enim gratis accipimus, gratis impendere non differemus,* without any Fees, Procurations or Articles of

a Concil Coloniense, An. 1546. Surius Concil. Tom. 4. p. 845.

b Spelmanii Concil. Tom. 1. p. 238, 246, 293, 416.

c *Primum debet Episcopus per se, vel per alium idoneum proponente verbum Dei, & semper cum visitat pascere gregem cum predicationibus & sermonibus, Thomas Zerula Praxis Episcopalis, pars 1. Tit. Visitationis, & Summi Angelii Tit. Visitationis.*

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of Inquiry upon Oath, whereof we find no mention. The first Canon I have observed made in England after the Conquest concerning Visitations, is this of <sup>d</sup> Hubert Archbp. of Canterbury in the Council of London, An. 1200. worthy observation. *Prohibemus, ne subditos suos talliis et exactionibus Episcopi gravare presumant. Cum enim dicit Apostolus, Non debent filii thesaurizare parentibus sed parentes filiis; multo longè à paterna pietate videtur, si Præpositi subditis suis graves existant, quos in multis necessitatibus pastoris more debent fovere. Archidiaconi, aut sui Decani, nullas exactiones vel Tallias in Presbyteros seu Clericos exercere presumant, &c. Sanè ad precidendam tam avaritiæ quam negligentie vitium; auctoritate Toletani Concilii subnixi, precipimus, ut Visitator ab Ecclesia in qua Visitacionis officium debito modo non exercet (by preaching the word of God to the people, &c. as aforesaid) procuracionem, aut procuracionis redemptionem, erigere non presumat. The like was decreed interminu, or with little variation, by \* Stephen Langton Archbishop of Canterbury in the Council of Oxford, An. 1222. by \* Rich. Poor Bishop of Sarum in his Diocesan Synod, Anno 1217. De Procuracionibus Archidiaconorum, by Othobon the Popes Legate and the Council of London, An. 1226. cap. 20. Officium Archidiaconorum, by Othobon the Popes Legate and the Council under him, An. 1248. by Peter Quivil Bishop of Exeter and the Synod under him, An. 1287. by the Synod of Winton about the year 1308. by Walter Raynolds Archbishop of Canterbury in the reign of King Edward the 2<sup>d</sup>. by John Stratford Archbishop of Canterbury and the Council of London under him, Anno 1342. De Visitacione & Procuracione Archidiaconorum, & aliorum Ordinariorum: All which prescribe all Visitors (especially Archdeacons, the Bishoppees) not only to preach to the people in all Churches they visit, in the \* first place, and instruct them in the principles of Religion, but likewise personally to enter and view every Churches Fabrick, with their Books, Vestments, Vessels, appurtenances which they Visit: and that not perfunctorily, but diligently; and to demand or take no Procurations from any Church they do not thus personally and actually view, visit, and those only in competent meat and drink, not in money; yea if they visit many Churches in one day, they enjoyn them to demand but one Procuracion from them all, not several Procurations from each of them, and no Procuracion at all from poor Churches and Ministers: wherewith William Lindwode in his Provincial Constit. l. 3. De Censibus & Procuracionibus, f. 159, 160. Johannes de Aton in his Glosses on Othobon's and Othobon's Constitutions, f. 43. 89. Angelus de Cleasio in his Summa Angelica, Tit. Visitatio; together with Gratian Distinct. 42. cap. Non oportet; & causa 10. qu. 1. and his Glosses fully accord. Yea † Concil. Lateran. sub Innocent. 3. An. 1215. cap. 33, 34. Concilium apud Castrum Gunteri, Anno 1251. Concilium apud Salinur. An. 1253. Synodus Andegavensis, An. 1263. Concilium Provinciale apud Langres, Concilium apud Naretes, An. 1264. Concil. Burdegal. An. 1582. with others collected by Laurentius Bachelus, Decreta Eccles. Gallicanæ, Lib. 5. Tit. 15. De Visitacione, Procuracione, & Personis quibus commissæ est potestas visitandi, thus decree the like; Cum ratione Visitacionis debetur procuratio, districte precipimus, Ut nullus procuracionem recipiat, nisi in locis visitatis duntaxat: and that, tantum victualibus a locis quæ visitantur; non pecuniis numeratis: wherewith Concilium Colonienſe An. 1549. Concilium Tridentinum, Sessio 24. De Reformatione, cap. 3. n. 746. Surinus Concil. Tom. 4. p. 845, 976. Thomas Zerula in his Praxis Episcopalis, pars 1. Tit. Visitatio, and all Canonists I have seen concurr. Hence John de Aton in his Glosse on this clause of Othobon's Constitution; (Nos tam Ecclesiarum indemnitati, quam Prælatorum saluti consultis providentes districtius inhibemus, ne quæ eorum procuracionem (quæ ratione visitacionis debetur) ab Ecclesia quacunque recipiat, nisi cum eidem visitacionis officium impendit, qui vero receperit, donec restituerit ab ingressu Ecclesiæ sit suspensus:) hath this observation, \* Et hæc ratio forte movet Episcopos hujus-regni, qui in visitacionibus suis procuraciones ab Ecclesia communiter non exigunt, (which since many of them usually do, against the premised Canons and Constitutions) quia ad singulas Ecclesias ob causam visitacionis non declinant: licet plene personas visitant tam Clerum quam populum, ob hanc causam nunc ad unum locum, nunc ad alium congruum convocando; cum tamen procuracionem debeant recipere tantummodo de locis visitatis. Ut hic; & Extrav. de Censibus, c. Romana. It being then no legal, real, nor Canonical Visitation at all for Bishops or Archdeacons to summon a whole Diocese, Archdeaconry, or Deanry to meet at one certain place or Church, there to appear before and visit their*

An. 31 H. 3.  
c. Roz. Hov-  
den. Anal. p. 1  
p. 807.  
Spelmani  
Concil. Tom. 2.  
p. 124, 125.

\* Surinus Con-  
cil. Tom. 3. p.  
763. Johannes  
de Aton, Con-  
stit. Provinc.  
f. 122. b.  
e Spelmani  
Concil. Tom.  
2. p. 156, 220,  
221, 265, 380,  
381, 484, 489,  
506, 576.

\* Primæ, pro-  
prie debet Ec-  
clesiæ Dei, & de-  
mum de Vita &  
conversacione  
ministrandum;  
& ceteris qua  
ad officium su-  
um spectant in-  
quiratur: & sine  
sacramento &  
consecratione, ce-  
rum consecra-  
tionem per salubria  
consilia reducat  
locibus & esse-  
ria, sicut sibi vi-  
debitur expedi-  
re. D. cap. Ro-  
mana Summa  
Angelica, Visi-  
tatio, Sess. 2.  
† Surinus Con-  
cil. Tom. 3.  
p. 746.

\* Constit. l. e.  
p. 89 g.

Bishops



31 H 3. Bishops or Archdeacons out of, and remote from their own Parishes, to their great travel and expence; no more than a Bishops, Archdeacons, or Ministers summoning all the Sick persons or Prisoners in their Diocesse, Archdeaconries or Parishes to meet them at the places where they visit, or at their Parish Churches, is or would be reputed a real, legal or canonical visitation of the Sick, or Prisoners, within our Saviour Christs, or St. James words or meaning, *Mat. 25. 36, 39, 40, 43, 44. Jam. 1. 27. c. 5. 14, 15* or within the Order for visiting the Sick, in the Book of Common Prayer prescribed by Act of Parliament; which orders Ministers, to go and enter into Sick persons Houses, Chambers to visit them, not they to send for them into the Church, or their own Houses: this new kind of Visitation being in truth a visiting of the Bishops and Archdeacons by the Ministers, Churchwardens and others repairing to them; not a visitation of them by the Bishops or Archdeacons, contrary to the Apostolical primitive constitution, custome, and the antient Canonical legal form of all Episcopal and Archidiaconal Visitations, who personally repaired to every Church they visited, and there first of all preached Gods Word unto the People, and then with all care and diligence viewed the Fabricks, Ornaments, Veltments, Utensils, Books and necessary appurtenances of each Church, the persons, manners of the Ministers and People with their own eyes, and so needed no such Inquiries or Visitation Articles upon Oath concerning them, their Ministers or Parishioners, as Bishop Grossthead, his Archdeacons, Deans and Officials then endeavoured to inforce upon the People or Churchwardens by Ecclesiastical censures; which King Henry the 3<sup>d</sup>. his Council, and Judges thereupon prohibited as illegal Innovations, Grievances, Vexations by the premised Writs: Much less needed they such printed Books of numerous, various, unauthorised Articles, Oaths, as others have since illegally invented, inforcing the Churchwardens of every Parish to buy their Books of Articles at dear rates, and then to make Presentations on them upon Oath; for which Presentations they must likewise pay Fees: A device of later times rather to pick the Peoples Purfes, and ensnare their Consciences, than to reform their vices; Which the premised Councils condemn as a gross abuse; and \*Clandius Effencus

\* Comment. in Epist ad Titum, c. 1. Bocheilus Decret. Eccles. Gal. 1. 5. Tit. 15. c. 50.

(a learned French Bishop) thus long since complained of: *Minores non tantum Episcopi, sed & Archidiaconi, eorumque malis Officiis (absit verbo invidia, nam de malis loquor) Officiales & Vicarii dum Dioceses & Parochias obsequuntur, non tam facinorosos & criminum reos penia & correctionibus à vitiis deterrent, quo sine peregrinationes hujusmodi olim jam fuerunt jure canonico ordinatae, quam pecunia praesenti et numerata, titulo Procuratoris, ne dicam fictitiae Jurisdictionis emungunt, et erigunt tum Clericos, tum Laicos: and Saint Bernard long before him severely censures, in Sermon 77. super Cantica, & Concione ad Clerum in Concilio Rhemensi, to omit all others. If every Judge of Assise or Sessions of the Peace should Print all the Articles of their Charges and Inquiries, and enjoyn every Grand-Jury-man and Constable to buy them, and exact Procurations from them, it would be reputed an intolerable, illegal Innovation and Exaction in them. Therefore it can be deemed no other in Bishops, Archdeacons, and other Visitors. All which considered, will abundantly answer the premised Objection, grounded on the misconstruction of the words, *Ad recognitiones super Sacramentum faciendas*, which properly signifie, to make Inquisitions or Presentments upon Oath, as the words *Recognitio, facere Recognitionem, & Recognitores Assisarum* in cases of Assises, with our † Law-books and Statutes clearly resolve.*

† Bracton, l. 3. Tract. 1. c. 11. n. 16. l. 5. Tract. 8 c. 9. West. 1. c. 31. Littleton sect. 234. Cowels Interpreter, & Spelmans Glossarium, Tit. Recognitio, & Recognitores.

Tom. 2. p. 699. l. 6. after *inveris*, adde: In the Plea-Rolls and Assises taken before the Justices Itinerant in the 31. year of King Henry the 3<sup>d</sup>. (remaining in the Tower) I find many Prohibitions, Attachments, and Actions upon them, brought against Bishops, Archdeacons, Officials, and other Persons for holding Plea, and prosecuting Suits in Courts Christian of Advowsons, Free-holds, Trespasses, Debts and Chattels that were not Testamentary, nor given in Marriage, and for Excommunicating them against the Kings Crown and Dignity, to the Subjects great damages and vexation, with Writs enjoining them to absolve them. I shall begin with one in my own native Country of Somerset.

*Placita & Assisa capta apud Northampton in crastino Natalis Sancti Johannis Baptiste, anno regni Regis Henrici filii Regis Johannis tricesimo primo. Coram Rogero de Thurkelby, & sociis suis Justiciariis.*

Rot. 25. d. 10.

Effonator Drogonis de Staunton, & Henricus filius Roberti Effonia-

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Henry 3.

*Essonator Alicie de Staunton optulerunt se 4 die versus Magistr. Nicholaum Archidia-* An. 31 H. 3.  
*conum de Bathonia de placito, quare tenuit placitum in Curia Christianitatis de feodo*  
*ipsozum Drogonis et Alicie in Staunton contra prohibitionem, &c. & versus Walte-*  
*rum Personam, &c. & versus Will. Lenteneley de placito, quare secutus est placitum*  
*in Curia Christianitatis de laico feodo ipsozum Drogonis et Alicie, &c. contra*  
*candem prohibitionem, &c. Et Archidiaconus & Persona non venerunt, &c. Et ideo*  
*mandatur Vicecom. quod attachiet eos. Et Vicecomes mandavit, quod ipsi Clerici*  
*sunt, et quod non habent laicum feodum ubi possint attachiari. Et ideo mandatum*  
*est Episcopo Bathoniensi, quod venire faciat eos apud Oxoniam in crastino Sancte*  
*Trinitatis, &c. Et unde Vicecomes, &c.*

Walterus Persona de Staunton attachiatus fuit ad respondendum Drogoni de Staunton & Alic. uxori ejus de placito, quare secutus est placitum in Curia Christianitatis de laico feodo ipsozum Drogonis et Alic. in Staunton, contra prohibitionem Domini Regis, &c. Et unde ipsi Drogo & Alic. per Attornatos suos dicunt, quod cum ipse teneat unam virgatam terre cum pertinentiis in Staunton de feodo ipsozum Drogonis & Alicie per forinsecum servicium quantum ad predictam virgatam terram pertinet, pro omni servicio. Et cum ipsi vellent facere distinctionem pro scutagio de Gunnok, exigentes ab eodem Waltero 12 d. nomine scutagii de predicta terra quando scutagium fuerit ad quadraginta solidos, & ad plus plus & ad minus minus, predictus Walterus occasione predictae distinctionis fecit ipsos citari coram Officiali Archidiaconi Bathonie apud Britoll in Ecclesia Sancte Marie de la Radeclive. Et cum ipsi detulissent eidem Waltero prohibitionem Domini Regis, ne predictus Walterus placitum illud amplius sequeretur, idem Walterus spreta prohibitionem Domini Regis, secutus est placitum illud in Curia Christianitatis coram Archidiacono Bathonie de die in diem, et \* fecit ipsos Excommunicari et omnes homines suos, unde dicunt, quod deteriorati sunt et dampnum habent ad valenciam 10 l. Et inde producunt sextam, &c. (to recover Damages against him for this injury and vexation.)

\* Such was his abuse and vexation.

Et Walterus venit & defendit vim & injuriam quando, &c. Et bene cognoscit, quod predicti Drogo & Alicia detulerant ei predictam prohibitionem die Sabbati in ebdomada Pasche prox. preterita circa horam primam, sed bene defendit contra ipsos & sciam suam, quod ipse nunquam postea secutus fuit aliquod placitum in Curia Christianitatis versus predictos Drogonem et Aliciam occasione distinctionis predicti scutagii, et quod nunquam postea occasione predicta fecit ipsos Excommunicari. Et hoc paratus est defendere Lege contra ipsos & sciam suam, sicut Curia consideraverit. Et ideo consideratum est, quod varet Legem sc. xii. manu. Et veniat cum lege sua a die Nativitatis Sancti Johannis Baptiste in unum mensem. Plegii de lege, Jordanus de Budiford, & Richardus de Clendon. Et preceptum est eidem Waltero, quod interim absolvi faciat predictos Drogonem et Aliciam, et homines ipsozum qui occasione predicta sunt Excommunicati. Et ad hoc faciendum invenit predictos plegios, qui hoc manuceperunt. Et preterea Magister Johannes de Staunton filius predicti Walteri hoc idem manucepit, et obligavit ad hoc quandam custodiam quam habet in Comitatu Somerset. Postea venit predictus Walterus ad diem predictum, et non potuit deducere, quin ipse occasione distinctionis quam predicti Drogo et Alicia fecerunt pro predicto scutagio ipsos Excommunicavit, et Excommunicatos denunciavit. Et postea \* per preceptum Justic. denunciavit ipsos a sententia illa absolutos, et super hoc fecit Literas suas patentes quas Henricus de Monte Attoznatus predictozum Drogonis et Alicie proferit, et que hoc testantur. Such was his vexation and falshood in his place.

Nota.

\* Nota.

Henricus de Monteforte optulit se 4 die versus Magistrum Willielmum de Lenteneley de placito, quare secutus est placitum in Curia Christianitatis de advocacione Ecclesie de Niny, que pertinet ad liberum tenementum suum in eadem Vill. contra prohibitionem Domini Regis, &c. Et Willielmus non venit, &c. Et mandatum fuit Episcopo Bathon. quod faceret eum venire ad hunc diem; Et Episcopus nichil inde fecit, sed mandavit, quod summonuit eum, &c. Et ideo preceptum est Vicecom. quod summoncat dictum Episcopum, quod sit a die Nativitatis Sancti Johannis Baptiste in unum mensem, & ibi habeat predictum Magistrum Willielm. &c. Et Episcopus sit audieturus Judicium suum; for his contempt in not bringing him in at the day.

Somerset. Rot. 24, 25.

I shall only render you a brief Note of the like and other Prohibitions, Attachments and Actions which I find in the Plea-Rolls of the same Term.

Consimile (for holding Suit) de laico feodo versus Nicholaum Archid. Bathonie, &c. Rot. 25. inus.

Con-



- An. 31 H. 3. *Consimile* versus Rogerum Episcopum Bathoniæ (for a Suit in Court Christian) de abbocatione Ecclesiæ de Nuny, &c. tryable only in the Kings Courts of Common Pleas.
- Rot. 25. intus. *Consimile* versus Egidium Archidiaconum Northampton. de placito quare ad mandatum Domini O. Cardinalis Sanctæ Mariæ in via lata, quia idem Radulphus coram eo non comparuit in partibus transmarinis, quod esset in præjudicium privilegii Domini Regis, ipsum denunciari fecit excommunicatum, &c.
- Rot. 16. dorso. Philippus de Covel, & Radulphus de Dayrel optulerunt se 4 die versus Priorem de Thurgaton de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis ipsorum Phil. de Rad. quæ non sunt de Testamento vel Patrimonio, contra prohibitionem Regis, &c.
- Rot. 24. dorso. *Consimile* de catallis quæ non sunt, &c. versus Robertum Episcopum London. &c.
- Rot. 25. intus. *Consimile* de catallis quæ non sunt, &c. versus Magistrum Hospitalis Sancti Johannis Northampton.
- Ibidem dorso. *Consimile* de catallis quæ non sunt, &c. contra prohibitionem, &c. versus Walterum de Sees.

To these I shall annex some Suits prosecuted by the King himself and his Attorney, against several persons for holding and prosecuting Suits in Court Christian, for Advowsons of Churches, and his free Chappels, against his Crown and Dignity, in Michaelmas Term, in this 31. year of his reign.

*Placita coram Rege in Oñab. Sancti Michaelis, anno regni Regis Henrici tertii fil. Regis Johannis tricesimo primo.*

- Heref. ff. Laurentius del Brock qui sequitur pro Rege, optulit se 4. die versus Archid. de Hertford. Magistrum Richardum, Thomam, & Nicholaum Penitenciar. ejusdem loci de placito, quare tenuerunt placitum in Curia Christianitatis de Ecclesia Sancti Michaelis de Coventr. quam Dominus Rex contulit Radulpho de Leyc. Clerico suo, vacante sede Coventr. & Lychf. contra Cozonam et dignitatem, et contra prohibitionem Regis, &c. Et ipsi non venerunt, &c. & præceptum fuit Vic. quod distr. Episcopum Hereford. quod esset ad hunc diem. Et quod haberet, &c. Et Vic. nichil inde fecit. Ideo sicut alias præceptum est Vic. quod distr. prædictum Episcopum, ita quod habeat Corpus ejus a die Paschæ in unum Mensem, & ibi habeat, &c. Et Vic. sit auditurus judicium suum, &c.
- Staff. Salop. Dominus Rex per Laur. de Brock, qui sequitur pro eo, optulit se quarto die versus Henricum Creke de placito, quare secutus est placitum in Curia Christianitatis de Ecclesia Sancti Michaelis de Coventr. quam Dominus Rex contulit Radulpho de Leyc. Clerico suo, vacante sede Coventr. & Lychf. contra Cozonam et dignitatem Domini Regis, et contra prohibitionem, &c. Et ipse non venit, &c. Et Vic. mand. quod non est inventus. Ideo sicut prius, & si inventus fuerit, quod capiat, ita quod habeat Corpus ejus, &c. a die Paschæ in unum Mensem, &c.
- Warw. Leyc. Dominus Rex per Laurentium del Brock, qui sequitur pro eo, optulit se quarto die versus Decanum & Capitulum de Lychf. de placito, quare secuti sunt placitum in Curia Christianitatis de Ecclesia Sancti Michaelis de Coventr. quam Dominus Rex contulit Radulpho de Leyc. Clerico suo, &c. contra Cozonam et dignitatem nostram, et contra prohibitionem nostram. Et Decanus & Capitulum non venerunt, &c. Et præceptum fuit Vic. quod distringeret Episcopum Hereford. ita quod haberet Corpus suum a die hunc diem, & quod Episcopus ibi haberet, &c. Et Vic. nichil inde fecit. Ideo sicut alias præceptum est Vic. quod distr. eum per omnes terras, &c. quod sit a die Paschæ in unum Mensem, &c. Et Vic. sit auditurus judicium suum, &c.
- London. Capellan. Dom. Regis. Prior Sancti Gussac. attach. fuit ad respondendum Domino Regi de placito, quare secutus est placitum in Curia Christianitatis de Abbocatione Ecclesiæ de Lugwarden, quæ ad Dominum Regem pertinet, contra prohibitionem suam. Et nunc Laurentius del Brock qui pro Rege sequitur, dicit, quod ipse secutus est placitum prædictum in prædicta Curia Christianitatis de prædicta Abbocatione, quæ est præbenda Domini Regis, et quæ Dominus Rex dedit Magistro Johanni Maunsell. Unde Dominus Rex dampnum habet, &c. Et inde producit sectam. Et Prior venit & defend. vim & injur. contra ipsum & sectam suam, quod nullum placitum secutus est de Abbocatione prædicta post prohibitionem, &c. Et ideo concessum est, quod Prior vad. legem 12 mann, &c.
- Hereford. ff. Idem Laurentius qui sequitur pro Rege, optulit. se 4 die versus Magistrum Johannem
- Ibidem.

nem Batcum de placito, quare tenuit predictum placitum contra prohibitionem predictam, &c. Et Magister non venit, &c. Et Vic. mand. quod Clericus est, & quod noluit invenire pleg. quia nullum habet laicum feodum, &c. per quod, &c. Et ideo mandatum est Episcopo Hereford. quod fac. venire ipsum Johannem ad predictum term. ad respondend. Domino Regi de predicta transgressione. An. 31 H. 3.

Laurentius del Brock, qui sequitur pro Rege, optulit se quarto die versus Magistrum Radulphum de Lacock de placito, quare secutus est placitum in Curia Christianitatis contra libertates Ecclesie beate Mariæ de Stafford, quæ est libera Capella Domini Regis, et contra prohibitionem nostram. Et ipse non venit, &c. Et Vic. Wiltes alias mandavit quod Clericus fuit, &c. Unde mand. fuit Episcopo Coventr. quod faceret eum venire, &c. Et Episcopus nichil inde fecit, nec breve misit. Ideo Episcopus sum. &c. a die pasch. — Et primi, &c. Wiltes. Warr. Suff. ff. Capella Domini Regis.

These with some more such Suits in the Plea-Rolls of this Term, sufficiently discover the Bishops and other Ecclesiastical Judges frequent usurpations upon the Kings Crown, Temporal Courts, and Subjects Free-holds, Liberties, with their manifold contempts and illegal Excommunications against his Prohibitions to restrain their usurpations; without which they had engrossed to themselves by degrees all Suits for Lands, Advowsons, Trespasses, Debts, Contracts triable in the Kings and Temporal Lords Courts; which these Prohibitions, and Actions for damages against the Prosecutors, and Ecclesiastical Judges, sometimes fined to the King for their contempts, and exceeding the bounds of their Ecclesiastical Jurisdictions, did in a good measure prevent, though not totally redress.

As the King by his premised Patents granted Tithes of all Hay and Mills in his Demefn Lands to Churches, and likewise of his Venifon taken in his Forests to several Bishops and Abbots; so he did by this Charter grant to the Prioress and Nuns of St. Mariæ in Chester the 4<sup>th</sup>. part of the Tithes of all the Victuals spent by him in his house, while he held the Earldom of Chester in his hands, and that his Son and all Earls of Chester and their heirs, should be chargeable with these Tithes, where ever they resided, according to a former Charter of Hugh Earl of Chester, which he hereby confirmed.

**R**EX omnibus, &c. salutem. Sciatis nos concessisse Prioressæ et Monialibus Sanctæ Mariæ Cestrie quartam partem Decimationis omnium victualium domus nostre quocienscumque, quandocumque et quamdum nos esse contigerit apud \* Castrum, dum retinuerimus in manu nostra Comitatum Cestrie; Ita quod alicui, siue filio nostro, siue alii Comitatum predictum Cestrie dederimus, Comes ille, et qui pro tempore fuerint successores sui Comites Cestrie, dare teneantur predictis Prioressæ et Monialibus et earum successoribus quartam partem Decimationis omnium victualium domus suæ, ubicumque idem Comites aut familie suæ fuerint per totam Angliam, prout per Cartam Hugonis quondam Comitis Cestrie predecessores sui specialiter obligantur. Teste Rege apud Radynges, septimo die Novembris. Pat. 31 H. 3. m. 8. intus. Pro Monialibus Cestrie. \* Cestriam.

The like Donations of the Tithes of all sorts of Victuals, Wine, Liquors, Fish, Fowls, Butter, Cheese, &c. spent in Castles or houses, (for which no Tithes were due by Law) I find made by William de Braosa to the Monks of \* Bergavenny, by Nigellus de Munevilla to the Monks of Folkestan: yea William Peverel granted to the Monks of Lenton; Duas partes omnium Decimationum de Dominicis meis, de omnibus rebus quæ decimari possunt. Item totam Decimam pullozum et pul-larum super Dominicas pasturas meas. Item totam decimam plumbi mei, et de-nationis meæ, tam in coctis quam in carnibus; et totam decimam piscarie meæ de Nottingham: which our Kings confirmed by their Charters. a Bundela Bre-vium An. 3 E. 3. nu. 101. b Mich. 4 H. 4. Rot. 10. dorso. in Scac. Monasticon Anglicanum, Vol. 1. p. 558, 560, 566. c Cart 10 E. 2. n. 10. Chart. 30 E. 3. n. 7. Monasticon Angl. Vol. 1. p. 646.

King Henry having conquered Lewellen Prince of Northwales, claimed a right to present to a Church belonging to him in Wales, then voyd, by way of conquest; the first presentation by this kind of Title I have observed.

**H**enricus de Britun habet literas de presentatione ad Ecclesiam Sancti Michaelis de Kery vacantem, et ad donationem Regis spectantem ratione conquestus Regis de terris quæ fuerunt L. quondam Principis Norwallie in Suwallia, & diriguntur Episcopo Menevensi. Teste Rege apud Merleberg, decimo quinto die Novembris. Pat. 31 H. 3. m. 9. intus. De Presenta-tione.



An. 32 H. 3.

Tom. 2. p. 718. l. 14. after Jan. adde; I found this original Writ issued this year by King Henry: *Vic. Huntingdon. Pone per vad. & saluos pleg. Episcopum Linc. quod sit coram Justic. nostris Itinerantibus apud Rading. &c. Et habeat Priorem Sancti Michaelis de Saundford, & Magistrum Johannem le Fraunceys, ad respondend. Mauricio de Arundeli, quare tenuerunt placitum in Curia Christianitatis de catallis et debitis ipsius Mauricii quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram. Et similiter quod ibidem habeat Magistrum Alexandrum de Standford, ad respondend. eidem Maur. quare secutus est idem placitum in eadem Curia, &c. Teste R. de Thurkelby apud Glouc. 8 die Maii, Anno regni nostri tricesimo secundo.*

An. 33 H. 3.

Tom. 2. p. 726. l. 11. after Augusti, adde; In the decayed *Placita Assisarum* (in the Tower) de *Itinere*: H. de Bathon. & Sociorum suorum *Itin. apud Winton. in Crastino S. Hillarii, An. 33 H. 3. M. uxor Willielmi Seel, attachiata fuit ad respondend. Cecilie qua fuit uxor Elyæ de Pestar, quare secuta est placitum in Curia Christianitatis de laico feodo ipsius Cecilie in Winton, contra prohibitionem, &c. coram Mag. Galfrido de Fermiges, Officiali Dom. Episcopi Winton, exigendo ab ea quinque Pessuagia, ita quod fecit eam capi et excommunicari postquam detulisset ei Regiam prohibitionem. Et unde dicit, quod deteriorata est et damnum habet ad valenciam 20 l. et inde producit sextam, &c. No doubt there were more of this kind in the Rolls of that Term, most of which are pntified, torn, illegible. In broken Rolls about the same year, I found two more of this kind.*

\* Godwins Catalogue of Bishops, p. 363.

*William de Cantelupo, Son of \* William Lord Cantelupo, a man of great birth, stonack and courage, who kept a great Retinue when Bishop of Worcester, with his whole Family, and the Family of the Treasurer of Lychfeld were accused, appealed both for drowning and murdering several of the Kings Subjects in a most barbarous manner at Kemesey, whereupon the King issued this memorable Writ of Inquiry for the full and particular discovery, as well of the Commanders and Plotters, as Actors of this horrid Trespass, though the Bishops own menial Servants, he being suspected (as it seems) to abet them therein.*

Pat. 33 H. 3. inus m. 5. De Inquisitione faciendâ apud Kemesey.

**R**EX dilectis & fidelibus suis Magistro Simoni de Wanton & Stephano Brabantan, salutem; Sciatis, quod assignavimus vos, una cum Vicecomite nostro *Wigornie*, & coronatoribus nostris ejusdem Comitatus, ad inquisitionem faciendam de submersis & interfectis nuper apud *Kemesey*, unde multi multos appellant, & multi rectati sunt tam de facto quam de præcepto, utpote tota familia *Wygorniensis* Episcopi de *Kemesey*, et R. Thesaurarii *Lychfeld*. Et ideo vobis mandamus, quod in Crastino Sancti *Laurentii* Martyris conveniatis apud *Wygorniam* ad prædictam inquisitionem faciendam super tam enormi et horribili transgressione commissa contra pacem nostram. Et cum constiterit vobis per inquisitionem prædictam qui fuerint inde culpabiles, tam de facto quam de auctoritate, omnes illos capi faciatis et in prisonam nostram retrudi, & inde distinctè & aperitè nos reddatis certiores. Mandavimus enim Vicecomiti nostro prædicto quod appellantes appellatos & rectatos si inventi fuerint, cum eorum attachiamentis et aliis quæ ad negotium pertinent, dictis die & loco coram vobis venire faciat. Teste, &c. apud *Wodestok* 23 die Julii.

The King standing in need of Moneys this year for the recovering and defence of the Rights of his Crown, both on this side and beyond the Seas, sent this memorable Letter to some rich Abbots for a present supply.

Pat. 33 H. 3. inus m. 9. De Subsidio petendo.

**R**. Tali Abbati, salutem. Si Regis Majestatis dignatio pro Juribus regni tuis devotoz et fidelium suorum amicitiam experiri voluerit, vel si ipsi suum Principem sub cuius alis protekti respirant, obsequio corporali et munerum obligatione frequenter honorent, non est mirum. Cum igitur deficientibus jam treugis inter Dominum Regem *Francia* & nos pro recuperatione et destructione Jurium nostrorum, tam in cismarinis quam in transmarinis partibus, ad quas nuper misimus magnam Militum comitidam, oporteat nos facere magnos sumptus, et ob causas diversas manum liberalitatis pluribus aperire, dilectos Clericos nostros *Th. de Stanford*, et *Willielmum de Axemua*, una cum singulis Vicecomitibus dictorum Comitatum ad vos transmittimus, rogantes attente, quatinus ipsos in negotio nostro, quod vobis exponet, immo nos in eis favorabiliter audientes, ad alleviationem sumptuum prædictorum nos de pecunia vestra tam habundanter juvetis, quod id vobis debeamus retributione valida compensare. Teste Rege apud *Oxonium*, 10 die Decembris.

Pope

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

K. Henry 3.

Pope Innocent the 4<sup>th</sup>. in the 6<sup>th</sup>. year of his Papacy, sent this short Bull to King Henry, affectionately intreating him to assign in his name the 1000 Marks due from him this year to the Church of Rome, under the name of a Rent or Tribute, (by pretext of King John's voyd Charter) to the Treasurer of the Temple in London, the original whereof I retrieved in the White Tower.

An. 33 & 34  
Hen. 3.

**I**NNOCENTIUS Episcopus, servus servorum Dei, charissimo in Christo filio Regi Anglorum illustri, salutem & Apostolicam benedictionem. Excellentiam tuam affectione paterna rogamus, quatinus mille marcas Sterlingorum quas pro anno presentis Ecclesie Romana nomine Censui debes, dilecto filio Thesaurario Domus Militie Templi London. solite devotionis affectu, nomine nostro facias assignari. Dat. Lugdun. 5 Kal. Augusti, Pontificatus nostri anno sexto.

Anno 33 H. 3.  
in Turri Lord.

Dorso, *De Censu annuo Domino Papae debito.* Examinatur.

I find by the \* *Liberate-Rolls*, that this Rent due for the 31. year of Henry the third, was then paid to the Treasurer of the Temple; but that any was paid this year by virtue of this Bull, I cannot discover by any Record.

\* Lib. 31 H. 3.  
Intus m. 1.  
Here, Tom. 2.  
p. 309.

In the *Plea-Rolls of Term*. Mich. an. 33 & 34 H. 3. in the Tower, I discovered these ensuing Suits and Attachments for holding and prosecuting Pleas of Chattels and Debts not Testamentary nor of Matrimony, and of Advowsons and Lay-fee, in Courts Christian; against the Kings Prohibitions, Crown and dignity.

Hamo de Parceney & Mitilda uxor ejus per Attornat. &c. obt. se 4 die versus Galfr. Vicarium Ecclesie de Maudeby, de placit. quare secutus est, & versus Johannem De- canum de Landeshaw, quare tenuit placitum in Curia Christianitatis de catallis et debitis quae non sunt de Testamento vel Patrimonio, et contra prohibitionem, &c. Et ipsi non venerunt, &c.

Plac Term. S.  
Mich. m. 1. An.  
34 H. 3. Rot. 5.  
Linc.

David Decanus de Croft attach. fuit ad respondend. Adelth. de Hennoyr, quare tenuit placitum in Curia Christianitatis de catallis et debitis quae non sunt de Testamento, &c. Et unde eadem A. queritur, quod quidam Willielmus le Clerke implacitavisset ipsam coram ipso David, petendo ab ipsa 4 sol. qui non sunt de Test. &c. Et ipse A. &c. an. 33. in Ecclesia Sancti Petri de Leomyntr. detulisset ei breve Dom. Regis de prohibitione, ne placitum illud teneret. Idem David spreta prohibitionem illa tenuit placitum praedict. et ipsam ab ingressu Ecclesie suspendere fecit, et postea excommunicavit. Unde dicit, quod per hoc quod tenuit Placit. praedict. deterioratus est et dampnum habet ad valent. 100 s. Et inde producit secliam, &c.

Hereford.  
Rot 36.

Elyas Hinge, &c. obtulit se 4 die versus Philip. de Marer, quare secutus est placit. in Curia Christianitatis de catallis, &c. quae non sunt de Testamento, &c. contra prohibitionem, &c.

Ibid. Rot. 50.  
in Sussex.

Hugo de Bygot per, &c. obt. se 4 die vers. Magistr. Hug. de Cantilupo Pracentorem Ebor. et Willielm. Archidiacon. Rychmund. et Johan. de Hesel de placit. quare praedict. Pracentor. & Archidiacon. tenuerunt placit. in Curia Christian. de Advoc. 4. partis Ecclesie de Cotingham contra prohibitionem. Et quare praedict. Johannes secutus est idem placitum contra eandem prohibitionem. Et ipsi non venerunt, &c. Et etiam mandatum est Decano & Capis. Ebor. quod fac. ipsos venire, eo quod sedes vacua, &c. qui nichil inde fecerunt. Et quia modo est ibi Archiepiscopus, mandatum est Archiepiscopo Ebor. quod faciat eos venire. Such manifold Delays di' Bishops and Cathedral Clergymen make in such Suits, against their usurped Jurisdiction.

Ibid. Rot. 38:  
dors. Ebor.

Henricus Salisbur. obtulit se 4 die versus Magistr. Willielm. de Brokedagh Personam Ecclesie de Waudegrave, & Egid. de Rous Archidiacon. Norwic. de placito, quare idem Willielmus secutus est placitum in Curia Christianitatis de laico secundo ipsius Henr. in Waudegrave, &c. & de plac. quare idem Egid. tenuit idem placitum in eadem Curia Christi. contra eandem prohibitionem. Et de placito, quare praedicti Willielmus et Egidius postea in dampnum et deceptionem Curiae Dom. Regis, et in contemptum Cozonae et dignitatis ejusdem Domini Regis, occasione praedicti placiti fecerunt ipsum Henricum capi et incarcerari in prisona Norwic. et ipsum in eadem prisona detinuerunt; per quod idem Henricus in eadem Curia Domini Regis praedictum placitum non potuit prosequi versus eos. Et ipsi non venerunt: & praecipuum est Vic. quod attach. eos, &c. For this their contempt, vexation, oppression and deceit.

Ibid. Rot. 37.  
dors. Norwic.

Tom. 2. p. 759. l. ult. after *patentes*, insert;

The Archdeacon of Taunton having obtained a definitive sentence for the Prebendary of St. Decuman in the Diocesis of Bath and Wells, before the Popes Delegates

An. 34 H. 3.



An. 34 H. 3. in England; the Pope upon his Petition issued this Bull for the confirmation and execution thereof by Ecclesiastical censures, without any Appeal: the Original whereof I discovered in the *White Tower*.

An. 34 H. 3.  
in Turri London.

**I**NNOCENTIUS Episcopus, servus servorum Dei; dilectis filiis S. Pauli & Martini Decanus, & Johanni de S. Laurentio Canonico S. Pauli London. salutem & Apostolicam benedictionem. Dilectus filius W. Archidiaconus de Taunton a nobis humiliter postulavit, ut diffinitivam sententiam quam venerabilis frater noster Episcopus Elyen. et consudices sui a sede Apostolica delegati, pro eo contra R. Portmannum Bathon. Diocesis super Præbenda Sancti Decumanni rationabiliter protulerunt, Apostolice dignaremur munimine roborare. Quocirca discretioni vestre per Apostolica scripta mandamus, quatinus sententiam ipsam sicut est iusta faciatis per censuram Ecclesiasticam, Appellatione remota, firmiter observari. Quod si non omnes hiis exequendis potueritis interesse, duo vestrum ea nichilominus exequantur. Dat. Romæ apud Sanctum Petrum, 10 Kalend. Januarii, Pontificatus nostri anno octavo.

Plac. de Term.  
S. Mich. &c.  
An. 34 H. 3. in  
Turri London

In the Plea-Rolls, *Termo Pasch. & Term. Sancti Michaelis*, An. 34 H. 3. in the *Tower*, there are these Suits upon contempts for suing in Court Christian, against the Kings Prohibition, Crown and Dignity.

Kermerd.

Thomas Episcopus de Sancto David, attach. fuit ad respondendum Mereduk fil. Ros de placito, quare tenuit placitum in Curia Christianitatis de furtis levat. in terra ipsius Mereduk. in Keytheynoc, quod spectat ad Cozonam et dignitatem Domini Regis, &c. Et unde queritur, quod cum detulisset ei Literas Prohibitionis apud Kermerd. ubi fecit ordines suos, dictus Episcopus nichilominus tenuit dictum placitum postea in Curia Christianitatis; unde dampnum habet ad valenc. &c. Et inde producit sectam, &c.

Et Episcopus venit & defendit vim, &c. Et dicit defend. quod nunquam tenuit placitum de furtis levatis in Curia Christianitatis, &c. Et hoc bene defend. contra ipsum & sectam suam. Et ideo conf. est quod vad. Legem suam se 12 manu. Et veniat cum lege die Pasch. in 15 dies: pleg. de Lege Willielmus Hay & Willielmus de Wilton. Et ad diem illum venit dictus Episcopus & sufficiens, fecit legem suam. Et ideo consideratum est, quod Episcopus inde sine die. Et Mereduk in misericordia.

Ibidem.

Idem Episcopus attach. fuit ad respondend. prædict. Mereduk. de placito, quare ad præsent. ipsius Mereduk. non admittit idoneam Personam ad Ecclesiam de Landeveny, cuius Ecclesie Advocacionem idem Mereduk distraxerat versus ipsum Episcopum per Assisam ultimæ præsentacionis inter eos captam, coram Balivo de Kermerd. sicut ei Dominus Rex alias mand. &c. Et unde queritur, quod cum secutus fuit breve Domini Regis ultimæ præsentacionis in Curia de Kermerd. versus ipsum Episcopum de Advocacione prædictæ Ecclesie, & dicta Assisa ibidem capta, fuit: Ita quod per Assisam illam recuperaveris seisinam suam, & habuit breve Domini Regis ad ipsum Episcopum, quod ipse admitteret idoneam personam ad præsentacionem suam, dictus Episcopus recusabit idoneam personam admittere, in præjudicium et destructionem Cozonæ et dignitatis Domini Regis, et ad dampnum ipsius Mereduk. C. Libz. &c.

Et Episcopus venit & defendit vim, &c. & dicit, quod non debet hic in Curia Laicali respondere. Quia dicit, quod examinatio Personæ, utrum sit idonea vel non, mere spirituale est, et ad forum suum spectat; nec vult, nec debet inde hic respondere. Præterea dicit, quod placitum de Advocacionibus Ecclesiarum in partibus suis est mere spirituale, et ipse et prædecessores sui semper placitaverunt prædictum placitum; unde non vult, nec debet de illo placito hic respondere, nec parere, nec facere inde ad mandatum Domini Regis, licet plac. illud deducatur in Curiam Domini Regis. (A strange, disloyal, contemptuous Plea.)

Nota.

Nota.

Et quia Dominus Rex est in seiteina de placitis Advocacionum Ecclesiarum in Curia sua per totum regnum suum; ita quod omnes Episcopi postquam loquela inde deducta sit in Curia Domini Regis debent ad mandatum Regis idoneam personam admittere. Et Dominus Rex non petit, quod ipse Episcopus respondeat de examinatione idoneitatis, quia si unus non idoneus præsentatus sit, admittat alium qui sit idoneus, set \* tamen quod ad mandatum suum de loquelis deductis in Curia sua, idoneum Clericum admittat, &c. Et ipse Episcopus dicit, quod non vult hic inde respondere, nec mandato Regis parere, set dicit quod ipse vult habere dictum placitum in Curia sua, quod est manifeste contra Cozonam et dignitatem Domini Regis,

\* SANCTUM.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

K. Henry 3.

Regis, et ad exheredationem Domini Regis. Et Episcopus non vult aliud dicere, consideratum est, quod predictus Episcopus est indefensus in Curia Domini sui; Et predictus Mereduc recuperet dampna sua, et Episcopus in misericordia; Et Dominus Rex provideat sibi de Jure suo, &c. Postea preceptum est Ballivo de Kermerden quod distringat Episcopum per Baroniam, quod admittat idoneam personam, &c. Et damna tarata sunt ad 20 Marc. et mandatum est dicto Ballivo quod fac. denar. levare, &c. (A memorable Case.)

Wall. ff. Idem Mereduc per eundem Attorn. opt. se 4 die versus eundem Episcopum de placito, quare tenuit placitum in Curia Christianitatis de fureis levatis in terra ipsius Mereduc in Keytheynot quod spectat ad Cozonam et dignitatem Domini Regis, &c. Et quare tenuit placitum in eadem Curia de laico feodo ejusdem Mereduc in eadem Villa, contra prohibitionem, &c. Et ipse non venit, &c. Et Vic. mand. quod Episcopus attach. fuit per Tankard de Hosp. & Johannem Dumeit. Ideo ponatur per mel. pleg. & quod sit ad eundem Terminum. Et primi, &c.

Kermerd. ff. Dies datus est Mereduc filio Ros, per Attorn. suum quer. & Episcopo Menevens. de placito, quare secutus est placitum in Curia Christianitatis, de Advocatione Ecclesie, &c. Et de placito, quare non admisit, &c. a die Sancti Michaelis in 15 dies. Et prohibitum est predicto Episcopo, ne sequatur dictum placitum infra predictum tempus. Et si occasione predictorum placit. promulgabit sententiam in ipsum et homines suos, quod interim absolvet eos, &c.

In the Fragment of the Plea-Rolls of Trin. Term. An. 35 H. 3. I meet with these Suits and Attachments for holding and prosecuting Pleas of Chattels, Lay-fees, and Adwofsons in Court Christian, against the Kings Prohibition, Crown and Dignity.

A. B. &c. optulerunt se 4 die versus Stephanum Decanum Bristoll. de placito, quare tenuit placitum in Curia Christianitatis de laico feodo suo, &c. in suburbio Bristoll. contra Prohibitionem, &c. Et Stephanus non venit, &c. Et precept. fuit Vic. Glouc. quod, &c. Et unde mand. quod preceptum est Ballivo Bristoll. quod attach. eum, &c. qui, &c. Et preceptum est Vic. G. quod non omittat propter libertatem predictam, quin attachiet, &c.

Glouc. Willielmus Abbas Sancti Augustini Bristold. attach. fuit ad respondendum Willielmo Wylekoc de placito, quare secutus est placitum in Curia Christianitatis de laico feodo ipsius Willielmi in Bristold. contra Prohibitionem, &c. Et unde predictus Willielmus queritur, quod predictus Abbas eum traxit in placitum in Curia Christianitatis de 8 seldis in Bristold. coram Archid. de Glamorgan quas ab eo petiit; ita quod eum fecit excommunicari postquam ei detulit predictam Prohibitionem, unde dicit quod deterioratus est et dampnum habet ad valenciam C. libz.

Et Abbas venit & defendit vim & injuriam quando, &c. Et bene defendit, quod nunquam implacitavit ipsum de predictis 8 seldis, quare dicit quod implemet est inde in seisma et semper fuit, nec aliquas seldas ab eo erigit nec unquam exigebat. Et Willielmus Wylekoc non potest hoc deducere. Ideo predictus Abbas inde sine die. Et predictus Willielmus in misericordia.

Glouc. Patricius de Chahurs attachiatus fuit ad respondendum Abbati Sancti Petri Glouc. de placito, quare secutus est placitum in Curia Christianitatis de advocatione Ecclesie de Pambrey, contra Prohibitionem, &c. Et unde idem Abbas queritur, quod idem Patricius traxit eum in placitum de predicta advocatione coram Episcopo Sancti Andreze in Scotia postquam ei detulit predictam Prohibitionem; unde dicit quod deterioratus est et dampnum habet ad valenciam —. Et inde producit sectam, &c.

Et Patricius per Attornatum suum venit & defendit vim & injuriam, &c. Et bene defendit, quod nunquam secutus fuit aliquod placitum in Curia Christianitatis de predicta advocatione post primam Prohibitionem. Et hoc offert defendere contra ipsum & sectam suam. Ideo, &c. per 12 manu. Et ven. cum lege in Crastino Sancti Michaelis.

In a broken Plea-Roll (torn off from the Bundle) about the same year, as I conjecture, there are these Law-suits upon Prohibitions.

Norht. Willielmus de Ferariis Comes Dereb. per Attorn. suum optulit se 4 die versus Thomam de Ferar. & Magistrum Hubertum Personam Ecclesie de Hengham de placito, quare secuti sunt placitum in Curia Christianitatis de catallis que non sunt de Testamento vel Patrimonio contra, &c. Et ipsi non ven. &c. Et mandatum

An. 34 & 35  
Hen. 3.

Ibidem.

De Termino  
Pasche, an. 34  
H. 3. in Turri  
London.

An. 35 H. 3.

Plac. de Term.  
Trin. An. 35  
H. 3. in Turri  
London.  
Adhuc de Crastino, S. J. Bapt.  
coram Thurkelby, &c.

Adhuc de Oñ.  
S. Joh. Bapt.

Adhuc de Oñ.  
S. Trinitatis,

Plac. de Term.  
Hil. Anno 35  
H. 3. (as 1  
guels) in Turri  
London.  
Ibid. eodem  
Rotulo.



*An. 35 H. 3. datum fuit Episcopo, &c. quod eos venire fac. ad hunc diem, eo quod Clerici sunt et non habent laicum feodum, &c. Et ideo, &c. — pradiatum Episcopum, quod sit à die Sancti Martini in 15 dies. Et ibi habeat pradiatos*

Adhuc de Cra-  
stino Pur. B.  
Marix.

*Ebor. Thomas de Warthull & Robertus de Wymbelton per Attorn. suum optulerunt se 4 die versus Magistrum Thom. de Pykering, Magistr. Simonem de Claris vallibus, Magistr. Petrum de Alnewyk, Magistr. Rogerum de Flore, (and five more named :) de placito, quare secuti sunt placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et ipsi non venerunt. Et præceptum fuit Vic. quod attach. eos, &c. Et Vis. nichil inde fecit, &c.*

Adhuc de  
Quindena.

*Ebor. Richardus Pocke & Terricus de Colonia & alii Burgenses de Estaunford per Attorn. suos opt. se 4 die versus Priorem Dunholm. de placito, quare secutus est placitum in Curia Christianitatis de catallis ipsorum quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et ipse non venit, &c. Et Prior attach. fuit per Walterum fil. Thomæ & Henr. præpositum. Et ideo ponatur per meliores pleg. quod sit à die Pasch. in 5 Sept. Et primi, &c.*

Tom. 2. p. 758. l. 10. after *Januarii*, insert: Many of the Kings Subjects in England and other his Dominions having Crossed themselves, and others intending to take up the Cross for relief of the Holy Land at the Popes and Kings instigation, and the Freers employed to preach it, were very much discouraged therein, fearing that the King and Pope would exact greater sums from them to release their Vowes, then they promised when they took up the Cross, by former \* experiments and exactions of this kind; whereupon the King to take away these fears and jealousies, issued this Writ.

\* See here,  
P. 74.

Pat. 35 H. 3.  
pars unica,  
m. 13. intus  
De Crucifig-  
nati.

**R**EX omnibus, &c. Quoniam, ut audivimus, multi in regno nostro et terris nobis subjectis trepidaverunt timore ubi non erat timor, ut omnis suspicio mali tollatur de medio, bona fide promittimus, quod nullum crucifigatum vel crucifigandum in prædictis regno nostro et terris compellemus, aut compelli faciemus, ratione Crucis assumptæ vel assumendæ, ad solvendum maiorem summam pecuniæ pro redemptione voti quam promiserit in ipsa Crucis assumptione. In cujus, &c. Teste Rege apud *Windsore*, 17 die *Januarii*.

As the King by his Letters Patents usually granted licenses to our English Bishops and their Executors freely to devise and dispose of their goods by their Wills, their debts to the Crown first satisfied: so did he to some Bishops in Ireland; as this Record assures us.

Pat. 35. H. 3.  
m. 10. intus.  
Pro Execu-  
toribus G. quon-  
dam Ossorien-  
sis Episcopi.

**M**andatum est *Johanni filio Galfridi Justic. Hybernia* quod permittat Priorem de *Conale* et alios executores Testamenti *Galfridi de Turvill Episcopi Ossorien-* habere liberam administrationem omnium bonorum quæ fuerunt ejusdem Episcopi: Ita quod de primis bonis levetur debita Regis quæ Regi debebat, et quæ sunt clara. Teste Rege apud *Westm.* 12 die *Aprilis*. Et sunt patentes.

This Pope *Innocent* sending and employing his Italian Usurers and Merchants into England to negotiate his affairs, promote his extortions and exactions, and return the moneys extorted from the Clergy and others to Rome, sent this Bull to the King to crave his protection of their persons and goods from all injuries through- out his Dominions.

Bulla Orig. in  
Turri Lond.

**I**NNOCENTIVS Episcopus servus servorum Dei, charissimo in Christo filio Regi Angliæ illustri, salutem & Apostolicam benedictionem. Regalis excellentiæ quamplurimum interest, ut illis, qui pro suis in regno tuo negotiationibus commoventur, te non gravem sed benignum exhibeas, et serenitate Regia mansue- tum. Cum igitur *Fredericus Rolland. & Thebaldus Tebalducci*, socii dilecti filii *Boniventura Lupelli* Civis & Mercatoris *Senen.* devoti nostri, in eodem regno pro suis exercendis negotiationibus moram trahant; Celsitudinem tuam rogandam duximus attentius & hortandam, quatenus Mercatores eosdem permittens in prædicto regno & toto districtu tuo liberè commorari, eos occasione aliqua non mo- lestes nec ab aliis molestari patiaris: sed potius ipsos cum omnibus rebus eorum, pro Apostolica sedis et nostra reverentia favorabiliter manuteneas et defendas; ita quod Magnificentiam tuam proinde dignius in Domino laudibus attollamus. Dat. *Perusii*, 10 Kal. *Marci* Pontificatus nostri anno nono.

This

This active Pope likewise, some few moneths after, sent this original Bull (I rescued from the rubbish in the *White Tower*) to King *Henry*, humbly intreating, (not requiring or commanding) him for the reverence he did bear to the See Apostolick and him, favourably to assign and restore the Royalties and possession of the Bishoprick of *Imelic* in *Ireland* to *Gilbert* Bishop thereof, and to afford him his counsil, favor and assistance therein.

**I**NNOCENTIIUS Episcopus servus servorum Dei, charissimo in Christo filio illustri Regi *Angliae*, salutem & Apostolicam benedictionem. De tua excellentia inter Reges alios specialiter confidentes, libenter tibi cum honore tuo expedire cognoscimus, dirigimus preces nostras, sperantes eis a te cum devotione recipi, et cum efficacia effectui demandari. Hinc est quod serenitatem Regiam monemus, rogamus et hortamur attente, quatinus venerabilem fratrem nostrum *Gilbertum* Episcopum *Ymilacen*, ob reverentiam Apostolicæ sedis et nostram habens in suis et Ecclesiæ sibi commissæ negotiis multipliciter commendatum; ac Regalia ejusdem Ecclesiæ liberaliter sibi faciens assignari, eidem ut possessionem Episcopatus *Ymilacen*, adipisci valeat, præstes auxilium, consilium et favorem; ita quod exinde celsitudinem tuam dignis possimus in Domino laudibus commendare. Dat. *Mediolan*. 9 Kal. *Augusti*, Pontificatus nostri anno nono.

An. 35, 36, & 37 H. 3.

Au. 35 H. 3. in Turri London.

Tom. 2. p. 782. l. 19. after *Augusti*, insert: *Placita coram Domino Rege à die Pasche in 15 dies, Anno 36 H. 3.* I find this Attachment against an Archdeacon for holding a Plea of, and against a prosecutor for following of a Suit in Court Christian for Goods and Chattels, against the Kings Prohibition.

An. 36 H. 3.

*Johannes* le Faukener optulit se 4 die versus *Willielmum* Archidiaconum *Lincolniæ* de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonto, contra prohibitionem, &c. Et ipse non venit, &c. Et *Viccomes* mandavit quod Clericus est, & non habet laicum feodum in balliva sua per quod, &c. Ideo mandatum est Episcopo *Lincolniæ*, quod faciat ipsum venire in Octabis Sanctæ Trinitatis, &c.

Rot. 1. dorso. Linc.

Idem *Johannes* optulit se 4 die versus *Abbatem* de *Bardeney* de placito, quare secutus est idem placitum contra prohibitionem, &c. Et *Abbas* non venit, &c. Et *Viccomes* mandavit quod fuit attachatus per *Walterum* de *Scendelby*, & *Rogero* de *Steepeyng*. Ideo ponatur per meliores plegios, quod sit, &c. ad prædictum Terminum. Et primi, &c.

In the Plea-Rolls of the same year (in the Tower) I met with this Suit, by the King, upon an Attachment for an Excommunication.

*Dom. Rex* per *Laur. del Brok* qui sequitur pro eo, optulit se 4 die versus *Magistr. de Sanwyc* Decanum de *Arcebus* Ecclesiæ Sanctæ Mariæ *London*, de plac. quare ipse excommunicationis sententiam promulgavit in dilectum et fidelem ipsius Domini Regis *Waleran*, Senescallum suum, quia tenuit placitum quod spectat ad Coronam et dignitatem Domini Regis. Et similiter in *Duloam* de *Luxeburgh*, quia secuta fuit idem plac. in eadem Curia. Et plures fecit defaultas, ita quod præcept. fuit Officiali *Archiepiscopi Cant.* quod venire fac. Et Offic. nichil inde fecit. Ideo præcept. est Vic. quod capiat in manus Dom. Regis omnes terras ejus, & habeat corpus ejus, &c. ad prædict. Terminum.

Plac. Term. Pasch. An. 36 H. 3. Middf. rot. 3. dorso.

Tom. 2. p. 797. l. 29. after *infigations*, subjoyn. It is very observable; First, That the form of this General Excommunication then denounced was prescribed and assented to by the King, and all the Temporal Lords. 2ly. That whereas the Bishops and Clergy in the Council of *Oxford*, and other Synods had thrust into their General Excommunications sundry Clauses concerning their pretended Church-liberties, which the King and Lords never assented to, and which they publicly denounced every year; thereupon the King, Nobles, and all the Commons publicly protested before the Archbishop of *Canterbury*, and all the Bishops in this Parliament, That if any of them, or any other should insert into this or any publick form of Writings or Excommunications already made, or to be made, any other thing, clause, or articles, than they herein prescribed and agreed to, that they never assented, nor would assent thereto, but did plainly contradict the same. 3ly. That the King himself, with his own mouth in the pronounciation of this Sentence, exempted out of it all pretended Liberties claimed by the Pope or Clergy, against the ancient and accustomed Liberties of his Realm, and the Dignitie, Rights of his Crown,

An. 37 H. 3.



An. 37 H. 3. Crown, as this memorable Record attests, to which the Kings and Nobles set their Seals for a perpetual memorial thereof to all posterity.

Pat. 37 H. 3.  
m. 12. dorso.

**N**Overint universi, quod Dominus H. Rex Anglia illustris, R. Comes Norff. & Marefcallus Anglia, H. Comes Hereford. & Essex. J. Comes de Warwico, Petrus de Sabbaudia, ceterique Magnates Anglia, consenserunt in Sententiam Excommunicationis generaliter latam apud Westm. tertio decimo die Maii anno regni Regis predicti 37. in hac forma, scilicet, Quod vinculo prefate Sententie ligentur omnes venientes contra libertates contentas in Cartis communium libertatum Anglia, et de Foresta; et omnes qui libertates Ecclesie Anglicane temporibus Domini Regis et Predecessorum suorum Regum Anglia optentas et usitatas, scienter et maliciose violaverint aut infringere presumpserint. Et omnes illi qui pacem Domini Regis et regni perturbaverint; et similiter omnes qui Jura et libertates Regis et regni diminuerint, infringere, seu immutare presumpserint. Et quod omnes venientes contra premissa, vel eorum aliqua ignoranter, et legitime moniti, infra quindenam post monitionem premissam dictam transgressionem non emendaverint, extunc predictae Sententie Excommunicationis subiacebunt. Ita tamen, quod Dominus Rex transgressionem illam per considerationem Curie sue faciat emendari. Sciendum autem, quod si in scriptis super eadem Sententia a quibuscunque confectis seu conficiendis, aliud, vel aliter appositum, vel adjectum fuerit, aut articuli aliqui alii in eis contenti inveniantur, Dominus Rex, et predicti Magnates omnes, et Communitas populi protestantur publice in presentia venerabilium Patrum B. Dei gratia Cantuariensis Archiepiscopi totius Anglia Primatis, necnon et Episcoporum omnium in eodem Colloquio existentium, quod in ea nunquam consenserunt, nec consentiunt, sed de plano eis contradicunt. Preterea, prefatus Dominus Rex in prolatione prefate Sententie omnes libertates contra consuetudines regni nostri antiquas et usitatas, et dignitates, et Jura Coronae sue, ore proprio specialiter sibi, et regno suo salvabit, et ercepit. In cuius rei memoriam et in posterum veritatis testimonium, tam Dominus Rex, quam predicti Comites, ad instantiam aliorum Magnatum, et populi, presenti scripto sigilla sua apposuerunt.

\* Nota.

\* Ratified in a Parliament at Clarendon. See Tom. 1. p. 610, to 614.

a See Tom. 1. p. 230, 234, 250, 251, 262, 266, 277, 279, 280, 281, to 288.

b Provinc. l. 5. De Sententia Excommunicationis, f. 148, 249, &c. l. 1. f. 37.

c Constit. Provinc. f. 121, 128, 131, 132, 134, 135, 136, 137, 139, 140, 141, 151.

d Tom. 2. p. 158, 159, 169, 181, 182, 237, 238, 300, 319, 383, 384, 394, 395, 472, 473, 474, 475, 500, 581, 582, 589.

By which Record it is apparent; First, That the King and Nobles then had and claimed an antient legal Right to prescribe the Forms of all publick Excommunications, not the Bishops alone, and to a joyn in the denuntiatiions of them with the Bishops. 2ly. That the Bishops could not legally make nor prescribe any new Forms, Clauses or Articles of Excommunication without them or their assents thereto. 3ly. That all the Clauses and Articles of Excommunication thrust by the Bishops and Clergy into their General Sentences of Excommunication, made and published by Simon Langton Archbishop of Canterbury in the Council of Oxford, by Archbishop Boniface in the Council of Lambeth, by Archbishop Peckham in the Council of Reding, and other Bishops in their Synods, not ratified by the King and Lords, (published as Canonical, by Lyndewode, John de Aton of old, and in Sir Henry Spelmans Second Tome of Councils of late,) are illegal, contrary to this Royal protection of the King, Lords and Commons of England, and the Great Charter of Liberties, yea meer usurpations on the Subjects Liberties and Consciences, fit to be exploded, and severely punished by Regal prosecutions against those who maliciously or presumptuously denounced, or shall hereafter denounce them against the King, his Officers or Subjects.

Tom. 2. p. 807. l. 4. after Regem, adde: In the Fragments of Plac. Assisarum & Corona (in the Tower) apud Northt. post Quindenam Purificationis, An. 37 regni Regis Henrici 3. coram Gilberto de Preston, Magistro Simoni de Wauton, & sociis suis Justiciariis Itinerantibus.

Hugo de Baresford optulit se, &c. versus Mag. Robertum de Northt. quare secutus est placitum in Curia Christianitatis de laico feodo ipsius Hugonis in Oxon. contra Prohibitionem, &c. The other Suits of this kind in these Rolls are putrified and perished with the Rolls.

Pope Innocent the 4<sup>th</sup>. to encourage King Henry in his intended Expedition to the Holy Land, for which he had Crossed himself, authorized the Bishops of London and Chichester to Excommunicate the persons, and Interdict the Lands of all such who should by any wayes invade, molest or disturb his Lands or Goods in the Provinces of

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of *Burdeaux* or *Auxitan* during this his Expedition; notwithstanding any Constitutions or Indulgences of Popes to the contrary, by this Original Bull I discovered in the *White Tower*: wherein he highly extols his virtues, and readiness to extol and advance the honour of God, and the See Apostolick both in words and deeds.

**I**NNOCENTIUS Episcopus servus servorum Dei, venerabilibus fratribus *Londonien. & Cicestren.* Episcopis, salutem & Apostolicam benedictionem. Regis æterni benignitas charissimum in Christo filium nostrum illustrem Regem *Anglia* insignem reddidit tanta diversitate virtutum, quod personam ipsius favore et gratia prosequi delectamur, set præcipue hiis temporibus quibus ipse se ac sua proponit exponere in Terra sancta obsequiis Jesu Christi, sub illo jugiter vivens affectu quod magnifice gloriam Divini nominis augeat, et honorem Apostolicæ Sedis in verbis et operibus potenter extollat. Quia vero Regem tam nobilem quam præclarum, cuius progenitores inclitos gaudet Ecclesia semper habuisse devotos, decet dicte Sedis auxilio sic protegi, sic foveri ut eidem super bonis nulla indigne irrogetur injuria vel factura, set ipsa potius illibata maneant, et secunda constant. Fraternitati vestræ per Apostolica scripta mandamus, quatinus eundem super terris, juribus et bonis quæ in *Burdegalen.* et *Auxitan.* Provinciis obtinet, quousque ad propria de prædictis partibus feliciter, Deo propitio, revertatur, non permittatis ab aliquo molestari. Molestatores, sive invasores, seu turbatores ipsius super præfatis terris, juribus & bonis quacunque dignitate et honore præfulgeant, monitione præmissa per Excommunicationis in personas et in terras eorum interdicti Sententias per vos, vel per alios, appellatione postposita, compescendo. Non obstantibus constitutione de duabus dietis, edita in Concilio Generali; & si aliquibus est ab eadem Sede indultum, quod sine speciale mandato ipsius suspensionis, vel interdicti, aut excommunicationis in eos non posset ferri sententia, siue indulgentia cuiuscunque tenoris existat, de qua in literis nostris plenam aut expressam oporteat fieri mentionem. Quod si non ambo hiis exequendis potueritis interesse, alter vestrum ea nichilominus exequatur. Dat. *Perusii* Non. Nov. mbris. Pontificatus nostri anno decimo.

Infra scripta verba continentur in Bulla *Innocentii* Papæ quarti, de immunitatibus & privilegiis, avo Domini nostri Regis & aliis Crucesignatis concessis. Et similia verba in effectu continentur in Bulla *Johannis* 22. de immunitatibus & privilegiis *Francie* Regis qui nunc est, & aliis Crucesignatis nuper concessis, cum pluribus additionibus; & specialiter cum illa additione, viz. Quod idem Papa *Johannes* debet dicto *Francie* Regi dignitatem seu officium Capitan. passag. transmarin. et Rectoriæ ipsius et totius exercitus populi Christiani qui in dicto passagio transiret: Et quod Excommunicavit extunc molestatores, invasores seu turbatores ipsius Regis *Francie* super terris, juribus et bonis ejusdem.

Quos verò suscipiendæ Crucis de cætero vorum obligabit ad idem, & de (die) qualiter Crucem assumpserint sub beati *Petri* et nostra protectione suscepimus, &c. sub Diocesanorum suorum defensione consistunt, si aliqui eos indebite molestare præsumperint per Diocesanos locorum in quibus idem molestatores fuerint per censuram Ecclesiasticam appellatione postposita compescantur.

Tom. 2. p. 818. l. 51. after *Bull.* adde; In the Rolls of Pleas and Assises (in the *Tower*) tenta coram Rogero de Thurkesby & sociis suis Justiciariis de Banco, Term. S. Mich. anno Regis Henrici filii Regis *Johannis* 38. I finde near 20 Prohibitions and Attachments, and Suits upon them, for prosecuting and holding Plea in Courts Christian of Actions of Trespas, Goods and Chattels, not Testamentary or promised in Marriage, against the Kings Crown and dignity: I shall present you only with two of them at large.

Willielmus de Bello Campo & Johannes de la Hull per attornatum ipsius *Johannis* optulit se 4 die versu Petrum Hereford. Episcopum, de placito quod esset ad hunc diem, & ibi haberet Radulphum Personam Ecclesiæ de Linderrig. ad respondendum de placito, quare secutus est placitum in Curia Christianitatis, eo quod prædicti Willielmus & Johannes intraverunt domum ipsius Radulph. in Linderrig. pro pace Domini Regis servanda, &c. Et Episcopus non venit, &c. Et præceptum fuit Vic. quod attachiaret eum quod esset ad hunc diem, et haberet hic prædictum Radulphum. Et Vicecomes mandavit, quod prædictus Episcopus est in Walsconia cum Domino Rege, & fuit antequam breve ei inde venis. Et ideo sicut prius præceptum est Vicecomiti,

An. 37 & 38  
Hen. 3.

An. 37 H. 3.  
in Turri London.

An. 38 H. 3.

Hereford. fol.  
penult.



An. 38 H. 3. comiti, quod attachiet eum si inventus fuerit, &c. quod sit à die Sancti Martini in 15 dies. Et unde, &c. Et quia testatum est quod prædictus Radulphus habet terram in Comitatu Wygorn, per quam, &c. Ideo præceptum est Vic. Wygorn, quod attachiet eum quod sit ad prædictum terminum. Et unde Vic. &c.

Rot. ult. Midd. Jordanus Vicarius de Stanes attachiatus fuit ad respondendum Willielmo de la Poyle de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem Domini Regis, &c. Et unde idem Willielmus queritur quod prædictus Jordanus implacitavit ipsum de una marca argenti apud Evelham, coram Procentore de Evelham, auctoritate literarum Domini Papæ; et postea coram Vicario de Stanwell. Ita quod postquam ei detulisset Prohibitionem Regiam, ne prædictum placitum sequeretur; idem Jordanus spreta Prohibitione Regia, secutus fuit prædictum placitum versus eum, et fecit ipsum excommunicari. Et unde dicit, quod deterioratus est et dampnum habet ad valenciam 40 marcarum, et inde producit sectam: (to recover his damages, and stay further proceedings.)

Et Jordanus venit & defendit vim & injuriam quando, &c. Et bene defendit contra ipsum & sectam suam, quod ipse nunquam implacitavit, nec aliquod placitum secutus fuit versus eum de prædicta marca, nec de aliquo alio. Et hoc offert defendere contra ipsum & sectam suam, sicut Curia consideraverit. Et ideo consideratum est, quod vadit ei legem se 12 manu. Et veniat cum lege sua à die Sancti Martini in quindecim dies. Plegii de lege Jordanus de Montibus de Echiford, & Thomas Malebraunch.

Idem Willielmus optulit se 4 die versus Abbatem Westm. de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra, &c. Et Abbas non venit, &c. Et præceptum fuit Vic. quod attachiet eum quod esset ad hunc diem. Et Vicecomes mandavit, quod idem Abbas non permittit se attachiari. Et ideo sicut alias præceptum est Vic. quod non omitat prædictam libertatem quin attachiet eum, quod sit à die Sancti Martini in 15 dies. Et Vic. sit auditorus Judicium suum.

In the same Plea-Rolls of the Justices Itinerant, I finde sundry more Actions and Attachments brought for prosecuting and holding Suits in Courts Christian against the Kings Prohibitions, De catallis quæ non sunt de Testamento vel Patrimonio; as Rot. 5. dorf. Linc. Raimundus fil. Ricardi versus Robertum Personam Ecclesie de Woddington. Rot. 18. dorf. versus Egidium de Wocumb Archid. Berks. Rot. 20. Gervasius Turprest versus Hugonem cum Barba. Rot. 20. dorf. Hertford. Attachamentum per Johan. Gilbert versus Johan. de Cadamo, & Joseph. Vicarium de Cestrechunt: qui post Prohibitionem suspendit ipsum ab ingressu Ecclesie, &c. unde deterioratus est, et dampnum habet ad valenciam centum solidorum. Bed. Rot. 22. Nicholaus de Kesseleynturer versus Priorem de Waledon. Rot. 21. Willielmus de Parco versus Mag. Walter. de Vienna Offic. Episc. Wygorn. & Mag. Thom. de Abington Offic. Archidiacon. Glouc. W. Newell versus Ricardum de Pratis, Alicia de Bradeweys, &c. with seven more Suits of the same kinde, brought against several other Archdeacons, Officials, persons, for holding and prosecuting Suits in Court Christian for Debts and Chattels, to their damage and vexation, against the Kings Prohibitions, Crown and dignity.

Moreover in the same Rolls, I finde these following Attachments, Suits, for holding and prosecuting Pleas in Court Christian, De laico secodo, et de advocacionibus Ecclesiarum; as Rot. 13. dorf. Radulphus de Northmanby versus Nicholaum de Wundingham, & Guilbertum Capellanum Ecclesie de Cornusham, Linc. Rot. 14. Devon. Gilbertus de Umframvill versus Magistrum Walterum de Pembrok Archidiacon. Berdestaple, & Gilbertum Officialem ejusdem Archidiacon. Rot. 16. Sucham. Nicholaus de Cornhampton versus Petr. Russencob Archidiacon. Wynton. & Magist. Radulphum de Merwicks, quare tenuerunt placitum in Curia Christianitatis, & versus Willielmum Canonicum de Tynhsfid, quare secutus est idem placitum. Ibid. Robertus Handesacre versus Episcopum Wygorn. & Michael. Personam Ecclesie de Crophthorp; for the like causes.

Besides, I found in a Bundle of decayed Writs of this year in the White Tower, nine Writs of Attachment against several Ecclesiastical persons and others for holding and prosecuting Suits in Court Christian, De catallis et debitis quæ non sunt

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sunt de Testamento vel Patrimonio, contra Prohibitionem nostram: And another Writ against Thomas Prior of Midhurst, and Peter a Dean; quare tenuerunt placitum in Curia Christianitatis de advocacione Ecclesie, &c. contra Prohibitionem nostram. T. &c. apud Westm. 13 die Octobris, anno regni nostri 38.

In the \* Plea-Rolls of Trinity Term (the same year,) I met with these Suits and Attachments of like nature.

Nicholaus Scot opulis se, &c. versus Robert. Scot, quare secutus est placitum, &c. de catallis, &c. quæ non sunt, &c.

Magist. Bernardus le Coromalleynes vers. Abbatem de Evesham, quare tenuit placitum, &c. quæ non sunt, &c. Et fuit attach.

Rogerus de Wardington opt. &c. versus Abbatem de Thornton, quare secutus est plac. &c. de catall. &c. quæ non sunt, &c.

Simon le Moign opt. se, &c. versus Magist. Hugonem de S. Edmundo de plac. quare tenuit placitum in Curia Christianitatis, de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et Magist. Hugo non venit, &c.

Johannes de Pelingsford opt. se, &c. vers. Luc. de Deveney & Willielmum Personam de Wyfle de plac. quare tenuerunt plac. in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et vers. Galfridum Burgoil, quare secutus est idem placitum, &c. Et ipsi non venerunt, &c.

Galfr. de Sancto Laco opt. se, &c. versus Willielmum del Parrot Vinetarium, quare secutus est placitum in Curia Christianitatis, de catall. &c. contra, &c. Et versus Will. Decanum Northampton, quare tenuit idem plac. contra eandem Prohibitionem, &c. Et ipsi non veniunt, &c.

Agnes uxor Johan. de Godemarches opt. se, &c. versus Ad. le Parchenur & Alic. ux. ejus, quare secuti sunt plac. de, &c. quæ non sunt, &c. contra Prohibit. &c. Eadem Agnes opt. se vers. Magist. Willielmum de Obrey Official. Archiep. Cant. quare tenuit idem placitum. Et Offic. non venit. Et alias mandat. Archiepiscopo, quod fac. eum venire, &c.

Jordanus de Kingestown vers. A. Wynton. Elect. quod habeat Galfrid. Personam Ecclesie de Stamewel, ad respond. eidem Jordano, quare secutus est placitum in Curia Christianitatis, de advocacione Capellæ de Kingestown, contra Prohibitionem, &c. Et Electus non venit. Et fuit attach. Et pon. per meliores pleg.

From these and sundry other Prohibitions, and Attachments, Suits upon them this year, in one or two Terms space in the Common Pleas, with above one hundred more during King Henry the third his reign, extant in the Plea and Clause Rolls, and in Henry de Bracton (a learned Lawyer and Justice under this King) *De Legibus & Consuetudinibus Angliæ*, l. 3. c. 2, to 17. we may evidently discern, not only the studious endeavours of Ecclesiastical Courts, Judges to enlarge their Jurisdictions, and usurp, engross to themselves the consueance of all Temporal causes, against the Kings Crown, Dignity, frequent Prohibitions and Attachments successively issued by his Judges to restrain these injurious Usurpations; but likewise conclude, that Bishops, Ordinaries, and Courts Christian, had then no legal Jurisdiction at all to meddle with, dispose of, or distribute the Chattels or Debts of any Lay-persons dying intestate; they being not *Catalla & Debita de Testamento*, but *Intestatorum*, or *de Intestato decedentibus*, as \* their own Canons stile them; which are as opposite, as contradictory to each other, as the Goods, Debts of persons unmarried, are to *Catalla & Debita de Matrimonio*; as is evident by *Glawvil*, l. 7. c. 5, 6, 7, 8, 16. l. 12. c. 20. and *Bracton*, l. 2. c. 26. And that their disposition or distribution of them, as well as holding such Pleas, was then declared to be an illegal Usurpation, as the \* *Prohibition* in the Clause-Roll of 39 H. 3. m. 17. dorso, (*Quod usurpatis vobis placita de laicis feodis, et de catallis et debitis quæ non sunt de Testamento vel Patrimonio*) with others, evidence. This Usurpation of Ordinaries over Intestates Goods, King Henry 3d. his Nobles and Judges opposed, prohibited during his reign, as the forecited *Prohibitions*, yea the very *Articles, Constitutions* of Archbishop Boniface and his Suffragans, evidence. Which our Kings, Judges, Nobles likewise opposed in succeeding ages, as <sup>b</sup> John Stratford and his Suffragans in their

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\* Plac. de Ier. rino S. Trin. coram Justic. Dom. Regis de Banco.

An. 38 H. 3. Ibid. rot. 19. dorf. Berks.

Ibid. rot. 13. dorf. Wygorn.

Ibid. rot. 5. dorf. Linc.

Middf. rot. 24. intus.

Ibid. rot. 30. dorlo.

Ibid. rot. 28. dorf. Northt.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 4. dorf. Suahr.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

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Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.

Ibid. rot. 27. dorf. Kanc.



An. 38 H 3. Constitutions Anno 1342. *De Impediensibus Ecclesiasticam Jurisdictionem*, thus complain of and acknowledge. Quidam etiam Domini temporales et eorum Bal-

\* By the anti-ent Law and Customs of England, as Glanvil. l. 7. c. 16. resolves: See Lindewode Testamētis, f. 126, 127.

\* Joh. de Aton fol. 95. d. e. Lindewode f. 130. l. m.

† See here, p. 18, to 22.

\* See Hoveden Annal. pars posterior, p. 608, 744. & Here, p. 53, 54.

\* See here, p. 18, to 22.

\* Chron. Johannis Brompton, col. 1046. See here, Tom. 1. p. 576, 577. † See here, p. 2. and Tom. 3. p. 893.

libi bona decedentium ab intestato in suis districtibus ad ipsos \* Dominos pertendentes fore, quambis erroneè devoluta, ne per Ordinarios bona hujusmodi pro debitozū solutione sic decedentium, ac in alios pios usus pro ipsozū animarū salute convertantur utiliter, (prout consensu Regio et Magnatum regni Anglia, tanquam pro jure Ecclesiasticæ libertate, ab olim extitit ordinatum) impediunt, in derogationem Ecclesiasticæ libertatis, jurisque et jurisdictionis Ecclesiasticozū impedimentum et læsionem enozmem. Whereupon they then denounced a *Major Excommunication* against all opposers or hinderers of their disposal or distribution of Intestates Goods. To justify which their Innovation and usurped Jurisdiction, they pretended they had it antiently granted them by an \* *Ordinance of Parliament* assented to by the King and Nobles of the Realm, (prout consensu Regio et Magnatum regni Anglia, tanquam pro jure Ecclesiasticæ libertate, ab olim extitit ordinatum:) Which *Ordinance* must needs be either a wilfull forgery, (there being no such Ordinance extant in History or Record, as *Lindewode* ingenuously confesseth in his Gloss thereon,) or else a gross mistake, or perverting of the † *premised Clauses* in King Henry the 1. King John's, or King Stephen's *Charters of Liberties*; neither of which gave them any legal Jurisdiction at all over Lay-mens *Chattels* or *Goods* dying intestate, as I have proved, and the premised and subsequent Suits, Attachments on, and forms of Prohibitions clearly evidence: Wherein I am much confirmed by this passage in *Ranulphus de Glanvilla*, (most expert in the antient Laws and Customs of this Realm) Chief Justice of England under King Henry the 2<sup>d</sup>. in his *Tractatus de Legibus & Consuetudinibus Angliæ*, tempore Regis Henrici secundi compositis, printed *Cum Privilegio*, London. 1604. lib. 7. cap. 16. who resolves, that this was then and in former ages the Law and Custom of the Realm concerning Intestates Goods; Cum quis Intestatus decesserit, omnia catalla sua sui Domini esse intelliguntur; si vero plures habuerit Dominos, quilibet eozū catalla sua recuperabit, quæ in feodo suo reperiet. \* Usurarii vero omnes res, siue Testatus, siue Intestatus decesserunt, Domini Regis sunt. This then being the antient Law, Custom of the Realm, Prerogative of the King, and Right of every Lord of Manors, it is very improbable that the King and Lords would develt themselves of this their Jurisdiction over, and Right in Intestates Goods, to vest them in the Bishops and Ordinaries disposal, by any such Parliamentary Ordinance, as Archbishop *Stratford* and his Suffragans pretend in their premised *Constitution*, and *Ordo-ben* before them, there being none such extant; who could not pretend the least Jurisdiction or Right thereto by any Law of God, nor of the Realm, except that clause they thrust into King John's Charter, which really gave them no such Jurisdiction, and was omitted in King Henry the 3<sup>d</sup>. \* his *Grand Charter of Liberties*, ch. 18. As for the Charter of King Stephen to the Bishops and Clergy, (extending only to their own Goods and Chattels in right of their Churches, not to Lay-mens) made at the Bishops own solicitations, (who advanced him to the Crown against their Oaths) he being a meer Usurper, his Charter was of no greater validity to binde his successors in point of Prerogative, then his other Charters were in case of the Crown-Lands granted by him to his Prelates, Nobles and Adherents; which were soon after resumed by King Henry the 2<sup>d</sup>. (notwithstanding King Stephen's Charters) upon this ground; \* Quia Chartæ in balozis præjudicium legitimo Principi minime facere debent. Whereupon our Bishops in succeeding ages, procured special † Patents and Licenses from our Kings to make their Wills, and dispose of their Goods by them, without insisting on King Stephen's Charter, authorizing them freely to make their Wills and devise their Church-goods without such Licenses. If therefore they could not devise their own Goods and Chattels by their Wills without our Kings special License, much less could they dispose or distribute the Goods, Chattels of all Lay Intestate persons, without the special consent of the King and Lay-Lords by Act of Parliament, which they cannot produce. As for their Plea of Prescription, that they have used to dispose of and distribute the Goods of Intestate persons to pious uses time out of mind; they may likewise argue, they have used to hold Plea of Lay-fees, Advowsons, Debts, Chattels, and other things not belonging to them, time out of memory, notwithstanding all Prohibitions, Complaints, Attachments against them for it; but being done by usurpation only, not

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not of right, yea apparently against the Kings Prerogative, Laws and Customs of the Realm, they shall not take advantage of their own wrongs to deprive the King, his Courts, Subjects of their just Rights, Liberties; and *Nullum tempus occurrit Regi*, will be a sufficient answer to this and all other their gradual Usurpations on the Crown or Subjects Rights. Which I humbly submit to the grave consideration of the learned Judges and Professors of the *Common Law*, for whose information, benefit, and the just defence of the Kings Crown, Dignity, Prerogative, against the Usurpations of Popes, Bishops, Legates, Nuncios, Ordinaries, Ecclesiastical Courts, Judges in former and late times, I have inserted into this Chapter most of the Suits and Attachments upon Prohibitions extant in the Plea-Rolls or Writs, of King Henry the 3<sup>d</sup>. (in the *Tower of London*) omitted in my *Second Tome*; which will satisfy the World, and all usurping Canonists, that such Suits, Prohibitions, and Attachments on them, are no *Innovations*, nor *Invasions* of the ancient Rights, Liberties of the Church, as they and their predecessors falsely pretend, and most confidently publish in their \* *Constitutions*, *Glosses*, *Discourses*, which they cry up for the Ecclesiastical Laws of our Church and Realm, though never so reputed by our Kings, Parliaments, or learned Judges, as I shall further evidence (if God permit) by examining most of them, in their due *Chronological Series*.

\* Lindewode  
l. 3. De Immunitate Ecclesie,  
& de Testamentis. Johan.  
de Aton, f. 95,  
138, 141.

Tom. 2. p. 820. l. 1. before *The King*, adde; In the Plea-Rolls in the *Tower*, Anno 38. H. 3. I met with this memorable Record in vindication of the Kings Ecclesiastical Prerogative against the Pope himself and his Delegates, in a case concerning the Privileges of his Free-Chappel of *S<sup>t</sup>. Mary of Salop*, and others.

Henricus Abbas Salopie attachiatus fuit ad respondendum Domino Regi de placito, quare in Domini Regis et liberæ Capellæ suæ beatæ Mariæ Salopie præjudicium non modicum, quæ exempta est, ita quod \* Dominus Papa, nec aliquis alius Juxta Ecclesiasticam Jurisdictionem aliquam in ea habeat, exercuit Jurisdictionem in Capella de Fythesho, quæ pertinet ad Capellam Domini Regis prædictam, spoliando de eadem Capella de Fythesho Clericos dictæ Capellæ Salopie, qui tam ex collatione Decani & Canonorum ejusdem Capellæ obtinuerunt. Et unde Laurencius de Brok qui sequitur pro Rege queritur, quod prædictus Abbas misit ad Ecclesiam de Fythesho, quæ est de Capella Regia prædicta, & de advocacione Domini Regis, in qua quidam Clericus Domini Regis fuit institutus per Ballivos Domini Regis sicut pertinet ad libertatem Domini Regis, misit ibidem homines suos ad destituendum prædictum Clericum, et instituendum alium Clericum, qui dicebat se esse admissum per Episcopum, qui nullam Jurisdictionem in ea habuit, et quandam cistam contra privilegia Domini Regis, quæ deposita fuit in prædicta Ecclesia cum foralibus, et aliis bonis fregerunt, & bona in eadem inventa ceperunt & asportaverunt, & trisurare fecerunt blada prædicti Clerici Domini Regis, & asportari, in dedecus Domini Regis, et magnum præjudicium libertatis Capellæ Domini Regis prædictæ, unde dampnum habet ad valenciam 100 Marcarum.

Plac. 38 H. 3.  
rot. 7.  
\* Nota.

Et Abbas venit & defendit vim, &c. Et dicit, quod quicquid ipse fecit in prædicto negotio, fecit per mandatum Magistri Hugonis de Sancto Edmundo, cui commissum est Jurisdictio in negotio Crucesignatorum, et per Literas suas patentes; quæ testantur, quod mandavit dicto Abbati quod super injuriis et violentiis manifestis Roberto de Aton Clerico Crucesignato, Personæ Capellæ de Fythesho a Richardo de Honton Canonico Ecclesiæ beatæ Mariæ Salopie, et quibusdam aliis tam Clericis quam Laicis, celerem justiciam de die in diem procedendo sine omni strepitu Judiciali, eidem exhibere curaret. Et si dictam Richardum et alios dictas violentias et injurias dicto Crucesignato intulisse invenerit, eosdem ad satisfactionem condignam per censuram Ecclesiasticam compelleret, contraditores et rebelles per censuram eandem appellatione remota compescendo. Ita se gerentem, &c. Profert etiam formam qualiter debet procedere sub sigillo prædicti Hugonis, quæ testatur, Si Crucesignatus aliquis dicat Conservatori seu Executori Crucis; Talis tenetur michi vel tali in tanta summa pecuniæ ex Testamento vel aliunde, veluti ex mutuo vel hujusmodi, sive per fidei dationem, sive per Cartam, vel aliam rationem, quia non procedetur per indaginem judicalem, sed inquisitionem, nequaquam citet, sed denunciaret Executor sive Conservator per aliquem Bedellum, sive per duos nuncios juratos, illi qui dicitur teneri in aliqua summa pecuniæ Crucesignato nomine ipsius Crucesignati, sive nomine executorio, sive etiam idem Executor Testamenti velit in Terræ Sanctæ subsidium aliquam



An. 38 H. 3. aliquam porcionem pecuniz assignare pro mortuo etiam Crucesignato. Et si ille cui denunciatum est venerit vel comparuit coram Executore Crucis, Quærat statim Executor, Tenerisne tali Crucesignato in tanta? &c. vel sic, Fecistisne talem injuriam tali? &c. Si confiteatur se teneri vel fecisse, Executor compellat eum ad satisfaciendum de die in diem sine strepitu Judiciali nullo obstante privilegio: si negetur, Juret incontinenti de veritate dicenda, &c. Unde dicit, quod per prædictam commissionem et prædictam formam ipse restituit quendam Robertum de Acton audita probatione sua, quod ipse spoliatus fuit de Ecclesia de Fythesho, in cujus possessione extitit per unum Annum & amplius per Episcopum Lychesfeldensem. Et quia prædictus Abbas non dedit, quin Ecclesia de Fythesho sit de advocacione Domini Regis, et de Capellaria eius; Et etiam dicit, quod ipse destituit Clericum per Decanum & Capitulum admissum, & restituit prædictum Robertum, et hoc est contra libertatem Domini Regis, quod ipse aliquam Jurisdictionem deberet exercere, nec sua Jurisdictio in tantum se extendit ut possit destituere et instituere aliquem, maxime de eis quæ pertinent ad Capellariam Domini Regis, consideratum est, quod Dominus recuperet dampna, et Abbas in custodia, &c.

From which memorable Record I shall observe: First, That neither the Pope himself, nor his Delegates, no more than the Bishop, could exercise any Jurisdiction in or over the Kings Free-Chappels, or the Churches belonging to them. 2ly. That the large Priviledges granted by Popes to those who Crossed themselves for the Holy Land, and speedy righting of their Injuries in a summary way, extended not to the Kings Free-Chappels, or Chaplains in them. 3ly. That the King by Judgement of his Court and Judges recovered Damages against this Abbot, and likewise committed him to Prison, for violating the Priviledges of his Crown and Free-Chappel, notwithstanding this his Plea and Justification, by the Pope and his Delegates authority.

Rot. 19. dorso. In the same Plea-Rolls upon an Attachment for suing in Courts Christian for two Chappels, the Prosecutor renounced his Suit there to avoid the like Fine and Imprisonment for this offence to the King.

Richardus de Chastyllun Procurator Willielmi de Chastyllun venit & dicit, quod non vult sequi versus Magistrum Galfridum de Tethese in Curia Christianitatis super Capella de Chelesham, et Belesham. Et de hoc invenit plegium Priorum de Wenelok qui manucepit pro eo, &c.

As the King and his Judges this year were carefull to prohibit all encroachments of Bishops and Ecclesiastical Courts upon the Rights and Prerogative of his Crown, so were they likewise to prevent it in Corporations and other Temporal Courts, as this memorable Record attests, relating to the City of Batho, (for which I serve in Parliament,) who were not guilty of those disloyal usurpations, or illegal exactions then suggested against them, as their Plea and Issue manifests.

Plac. 38 H. 3.  
rot. 24.

\* Nota.

Præceptum fuit Vicecomiti, quod venire faceret coram Consilio Domini Regis 12. et distozibus et discretiozibus Civibus Bathoniz, ad respondendum Domino Regi pro se et tota Communitate Civitatis Bathoniz, de placito, quare sine assensu Domini Regis, eligerunt sibi Pajozem et 12. Juratores, qui placita quæ placitari solent in Hundredo Domini Regis, tenent et determinant coram eis, ad exheredationem Domini Regis, &c. Et unde queritur, quod elegerunt sibi Henricum le Taillur, qui gerit officium Pajozitatis, et capit consuetudines de Summariis et Pannicis Civitate Bathoniz.

Et Cives Bathoniz veniunt & defendunt, & dicunt, quod nunquam elegerunt sibi Pajozem, nec Pajozem habere clamant, nec Juratores elegerunt ad aliqua placita terminanda, nec unquam aliquas emendas ceperunt ratione Pajozitatis de aliquibus transgressionibus in Civitate Domini Regis. Et de hoc ponunt se super Patriam. Ideo præceptum est Vicecomiti, quod venire faciat, &c. nisi H. de Bracton prius ad paries illas venerit 12. de visneto, &c. qui nec, &c. & qui non sunt de homagio Prioris Bathoniz ad recognoscendum, &c. à die Sancti Michaelis in quindecim dies, &c. Et Cives ponunt loco suo Johannem le Simiter, & Johannem de Claver-ton, &c.

† To wit, by their own authority, or for the purposes suggested, they having then a Maior for other purposes, by Charter.

The Kings Proctor in the Court of Roma being this year authorized by the King to take up 300 Marks for dispatch of the Kings businesses there by his Commission, and taking it up from the Popes Usurers, Merchants there, entred into this ensuing Obligation to them for payment thereof, under severe forfeitures and penalties, which the King must incur in case of non-payment thereof.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

K. Henry 3.

**I**N nomine Domini Jesu Christi, Amen. Anno Nativitatis ejusdem 1254. In dictione duodecima, mensis *Maii* die 16. Pontificatus Domini *Innocentii* Papæ III. anno undecimo: in præsentia mei *Noctarii Scrutarii* & testium subscriptorum ad hoc specialiter vocatorum & rogatorum, Dominus *Guido de Rosilione* Archidiaconus *Lugdunen.* *Puncius* & *Procurator* illustris viri Domini *H.* Dei gratia Regis *Anglia*, Domini *Hibernie*, Ducis *Normannia* & *Aquitania*, & Comitis *Andegavia* apud sedem Apostolicam constitutus, habens a dicto Domino Rege mandatum de mutuo contrahendo usque ad summam trecentarum *Marcarum* *sterlingorum* novorum, prout in literis Domini Regis exinde confectis plenius contineri confessus est, et recognovit se pro negotiis dicti Domini Regis, ac necessariis utilitatibus apud eandem sedem Apostolicam promovendis et expediendis mutuo recepisse et habuisse a *Bonifacio Bonisignori* et *Bonaventura Bernardini*, mutuantibus & solventibus, tam pro se quam pro *Bernardino Prosperini*, *Alabrando Ildebrandi* Civibus & Mercatoribus *Senon.* trecentas *Marcas* bonorum, novorum et legalium *sterlingorum*, et tredecim solidis, et quatuor *serlinges* pro marca qualibet computatis, de quibus dictus *Procurator* procuratorio nomine se bene — & pacatum vocavit, exceptioni non memorato, & non soluto omni pecunie omnino renunciando. Quas prætaxatas trecentas *Marcas* *sterlingorum* ipsis vel uni eorum, aut ipsorum *Nuncio* præsens publicum instrumentum deferenti & restituenti in Festo beati *Michaelis* proximo futuro *London.* apud *Scaccarium* Regis, per legitimam stipulationem promisit, dictus *Procurator* procuratorio nomine jam dictum Dominum Regem plenè soluturum & integrè redditurum, & quod si in dictis loco & termino prædicta pecunia ipsis Mercatoribus, ut dictum est, non fuerit integrè perfoluta, extunc in antea stipulatione prædicta promisit eis dictus *Procurator* procuratorio nomine, pro damnoque et interesse recompensationem persolvere per singulos duos menses, pro singulis decem *Partis* prædictis, unam *Partem* ipsorum *sterlingorum*, et expensas unius *Mercatoris* cum uno equo et uno serviente, ubicunque fuerit, usque ad plenam totius dictæ pecunie solutionem; quam prædictam recompensationem dampnorum et interesse, ante dictis *Mercatoribus* promisit in sortem dicti debiti nominatus *Procurator* procuratorio nomine nullatenus computare; ac non detinere memoratum debitum contra ipsorum meritorum voluntatem sub prætextu recompensationis prædictæ ultra terminum prælibatum: pro quibus omnibus & singulis supradictis firmiter observandis & plenariè adimplendis, memoratus *Procurator* procuratorio nomine jam dictum Dominum Regem & successores suos prædictis Mercatoribus principales constituit debitores & pacatores, ipsum Dominum Regem cum omnibus bonis suis mobilibus et immobilibus, presentibus et futuris, eisdem *Mercatoribus* propter hoc specialiter obligando. Renunciavit in præscriptis omnibus dictus *Procurator* procuratorio nomine, dicti Domini Regis & successorum suorum omni *Juris* & *Legum* auxilio Canonici & Civiles, consuetudini, et statuto privilegio fori, beneficio restitutionis in integrum, et exceptioni etiam quod prædicta pecunia non sit conversa in utilitatem dicti Domini Regis et terrarum, constitutioni de duabus dietis *Concilii* generalis, omnibus Apostolicis literis, indulgentiis, et aliis quibuscunque, a sede Apostolica impetratis, ac etiam impetrandis, & omni exceptioni, actioni, defensionis & rei quæ obijci possit contra hoc instrumentum vel factum. Ad majorem autem dictorum Mercatorum cautelam, præfatus *Procurator* bona fide promisit, quod dictum Dominum Regem studiosè & fideliter, laboraret ut — omnia & singula supradicta antedictis Mercatoribus observentur. In hujus itaque rei testimonium & evidentiam plenior, præfatus *Instrumentum* dictus Dominus Archidiaconus suo sigillo roboravit. Datum *Affisi* coram hiis testibus; scilicet, *G. Magistro Hugone de Communiaco*, teste *Pontio de Salisto* Clerico, test. *Willielmo de Rosilione*, test. *G. Thomasso de Venant.* famul. dicti Archidiaconi, &c. Ego — Autoritate Imperiali *Notarius publicus* prædictis omnibus interfui, & hoc *Instrumentum* scripsi & complevi rogatus.

An. 38 & 39  
Hen. 3.

An. 38 H. 3.  
in Turri London.

Tom. 2. p. 806. l. 1. before *The King*, insert; In a Bundle of original Writs of this year and their Returns, (*An. 39 H. 3.*) I found in the *White Tower*, there are no less than 21. Attachments and Processes issued to the Sheriff of *Lincoln* only, against several Ecclesiastical persons and others; quare tennuerunt, et quare secuti sunt placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram: I shall render you only a

An. 39 H. 3.

Brevia Regis  
An. 39 H. 3.  
in Turri London.

Breviate



An. 39 H. 3. brieve of the Plaintiffs and Defendants names; Richardus de Swaldebore & Christiana uxor ejus, vers. Roger. de Imyngham & Radulphum Personam Ecclesia de Starteford. Richardus de Hewel vers. Radulphum fil. Laurentii. Radulphus de Martinesthorne vers. Willhelmum Personam Ecclesia de S. Wosfold. Willielmus de Cutroft vers. Johannem Personam Ecclesia de Anderby Decanum de Kandestro. Willielmus de Crokton vers. Walterum Personam Ecclesia de Dunstore. Richardus de Swaldecive & Christiana uxor ejus, vers. Simonem le Monte, & Laur. de la Champagne. Aluredus de Amanototer vers. Simonem Decanum Christianitatis Lincoln. (who held a Suit) pro trecent. Marcis pro damnis suis, & 3. Marcis pro Willielmo le Papeter, pro damnis suis; levied of his Ecclesiastical goods by the Bishop of Lincoln, for holding such a Plea in Court Christian against them. Editb. Page vers. Reginald. fil. Marger. de Lincoln. Robertus de Norton vers. Magistr. Robertum Condene. Willielmus de Askeby vers. Johannem Decanum Christianitatis Lincoln. Robertus de Norton vers. Magistr. Rogerum de Askeby. Nicholas de Heurell vers. Radulphum fil. Laurentii (an alias.) Willielmus de Sancto Philiberto vers. Magistrum Willielmum Archer. Richardus de (torn) vers. Willielmum Archidiaconum Linc. & Magistr. Robertum Offic. ejus. Johannes de Rocheford vers. Magistr. Willielmum de Lucy. Radulphus de Maire vers. Richardum de Blend, Magistr. Alexand. de Deping, & Radulph. Decanum de Stamford, quare secuti sunt placitum in Curia Christianitatis, et Decanus tenuit idem placitum in eadem Curia contra Prohibitionem nostram, et in deceptionem Curie nostre fecerunt praditum eadem excommunicari, capi et imprisonari, et in prisona nostra Linc. detineri, quousque deliberatum fuit per preceptum nostrum. After which there was a Jury impannelled between them, concerning the prosecuting and holding this Plea, and excommunicating, imprisoning the Plaintiff after the Prohibition, upon which issue was joyned, and found for the Plaintiff; as the Panel and Inquisition joyned to the Writ attest. There are two other Writs of this sort, but the names are torn and decayed. Besides these I finde two Writs of Attachment issued to the Sheriff of Lincoln. *Pone per vadios & salvos plegios H. Episcopum Linc. quod sit coram Justic. nostris apud Westm. &c. Et ibi habeat Johannem de Wadingham & Gilbertum Capellarium de Copinham, ad respondendum Radulpho de Normannerby de placito, quare secuti sunt placitum in Curia Christianitatis de laico feodo ipsius Radulphi in Copinham, contra Prohibitionem nostram, &c. Teste W. de Thurkelby apud Westm. 8 die Maii, anno regni nostri 39.* And an alias, 18. Octobris. *Teste ut supra: between the same parties: And one Writ of Attachment more to the Sheriff of Lincoln, brought by Gerardus de Fernivel, versus Abbatem de Bardeneye, quare secutus est placitum in Curia Christianitatis de advocacione Ecclesie de Beringsham, contra Prohibitionem nostram. Teste meipso apud Linc. 3. die Maii, anno regni nostri 39.* These 24. Writs issued this year to this one Sheriff of Lincoln, against those illegal usurpations of the Bishop, Dean, Archdeacon, and Officials upon this Kings Crown, Prerogative, his Subjects liberties and properties; which is very remarkable, Henry Lexington was then Bishop.

In the decayed Plea-Rolls of Term Mich. An. 39 H. 3. as I conjecture (in the Tower,) I met with these Suits for holding and prosecuting Suites in Ecclesiastical Courts for Free-holds and Lay-Chattells, against Prohibitions and Attachments.

Plac. 39 H. 3.  
rot. 10.

Magister Eustachius de Cestreton attachatus fuit ad respondendum Hugoni de Loges, quare contra Prohibitionem, &c. traxit eum in placitum in Curia Christianitatis de laico feodo ipsius Hugonis in Cestreton, &c. Unde idem Hugo queritur, quod ipse erigit ab eo in Curia Christianitatis de certa pecunia pro decimis molendini, et certum pratum, scilicet, tres acras prati, & prateria de Wareto, et de terris incultis, si illas locaverit, ipse petit decimum denarium, & inde producit fellam, &c.

\* Wareto.  
See Sir Henry  
Spelman's  
Glossarium,  
pag. 165.

Et Magister Eustachius venit & defendit contra eum & contra fellam suam, quod nunquam traxit eum in placitum de aliqua certa re, nisi tantum de decimis sceni et molendini, sicut decima inde dari debent; nec aliquam acram prati petit, nec denarium de molendinis, nec aliquid de wareto vel terra, nisi tantum garbas, et ideo preceptum est eidem Eustachio; quod de nullo placito de extero sequatur in Curia Christianitatis, nec de aliquo laico feodo, nec de aliquo quod sit contra Coronam Domini Regis.

Johan-

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

K. Henry 3.

Johannes Bec. optulit se 4 die versus Magistrum Robertum de Herfes Archidiacono Lincolniz de placito, quare contra, &c. tenuit placitum in Curia Christianitatis de laico feodo ipsius Johannis in Boby, &c. Et Magister Robertus non venit, &c. Et Vicecomes mandavit quod non habet laicum feodum. Et ideo mandatum est Domino Episcopo Lincolniz quod distringat eum, quod sit in Octabis Sancti Martini.

An. 39 & 40  
Hen. 3.<sup>1</sup>

Radulfus de Windeburg optulit se 4 die versus Magistrum Rogerum de Burton de placito, quare secutus est placitum in Curia Christianitatis de laico feodo ipsius Radulphi in Windeburg, contra Prohibitionem, &c. Et Magister Radolphus non venit, &c. nec habet laicum feodum. Et ideo mandatum est Domino Archiepiscopo Eborum quod distringat eum quod sit a die Sancti Martini in 15. dies, &c. Et idem Radolphus non sequitur versus Iudices.

Tom. 2. p. 860. l. 24. after February, adde; In the decayed Plea-Rolls (in the Tower) of Hill. Term, Anno 40 H. 3. I finde these Prohibitions, Attachments, and Proceedings against Prosecutors and holders of Suits in Spiritual Courts for Chateaux and Free-holds not belonging to them.

An. 40 H. 3.

Nicholaus de Wottesden attachiatus fuit ad respondendum Richardo filio Godefridi de Wicumb de placito, quare in Curia Christianitatis tenuit placitum de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et unde queritur, quod cum Agnes Bradford & Rogerus filius ejus implacitaverunt ipsum coram predicto Nicholaio, posendo ab eo 30. s. quæ non fuerunt de Testamento vel Patrimonio, et ipse detulisset ei breve Domini Regis in Capella de Wuburn in crastino Sancte Elenz anno regni Domini Regis, nunc anno 40. ne placitum illud inter eos teneret, predictus Nicholaus spreta Prohibitione tenuit predictum placitum coram eo, et ipsum fecit excommunicari; Unde dicit, quod deterioratus est, et dampnum habet ad valenciam Centum solidorum. Et inde producit sectam, &c.

Pat. 40 H. 3.  
Rot. 6. Buks.

Et Nicholaus venit, & defendit vim & injuriam quando, &c. Et bene defendit contra ipsum & sectam suam, quod nunquam tenuit placitum de aliquibus catallis in predicta Curia postquam ipse predictum breve Domini Regis detulit. Et hoc offert defendere versus ipsum & sectam suam, sicut Curia consideraverit. Et ideo consideratum est, quod predictus Nicholaus vadiet legem se 12. mann. Et veniat cum lege in Octabis Sancti Hillarii. Plegii de lege Adam Averill, & Richardus de Norwico.

Postea à die Sancti Johannis Baptiste in quindecim dies venit predictus Nicholaus, & fecit legem suam. Ideo consideratum est, quod ipse Nicholaus inde sine die, & Richardus filius Godefridi in misericordia pro falso clamore. Et prohibitum est predicto Nicholaio ne ulterius Richardum predictum placitet; et injunctum ei, quod sine dilacione faciat ipsum absolvi. Postea venit predictus Richardus, & questus fuit, quod predictus Nicholaus eum nondum fecit absolvi. Immo impetrabit breve Regis de capiendo ipsum occasione predicti placiti. Ideo preceptum est Vicecomiti, quod attachiet eum quod sit a die Pasche in unum mensem, ad respondendum de transgressionem predicta.

\* Note the  
vexation.

Idem Richardus optulit se 4. die versus Magistrum Johannem de Cumpton de placito, quare ipse simul cum predicto Nicholaio tenuit predictum placitum in eadem Curia, contra eandem Prohibitionem. Et ipse non venit, &c. Et plures fecit defalcas. Ita quod mandatum fuit Episcopo Lincolnienfi, quod faceret eum venire, eo quod Clericus est, et non habet, &c. Et quia Episcopus obiit, mandatum est Officiali Archiepiscopi Cantuariensis, quod faciat eum venire in Octabis Sancti Hillarii, &c.

Richardus filius Martini de Oteringham optulit se 4. die versus Magistrum Thomam de Grimmeton de placito, quare secutus est placitum in Curia Christianitatis de catallis, &c. contra Prohibitionem, &c. Et ipse non venit, &c. Et fuit attachiatus per Willielmum de la Chambre de Holm, & Adam Horeband de eadem. Ideo ponatur per meliores Plegios, quod sit à die Sancti Hillarii in quindecim dies. Et primi, &c.

Ibidem. Eborum.

Johannes filius Willielmi Effonator Galfrid. de Wolmerston optulit se 4. die versus Priorem de Monte Acuto de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento, &c. Et ipse non venit, &c. Et attachiatus fuit per Robertum de Hamme, & Johannem Pay de eadem. Ideo ponatur per meliores Plegios, quod sit à die Pasche in quindecim dies. Et primi, &c.

Ibid. Rot. 15.  
Cumberland.



An. 40 & 41  
Hen. 3.

Ibid. Rot. 40.  
Somerſet.

Henricus de Stanel. optulit ſe 4. die verſus Henricum Priorem de Wederhall, Willielmum le Carpenter, Willielmum Fayrheved, Willielmum filium Alduræ, Johannem filium Richardi Mus, & Richardum Mus, de placito, quare ſecuti ſunt placitum in Curia Chriſtianitatis de laico feodo ipſius Henrici, &c. Et ipſi non venerunt, &c. Et prædictus Prior fuit attachiatus per Johannem filium Johannis de Bouleyn, & Henricum de Wedrehall. Et prædictus Willielmus, et omnes alii fuerunt attachiati per Richardum de Baſtenthweyt, Adam Bradheved, Dryteythekeld, & Adam de Kirke Oswald. Ideo ponatur per meliores Plegios, quod ſit à die Sancti Hillarii intrès ſeptimanas. Et primi, &c.

Bundela Bre-  
vium in Turri  
London. an. 40  
H. 3.

In a Bundle of Writs (in the Tower) Anno 40 H. 3. Willielmus de Gannet ſued forth a Writ of Attachment, verſus Thomam Priorem de Markely Viſc. Linc. offenſur, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem noſtram. Teſte, &c. 15. die Junii, anno regni noſtri 40.

Tom. 2. p. 853. l. 16. after Junii, adde; The original Inſtrument of this Accord made by Adam de Marisco, between the Biſhop of Winton and the Prior and Monks of S. Swithin, ratified by the Kings Patent; I found in the White Tower, agreeing with that in the Patent-Roll.

In a Bundle of Patents and Certificates of Elections, &c. in the White Tower, An. 40 H. 3. I found this Certificate of the Chapter of Landaff, of their Election of William Radnore for their Biſhop, by the Kings liſenſe, (who recommended another) after the deceaſe of John their Biſhop, deſiring his confirmation thereof.

Bundela Petit.  
& Certif. an.  
40 H. 3. in  
Turri London.  
See Godwins  
Catalogue, p.  
437.

Excellentiſſimo Domino ſuo H. Dei gratia illuſtri Regi Angliæ, Domino Hiberniæ, Duci Normanniæ, Aquitaniæ, & Comiti Andegaviæ, Capitulum Eccleſiæ Landaven, ſalutem in Domino ſempiternam, & orationes in Chriſto cum devorione. Deſuncto bonæ memoriæ Johanne quondam Landavenſ. Epifcopo, nobis de ſolita clementia veſtra per literas veſtras patentes liberam veſtri gratia conceſſiſtis eligendi facultatem. Nos autem Deum habentes præ oculis, ſalubri conſilio literarum veſtrarum firmiter, ut decuit, inhxrentes, invocata Spiritus Sancti gratiâ, de unanimi aſſenſu & voluntate omnium fratrum noſtorum, Magiſtrum Willielmum de Radnore Theſaurarium noſtrum, virum diſcretum & honeſtum, egregiè literatum, Deo & Eccleſiæ devotum, Regiæ Majeſtati veſtræ humiliter inclinatum, et rei publicæ, per Dei gratiam, valde proſuturum, in temporalibus cautum, in patrem elegimus & paſtorem, Celſitudini veſtræ, quam conſervet & augeat Altiffimus, humiliter ſupplicantes et devotè, quatinus dictæ Electioni noſtræ Regium aſſenſum pie præbere dignemini; Nec moleſtè ferre velitis, ſi placet, quod preces veſtras ad præſens exaudire \* nequivimus; Cum ille qui nunc inſtinctu Spiritus Sancti duximus eligendum à puerili ætate ſua nobis cognitum, exiſtit, et inter nos laudabiliter et continue converſatus fuerit in Eccleſia noſtra, quæ ſemper Clericos de gremio ſuo cuſuſſibet Eccleſiæ (dummodo digni erititerint) in Electionibus celebrandis exteris Clericis duxit præferendos. Propter quod devotiſſimè petimus, nè prædicto factò noſtro, quod, ut ſperamus, a Deo proceſſit, in aliquo, quod Deus avertat, moveri aut turbari velitis; ſed potius, ſi placet, proceſſui noſtro Canonico congratulari dignemini. Valeat & creſcat Regia poteſtas veſtra ſemper in Domino. Dat. anno Domini M. CC. LVI. 5. Kal. Aug. Whereupon (it ſeems) the King was ſatisfied, and ratified his Election.

\* Who, it ſeems, recommended another to them whom they knew not.

An. 41 H. 3.

Plac. de Term.  
S. Trinitat.  
An. 41 H. 3.  
in Turri London.  
M. 3. Ebor.

In the fragments of Pleas in the Tower, Term. Trin. An. 41 H. 3. as I conjecture, I met with theſe Suits and Attachments upon Prohibitions.

Willielmus fil. Henrici de Aſſekewyke per Attornatum ſuum optulit ſe 4. die verſus Priorem Sanctæ Trinitatis Eborum de placito, quare ſecutus eſt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, &c. Et ipſe non venit, &c. Et plures fecit defaultas. Ideo præceptum eſt Vicecom. quod diſtingat eum per omnes terras, &c. Ita quod de exitibus, &c. Et quod habeat corpus ejus.

Ibidem.

Idem Willielmus per Attornatum ſuum optulit ſe 4. die verſus G. Archiepiſcopum Eborum, de placito, quod eſſet ad hunc diem, & quod haberet hic Willielmum Decanum Eborum, & Thomam de Aunton Clericos ſuos, ad reſpondendum eidem Willielmo de placito, quare ſecuti ſunt placitum in Curia Chriſtianitatis de catallis et debitis quæ non ſunt de Teſtamento vel Patrimonio, contra Prohibitionem, &c. Et præceptum

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ceptum fuit Vic. quod attach. eos, quod essent ad hunc diem. Et Vicecomes nihil inde fecit. Ideo sicut prius preceptum est Vic. quod attach. eos, quod sint in Ottab. Sancti Michaelis. Et Vic. sit audientis iudicium suum. An. 41 & 42 Hen. 3.

Willielmus filius Martini per actionem suam optulit se 4. die versus Richardum Pyrecock de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem; &c. Et ipse non venit, &c. Et plures fecit Defaultas. Ita quod primo fuit attach. per Rogerum Atteyate de Bermingham, & Thom. fil. Johannis Tyxtor. de eadem, & secundo per Willielmum de Bermingham, & Robertum Bareman de eadem. Ideo ipsi in misericordia. Et preceptum est Vic. quod distringat eum per omnes terras: Ita quod de Exit. &c. Et quod habeat corpus ejus in Crastino Animarum, &c. Ibid. m. 12.

Tom. 2. p. 935. l. 21. adde; I found in the White Tower Chappel this Epistle and Petition of the Freers Minorites to King Henry the 3<sup>d</sup>. to confirm their intrusion into S. Edmunds by his second Charter, not deeming the Popes Bull they had got, sufficient; which the Abbots and Monks contemned and set at nought: wherein they highly extoll his piety, liberality, care to propagate Religion and Order, asserting his and other Kings Ecclesiastical prerogatives therein. An. 42 H. 3.

**G**loriosissimo Principi & in Christo amantissimo Domino, ac piissimo patri Domino Henrico, Dei gratia illustrissimo Regi Anglia, Domino Hybernia, Duci Aquitania, sui devoti & supplices servuli & alumpni, Frater H. Fratrum minorum in Anglia, minister humilis, cum universo Capitulo eorundem Oxonia celebrato, quicquid salutis & prosperitatis, gratiæ & gloriæ optari potest tantæ benignitati. Cum à primo ingressu Ordinis nostri in terras vestro Regimini & Dominio subjectas, clementiam vestram nobis semper invenerimus in omnibus favorabilem & benignam, Ita ut indefessa largitatis munificentia in omnibus Calibus utitur, hujus vitæ mortalis transitoria necessitas quantumvis viles & abjectos, de vestra liberalitatis habundantia, tanquam pater filios sustentare non cessaveritis et sovare, contra calumpniantes & persequentes defendere, & \* obsecrantibus ex zelo pii amoris, disertis rationibus, iuxta datam vobis celsitus industriam, & efficacibus excusationibus obviare, & ut sub compendio dicamus, ab omnibus semper malis protegere, et in bonis promovere; Non sufficit nostra mendicitas iuxta condignum perolvere gratias, nec quicquam rependere vestræ Celsitudinis tantæ bonitati, sed Dominum à quo bona omnia procedunt, qui quod uni ex minimis suis sit, sibi fieri protestatur, totis cordum medullis indefessa precum instantia pro vobis supplices unanimiter exoramus, ut a vestra dominatione noxia semper depellat, et omnia vobis profutura concedat. Sane inter omnia vestræ pietatis beneficia, præcipuum et excellens reputamus, sic et Christo Jesu Domino nostro reputari indubitanter arbitramur, et ad gloriam Divini nominis pro animarum procuranda salute, quod Domum nostri Ordinis apud Sanctum Eadmundum in area vestra propria, ubi fratres in non modico numero Domino servientes et Sancto Eadmundo, doctrinam prædicantes, salutaria consilia tribuentes, ac pro vobis et vestris orantes, commorari poterunt, firmo decreto auctoritate et virtute Regia collocatos, sicut evidentius Chartæ Regiæ declarabant, solemnibus missio Justiciariorum à latere vestro firmavit, et patentium literarum Regalium tenores quæ ad memoriam præsentibus et futuris in testimonium habentur et apertissime protestantur. Hoc itaque quod ab initio fratres fieri optaverunt, ob hoc præcipue & solum, quod locus ille efficaci auxilio medelæ spiritualis ad expurgandas spurcitas plurimum indigebat; Apostolicam sedem adierunt, obtinueruntque primum Monitozias Abbati et Monachis directas, ut fratres benigne sustentarent, omnibus pro impensis: postea increpatozias inde retulerunt, et ita pro \* nihilo ductis, demum procurantibus fratribus ab eadem Sede efficacia privilegia, † cum aliis literis Papalibus Monachis directis, cum cogentissimis præceptis et executione potenti sunt obtenta. Quin hæc omnia præfati \* Monachi aspicientes, in nullo penitus mandatis postpositis de suscipiendis iuribus animarum et sustentandis, parere voluerunt; donec Deus, in cuius manu sunt corda Regum, cor vestrum igne sui amoris accensum, ad illud converteret, ut per manus vestras operaretur jam ad salutem animarum in terra vestra. Scimus enim & pro certissimo tenemus, quod nisi vestræ potestati vel clementiæ pietas affuisset, nihil omnino de tam salutari re fuisset actum, quod ineffabiliter Dei ad gloriam, et ad lætitiā peccatozibus adveniat, toti populo ad salutem, vobis ad honorem in terris, et ad cumulum gloriæ cederet in cælis; Ideoque pauperum amantissime pater! absit à vestræ bonitatis con-

\* So little did the Abbots and Monks of St. Edmunds Ab. by value the Popes Bulls, Authority, or Admonitions. † Fortasse, Bulla.



An. 43 & 43  
Hen. 3.

stantia, opus negligere tantæ pietatis, sed amore Dei sapienter recogitet mansuetudo vestra — qui creduntur in mundum, potestate, sapientia & benignitate sua, ipsum indefessa longanimitate bonitatis suæ sustinet & gubernat, nec unquam deferere dignetur. Hoc namque nunc intelligere debent Reges terræ, ut tanquam filii carissimi, devotis cordibus disciplinam patris cœlestis apprehendere, ut in sustentandis nobis, id ipsum, ab ipsis ad Dei cultum et animarum medelam pia devotione facta sunt, sic ipsum indefinenter imitentur in terris, ut cum ipso perpetuo regnare mereantur in cœlis; Quod unanimiter petimus, servi a Domino, a Patre filii, humiles ab Excelso, & humiliter requirimus totis cordibus sicut audemus, quatinus ad confortanda & confirmanda penitus in devotione ad Dominum pro nobis, devotorum corda servulorum vestrorum de throno Regiæ Majestatis præcipere dignemini, novas literas patentes exire ad Sanctum Eadmundum publicandas, quibus plenius innotescat universis, Domum nostræ Ordinis pro perpetua stabilitate manere vultis, et ab hæredibus vestris Regibus Angliæ, pro vestra et eorum et antecessorum vestrorum salute, ad Dei gloriam et beati Eadmundi meritum et honorem, sibi debet, surta quod a vobis præceptum est, fratribus Ecclesiæ fieri, perpetuo protegi ac defendi. Tantum si placet Dei intuitu, & salutis animarum, nostræque mendicitatis obtentu facientes, ut & divinæ propitiationis, qui pro recuperandis animabus perditis mori dignatus est, habundantiorem gratiam conquirere, & paupertatis nostræ devotionem vobis indissolubiliter astringere merito debeatis. In Dignitatis vestræ prosperitate conservet (Vos) nobis Deo & populo suo per tempora longiora.

An. 43 H. 3.

About the 43<sup>d</sup>. year of King Henry the 3<sup>d</sup>. Thomas Lidel Bishop of Dun in Ireland being oppressed and distrained by the Earl of Ulster, for refusing to appear and answer in his Court, to the prejudice of the Kings Crown and Dignity, and violation of his Oath of Fealty to him, sent his Archdeacon to the King with this Epistle, imploring his Royal assistance and relief against these vexatious oppressours; wherein he asserts, that it is the principal part of Regal Dignity to defend the Church, and restrain the disturbers of Ecclesiastical Liberty, which he earnestly presseth him to discharge in his particular Case, to prevent the mischiefs therein specified, and prevent his recourse to the Court of Rome, there to seek for redress, which Letter I discovered in the White Tower.

An. 43 H. 3.  
in Turri London.

Excellentissimo viro & Domino suo reverendo H. Dei gratia illustri Regi Angliæ, Domino Hyberniæ, & Duci Aquitaniæ; Th. Divina miseratione Dunen. Ecclesiæ Minister humilis, salutem & orationum suffragia. Cum ad Regiam pertineat dignitatem Ecclesiæ defendere, Ecclesiasticæque libertatis perturbatores compescere; Nos quoque qui vobis fidelitatis fecimus Sacramentum, per Dominum Will. de Bourg Com. Ulton. novis & indebitis exactionibus quas nunquam aliquis prædecessorum nostrorum alicui Com. hæcenus facere consuevit, hiis diebus indebitè opprimimur & gravamur: Et quod in præjudicium Regiæ dignitatis vestræ, et Sacramenti quo vobis et Cozonæ vestræ sumus addicti læsionem, in Curia ipsius Com. respondere nolumus sicut nec tenemur, terras ad Crociam nostram pertinentes nobis in Curia sua adjudicavit, ac Paneria nostra spoliavit bonis nostris. Quare Dom. A. Archidiaconum nostrum, præsentium bajulum nostrum & Cleri nostri procuratorem et Nuncium ad vestræ transmittimus refugium: Excellentiæ vestræ humiliter ac devotè in Christo supplicamus, quatinus qualiter prædecessores nostri Dunen. Episcopi pro salvandis Regiis libertatibus adversus Comites Ulton. stare consueverunt, et quos labores pro Regiis negotiis sustinuerunt ad memoriam, si placet, revocantes, Dom. Archid. in hiis quæ vestræ Majestati pro nobis et Clero nostro plenius explicabit benigne exaudire, et gravaminibus quæ nobis injustè inferuntur, remedium exhibere dignemini opportunum. Pro Iesu Christi nomine, et animæ vestræ salute salubriter prospicientes, quod magnificum nomen vestrum, quod à primo adventu Anglicorum in Ulton. tam reverenter hæcenus recitatur in singulis Missis per Dunen. Dioc. celebratis, ubi plures quam alicubi in Hybern. infra tantæ terræ spatium usque ad hæc tempora habundant sacerdotes et Religiosi, pro defectu defensionis debite a tam salubri memoria non cesset, quod absit. Si enim in hiis nostris pressuris celerius remedium nobis vestra non adhiberet Magnificencia, oportet nos Monasteria nostræ Dpoc. desolatata, et Paneria nostra vasta, et totam Dpoc. relinquere interdictam, et quatinus poterimus Curiam Romanam adire pro remedio ibidem perquirendo. Valeat et vigeat Excellentia vestra diu et benè in Christo.

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In the *Plea-Rolls of Pasch. & Mich. 43 H. 3.* (in the *Tower*) I finde these Suits and Attachments brought for prosecuting and holding Suites in *Courts Christian*, against the Kings Prohibitions.

An. 43 & 44  
Hen. 3.

*Decanus Sancti Pauli London. & Magister R. Officialis Episcopi London.* attachiati fuerunt ad respondendum *Humfredo de Rubbeswurch de placito*, quare tenuerunt placitum in *Curia Christian.* de catallis, &c. quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et unde idem *Hugo* queritur, quod ipsi tenent placitum in *Curia Christianitatis* inter ipsum & *Abbatem de Waleden.* & *Galsfrido de Lucy*, occasione executionis Testamenti *W. Comitis de Maundevill. de quodam debito C. librarum*, qui debebatur *S. Archiep. Cantuar.*

Plac. de Terminis Paschæ, an. 43 H. 3. Midd.

Et *Decanus & Officialis* veniunt & dicunt, quod re vera ipsi *Executores* traxerunt eum in placitum coram eis de quibusdam articulis cujusdam composi reddendi de quodam *Manerio* quod traditum fuit pro prædicto debito: & de articulis illis processum fuit usque ad sententiam, & quod ipse consensit in eos; et cum perventum fuit ad iudicium, tunc primo protulit hæc de Prohibitione. Et quia *Executores* præsentis non sunt, ideo dictum est *Judicibus*, quod non procedant antequam *Executores* compareant. Et quia *Abbas* non venit, præceptum fuit *Viccomiti* quod attachiaret eum; & ipse mandat, quod cepit averia sua; ideo sicut prius attachiatus eum, quod sit à die *Savilæ Trinitatis* in tres septimanas. Et quia *Viccom.* mandavit quod *Galsfridus de Lucy* nihil habet in *Comitatu Midd.* ideo attachiatur in *Com. Essex.* quod sit ad eundem diem: Et dicit quod *Ernaldus de Maundevill.* unus *Conquerentium* non est prof. & ideo ipse & *plur.* sui de prof. in misericordia, scil. *Will. de Maundevill.* & *Radulfus filius suus.*

*Ricardus de Merton per Attornatum suum* optulit se quarto die versus *Priorem de Coneham de placito*, quare tenuit placitum in *Curia Christianitatis* de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. Et ipse non venit. Et plures fecit defaltas. Ideo præceptum est *Viccomiti*, quod distringat eum per omnes terras, &c. Et quod de exitibus, &c. Et quod habeat corpus ejus in *Crastrino Sancti Johannis Baptista.*

Lincoln.

*Ulfredus de Canc. Effonator Roberti Haneworth. & Radulphus de Norff. Effonator Innocen.* optulerunt se quarto die versus *Radulphum Decanum Christianitatis Lincoln.* *Johannem oue la Barbe de Linc.* & *Sylvestrum de Lincoln.* *Capellarium de placito*, quare secuti sunt placitum in *Curia Christianitatis* de catallis, &c. quæ non sunt, &c. contra Prohibitionem, &c. Et ipsi non venerunt. Et præceptum fuit *Viccom.* quod attach. eos, quod essent hic ad hunc diem. Et *Viccom.* nihil inde fecit, sed mandavit quod præceperat *Ballivis libertatis Lincoln.* qui nihil inde fecerunt. Ideo præceptum est *Vic.* quod non omittat propter prædictam libertatem, quin attach. eos, quod sint in adventu *Justic.* Et unde *Vic.* mandavit, &c.

Ibid. Litt;

*Nigellus de Langeford & Matild. de Gonsell opt.* se 4 die vers. *Magistr. Nicholaum de Stauneford de plac.* quod cum idem *Nicholaus* in *Curia Domini Regis*, coram ipso *Dom. R. apud Rading.* attachiatus esset, *M. de Havershager avunculus*, prædict. *Nigel.* & *fratr. prædict.* *Matild.* cujus heredes ipsi sunt; quare secuti sunt plac. in *Curia Christianitatis* de advocacione *Ecclesie de Gailburg*, contra prohibitionem *Dom. Regis.* Et idem *Nicholaus* venisset in eadem *Cur.* & defendisset contra eundem *M. & sefam suam*, quod nunquam secutus est placitum in *Curia Christian.* contra prohibitionem *Dom. Regis.* Et inde vadiasset legem suam, & illam in eadem *Curia Dom. Regis* tenuisset. Et præterea, in eadem *Curia* ei prohibitum esset, ne plac. illud ulterius sequeretur, ac ipse coram *Justic.* in eadem *Curia Dom. R.* concessisset, quod plac. illud ulterius non sequeretur; imo quod penitus revocari faceret quicquid per ipsum in placito illo in *Curia Christianitatis* actum esset: Idem *Nicholaus* postea, contra Prohibitionem et Concessionem suam prædictam secutus est placitum illud in præfata *Curia Christianitatis* de advocacione *Ecclesie prædictæ*, ad exheredationem ipsorum *Matth. et Matil.* et in contemptum *Dom. Regis* manifestum. Et ipse non venit, &c. Et præceptum est *Vic.* quod attach. eum, quod esset ad hunc diem. Et *Vic.* mand. quod *Clericus* est, et non habet laicum feodum per quod, &c. Et ideo mandatum est *R. Episc. Coventr. & Lychf.* quod faceret eum venire, &c.

Plac. 25 7.  
Mich. an. 43  
H. 3. rot. 6.  
Dof.

In *Placita Assisarum* (in the *Tower*) coram *Rogero de Thirkely & sociis suis*, *Itin. de Banco*, anno regni *Regis Henrici fil. Johan. 44. Kanc.* I finde these Suites and Attachments brought for prosecuting and holding *Plea* in *Ecclesiastical Courts*, of things whereof they had no Legal Consuance, against the Kings Prohibitions, to the prejudice of the Kings Crown, Dignity, and Subjects Liberties.

An. 44 H. 3.

Henricus



*An. 44 H. 3.* Henricus de Baynorth & Maugerus de Knoll optulerunt se 4 die versus R. Episcopum Lincolniensem de placito, quod esset ad hunc diem & ibi haberet Mathæum Archidiaconum Buk. Johannem de Cumpston Officialis ejusdem Archidiaconi, Radulphum Decanum & Ranulphum de Neston, ad respondendum eis de placito, quare cum Magister Ranulphus de Neston Persona Ecclesiæ de Preston in Curia Regis hic coram Justiciariis recup. seisinam versus prædictos Henricum et Maugerum, de una virgata & sex acris terra cum pertinentiis in Cunel. ut Jm Ecclesiæ suæ de Preston per servicium sustentandi quendam Capellanum, qui singulis septimanis imperpetuum divina celebraret in Capella de Cunel. quæ subiecta est Ecclesiæ prædictæ de Preston: Ita quod iidem Henricus & Maugerus & heredes eorum distringerent prædictum Ranulphum, et Rectores ejusdem Ecclesiæ pro eodem servicio necessitate compellente: dicti Mathæus, Johannes, & Ranulphus per eo quod idem Henricus & Maugerus prædictum Ranulphum prædictum servicium facere recusantem pro eodem servicio secundum consuetudinem Curie distringerent, tenuerunt inde placitum in Curia Christianitatis inter ipsum Radulphum et prædictum Henricum et Maugerum in præjudicium Corone et dignitatis Regis, et contra Prohibitionem, &c. Et ipse non venit, & habuit diem per Effoniatorem suum ad hunc diem. Postea attachiatus fuit per Griffinum Præpositum, & Radulphum le Messer. Ideo ponatur per meliores plegios, quod sit in crastino Sancti Johannis Baptiste. Et primi, &c.

*Cantebr. libid. 13. dorso.* Simon de Chendoz & Willielmus de Sherperell optulerunt se 4 die versus Personam Ecclesiæ de Malketon de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et ipse non venit, &c. Et præceptum fuit Vicecomiti quod attachiaret eum quod esset ad hunc diem. Et Vicecomes nichil inde fecit, set mandavit quod Clericus esset, & quod non habet laicum feodum per quod potest attachiari: Et ideo mandatur Officiali Episcopi Eliensis, quod faciat eum venire à die Paschæ in unum mensem per Bartholomæum Baygnard. The like Suit there is Rot. 13. Kant. between other persons.

*Rot. 20. intus Eborum.* Alicia de Arnald optulit se 4. die versus prædictum Archiepiscopum Ebor. de placito quod esset ad hunc diem, & hic haberet Magistrum Alanum de Sexdecim vallibus ad respondendum eidem Aliciæ de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. Et ipse Archiepiscopus non venit, &c. Summonet, &c. ad audiend. Judicium, attachietur quod sit ad prædictum terminum.

*Rot. 21 dorso.* Præceptum fuit Vicecomiti, quod attachiari faciat Nicholaum de Sancta Maria, ita quod haberet eum hic ad respondendum Domino Regi extra regnum suum existenti, dum ad custodiam & publicæ negotia regni assignaret dilectum Clericum suum Walterum de Merton, idem Nicholaus in contemptum ipsius Regis, et grave impedimentum negotiorum suorum, inhiberi procuravit occasione eiusdem pecuniæ quæ non est de Testamento vel Patrimonio, ne aliquis sub pœna Excommunicationis eidem Waltero communicaret, desicut pecuniæ et catalla aliæque non sunt de Testamento nec Patrimonio, jurisdictionis dicti Dom. Regis sunt, et specialiter pertinent ad coronam et dignitatem suam. Et Vicecomes nichil inde fecit, set quod Willielmus Eward de Clifton, & Petrus de Haukeston manuceperunt eum; ideo ipsi in misericordia. Et præceptum est Vicecomiti quod distringeret eum per omnes terras, &c. ita, &c. Et quod de exitibus, &c. Et quod habeat corpus ejus à die Paschæ in quindecim dies, &c.

*Rot. 17. intus Wygorn.* Ricardus de Mucegros optulit se 4. die versus Ricardum de Boneham Officialem Archid. Wygorniensis de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Ricardus non venit, & fuit attachiatus per Ricardum le Engleys & Adam Couel. Ideo ponatur per meliores plegios quod sit in octabis Sancti Johannis Baptiste, &c.

*Rot. 28 dorso Devon.* Willielmus de Stokes, & Joel de eadem, optulerunt se 4. die versus Thomam le Butyller, Atrandum Taunton. Johannem de Cantilupo, Bartholomæum de Pultingmore, & Brianum de eadem, de placito, quare prædicti Thomas & Magister Johannes tenuerunt placitum in Curia Christianitatis de laico feodo prædictorum Willielmi et Joelis in Pultingmore, contra, &c. Et de placito, quare prædicti Bartholomæus et Ricardus secuti sunt idem placitum in eadem Curia, contra Prohibit. &c. Et ipsi non venerunt, &c. Et præceptum fuit Vicecomiti quod attachiaret eos quod essent

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essent ad hunc diem. Et Vicecomes nihil inde fecit, eo quod predicti Willielmus & Joel non invenerunt plegios de proseguendo: Et quia predicti Willielmus & Joel fecerant Justiciarius securitatem de clamore suo proseguendo per Henricum de Bradek in Comitatu Essex. & Willielmum de Pavilly de Comitatu Surr. praeceptum est Vicecomiti quod attachiaret eos, quod sint in octabis Sanctae Trinitatis, &c. An. 44 H. 3.

Radulphus Aylwyn per Attornatum suum optulit se 4 die versus Robertum atte Wolde et Thomam filium ejus de placito, quare secuti sunt placitum in Curia Christianitatis de catallis et debitis quae non sunt de Testamento, &c. contra Prohibitionem, &c. Et ipsi non venerunt, &c. Et plures fecit defalias: Ideo praeceptum est Vicecomiti quod distringat eos per terras: Ita quod habeat corpora eorum in octabis Sancti Johannis Baptistae, &c. Rot. 29. dorset. Norff.

The Dean and Chapter of *Armagh*, during the vacancy of the Archbishoprick, according to right and ancient custom, having examined and confirmed the Election of *W. de Haya*, made by the Kings license to the Bishoprick of *Coner*, and he bringing them the Kings Letters Patents which certified it after due examination thereof, though for a time opposed by the Clergy of his Diocess, they returned the King this Certificate of their confirmation of it, in order to restore him his Temporalities.

**E**xcellentissimo Domino suo, Domino *H. Dei gratia illustri Regi Angliae*, Domino *Hiberniae*, Duci *Aquitaniae*, sui humiles & devotissimi, Decanus totumque Capitulum Ecclesiae *Archmachau*, salutem, & tam debitam quam devotam cum orationum suffragiis in omnibus reverentiam. Cum Ecclesia nostra nuper per mortem venerabilis patris nostri bonae memoriae *A. quondam Archiep. Archmac.* pastoris solatio sit destituta, venerabilis vir *W. de Haya* Ecclesiae *Coner.* Electus accedens ad nostram praesentiam, utpote ad quos tum de jure, tum de antiqua et approbata sedis *Archmac.* consuetudine spectant suffraganeorum ipsius sedis confirmationes, electionem de se factam in Ecclesia *Coner.* nobis praesentavit, cum literis vestris patentibus, in quibus electioni suae vestrum pium assensum Regium praebuisse, et electionem ipsius ipse et procuratores Cleri *Coner.* a nobis, sicut decuit, confirmari petierunt. Nos autem ydoneitatem personae ipsius Electi & utilitatem Ecclesiae *Coner.* considerantes, necnon & commodum vestrum ac regni vestri per ipsum Electum vobis in *Hibernia* factum & faciend. prout ex relatione Justiciariorum vestrorum & aliorum qui sunt de consilio vestro in *Hibernia* plenius intelleximus, de consilio quorundam suffraganeorum Ecclesiae *Archmac.* qui nobiscum praesentes fuerant, postquam quidam de Clero *Coner.* qui primo ipsi Electo et suae electioni contradixerant, cum a sua contradictione in hac parte penitus destitissent, electionem Ecclesiae Electi memorati in omnibus ratificantes, eam secundum (justitiam) cum exacta diligentia tam in forma quam in materia examinavimus; & quia electionem sic examinatam Canonice invenimus celebratam, eam exigente justitia confirmavimus. Hinc est quod vestram Regiam excellentiam in Domino exoramus, quatinus eidem Electo sic per nos confirmato, temporalia Episcopatus *Coner.* cum suis pertinentiis sine mora dispendio concedere dignemini. In cujus rei testimonium has literas nostro communi sigillo signatas, una cum sigillo Decani Sublimitati vestrae mittimus patentes. Dat. apud *Pontem* in crastino Sancti *Vincensii* Martyris, anno Domini *M. CC. sexagesimo.* Valeat & vigeat Excellentia vestra per tempora longiora.

Tom. 2. p. 976. l. 4. after *Winton*, adde; In the *Placita de Terminis Paschae*, anno 44 H. 3. (in the *Tower*) I found these ensuing Prohibitions and Attachments, for holding Plea of and prosecuting Suits in Courts Christian, belonging to the Kings Courts alone.

Johannes de Fosdich optulit se quarto die versus R. Episcopum *Lincoln.* de placito quod esset ad hunc diem, Et hic haberet Johannem Decanum de *Walecroft* Clericum suum, ad respondendum predicto Johanni de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quae non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et Episcopus non venit, &c. et fuit attachiatus per Willielmum *Propositum* de *Norton*, et *Walterum Bate.* Ideo ponatur per meliores plegios quod sit a die Sancti Michaelis in 15. dies, et ibi habeat, &c. Et primi, &c.

Ricardus Suthampton de *Thormesby*, Willielmus Northampton, et Ricardus Mortbarnd, per Attornatum suum optulerunt se quarto die versus Willielmum de Suthampton Canonicum *Lincoln.* de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quae non sunt de Testamento vel Patrimonio, contra Prohibitionem

In *Bundela* Certif. & Pet. an. 44 H. 3. in *Turri Lond.*

Plac. de Terminis Paschae, an. 44 H. 3. in *Turri Lond.*

Rot. 17. intus *Linc.*

Rot. 25. intus *Linc.*



*An. 44 H. 3.* nem nostram, &c. Et ipse non venit: Et preceptum fuit Vicecomiti quod attachiaret eum, quod esset ad hunc diem. Vicecomes nichil inde fecit, set mandavit quod prædictus Willielmus Clericus est, et non habet laicum feodum per quod potest attachiari. Et ideo mandatur Episcopo Lincolnix, quod faciat eum venire à die Sancti Johannis Baptiste in 15. dies. Et unde Vicecomes, &c. Consimile versus Vicarium Ecclesia de Mudiford.

*Rot. 22. intus, Kanc.* Christiana filia Thomæ optulit se quarto die versus Magistrum Hugonem de Mortuo Mari, Magistrum Omerum de Cantuaria, & Hamonem Digge de placito, quare secuti fuerunt placitum in Curia Christianitatis de laico feodo ipsius Christianæ in Cantuaria, contra Prohibitionem, &c. Et ipsi non venerunt, &c. Et preceptum fuit Vicecomiti quod attachiaret eos quod essent ad hunc diem. Et Vicecomes nichil inde fecit set mandavit, quod non habent laicum feodum, &c. Et testatum est, quod habent terras & tenementa, &c. ad sufficienciam, &c. Ideo sicut prius preceptum est Vicecomiti quod attachiaret eos quod sint à die Sancti Johannis Baptiste in 15. dies, &c. Et unde Vicecomes, &c. Et unde testatur, &c.

*Rot. 30. dorso, Suffex.* Johannes le Fry optulit se quarto die versus Magistrum Galfridum Archidiaconum Cycestrix de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. Et ipse non venit, &c. Et primo fuit attachiatus per Walterum de Bagenore, et Nicholaum de Bekel. Et secundò per Robertum de Srivesbeme et Galfridum Boun. Ideo ipsi in misericordia. Et preceptum est, &c. quod distringat eum per terras, &c. Ita quod habeat corpus ejus à die Sancti Johannis Baptiste in 15. dies. Et prædictus Johannes quæsitus est, quod prædictus Magister perquisivit breve Domini Regis ad capiendum ipsum pendente placito in Curia hic. Inhibuitur est Vicecomiti, quod occasione illius brevis de captione nichil faciat. Consimilis facta, versus Johannem Personam Ecclesie de Undel. Consimilis per Herbertum de Wlington versus Ricardum Personam Ecclesie de Corn.

*Rot. 7. intus, Kanc.* Robertus le Poer versus B. Archiepiscopum Cantuar. de placito quod esset ad hunc diem, & hic haberet Robertum Priorem de Faversham, & Radulfum de Eskling. Clericos suos, ad respondendum ei de placito, quare prædictus Prior tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. Et Vicecomes nichil inde fecit, set mandavit, quod præceperat Ballivis Archiepiscopi Cantuarix, qui nichil inde fecerunt. Ideo preceptum est Vicecomiti quod non omitat propter libertatem prædictam quin summoneat eum quod sit in octabis Sancti Michaelis, &c. Et unde, &c.

*Ibid. 10. dorso, London.* Simon de Pateshull, &c. versus Magistrum Michaellem Decanum de Arcubus London. de placito, quare tenet placitum in eadem Curia de catallis et debitis quæ non sunt, &c. Et alterum mandatum fuit Archiepiscopo Cantuar. quod faceret eum venire, &c. Et Episcopus nichil inde fecit, nec breve misit. Ideo preceptum est Vicecomiti Kancix quod summoneat prædictum Archiepiscopum quod sit ad prædictum terminum.

*Rot. 15. intus, Ebor.* Willielmus filius Philippi & alii, &c. versus Rogerum de Shipton & alios de placito, quare tenuerunt placitum in Curia Christianitatis de catallis, &c. contra Prohibitionem, &c.

*Rot. 3. intus, Lond.* Walterus Kaer & Rich. fil. ejus optulit se 4. die versus B. Archiepiscopum Cantuar. de placito, quod esset ad hunc diem, & haberet hic Michaellem Decanum de Arcubus London. Rich. de Clapham, & Willielmum Decanum de Depedal Clericos suos, ad respond. prædict. W. et R. de plac. quare prædicti W. et R. tenuerunt placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et de placito, quare prædict. Will. secutus est idem plac. in eadem Curia, contra Prohibitionem nostram. Et ipse non venit, &c.

*Ibid. rot. 26. Lanc.* Willielmus de Sywel attach. fuit ad respond. Richardo le Fleming de plac. quare secutus est plac. in Curia Christian. de catall. et deb. quæ non sunt, &c. contra Prohibitionem, &c. Et unde prædict. R. queritur, quod cum prædict. Will. traxisset ipsum in placitum in Curia Christian. coram Priore de Conynggesheved, exigend. ab ipso 40 s. & similiter Advocationem Ecclesie de Erlondem; Et ipsi, &c. detulisset eidem Willielmo Prohibitionem. Dom. Regis, ne prædictum placitum sequeretur. Et prædict. Willielmus, spreta Prohibition. Dom. Regis, secut. fuit prædict. placit. in eadem Curia, ita quod fecit eum ab ingressu Ecclesie suspendi, et postea excomm. Et dicit, quod detercio.

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deterioratus est, et damnum habet ad valenc. C. sol. Et inde producit scellam, &c. An. 44 H. 3. Et prohibitum est ne sequatur prædictum placitum.

Beuglos Brun appellat Radulph. Vimen, de morte Walteri fratris ipsius R. Et Radulphus venit; et super hoc venit quidam Magister Wilhelmus de Capella Clericus W. Episcopi Exon. differens literas prædicti Episcopi, per quas idem Episcopus constituit ipsum ad petend. & recipiend. hic prædict. Radulphum Clericum suum ipsum Episcopi; Et petit ipsum tanquam Clericum. Et prædict. Beuglos quesitus, si vellet sequi in Curia Christianitatis vers. prædictum Radulph. de prædicta morte? dicit quod sic. Et dictum est Magistro Wilhelmo, quod celerem iustitiam exhibeat prædicto Beuglos. et quod certum diem ei præfigat. Et Wilhelmus præfixit eidem in crastino S. Trinitatis in Cathedrali Ecclesia de Exon. is ei liberatur. Et dictum est prædict. Beuglos, quod nisi celerem iustitiam ei exhibeant, quod redeat, &c.

In Trinity Term, the same year, I finde these Suites and Attachments of the same kinde as the preceding.

Hugo le Bigod per Attornatum suum optulit se quarto die versus Godefridum Archiepiscopum Ebor. de placito, quod haberet ad hunc diem Magistrum Hugonem de Cantilupo Pracentorem Ecclesie Ebor. Willielmum Archidiaconum Richemond. & Johannem de Hesel Clericos suos, ad respondendum eidem Hugoni de placito, quare idem Pracentor et Archidiaconus tenuerunt placitum in Curia Christianitatis de tertia parte advocacionis Ecclesie de Cottingham, contra Prohibitionem, &c. Et de placito, quare prædictus Johannes secutus est idem placitum in eadem Curia Christianitatis, contra eandem Prohibitionem, &c. Et ipse non venit; & plures fecit default. Ita quod præceptum fuit Vicecomiti, quod distringat eum per omnes terras, &c. Ita quod de exitibus, &c. Et quod haberet corpus ejus ad hunc diem. Et similiter præceptum fuit Vicecom. sicut alias, &c. quod distring. Richardum de Tauge, Johannem de Harbir, Robertum de Sinke, Willielmum le Brétun, Michaelem de Bermiteworth, Adam le Butil. Johannem de Chelray, Radulphum de Normanvill. Adam de Nawescapp, Johannem de Barkeston, Nigell. de Stockholt, & Henr. de Auston per terras, &c. Ita quod haberet corpora, &c. ad rec. &c. si Willielmus le Latymer quondam Vic. Ebor. per ultimum præceptum ei directum de distringendo prædictum Archiepiscopum per, &c. quod esset coram Justic. hic a die S. Hillarii in 15. dies anno r. H. 3. 40. et quod de exitibus terrarum et catall. suorum Domino Regi responderet, de exitibus terrarum et catallorum ipsius Archiepiscopi in Balliva sua; scilicet de bladis, catallis, redditibus, et firmis ad prædictum terminum respondisse potuit, circiter quadringent. vel quingent. marc. sicut prædictus Hugo dicit, vel non, de quibus Domino Regi nihil respond. sicut ei præceptum fuit. Et similiter præceptum fuit Vic. sicut alias, &c. quod venire faceret Thomam de Bella aqua, Willielmum de Richere Clericum, Radulphum fratrem ejus, & Hugonem de Lacey, quibus Willielmus le Latymer tunc Vicecomes Ebor. commisit Paneria ipsius Archiepiscopi de Shireburne et Cawod, et omnia bona in prædictis Paneriis inventa, prout idem Willielmus præfatis Justiciariis suis apud Westm. mandavit ad respondendum Domino Regi de exitibus prædictis. Et ipsi non venerunt. Et Vic. mandavit, quod prædictus Archiepiscopus districtus est per omnes terras, &c. in Baronia sua; scilicet, apud Shireburne, Wylton, Barton, Sotelay, et Cawod: Et quod eritus illarum terrarum committantur Roberto de Wyleby, Radulpho de Mileford, Thomæ de Barkeston et Johanni de eadem, Willielmo de Geneldale in Fangesosse, Radulpho fil. Mariotæ de eadem; Willielmo de Wodehall, Richardo le Caret de Beverlee, et Johanni de Lond. de eadem, Falconi de Sakesfend, et Willielmo fil. Willielmi de Beineton ad respondendum de exitibus prædictarum terrarum, sed noluit permittere corpus suum attachiari. Et ideo sicut prius præceptum est Vic. quod distring. eundem Archiepiscopum per omnes terras, &c. Ita quod de exitibus, &c. Et quod habeat corpus ejus a die Sancti Michaelis in tres septimanas, &c. Et præcept. quod venire fac. prædictos Willielmum de Wyleby et alios, quibus videlicet eritus terrarum prædictarum commisi fuerunt, ad respondendum de eisdem ad eundem terminum. Et similiter quod distringat prædictos Thomam de Bella aqua, et alios quibus prius eritus Paneriarum prædicti Archiepiscopi de Shireburne et Cawod commisi fuerunt, per omnes terras, &c. Ita quod habeat corpora eorum ad eundem terminum, ad respondendum de exitibus illis. Et similiter quod distr. prædictos Jur. per omnes terras, &c. Ita quod de exitibus,

Ibid. rot. 16.

Cornub.

Plac. de Term.  
S. Trin. Anno  
44 H. 3. in  
Turri Lond.  
Ebor.



An. 44 & 45 Hen. 3. bus, &c. Et quod habeat corpora eorum ad eundem terminum, ad recogn. in forma predicta, &c.

By which Record we may discern, 1. What manifold delays and contempts these Ecclesiastical Officers and the Archbishop made in this Case, against the Kings Writs and Process. 2ly. The negligence of the Sheriffs and others in executing and levying the issues of their Manors and Lands seised for their contempts, and bringing them in to the Kings use, as they were enjoyned; by reason of underhand Bribes and other indirect means, to the delay of Justice against them, and encouragement of them in their usurpations on the Crown, and vexations to the Subjects.

Ibid. Kanc. Hugo Ingman optulit se 4. die versus Matil. de Ferlinghove de placito, quare secuta est placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. Et ipsa non venit; & plures fecit defaultas. Ita quod preceptum fuit Vic. quod distr. eam per terras, &c. Ita quod haberet corpus ejus ad hunc diem. Et Vic. nichil inde fecit, sed mandavit quod nichil haberet in Balliva sua per quod potest distr. Et super hoc testatum fuit in eadem Curia, quod haberet terras & tenementa apud Ferlinghove ad sufficientiam per quæ potest distringi: Et ideo precept. est Vic. quod distr. eam per omnes terras et tenem. &c. Ita, &c. et quod habeat corpus ejus à die Sancti Michaelis in unum mensem. Et bene testatum est, &c.

Ibid. Kanc. Idem Hugo & Ricardus le Venir optulerunt se 4. die versus Willielmum de la Gare, Henr. de Pinnesdu, Radulphum Clericum, Walterum de Chapeleyn, Emericum Priorem de Folkestan, & Simonem le Chapeleyn de placito, quare tenuerunt placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. Et ipsi non venerunt. Et preceptum fuit Vic. quod attachiaret eos, &c.

Ibid. Wygorn. Robertus Bugard optulit se, &c. versus Nicholaum de Hundelawe de placito, quare secutus est consimile placitum in Curia Christian. Et ipse non venit; & plures fecit defaultas. Ita quod primo fuit attach. per, &c.

Rot. 13. dorso. Hereford. Hugo le Bigod per Assortatum suum opt. se, &c. versus G. Archiepiscopum Eborum de placito, quod esset ad hunc diem, & ibi haberet Magistrum Hugonem de Cantilupo Praetorem Ecclesie Ebor. Willielmum Archidiaconum Richemund. & Johannem de Hefellad ad respondendum ei, quare predicti Praetor et Archidiacon. tenuerunt placitum in Curia Christianitatis de tertia parte advoc. Ecclesie de Coringham; & de placito, quare predictus Johannes secutus est idem placitum, &c. contra Prohibitionem, &c. Et ipse non venit; et plures fecit defaultas. Ita quod precept. fuit Vic. quod distr. eum per, &c. Ita quod de exitibus, &c. Et quod haberet corpus, &c. Et similiter precept. fuit Vic. quod distr. Ricardum Tange & soc. suos, &c. per terras, &c. Ita quod haberet corpora eorum hic, &c. ad rec. &c. Si Willielmus le Latimer dum fuit Vic. predicti Com. per ultimum preceptum Domini Regis ei directum de distr. prad. Archiepiscopum per terras, &c. quod esset coram Justic. hic, &c. Et quod de exitibus terrarum, &c. respondisse potuerit circiter 40. vel 50. Marcas, sicut predictus Hugo dicit, vel non. Et Vic. &c. mandat quod breve adeo tardo, &c. Et ideo sicut prius precept. est Vic. quod distr. predictum Archiepiscopum, &c. Et ibi habeat predictos Clericos suos, &c. Et similiter quod distringat predictos Jurat. &c. ad faciendum predictam Juratam, &c. Et unde Vic. mandat, &c.

Rot. 7. intus. Eborum.

Plac. de Terminis S. Mich. an. 44 & 45 H. 3. in Turri London.

In the Placita de Annis 44. & 45. H. 3. (in the Tower) coram G. de Preston, Johanne de Wyvill, et Johanne Kava, Justic. de Banco; I finde these Actions and Attachments upon Prohibitions, for prosecuting and holding Suits in Court Christian against the Kings Prohibitions, Crown and Dignity, to the Subjects damages. Rot. 6. Ebor. Emma Wasthuse versus Johannem de Langeton Archid. de Westriding, et Radulphum Personam de Cornberry, Decanum de Anclesea, de placito, quod tenuerunt placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Rot. 10. Norff. Johannes fil. Bartholomæi de Wangfanghull, and two more, attachiati fuerunt ad respondend. Willielmo de Wigehall, quare ipsi, with two others, prosecuti fuerunt placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. ad damnum C. sol. Rot. 11. Heref. Robertus Hagard versus Nicholaum de Handelaw. Rot. 15. London. Henric. Persona Ecclesie Sancte Margaret. in Friday-street, attachiatus fuit ad respondendum Henrico Wilmercut; quare suspendit eum ab ingressu Eccles.

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Eccles. et excommunicavit, contra Prohibitionem Dom. Regis, ad damnum C. l. *An. 45 H. 3. Rot. 17.* Middf. Willielmus fil. Philippi de Rus attach. fuit *ad respondend.* Richardo de Tayllur. *Rot. 25.* the like by the Prior de la Grace *versus Magistr. Petr. de Audeham.* *Rot. 29.* the like by Walterus de Clifford, *versus Auketellum Decanum Hereford, et Villiellmum Archidiaconum Hereford.* *Rot. 30.* Hereford. the like by Villiellmus Hussemayne *versus Magistr. Stephanum de Garwill.* *Rot. 34.* the like, Johannes Persona Ecclesie de Danesly, qui attachiatus est *ad respondend.* Godefrido de London. The like *Rot. 36.* Magistr. Rogerus Moyin Prior S. Trinitatis Ebor. Gilbertus de Vicarye, et Johannes de Anbul attachiati sunt *ad respondend.* Alicie de Amikfall, &c. unde deteriorata est, et damnum habet ad valen. C. Mare. *Rot. 43.* Surr. The like by Villiellmus fil. Eustachii de VVowereis *versus Magistr. Robertum Officiarium Archidiaconi Surr. Robertum Decanum de Guldesford, et Hugonem de la Horte.* Besides these Suits and Attachments upon Prohibitions in Suits for Chattels and Debts, there are these Attachments upon Prohibitions for Suits for Free-holds then prosecuted and held in Courts Christian: *Ibid. Rot. 34.* Essex. Johannes Persona Ecclesie de Danesly attachiatus fuit *ad respondend.* Matilda Bacun de placito, quare secutus est placitum in Curia Christianitatis de laico feodo ipsius Matild. in Danesly, contra Prohibitionem, &c. unde damnum habet ad valenciam 20. l. Item *Rot. 38. et Rot. 46.* Linc. Villiellmus de Shyrevel *versus Magistr. Nicholaum de S. Quintino.* But that which is the most memorable case of this kinde in these Plea-Rolls, I shall present you with at large. \* Nicholaus de VVottesdene attachiatus fuit *ad respondendum* Ricardo fil. Godefrido de VVycumbe de placito, quare cum idem Nicholaus vadiasset ei quandam legem de hoc, quod nullum placitum tenuit in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et legem illam fecisset; et ei injunctum esset per Iusticiarios hic, ne prædictum placitum ulterius teneret, et si prædictum Ricardum occasione prædicti placiti excommunicasset, ipsum Ricardum sine dilatione absolvi faceret. Idem Nicholaus ipsum Ricardum nondum absolvi fecit, sicut ei injunctum fuit per Iusticiarios hic, &c. Immo impetravit literas Regis de capiendo prædictum Ricardum occasione prædicti placiti, &c. Et unde prædictus Ricardus queritur, quod cum vadiasset ei legem, scilicet legem in oñibus Sancti Michaelis anno 44 H. 3. et illam legem fecisset in Curia Regis hic, et injunctum ei fuisset, ne ulterius prædictum placitum teneret, et si ipsum occasione prædicti placiti excommunicasset vel excommunicari procurasset, ipsum absolveret vel absolvi procuraret; prædictus Nicholaus spæta Inhibitione Iusticiariozum, sententias Excommunicationis, quas prius in personam suam singulis diebus festiualibus innodaverat, publice et solempniter iterum promulgavit, ac quosdam hospites suos qui cum ipso in domo sua voluerunt hospitari, excommunicavit, et ipsos cum ipso communicantes coram ipso fecit summoneri, in Ecclesia Omnium Sanctorum de VVycumbe, et coram Cruce spoliari et denudari, et circa Ecclesiam illam suffigari. Et postea literas Regias de capiendo ipsum Ricardum tanquam excommunicatum in prædicta sententia perseverantem per quadraginta dies et amplius impetravit. Ita quod idem Ricardus partes suas fugit, nec ausus fuit moram ibidem facere donec remedium inde optineret per R. de Thurkelby: Et cum idem Ricardus in extremis laborabat, mortis extrema senserat, Zara Ecclesiastica postulaverat, ipsi administrari firmiter inhibuit, et denegari. Dicit enim, quod quando corpus Laurentii le Criur, qui interfectus fuerat, deferabatur in prædicta Villa de Wycumbe ad domum ipsius Ricardi, Hugo le Criur et alii Servientes de banco, qui ibidem venerant ad servitium mortuorum decenter peragendum, in domo prædicti Ricardi pro prædicto mortuo, prædictus Nicholaus omnibus qui interfuerunt nunciavit, prædictum Ricardum per longum tempus fuisse excommunicatum, et in prædicta sententia perseverasse, propter quod omnes qui ibidem convenerant ipsum reliquerunt, et secum noluerunt communicare, et detulerunt corpus prædicti defuncti ad quoddam Hospitale extra Wycumbe, ad grave dampnum ipsius Ricardi, et in contemptum Inhibitionis Iustic. unde dicit quod deterioratus est et dampnum habet ad valenciam Centum librarum: Et inde producit sectam, &c.

Et Nicholaus venit, et defendit vim et injuriam quando, &c. Et bene defendit, quod nunquam postquam vadiasset prædictam legem non traxit ipsum Ricardum in placitum in Curia Christianitatis, quia dicit, quod non fuit Ordinarius loci illius, nec alienus Ordinarii vices gerebat, nec unquam post excommunicavit, nec ali-

\* Plac. de Ter-  
min. S. Hill.  
an. 45 H. 3.  
rot. 72. intus,  
Bucks.

Nota.



An. 45 H. 3.

quem cum ipso commorantem, nudum circiter Ecclesiam fecit sustigari, nec aliquod breve Domini Regis impetravit de capiendo ipsum Ricardum tanquam excommunicatum, nec ipsi Ricardo in periculo mortis Jacenti Jura sua denegavit, nec inhibuit denegari, nec unquam impedivit Capellanos Clericos nec Laicos celebrare servitium mortuorum pro predicto Laurentio in domo ipsius Ricardi, si illud servitium ibidem fecisse voluissent. Et de hoc ponit se super patriam. *Idem præceptum est Vicecomiti quod venire faciat hic in vestris Sancti Hillarii duodecim, &c. per quos, &c. Et qui nec, &c. ad recognoscendum in forma predicta; quia tam, &c. Et concessum est hinc inde.* The Verdicts and Judgements thereupon are not entred in the Plea-Rolls.

By all these premised Complaints, Suits and Attachments upon Prohibitions in the Common Pleas in one or two Terms, we may clearly discern; First, our Bishops, Archdeacons, Officials, and other Ecclesiastical Judges manifold encroachments upon the Rights, Prerogatives of the King, and Jurisdiction of his Temporal Courts. 2ly. Their frequent high contempts of the Kings Prohibitions issued to them. 3ly. Their intollerable oppressions, vexations of Subjects by such injurious Suits, to their great damage, enforcing them to sue to the Kings Courts for Prohibitions, Attachments, and Writs to recover their damages thereby sustained, with their manifold delays, defaults, and contempts, in refusing to appear upon summons and Attachments against them. 4ly. Their frequent malicious Excommunications of them; and such who conversed with them, when enjoined by the Judges to absolve them, of purpose to hinder, discourage them and others to sue for Prohibitions to restrain these their injurious usurpations. 5ly. The Kings, Judges care and readiness in that age to restrain these their Usurpations and Excommunications, by Prohibitions and Attachments against the Ecclesiastical Judges themselves, and Prosecutors of such Suits before them, by their instigation, who were for the most part Clergy-men, (as you may observe) they all combining about this time by their *\* Articles and Constitutions*, to trample the Kings Prerogative, Courts, Judges, Officers, Laws of the Realm, and Subjects Liberties under their feet, and bring them under their Interdicts and Excommunications for issuing Prohibitions and Attachments against them.

\* See here, Tom. 2. pag. 890, to 911. 983, 989, 990, 991. \* Mar. Parif. Hist. Angl. P. 959.

Tom. 2. p. 948. l. 10. after *Westm.* insert; *\* Anno gratia 1261. impetrata fuit palam littera de absolutione Regis et Edwardi filii sui super juramentis præstitis, prout diximus: sed Edwardus illam absolutionem noluit accipere, Rege in pertinacia persistente. Audientes Magnates Regem taliter absolutum, missis nunciis humiliter rogabant, ut communiter præstitum juramentum inviolabiliter observare vellet, & si quid displiceret, eisdem ostenderet ad emendandum. Qui nequaquam acquiescens, dure et minaciter respondit, dicens; quod eis a conventionione deferentibus, non amplius acquiesceret, sed unusquisque deinceps suis propriis defensionibus procederet. Hereupon Boniface Archbishop of Canterbury, and John Maunsel Treasurer of York the Popes Chaplain, by the Kings command, issued this Mandate to the Abbot of St. Maries in York; wherein they inserted Pope Alexander's memorable Bull, dissolving, nulling all leagues and confederacies against the King by the Barons, enjoining them faithfully to obey and submit unto him, under pain of Excommunication of their persons, and Interdict of their lands; absolving the King from his Oath to observe the Articles of Oxford: and admonishing Hugh de Bygod before sufficient witnesses to surrender the Castles of Scardeburg and other Forts to the King; as this Certificate of the Abbot, (which I found in the White Tower) will more at large inform us, and of Hugh de Bygod's answer thereunto.*

Bundela Certif. Ann. 45 H. 3. in Turri London.

Venerabili patri in Christo B. Dei gratia Cantuariensi Archiepiscopo, Anglie Primati, & Domino Johanni Maunsel, Thesaurario Ebor. & Domini Papæ Capellano, S. permissione Divina Abbas S. Mariae Ebor. salutem in Domino. Litteras vestras undecimo Kal. Septembris, hora vespertina, in hæc verba recepimus. B. Dei gratia Cantuariensis Archiepiscopus totius Angliæ Primas, & J. Maunsel. Thesaurarius Ebor. & Domini Papæ Capellanus; viro venerabili & discreto Abbati beata Mariæ Ebor. salutem in Domino: Mandatum Domini Papæ suscepimus in hæc verba; Alexander Episcopus servus servorum Dei, venerabilibus patribus Archiepiscopo Cantuariensi, & Episcopo Norwicensi, & dilecto filio Johanni Maunsel. Thesaurario Ebor. Capellano nostro, salutem & Apostolicam benedictionem.

Ratio

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Henry 3

Rationabilibus sensibus materiam iustæ admirationis importat *secundum adversum* *An. 45 H. 3.*  
 illam qui cedit in ea, vel ferram contra illum qui trahit ipsam, eos videlicet, quos  
 potioribus legitimis subministracionum ordo subjecit, adversus auctoritatem præ-  
 sidentium elevari; et Principes, legum Dominos, quos præ suis participibus  
 celestis ordinatio sublimabit, præmi arbitrio subditorum. Propterea nos mirari  
 cogit publicæ relationis assertio auribus nostris insinuans, quod nonnulli Barones,  
 Proceres, Magnates, et alii tam Clerici quam Laici regni *Anglia*, sub prætextu  
 reformandi statum ejusdem regni, quasdam Constitutiones, Ordinationes, et  
 Colligationes charissimi in Christo filii nostri, Regis *Anglia* illustris titulo, in  
 diminutionem et depressionem potestatis et libertatis Regis factas, iurejurando  
 firmaverunt; et ab eodem Rege ac plurimis aliis dicti regni Clericis et Laicis, ut  
 ad observationem earum suis se juramentis assunderent per quandam impressionis  
 instantiam exegerunt. Cum igitur idem Rex, quem inter ceteros Christianos  
 Principes fidei Christianæ sinceritas et Catholice devotionis integritas recomen-  
 dant, non sit quozumlibet deprimentus studiis, sed omnium favoribus erigendus;  
 nos volentes ipsius honorificentie aliorumque providere salutem, discretioni vestre  
 per Apostolica scripta districte præcipiendo mandamus, quatinus vos omnes, vel  
 duo vestrum, aut tu (frater Archiepiscopo) solus, prædictos Barones, Proceres,  
 Magnates, et alios monere attentius et efficaciter inducere studeatis, non obsta-  
 tibus hujusmodi juramentis (a quibus cum non debeant esse prædicationis vincula,  
 eos alias per vos absolvi mandamus,) præfato Regi tanquam Principi suo adhareant  
 fideliter et intendant, sibi debita promptæ fidelitatis et pacifice subjectionis obsequia  
 exhibentes; nec prætextu Constitutionum, Ordinationum, vel Colligationum præ-  
 dictarum aliquatenus impediunt eundem, quominus utatur libere pristina in  
 omnibus plenitudine Regis potestatis. Si vero ipsorum aliqui monitis vestris  
 acquiescere fortasse renuerint, vos omnes, vel duo vestrum, vel tu (frater Archi-  
 episcopo) solus, eos cujuscunque sint conditionis et gradus vel ordinis, ad id  
 per Excommunicationis in personas, et Interdicti in terras eorum sententias, re-  
 moto Appellationis obstaculo, compellatis, sicut statui dicti Regis et regni sui  
 videritis expedire, non obstantibus aliquibus privilegiis vel indultis, generaliter  
 vel specialiter, quibuscunque ab Apostolica sede concessis, per que non expressa  
 presentibus vel totaliter non inserta, mandati nostri executio impediri valeat vel dif-  
 ferri; seu Constitutione de duabus dietis edita in Concilio generali. Si quid  
 autem in eisdem Constitutionibus et Ordinationibus, quod absque nullo alieni juris  
 vel privilegio, seu indulto, aut mandatorum sedis Apostolicæ præjudicio,  
 Ecclesiarum et Ecclesiasticarum personarum regni præfati favorem vel commodum  
 respiciat, continetur, id irritum nolumus, vel quod ad illud Juramenta prædicta  
 nullatenus relaxari. Sic itaque sanè intelligi volumus & mandamus, quod in aliis  
 literis nostris, quas super relaxatione Juramentorum prædictorum et prædictis  
 Colligationibus dissolvendis concessimus, est expressum, ne dum hujusmodi Jura-  
 menta, Constitutiones et Ordinationes, in quantum Ecclesiasticis utilitatibus con-  
 sonant, relaxari et immutari nolumus, aliquid in illis probasse ac tolerasse creda-  
 mur, quod aut Jus ledat alterius, aut potestati nostræ seu gratiis quas Sedes  
 memorata concessit, quomodolibet adversetur. Datum *Vuerbii* Non. Maii, Ponti-  
 ficatus nostri anno septimo. Hujus igitur auctoritate Mandati vobis districte & in  
 virtute obedientie præcipiendo mandamus, quatinus personaliter accedentes ad Hugonem  
 le Bigod, adhibitis testibus idoneis, monitis eundem, ut Castra de Scardeburgh &  
 Pikeriing, que sunt Domini Regis, eidem Domino Regi libere et absque aliqua  
 contradictione reddat et deliberet infra quindecim dies post monitionem vestram;  
 intimantes eidem, quod nisi vestre paruerit monitioni, nos extunc contra ipsum  
 per Excommunicationis et Interdicti sententias juxta formam Mandati Apostolici  
 procedimus. Quid autem super præmissis feceritis, & responsionem, nobis per vestras  
 patentes literas festinanter & integraliter rescribatis; Copiam prædicti Mandati Apo-  
 stolici presentibus inserti, quod sub Sigillis nostris vobis transmittimus, eidem, si à  
 vobis petierit, facientes. Datum apud Wyndesfor. 8. die Augusti, anno Dom. 1261.  
 Noveritis igitur, nos in forma superscripta ad dictum Dominum H. de Bigot perso-  
 naliter accessisse, & ipsum apud *Kyrkebymoreshesd* diligenter monuisse, ut dicto  
 Domino nostro Regi *Anglia* H. Castra de Scardeburgh & Pikeriing libere et absque  
 contradictione reddat et deliberet, juxta formam in literis vestris contentam: Qui  
 nobis respondit, Quod de voluntate et mandato Domini Regis et suorum Magna-  
 tu

\* Nota.



An. 45 H. 3. tum juratozum ea recepit sub juramento suo corporaliter p[re]stito, fideliter custo-  
dienda; et nemini sine voluntate et mandato exp[re]sso dicti Domini Regis et eozun-  
dem Magnatum reddenda seu deliberanda. Verum idem Dominus H. le Bigot pro-  
fitebatur, se promptum et paratum Castra memo[r]ata dicto Domino Regi de consilio  
et voluntate exp[re]ssa dictozum Magnatum vel saltem majozis partis eozundem  
restituere. Dat. apud Hilburg. 3. Kal. Septembris, anno Domini 1261.

What Jurisdiction the King then had in and exercised over his Free-Chappels,  
in visiting, resum[ing], and revoking the Lands alienated from them, this Letter of  
the Canons and Vicars of S<sup>t</sup>. Panchr[is] to the Kings Chancellor, complaining of  
and appealing against grievances done to them by Adam Wymer, under pretext of  
a concession from the King, will inform us.

Bundela Lite-  
rarum in Turri  
London. an. 45  
H. 3.

Excellenti viro & Domino in Christo charissimo, Domino Waltero de Merion.  
Domini Regis Cancellario; devoti Clerici sui pauperes, Canonici & Vicarii  
Ecclesie de Penchriz, & libera Capella Domini Regis, salutem & quicquid possunt  
obsequii reverentiz & honoris. Cum in necessitatibus et gravaminibus Ecclesie  
nostrae illatis ad Dominum Regem et ad suum Cancellarium habere refugium con-  
sueverimus; vestrae Reverendae Excellentie conquerendo duximus significandum,  
quod Adam Wymer, prae[re]textu cujusdam procuracionis Domini Regis, continentis,  
quod possit omnia illicite alienata et districha a liberis Capellis Domini Regis in  
partibus nostris revocare, et corrigere defectus quos decet Regiam dignitatem  
corrigere, quibusdam Possessionibus, Redditibus, et Decimis commun[um] Ecclesie  
nostrae intuitu charitatis, et diu possessis, ut Canonici residentes et Vicarii, dicant  
Communam privare p[re]sumpsit, in dep[re]ssionem et eversio[n]em quasi totius divini  
obsequii in Ecclesia memo[r]ata. Facta tamen prius inquisitione die Assumptionis  
beate Virginis per viros suspectos, nobis contra hoc reclamantibus & appellanti-  
bus, propter quam appellationem P[re]bendam Magistri Ricardi de Penchriz cepit  
in manum Domini Regis, quantum in se fuit. Hinc est, quod reverendae Do-  
minationi vestrae flexis genibus & cum qua possumus devotione supplicamus;  
quatinus, intuitu caritatis, literas Domini Regis nobis concedere velitis, quod,  
non obstante facto dicto Wymer in hac parte, libera p[re]dictorum uti valeamus pos-  
sessione, sicut prius facere consueverimus, cum fines sue Procuracionis in hoc  
excesserit, quod non possunt dici alienata illicite vel districha, quae in propiores  
usus & utiliores illius Ecclesie sunt conversa, interveniente autoritate Decano-  
rum Ecclesie; Nos vero parati sumus ipsum juvare pro posse nostro, alienata ab  
Ecclesia nostra revocare, pro Deo, super p[re]missis aliquod remedium nobis provi-  
dere dignemini, & nos in orationibus Ecclesie nostrae vos recommendatos habe-  
bimus imperpetuum. Valeat, &c.

The Abbot of S<sup>t</sup>. Edmund's by reason of his exemption from the Archbishop of  
Canterburie's Jurisdiction, refused to obey his commands, though for the Kings  
own service, in commanding his Castles to be rendred to him by their detainers;  
as this Letter to the Kings Chancellor will inform us.

Bundela Lite-  
rarum in Turri  
London. W. de  
Merton. Canc.  
D. Regis, An.  
45 H. 3.

A Mico suo dilectissimo, Domino W. de Mertun, Cancellario Domini Regis,  
J. Maunsell, Thesaurario Ebor. salutem, &c. Cum Dominus Abbas Sancti  
Edmundi p[re]tendat se exemptum esse a jurisdictione Domini Archiepiscopi Canma-  
riensis, & eo p[re]textu suo renunciaret privilegio (ut dicitur) ne mandatum ejusdem  
Archiepiscopi sibi directum pro negotiis Domini Regis, pro Castris ejus eidem  
Domino reddendis, non sit executum; Discretionem vestram significamus, quod  
Domino Regi aliquem non exemptum loco p[re]dicti Abbatis pro expeditione p[re]-  
dicti negotii substituerit. Affectamus enim multum privilegia beati Edmundi con-  
servari illaesa. Et quia dilatio istius negotii gravaret dispendium Domino Regi,  
melius est quod persona mediocris substituat[ur] ad p[re]dictum negotium peragendum  
cum sit pendeat.

Thus must the Kings affairs be neglected by this exempt Abbot, for fear of  
violating his privileged of exemption from the Archbishop.

Tom. 2. p. 987. l. 7. after *per se*, insert; What success the Kings Proctors at  
Rome had in revoking the Statutes made at Oxford, and with how much difficulty,  
expence and opposition of sundry Cardinals (who favoured the Barons) their revo-  
cation was procured, will appear by this Letter of R. Lovell (which I found in the  
Whit

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*White Tower*) one of the Kings Proctors sent unto him from *Viterbium*, wherein *An. 45 H. 3.* he fully relates the proceedings, not mentioned in our Historians.

**S**erenissimo ac excellentissimo Domino suo, Domino H. Dei gratia illustri Regi *Anglia, Domino Ihernie, & Duci Aquitan.* suus R. Lovell. Clericus, & in *Romana Curia* procurator. Prosperos semper ad vota successus, & se promptum & paratum ad ejus obsequia & mandata. Affectans & semper æstuanti desiderio concupiscens, ut *statuta, Ordinationes, et Colligationes* (quæ nonnulli *Pagnat* tum regni vestri sub prætextu vestre statum excellentiæ reformandi, vestro nomine fecerant, ac iurejurando firmarant, in manifestam diminutionem potestatis vestre, ac enoziem depreffionem Regiæ libertatis) in irritum penitus revocentur, et carere decernantur omni roboze firmitatis; super jam dicta revocatione quasdam literas Apostolicas notari obtinui et grossari; quarum copiam, licet propter instantiam et malitiam amulorum et adversariorum nostrorum quamplurimum in *Romana Curia* existentium, ad effectum minime pervenissent, Serenitati vestre mittere non omisi; veruntamen celanter, desiderans, ut zelus & sollicitudo quos eiga Regiam obtineo Majestatem inchoatum consequatur effectum; Quodque hi idem adversarii spe, quam de ipsorum perceperunt nequitia, defraudentur; iterato super revocatione præfata meliores et efficaciores litteras, quam unquam a sede Apostolica obtentæ fuerint, non absque \*gravibus expensis, necnon laboribus et angustis impetravi; quas namque bullatas habeo eisdem adversariis renitentibus et invidis, quæ quidem quolibet surgantium controversias è medio auferentes, omnes amulorum prædictorum insidias, intentionem et astutias præ cæteris enervarunt. Cum autem easdem propter latoris iter præsentium ab eo valde festinanter aggressum nondum obtinuerim duplicari, earundem transcriptum per latorem prædictum vestre dominationi studui sollicitius intimare, quas et bullatas in brevi transmittam Regiæ Majestati; per quarum nempe impetrationem, si vestre placuerit Celsitudini, excellentia Regia ad præstinam libertatem reducta, ipsius status omnium contradicentium proptus intentione frustrata poterit plenarie reformari. Præterea Serenitati Regiæ patefiat, quod literæ, quas *Papæ Arlotus et Rossandus* super revocatione hujusmodi et status vestre magnitudinis reformatione impetrarunt, quia quasdam additiones et clausulæ \* in favorem Procerum et Baronum ac totius regni *Anglia* Prælatorum; ac depreffionem vestre Celsitudinis in eisdem extiterunt inspectæ, minus bene impetratæ fuerunt; quanquam ad impetrationem ipsarum totis viribus laborarint; quemadmodum in litteris scilicet recordationis *Alexandri* papæ 6. vestra Serenitas videre poterit plenius contineri. Grossatis quoque litteris supradictis, easdem Dominus Papa, propter adversariorum prædictorum nequitiam et importunam instantiam, sine fratrum suorum consilio nullatenus voluit expedire, quas tandem, sicut prædicti, bullatas obtineo, licet † quamplures Cardinales Celsitudini vestre super hoc adversarii existentes, ne ipsæ litteræ expedirentur, surta posse interposuerunt partes suas. Valeat Excellentia vestra per tempora longiora. Dat. *Viterbii* 2. Idus *Maii*.

\* See Tom. 2. 985, 986, &c.

\* Nota.

\* Nota.

† The Pope & Cardinals were largely bribed on both sides, which caused such delays & divisions to get new Bribes from both when they accorded.

*Placita Term. S. Trinitat. de anno 45 Hen. 3.* afford us these Actions for Suites in Courts Christian against the King Prohibitions. *Bedf. Rot. 3. Magister Rogerus de Arde* attachiatus fuit ad respondendum *Richardo de la Harnes de placito*, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. et quod spreta prædicta Prohibitione, &c. tenuit prædictum placitum in Curia Christianitatis, ipsum de die in diem citando quousque fecit ipsum ab ingressu Ecclesiæ suspendi, et postea excommunicari. Unde dicit, quod deterioratur et damnum habet ad valenciam 40 l. Et inde producit sententiam. *Ibid.* London. *Hugo Fippuet & Johannes de Haledel, versus Richardum de Harewes Canonicum Sancti Pauli.* Rot. 6. London. *Adam de Gloucester, versus Magistr. Richardum de Stafford.* Rot. 20. Northr. *Johannes de Gerneby Clericus*, attachiatus fuit ad respondendum *Thomæ Corbet.* Rot. 23. Lond. *Magister Richardus de Stafford* attachiatus fuit ad respondendum *Adæ de Glouc.* Rot. Suffex. *Henricus de Maloly, versus Magistr. Walterum de Gloverne Decanum Cycestriz.* Magistr. *Galsfridum de Gates Archid. Cycestr. & Thomam Subdiaconum Cycestriz,* were sued for holding and prosecuting the like Suits for Chatelets and Debts against the Kings Prohibitions.

*Ibid. Rot. 3. Willielmus de Huntun. versus Johannem Trechard Officialem Archid.*

Plac. de Term. S. Trinitat. An. 45 H. 3. in Turri London.



An. 45 H. 3. *Archid. Wynton, de placito, quare tenuit placitum in Curia Christian. de laico scodo predicti Willielmi, &c. contra Prohibitionem, &c.*

*Ibid. Rot. 39. Robertus Swalle attachiatus fuit ad respondend. Roberto de Hanne-worth, de placito, quare prosecutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et unde queritur quod cum traxisset eum in placitum in Curia Christianitatis in Comi-tatu Lincolnæ coram Magistro Alano de —, petendo ab ipso sexaginta solidos, detulisset predicto Roberto in crastino Sancti Baptistæ, anno regni Regis Henr. 3. qua-dragesimo quarto, in majori Ecclesia Lincolnæ, Regiam Prohibitionem ne predictum placitum sequeretur, predictus Robertus Swalle spreta Prohibitione Regia Prohibitione secutus est idem placitum contra predictam Prohibitionem. Ita quod primo fecit ipsum ab ingressu Ecclesiæ suspendi, et postea excommunicari. Et unde dicit, quod deterioratus est et dampnum habet ad valenciam 10. l. Et inde producit sectam.*

*Et Robertus Swalle venit & defendit vim & injuriam quando, &c. Et bene de-fendit, quod nunquam secutus est versus predictum Robertum predictum placitum contra Prohibitionem; Et hoc paratus est defendere contra ipsum & sectam suam prout Curia consideraverit. Ideo consideratum est, quod vadiet legem se 12. manu, & veniat cum lege sua in Oñibus Sancti Hilarii. Plegii de lege Adam de Bukeler & Robertus le Blond. Postea in Oñibus Sancte Trinitatis anno 44. venit predictus Robertus de Hanneworth & opulit se quarto die versus predictum Robertum Swalle, & ipse non venit, &c. Et habuit diem per Effoniatorem suum ad hunc diem postquam comparuit in Curia, scilicet a die Sancti Martini in quindecim dies anno 45. & vadit ei legem predictam. Ideo consideratum est, quod predictus Robertus de Hanneworth recuperet dampna sua 10 l. Et predictus Robertus Swalle et plegii sui in misericor-dia. Et præceptum est Vicecomiti, quod de terra predicti Roberti Swalle fieri faciat predictos denarios, et illos habeat hic in Oñibus Sancti Michaelis.*

By which Record it is most apparent: 1. That the Prosecutors of such Suites in Ecclesiastical Courts whereof they have no legal consufance, shall upon conviction render full damages to the parties grieved by their prosecution, and likewise be fined and amerced to the King for the injury and contempt; *pro hoc*, quod placita quæ pertinent ad Cozonam et Dignitatem Regis trahit ad alienum Forum: Yea, Iudices puniantur, eo quod post Prohibitionem processerunt, et si convincuntur, Gaolæ committantur, poena pecuniaria graviter puniantur, et ille eodem modo de quo queritur, qui hoc procuravit; as Judge \* *Bracton* in that age, and these Judges in this case resolved. 2ly. That their Lands shall be extended to satisfie the damages.

\* De Legibus  
& Consuetud.  
Angl. l. 5. c. 2.  
f. 402, 403. c.  
13. f. 409, 410.  
See here, Tom.  
2. p. 874, 875,  
886.

About the same year, Term. S. Mich. I found these ensuing Prohibitions and Attachments, (in the *Tower*,) for holding Plea of and prosecuting Suits in Courts Christian, belonging to the Kings Courts alone.

Beatrice qua fuit uxor Willielmi de Faversham opulit se quarto die versus B. Archi-episcopum Cant. quod hic haberet Willielmum Atteгоре Officiale suum, Simo-nem de Sunge Capellanum, & Johannem de Dunstal Clericos suos, ad respondendum eidem B. quare predictus W. tenuit, et predicti Simon et Johannes secuti sunt placi-tum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et ipse non venit, &c. Et fuit attachiatus per, &c.

*Ibid. Rot. 14. Willielmus de Wyte Offic. Archidiacon. Dorset. attach. fuit ad respond. Galfrido & Jacobo de Trowe, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra, &c. Et cum idem G. anno 42. detulisset eidem Offic. Regiam Prohibitionem in Ecclesia de Wynterburn Markminster, ne predictum placitum teneret; idem Offic. spreta Prohibitione Regia tenuit idem placitum, et eos ab ingressu Ecclesiæ fecit suspendi, et postea excommunicari. Unde dicunt, quod per hoc deteriorati sunt, et dampnum habent ad valenciam C. s. Et Willielmus venit, &c. Et bene defendit, quod nunquam tenuit aliquod plac. &c. contra Prohib. Dom. Regis, &c.*

*Ibid. 35. dorset. Hugo Yungman opt. se 4. die versus Mabel. de Ferburgh, & Henr. de Pormesden, quare secuti sunt consimile plac. &c. Et præc. est Vic. quod distringat eos per omnes 157-ras, &c. Et habiat corpora, &c.*

Kanc.

*Idem*

Plac. de Term.  
S. Mich. an. 45  
H. 3. in Turri  
London.  
Rot. 13. dorset.  
Kanc.

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*Idem Hugo opt. se 4. die vers. Will. de la Gare (and five more there named,) quare An. 45 H. 3. tenuerunt plac. &c. de catallis et debitis quæ non sunt, &c. Et mandatum est*  
*Archiepiscopo sicut aliis: qui nichil inde fecit, nec breve remisit. Ideo, &c.*  
 Ibidem.

*\*Thomas de Burge per, &c. opt. se, &c. vers. Abbatem de S. Agath. quare secutus*  
 Ibid. Ebor. ff.  
*est consimile plac. Et ipse non venit, &c.*

*Gremura quæ fuit uxor A. de Benderton per, &c. optulit se, &c. vers. Magistr. ibid. rot. 52. Galfrid. de Gates Archidiacon. Cycestr. & Gilbert. Capellanum Ecclesiæ de Mengelton, intus. Suffex. quare prædict. Galfrid. tenuit, & prædict. Gilb. secutus est consimile plac. Et ipsi non venerunt, &c. Et Galfr. fecit attach. Et mandatum est Episcopo Cycestr. quod fac. Gilb. venire, &c.*

*Richardus de Maunton Persona Ecclesiæ, &c. opt. se, &c. vers. A. Episc. Linc. ibid. rot. 60. quod habeat hic Johannem Personam Ecclesiæ de Undel de plac. quare secutus est placitum, &c. de catall. &c. quæ non sunt de Testamento vel Patrimonio, contra, &c. Et plures fecit defaultas, &c.*

*R. Com. Glouc. & Hereford. per, &c. opt. se, &c. vers. Episc. Linc. quod haberet hic ibid. Northt. Magistr. Johannem Personam Ecclesiæ Undel Clericum suum, quare cum idem. Rich. de Maunton Clericus ipsius Com. tenet Ecclesiæ de Kelingberbery de advocacione sua; prædict. Johan. clamat eandem Ecclesiæ de advocacione Abbatis de Aquientes, exigit ipsum R. de prædicta Ecclesiæ in Curia Christi. auctoritate ordinari. contra Prohibit.*

*Walterus le Wyte, &c. Esson. Simonis fratris ipsius Walteri opt. se, &c. vers. Rot. 80. Kanc. Will. atte Gore Offic. Archidiacon. Cantuar. Turgis de Alnested, &c. de placito, quare prædict. Officialis tenuit placitum in Curia Christianitatis de catallis, &c. quæ non sunt de Testament. &c. contra, &c. Et de placito, quare prædictus Turgis & alii secuti sunt idem placitum, &c. contra, &c. Et ipsi non venerunt, &c. Et præceptum fuit Vic. &c. quod attach. eos quod essent ad hunc diem, &c.*

*Willielmus le Chamberlegger opt. se, &c. vers. E. Episc. Sarum, Rogerum de Rot. 6. Wiltes. Prenleshal de plac. quod habet Official. Archidiaconi Sar. de placito, quare idem Rog. tenuit plac. in Curia Christianitat. de catallis et debitis quæ non sunt, &c. contra Prohibit. &c. Et ipse non venit. Et fuit attachiatus per, &c.*

*Johannes de Albetoft opt. se, &c. vers. Willielmum Episcopum Bathon. de placito, Rot. 23. So: quod haberet hic Magistr. Johannem le Ford, & Mag. Johannem de Axzebrigge merca. Clericos suos, ad respond. eidem Johanni de plac. quare tenuerunt plac. in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra, &c. Et ipse non venit. Et plures fecit default. Ideo præcept. est Vic. quod distringat eum per terras, &c.*

*Henricus de Nokuneton opt. se, &c. vers. Abbatem S. Mariz Ebor. quare secutus Rot. 27. Ebor. est plac. in Curia Christian. de catall. et deb. quæ non sunt, &c. contra, &c. Et ipse non venit. Et præc. est Vic. quod attach. eum, &c.*

*Will. de Holteb opt. se, &c. vers. Godefrid. Archiep. Ebor. quod haberet Gilbert. Rot. 30. Ebor. Priorem Ecclesiæ Omnium Sanctorum Ebor. Alanum de Sydon Vallibus de placito, quod dictus Gilb. tenuit plac. in Curia Christianitat. de catall. &c. quæ non sunt, &c. contra, &c. Et prædict. Alanus secutus est idem plac. Et Archiepiscopus non venit. Et fuit attachiatus per, &c.*

*Philippus de Conele opt. se, &c. vers. Episcopum Lond. quod haberet Solomon Rot. 40. Personam Ecclesiæ de Hildeneby, & Robertum de S. Agatha; quare prædict. Rob. Northt. tenuit, & prædict. Solomon secutus est prædict. plac. in Curia Christian. de catall. &c. Et Episcopus non venit. Et plures fecit defaultas. Et præceptum fuit Vic. quod distringat eum per omnes terras suas, &c.*

*Willielmus de la Chambre, &c. opt. se, &c. vers. Th. de Ripton Personam Ecclesiæ Rot. 41. Sanctæ Mariæ de Dunheved, & Rog. &c. Offic. Archid. Sarum de placito, de catallis Wiltes. et debitis quæ non sunt, &c. et quod idem Offic. spreta prohibet. Dom. Regis, desistere contempsit, &c. breve de attach. prædictum W. Officialis, &c. in deceptionem Curie Regis, pendente placito in Curia Regis, ad mandatum Episcopi Sarum literas Domini Regis de capiendo ipsum Willielmum impetravit, quo minus prædictum placitum, &c. potest sequi, &c. Et quia prius præceptum fuit, &c. de capiendo ipsum Willielmum, tanquam Claves Ecclesiæ contempnentem, &c. quod non caperet, &c. quousque plac. in præfata Curia Dom. Regis motum fuerit terminatum.*

*Johannes de Sancto Lendo opt. se, &c. vers. Abbatem de Kaimeston de plac. quare ibid. rot. 62. secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de dorlo. Sarnesf. Testamento vel Patrimonio, contra Prohibitionem, &c. Et non venit, &c. Unde præceptum est Vic. quod distr. eum per terras, &c. Ita quod habeat corpus, &c.*

[T]

Walterus



An. 45 & 47  
Hen. 3.

ibid. Norff.

rot. 64.

ibid. Ebor.

rot. 66.

ibid. Middl.

rot. 69.

ibid. Dorset.

rot. 77.

An. 47 H. 3.

Suffex.

\* See f. 115. b.

\* Consecu-  
tione.

Walterus de Coleshull optulit se 4. die versus Th. Personam de Karleon de placito, quare secutus est plac. in Curia Christian. de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. Et ipse non venit, &c. Et ponatur per meliores pleg. quod sit, &c. Et primi, &c.

Simon de Preston optulit se 4. die versus Thomam de Dunington de placito, &c. (ut supra.) Et ipse non venit, &c. Et mandatum fuit Archiepiscopo Ebor. quod faceret eum venire, &c. Et Archiepiscopus nichil inde fecit, &c. Ideo Vic. summon. Archid. quod sit ad prædictum termin. & ibi habeat prædictum Clericum suum.

Hamo fil. Constantini opt. se, &c. versus Johannem de Barwick de placito, quare tenuit plac. in Curia Christian. de catallis, &c. contra Prohibit. &c. Et ipse non venit, &c. quia fecit justic. securos de proseq. per, &c. Ideo sicut primum præceptum est Vic. quod attach. eum, quod sit à die Paschæ, &c.

Galfridus de Trowe, &c. opt. se, &c. vers. E. Episcopum Sarum de placito quod esset ad hunc diem, & haberet hic Hugo. Personam Ecclesie de Briancetr. de placito, quare secutus est plac. (ut supra.) Et ipse non venit, &c. Et fuit attach. per N. le Tayllur, &c. Ideo ponatur per meliores pleg. quod sit à die Paschæ, &c.

All these Prohibitions, Suits abundantly evidence the many encroachments of the Ecclesiastical Courts upon the Kings Crown, dignity, and Subjects liberties this year.

Tom. 2. p. 994. l. 2. after August. adde; 1 found this memorable Case upon an Attachment, for suing in the Spiritual Court against the Kings Prohibition, *Placita Assisarum* (in the Tower) Anno 47 H. 3. coram M. de Litelebery & sociis suis, &c. Magister Galfridus de Gates Archidiaconus Cycestr. in misericordia pro pluribus defaultis versus \* Johannem de Frye. Item Magister Johannes attachiatus fuit ad respondendum prædicto Johanni de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et quare idem Archidiaconus simul cum Bartholomæo Vicario de Billinghamst. pendente prædicto placito in Curia Regis coram Justiciariis apud Westm. in deceptionem Curie Regis, ad mandatum Johan. Episcopi Cicestr. litteras Regis Wicecomiti Suffex. directas, de capiendo prædictum Johannem tanquam in excommunicatione contumaciter perseverantem impetraverit: Et unde prædictus Johannes queritur, quod cum quidem Bartholomæus Vicarius de Billinghamst. implacitasset ipsum coram prædicto Magistro Galfrido in Curia Christianitatis in Ecclesia Cathedrali Cycestr. exigendo ab eo unum denarium de annuo redditu de laico tenemento ipsius Johannis in Billinghamst. & idem Johannes die Jovis proximo post festum Sancti Martini anno quadragesimo sexto, detulisset ei litteras Domini Regis de Prohibitione in prædicta Ecclesia Lycestr. ne prædictum placitum teneret: Idem Galfridus spreta Prohibit. prædicta, tenuit prædictum plac. inter eos, et ipsum suspendi fecit et excommunicari; et postea in deceptionem Curie Domini Regis, pendente prædicto placito coram præfatis Justiciariis apud Westm. impetravit breve Domini Regis de capiendo ipsum, contra Coronam et dignitatem Regis; Unde dicit, quod deterioratus est et dampnum habet ad valenciam 40. marc. &c.

Et Magister Galfridus venit & defendit vim & injuriam quando, &c. & quicquid est contra Coronam, &c. Et bene cognoscit, quod ipse tenuit prædictum placitum, et de catallis quæ mere pertinent ad spiritualitatem. Quia dicit quod consuetudo Billinghamst. talis est, quod illi qui panem benedictum dant diebus Dominicis, offerunt cum pane benedicto unum denarium, vel unam candelam de valore unius denarii: Et quia prædictus Johannes detinuit oblationem illam de denario, et de candela offerenda cum pane benedicto sicut prædictum est; questus sit prædictus Vicarius ipsi tanquam Archidiacono suo, et ipse tanquam Ordinarius tenuit inde placitum inter eos, ut de oblatione, mere pertinente ad spiritualitatem. Et de impetratione brevis Domini Regis de capiendo ipsum Johannem dicit, quod prædictum breve nunquam impetratum fuit per ipsum, nec ipse Johannes unquam per breve illud captus fuit nec imprisonatus.

Et Johannes dicit, quod nec ipse nec pater suus unquam aliquem denarium obtulerunt cum pane benedicto, nec aliquam candelam; nec aliquis parochianus de parochia de Billinghamst. hujusmodi oblationem dat, nisi fuerit ex voluntate sua, et non aliquo jure, vel aliqua \* consideratione antiqua. Et petit quod hoc inquiratur. Postea, quia prædictus Johannes non potest ostendere, quod prædictum breve de capiendo ipsum impetratum fuit per prædictum Archidiaconum; nec ipse unquam per breve illud captus vel imprisonatus fuit, consideratum est, quod idem Archidiaconus quoad

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quoad hæc sine die. Et similiter quia idem Johannes non potest ostendere quod idem Archidiaconus tenuit aliquod placitum de aliquo laico tenemento suo, nec de aliquibus debitis vel catallis nisi tantummodo de prædicta Oblatione, quæ mere pertinet ad spiritualitatem, et quod placitum in Curia Regis non potest nec debet terminari, consideratum est, quod prædictus Archidiaconus inde sine die; et Johannes in misericordia pro falso clamore.

An. 46 & 47  
Hen. 3.

Among *Placita coram N. de Turre*, W. Bonquer & sociis suis *Justic. Itin. apud Canter. sub octabis Sancti Martini Term. S. Mich. anno 47 H. 3.* I met with these Prohibitions and Attachments for Suites in Courts Christian. Rot. 9. Adam Gutra versus *Magistr. Radulphum de Mertune de placito*, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. *Consimile Rot. 10. Hereford. Adam de Averil versus Priorem de Hurtle. Consim. Bedf. Hugo de Turpa & Margareta uxor ejus, versus Waltesum Priorem de Caldewelle de placito*, quod cum idem Prior in Curia Domini Regis coram Justiciariis suis *Itinerantibus apud Bedford*, attachiatus fuerit, ad respondendum prædictis Hugoni de Turpa & Margarete uxori ejus de placito, quare tenuit placitum in Curia Christianitatis de medietate advocacionis Capelle de Hyntone, contra Prohibitionem Domini Regis. Idem Prior venit in eadem Curia Domini Regis coram prædictis Justiciariis, & vadiat legem se duodecima manu, quod contra prædictam Prohibitionem non venit, nec post eam prædictum placitum tenuit contra legem præfatis Justiciariis factam. Et consideratum fuit in eadem Curia, &c. Et quod prædictus Prior inde esset sine die, & prædicti Hugo & Margareta in misericordia. Et postea prohibitum fuit per eosdem Justiciarios Domini Regis prædicto Priori, ne de cetero teneret prædictum placitum. Idem Prior spreta Prohibitione Domini Regis, et in contemptu Justiciarioz et Curie Domini Regis idem placitum per se et Committarios suos nihilominus tenuit, ad manifestam prædictozum Hugonis et Margarete exheredationem et injuriam, ut dicunt. Et ipse non venit, &c. Et præceptum fuit Vic. quod haberet ipsum ad hunc diem, &c.

Plac. de Termino S. Mich. an. 46 & 47 H. 3. in Turri London. Rot. 10.

Tom. 2. p. 994. l. 20. after *Januarii*, adde; I finde that this \* *John Gernsey* Bishop of *Winchester* after his Simonaical, costly Consecration at, and return from *Rome* into *England*, before his entry into his Cathedral, where he expected the Kings presence at his Installment; was summoned to meet him at *Canterbury*, and to go thence with him to *Dover*: which he excused by this Original Letter to him; which I found in the *White Tower*.

An. 47 H. 3.  
\* See Godwins Catalogue of Bishops, p. 177.

Excellentissimo Principi & Domino suo reverendo, *H. Dei gratia illustri Regi Angliæ, Domino Hybernæ, Duci Aquitanie*; suis *J. ejusdem miseratione Wynt. Ecclesiæ Minister humilis*, salutem, & se ipsum cum omni reverentia & honorem. De adventu vestro in *Angliam*, quem sitibundis affectibus jamdudum expectavimus, grates Altissimi referimus copiosas: verum Regalis Celsitudinis vestræ literas die *Sabbati prox.* ante Natale Domini, dieque Dominica in ejusdem Vigil, diversis tamen nunciis eodem recepimus sub tenore, quod *Festum Natale* prædict. vobiscum celebraremus *Cantuar.* vobisque ad mare usque ad *Dover.* occursuri; ad quæ tam loci distantia, quod temporis brevitate nos jam impossibiles effici satis liquet, ingressu etiam in Ecclesia nostra *Cathedrali Wynton.* dudum disposito et parato, quem Regalis Majestatis præsentia prætolata diutius credidimus illustrari, prout ore tenus vestræ Dominationi nos *Parisi.* exposuisse meminimus: in quibus nostram impotentiam non voluntariam, sed potius necessariam, Regali excellentiæ habere placeat excusatam; pro quo Magistrum *Petrum de Exon.* Nepotem nostrum Majestati Regiæ destinamus, pro sollempni gerentes tripudio si nobis per eundem vestræ prosperitatis eventus sanitate comite nuncietur, una cum vestræ beneplacito voluntatis, ad quod paratos nos & merito promptos pro viribus profiteamur. Cæterum de statu nostro, & Ecclesiæ nostræ, quam multis persecutionum procellis invenimus conquassatam, ordinato & disposito, sub celeritate qua poterit post Festum memoratam gressus nostros versus vos, annuente Domino, quam citius dirigemus. Excellentiam vestram conservet Altissimus utinam per diuturna tempora prosperè regnaturam. Datum *Wyntonia* in Vigil. *Nativitatis*, &c.

Ex Bundela Literarum de an. 47 H. 3. in Turri Lond.

About the same time he being complained of to the King by *P. de Sancta Maria* the Kings great favourite, for molesting him in the Archdeaconry of *Surry* and other

[ T 2 ]

Benefices



An. 47 H. 3. Benefices in his Diocess, he thereupon sent this Epistle to the King; denying the truth of his suggestions, and beseeching him not to credit it, till he had heard and spoken with him.

Bundela Literarum in Turri London. An. 47 H. 3.

Excellentissimo Principi ac Domino reverendo, Domino H. Dei gratia illustri Regi Angliæ, &c. suis J. miseratione Divina Wynton. Ecclesiæ Minister humilis, salutem, cum omni reverentia & honore Majestatis vestræ. Literis nuper nobis directis intelleximus, quod nos Magistro P. de Sancta Maria, super Archid. Sarr. & aliis quibusdam beneficiis in nostro sitis Dioc. molestiam intulimus et gravamen, prout reverendæ vestræ Dominationi ipsum accepimus suggestisse, quod nunquam nostræ fuit intentionis, sicut nec esse debuit, ne dum sibi quem favor Regal. in dilectionis amplectum comperimus suscepisse; sed nec unquam cum scrupulo conscientia gravamen inferre seu molestiam. Vestræ Celsitudini quanta possumus precum instantia devotissimè supplicamus, quatinus si placet, prædicti Magistri suggestionem seu relatum, cum nondum ex parte nostra coram V. K. comparuerit responsalis, ut veracem nullatenus admittatis, quoniam si in aliquo contra eundem Magistrum injustè processerimus, parati sumus, expositis prius Regali excellentiæ exponendis manum apponere correctricem, pro quo finaliter prosequendo proponimus, Deo dante, citra diem Lunæ proximam cum Majestate vestra Regia habere colloquium personale. Excellentiam vestram per diuturna tempora prosperet Altissimus & conserveat. Dat. Cant. 5. Kal. Junii, anno Domini 1263.

Tom. 2. p. 996. l. 5. after &c. adde; King Henry the 3<sup>d</sup>. being highly offended with William Bolton Bishop of Bath and Wells for suing the Abbot and Convent of Glastonbury in the Court of Rome, against his promise and prohibition, for Freeholds and Advowsons, to the prejudice of his Crown and Dignity; for which his Temporalities and goods were seized by the Kings Officers: upon the Popes and his Cardinals requests (who favoured the Bishops cause, which he fairly propounded before the then Archbishop of Canterbury, Bishop elect of Salisbury, Abbot of Westminster, and another then at the Popes Court) they writ this Letter to the King on the Bishops behalf; which I found in the White Tower, defaced in some words and lines.

Bundela Literarum in Turri London. An. 47 H. 3.

Excellentissimo Domino H. Dei gratia Regi Angliæ illustri, Domino Ihermæ, Duci Aquitannia, & Comiti Andegavia; B. Cantuariensis Archiepiscopus, E. Sarisburiensis Electus, Abbas Westmonasteriensis, & Magister ———, obsequium ——— intelligimus, tanto illa vobis libentius suademus, quæ justitiam sapere, ac æquitatem continere sentimus. Sane ——— quæ ipsius ac Bathon. & Well. Ecclesiarum non tangunt negotium, inter alios fideles nostros apud ——— & honoris Regii zelator existit, ac suum & Ecclesiarum ipsarum negotium coram Domino Papa et fratribus honeste proposuit ——— in quantum potuit reverenter. Verum idem Dominus Papa et fratres prædicti super hiis pro quibus idem Episcopus venit ad Curiam, proponunt ——— exhibere plenarie justitiæ complementum. Nos itaque attendentes, quod pertinet ad Regiæ dignitatis honorem, ut idem Episcopus per nos ——— conserveatur, interposuimus partes nostras quod prædicto placeret Episcopo a nobis recipere quod de rigore juris debebat et poterat obtinere, qui nobis benignius annuit in hac parte, intendens (salvo jure suo et Ecclesiarum suarum in quantum poterit) Celsitudini Regali deferre. Quocirca de speciali præcepto Domini Papæ et fratrum suorum serenitatem Regiam exoramus, quatinus diligenter considerantes, quam specialiter iidem Dominus Papa et fratres pro eodem Episcopo nobis dirigunt scripta sua, et quod dictus Episcopus inter alios Prelatos Angliæ vobis semper devotus extitit, et in vestris et vestrorum negotiis fideliter laboravit, injurias et gravamina, si quæ fuerint a Justiciariis et Ballivis Regiis Episcopo prædicto illata, sine difficultate qualibet revocari faciat Regia magnitudo. Nec ipsum si ——— contra justitiam aliquatenus molesteris, nec permittatis ab aliis (quantum in vobis fuerit) molestari; sed ei potius exhibeatis vos in Regio favore munificum, & in cunctis opportunitatibus gratiosum: ita quod idem Episcopus et alii ejus exemplo ad fideliter obsequendum vobis fortius animentur; ac vobis præter divinæ retributionis præmium, ab eodem Domino Papa et fratribus prædictis, qui hoc gratum

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gratum habebunt plurimum et acceptum, exinde debita perveniat actio gratiarum. *An. 47, 48*  
 Nec nos pro ipso Episcopo ita affectuose scriberemus, nisi quia evidenter probavi- *& 49 H. 3.*  
 mus ipsum in vestris negotiis providum, &c. Datum *Anagnini*,  
 die Dominica ante festum Beati Dionysii.

*Anno 48 H. 3.* I met with a Bundle of Certificates of Excommunications, Elections, and Proxies from Bishops and others, in the *White Tower*, (where are many such during his reign,) out of which I shall present you with three usual *An. 48 H. 3.*  
 forms of *Significavit* and Certificates of *Excommunications* then and since in use, evidencing their inability to redress any Ecclesiastical abuses without the Kings Sovereign power and assistance: and one *Letter of Attorney* by the Abbot of *Ramsay*, then sick, appointing another to appear for him in a Great Council of the Nobles, to which he was summoned.

**S**erenissimo Domino suo *H. Dei gratia Regi Angl. &c. J.* miseratione divina *Bundela Cer-*  
*Winton.* Episcopus, salutem, &c. Cum quidam maledictionis filii in Ecclesiis *tis. &c. an. 48*  
 de *Brerdinges* & de *Lyngesfeld* se temeritate propria intrudentes, ipsas manu armata *H. 3. in Turri*  
 detineant occupatas; Decimas ad eos spectantes colligant, et se de aliis spiritualibus intromittant, nec possint per censuram Ecclesiasticam super hoc coerceri; *London.*  
 Serenitatem Regiam attentius duximus exorandam, quatenus eos a Sacrilegio predicto compescere et revocare dignemini per datam a Domino vobis Regiam potestatem, seculare contra eos brachium extendendo. Conservet, &c. Dat. *London.*  
*don. 2. Non. Augusti.* Anno Domini 1264.

**E**ldem Regi *H. &c. Carol.* Episcopus, salutem. Excellentie vestre notum *Ibidem;*  
 facimus, quod *Adam de Guy*, nostre Diocesis, ob suam contumaciam man-  
 relictam Excommunicationis sententia innodatus, per quadraginta dies et amplius  
 persistit contumaciter in eodem, claves Ecclesie contemnendo. Quocirca Excellen-  
 tiam vestram humiliter supplicamus, quatinus ad tantam ipsius insolentiam repri-  
 mendam, vestre Majestatis brachium iuxta consuetudinem regni vestri, Dei et  
 Ecclesie intuitu, apponere dignemini cum effectu. Conservet, &c. Dat. *London.*  
*don. Kal. Julii.* Anno ut supra.

**E**ldem Regi, &c. *W. Exoniensis* Episcopus, salutem. Cum *Willielmus le* *Ibidem.*  
*Bosylar* Laicus de Comitatu *Devon.* pro ejus contumacia & offensa manifesta,  
 excommunicationis sententia per nos meruerit innodari, iustitia exigente, et in  
 eadem per quadraginta dies et amplius perseverans, claves Ecclesie pertinaciter  
 contemnendo, ad Ecclesiasticam non curat redire veritatem; ne ovis moribunda totum  
 gregem Dominicum inficiat, Dominationem vestram requirimus et rogamus,  
 quatinus talem contumaciam per potentiam Regie Majestatis, secundum Regni  
 vestri consuetudinem, a sua pertinacia revocare dignemini; ut quem timor Dei  
 ab ergore non revocat, brachium coerceat seculare. Valeat, &c. Dat. *London.*  
 die *Martii* proximo post festum Apostolorum *Petri & Pauli.* Anno ut supra.

**E**ldem Regi, &c. *H.* permissione Divina *Ramsf.* Ecclesie Minister humilis, *Ibidem.*  
 salutem, &c. Quoniam gravi aegritudine & nimia debilitate corporis labo-  
 rantes, in lecto detenti, in crastino *S. Trinitatis* apud *London.* esse non valemus,  
 super quo multum dolemus, idcirco dilectos nobis in Christo, fratrem *W.* Sacristam  
 nostram, & Dominum *Willielmum Camberlan.* Senescallum nostrum sub alternatione  
 Attornatos nostros constituimus, ad consentiendum, vice nostra, Magnatum tunc  
 ibidem presentium consilio, et ad faciendum ea, quae vestram Regiam dignitatem  
 et Regni vestri utilitatem tangunt et pacem. Vestre Regie Majestati devotè sup-  
 plicantes, quatinus Divinae pietatis & humanae fragilitatis intuitu, nostros præ-  
 dictos Attornatos loco nostro admittentes, absentiam nostram involuntariam  
 habere dignemini excusatam. Valeat, &c.

*Anno 49 H. 3.* The Dean and Chapter of *Akaden* in *Ireland* upon the death of *An. 49 H. 3.*  
 their former, made this Certificate thereof, and petition to the King for the  
 Election of a new Bishop; extant in a Bundle of Certificates and Petitions in the  
*White Tower.*

**E**xcellentissimo Domino *H. Dei gratia illustri Regi Anglia;* sui fideles oratores *Bundela Cer-*  
*Decanus & Capitulum Akadens.* salutem, &c. Vestre Excellentie Majesta- *tis. & Petic.*  
 tem latere nolumus nec debemus, Ecclesiam nostram per mortem venerabilis patris *an 49 H. 3. in*  
*Thome* ejusdem Ecclesie Episcopi nunc esse Pastoris solatio destitutam. Quare *Turri Lond.*  
 vestre



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Hen. 3.

vestre Regis Majestatis Excellentiam modis omnibus quibus possumus flagitamus, quatinus per latorem presentium *Maur.* Clericum, nostrum fidelem Nuncium, vestrum Regium assensum pariter et consensum nobis ad eligendum Pastorem impendatis. Tantum inde facientes, ne prefata Ecclesia patiatur, &c. Dat. apud *Abiden*, Ecclesiam crastino S. Trinitatis, Anno 1265.

Ibidem.

Excellentissimo Domino H. Dei gratia illustri Regi Anglia, suus fidelis *Odo Okonchubyr* Rex *Connati*, salutem, & in omnibus victoriam. Vestre Regis Majestatis excellentiam exoramus modis quibus possumus, quatinus Decano & Capitulo *Akadem*, (ipsa per mortem venerabilis patris Domini T. ejusdem Ecclesie Episcopi, vacante) vestrum consensum pariter et assensum per nuncium eorundem ad eligendum Pastorem vultu sereno et favorabili, si placet, impendatis. Tantum inde facientes, ne prefata Ecclesia (quæ ad presens ultra viginti marcarum summam in redditibus non abundat,) propter retardationem Regii assensus (quos abicit) in temporalibus vel spiritualibus patiatur. In cujus petitionis testimonium has literas nostras vestre Majestati Regis mittimus patentes. Dat. anno regni Regis H. 49.

Ibidem.

Excellentissimo, &c. H. Regi Angl. &c. M. Decanus, & totum Capitulum *Elfinen*, Ecclesie, salutem & orationes. Quia per mortem venerabilis patris nostri, Domini *Thoma* bonæ memoriæ *Elfinen*, Episcopi, Ecclesia nostra Pastoris solatio noscitur esse destituta. Ideo vestram Regiam Majestatem humiliter rogamus exorandam, quatinus per latorem presentium providendi Ecclesiam *Elfinen*, de Pastore idoneo nobis de solita vestre Majestatis benignitate, tribuere dignemini; ne per defectum Pastoris Ecclesia nostra *Elfin*, in spiritualibus et temporalibus detrimentum patiatur. Valeat, &c.

Ibidem.

Excellentissimo, &c. (ut supra.) R. miseratione Divina *Meneven*, Ecclesie minister humilis, salutem, &c. Pro dilectis filiis Canonicis S. *Johannis de Karmerdyn* vestre Magnificentie, quanta decet devotione, duximus supplicandum, quatenus memoratis Canonicis ad vos pro negotio electionis sue venientibus, quibus iterato ad vos veniendi tutus propter hostilitatem non patet accessus, quibus etiam propter destructionem domus sue ad viatica et sumptus non sufficiunt sine magno incommodo facultates, concedere velitis quod post electionem celebratam, electioni ipsorum ac Clecto, *Ballivus* vester de *Karmerdyn* vice vestra præbeat assensum. Valeat, &c.

Ad eundem effectum ad Regem mittuntur literæ Canonicorum Prioratus de *Karmerdyn*. Dat. die *Luna* prox. post festum S. *Valentini*, anno Domini 1265.

Plac. de Term.  
Pachz, anno  
49 H. 3. in  
Turri Lond.

Tom. 2. p. 1012. l. 45. after ut supra, insert; The decayed *Placita apud Westm.* (in the *Tower*) coram *Gilberto de Preston*, &c. *Johanne de Wyvil*, *Justic. de Term.* Pasch. anno regni Regis *Henrici fil. Regis Johannis* 49. furnish us with these Suites and Attachments for holding and prosecuting Pleas in Courts Christian against the Kings Prohibitions, which I shall but name. *Linc.* *Johannes fil. Nicholai de Junthely*, per *Attornatum*, &c. brought an Action, *versus* *Galfredum de Hekinton Decanum de Stafford*. and others, *de placito*, quare prædict. *Galf.* tenuit placitum in Curia Christianiatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. *Adam Rueril* brought the like, *versus* *Priorem de Hurl*: *Idem contra Magistr. Radulfum de Malawe*. *Norf.* *Willielmus de Wygenhal*, the like, *versus* *Simonem Abbatem S. Edmundi*, & *Robertum Priorem S. Edmundi*. *Berks.* *Abbas & Conventus de Messenden*, the like, *versus* *Aluredem Priorem de Rading*, &c. quare tenuerunt, & *versus* *Will. de Englesend*, quare secutus est idem placitum in eadem Curia, contra Prohibitionem, &c.

An. 50 H. 3.

In a Bundle of Certificates and Petitions by Bishops and others to the King in the *White Tower*, Anno 50 H. 3. I met with these three forms of Certificates made to the King of Lay-forces held in Churches, praying a Writ *De vi laica amovenda*, by his secular Court and power in ayd of the Church; evidencing the Kings Sovereign authority in all Church affairs.

Bundle Cer-  
tif. & Petic.  
an. 50 H. 3.  
in Turri Lon-  
don.

Excellentissimo Domino suo H. Dei gratia Regi Anglia illustri, &c. R. ejusdem permissione *Covey. & Lyebfeld*, Ecclesiarum Minister humilis, salutem & successus ad vota prosperos jugiter & felices. Ex virginis thalamo procedens in orbem terrarum Dominus *Iesus Christus* amore spirituali sacrosanctam Ecclesiam in sponsam

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sponsam sibi non incestu copulabit, nec huiusmodi carnalis sed proprio, dum in Crucis penderet patibulo, sanguine consecratam. Hec quidem tam sancta, tam cunctis orthodoxis fides zelatoribus veneranda, nostris seculis adeo vili penditur, quod suspiciosus ululatus est ingendum, ut audacia nonnulli presumptuosa et audaci presumptione in ipsam se intrudent laica potestate; statim ipsas irreverenter evertentes, Ecclesiasticasque libertates armatis viribus in sponsum contumeliam et opprobrium multipliciter depzimentes. Hanc Regia Maestas, ad Christi laudem et reverentiam, injurias Ecclesie tanquam proprias, serbida zelatrix fides, prosequens et ulciscens, materialis macronem gladii contra presumptores huiusmodi totiens ad compescendam ipsorum insolentiam acuit et exercet, quotiens ob necessitatem vel utilitatem Ecclesie requiritur a Prelatis. Cum igitur in Ecclesiam de Sandeacr. nostrae Diocesis, quidam se laici, non sine gravi libertatis Ecclesiasticae subversione, violenter intruserunt, ac eam in presensentiarum ausu sacrilego vi laica detineant occupatam; vestram excellentiam obnixe requirimus et rogamus, quatinus ad amovendam inde vim prefatam, auxilium vestri velitis dextram extendere cum effectu. Valeat, &c. Datum Heywood. Non. Augusti, anno Dom. 1266.

An. 50 & 52  
Hen. 3.

**E**xcellentissimo Domino suo, Domino H. Dei gratia Regi Angl. illustri; R. miseracione divina Ecclesie Dunelmensis Minister humilis, salutem in eo, per quem Reges regnant & regna subsistunt. Nuper inter Suppriorem & Conventum de Bretona, ex parte una; Priorem & Conventum de Pontefracto, & Adam de Northampton Monachum, pro Priore de Bretona se gerentem super variis questionum articulis, ex altera, coram summo Pontifice questione suborta, tandem memorati Supprio et Conventus de Breton. pro se obtinuerant sententiam diffinitivam, et ipsius executionem venerabili in Christo patri Domino Wintoniensis Episcopo et nobis sub alternatione demandari, inter cetera continentem; Quod dictum Adam & ceteros Monachos de Pontefracto, apud Breton. existentes, amoveri debeamus; Monachosque de Breton. qui per predictos Priorem & Conventum Pontefracti a Monasterio de Breton. ejecti sunt violenter, pristina debeamus restituere libertati. Cum itaque propter vim laicam, quam Prio. Conventus de Pontefracto, et Adam lapsati in Monasterio de Breton. obtinent, Mandatum Apostolicum adimplere, ut tenemur, et exequi non valemus, Excellentiam vestram suppliciter exoramus, quatinus ad honorem Dei, et ob reverentiam summi Pontificis, cujus vices gerimus in hac parte, jubere velit, ut per Willelmum. Ebor. bis remodeatur antedicta. Datum apud Middilham 13 Kalend. Julii, anno ut supra.

Ibid. an. 50  
H. 3. in Turri  
London.

**S**erenissimo Domino suo H. Dei gratia Regi Anglie illustri, &c. W. permisione ejusdem Bathon. & Well. Ecclesiarum Minister humilis, salutem in eo qui Regibus dat regnare. Quia Henricus le Gant Magister Domus S. Martini Bristoll. Ecclesie de Kantoreshved nostrae Diocesis vim et potestatem jam tantam apposerit laicorum, quod debitum officium in eadem propter huiusmodi laicos exequi non valemus, Dominationi vestre cum instantia supplicamus, quatinus contra insolentiam dictorum laicorum, nostram jurisdictionem et officium in hac parte, quod vestrum est, exequamini, secundum quod regni vestri exposcit consuetudo.

Ibidem.

Tom. 2. p. 1038. l. 1. before *The King*, insert; King Henry by his Royal Prerogative to preserve the Peace and Liberty of the Vice-Chancellor and Scholars of the University of Oxford, against the injuries and exactions of the Towns-men, ratified this former composition made between them by his Royal Charter, which I shall here present you with, for the honour of my Nursing Mother.

An. 52 H. 3.

**R**ex omnibus Ballivis suis, salutem. Inspecimus literas patentes dudum concessas apud Wodestok in presentia Procuratorum Scholarium Universitatis Oxon. et Burgensum ejusdem Ville super quibusdam libertatibus prefatis Scholaribus concessis, in hac verba: Anno regni Regis Henrici filii Regis Johannis vicesimo secundo, vicesimo nono die Maii, presentibus apud Wodestok tam Procuratoribus Scholarium Universitatis, quam Burgensum Oxoniz; idem Dominus Rex concessit eisdem Scholaribus Libertates subscriptas, videlicet, Quod si inferatur injuria ipsis Scholaribus, fiat inde Inquisitio tam per Villatas vicinas, quam per Burgeneses predictos. Et quod si ipsi Burgeneses interficiant aliquem de Scholaribus Oxon. vel in aliquem ipsorum insultum faciant, vel alicui ipsorum, vel in aliquem ipsorum

Cant. An. 52  
H. 3. m. 6. dorf.  
Pro Scholaribus  
Oxon.  
\* See here, pag.  
902 91.



An. 52 & 53  
Hen. 3.

Nota.

iplorum gravem injuriam inferant; Communitas ejusdem Villæ per se puniatur et amercietur, et Ballivi per se, et non cum Communitate eadem puniantur et amercientur, si negligentes fuerint, vel dolum fecerint in exequendo officium suum contra illos qui hujusmodi injurias prædictis Scholaribus inferunt. Et quod Judai Oxonienses non recipiant a Scholaribus prædictis pro libra in septimana nisi duos Denarios; et similiter fiat in minori forma secundum quantitatem; alioquin Judai puniantur secundum constitutionem regni. Et quod quotiescunque & quodocunque Major & Ballivi Oxoniæ Sacramentum fidelitatis suæ præstabunt in loco suo communi, Communitas ejusdem Villæ denunciaret Cancellario Universitatis, ut per se vel per aliquas electas personas præstationi Juramenti prædicti, si voluerit, interstet. Quod quidem Juramentum tale erit, quoad Scholares prædictos, videlicet; Quod ipsi Major et Ballivi conservabunt Libertates et Consuetudines Universitatis prædictæ; alioquin non valeat Juramentum ipsorum; sed interim præstetur secundum formam præscriptam; Si vero Cancellarius, nec per Procuratorem interesse voluerit, ad Juramentum nihilominus procedatur. Et quod duo Aldermanni sint electi & deputati de illis, qui pro tempore fuerint, secundum quod ordinati erant de Domino *H. de Eborum* ad exhibendam justitiam cum præpositi abfuerint, sub eadem pœna quâ præpositi tenentur, si negligentes vel malitiosi inveniantur. Et quod quilibet Burgensis Oxoniæ pro familia sua respondeat; Ita quod si aliquis de familia sua mortem vel gravem injuriam alicui Clerico vel suis inferet, Palefactorem exhibeat idem Burgensis, ut fiat de eo justitia; alioquin infligabitur pœna secundum consuetudinem regni. Et quod quotiescunque debeat fieri temptatio panis et cervisie ab eisdem Burgensibus, præcedenti die denunciatur Cancellario et Procuratoribus Universitatis prædictæ; ut si per se vel per aliquos ad hoc deputatos per ipsos (si voluerint) intersint temptationi prædictæ; alioquin non valeat ipsa temptatio. Si vero dicti Cancellarius et Procuratores Universitatis per se vel per suos interesse noluerint, ad prædictam temptationem nihilominus procedatur. In quorum omnium testimonium Dominus *Radulfus* filius *Nicholai* Senescalli Domini Regis, ad præceptum ejusdem Domini Regis huic scripto sigillum suum apposuit. Eodem Domino Rege per literas suas mandante Vicecomiti, Majori et Ballivis Oxoniæ, ut prædictas Libertates inviolabiliter observent et faciant observari; Quas etiam idem Dominus Rex fecit irrotulari, anno regni sui 33. Nos autem prædictam concessionem prædictis Scholaribus super præfatis libertatibus de præcepto nostro factam (ut prædictum est) ratam habentes et gratam, eam præsentibus litteris nostris patentibus Scholaribus antedictis concedimus, et sigilli nostri munimine roboramus. Teste Rege apud *Woodestok* 21. die Junii, anno regni nostri 52.

What Pensions the King granted to *Romish* Cardinals to promote his affairs, and how careful he was to satisfy their arrears out of the Dismes granted to him, this Patent will inform us.

Pat. 52 H. 3.  
m. 15 intus.  
pro R. Sancti  
Angeli Diacono  
Cardinali.

**R**EX venerabili in Christo O. Dei gratia Sancti *Adriani*, &c. salutem. Cum teneamur venerabili patri R. Sancti *Angeli* Diacono Cardinali in trecentis marcis de arreragiis annui feodi sui triginta marcarum, quod ei dudum concessimus percipiend. ad Scaccarium nostrum; quas sibi de Decima nobis concessa in Provincia *Cant.* de Terminis S. *Michaelis* prox. adventuro persolveri volumus; vos rogamus quatinus eidem Cardinali vel certo suo Attornato de prædict. trecentis marcis de Decima prædicta satisfieri faciatis in forma supradicta. Nos enim in Decima prædicta eandem pecuniam volumus allocari. In cujus, &c. Teste, &c.

An. 53 H. 3.

Tom. 2. p. 1047. l. 49. after *Aprilis*, adde; In the Plea-Rolls in the Tower; Anno 53 H. 3. I finde these Suites and Attachments against the holders and prosecutors of Suites in Courts Christian.

Term. Pasch.  
an. 53 H. 3.

Placita de Term. Pasch. an 53 H. apud Westm. *Essex*. *Henricus* de Lacy per Attorn. &c. optulit se 4. die versus Priorem de *Dunmowe*, &c. quare tenuit placitum in Curia Christianitatis de advocacione quartæ partis Ecclesiæ *Estbradham*, contra Prohibitionem, &c. Et fuit attach. per *Willielm.* &c.

Plac. de Term.  
S. Mich. an. 53  
in Turri  
London  
Rot. 5. dorso.

Plac. de Term. S. Mich. eodem anno. *Magister* *Stephanus* de *Gurmuil.* attachatus fuit ad respondendum *Johanni* de *Ahsfeld*, & *Edithæ* quæ fuit uxor *Alfredi* de *Wyte* de placito, quare idem *Magister* tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et unde prædicti *Johannes* et *Editha* queruntur, quod cum quedam *Isabella*

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Isabella de Rocheford traxisset ipsas in placito coram predicto Stephano, petendo ab ipsis quater viginti marcas, quæ non sunt de Testamento vel Patrimonio: Et predicta Johanna & Editha in crastino Purificationis beate Mariæ hoc anno in Ecclesia de Renesbiry desulissent ei Regiam prohibitionem, ne predictum placitum teneret, &c. Et unde predicti Johanna & Editha queruntur, quod predictus Magister spreta predicta Prohibitione tenuit predictum placitum: Ita quod primo fecit ipsas ab ingressu Ecclesiæ suspendi, et postea excommunicari. Unde dicunt, per quod deteriorati sunt et dampnum habent ad valenciam viginti librarum. Et inde produciunt scilicet, &c.

Et predictus Magister venit & defendit vim & injuriam quando, &c. Et bene defendit, quod nunquam tenuit placitum predictum post Prohibitionem: Et hoc paratus est defendere, prout Curia consideraverit. Ideo consideratum est, quod vadit ei legem se 12. manū. Et venit cum lege sua in octabis Sancti Michaelis, plegii de lege, Elias de Cotesbush & Rabertus de Warham. Postea in octabis Sanctæ Trinitatis predictus Magister Stephanus venit cum lege sua, & predictæ Johanna et Editha renunciaverunt. Ideo predictus inde sine die, et Johanna et Editha in misericordia 2. denariorum.

I shall render you only a Breviate of other Prohibitions and Attachments the same Term. Thomas Tredegold versus Johannem le Fenre, &c. (præceptum dorlo. est Vicecomiti, quod non omittat propter predictam libertatem, &c.) Ricardus Chymne Junior versus Magistrum Johannem de Burton de placito, quare tenuit placitum in Curia Christianitatis de catallis, &c. contra, &c. Ricardus versus Hugonem Vicarium de Simonesberg, &c. Alexander le Pestur de Mycham versus Gervasium Vicarium Ecclesiæ de Mycham, et alios, for the like Suites.

In the same Term and Roll, I finde this Plea in an Assise of Darrein Presentment to the Church of Mallebergh, wherein the Popes provision of it to his Nephew upon the Bishop of Sains translation to Bath, was pleaded and allowed.

Assisa venit recognitura quis advocatus tempore pacis presentavit ultimam personam qua mortua est ad Ecclesiam de Mallebergh que vacat, &c. Et cujus advocatorem Ricardus filius Stephani clamat versus Walterum Episcopum Sarum; et unde dicit, quod quidam Willielmus antecessor suus tempore pacis, et tempore H. Regis avi Domini Regis nunc, presentavit quendam Robertum Clericum suum ad predictam Ecclesiam, qui ad presentationem suam fuit admissus et institutus, et ultimo obiit persona in eadem tanquam a vero patrono presentatus. Et Episcopus per Attornatum suum venit, et dicit, quod non debet ei ad hoc breve respondere, quia dicit, quod predicta Ecclesia non est Ecclesia per se, immo Capella pertinet ad matricem Ecclesiam de Alsinton, unde petit Judicium de brevi suo.

Et Ricardus dicit, quod qualitercunque predicta Ecclesia de Mallebergh modo consolidata sit predictæ Ecclesiæ de Alsinton; tempore quo predictus Willielmus antecessor suus presentavit predictum Robertum Clericum suum ad predictam Ecclesiam, fuit Ecclesia illa matris Ecclesia et per se parochialis.

Et Episcopus dicit, quod post tempus predicti H. Regis avi, quidam Ricardus, quondam Episcopus Sarum tempore Domini Regis nunc presentavit quendam Martinum de Patreshull, qui ad presentationem suam fuit admissus et institutus. Et post mortem predicti Martini quidam Robertus tunc Episcopus Sarum presentavit quendam Clericum suum ad predictam Ecclesiam, qui ad presentationem suam fuit admissus; et institutus. Et postquam Rogerus consecratus fuit in Episcopum Bathoniensem et Wellensem, Dominus Papa contulit eandem Ecclesiam Andree nepoti suo, et quod advocatio illa pertinebat ad Episcopatum Sarum, et Ricardus non potest hoc dedicere. Ideo predictus Episcopus inde sine die, et predictus Ricardus in misericordia pro falso clamore.

Willielmus de Sudfeld, &c. optulit se 4. die versus Galfridum de Beles de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibit. &c. Et ipse non venit. Et præceptum fuit Vic. quod attach. eum, &c.

Prior de Covenham attach. fuit ad respondendum Ricardo de Seyton de consimile plac. Et unde, &c. queritur quod cum ipse, &c. idem Prior non obstante, &c. Ipsum tanquam, &c. ab ingressu Ecclesiæ suspendit, et postea ipsum excommunicavit, &c. Et inde, &c. Et prohibitum est predicto Priori quod non, &c.



An. 53 &amp; 54

Hen. 3.

Rot. 8. intus.  
Wygorn.

Johannes de Ruhale per Assortatum suum optulit se 4. die vers. Magistr. Petrum de Betevill. Personam Ecclesia de Rypel de placito, quare secutus est consimile plac. in Curia Christianitatis. Et ipse non venit, &c. Vic. &c. Sed mandat, quod pꝛædictus Petrus Clericus est et non habet, &c. Ideo mandatum est Godefr. Episcopo Wygorn. quod habeat pꝛædictum Petrum, &c.

Rot. 9. Suffex.

Thomas Tredegold optulit 4. die vers. Magistrum Walterum de Glouc. Decanum Cicestr. et Johannem le Feu de placito, quare idem Magister tenuit consimile plac. et quare pꝛædictus Johannes secutus est idem placitum. Et ipsi non venerunt, &c.

Ret. 10. dorso.  
Hereford.

Frater Galfridus procurator Abb. et Conv. de Conches attach. fuit ad respondendum Thomæ de Colecestr. de placito, quare secutus est consimile placitum in Curia Christianitatis, &c. petendo ab ipso decem libras argent. quæ non sunt, &c. Et cum detulisset, &c. pꝛædictus Petrus spꝛeta Regia prohibitionem, secutus est idem placitum, &c. Ita quod fecit eum, &c. & excommunicari. Unde, &c. & dampnum habet, &c. Et inde, &c.

Et pꝛæd. Galfr. &c. defendit quod nunquam secutus est, &c. contra, &c. Ideo, &c. vadit ei legem, &c. Plegii, &c.

Rot. 31. intus.  
Suffex.

Tho. Tredegold optulit se 4. die vers. Magistrum Walterum de Glouc. Decanum Cicestr. de placito, quare tenuit consimile placitum, &c. Et ipse non venit, &c. Et mandatum fuit Custodibus spirital. Episcopatus Cicestr. quod faciat eum, &c. eo quod Vic. mandat, quod Clericus est et non habet, &c. Et super hoc testatum est quod, &c. habet terras et tenementa ad suffic. &c. per quæ potest, &c. Ideo pꝛæceptum est Vic. quod distring. eum, &c. Et quod habeat corpus ejus, &c.

Rot. 18. dorso.  
Hereford.

Hugo de Mortuomari de Castro Ricardi optulit se 4. die vers. Hugonem de Mortuomari, Emericum Cancellarium Hereford. et Eymonem Præcentorem Hereford. de placito, quare pꝛædict. Magister Hugo tenuit placitum, &c. de advoc. Ecclesie de Gliston, contra prohibitionem, &c. Et de placito, quare pꝛædicti Emericus et Eymo secuti sunt idem placitum. Et ipsi non venerunt, &c. Et Vic. &c. mandat quod, &c. Clerici sunt, &c. Ideo mandatum est Episcopo Hereford. quod venire, &c. Clericos suos, &c.

Rot. 35. intus.  
Bucks.

Radulfus de Norff. Esson. Ricardi de Seyton opt. se 4. die vers. Fratrem Ricardum Lovel Præcentorem de Bullstrode, et Ricardum Magistrum Militie Templi in Anglia de placito, quare secuti sunt, &c. de catallis et debitis quæ non sunt, &c. contra prohibitionem, &c. Et ipsi non venerunt, &c. Ideo ponatur per mel. pleg. &c. pꝛæceptum fuit Vic. quod attach. &c.

Rot. 36. intus.  
Heref.

Radulfus de Haundham opt. se 4. die vers. Priorem Sancti Guthlaci de Hereford. de placito, quare tenuit placitum, &c. de catallis, &c. quæ non sunt, &c. contra prohibitionem, &c. Et ipse non venit. Et fuit attach. per, &c. Ideo, &c. ponatur per mel. pleg. quod sit, &c.

An. 54 H. 3.

Tom. 2. p. 1056. l. 3. after ut supra, adde: Pope Alexander and his Visitors of exempted Abbies by their usurped power, prescribed a form of Oath to all Abbots and Covents, not to oblige themselves or Monasteries to any Religious or secular persons, to the prejudice of their Churches, thus related by W. Thorn; which entrenched upon the Kings Prerogative, for whom they could not be bound to raise Monies upon any publick occasion, and in prescribing New Oathes without his Royal assent or authority; Whereupon Roger Abbot of Saint Augustines in Canterbury, An. 1270. made this Constitution in pursuit thereof. \* Rogerus Abbas instituit ne Monasterium istud alicujus obligetur debitis isto tenore: Omnibus Christi fidelibus, Rogerus Dei gratia, &c. Nuper ad reformationem ordinis & status domus nostre visitoribus à capitulo generali deputatis ad nos accedentibus; diligenti inquisitione habita super pꝛæscriptis, perpendentes dicti visitatores tam propter negligentiam Prælati quam subditorum in pluribus statum Monasterii posse periclitari, inter cetera maxime quod nonnunquam promiores quam Monasterio expediret, et contra Interdictum Apostolicum, necnon et generalis Capituli statutum; ad obligandum se et suum Monasterium in contractibus mutuo faciendis, tam pro religiosis quam pro secularibus personis: ordinaverunt & firmiter statuerunt, ut super obserbatione ipsius Statuti Apostolici necnon et generalis Capituli statutum, tam a Prælati quam a subditis universis copozale pꝛæstaretur Sacramentum. Nos igitur Abbas & Conventus universi et singuli inspectis sacrosanctis, in verbo veritatis, Sacerdotii et Religionis juramus, et pꝛæsenti pagina profitemur, nos contra tenorem dicti Statuti super hoc editi

\* Chronicon  
Will. Thorn,  
col. 1918.

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editi de cetero non contraventuros. Et ut in omnibus dictum Statutum clarius illu-  
cescat, ipsius tenorem duximus presentibus, qui talis est:

An. 54 H. 3.

ALEXANDER Episcopus, &c. Et infra; Firmiter inhibemus, ne quis  
presumat Ecclesiam sibi commissam pro alienis gravare debitis, aut literas alicui  
seu sigilla eorundem quibus possent Ecclesie obligari concedere, decernentes si se-  
cus fuerit attemptatum, ad solucionem talium debitorum Ecclesias non teneri. Si  
quis autem contra premissa de cetero venire presumpserit, ab administratione  
temporalium sit suspensus. Nos etiam predicti Abbas et Conventus statuantes nihilo-  
minus, generalis Capituli auctoritate interveniente, quod Abbas quicumque successivis tem-  
poribus, ad regimen huius congregationis electus, in prima sua creatione Sacramentum  
predictum de observando Statuto predicto prestet, et renovet Sacramentum, nichilo-  
minus etiam ne ceteri processu temporis in isto Monasterio Monachicum ordinem suscep-  
turi, contraveniant, statim post professionem suam idem Sacramentum facient et  
observent.

In the Placita apud Westm. de octabis S. Trinitatis coram M. de Litlebir. Magistro  
R. de Seyton, et J. de Cobeham, anno regni Regis Henr. 54. I found these Suites  
and Attachments (in the Tower) for Suits in Ecclesiastical Courts, against the Kings  
Prohibitions.

Plac. de Term.  
Trin an 54  
H. 3. in Turre  
London.

Philippus Bandre de Knyuston optulit se 4. die versus Magistrum Thomam de  
Wytton Archid. Northampton. Nicholaum de Fenton Officialem ejus, Hugonem de  
Watton Decanum de Dyngham de placito, quare tenuerunt placitum de lapco feodo  
ipsius Philippi de Knyuston, &c. contra Prohibitionem, &c. Et versus Williel-  
mum fil. Rogeri Capellani, &c. quare secutus est idem placitum in eadem Curia,  
contra eandem Prohibitionem. Et ipsi non venerunt, &c. Ideo ponantur per melio-  
res plegios, &c. quod sint in Crastino Animarum. Et primi, &c. Et predictus  
Magister et Willielmus aliam fecerunt defaultam, scilicet, in Octabis S. Hilarii, ad quem  
diem Vic. mandavit, quod Clerici sunt et nullum habent lapcum feodum, &c. Ita quod  
mandatum fuit Archiepiscopo Ebor. quod faciat eos venire, &c. Et Archiepiscopus  
nichil inde fecit, nec breve misit. Ideo preceptum est Vic. quod attach. predictum  
Archiepiscopum, quod sit ad prefatum terminum, et ibi habeat Clericos, &c.

Rot. 6. Noting.

Johannes de Ciryton Esson. Johannis Blundel. et Willielmus filius Galfridi Esson,  
Magar. fil. Bartholomæi, et Johannes fil. Walteri Esson. Elenæ sororis ejusdem Mar-  
gar. opt. se 4. die versus Henr. de Beningburgh et Alic. ux. ejus, de placito, quare  
secuti sunt placitum in Curia Christianitatis de laico feodo ipsorum Johannis, Mar-  
gar. et Helenæ, &c. contra Prohibitionem, &c. Et ipsi non venerunt. Et preceptum  
fuit Vic. quod attach. eos quod esset hic ad hunc diem. Et Vic. nichil inde fecit, sed  
mandavit quod preceperat Ballivis libertatis Civitatis Ebor. qui nichil inde fece-  
runt. Ideo preceptum est Vicecomiti quod non omittat propter predictam libertatem,  
quin attach. eos quod sint in Crastino S. Martini. Et unde Vic. &c.

Ibidem.  
Rot. 14. dorso.  
Eboraco.

Ricardus Thynne junior per Attornatum suum opt. se 4. die versus Hugonem Vica-  
rium Ecclesie de Symontsberg de placito, quare secutus est placitum in Curia  
Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio,  
contra Prohibitionem, &c. Et ipse non venit, &c. Et preceptum fuit Vic. quod  
attach. eum, quod esset hic ad hunc diem. Et Vic. mandavit, quod Clericus est, et  
quod nullum habet lapcum feodum per quod potest attach. Ideo mandatum est Epi-  
scopo quod faciat eum venire a die Sancti Michaelis in tres Septimanas. Et unde  
Vicecom. &c.

Ibid. Rot. 19.  
Dorset.

Rogerus de Trythampton per Attornatum suum opt. se 4. die versus Magistrum  
Stephanum de Rokelaund de placito, quare tenuit placitum in Curia Christianita-  
tis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. Et versus  
Magistrum Ranulphum de Nassington de placito, quare secutus est predictum pla-  
citum, &c. contra, &c. Et ipsi non venerunt, &c. Et preceptum fuit Vic. quod  
attach. eos, &c. Et Vic. nichil inde fecit, sed mandavit quod Clerici sunt, et nul-  
lum habent laicum feodum, &c. Ideo mandatum est Episcopo quod faciat eos venire  
Crastino Animarum, &c. Et unde Vic. mand. &c.

Ibid. Rot. 8.  
dorso. Linc.

Symon de Cotes per Attornatum suum optulit se 4. die versus Magistrum Johan-  
nem Galle, Magistrum Jordanum de Hamerton, et Emmam qua fuit uxor Willielmi  
Vaus, de placito, quare secuti sunt placitum in Curia Christianitatis de catallis et  
debitis quæ non sunt, &c. contra Prohibitionem, &c. Et preceptum fuit Vic. quod  
attach.

Ibid. Rot. 9.  
Hunted.



An. 54 H. 3. attab. eos quod essent hic in Oñabz S. Hilarii. Ad quem diem Vic. mandat, quod Clerici sunt, et quod nullum, &c. Ita quod mandatum fuit Episcopo Linc. quod venire fas. eos ad hunc diem. Et Episcopus nichil inde fecit, nec hñve misit. Ideo præceptum est Vicecom. quod attachiaret prædictum Episcopum, quod sit in Crastino Animarum, &c.

Ib. Rot. 9. dor. Linc. Robertus de Haneworth optulit se 4. die versus Robertum Salle, Johannem Wynbeyt, Silvestrum de Linc. Capellanum, et Bedam le Den, de placito, quare secuti sunt placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. Et ipsi non venerunt, &c. Et Robertus fuit attach. per Johannem de Lyndeseye in Lync. &c.

Ibid. Rot. 14. Hereford. Thomas de Colecestr. per Attornatum suum optulit se 4. die versus Fratrem Galfridum procuratorem Abbatis et Conventus de Couches, de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra, &c. Et ipse non venit. Et habuit diem per Essoniatorem suum ad hunc diem postquam comparuit in Curia, scilicet, à die Sancti Michaelis in quindecim dies. Et vadiaverat ei inde legem se 12. man. Ideo consideratum est, quod prædictus Thomas recuperet dampna sua quadraginta librarum versus eum. Et ipse et plegii sui de lege in misericordia, scilicet Robertus de la Grave de Com. Warr. et Willielmus fil. Martini de Com. Essex. &c.

Ibid. Rot. 17. dor. Norff. Radulfus de Norff. Effon. Willielmi Galuz optulit se 4. die versus Magistrum Godefridum de Merton de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. Et versus Priorem Norwyc. quare secuti sunt idem placitum in eadem Curia, contra eandem Prohibitionem, &c. Et ipsi non, &c. Et prædicti Magister et Prior fuerunt attach. per, &c. Ideo ponantur per meliores plegios, quod sint in Crastino Animarum. Et primi, &c.

This Term there fell out this notable Case concerning Bastardy, whether it should be tryed by the Countrey or the Certificate of the Bishop of Bayon in Normandy, where the Marriage was alledged; and resolved it should be by the Bishops Certificate, to be returned into the Kings Court here.

Ibid. Rot. 19. dor. Linc. Rogerus de Nevill petit versus Talebotum de Talebot de Hyltesham unum mess. centum acras terre, quindecim acras prati cum pertin. in Gynnewardely qua Thomas Talebot de eo tenuit, et qua ad prædictum Rogerum reverteri debent tamquam escaeta sua, eo quod prædictus Thomas Bastardus fuit, et obiit sine hærede de se, &c.

Et Talebotus per Attornatum suum venit et dicit, quod prædictus Rogerus nichil clamare potest in prædicto tenem. nomine escaeta; quia dicit, quod prædictus Thomas Talebot non fuit Bastardus, immo, de legitimo Patrimonio procreatus. Et hoc paratus est verificare sicut Curia consideraverit, &c.

Et prædictus Rogerus dicit, quod prædictus Thomas Talebot qui de ipso tenuit prædictum tenem. fuit Bastardus, et obiit sine hærede de se; et quod ita sit, petit quod inquiratur per patriam.

Et prædictus Talebotus dicit, quod huiusmodi inquisitio de Bastardia in hoc casu non spectat ad forum seculare; dicit enim, quod quidam Talebotus pater prædicti Talebot. conversatus fuit in partibus transmarinis, scilicet in Normannia in Episcopatu Bayesensi, et ibi duxit uxorem Johannam nomine, de qua suscitavit prædictum Thomam ex legitimo Patrimonio, et hoc paratus est verificare sicut Curia consideraverit. Ideo mandatum est Episcopo Bayesensi quod diligenter inquirat, utrum prædictus Thomas natus fuit ex legitimo Patrimonio, an Bastardus? Et quid inde inquisierit, scire faciat hic in Oñabz S. Martini, &c. So as the Kings Writ in this Case ran into Normandy in this Age.

Plac. de S. Hil. an. 54 H. 3. in Turri Lond. Rot. 2. intus, Ebor. Plac. apud Westm. de Term. S. Hilarii, coram M. de Litlebir. et J. de Cobbeham, anno regni Regis Henrici 3. 54.

Adam de Wymrual optulit se 4. die versus Magistr. Gilbertum de S. Leofordo, et Nicholaum de Rodes; quare prædicti G. tenuit plac. &c. de catallis et debitis quæ non sunt, &c. Et quare prædicti N. secutus est idem plac. &c. Et ipsi non veniunt, &c.

Ibid. Norff. Petrus de Goudre de Kynston optulit se 4. die versus Magistr. Thomam de Shyton Archidiacon. Noting. &c. quare ipse simul cum aliis, Nich. de Fenton Offic. ejus, Hug. de Sutton Decano de Byngnam tenuerunt placitum in Curia Christianitatis de laico scodo ipsius Petr. in Kynston, contra Prohibitionem, &c. Et versus Henricum

Personam

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Henry 3.

*Personam Ecclesie de Radeclive super Som. et Willielmum, Philippum, et Rogerum An. 54 H.3. Capellanum. quare secuti sunt idem plac. in eadem Curia Christianitatis de, &c. quæ non sunt, &c. contra, &c. Ideo mandatum est Archiepiscopo Ebor. quod habeat eos, &c.*

In another Plea-Roll severed from the rest, about this year as I conjecture, Adhuc de Oñ. S. Hilari.

Ricardus de Manton optulit se 4. die versus C. Episcopum Linc. de placito, quod esset ad hunc diem, et hic haberet Johannem Personam Ecclesie de Undole, de placito, quare secutus est placitum in Curia Christianitatis de, &c. quæ non sunt, &c. contra, &c. Et ipse non venit. Et plures fecit defaultas. Ita quod preceptum fuit Vic. quod distringat eum per, &c. Ita quod de exitibus, &c. Et quod haberet corpus ejus ad hunc diem. Et Vic. mandavit quod districtus est. Ideo sicut prius preceptum est Vic. quod distringat eum per omnes terras, &c. Ita quod de exitibus, &c. Et quod habeat corpus ejus a die Pasch. in unum mensem. Et Vic. sit aud. eo quod non respond. de exitibus.

This year there was a notable perpetual League and Confederacy entred into between King Henry of England, and Alphonso King of Castile; against all men of the world, saving their faith to the Church of Rome; which I found in the White Tower.

*Confederatio inita inter Henricum Angliæ & Alphonsum Castellæ Reges, pro ipsis & eorum heredibus perpetuè duratura, contra omnes homines de mundo, salva fide Romanæ Ecclesiæ.*

Anno 54 H.3. in Turri Lond.

**N**overint universi hanc paginam inspecturi, quod nos frater Lupus Marochitanen. & Gasias Martini Procur. & solemnes nuncii illustris Regis \* Castellæ, Toleti, Legionum, Galleciæ, Sibillie, Cordubie, Murciæ, & Jehenni literas dicti Domini Regis recepimus in hæc verba; Alphonsus Dei gratia Rex Castellæ, Toleti, Legionum, Galleciæ, Sibillie, Cordubie, Murciæ, & Jehenni, omnibus presentes literas visurus vel auditurus, salutem. Noveritis nos fecisse, constituisse, & ordinasse Procuratores nostros et solemnes nuncios venerabilem in Christo patrem, fratrem Lupum, Dei gratia Merochitan. Episcopum, & Nobilem virum Gasiam, Martino de Tolecto, ad tractandum de pace, & ad firmandum eandem, inter illustrem Principem Henricum Regem Angliæ et suos heredes ex una parte, et nos et heredes nostros ex altera; gratum et firmiter habuitur quicquid per eosdem nuncios firmatum fuerit vel etiam ordinatum: dantes eisdem plenariam et liberam potestatem tractandi pacem et firmandi eam (ut dictum est,) et jurandi in animam nostram, et obligandi per Juramentum nos et heredes nostros (si viderint expedire) ad servandum omnia, quæ iidem Nuncii super præmissis duxerint pro nobis et heredibus nostris ordinanda et etiam promittenda. In cuius rei testimonium has literas nostras fieri fecimus patentes. Datum apud Tolectum, Kalendis Aprilis, \* Erà millesimâ ducentessimâ nonagesimâ secundâ. Harum igitur auctoritate literarum pro prædicto Domino nostro Rege Castellæ & Legionum, et heredibus suis inivimus fœdus perpetuæ amicitie cum Domino Henrico Dei gratia illustri Regi Angliæ, Domino Hiberniæ, Duce Normanniæ et Aquitaniæ, et Comite Antegariæ, et heredibus suis isto modo; quod idem Dominus Rex Castellæ et Legionum, et heredes sui ab hac hora sint amici et inpristi prædicti Regis Angliæ et heredum inoprim, contra omnes homines de mundo imperpetuum. Ita quidem quod idem Dominus noster Rex Castellæ & Legionum, & heredes sui juvabunt eundem Regem Angliæ & heredes suos bona fide cum toto posse contra omnes homines de mundo, salva fide Ecclesiæ Romanæ. Dimittimus etiam & quietamus pro prædicto Domino nostro Regi Castellæ & Legionum & heredibus suis, Domino Henrico illustri Regi Angliæ & heredibus suis, sicut melius & sanius intelligi potest, quicquid juris vel quasi habet vel habere debet Dominus Rex Castellæ & Legionum & heredes sui in tota Vasconia vel in parte, in terris, possessionibus, hominibus, juribus, vel quasi Dominiis, vel quasi actionibus & rebus aliis, ratione Dominationis quam fecit vel fecisse dicitur Dominus Henricus quondam Rex Angliæ ac Alianora uxor sua Alianora filia suæ, & bonæ memoriæ Domino Alfonso Regi Castellæ, & quicquid juris vel quasi ibidem idem Dominus Rex Castellæ & Legionum habet vel habere debet, vel heredes sui per successionem supradictorum, vel per collationem ipsi vel alii cuius ad ipsum pertineat factam à Regina Berengaria filia Alfonso Regis & Regine Alianore, & omnes Chartas quas idem Dominus Rex Castellæ & Legionum habet super hoc à prædictis vel aliquo eorum, promittimus bona fide pro prædicto Domino nostro Rege Castellæ & Legionum & heredibus suis, dicto Regi Angliæ & Heredibus

\* Vide Mat. Paris. Hist. Angl. an. 1253. p. 246. Eisdem diebus dilata est fama Regis Hispaniæ, cujus titulus in scriptis ipsius talis scribitur; Alphonsus Dei gratia Rex Castellæ, Legionis, Galleciæ, Toleti, Murciæ, Cordubie, & Jehenni.

\* Secundum computationem 3. Dionysii, viz. anno gratiæ 1270.



*An. 54, 55, & 56 H. 3.* redibus suis restituere vel debere. Et si inventæ fuerint ex hac hora, ulterius concedimus, quod sint vacuæ & cassæ. Et hoc facimus propter multas bonas rationes & multa alia quæ præfatus Rex *Angliæ* prædicto Domino nostro Regi *Castella & Legionum* concessit per se & Procuratores suos & solemnes Nuncios, *Petrum* Dei gratia *Hereforden*, Episcopum & *Johannem Mannsell, Beverlacen*, Præpositum, prout continetur in scriptis eorum, sigillis eorundem signatis. Nos verò supradicti frater *Lupus* Episcopus, *Garfias Martini*, Procuratores & Nuncii prænominati Domini Regis *Castella & Legionis*, quod juravimus in animam ejusdem Domini Regis *Castella & Legionis*, quod idem Rex & hæredes sui universa & singula superius adnotata benè, & integrè, & fideliter imperpetuum observabunt. In cujus rei testimonium præsentem Chartam sigillis nostris appendentibus præmunitam sæpessato Domino Regi *Anglia* duximus concedendam. Facta apud *Toletum* pridie Kalend. Aprilis, Erâ 1292.

The same, wisdom and amplitude of this King *Alphonso* his Kingdoms and Dominions, are at large described by \* *Matthew Paris*, with his affection and good advice to King *Henry* after this League: *Rex Hispaniæ amicissimus jam Domino Regi Anglorum effectus, cum audisset de moribus ejus, condoluit in spiritu benignitatis & discretionis, & literariorum significavit eidem, ut exemplo bonorum Regum ac Principum, quarum titulus ab antiquo talis est, erit Agnus domesticis et suis commilitonibus, et Leo exteris et rebellibus; ille videlicet sermo recitatur, ut talia sequeretur, nec esset amplius suorum oppressor, & alienorum receptor & alimentator: sed,*

*Quid subat in sterili spargere semen humo?*

*An. 55 H. 3.* In a Fragment of Plea-Rolls (in the *Tower*) before the Justices Itinerant, about Anno 55 of *Henry* the 3<sup>d</sup>. as I conjecture by the hand; I met with this Case and Resolution upon an Attachment for a Suit in Court Christian against the Kings Prohibition.

*Linc. Rot. 10.* Magister *Willielmus de Branucewell* attachiatus fuit ad festam *Gilberti Parleben*, quare traxit eum in placitum in Curia Christianitatis de catallis ejusdem *Gilberti*, quæ non sunt de Testamento vel Patrimonio. Et *Henricus Decanus De la Ford* attachiatus fuit ad respondendum eidem *Gilberto*, quare tenuit placitum illud. Et *Willielmus & Decanus* veniunt et dicunt, quod post Prohibitionem Domini Regis nunquam tenuerunt nec secuti sunt placitum illud; sed verum volunt dicere, quod revera idem *Willielmus* vendidit eidem *Gilberto* et cuidam paricipi suo decimas garbarum suarum de Ecclesia sua pro 37 marcis; et quia denarios illos non reddidit ad terminos statutos, ille sicut persona implacitavit eum in Capitulo ante Prohibitionem: Et petit Judicium, si illud potuit facere vel non? Et *Gilbertus* venit et hoc totum cognoscit, sed dicit, quod reddidit ei prædictos denarios; sed nullam festam inde habet: Et dicit, quod idem *Willielmus* petit ab eo quandam poenam: Et *Willielmus* dicit, quod nullam poenam ab eo erigit nec eriget. Et ideo consideratum est, \* quod bene licet eidem *Willielmo* sequi placitum illud in Curia Christianitatis cum sit de Decimis, et prædicto Decano tenere illud. Et *Gilbertus* in misericordia.

\* Mich. 13.  
H. 3. Fitz.  
Prohibit. 20.

*An. 56 H. 3.* Tom. 2. p. 1061. l. 30. after *Decembris*, adde; I found this Original Writ in the *White Tower*, (*An. 56. H. 3.*) against the Prior of *Ely*, for suing the Kings Tenants of *Schelfield* for a Rent in the Ecclesiastical Court, against his Crown and dignity.

Bundela Bre-  
vium in Turri  
London. An.  
56 H. 3.

**H** Dei gratia Rex *Anglia*, Dominus *Hiberniæ*, & Dux *Aquit. Vic. Cantabr.* salutem. Quia *Johannes le Moigne* fecit nos secuti de clamore suo prosequend. per *Nicholaum* fil. *Johannis*, & *Gilbertum de Grumvill de Com. Essex.* tibi præcipimus, quod ponas per vad. & salvos plegios *Henricum* Priorem de *Ely*; quod sit coram nobis à die Purificationis beate *Mariæ* in 15. dies, ubicunque tunc fuerimus in *Anglia*; ostensur. quare homines ipsius *Johannis* de Manerio suo de *Magno Schelfield*, quod de nobis tenet in Capite, per diversas sententias Excommunicationis in ipsos latus distringet ad redd. Ecclesiæ suæ de *Ely*; videlicet, Anguli eorum unum quadringentem per annum, cujusmodi debitum ipsi non debent; nec ipsi nec antecessores eorum unquam reddere consueverunt, in ipsius *Johannis* et ipsorum grave præjudicium, et nostræ Coronæ et dignitatis læsionem, ac contra Prohibitionem nostram, (to stay his Suit for this Exaction, and Censures in the Ecclesiastical Court which usurped consuance of it.) Et habeas ibi nomina plegiorum & hoc breve. Teste meipso apud *Turrim London.* 18. die *Januarii*, anno regni nostri 56.

Placita

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Henry 3.

*Placita apud Westmonasterium in Octabis Sancte Trinitatis, coram Martino de Lytlebir, & sociis suis Justic. de Banco, anno 56 H. 3. (in the Tower) inform us of these Prohibitions that Term, (besides others) for Suites in Courts Christian.*

An. 56 H. 3.

Plac. de Term.  
S. Trin. an. 56  
H. 3. in Turri  
London.  
Rot. 28. intus.  
Essex.  
Memb. 9. dors.  
Glouc.

Johannes Martian & Willielmus de Orset *opt. se 4. die versus* — neye de placito, quare secutus est plac. in Curia Christianitatis de catall. et deb. quæ non sunt, &c. contra, &c. Et ipse non venit. Et preceptum est Vic. quod attach. eum, &c.

Johanna de Wantcon attachiata fuit ad respondendum Johanni de Meyfy de placito, quare secuta est placitum in Curia Christianitatis de laico feodo ipsius Johannis in Charesend, contra Prohibitionem, &c. Et unde predictus Johannes queritur, quod cum predicta Johanna traxisset ipsum in placitum in Curia Christianitatis coram Magistro Galfrido de Oudbridlegh Offic. Episcopi Wigorn. de laico feodo ipsius Johannis, & idem Johannes die Veneris proximo post festum Translationis beati Thomæ Martyris in Ecclesia Sancti Johannis de Cyrecestr. detulisset ei Regiam Prohibitionem, ne predictum placitum sequeretur; predicta Johanna spreta Prohibitione predicta, secuta est predictum placitum de die in diem versus eum: Ita quod primo fecit ipsum suspendi ab ingressu Ecclesie, et postea excommunicari: Unde dicit, quod deterioratus est et dampnum habet ad valenciam quadraginta librarum. Et inde producit scellam, &c. Et Johanna venit et defendit vim et injuriam quando, &c. Et bene defendit, quod nunquam secuta fuit predictum placitum, contra predictam Prohibitionem. Et hoc parata est defendere sicut Curia consideraverit. Ideo consideratum est, quod vadiet ei legem se 12. man: Et veniat cum lege sua hic crast. &c. Plegii de lege, Richardus Tyril & Thomas de Churchebull de eodem Com. &c. Postea venit predicta Johanna et fecit legem suam. Ideo predicta Johanna inde quiet. et Johannes in misericordia, &c.

Matilda qua fuit uxor Henrici de Morton per Attorn. suum optulit se 4. die versus Ibid. 18:

Magistrum Andream de Coventre et Adam de Dekene de placito, quare predictus Magister tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et de placito, quare predictus Adam secutus est idem placitum in eadem Curia, contra eandem Prohibitionem, &c. Et ipsi non venerunt. Et preceptum fuit Vic. quod distring. eos per omnes terras, &c. Et quod de exitibus, &c. Et quod haberet corpora eorum hic ad hunc diem. Et Vic. nihil inde fecit, sed mandavit quod Richardus le Brocher de Covyntre, Johannes filius Symonis manus. predictum Magistrum. Ideo ipsi in misericordia. Et Vic. similiter, scilicet Willielmus de Mortayn: Et amerciat ad decem libras. Et sicut prius preceptum est Vicecom. quod distringat eum per omnes terras, &c. Et quod de exitibus, &c. Et quod habeat corpus ejus hic in Crastino Animarum. Et sciat, &c. Et — &c. Et de predicto Ad. mand. Vic. quod non est inventus, nec aliquid habet, &c. Ideo preceptum est Vic. quod capiat eum si inventus, &c. Et salvo, &c. Et quod habeat corpus ejus hic ad prefatum terminum, &c. Et unde Vic. mand. &c.

Nicholaus Rastol & Emma de Arundell *opt. se 4. die versus Johannem Personam* Ibid. rot. 29: Ecclesie de Cheneloke de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et de placito, quare predictus Johannes secutus est placitum in Curia Christianitatis de laico feodo ipsorum Nicholai et Emmæ, contra eandem Prohibitionem, &c. Et ipse non venit. Et fuit attach. per Willielmum Boryld de Chircheth & Nicholaum Syne. Ideo ponatur per meliores plegios, quod sint in Crastino Sancti Martini. Et primi, &c.

To these I shall annex two Actions more, casually omitted in their proper series. An. 14 H. 3.

Willielmus Chynethorne & Willielmus Henry attach. fuerunt ad respondendum Ricardo de Chuderlegh & Orisix de Germudes — de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testam. vel Patrim. contra Prohibitionem, &c. Et unde iidem Ricardus & Orisix per Adam de Baunton Attornatum suum quer. quod cum predicti Willielmus & Willielmus die Jovis prox. post festum Conversionis S. Pauli, anno regni Domini Regis nunc, &c. quarto-decimo apud Exon. coram Magistro Ricardo de Coletton Official. Domini Episcopi Exon. secuti fuissent placitum in Curia Christianitatis de duobus Bobus, quatuor affr. Bladis, et sexaginta Solidos, quæ non sunt de Testam. &c. ac iidem Ricardus & Orisix predictis die & anno ibidem liberassent eidem Willielmo et Willielmo Prohibitionem

Plac. de Term.  
S. Hil. an. 14  
H. 3. in Turri  
London.



An. 56 H. 3. *hibitionem Domini Regis, in presentia Willielmi de Halswyll, Willielmi Dame, & Radulphi de Corner & aliorum, ne placitum illud ulterius sequeretur; idem Willielmus et Willielmus nihilominus placitum illud ulterius sequebantur, contra Prohibitionem, &c. Ipsi tamen, &c. Unde dicunt, quod deteriorati sunt, et damnum habent ad valenciam viginti librat. Et inde producit scellam, &c.*

*Et Willielmus & Willielmus per Johannem de Chuderlegh Attornatum suum venerunt. Et defend. vim & injuriam quando, &c. Et bene defend. quod ipsi nunquam secuti fuerunt placitum illud in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem, &c. sicut iidem Ricardus & Orisia queruntur. Et hæc parati sunt defendere contra ipsos & scellam suam, sicut Curia consideraverit. Ideo consideratum est quod prædicti Willielmus & Willielmus vadent eis inde legem suam, &c.*

An. 20 H. 3. *Willielmus de Radeweie attach. fuit ad respondendum Domino Regi de placito, quare, cum placita de catallis et debitis in Regno Angliæ, quæ non sunt de Testamento vel Patrimonio ad Cozonam et dignitatem Regiam specialiter pertineant; idem Willielmus (sicut ex relatu plurim acceptis Dominus Rex,) secutus est placitum in Curia Christianitatis de catallis et debitis Johannis Prioris de Wolrysthor et Petr. Wicar. Ecclesiæ de Wolrysthor, quæ non sunt de Testamento vel Patrimonio, in lationem Cozonæ et dignitatis Regiæ, et contra Prohibitionem, &c. Et unde Willielmus de Hauberk, qui sequitur pro Domino Rege dicit, quod cum Willielmus prædictus die Veneris proxima post festum S. Margarete Virginis, anno regni Domini Regis nunc decimo nono, apud Lychefeld in Ecclesia S. Cedde Lychefeld. coram Rogero Coventr. & Lychefeld. Episcopo & Waltero de Askeby Commissar. ejusdem Episcopi secutus fuit placitum in Curia Christianitatis de 21. lib. 16. solidis, 4. denariis, una pari decretalium, una sella, uno freno parcameno, uno mounterio, duobus loculis de serico, una zona serica prædictorum Prioris et Wicar. quæ non sunt de Testamento vel Patrimonio, &c. ac quidam Willielmus le Gardynaer die Veneris proximo ante festum S. Petri ad vincula prox. sequente apud Coventr. in presentia Guydonis le Breton, Willielmi Hauberk, Ricardi Fabr. de Braundon, & Ricardi de Cardynaer liberasset ei Prohibitionem Domini Regis, ne placitum illud ulterius sequeretur, &c. Idem Willielmus nihilominus secutus fuit idem placitum in Curia Christianitatis, in lationem Cozonæ et dignitatis Regiæ, contra Prohibitionem, &c. Et hoc paratus est verificare pro Domino Rege, &c.*

*Et Willielmus venit, & defendit vim & injuriam quando, &c. Et bene defendit, quod nunquam secutus fuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et de hoc ponit se super patriam. Et Willielmus qui sequitur, &c. similiter. Ideo præceptum est Vic. quod venire faciat hic à die S. Trinitatis in quindecim dies, 12. &c. per quos, &c. et qui nos, &c. ad recogn. &c.*

\* Lib. 5. c. 2.  
to 15.  
† Grand A-  
bridgement,  
Prohibition  
13, to 30.

By all the premised successive *Prohibitions, Attachments, Suits, Proceedings*, besides sundry others contained in the Fragments of the decayed Plea-Rolls in the *Tower*, which I pretermitt, and those printed in \* *Bracton* and † *Fitzherbert* during the long Reign of King *Henry the 3<sup>d</sup>*. it is most apparent, that notwithstanding his over-great compliance with, and connivances at the Usurpations, Exactions of the Popes, and Court of *Rome*, their *Legates, Instruments* in sundry particulars, to which he was necessitated to procure their favour, advise, and assistance against the frequent invasions, injuries of the *French*, and other potent Enemies abroad, and of his undutifull, refractory, rebellious Prelates, Barons at home, invading, undermining the Rights and Prerogatives of his Crown, and to obtain the Realms of *Sicily* and *Apulia* for his Son *Edmund*: yet he with his Parliaments, Judges, and Courts of Justice constantly maintained, asserted his Sovereign Ecclesiastical Prerogative against all Papal and Prelatical usurpations thereon, and the Lawes, Liberties, Properties of his Realms, Subjects in *England* and *Ireland*, in the Particulars of greatest moment, and most publick concernment to him and his people.

1. In issuing out frequent *Prohibitions* to, and *Attachments* against his Archbishops, Bishops, Archdeacons and other Ecclesiastical Judges, Courts, and likewise to and against the Popes Legates, Delegates, for holding Pleas of any matters, Causes belonging to his Crown, Dignity or Temporal Courts, seising their Temporalities, fining and imprisoning their Persons for their contempts and disobedience to his Prohibitions,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

K. Henry 3.

Prohibitions, as well as his Lay-subjects: <sup>a</sup> *Quia nullum majus crimen, quam contemptus & inobedientia: omnes enim qui in regno sunt* (as well Prelates, Clergymen, Popes Legates, as Lay-Lords and Subjects) *obedientes esse debent Domino Regi, et ad pacem suam, et cum vocati vel summoniti per Regem venire contempserint, faciunt seipsum exleges, et ideo utlagari deberent, non tamen ad mortem vel membrorum truncationem, cum causa utlagationis criminalis non existat, sed in perpetuam prisonam, vel regni abjuracionem, et communione omnium aliorum qui sunt ad pacem Regis, as Judge Bracton and other the Kings Judges then resolved.*

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<sup>a</sup> See Bracton, l. 5. c. 2, to 17. <sup>b</sup> Bracton, l. 5. c. 2. & 32. f. 441.

2ly. In summoning all Archbishops, Bishops, Popes Delegates, and other Ecclesiastical Judges, Persons to appear before him and his Judges in his Temporal Courts, in all causes wherein their Ecclesiastical Jurisdiction or usurpations on his Crown were brought in question, as the sole proper Judges thereof, not the Pope or themselves, as well as of all Temporal Jurisdictions, they being both originally vested in and flowing from the King; whence <sup>b</sup> Bracton and his Judges then resolved: *In Spiritualibus debet Rex estimare vel Justitarii sui, an sua sit Jurisdictio vel non? Si Juxta Ecclesiasticum falcem ponens in messem alienam aliquid præsumperit contra Coronam et dignitatem Regiam, sicut de laico feodo vel de Catallis, cum Prohibitionem a Rege susceperit, superledere debet in omni casu, saltem donec confiterit in Curia Regis, ad quem pertineat Jurisdictio: quia si Juxta Ecclesiasticus estimare posset an sua esset Jurisdictio, in omni casu indifferenter procederet non obstante Regia Prohibitione. Debet igitur vel omnino superledere, vel cum attachiatus fuerit, venire, vel mittere, quod examinato placito in Curia Regis, de consilio Curie superledeat, vel procedat, quod si non fecerit poena debita puniatur.* Since then the King, and his Temporal Courts, Judges who represented his Person, did thus summon Archbishops, Bishops, Popes Delegates, and all other Ecclesiastical Judges personally to appear before them, determine all Causes concerning the extent of their Papal or Ecclesiastical Jurisdictions, restrain, correct their usurpations, excesses, contempts; but they on the contrary could not summon, examine, inhibit the Kings Temporal Courts, Judges, nor excommunicate, interdict them by our Laws for any of their Judgements, Prohibitions, Proceedings, restraining their pretended Church-Liberties, or Ecclesiastical Jurisdictions or Exorbitances, (though they <sup>c</sup> oft-times attempted it by their antimonarchical *Canons and Constitutions*) they must be acknowledged to be Supreme, and Super-intendent over, not subject or subordinate to them, as well in Ecclesiastical as Temporal Causes and Affairs.

<sup>b</sup> Lib. 5. c. 15. f. 412.

<sup>c</sup> See Tom. 2. p. 898, to 912.

3ly. In summoning, commanding Archbishops, Bishops from time to time by Sheriffs and Writs, not onely to make Certificates to the Kings Courts and Judges in cases of <sup>d</sup> *Mairimony* and *Special Bastardy*, but likewise to summon all Deans, Archdeacons, Clerks, Prebends, Ecclesiastical Judges, Persons within their Provinces or Diocesses having Benefices, and no Lay-fees, to appear in the Kings Courts, and bring their Bodies thither by a certain day, to answer all Suites and Complaints there pending against them; when they refused voluntarily to appear upon Summons, especially for prosecuting Plaints, or holding Plea in Ecclesiastical Courts, of Lay-fees, Advowsons, Debts, Chattels, Contracts or Trespasses not belonging to them, against the Kings Prohibitions, in lationem Coronæ et dignitatis nostræ Regis; and seising their Temporalities, attaching, fining and imprisoning their Persons, for wilfull neglects, or contempts in such cases; which <sup>e</sup> Bracton thus more particularly relates as the Law and practice in that Age.

<sup>d</sup> See Bracton, l. 5. de Exceptionibus, c. 12. Fitzherberts and Brooks Abbreviations, Tit. Bastardy. Bracton, l. 5. c. 2, to 16. Register of Writs, pars 2. f. 33, to 37. <sup>e</sup> Bracton, l. 5. c. 32. f. 442.

*Item excusari poterit Vic. propter privilegium Clericorum, ut si præceptum Domini Regis habuerit de attachiando aliquem qui Clericus sit, et qui plegios invenire noluerit propter privilegium Clericale, nec laicum feodum haberes per quod possit distringi, nec debet Dominus Rex manus in eos mittere, & cum in eos coercionem non habeat, maxime in delictis et transgressionibus, sicut in majoribus criminibus, nullum aliud supererit remedium, nisi quod ex parte Domini Regis mandetur Ordinariis loci qui Baronias habent, sicut Archiepiscopis, Episcopis, et aliis in quorum Diocesis tales sunt manentes, qui attachiari debent, vel beneficia Ecclesiastica habuerunt, et in quos Dominus Rex habet coercionem propter Baronias suas, quod faciant tales venire, et sic fiat talis Arrotulatio. A. optulit se quarto die versus B. de placito tali, &c. Et B. non venit. Et præceptum fuit Vicecomiti quod attachiaret eum;*

[X]

Et



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Et Vicecomes mandavit, quod prædictus B. Clericus est, & quod noluit plegios invenire, nec habet laicum feodum per quod potuit distringi; Et ideo mandatum est Ordinario loci, sicut Archiepiscopo, Episcopo, et huiusmodi, quod faciet talem Clericum venire ad talem diem, nisi talis sit, quod forte restatum sit quod talis Clericus habet laicum feodum, & catalla in laico feodo per qua distringi possit. Es Vicecomes per fraudem mandaverit quod nihil haberet, in quo casu, fiat ut supra de fraudibus Vicecom. Sed quid si Clericus præbendam habuerit, laicum feodum scilicet, & noluerit plegios invenire, queritur, an Vicecom. eum distringere possit statim per præbendam: vel si cum præceptum habuerit de attachiando retorum fecerit Ordinario, an Ordinarius distringere possit Canonicum per præbendam suam: videtur quod neuter, nec Vicecomes nec Episcopus; Vicecomes non licet Warrantum habere ingrediendi libertatem sine Episcopo vel alio Ordinario, cum Episcopus sit caput Ecclesie, et Canonici membra. Item, Episcopus per tale retorum, sine speciale præcepto Domini Regis, cum Canonici adeo libere teneant præbendam suam de Ecclesia, sicut ipse Episcopus Baroniam suam, et Canonici sunt quasi unum corpus per se in Ecclesia: Et quamvis Episcopus sit caput Ecclesie, tamen Canonici habent sua bona a bonis Episcopi separata, Et ideo cum Episcopus a Domino Rege speciale mandatum habuerit, ex hoc \* incipit habere Jurisdictionem, et coercionem in Præbendis, quasi ordine observato. *Forma Brevis tunc talis est: H. Dei gratia, &c. venerabili in Christo patri B. eadem gratia Episcopo London. salutem: Mandamus vobis quod venire faciatis coram Justiciariis nostris, &c. ad talem diem talem Archidiaconum, vel talem Decanum vel Canonicum ad respondendum C. de tali placito, &c. ut supra. Et tunc addatur hac Clausula: Et unde Vicecomes noster Midd. mandavit præfatis Justiciariis nostris quod prædictus Archidiaconus, vel talis alius qui Clericus est, noluerit plegios invenire, nec habet laicum feodum per quod distringi possit, et habeatis ibi hoc Breve. Teste, &c. Si autem Episcopus nihil fecit ad mandatum Domini Regis, tunc fiat Irrotulatio, sic: A. optulit se quarto die versus B. de placito tali, & B. non venit, & aliàs præceptum fuit Vic. quod attachiaret eum. Et Vic. mandavit quod Clericus fuit, &c. ut supra: et ita quod mandatum fuit Episcopo tali, quod faceret eum venire, et quod mitteret Breve, et ipse nihil inde fecit. Et ideo summoneatur Episcopus quod sit ad talem diem, et ibi habeat prædictum talem ad respondendum prædicto A. quare, &c. Item, Breve originale, et ad ostendendum, quare prædictum B. coram præfatis Justiciariis ad talem diem non habuit sicut ei mandatum fuit. *Forma Brevis talis est: Rex Vicecom. salutem. Summone per bonos Summonitores F. London. Episcopum quod sit coram Justiciariis, &c. ad talem diem, et ibi habeat talem Archidiaconum, vel talem Clericum, ad respondendum tali de placito quare, &c. ut supra. Et in fine, ad ostendendum quare non fecit eum venire coram Justiciariis nostris ad talem diem, sicut ei mandatum fuit, et quare non misit Breve, &c. Ad quem diem aut facit eum venire, aut non facit; si autem non, tunc observabitur solennitas Attachiametorum, sicut in aliis distractionibus, et statim distringatur Episcopus per Baroniam suam, quod sit ad alium diem, et ibi habeat Clericum præfatum ad respondendum, &c. Et summoneat Episcopum quod tunc sit ibi auditurus iudicium suum, quod præfatum Clericum non habuit ad talem diem, &c. sicut ei mandatum fuit, et fiat Irrotulatio sic: A. optulit se quarto die versus B. de tali placito, ut supra. Et B. non venit, & aliàs mandatum fuit Episcopo quod faceret eum venire ad talem diem. Ad quem diem non fecit eum venire, & ita quod præceptum fuit Vicecomiti quod summoneret eum quod esset ad hunc diem, & ibi haberet prædictum B. ad respondendum, &c. Et similiter, quod Episcopus esset ad ostendendum quare non fecit eum venire ad alium diem, sicut ei mandatum fuit. Et Episcopus non venit, nec habuit ipsum B. et ideo distringatur per Baroniam suam, quod sit ad talem diem; et ibi habeat prædictum B. ad respondendum, &c. Et ipse Episcopus sit auditurus iudicium suum de hoc quod ipsum B. &c. *Forma Brevis talis est: Rex Vicecomiti, salutem. Præcipimus tibi, quod distringas F. London. Episcopum per terras suas quas tenet in Baronia in Com. tuo, quod sit coram Justiciariis, &c. ad talem diem, et ibi habeat talem Clericum ad respondendum tali de tali placito, &c. Et similiter ad audiendum iudicium suum de hoc, quod præfatum Clericum non habuit ad talem diem sicut ei mandatum fuit, et habeas, &c. Ad quem diem si non venerit Episcopus nec Clericus, procedatur contra ipsum Clericum de contemptu secundum considerationem Curie, et ne maleficia remaneant***

\* Nota.

neant impunita, apponat Rex manum suam in defectu Episcopi, ita quod Clericus arrestetur et detineatur quousque Episcopus eum petierit ex officio suae jurisdictionis ut ei liberetur, vel ex certa causa detentus remaneat, nec propter hoc Vicecomes nec Ballivi sui poenam incurrant, cum executio juris non habeat insuriam. Episcopus autem et Superiores possunt pro injuria, et pro crimine arrestari. By all which Forms of Legal Process and Proceedings both against our Archbishops, Bishops, and other Clergy-men of inferiour degree in that Age, the Sovereign Jurisdiction of King Henry and his Temporal Courts, and Judges over them as his Ministers, is most perspicuous to all the World.

4ly. This his, and his Courts of Justice Sovereign Jurisdiction over them, was likewise evidenced by several sorts of Writs and Mandates then frequently issued to our Archbishops, Bishops, Ecclesiastical Judges and Ordinaries for several purposes and occasions, commanding them to do and execute, or prohibiting them not to do or perform such or such Actions relating to their Episcopal Jurisdictions or Functions; witness these Writs of *Quare impedit*, *Quare Incumbravit*, *Quare non Admisit*, *De Clerico Admittendo*, *De Copia Libelli deliberanda*, *De Cautione admittenda*, *De Assisa Ultima Praesentationis*, *Cessavit de Cantaria*, *Ne admittas*, *De Nonresidentia pro Clericis Regis*, *De Praesentatione ad Ecclesiam*, *Praebendam*, *Capellam*, &c. *De Revocatione Praesentationis*, *De Permutatione Beneficiorum*, \* *De Residentia facienda*, and other Writs of like nature, whereof there are multitudes (over-tedious to transcribe) in the *Clause and Patent Rolls of King Henry the 3d.* since printed in *Bracton*, the *Register of Writs*, the *Old and New Natura Brevium*, and *Books of Entries*; and their punishing them by legal Actions, Attachments, Fines, seizures of their Temporalities, Persons, and Judgements against them, in Temporal Courts for their neglects or contempts therein.

5ly. It most evidently appears by this Kings and his Judges taking no notice of, but rejecting all \* *Excommunications* or other Ecclesiastical Censures denounced against any of his Subjects by the Pope or his Delegates, not allowing them to be certified and pleaded in *barre* in any of his Courts of Law. By his and his Judges strict Examinations of the Justice and legality of all his Archbishops, Bishops, or other Ecclesiastical Judges Censures, Excommunications denounced against any of his Subjects, causing them to be put in due execution when concluded by him and his Judges to be just, legal; but superseding, \* commanding, enforcing them to be repealed, and the Subjects to be absolved from them, yea enlarged out of Prison, if taken by *Capias Excommunicatum*, when adjudged to be illegal, fraudulent, vexatious, issued against his Prohibitions, or after Appeals, and awarding damages to the Parties injured, for their vexation; as the premised Instances, and these Passages of *Henry de Bracton* flourishing under him, most clearly demonstrate.

\* *Competit etiam tenenti exceptio dilatoria, ex persona petentis, eo quod separatus est a communione gentium, propter lepram qua est in anima, ut si fuerit specialiter excommunicatus, quia sicut quis poterit habere lepram in corpore, ita & in anima.* Excommunicato enim interdicitur omnis actus legitimus, ita quod agere non potest nec aliquem convenire, licet ipse ab aliis possit conveniri. *Qui autem hujusmodi exceptionem apposuerit, oportebit eum habere probationem, quia simplici voci tenentis non erit fides adhibenda, nec etiam cussilibet de populi testimonio, quia oportebit eum qui eripit in hoc casu, habere literas Ordinarii, sicut Archiepiscopi, vel Episcopi, vel alterius Iudicis Ordinarii, vel Delegati, rei veritatem testificantes, quod talis nominatim excommunicatus sit; et ex tali causa: vel si Ordinarius praesens sit, et hoc testificetur viva voce.* *Fuerit enim vocem interdicti oportet, potius quam audiri; nec solum vox eorum interdicitur, sed si quid ab ipsis fuerit impetratum, firmitatem non obtinebit.* Cum excommunicato autem nec orare, nec loqui, nec palam, nec abscondite; nec vinci licet, exceptis quibusdam personis. But was the Bishops and Ordinaries Sentence and Excommunication then conclusive to the Party, King, or Judges, that they might not except against, or examine the reason and legality of it, for the Subjects relief, if injured or grieved by it, without appealing against it to the Archbishop or Pope? No verily, for he subjoyns in the same Chapter, that the Party himself might thus except against it, when pleaded. *Item dicere poterit, quod si excommunicatus fui, hoc fuit de facto, quia nulla subivit causa alia, nisi quod Iudici Ecclesiastico obtemperare noluit*

An. 56 H. 3.

\* Here, Tom. 2.

P. 1011, 1012.

Henry the 3d. since printed in Bracton, the Register of Writs, the Old and New Natura Brevium, and Books of Entries; and their punishing them by legal Actions, Attachments, Fines, seizures of their Temporalities, Persons, and Judgements against them, in Temporal Courts for their neglects or contempts therein.

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\* See Here, p.

69.

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\* See Here, f.

104, 107, 108,

114, 115.

Lib. 5. De Exceptionibus, cap. 23. fol. 426, 427. See Fitzh. and Brookes Abridgement, Tit. Excommunication.

Tit. Excommunication.

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An. 56 H. 3. noluit cognoscenti de laico feodo, vel de catallis et debitis quæ non sunt de Testamento vel Patrimonio, et unde hora congrua exhibui eis literas Domini Regis prohibitorias ne proceberent, et quibus prædicti Iudices differre noluerunt. *Item responderi poterit*, quod excommunicatio nulla fuit, vel injusta, quia a tali Sententia rite fuit appellatum, et plures alias prætereundum poterit responsiones ad tuitionem status sui, sed ad manum statim habeat probationem, quia cum extiterit de excommunicatione, de absolutione constare oportebit. (All which particular allegations the Kings Judges were to examine and determine.) *In fine vero notandum*, quod ubi quis fuerit rite excommunicatus, et in ea pertinacia et excommunicatione pertinaciter perseveraverit per 40. dies, claves Ecclesiæ contemnendo, tunc (ut gladius gladium adjuvet) ad mandatum Episcopi vel ejus Officialis capiatur excommunicatus. Sed nunquam capiatur aliquis ad mandatum Iudicum Delegatorum, et Archidiaconorum, vel alterius Iudicis inferioris; quia Rex in Episcopos coercionem habet propter Baroniam. Cum autem talis capi debeat rationabili de causa, cum Cancellarius literas Episcopi recipit, fiat Breve in hac forma: Rex Vicecomiti, salutem. Significavit nobis venerabilis Pater N. per literas suas patentes, quod talis ob manifestam contumaciam suam excommunicatus est, nec se vult per censuram Ecclesiasticam iusticiare. Quia vero potestas Regia sacrosanctæ Ecclesiæ in suis querellis deesse non habet, (*when just*) tibi præcipimus, quod prædictum talem per corpus suum (secundum consuetudinem Angliæ) iusticies, donec sacrosanctæ Ecclesiæ tam de contemptu quam de injuria ei illata ab eo fuerit satisfactum. Teste meipso apud Westm. &c. *Qui cum captus fuerit & Ecclesiæ satisfecerit*, deliberabitur ad mandatum Episcopi per tale Breve. Rex Vicecomiti, salutem. Quia venerabilis Pater talis Episcopus significavit nobis, quod talis quantum ad mandatum suum, vel ad mandatum talis venerabilis Patris talis Episcopi, à te capi, & per totum corpus suum tanquam contemnente[m] claves Ecclesiæ iusticiarii præceperimus, beneficium absolutionis impendit, tibi præcipimus, quod a p[ri]sona nostra qua detinetur, ipsum deliberari facias quietum, &c. *Et notandum*, quod ad nullius mandatum deliberari debeat, nisi ad mandatum Domini Episcopi; nec antequam ipse mandaverit quod Ecclesiæ sic satisfecerit, nisi captus fuit per fallam suggestionem Ordinarii, vel aliorum Prelatorum, vel si per maliciam Adversarii, ut eum excludat ab actione quam versus eum instituit. (A common practice in that and succeeding Ages, to maintain the usurped Jurisdiction of these Court, and bring much grist to their Mills. To prevent which the King and Judges ordained this remedy:)

\* See the Register of Writs, parts, 2. f. 65, 66. Viz. Nat. Brev. 63, 64.

\* Lib. 5. cap. 11, 12.

Et si ita, tunc fiat tale Breve ad ipsius deliberationem. Rex Vicecomiti, salutem. \* Ostensum est nobis ex parte talis, quod cum aliquando appellasset quendam talem in Comitatu tuo de Roberia & hujusmodi, & tibi à nobis præceptum esset, quod talem appellatum attachiaret: Idem appellatus ut ipsum talem appellentem gravaret, et appellum suum annullaret, falso suggestit Episcopo tali, quod idem appellans in quadam excommunicatione perseveraret contumaciter per quadraginta dies et amplius, et ita quod literas ab eodem Episcopo impetravit ad nos directas, quod extenderemus brachiumulare, per cuius deceptionem idem appellans captus est, et in p[ri]sona nostra detentus, ut dicitur. Et quia nemini debet fraus sua patrocinari, tibi præcipimus, quod si prædictus talis appellans fecerit te securum de clamore, &c. tunc pone per vadium, &c. prædictum talem appellatum, quod sit coram, &c. inde responsurus. Et interim facias prædictum talem appellentem deliberari a p[ri]sona nostra, nisi captus fuerit alia occasione quare deliberari non debeat. Teste, &c. Si autem fortè captus non fuerit, et Iudex aliquis maliciose suggererit Episcopo, quod quis excommunicatus fuerit, fiat Breve Vie. de non capiendo talem, ut supra de \* prohibitionibus. Besides the Party in such cases, by a Suit at Law against the Prosecutor and Judge, might then recover his full damages for his illegal vexation and imprisonment; and the Prosecutor and Judge be also fined, imprisoned for their usurpations and contempts against the Kings Crown, Dignity, and Writs of Prohibition.

6ly. This King evidenced his Ecclesiastical Sovereignty, by his own, his Nobles, Commons, Parliaments frequent publick oppositions, and Prohibitions, not only against Papal Exortions, Provisions, Innovations, but likewise against all Canons and Constitutions made by Popes, Prelates, Clergy-men in General Councils at Rome or elsewhere abroad; or in National, Provincial or Diocefan Councils or Synods in England, derogatory or prejudicial to the Rights or Prerogatives of

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of his Crown and Royal Dignity, or to the Laws and Customs of the Realm, or *An. 56 H. 3.*  
 Inheritances, Free-holds, or Liberties of his Subjects, as is evident by his \* *fore-*  
*cited Writ* prohibiting the *publick reading of the Canon Law in Schools*, the Prohi- \* *Here, pag.*  
 bitions issued by him to his Archbishops and Clergy in their Councils, not to act *86, 87.*  
 or enact any thing to the prejudice of his Crown, Prerogative, Dignity, Realm,  
 his Prohibitions and Appeals \* *against the Canons and Constitutions of Archbishop* \* *Here, Tom;*  
*Boniface and his Suffragans; and all the fore-mentioned Prohibitions, Attachments* *2. p. 983, 990,*  
*restraining their usurped Jurisdictions, and encroachments upon his Crown, Laws, 991.*  
 Temporal Courts, Subjects properties or Liberties, by colour of Popes, of Gene-  
 ral Councils, or their own Canonical Constitutions, which they endeavoured  
 to advance above the Kings Prerogative, the Laws and Customs of the Realm  
 in Cases of *Bastardy* and other particulars; and that by pretext of his general  
 Clause in the Great Charter of Liberties, frequently confirmed by him, Chap. 1.  
*Quod Ecclesia Anglicana libera sit, & habeat omnia jura sua integra, & libertates*  
*suas illasas;* which was intended both by the King, Nobles, Parliament, only of \* *such* \* *See Cookes*  
*legal Rights and Liberties, as the King and his Royal predecessors had formerly granted* *2 Instit. p. 2,*  
*and confirmed to them and their Churches, by their Royal Charters, consistent with* *3: 4*  
 the Rights and Privileges of the Crown, the Laws of the Realm, and his *Lay*  
*Subjects* Liberties; whereof he, his Justices, and Temporal Courts were the proper and  
 sole Judges: not such as Popes in or by their *Bulls*, or the Clergy themselves in or by  
 their own *Councils, Synods, Canons* or *Constitutions* should declare, define, enlarge,  
 create, or usurp at their pleasures, to advance their Jurisdiction above, or extend it  
 beyond its ancient legal boundaries. All which particulars I thought meet to observe,  
 for the honour of the *Common Laws of England*, and the Judges and Professors of  
 it in that Age; Wherein though the Lord Chancellors, Treasurers, with other  
 Chief Officers of State, and sundry of the Judges were Archbishops, Bishops, Popes  
 Legates, and Delegates, by means whereof they much advanced the Popes and  
 their own Jurisdictions by degrees, to the prejudice of the Crown, the Kings Tem-  
 poral Courts, and Subjects Liberties; yet they could never subvert, undermine, or  
 overthrow the Common Laws, and Liberties of the Realm, nor Kings Preroga-  
 tives, grounded on, supported by them, and by his Temporal Judges, Nobles,  
 Officers entrusted with their execution; the chief Supporters of him and his Prero-  
 gative, against all Papal and Prelatical usurpations or underminings. I shall therefore  
 conclude King Henry the 3d. his *Reign*, and this *Chapter*, with \* *Bracton's reso-* \* *Lib. 1. cap.*  
*lution, Ipse autem Rex non debet esse sub homine, (therefore not under the* *9. f. 5.*  
 Pope or any other Prelates) *sed sub Deo, et sub Rege, quia LEX FACIT*  
*REX: REGEM: ATTRIBUIT IGITUR REX LEGI, QUOD LEX*  
*ATTRIBUIT EI, videlicet DOMINATIONEM ET POTESTA-*  
*TEM; non est enim Rex ubi dominatur Voluntas et non Rex.*

Casual OMISSIONS.

HERE, page 62. line 59. after *vobis*, this passage and Letter was casually *An. 9 H. 3.*  
 omitted in its proper *series*. I likewise found this Letter of *Pet. Saracenus*,  
*S. de Lucy* and other the Kings Agents sent to the Pope, fully informing him of  
*Falsatus de Breant* his proceedings in the Court of *Rome* to procure his restitution  
 to the Kings favour, and of his apprehension, imprisonment in *France*, and their  
 endeavours with *Orto* the Popes Legate, and the Court of *France* by the Legates  
 means to detain him still a prisoner, and hinder his return into *England*.

REverentissimo Domino suo H. Dei gratia illustri Regi *Angl.* Domino *Hiber-* *Anno 9 H. 3:*  
*nia*, Duci *Normann.* Aquit. & Comiti *Andegavia*, devoti sui *P. Saracenus*, in Turri *Lond.*  
*S. de Eketon, S. de Lucy*, devotam in omnibus reverentiam. Noverit Excellentia  
 vestra quod ego *P. Saracenus* veniens ad Legatum die Lunæ proxima post Assump-  
 tionem beatæ *Mariæ* apud *Andomarnum*, audiivi ab ipso quod ad illum accesserat die  
 præcedenti *Johannes Lemovicen.* porrigens sibi litteras Domini *Papæ* pzo *Falsatio*,  
 ut procuraret quod pacifice morari possit in *Francia* dum habuerit necesse, et  
 scripserunt vobis multi Cardinales adjicientes, quod idem *F.* rediens a *Sede*  
*Romana* captus est à quodam Milite in *Burgundia* & detentus, scilicet *Anselmo de*  
*Dinne*,



An. 9 H. 3. *Dinne*, quem *F.* quandoque cepit in *Anglia*, & detinens cum diu captum, tandem multam pecuniam ab eo extorsit, ac ejusdem *Johannis* instantia jam scripserat Legatus Regis *Francia* et Ducis de *Burgundia* pro deliberatione dicti *F.* ignorans penitus, quod aliquid contra vos vel Majestatis vestre dignitatem optinuisset vel optinere potuisset in Curia; credens adhuc firmiter, quod Magister *O. Nuncius* Pape tantum ad hoc veniret, ut preces vobis offerret pro dicto *F.* Verum cum litteras vestras quas ex parte vestra Legato attuli inspexisset, advertens prudenter et diligenter quæ, quot, et qualiter cedebant in vestre dignitatis læsionem evidentem, et alia pericula quæ ex hoc vobis, quod absit, imminebant; admirans facilitatem et instantiam ejusdem et aliorum quorundam eidem assistentium versuciam et ingratitude, vestre condolens Magnificentie, et studens attente, quomodo vestre provideret indemnitati, vocato ad se Magistro *Ada de Magno ponte* Clerico Regis *Francia* qui tunc aderat, eidem patefecit, quod præfatus *F.* multa in Curia in sui ipsius præjudicium & dedecus procuraverat, injungens eidem, quod ea cum festinatione Domino suo Regi *Francia* cautè & sine scandalo insinuaret. Nos autem *S. & S.* die *Jovis* sequenti ivimus ibidem ad Legatum, & auditis supradictis ab ipso, tractavimus communiter sollicitè quâ viâ melius processus supradicti Nuncii dari, saltem quousque nos a Curia *Romana* reverteremur, & tandem in hanc formam descendit Legatus, quod cum Magister (*O.* accederet) ad ipsum, persuaderet ei, ut nullatenus recedat à regno *Francia* priusquam sæpèdictum *F.* liberaverit, et ejusdem *F.* detentio ita procurabitur in quantum poterit Legatus sine scandalo quod sufficiens tempus nobis supererit de revertendo, Deo dante, antequam ille *F.* (intelligat) hanc intencionem (nostram.) De voluntate Legati consensus in hoc, ut Magister *E. de Ekston*, qui Magistros *Simonem de Langetote*, & *Adam de Magno ponte* notos habet, festinanter ad illos accedat impetraturus ab illis, & per illos, & pro posse suo quæ erga Regem *Francia*, Ducissam *Burgundie*, & prænominatum *Anselmum* crediderit expedire, asserens secum litteras Magistri *P. de Colle* — scribentis efficaciter *Silvanestri* Episcopo & Domino *B. de Rose* super eodem; nec erit dictus Magister *E.* eis suspectus quasi pro nobis laboraret, quia credetur quod negotium Domini *Cant.* in hac parte gerat, contra quem sæpèdictus *F.* fecit notorium, & multa proposuit — (Quod) si per liberationem *F.* quod absit, vel alia ratione præmissa non procedant, Legatus ostendet Magistro *O.* litteras quas à vestra Majestate suscepit, multas persuasiones dicturus eidem per quas sufficenter moveri debet, quod nec tutum nec honestum erit ei, ut progrediatur in *Angliam* antequam secundam super hoc receperit à Domino Papa justificationem, et de voluntate et consilio Legati processit Dominus *P. Saracenus* ad Magistrum *O.* ut iram & indignationem (vestras contra *F.* propter contumacia) vobis illata ei manifestet, ut sic cum venerit ad Legatum facilius inducatur ad propositum. Et vult Legatus omnibus modis quod Dominus *P.* una cum Magistro *O.* revertatur ad ipsum, ut plenius per eum instruat quid facturus est idem *O.* et de hiis quæ a Domino Papa eidem *O.* sunt injuncta, et quæ fuerit intencio Pape super eisdem; nam talia forsitan poterit ei præsentari revelare quæ scriptis nullatenus committeret. Legatus autem si aliqua inductione potuerit Magistrum *O.* in partibus *Francia* retineret, omnia necessaria ei inveniet, & nos eidem Legato promissimus fideliter, licet hoc recusaret audire quod de hoc ei plenè satisfiet. Ad hæc, si nulla ratione potuerit sæpèdictus *O.* retineri, & processerit in *Angliam*. Consilium etiam Legati, quod admittatur honorifice et subtiliter intendatis dilatoribus, primo cum tractatu audientes quomodo et ad quid venerit, unde deliberetis cum dilacione, super eisdem dicturi postea ei, quia quædam invenistis proposita quæ vos & regnum vestrum tangunt, (& necessarium est) in hiis fidelium vestrorum uti consilio, et ad hoc quanta poteritis assignetur dilacio; — necesse fuerit producat, ut in omnibus hujusmodi subsistat, quousque mandatum Domini Pape inde habueritis. (Interim) cum omni (cavendum) diligencia ne pendentibus dictis dilacionibus discurrat per regnum, et inimici vestri in hac causa seu (propriis personis, vel) per interpositam personam vel literatores, nullam habeant accessum ad ipsum in quantum fieri poterit, ne alias dum vos tractaretis de differendo ipsi suggerentes ei quæ vellent more consueti, et inducentes eundem ad scribendum Domino Pape pro voluntate sua sequantur — quia illa scriptura (vim) inquisitionis de plano faciendæ optineret. Sanè ego *S. de Lucy* litteras Domini Legati — quas Domino Pape transmittit, & aliis Cardinalibus de quibus confidit specialius, nec visum fuit Legato expediens, ut ipse

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ipse ad aliquem de supradictis, quia noverunt quod tantum vestris agendis intendo, & in hiis quæ vos contingunt me maximè suspectum haberent; set Magister S. de Eketon & ego Deo dante convenimus apud *Tricas* ——— ad prænominatum Militem *Anselmum de Dume*, si viderimus expedire: deinde, Domino ——— processuri usque *Leon*, super *Rodanum*, nisi forsan eundem viderimus melius per *Alemaniam*, expectaturi ibidem Dominum *P. Saracenum*, ut sic simul proficiscamur ad Curiam. Ex præmissis conjici potest, quod per 8. dies ad minus retardabimur ex eo quod idem *R.* vadit ad Magistrum *O.* & reversurus est ad Legatum; & hoc nostræ negligentix, si placet, non est imputandum: nos tamen interim pro posse nostro non erimus inutiles. In recessu latoris præsentium nichil certum audierat Legatus de adventu Magistri *O.* nec etiam quod adhuc venisset *Parisis*, & nondum reversus fuit garcio Domini *P. Saraceni* quem misit ad Magistrum ——— cum litteris quas idem *P.* & ego *S. de Lucy* eidem *O.* scripsimus quando fuimus *London*. Dominus noster ——— scrinula tenere velitis secretissima quia sunt ibi quædam quæ (secreta) tangunt Legati. Et sicut nobis videtur, ipse negotia vestra quasi propria etiam in hac parte sibi assumit. Mittimus transcripta ——— Papæ, & formam in qua scribit Cardinalibus; & dixit quod expediat ut ——— tangit ——— rationes suspectus ——— videatur; Semper vale.

An. 9 & 21  
Hen. 3.

By this Letter we may clearly discover the hypocritical carriage, dissimulation, and *Machiavillian* policies of Popes, Legates, Cardinals and *Romish* Agents in that Age.

Here, p. 92. l. 14. after *decimo*, this should have been inserted; I likewise found this Bull of Pope Gregory and Otto his Legate to *Walter* Bishop of *Coventry*, to absolve his beloved daughters the Nunnes of the Monastery of *Cornebury*, from the observance of the Hospitalers of *Jerusalem*, whose Habit they had then taken upon them out of simplicity; and to profess the Rule of Saint *Augustine* in that Monastery, thereto serve God in it; which was delayed and opposed for five years space by the Hospitalers opposition: whereupon he ordered his Legate upon the Nunnes request to see it executed: this Bull, with Appeals and proceedings thereon I found in the *White Tower*, in this Instrument.

An. 21 H. 3.

**O**mnibus Christi fidelibus ad quos præfens scriptum pervenerit, *Walterus* divina miseratione *Wigorn*. Ecclesiæ Minister humilis, salutem in Domino. Literas venerabilis patris Domini *O. Dei gratia Sancti Nicholai in Carcere Tullian*, Diaconi Cardinalis, Apostolicæ sedis Legati suscepimus in hæc verba; *Venerabili in Christo patri & amico charissimo, W. Dei gratia Wigorn. Episcopo*, Otto miseratione Divina *Sancti Nicholai in Carcere Tulliano Diac. Cardinal. Apostolicæ sedis Legatus*, salutem in Domino. Literas Domini *Papæ* suscepimus sub hac forma. *Gregorius Episcopus, servus servorum Dei; dilecto filio O. Sancti Nicholai in Carcere Tulliano, Diac. Card. Apostolicæ sedis Legato*, salutem & Apostolicam benedictionem. Meminimus nos dudum venerabili fratri nostro Episcopo *Coventrensi* dedisse nostris literis in mandatis, ut dilectis in Christo filiabus, Sororibus Monasterii de *Cornebur. Hereforden. Dioc.* ab observantia Ordinis Hospitalu *Jerosolimitan.* cujus Habitum ex quadam simplicitate susceperant absolutis, paratis beati *Augustini* Regulam profiteri concederet, ut secundum ipsam valerent ibidem vivere, & dignum Domino reddere famulatum. Maxime cum in ordine Hospitalis ipsius non consueverit fieri Collegium Dominarum. Verum cum negotium hujusmodi propter fratrum dicti Hospitalis in Anglia difficultates & dilaciones inuitas per quinquennium & amplius protelatum perducere non potuerit ad effectum; Procuratoribus tandem parciū propter hoc apud sedem Apostolicam constitutis, venerabilem fratrem nostrum *Sabinen. Episcopum* concessimus auditorem. Nos igitur ab eodem nobis fideliter recitatis quæ Procuratores ipsi proposuerunt coram eo, tam prædictorum Fratrum, quam Sororum ipsorum honestati ex officio nostro salubriter ac facta finaliter providere, nolentes ut idem negotium ulterius per inania minime deducant, discretionis tue per Apostolica scripta mandamus, quatinus præfatas Sorores Regulam beati *Augustini* profiteri volentes, ab observantia Ordinis memorati Hospitalis absolvens, ipsarum Habitum deposito ex professione recepta, concedas eisdem ut secundum jam dictam Regulam ibi vivere valeant, & dignum Domino reddere famulatum; Hospitalis præfati & cujuslibet alterius in omnibus aliis jure salvo. Contradictores per censuram Ecclesiasticam appellatione postposita compescendo. Datum *Viterbii*, 27 die Augusti, Pontificatus nostri anno undecimo.

In Turri London. An. 1137.

Hujus



An. 21 H. 3.

Hujus igitur auctoritate Mandati discretum Magistrum Petrum de Burdella Clericum nostrum ad prafatum Monasterium de Cornebur. nuper duximus destinandum, qui voluntate Monialium ibidem degentium singulatim et diligentius inquisita, reperuit quod partes duas earund. volunt juxta mandatum Apostolicum beati Augustini Regulam proferre. in ea grata obsequia Domino exhibere, prout tam ex fidei relatione prafati Magistri, quam ex literis inde confectis ipsius Monasterii & fratrum Nunciorum Hereforden. & Wigorn. sigillis munitis dediscimus evidenter. Nos igitur de prudentia vestra obtinentes fiduciam plenioram, Paternitati vestre auctoritate qua fungimur mandamus, quatinus accedentes personaliter ad Monasterium supradictum, & pradictas Sorores quae volunt beati Augustini regulam proferre, ab observantia Divinis Hospital. Jerosolimitani penitus absolventes, post ipsarum habitum depositum, et professionem receptam, concedatis eisdem, ut juxta provisionem summi Pontificis, secundum tam dictam regulam ibi vivere valeant, et dignum Domino reddere famulatum, prafati Hospitalis & cujuslibet alterius in omnibus aliis jure salvo. Contradictores per censuram Ecclesiasticam compescendo. Datum Certeliam, 7. Kal. Novembris, Pontificatus Domini Gregorii Papae 9. anno undecimo.

Hujus igitur auctoritate mandati ad dictum locum de Cornebur. personaliter accedentes, ab omnibus ipsius loci Monialibus propter quam actibus quae post ipsarum voluntatem Magistro P. de Burdella tam viva voce quam literis declarata, ipsas revocaverunt, exceptis etiam duabus quae nunquam consenserunt juxta formam mandati nobis directi, Hospitalariorum habitum deposuimus, & earundem Monialium ad observantiam regulae beati Augustini professione recepta, eis concessimus, ut ibi secundum eandem regulam viverent, et dignum Domino redderent famulatum. Et in testimonium hujus rei tam nostrum quam venerabilis fratris Domini Hereforden. Episcopi, & de Bora, & de Carlym. Abbatum; & de Wurmesleg, & de Ralpet, & de Ewyar Priorum, & Decan. & Praeceptoris Hereford. qui personaliter negotio praedicto interfuerunt huic scripto apposita sunt sigilla. Actum anno gratiae 1237. pridie Non. Novembris.

Dictus etiam Procurator petiit, & respondit hoc modo; petit Procurator Priorissae & Conven. de Cornebur. quod Procurator Hospital. exprimat verum quod suum locum a Dom. Papa pro Sororibus, vel post sententiam & ejectionem a Domino Legat. Sorores de Cornebur. admiserunt quamplures alias Fratribus irrequisitis, nec consentientibus, contra obedienciam eis debitam & professionem eorum emissam, ut idem Procurator dicit; quod si ——— sententiam compet. una defensio si est, competit alia, ——— & ad hoc, quod Procurator Hospital. petit Sorores admissas a domo amoveri, et domum fratribus restitui. (Dicit) Procurator, Priorissae et Conventus, quod hoc fieri non potest propter auctoritatem iudicatis, qua continetur, quod dictae Sorores ibidem vivere debent, et dignum Deo reddere famulatum.

Die Luna Kalend. Martii, Magister Petrus Procurator Hospital. Jerosolim. comparuit contra Dominum W. de Lacy, Priorissae & Conven. de Cornebur. per Magistrum W. de Bacon Procuratorem sufficienter constitutum, comparentes, qui quidem Magister W. ——— cavit sub poena trium Marcarum sterling. pro Domina S. E. de Lacy, quod prox. die litis ratum habebit quod nomine suo faceret, & sufficienter comparebit in causa processura, prout dictaverit ordo juris: cui Procuratori & defensori libell. subscript. & traditi erant sub hac forma. Coram nobis, venerande Pater O. miseratione divina, &c. proponit Procurator Hospital. Jerosolimitan. contra dictum S. E. de Lacy, quod cum domus de Cornebur. cum omnibus ad eam pertinentibus, eis caritative collata fuisset, iidem Hospitalar. quasdam Sorores ordinem ipsorum professas illic admiserunt, & dictae Dominae S. E. de Lacy ad horum instantiam custodiam temporalium domus praedictae concesserint. Sed ipsa E. R. processu temporis ex fide non agendo, ingressum dictae domus eisdem, ut valuit & voluit penitus fecit denegari; ac quasdam ex Sororibus praedictis habitum ipsorum deponere induxit, & quinque ex ipsis habitum deponere nolentibus simul cum fratre eorum Presbytero illic existente nomine eorum abinde recedere coactis, mulieres quamplures eis penitus irrequisitis, illic fecit admitti in eorum prejudicium & gravamen. Petunt igitur mulieres sic admissas abinde penitus amoveri, domumque praedictam cum suis pertinentiis sibi restitui, Custode praedicta taliter versata; adjecta petunt, etiam si placet Fratrem & Sorores praedictas ab nunc ad domum suam restitui, & expensas circa eis factas eis refundi, quas aestimant 10. libr. sterlingorum, hac

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hæc divisim proponunt, ut quatinus probaverint incurrant proponunt, & prædict. *An. 21 & 32*  
contra Dominum *W. de Lacy* virum prædictæ *S. E.* ut si sua credit interesse, pro *Hen. 3.*  
jure suo proponat prout sibi viderit expedire.

Proponit etiam, quod cum eadem Domus cum omnibus ad eam pertinentibus eis caritative fuisset collata, iidem quasdam Sorores ordinem ipsorum professas illic admiserint, & Dominæ *S. E. de Lacy* ad suam instantiam custodiam temporalium domus prædictæ concesserunt. Sed ipsa *S. E.* processu temporis ex fide non agendo, ingressum dictæ domus eisdem, ut valuit & noluit, penitus fecit denegari, & quasdam ex Sororibus prædictis habitum ipsorum deponere induxit, & quinque ex ipsis habitum deponere nolentibus simul cum fratre eorum præsentibus illic existentibus, nomine eorum abinde recedere, cæteras Sorores quæ illic remanserunt mulieres quamplures eis penitus irrequisitis nec consentientibus illic in Sorores admiserunt; contra obedientiam eis debitam, & earum professionem emissam, & in eorum præjudicium & gravamen. Petunt igitur mulieres sic admissas penitus inde amoveri, domumque prædictam cum suis pertinentiis sibi restitui. Petunt etiam Fratrem & Sorores prædictas ab Nuncio ad domum suam restitui. Hæc autem proponunt contra prædictas mulieres alias admittentes, ut si sua credant interesse principaliter, sive secundo pro jure suo proponant & defendant, prout sibi viderint expedire, *H.* dicentes salvo sibi jure, &c.

Ad respondendum autem prædictis libellis præfixus est dies coram Domino *Gualtero* — dies *Luna* prox. ante Annunciationem beatæ *Mariæ* proximo venientem.

Dies *Veneris* — *Willielmus de Baconia* Procurator Prioris & Convent. *Cornebur.* Domini *Gualteri* delatis, & Domine *Margar.* — pro eis opposuit exceptionem rei judicatæ dicens sicut his, &c.

Here, fol. 114. b. lin. 10. after *secun<sup>o</sup>*, this should have followed: The *An. 32 H. 3.*  
Bishop of *Bethlehem* the Popes Legate, with the Hospitalers and Templers in *Syria* sent this Letter to King *Henry* the 3<sup>d</sup>. about the 32<sup>d</sup>. year of his Reign, declaring their distressed condition and danger by reason of the power and successes of the *Babylonians*, their want of aid against them from other Christian Princes, after many Letters and Messengers, and imploring his assistance with all earnestness, on whom they principally depended for the relief of the *Holy Land*, and for victory over and confusion of these enemies of the Cross of Christ, not extant in our Historians, which I rescued out of the rubbish in the *White Tower*.

**E**xcellentissimo ac Christianissimo Principi, Domino *Henrico* illustri Regi *Anglia*; In Turri London. an. 32.  
Frater *Thomas* de ordine Prædicatorum, miseratione divina *Bethleemitan.* don. an. 32.  
*E.* Nicopus, Apostolicæ sedis Legatus, ejus ad Deum orator assiduus; Frater *Hugo* H. 3. See  
*Revel* humilis Magister domus Hospitalis Sancti *Johannis* *Jerusalem.* & pauperum Mat. Paris, Hist.  
Christi custos Frater *Thomas Berardus* humilis Magister domus *Militie Templi*, Angl. p. 807.  
Frater *Mortymannus* Præceptor domus Hospitalis Sanctæ *Mariæ Theotameor.* & Magistri ejusdem Domus in regno *Syrie* vicem gerens, & *Godfridus Sargm.* Miles in regno *Jerusalem.* *Baritus* cum devota *Terra Sanctæ* recommendatione seipsum. Fervente dudum in *Syria* & invalescente persecutione — quæ usque ad extrema Regionis nostræ occupans, totam terram Christianorum & populum cismarinum pluries timoris concussit tonitruis, & comminationum fulguribus jaculavit usque ad extremum defectum cordium & resolutionem virium generalem. Verum potissime & aliorum Regum & Principum orbis terræ subsidium literis continuant — cismarina Christianitas imploravit, apud clementiam Regiam singultuosius insistens suspiriis, personans vocibus & conclamans, ut ejus clamor in aures Regias introiret, et clamor sonus in fines orbis (aures) cunctorum fidelium penetrat, ut in ejus succursum evurgerent, et ad *Terra Sanctæ* præsidium convolarent. Postmodum etiam *Tartarorum* ipsorum rabie quiescente, divina tamen gratia à persecutione respirans, cum totum respiceret ab *Halapia* usque *Jerusalem.* *Saracenicis* populo, quem *Tartari* consumpserat gladius, vacuat, & ex hoc acquirendi terram ipsam, & destructionem eorum qui supererant hostium in robur maximæ fidei & Christianitatis augmentum, acceptabile tempus Christi fidelibus advenisse ad capiendam terram ipsam facili, & restituendam cultui Christiano, vestram, dictorumque Regum et Principum duxit potentiam attento sollicitudinis studio per plures literas et nuncios procurandam. Sed illa quam in utroque concepta usque huc fiducia defraudata, ad

[Y]

præiens



An. 326 37  
Hen. 3.

præfens omni destituta subsidio, & ex destructione præterita magna oppressa Caristia, *Babyloniorum* est exposita faucibus, ut *Soldanus* ipse cum (exercitu) copioso totam Provinciam usque ad portas *Acon*. hostili jam occuparunt insultu, & spiritu superbiz tumidus, vendicare sibi Civitates & Castra in suæ fortitudinis impetu commineatur, treugarum fide quas hætenus cum Christianis interat non servata. In quibus omnibus non est qui redimat, neque qui salvum faciat, nec qui ferat auxilium, nec qui terram miserabilem consoletur ex omnibus caris ejus, circumspicit undique quærens in tribulatione subsidium, & non venit. Jacet obfessa canibus, nec invenit liberantem; Regionem nostram labore multiplici & gravibus ex pensis exultam, in temperamentum Caristia alieni devorant & circumquaque devastant; nec solus sine resistentia exteriorem infideles absorbent propriam — dilato — quam desperato subsidio fiduciam habent, ut in — ipsorum castra influant, & maritimæ civitates maximæ quas cismarinæ Christianitatis paritas minore non sufficit, & contra hostilem frequentiam defensare, quin potius quasi parvus grex in luporum medio constitutus, circumseptus undique ac directus ubique suarum ovium deprædationem eo formidat, immensis quo frequentius prædictorum luporum molestat incurribus & discurrentibus exercitibus agitur. Ut quis igitur, Rex inclite, Regia potentia non consurgit, & Regalis — brachium non insurgit? usquequo exaltabitur contra nos Christiani nominis inimicus? quamdiu terra Christi sanguine rubricata conculcari tam enormiter à bestiis permittetur, quæ sic posset de facili libari & perpetua pace muniri, & in antiquum integritatis statum — de prædictis partibus refarciri? Cum enim aliorum hostium undique sublata formidine *Babyloniorum* timorem nocumenta supersint, & cæteris quodammodo spinarum aculeis ac fructibus hostilibus dissipatis, *Babylonica* tamen radice offendiculum habeat — cujus custodiæ tribulationes multimodas & periculosas inquietudines experitur. Ad extirpationem ipsius quam præsentis potissimè temporis opportunitas subministrat, adventus vester diutina oblatione præmissus et anxie ab omnibus expectatus foret necessario festinandus, ut *Babylonis* nomen, et germen, et progenies, simul et reliquæ perderent. Ne qua de cætero radix hostilis amaritudinis sursum germinans superesset quæ in eradicationem Christiani nominis efferatis animis consurrexit; & jam si radix illa nullis impedita, quod absit, obstaculis germinationem hostium fidei, & virium collectionem diutius permittatur excrecere, tunc pax subveniendi voluntas perficeret ubi foret congrui temporis possibilitas retardata. Meminisse debet magnificentia Regia damna gravia & injurias graviores quas gens *Babylonica* adversus Christicolarum exercitum pluries intempavit; non quidem ex suo robore, sed aut permissione divina juxta nostrorum & exigentiam prædictorum, aut ex multiplicatione roboris quæ sibi contra Christianitatem ex regnis *Saracen*, adjacentibus infuebat; mox enim dum contra *Babyloniam* Christicolæ prævalerent, concurrebat undique infidelis populus infidelitatis suæ undique afferens fulcimentum: sed ubi *Baldaca*, *Mofa*, *Halapia*, & *Damascus*, opulentissima revera regna — nocissimæ civitates. Ex quibus utique si robur validum accedebat, si confortabantur brachia pessimorum nullus ambigit qui temporis illius supputat rationem, verum *Radye H.* pessima ramis huius detruncatis quam de facili extirpationi pateat & eradicationi subiaceat leviorum, dicat non — comprobatur manifestum. Proinde Celitudinem Regiam flebilibus vocibus quantum possumus obsecramus in Domino Jesu Christo, quatinus felicem ac potentem vestrum adventum, vel saltem auxilium (quod in prædictæ terræ — defensionem, et confusionem inimicorum crucis Christi suspirantes et anxii expectamus) dignemini, sicut imminens requirit negotium, Crucifigi (amore) maturare, ut nobilissimis Deo auctore temporibus in perenne nominis vestræ præconium, in Terræ sanctæ liberationem et pacem ex Regiæ strenuitatis potentia contra hostes residuos desiderata victoria subsequatur. Valeat Regalis magnificentia per tempora longiora. Dat. *Alion*. 4. die mensis *Aprilis*, sexto Indictionis.

An. 17 H. 3.

The memorable Epistle of *Robert Grossthead* Bishop of *Lincoln* to Pope *Innocent* the 4<sup>th</sup>. against his *Processions*, wherein he compares him to *Lucifer* and *ANTI-CHRIST*, is enrolled in perpetuam rei memoriam, in the *Red Book* in the Kings Exchequer at *Westminster*, fol. 16, & 179. to a transcript whereof I find this marginal Note, *PAPA ANTICHRISTUS*; no wonder then Pope *Clement* refused to Canonize him for a Saint, though † earnestly requested by King *Edward* the First.

\* Here, Tom. 2. p. 799, 800.

† Here, Tom. 3. 1134.

I shall

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Henry 3.

I shall close up this Chapter with the Constitution of *Walter de Suthfeld* Bishop of *Norwich*, *De libera dispositione primorum fructuum per Curatos testantes*; the violation whereof, and exaction of *First-fruits* of Benefices during their vacancies by our Bishops, was the \* original cause of Pope *Clement's* and his Successors usurpations of *First-fruits* in England.

An. 40 H. 3.

\* See Here, p. 1077.

**W** *Alterius* Dei gratiâ Episcopus *Norwicensis*, dilectis in Christo filiis universis, Abbatibus, Prioribus, Archidiaconis, Officialibus, Decanis, Ecclesiarum Rectoribus, Vicariis, & omnibus Christi fidelibus per Diocesim nostram constitutis, salutem, gratiam & benedictionem. Ad officium Pastorale licet indignè assumptum, & loco eminenti immeritò constituti, summo & pio desiderio affectantes, nunc benè operando, nunc mala extirpando dignos Domino fructus ex nostro impendere officio. Sanè recolimus, dum adhuc in minori officio essemus constituti, vulgariter esse dictum & obtentum; quod quilibet Rector, sive Vicarius nostræ Diocesis, qui vivus diem Paschæ expectaret, de omnibus fructibus, nomine Ecclesiæ seu Vicariæ suæ, usque ad Synodum Sancti *Michaelis* proximo sequente percipiendis liberè, ut vellet, suum conderet Testamentum: Sed contra hanc consuetudinem à fundatione Ecclesiæ *Norwicensis*, prout novimus; & licet nobis constet obtentam, à quibusdam voluntariè extitit introductam & servatam, quod fructus & bona Ecclesiarum vacantium à die Paschæ, usque ad Synodum Paschæ, non in usus Decedentium & Condentium legitimè Testamenta cederent, ut præmissimus; sed voluntati et dispositioni loci Diocesani relinquerentur omnino: propter quod, Status decedentium graviter lædebatur, & testantium frequenter non processit voluntas. Ut igitur Status Ecclesiæ & singulorum reparetur, & ad consuetudinem & libertatem debitam singula revocentur, Nos *Walterus de Suthfeld* Episcopus *Norwicensis* in Synodo sancti *Michaelis* *Norwicensis* præsidentes, de consensu Capituli, Diocesani, & præsentis Synodi autoritate, omnibus existentibus in sancta Synodo hoc consentientibus, Definimus, statuimus, præcipimus, & concedimus, ut, juxta antiquam consuetudinem, quam renovamus, redintegramus, approbamus, & confirmamus, omnes Rectores, & Vicarii viventes die Paschæ, & ex tunc quicumque morientes usque ad Synodum sancti *Michaelis*, de fructibus & obventionibus beneficiorum suorum liberè, secundum Deum sua condant Testamenta. Salvis nobis et successoribus nostris fructibus Ecclesiarum ante diem Paschæ vacantium, in quibus Rector die Paschæ non reperitur institutus. Et caveat sibi Episcopus, qui præest, & qui pro tempore fuerit, ne causa lucri inhonesti Canonice præsentatos, absque causa rationali, usque post diem Paschæ, voluntariè differat admittere: Omnes autem illos, qui hanc nostram Constitutionem, concessionem, & libertatem infringere, immutare vel perturbare præsumperint, sententiam Excommunicationis nostram ex præsentis sacrosanctæ Synodi auctoritate incurrant. In cujus rei testimonium præsentibus Sigillum nostrum, & sigillum Capituli nostri sunt appensa. Acta die Synodi die Lunæ proximo post festum sancti *Michaelis*, in Ecclesiâ sanctæ Trinitatis *Norwicensis* Anno Domini Millesimo Ducentesimo quinquagesimo quinto, & Consecrationis nostræ undecimo.

Spelmanni  
Concil Tom 2  
p. 301, 302 ex  
vet. MS. peres  
Sam. Roper de  
Holp. Lincoln.  
Armig. fol.  
136. b.

*Declaratio dictæ Constitutionis per Dominum W. Bateman Episcopum Norwicensem super quadam Consultatione sibi factâ per Vicarium de Myldenhale.*

**T**UA Devotio postulavit à nobis, an ad te qui in Vicariam de *Myldenhale*, per nos eras noviter institutus, an ad Executores prædecessoris tui, qui post Synodum Paschæ proximam præteritam diem suum clausit extremum, fructus & obventiones dictæ Vicariæ post inductionis tuæ tempus provenientes debeant pertinere? Tibique taliter respondemus; quod Oblationes, Mortuaria, ac cætera omnia quæ ad Altare perveniunt, de consuetudine, vel de jure, ad te qui ad faciendum continuam residentiam & serviendum Altari juramenti vinculo es astrictus, debent integraliter pertinere: Decimæ verò garbarum, & talia extrinseca jura, quæ expositione ad Vicariam pertinere noscuntur, ad defunctum & Executores ejusdem, si de prædictis Decimis, & juribus, seu obventionibus specificè in Testamento disposuerit, pertinebunt. Si autem Testamentum fecerit,

[Y 2]

&



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K. Henry 3. *An Exact History of the Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 40 H. 3. & in Testamento suo nil à dictis Decimis seu obventionibus specificè vel expressè disposuerit; licet alia legata pecuniaria generalia vel specialia fecerit; tunc ad te, & non ad defunctum, vel ad suos Executores prædicta omnia & singula pertinebunt.

I pretermitt the Constitutions of *Walter de Kirkham* Bishop of *Durham*, about the year 1255. and of *Giles de Bridport* Bishop of *Sarum*, which you may peruse at leisure in \* *Sir Henry Spelman*; having never any legal force to oblige the King or Subjects of *England*, on whose *Crown* and *Liberties* many of them encroached.

\* *Spelmanni*  
*Concl. Tom. 2*  
*p. 293, &c. 300,*  
*301.*

Having thus presented you with those *Records, Bulls, Prohibitions, Epistles*, and *Historical passages* relating to the Reigns of King *John* and *Henry* the 3<sup>d</sup>. omitted in my *Second Tome*, I shall now proceed in my *Chronological Method* to the Reign of King *Edward* the First in the ensuing Chapter, without any *Prologue* thereunto.

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BOOK

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## BOOK V. CHAP. II.

Containing several Records and Historical Passages, evidencing the Ecclesiastical Supremacy of our renowned King Edward the I. in and over all Persons, Causes Spiritual as well as Temporal, in England, Ireland, and other his Dominions; His Oppositions against Papal, Prelatical Usurpations, Incroachments on the Rights of his Crown, Laws, Subjects Liberties. The Chief Transactions, Bulls, Letters between him and the Popes, Court of Rome, from the beginning of the First, to the end of the Tenth Year of his Reign; With some other particulars of Note, and publick concernment.

**A**fter the Death and Funeral of King Henry the 3<sup>d</sup>, in the year of our Lord 1272. as some; or 1273. as others compute it; Prince \* Edward, his Son, Heir apparent to the Crown of England, being at that time in the Holy Land, toward which he began his Voyage Anno 1269. where he obtained many glorious Victories against the Saracens; who thereupon suborned an Assassin to kill him, under pretext of delivering a Message to him from the Soldan of Babylon, who stabbed him into the body with a poysoned knife, to the hazard of his life: His Nobles notwithstanding his remote absence, wound, uncertainty of his life, and former Feuds between them, his Father and him, were so loyal, as to proclaim him King, and swear Fealty and Allegiance to him as their Sovereign Lord; thus related by Mat. Westmister, Walsingham, and others; † *Rege igitur sepulto, sicut mos est Regibus sepeliri, Gilbertus & Johannes, Comites Gloverniæ & Warenniæ, necnon Clerus & populus ad magnum Altare Ecclesiæ Westmonaster. celeriter properarunt, Eadwardo primogenito Regis fidelitatem iurantes, qui si viveret penitus ignorarunt. Agebat enim in remotis partibus transmarinis, contra Christi adversarios bellaturus. Postmodum frater Robertus Kilwardby, with the premised Earls, cum aliis Prælati et regni Proceribus, ad Novum Templum Londini pariter convenerunt, qui Eadwardum absentem Dominum suum legitimum recognoverunt, paternique successorem honoris: & facto Sigillo novo, de assensu Regina matris statuerunt Custodes Regni; & constituerunt fideles ministros & custodes, qui Regis fisco præessent, thesaurum regni ad opus Regis novi ex integro reservarent, & pacem regni fideliter custodirent. Sicque pax novi Regis Eadwardi in cunctis regni finibus proclamatur.* The Writs whereby they proclaimed the Kings Peace being not recited in our Historians, I shall here present you with out of the Records in the Tower of London. The first of them were directed to all the Sheriffs of England, to proclaim in their respective Counties; the other to the Kings Chief Justice of Ireland, to be there proclaimed, who with others was authorized likewise to receive the Fealty, as well of all the Archbishops, Bishops, Abbots, Clergy, as Nobles and other Lay-Subjects in Ireland, due unto him as their King and Sovereign Liege Lord.

**E**DWARDUS Dei gratia Rex Anglia, Dominus Hyberniæ, & Dux Aquitania; Claus. 1. B. 1. Vic. Eborum, salutem. Quia defuncto jam celebris memoriæ Domino H. m. 11. Rege patre nostro, ad Nos regni gubernaculum successione hæreditaria, ac Procerum regni voluntate et fidelitate nobis præstita, sit devolutum, per quod nomine nostro, (qui in exhibicione Justitiæ et Pacis conservacione omnibus et singulis de ipso regno sumus exnunc debitores,) pacem nostram dicti Magnates & fideles nostri jam fecerunt proclamari; Tibi præcipimus, quod per totam Ballivam tuam in singulis Civitatibus & Burgis, Feriis, Mercatis, & locis aliis, pacem nostram publicè clamari, & firmiter teneri facias; Inhibendo omnibus et singulis sub periculo exheredacionis, vitæ et membrorum, ne quis pacem nostram infringere præsumat: Nos enim

An. 1 E. 1.  
See Matth.  
Westm. Tho.  
Walsingham,  
Ranulph. Ce-  
strensis, Fabian  
Caxton, Polid.  
Virgil. Grafton.  
Holinshed;  
Stow, Daniel,  
Sir John Hay-  
ward, How, Sir  
Rich. Baker,  
& others in  
An. 1 Edw. 1.  
Henry de  
Knyghton de  
Eventibus Ang-  
glie, l. 3. c. 1.  
† Flores Hist.  
pars 2. p. 352



K. Edward 1. *An Exact History of Popes intollerable Usurpations; B. 5. ch. 2.*

*An. 1 E. 1.* enim omnibus et singulis in omnibus iuribus et rebus ipsos contingentibus, contra quacunque tam maiores quam minores, parati sumus et erimus plenam, auctore Domino, iusticiam exhibere. Testibus *W. Eborac.* Archiepiscopo, *E. Cornub.* & *G. Gloucest.* Comitibus apud *Westm.* 23. die Nov. anno regni nostri primo. Confirmiles littere diriguntur singulis Viccomitibus per *Angliam*.

The Writs and Patent sent to the Chief Justice of Ireland are thus recorded:

*Pat. 1 E. 1.*  
*part. 1. m. 20.*  
De Conserva-  
tione pacis in  
Hybernia.

**R**EX dilecto & fideli suo *Mauricio* filio *Mauricii* Justic. suo *Hibernia*, salutem. Cum defuncto jam celebris memorie Domino *H.* Rege patre nostro, ad Nos regni *Anglie* gubernaculum, et terrae *Hibernia* dominium successione hereditaria pertineant, per quod nos qui in exhibitione et pacis conservatione omnibus et singulis de predictis regno et terra sumus et erimus plenam, auctore Domino, iusticiam exhibere. Dat. per manum *W. de Merton.* Cancellarii nostri apud *Westm.* 7. die Decembris.

*Ibid. m. 20.*  
De fidelitate  
Archiepiscopo-  
rum, Episcopo-  
rum, &c.  
de Hybernia  
Regi facienda.

**R**EX Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Militibus, Liberis hominibus, & omnibus aliis de terra *Hibernia* ad quos, &c. salutem. Cum defuncto jam celebris memorie Domino *H.* patre nostro, cujus animae propicietur Altissimus, ad Nos regni *Anglie* gubernaculum, et terrae *Hibernia* dominium pertineant, ob quod Prelati, Comites et Proceres, ac communitas regni Nobis tanquam Domino suo ligio et Regi, fidelitatis iuramenta, et omnia alia quae Nobis ratione Coronae et dignitatis Regiae ab ipsis fieri aut praestari nobis, in absentia nostra, potuerunt, plenarie et sine omissione aliqua prompto et libenti animo praestiterint, ac vos tanquam Regi et Domino vestro ligio consimile sacramentum fidelitatis praestare teneamini; Dedimus potestatem venerabili patri *Middensi* Episcopo, & dilectis & fidelibus nostris *Mauricio* filio *Mauricii* Justic. nostro *Hibernia*, & Magistro *Johanni de Stamford* Escaetori nostro *Hibern.* potestatem recipiendi nostro nomine fidelitatem vestram; Ita tamen quod si ipsi omnes non potuerint interesse, duo vel unus eorum qui praesens fuerit nichilominus plenam habeat potestatem recipiendi nomine nostro fidelitatem vestram supradictam. Et ideo vobis mandamus, quod sacramentum fidelitatis nobis praestetis coram predictis Episcopo, Justic. et Escaetori, duobus vel uno ipsorum qui praesens fuerit, sicut ipsi vobis plenius scire facient ex parte nostra: Et hoc sicut banorem nostrum et vestrum diligitis nullatenus omittatis. In cujus, &c. Dat. per manum *W. de Merton.* Canc. nostri apud *Westm.* 7. die Decemb.

In a *Miscellany Bundle* of Writs, Letters, Patents, and Privy Seals (in the *White Tower* Chappel, which *Bundle*, among others, I rescued from rubbish and oblivion) sent in the first year of King *Edward* the 1. to *Walter Merton*, then Lord Chancellor, one of the Guardians of the Realm of *England* in the Kings absence; I found a like Writ issued to *Leuelyn* Prince of *Wales*, requiring an Oath of Fealty from him to King *Edward*, as his Sovereign Lord, and two Abbots thereby made Commissioners to receive his Oath, who refused to appear, or give any answer to them; as this Original Writ, with the Abbots and Constables of *Montgomerys* returns thereon to the Chancellor evidence.

*Bundle Bre-  
vium, &c. An.  
1 E. 1. m. 1.*  
in Turri Lond.

**E**DWARDUS Dei gratia Rex *Anglie*, Dominus *Hybernia*, & Dux *Aquitania*, omnibus ad quos praesentes littere pervenerint, salutem. Cum defuncto jam celebris memorie Domini *H.* Rege patre nostro, (cujus animae propitetur Altissimus) ad Nos regni gubernaculum successione hereditaria pervenit; ob quod pacem nostram nomine Regio firmiter observandam, solempniter & publice fecimus procla-

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proclamari: ac Prelati, Comites, Barones, et ceteri Proceres regni, sacramentum fidelitatis, et alia, quæ ratione Coronæ et dignitatis Regiæ ab ipsis fieri seu præstari nobis in absentia nostra potuerunt, plenarie et sine omissione aliqua, prompte et libenti animo nobis præstiterunt; Ac dilectus & fidelis noster L. filius Griffini, Principis Wallie, nobis consimile sacramentum fidelitatis præstare teneatur, dedimus dilectis nobis in Christo, Abbatibus de *Dore*, & de *Haghem* potestatem, recipiendi nomine nostro fidelitatem ipsius *Leulini*. Ita tamen, quod si non ambo ipsorum Abbatum potuerint interesse, alter eorum, qui præsens fuerit, nichilominus plenam habeat potestatem recipiendi nomine nostro fidelitatem *Leulini* prædicti. In cujus rei testimonium has literas nostras fieri fecimus patentes. Datas per manum *Walteri Merton*, Cancellarii nostri apud *Novum Templum London*. 29. die *Novembris*, anno regni nostri primo.

An. 1 E. 3.

Unto which the Abbots made this special return of their proceedings therein to the Lord Chancellor, annexed to the Writ it self.

Venerando viro, & omni honore dignissimo, *W. de Merton*. Domini Regis Cancellario; sui devoti de *Dore* & de *Haghem*. Abbates, salutem, & quicquid possunt honoris & reverentiz. Reverendæ Dominationi vestræ duximus significandum, quod juxta mandatum Domini nostri Regis (quem conservet Altissimus) utrique nostrum literatoz per vos directum, in Octavis Sancti *Hilarii*, associatis nobis quibusdam hominibus de *Montgomer*. personaliter accessimus ad vadum ultra dictum Castrum, obviam Domino L. Principi *Wallie*, ad recipiendum sacramentum fidelitatis suo dicto Domino nostro Regi; & apud dictum vadum satis tempestive venientes, & multum ultra horam nonz ibidem ipsius Principis adventum expectavimus; sed nec ipse venit, nec aliquod mandatum nobis direxit. Literas vero patentes dicti Domini nostri Regis, de potestate nobis tradita super præfato negotio, vobis remittimus. Valeat in Christo, &c.

Ibidem.

Excellenti viro & omni veneratione dignissimo, Domino *W. de Merton*. Domini Regis Cancellario; suus semper *R. Spenghose* Constabularius de *Montgomeri*, salutem & devotam cum omni honore reverentiam. Venerandæ Dominationi vestræ duxi significandum, quod viri religiosi, de *Dore* & de *Hagenham* Abbates, juxta mandatum Domini Regis per vos eis directum, in Octavis Sancti *Hilarii* personaliter accesserunt ad vadum ultra *Montgomeri*, obviam Domino L. filio Griffini Principis *Wallie*, ad accipiendum ab eo, nomine dicti Domini nostri Regis, sacramentum fidelitatis. Quibus associavi quosdam de hominibus Ballivæ meæ; qui apud dictum vadum multum ultra horam nonz adventum dicti Domini L. expectantes; nec ipse venit, nec aliquod mandatum eis direxit. Valeat veneranda Dominatio vestra semper in Domino.

Ibidem.

I find also by the same Bundle, that the Sheriff of *Cumberland* informed the Chancellor, that *Ralph* Bishop of *Carlisle* did then hinder his men and tenants within his liberty to take the Oath of Fealty to the King, whereupon he distrained them to come and take it before the Chancellor himself by a certain day, to their great vexation: the Bishop hereupon sent this Letter to the Chancellor, denying the information against him as false and scandalous; desiring that he and his Tenants might take the Oath before the Sheriff, or any others he should appoint to receive it, as they formerly professed to do.

Viro venerabili, & amico suo speciali Domino *Waltero de Merton*. illustris Regis *Angliæ* Cancellario; R. permissione divina *Karleskensis* Ecclesiæ Minister humilis, salutem, & sinceræ dilectionis semper affectum. Super eo quod negotia nostra, nostrum commodum & honorem contingentia, ex vestra speciali gratia frequenter expeditivitis in Curia vestra, Specialitati vestræ ad quantascunque possumus assurgimus gratiarum actiones. Verum etiam cum per Dominum *Richardum de Crepping*, Vicecomitem *Cumberlandiæ* vobis ac sociis vestris locum Dom. nostri Regis in *Anglia* tenentibus, jam de novo (sicut intelleximus) sit suggestum, quod nos homines libertatis nostræ sive statum dicto Domino nostro Regi debitam eidem Vicecomiti facere

In eadem Burgi. dela, nu. 2.



K. Edward 1. *An Exact History of the Popes Intollerable Usurpations*, B. 5. ch. 2.

An. 1. E. 1. facere non permittimus: Cujus rei occasione Vicecomes ipse nos et homines nostros distringit enormiter, ad veniendum coram vobis et dictis sociis vestris, a die Sancti Johannis Baptiste nunc præterito in unum mensem, pro eadem fidelitate ibidem facienda; ut sic nos et nostros gravari faciat, sicut cupit. Vestre dilectioni significandum duximus in hac parte, quod nos præsentia virosum fide dignorum rogari fecimus Sub-vicecomitem suum, ut ipse dictam fidelitatem reciperet ab hominibus nostris: et insuper literatoz rogavimus Dominum Richardum prædictum, et etiam per Milites et alios amicos nostros apud Appelby in Comitatu Westmerlandie, ubi extitit; ut ipse eandem fidelitatem ab hominibus libertatis nostre reciperet, vel a suis recipi præciperet. Unde nobis (si placet) imputari non debeat, quo minus fidelitas ipsa eidem Vicecomiti nondum facta sit; petimus diligenter & rogamus, ut suggestionibus ejusdem Domini Richardi, quas in odium et gravamen personæ nostre vobis faciet in adventu suo, non credatis: set ei (placet) præcipias, ut eandem fidelitatem recipiat; vel alio fidei dicti Domini nostri Regis eam recipi faciatis. Parati enim sumus, et semper erimus (quicquid dicatur ab aliquo) securitati et honori dicti Domini nostri cum omni diligentia et sollicitudine providere; et suis mandatis in omnibus, et per omnia, grater et humiliter obtemperare. Valete; si quid autem penes nos vobis placuerit, nobis, si placeat, significare velitis confidenter.

This Bishop (as it seems by way of revenge) excommunicated the Sheriff in his Ecclesiastical Court without Citation or Articles, upon complaint of the Abbot of Hulmo, for distraining him for Debts due to the King, and executing his Office. Whereupon I find (in the same Bundle of Writs) this memorable *Prohibition* issued to the Bishop, informing him, that he had no power to question or excommunicate any of the Kings Sheriffs or Officers for doing their Duties, or executing his Commands; in which, if they offended, they were onely responsible to the King, upon complaint; that these Proceedings of his were against the Kings Crown and Dignity, and his Oath of Fealty to the King; commanding him forthwith to absolve him from his Excommunication.

In eadem Bundle, nu. 14.  
in Turri Lond.

EDWARDUS Dei gratia Rex Anglie, Dominus Hibernie, & Dux Aquitania, venerabili in Christo patri R. eandem gratia Karlesensi Episcopo, salutem. Monstravit nobis dilectus & fidelis noster, Richardus de Crepping Vicecomes noster Karlesensis, graviter conquerendo; Quod, cum nuper distrinxisset Abbatem de Hulmo pro debitis, in quibus nobis tenetur, ac etiam pro aliis quæ ad officium Vicecomitis secundum regni nostri consuetudinem pertinent, quos in ipsum Richardum, ea occasione, ad querimoniam ipsius Abbatis, non citatum nec coram vobis implacitatum, Excommunicationis Sententiam fulminastis. Et quia nobis (si ita est) in facto prædicto multipliciter existat derogatum, præsertim cum (in Culpa vestra) per hoc viam nostre Prohibitioni præcluseritis, quæ in hujusmodi casibus locum habere debet et solet: Nec Vicecomes aut alii Ballivi nostri, pro hiis exequendis, (quo ad debita nostra per præceptum nostrum levanda, aut alia quæ ad officium suum per præceptum nostrum pertinent) in placitum trahi non debeant, aut consueverint in Curia Christianitatis; Vobis districte prohibemus, ne prædictum Vicecomitem per hujusmodi Sententias, aut aliter super hujusmodi executionibus Mandatorum nostrorum, aut aliis quæ ad Officium prædicti Vicecomitis lege et consuetudine regni nostri pertinent, placitum teneatis in Curia Christianitatis. Sententiam Excommunicationis, si quam in ipsum ea occasione tuleritis, revocantes; ne (quod absit) vobis impingi possit vel debeat, quod iura Coronæ et Dignitatis nostre impugnare, contra fidelitatem nobis debitam, intendatis; cum correctio et placita de excessibus Ballivorum nostrorum ad nos et dignitatem nostram debeant et consueverint, secundum regni nostri consuetudinem, pertinere.

The King being acquainted with his Chancellors proceedings, and his impartial Justice in righting his oppressed Subjects in his absence, against the Bishops Usurpations, and others vexations, returned him this Letter of Thanks, commanding and encouraging him to proceed as he had begun, promising to ratifie whatever he

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he had done in wayes of Justice; and commanding him not to spare any of what Anno 1 E. 1. state or condition soever, but to proceed against them by rigour of Justice, if he could not otherwise restrain their injuries.

**EDWARDUS** Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, Ibidem, nu. 11; dilecto Clerico & Cancellario suo *Waltero de Morton*, salutem. Super diligentia, quam circa nostra et Regni nostri negotia apposuistis, grates vobis referimus speciales; rogantes, quatenus id quod laudabiliter inchoastis, sollicitè continuare curetis, in hiis quæ ad officium vestrum pertinent, cuiusque facientes Iustitiam exhiberi; alios autem ad id pariter inducentes; Non parentes conditioni aut statui cuiuscunque, quin rigor Iuris ipsos coherceat, quos Equitatis suavitas nequit ab iniuriis cohibere. Ea namque quæ rite feceritis circa ista, faciemus (disponente Altissimo) robur firmitatis constantissime optinere. Dat. apud Mel. lunc super *S. kens* 9. die Augusti, anno regni nostri primo.

Hereupon the Chancellor issued forth this Writ in the Kings name to prohibit the injuries and oppressions of *Reginald de Gray* Justice of *Chester*, and his Officers, against the Liberties and Customes of the Country, of which the gnerality of the County had often complained, which yet they increased, instead of reforming, notwithstanding former Inhibitions to restrain them.

**EDWARDUS** Dei gratia Rex Anglia, Dominus Hibernia, Dux Aquitania; In eadem Buri: dilecto & fideli suo *Reginaldo de Gray* Justiciario suo *Cestria*, vel ejus locum dela, nu. 8. tenenti, salutem. Cum fideles nostri locum nostrum in Anglia tenentes ad gravem querimoniam totius Communitatis *Cestriae*, vobis nuper mandassent, quod a diversis gravaminibus et molestiis sibi et suis contra libertates et liberas consuetudines suas per vos et vestros illatis desisteretis, et ipsos in pace dimitteretis; dicta Communitas jam nuncios suos ad ipsos iterato miserit, qui eis retulerunt, quod vos et vestri dampna gravioza sibi postmodum intulistis, et de die in diem per vestros inferri permittitis, contra libertates et consuetudines suos prædictos, in ipsorum dispendium manifestum, de quo quàmplurimum admirantur. Nos attendentes, quod ex hiis, si taliter fuerint attemptata, possent de facili dampna gravioza in partibus illis suboriri; et volentes super hiis remedium adhiberi, vobis mandamus firmiter insungentes, quod ab hujusmodi dampnis, contentionibus indebitis, et gravaminibus penitus desistatis; et ipsos, saltem usque adventum nostrum in Anglia, in pace dimittatis; ne animus noster, ea occasione, in dicto adventu nostro ex hujusmodi sollicitudine et reclamazione possit vel debeat in aliquo perturbari. Datum per manum *W. de Morton* Cancellarii nostri apud *Redings*, 27. die Decembris, anno regni nostri primo.

The Kings Peace being thus proclaimed, and justice executed in England and Ireland, all Archbishops, Bishops, and Clergy-men swearing Fealty to the King, as well as the Nobility and Laity; the first thing he and his Council did, was to make a publick Declaration and Protestation against Pope *Clement* the 4<sup>th</sup>. his late usurpation; who a little before his Father King *Henry's* death had by his absolute Papal \* Provisions conferred the Bishoprick of *Winton* on *John de Pontiffra*, and the Archbishoprick of *Canterbury* upon *Robert Kilwardby*, without the Kings precedent license, approbation, or Monks election, contrary to the Kings Prerogative, the antient Rights of his Crown, the Laws of the Realm, and Liberties of the Church; rejecting *William de Chilenden* (duly elected by the Monks of *Canterbury* by King *Henry's* license; whom he approved after their election) when presented to him, without any legal reason by his absolute Papal power, that so he might usurp the disposal of all other Bishopricks in England by these & other former like presidents. These Bishops being thus intruded by the Popes Provisions into these Bishopricks in King *Henry's* reign, King *Edward* the 1. and his Council, to prevent the like usurpations for the future, refused to restore the Temporalities to them, before they had made this publick protestation by their Proctors in the Kings name, for the vindication of the Prerogative and rights of his Crown against these Provisions, in the Bishops, Chancellors and sundry others presence, called together for that purpose, in *S<sup>t</sup> Stephen's Chappel* in *Westminster*, (where-

R

(where-

\* *Ranulph. Ce.*  
*Arensis Poly-*  
*Chron. l. 7. c.*  
*37 f. 308.*  
*H. de Knygh-*  
*ton de Evanc.*  
*Angl. l. 2. c. 16.*  
*col. 2460.*  
*Chron. Will.*  
*Thome, col.*  
*1920. Math.*  
*Parker, Antiq.*  
*Ecclef. Brit.*  
*p. 193, 193.*  
*Godwins Cat.*  
*of Bishops p.*  
*173, & 174.*  
*Polyd. Virgil.*  
*Hist Angl. l. 16*  
*p. 320. See*  
*Tom. 2. p.*  
*1061, 1062,*  
*1063.*



R. Edward 1. *An Exact History of the Popes Intollerable Usurpations*, B. 5. ch. 2.

Anno 1 E. 1. (wherein the Commons House of Parliament now sits) declaring the Restitution of the Archbishops Temporalities to be of the Kings meer grace and favour, not of right, as this memorable Record (not printed nor remembered by any to my knowledge) attests beyond contradiction.

Claus. 1 E. 1.  
m. 11. dorso.  
Pro Rege de  
Protestatione  
facta pro ipso.  
De Electo  
Cant. per Sum-  
mum Pontifi-  
cem, & Ce-  
tum Cardina-  
lum.

Nota.

Cum Ecclesiis Cathedralibus in regno Anglie viduatis, Et de jure debeat et solet de consuetudine provideri per electionem Canonice ab hiis potissime celebrandam Collegiis, Capitulis, et personis ad quas jus pertinet eligendi, petita tamen prius ab illustri Rege Anglie super hoc licentia et optenta; et demum celebrata electione, persona Electi eidem Rege debeat presentari, ut idem Rex contra personam ipsam possit proponere si quid rationabile habeat contra eam: Videtur eidem Domino Rege, et suo Consilio; quod sibi et Ecclesie Cantuarie, cuius ipse patronus est pariter et defensor, fiat preiudicium in hac parte, precipue si res trahitur in aliis Ecclesiis Anglie in exemplum, quod summus Pontifex hiis omissis in hoc casu, ubi nec in materia, nec in forma electionis inventum est fuisse peccatum, nec in ipsius literis expressum, potestatem sibi assumpserit ipsi Ecclesie providendi. Unde ne de cetero ad consimiles provisiones procedat Romana Ecclesia: Et si ad eas processerit, nec dicto Domino Rege per eas preiudicium generetur, ut Temporalia alicujus Ecclesie Cathedralis sic proviso reddere teneatur, Domine Electe Cantuariensi Temporalia Cantuariensis Ecclesie idem Dominus Rex vobis concedit ad preiens, de gratia sua speciali. Et ego Iterius Bernard ejusdem Domini Regis Clericus, vice et nomine ipsius protestor, quod concessio Temporalium in casu consimili facta Domino Nicholao Winton. Episcopo, cum protestatione tamen, et nunc in persona vestra denuo iterata cum protestatione consimili, ad consuetudinem vel exemplum futuris temporibus minime pertrahatur. Facta autem et lecta fuit ista protestacio apud Westm. in Capella Sancti Stephani die Lunx in vigilia Sancte Lucie virginis in presentia fratris Roberti de Kilwardby Cantuar. Electi, presentibus et ad hoc specialiter vocatis venerabili patre W. Dei gracia Exon. Episcopo; et discretis viris Dominis W. de Merton Canc. Anglie, Magistro Johanne de Chisall Decano sancti Pauli London. R. Burnell Eborum Archidiacono, Hervoe de Borham, fratre Johanne de Derlington, Magistro Willielmo de Cornera, Johanne de Kirkeby, Willielmo de Sabam, et Johanne de Shalesmesford Monacho Cantuar. et multis aliis. Anno Domini 1272.

After this Protestation so solemnly made and entred, the King assenting to the Archbishops Provision out of his special grace, issued Writs for the Restitution of his Temporalities in an extraordinary form; and likewise to restore him the Ploughs, Oxen, Heriots, Cattel belonging to the Archbishopsricks, delivered to the Guardian of the Temporalities by his Predecessors Executors, which the King employed: with other Writs for delivering Does due unto him out of the Earl of Arundel's Forest, according to a Composition made with Archbishop Boniface his Predecessor.

Pat. 1 E. 1.  
m. 20. intus.  
Pro fratre Ro-  
berto de Kil-  
wardby.  
De Tempora-  
libus Archie-  
piscopus  
Cantuar. resti-  
tuendis.

Rex Magistro Richardo de Clifford Custodi Archiepiscopatus Cantuar. salutem. Cum summus Pontifex carissimum nobis in Christo fratrem Robertum de Kilwardby ordinis Fratrum predicatorum professorem, Ecclesie Cantuar. in Archiepiscopum, Patrem et Pastorem prefecerit, sicut fidelibus nostris locum nostrum in Anglia tenentibus per patentes ejusdem summi Pontificis literas innotuit; Ac ipsi affectum in ipso dudum in nos et a nobis in ipsum conceptum agnoscentes, temporalia dicti Archiepiscopatus ob id, ac Sedis Apostolice reverentiam vice et nomine nostro de speciali gratia nostra hac vice, recepto ab eo fidelitatis sacramento ut moris est, duxerint concedenda; vobis mandamus, quod eidem temporalia, predicti Archiepiscopatus restituatis. In cujus, &c. Dat. per manum W. de Merton, 12. die Decembris.

Et mandatum est Militibus, liberis hominibus, &c. Dat. ut supra.

Claus. 1 E. 1.  
m. 10.  
Pro Electo  
Cantuar.

Mandatum est Magistro Richardo de Clifford, nuper Custodi Archiepiscopatus Cantuarie, quod carucas, boves carucarum, et herciatores quos tanquam pertinentes ad preiudicium Archiepiscopatum ad terras ejusdem Archiepiscopatus ercolendas ab Executoribus Testamenti bonae memorie B. quondam Cantuar. Archiepiscopi

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chiepiscopi recepit, venerabili patri R. Cantuar. Celecto liberet: Ceterum, quia boves carucarum predictarum & herciatores predicti sustentationem habuerunt de foragio predicti Bonifacii, tempore predicto quo scilicet boves & herciatores illi fuerunt in servicio Regis, mandatum est eidem Richardo, quod id quod ad Regem pertinet de foragio bladi predicti Archiepiscopatus in ozreis existentes, prefato Celecto habere faciat in recompensationem foragii supradicti. Dat. per manum W. de Merton Cancellar. Regis apud Westm. 18. die Januarii.

Anno 1 E. 1.

R E X Roberto Aguillam Custodi Terrarum quæ fuerint Johannis filii Alani in Com. Suffex. salutem. Mandamus vobis, quod juxta Compositionem factam inter bonæ memoriæ B. quondam Cantuar. Archiepiscopum & Johannem filium Alani defunctum qui de nobis tenuit in Capite, de viginta sex Damis in foresta ipsius Johannis de Arundel per prefatum Johannem et hæredes suos capiendis, et prefato Archiepiscopo, et successoribus suis singulis annis liberandis, apud manerium ipsius Archiepiscopi de Slindon, habere faciat venerabili patri R. Cantuar. Archiepiscopo, tresdecim Damas secundum conditiones temporis, et prout prefatus Bonifacius huiusmodi Damas in vita sua habere consuevit. Dat. &c. apud Westmonast. 24. die Julii.

Claus. 1 E. 1.  
m. 2. intus.  
Pro Cantuar.  
Archiepiscopo.

In the premised Bundle of Writs and Letters to Walter de Merton the Kings Chancellor, An. 1 Edw. 1. (which I found in the White Tower Chappel) there is this Letter of Pope Clement written to him on behalf of the Archbishop of Canterbury, advanced by his mere provision to that See, which I conceive was only to procure the restitution of his Temporalities.

Suo præcordiali Domino W. de Merton, Domino Regis Cancellario, salutem & sinceræ charitatis affectum. In negotiis venerabilis patris R. Dei gratia Cantuar. Archiepiscopi, quæ habet expedienda coram vobis, volumus et rogamus, quod favorem et gratia uberrime sibi fiat; et quicquid in eisdem favoris feceritis intuitu nostri, gratum habebimus proculdubio et acceptum. Valete. Datum apud Thexedener. 8. Kal. Augusti, Pontificatus nostri anno septimo. Which restitution could not be obtained by the Popes Letter, without the precedent Protestation.

Bundela Bre-  
vium, Anno 1  
E. 1. m. 18. in  
Turri London.

How carefull the King was to preserve the ancient Liberties of the Archbishoprick of York, this Writ discovers.

R E X dilecto & fideli suo Johanni de Okeston, salutem. Cum nuper assignaverimus vos Justic. nostrum ad quasdam Assisas in Com. Eborum capiendas, quarum aliquæ tenementa infra libertatem venerabilis patris W. Eborum Ecclesiæ suæ de Beverle existencia contingunt, vobis mandamus, ne occasione illarum Assisarum aliquid in præjudicium libertatis Archiepiscopi predicti ullatenus attemptetis. Volumus enim quod sibi contra libertatem suam hæcenus rationabiliter usatam, per vos vel alios Ministros nostros in aliquo derogetur. Dat. &c. apud Westm. 17. die Junii.

Claus. 1 E. 1.  
m. 7. dorso.  
Pro Archiepiscopo  
Eborum.

The Abbot of Saint Augustines in Canturbury being duly elected by the Monks, by the precedent License and assent of the Kings Lieutenants in England, repairing to the Popes Court for his confirmation, where he was put to vast expences, (nothing being there obtained without great Bribes and Gifts;) he meeting with King Edward there in his return from the Holy Land, and informing him of his grand expences for his confirmation, the King thereupon sent this Letter from thence to his Vicegerents in England, to grant him Writs to levy such an Ayd from his Tenants towards his Expences as had been formerly used in such Cases, (as he there informed him) and for the Restitution of his Temporalities, as these two Original Writs I found in the Tower, assure us.

EDWARDUS Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, dilectis & fidelibus suis W. eadem gratia Eboracensi Archiepiscopo, Angliæ Primate, Rogero de Mortuo mari, & Roberto Burnell, salutem. Accedens ad Romanam.

Bundela Bre-  
vium, &c. in  
Turri London.  
An. 1 E. 1. n. 6.



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An. 1 E. 1. *nam Curiam, Frater Nicholau Abbas Sancti Augustini Cantuariensis nobis exposuit, quod secundum morem et consuetudinem Anglia, (requisita prius et habita voluntate Regia) tenentes Abbatis alicuius de novo creati solebant impendere et facere prædium pecuniare. Sane quia perpendimus, quod idem Abbas, prosequens in præfata Curia suæ confirmationem Electionis, missiones onerosas suppositavit; Vobis mandamus, quatenus, si tempore claræ memoriæ genitoris nostri huiusmodi exactio, in casu consimili solebat sortiri effectum, secundum quod iis fieri videritis ad releuationem expensarum suarum, Abbati præfati sub sigillo nostro, nunc infra regnum nostrum Angliæ usitato, hoc idem concedatis. Teste meipso apud Herbem veterem, 33. die Aprilis, Anno regni nostri primo.*

Ibidem. n. 18.

W. Permissione divina *Eboracensis* Archiepiscopus, *Angliæ* Primas, & R. *Burnell* Archidiaconus *Eborum*, dilecto & præcordiali sibi in Christo Domino *W. de Merton* Domini Regis Cancellario, salutem, & sinceram semper in Domino cum omni prosperitate dilectionem. Quia Electus Monachorum Sancti *Augustini Cantuariensis*, jam Abbas, rediit de Curia completè & favorabiliter expeditus (prout littera Papalis hoc plenius protestatur,) idemque Abbas Domino nostro Regi *Angliæ* fidelitatem præstitit et homagium, prout consuetudinis est sui regni; Vobis ex parte Domini Regis et nostra per præfatas litteras, si placet nunciamus, quatenus, *Temporalia*, et omnia quæ in manibus Domini Regis erisiant, dictum Monasterium qualitercunque contingentia sibi (sicut moris est) plene remittatis; Pandantes etiam tenentibus dicti Monasterii, quod ad releuationem ipsius, secundum quod hactenus fieri consuevit et debet, eidem Abbati in tallagiis et aliis grata et debita promptitudine respondeant et intendant. Mittimus vobis Litteram Domini Regis, quam inter ceteras recepimus; secundum quam poteritis (si placet) securius operari. Bene valeas. Dat. apud T—— 8. Kal. Junii, anno Gratiz 1273.

The Monks and Prior of *S<sup>t</sup>. Augustines of Canterbury* having obtained the custody of the Temporalities thereof during the vacancy, for which they had paid a Fine to the King; and afterwards by the Kings License electing this Abbot, whom the Kings Vicegerents approved in his name and right, upon their Certificate thereof to the Pope, who confirmed the Abbot, the King issued this Writ to the Prior, Covent and others for the restitution of the Temporalities, as these three Records inform us:

Pat. 1 E. 1.  
pars 1. m. 19.  
Pro Priore &  
Convento  
Cantuar.

R EX omnibus, &c. salutem. Sciatis, quod commisimus et concessimus dilectis nobis in Christo Priori et Conventui Sancti *Augustini Cantuar.* custodiam Abbatiæ suæ ejusdem loci jam vacantis, et in manu nostra existentis cum omnibus ad custodiam illam pertinentibus; videlicet, à festo Natalis Domini anno regni nostri primo usque in unum annum sequentem completum, juxta formam inter fideles nostros locum nostrum in *Angliæ* tenentes, & prædictos Priorem & Conventum inde proviam; Salvis nobis feodis mil. advocacionibus Ecclesiarum, wardis, releviis et escaetis ad nos ratione vacationis ejusdem Abbatiæ spectantibus. In cujus, &c. Dat. per manum *W. de Merton* Cancellar. nostri apud *Wallyngford* 27. die Decembris.

Et mandatum est Magistro *Richardo de Clifford* Esch. citra *Trentam*, quod custodiam ejusdem Abbatiæ eidem Priori & Conventui liberet, in forma prædicta, una cum tallagiis & auxiliis si quæ per ipsum Eschaetorem assessa fuerint, & omnibus à tempore captionis ejusdem Abbatiæ in manum Regis, perceptis. Teste ut supra.

Ibidem. Pro  
Electo Sancti  
Aug Cantuar.

Summo Pontifici Ver *Angliæ*, salutem cum reverentiæ et honore. Sciatis, quod fideles nostri locum nostrum in *Angliæ* tenentes, electioni nuper factæ in Ecclesia Conventuali Sancti *Augustini Cantuar.* de fratre *Nicholao de Spina* Monacho dictæ domus, in Abbatem ejusdem loci, vice et auctoritate nostra adhibuerunt assensum Regium et favorem. Et hoc sanctitati vestræ tenore præsentium intimamus, ut quod vestrum est exequamini in hac parte. In cujus, &c. Dat. per manum *W. de Merton* Cancellar. Regis apud *Westm.* 17. die Januarii.

R E X

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**R**EX Priori & Conventui Sancti *Augustini Cantuar.* salutem. Cum summus Pontifex electionem nuper factam in Ecclesia vestra prædicta sancti *Augustini* de fratre *Nicholas* Priore ejusdem domus in Abbatem ejusdem loci, cui Regium assensum prius adhibuimus, et favorem, sicut per literas patentes ejusdem summi Pontificis accepimus. Nos eidem Abbati Abbaciam illam cum omnibus ad eundem Abbaciam spectantibus reddidimus. Et ideo vobis mandamus, quod eidem Abbati Temporalia ejusdem Abbacie quæ sunt in manu vestra ratione finis quem nobiscum inde fecistis, sine dilatione restituatis. In cujus, &c. Dat. per manum *W. de Merton* Cancellar. nostri apud *Westm.* 15. die *Junii*.  
Et mandatum est Militibus, &c.

*Ap. 1 E. 1.*  
Pat. 1 E. 1. pars  
2. m. 15. infra,  
Pro Abbate  
Sancti *Augustini*  
*Cantuar.*

The Citizens of *Canterbury* being grievously amerced by the *Justices Itinerant* for Escape of Felons out of the Churches in *Canterbury* during the vacancy of the Archbishoprick, contrary to former custom; the King upon their Petition issued this Writ, to enquire and certifie who ought to answer, and be amerced for such Escapes.

**R.** *Fulconi Peyforer & Simoni de Craye*, salutem. Ex parte Civium nostrorum *Cantuar.* nobis est ostensum, quod cum nec ipsi, nec antecessores sui tempore vacationis Archiepiscopatus *Cantuar.* vel aliis temporibus amercentari consueverint coram Justiciariis nostris Itinerantibus in partibus illis pro evasione latronum evadentium ab Ecclesiis Civitatis prædictæ; Magister *Rogerus de Seyton*, & socii sui Justiciarii nostri ultimo Itinerantes in Comitatu *Kancie*, prædictos Cives pro evasione hujusmodi graviter amercentarunt, in ipsorum præjudicium et non modicum gravamen. Et quia super hoc plenius volumus cerciorari, assignavimus vos ad inquirendum per sacramentum proborum & legalium hominum de Comitatu *Kancie*, per quos rei veritas melius sciri poterit, ad quem vel ad quos pertineat custodia Felonum nostrorum fugientium ad Ecclesias supradictas, & utrum ipsi Cives, vel eorum antecessores aut alii occasione prædicta amercentari consueverint, necne? & si alii, qui, & qualiter, & quo modo. Et ideo vobis mandamus, quod ad certos diem & locum quos ad hoc provideritis inquisitionem illam faciatis, & eam distinctè & aperte factam nobis sub sigillis vestris & sigillis eorum per quos facta fuerit, sine dilatione mittatis, & hoc Breve. Mandavimus enim Vicecomiti nostro *Kancie*, quod ad certos, &c. venire faciat, &c. per quos rei veritas in præmissis melius sciri poterit & inquiri. In cujus, &c. Dat. &c.

Pat. 1. E. 1.  
pars 2. m. 18.  
Pro Civibus  
*Cantuar.*

The Prior and Covent of *Middleton* purchasing the custody of the Temporalities of their Abby from the King for a fine paid to him before hand, whenever it should next become void by their Abbots cession or death, obtained this Patent for that purpose.

**R**EX omnibus, &c. salutem. Sciatis, quod pro fine quinquaginta *Marcarum*, quem dilecti nobis in Christo Prior & Conventus de *Middleton* nobiscum fecerint, concessimus eis, quod quamprimum Abbaciam suam per cessionem vel decessum *Willielmi* Abbatis sui vacare contigerit, ipsi Prior & Conventus habeant ipsa vice de gracia nostra speciali custodiam Abbacie suæ toto tempore vacationis ejusdem, et quod percipiant et habeant omnes exitus et proventus prædictæ Abbacie ad opus suum, tam in tallagiis hominum suorum, quam in terris et rebus aliis ad dictam Abbaciam suam spectantibus quæ ad nos pertinere possent, si custodiam illam in manu nostra teneremus. Ita quod nullus Ballivus noster, vel alius ex parte nostra ipsos Priorem & Conventum impediat, vel se intromittat de custodia illa, quo minus ipsi habeant hac vice liberam administrationem omnium bonorum & cattallorum ad Abbaciam suam prædictam spectantium toto tempore vacationis prædictæ. Salvis tamen nobis feodis Militum, advocacionibus Ecclesiarum ad Abbaciam illam spectantibus, et boardis et escaetis de feodis Militaribus si quas accidere contigerit tempore vacationis supradictæ, et salva nobis et heredibus nostris custodia prædictæ Abbacie in aliis vacationibus ejusdem Abbacie. In cujus, &c. Dat. per manum *W. de Merton* Cancellar. &c. apud Sanctum *Paulum London*, 12. die *Aprilis*.

Pat. 1 E. 1. pars  
2. m. 17.  
Pro Priore &  
Conventu de  
*Middleton*.

The



K. Edward 1. *An Exact History of the Popes Intollerable Usurpations, B. 5. ch. 2.*

*An. 1 E. 1.* The Abby of Saint *Peters in Gloucester* of the Kings foundation, being by a contingency greatly dilapidated and in debt, and the Alms thereof substracted; the King took it, with all belonging to it into his custody and protection, committing it to the custody of a Guardian till his return from the *Holy Land* into *England* by this Patent, the Abbot and Covent being unable to govern or protect it.

*Pat. 1 E. 1.  
m. 18. intus.  
Pro Abbacia  
Sancti Petri  
Glouc.*

**R**EX omnibus, &c. salutem. Cum ex relatu quorundam jam intellexerimus, quod Abbacia Sancti Petri Glouc. quæ de bonis elemosinis progenitorum nostrorum Regum Angliæ fundata est, casu contingente taliter submittitur in præsentem, quod Abbas et Conventus domus ejusdem ad suum regimen et suorum non sufficiunt, et elemosinæ progenitorum nostrorum fundatorum ejusdem subtrahuntur in domo ipsa. Nos amissionibus et dampnis eorundem Abbatis et Conventus intime compacientes, eandem domum, homines, terras, res, redditus & omnes possessiones ejusdem in nostra custodia et protectione specialiter existere volentes, commisimus dilecto & fideli nostro *Reginaldo de Akels* eandem Abbaciam, cum omnibus terris, & omnibus aliis ad ipsam spectantibus custodiendam, protegendam et nomine nostro defendendam usque adventum nostrum in Angliam: firmiter inhibentes ne quis prædictis Abbati et Conventui, aut hominibus, terris, vel bonis suis quibuscunque sub custodia et protectione nostra dampnum inferat aut gravamen. In cujus, &c. usque adventum nostrum in Angliam duratur. Dat. per manum *W. de Merton* apud *Westm.* 24. die Januarii.

King Henry the 3<sup>d</sup>. giving his Royal assent to the election of a new Abbess at *Wilton* Nunnery, and dying before restitution of the Temporalities, King Edward the First, upon the Bishop of *Sarum*'s Certificate of her confirmation, granted the restitution of all the Temporalities, by this Patent.

*Pat. 1 E. 1.  
pars 1. m. 20.  
Pro Abbatisa  
de Wilton.*

**E**DWARDUS Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ; Militibus, liberis hominibus, & omnibus aliis tenentibus de Abbacia de *Wilton*, salutem. Cum venerabilis pater *R. Sarum* Electus, electionem factam in Ecclesia Conventuali de *Wilton*, de *Juliana Giffard* Moniali domus prædictæ in Abbatisam loci illius, cui celebris memoriz Dominus *H. Rex* pater noster jam defunctus (cujus animæ propicietur Deus) assensum Regium dum vixerit adhibuit et favorem, confirmaverit, sicut idem Electus nobis per literas suas patentes significavit; vobis mandamus, quod eidem *Juliana* tanquam Abbatisæ & Domini vestræ in omnibus quæ ad Abbaciam illam pertinent intendentes sitis & respondentes sicut prædictum est. In cujus, &c. Dat. per manum *Walteri de Merton* Canc. Regis, apud *Novum Templum London*, 29. die Novembrii.

Et mandatum est Priorissæ & Conventui de *Wilton*, quod eidem *Juliana* tanquam Abbatisæ suæ Abbaciam suam prædictam & Temporalia, ac alia ad ipsam Abbaciam spectantia quæ occasione præsentis vacationis ejusdem sunt in custodia sua ex commissione prædicti Patris nostri, sine dilacione liberent.

The Barony of the Bishop of *Chichester* being seised into the Kings hands for some offence or contempt, upon satisfaction given to the King, he ordered his Temporalities to be restored by this Writ.

*Pat. 1 E. 1. pars  
2. m. 5. intus.  
Pro Episcopo  
Cicestr. &  
Bundela Bre-  
vium, &c. An.  
1 E. 1. nu. 13.  
in Turri Lond.*

**R**EX Roberto de *Purlet*, salutem. Mandamus vobis, quod Baroniam Episcopatus *Cicestræ*, quam nuper certis de causis cepimus in manum nostram, et vobis commisimus custodiendam, venerabili Patri *R. Cicestrunsi* Episcopo vel certo ejus attornato sine dilacione restituatis, permittentes ipsum de cætero absque impedimento Temporalium ad Baroniam illam spectantium habere administrationem. In cujus rei, &c. Dat. &c. apud Sanctum *Martinum magnum London*, 27. die Augusti, anno regni nostri primo.

The Freers Minors of *London* having bought and felled Trees growing upon the Temporalities of the Bishop of *London*, and paid him for them during his life; the Temporalities coming into the Kings hands by his death, before the Trees removed,

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moved, and the Kings Officers seising them, the King was pleased to give them leave to remove the Timber without impediment. *Ar. 1 E. 1.*

**M**Andatum est *Radulpho de Sandwich* custodi *Episcopatus London.* quod mare-  
mum, quod Fratres *Prædicatores & Minores London.* in Parco de *Heringeye*,  
a bonæ memoriæ, *H. London.* Episcopo nuper defuncto emerunt, & quod super-  
stite ipso Episcopo prosterni fecerunt ibidem, & cujus empcionis solutio dicto Epif-  
copo facta fuit, eisdem liberet, et ipsos inde absque impedimento abducere permit-  
tat. Dat. apud *Westm.* 3. die *Octobris*, per *R. Burnell.*

*Claus. 1 E. 1.  
m. 3. intus.  
Pro Fratribus  
prædicatores  
& Minoribus  
London.*

The Biron and Bayliff of the Port of *Winchelsey* seising, and shutting up the Houses and Goods of their Vicar, for harbouring a Clerk of his who had stolen his Goods, after his imprisonment for it, and delivery to the Ordinary, before his conviction; to enforce the Vicar to prosecute his Clerk for this Felony against his will; the King thereupon commanded them to restore the House and Goods thus seized to the Vicar, without any Suit, by this Writ.

**R**EX Baronibus & Ballivis Portus sui de *Winchiles*, salutem. Monstravit nobis *Warnerus* Vicarius Ecclesiæ beati *Thoma de Winobles*, quod cum *Andreas de Fincham* Clericus, qui eidem *Warnero* nuper deservivit, & rerum suarum administrationem habuit, de quibusdam rebus, quas eidem *Warnero* subtraxisse dicebatur, reatus, et propter hoc captus, et in prisona nostra ibidem detentus, ac postmodum per loci *Dioecesani* coram nobis tanquam Clericus petitus, et eidem liberatus extitisset; vos imponentes eidem *Warnero*, quod ipse prædictum *Andream* post factum prædictum, de quo idem *Andreas* adhuc convictus non existit, nec publicus latro esse dicitur, cum rebus prædictis hospicio recepit, prædictum *Warnerum* & homines suos in domibus in Villa prædicta existentes, ab eisdem ejecistis, et hostia domorum prædictarum claudi, et bona sua et Ecclesiæ prædictæ in eisdem propter hoc includi fecistis, & ea adhuc sic inclusa detinetis, minus iuste. Et quia prædictus *Warnerus*, vel alius ad prosecutionem rerum suarum sibi subtractarum invitatus compelli non debet, nec sibi super præmissis volumus injurari, vobis mandamus, quod accepta sufficiente securitate a præfato *Warnero*, de stando recto in Curia nostra secundum Consuetudinem et Libertatem prædictæ Ville, & prout secundum statum sui exigentiam debuerit, si quis versus eum inde loqui voluerit, eidem *Warnero* domos suas prædictas una cum bonis suis & Ecclesiæ in eisdem sic inclusis & detentis deliberari faciat, & ipsum interim inde per securitatem prædictam pacem habere permittatis. Datum per manum *W. de Merton* Canc. nostri apud *Westm.* 24. die *Junii*.

*Claus. 1 E. 1.  
m. 17.  
Pro Warnero  
Vicario de  
Fincham.*

How the King exercised his Sovereign Ecclesiastical Jurisdiction in Ireland in the first year of his Reign, these Records demonstrate. The Archbishoprick of *Dublin* being void, the King committing the Temporalities of it to *Thomas Cheddeworth*, authorized him to farm the Temporalities thereof, or otherwise to improve them to his best advantage; and commanded his Chief Justice to dispose of the Wards, Profits, Revenues thereof, and of other Archbishopricks and Bishopricks that should there become void, and Present to vacant Churches in his name and right, as these Patents evidence.

**R**EX omnibus, &c. salutem. Sciat, quod tenore præsentium damus dilecto Clerico nostro *Thoma de Cheddeworth*, cui commisimus Archiepiscopatum *Dubliniæ* vacantem custodiendum, potestatem dimittendi ad firmam terras et tementa ejusdem Archiepiscopatus, vel ad campi partem prout magis ad opus nostrum viderit expedire. Nos autem quicquid præfatus *Thomas* fecerit in hac parte ratum habebimus & acceptum. In cujus, &c. Dat. per manum *W. de Merton* Canc. &c. apud *Westm.* 20. die *Januarii*.

*Pat. 1 E. 1.  
pars 2. m. 19.  
intus.  
De terris Ar-  
chiepiscopatus  
Dublin. exco-  
lendis & semis-  
nandis.*

**R**EX Magistro *Thoma de Cheddeworth* Custodi suo Archiepiscopatus *Dubliniæ* salutem. Cum constituerimus dilectum & fidelem nostrum *Galfridum de Genvill* Justic. nostram terræ nostræ *Hiberniæ* quamdiu nobis placuerit, prout in literis nostris patentibus eidem Justic. confectis plenius continetur, Vobis mandamus, quod tam

*Pat. 1 E. 1.  
pars 2. m. 1.  
Hibernia.*



K. Edward 1. *An Exact History of Popes intollerable Usarpations*, B. 5. ch. 1.

*An. 1. E. 1.* tam de Wardis quam de Castris Wardarum quæ sunt in custodia vestra, & etiam de hiis quæ deinceps acciderint intendentes suis & respondentes, & Castra earundem cum opus fuerit, & idem Justiciarius hoc vobis injunxerit, ex parte nostra, eidem liberetis. Omnes etiam exitus Ballivæ vestræ tam Wardarum quæ sunt in manu vestra, & aliarum cum acciderint, quam Archiepiscopatum, Episcopatum, et Abbatiarum cum vacaverint dicto Justiciario per Cirographum inter vos et ipsum exinde consiciendum, habere faciatis, ad negotia nostra in partibus *Hiberniæ* inde expedienda, donec aliter inde duxerimus ordinandum. Et cum sciverimus quantum ei liberaveritis, Breve nostrum de quietancia seu allocacione vobis inde habere faciemus. Dat. apud Sanctum Martinum magnum London. 2. die Septembris.

Ibidem.

**R**EX *G. de Gantvil* Justic. suo *Hiberniæ*, salutem. Sciatis, quod dedimus vobis potestatem presentandi vice et auctoritate nostra personas idoneas ad Ecclesias de *Kilbondam*, *Senekill*, et *De la Hull* jam vacantes, et ad nostram donacionem spectantes: Nos enim presentaciones per vos modo prædicto factas ad Ecclesias prædictas ratas ab hac vice habebimus et acceptas. In cujus, &c. Datum ut supra.

The Archbishop of *Cassal* seising the money of an Usurer in *Ireland*, as belonging to him, thereupon the King commanded the Bishop of *Midden*, and his Treasurer of *Ireland* to demand it of him, as belonging to him by his Prerogative, and to respite the demand of the Usurers Debts till further Order, by this Writ; by which it appears that all \* Usurers Monies and Debts in that Age, were forfeited to the King for their Usury, upon their deaths, in *Ireland* as well as *England*.

\* See Glanvil, l. 7. c. 16. l. 10. c. 3, 8.

Claus. 1. E. 1. m. 6. intus. Pro Archiepisc. Cassalen.

**M**andatum est *Midd.* Episcopo, & Thes. Regis *Hiberniæ*, quod demandam quadringentarum librarum quam faciunt *David*. Archiepiscopo *Cassalen*. ratione quorundam bonorum et catell. *Reginaldi de Macotere* Usurarii, et quæ ad manum ejusdem Archiepiscopi devenerunt, et quæ ad Regem pertinent, ut dicitur, et etiam demandam Usurarium debitorem ejusdem *Reginaldi*, ponant in respectum, usque ad festum *Sancti Hilarij*. prox. futur. nisi Rex aliud de consilio suo duxerit ordinand.

How the King committed, disposed of the Custody of the Temporalities of the Bishoprick of *Limrick*, and afterwards gave his assent to the election of a New Bishop, who had the custody thereof, these Records declare.

Pat. 1. E. 1. pars 2. m. 19. De Custodia Episcopatus de Limerick.

**R**EX Magistro *J. banni de Stamford* Eschaet. suo *Hiberniæ*, salutem; Sciatis, quod de gratia nostra speciali, concessimus dilecto Clerico nostro *Gerardo le Mariscal* Archid. *Lymiriten*. custodiam Episcopatus *Lymiricensis* vacantis, & in manu nostra existentis, tenend. à die Mercurij proxima post festum *Sancti Hilarij*. Anno, &c. primo usque in unum annum sequentem completum, per formam inter fideles nostros locum nostrum in *Anglia* tenentes et prædictum *Gerardum* inde provisam, de qua idem *Gerardus* nobis præmanibus satisfecit; salvis tamen nobis feodis Militum, advocacionibus Ecclesiarum, wardis, releviis et escaetis quæ interim acciderint ibidem, et salvis etiam nobis omnibus exitibus prædicti Episcopatus a tempore mortis Episcopi ejusdem loci usque ad diem Mercurij supradictum. Et ideo vobis mandamus, quod eidem *Gerardo* Custodiam prædicti Episcopatus et Temporalia ejusdem liberetis tenend. in forma prædicta. Dat. ut supra.

Pat. 1. E. 1. pars 2. m. 19. Protectio de Limerick.

**R**EX electioni factæ in Ecclesia Cathedrali *Lymiricensi* de discreto viro Magistro *Gerardo* Archidiacono ejusdem Ecclesiæ, in Episcopum ejusdem loci, Regium assensum adhibuit et favorem. Et mandatum est Archiepiscopo *Cassalen*. ut id quod suum est in hac parte exequatur. Dat. per manum *W. de Merton* Canc. Regis apud *Novum Templum London*. 11. die Januarii.

The Bishoprick of *Finnabern* being voyd by the Bishops death, the King upon the Deans and Chapters Petition granted them this License to elect a new Bishop, provided he was so qualified as his License directed.

R E X

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.*

*R. Edward I.*

*Anno 1 E. 1.*

**R**EX Decano & Capitulo *Fynnabren.* salutem. Accedens ad nos *David Cle-*  
ricus vester cum literis Capituli vestri patentibus, nobis humiliter ex parte  
vestra supplicavit, ut cum Ecclesia vestra per mortem *Mauric.* Episcopi vestri de  
*Fynnabr.* Pastoris solacio sit destituta, alium vobis eligendi in Episcopum et Pasto-  
rem licenciam concedere dignaremur; Nos igitur vestris supplicationibus inclinati,  
licenciam illam vobis duximus concedendam. Mandantes quatinus talem vobis  
assumatis in Episcopum qui Deo devotus, regimini Ecclesie vestre necessarius,  
nobisque et regno nostro utilis et fidelis existat. Dat. apud *Westm.* 14. die *Julii.*

*Pat. 1 E. 1.  
pars 2. m. 15.  
De licentia  
eligendi.*

The Dean and Chapter hereupon electing a Bishop according to the Kings license,  
the King giving his Royal assent thereto by his Vicegerents, issued this Writ for his  
confirmation and consecration to the Archbishop of *Cassall.*

**R**EX Electioni nuper facte in Ecclesia Cathedrali *Fynnabrensi* de fratre *Florentio*  
*Abbate de Kelsay* in Episcopum *Fynnabrensem* Regium assensum adhibuit et  
favorem. Et mandatum est Archiepiscopo *Cassalensi*, ut quod suum est in hac parte  
exequatur. Dat. per manum *W. de Merton* Canc. nostri apud Sanctum *Martinum*  
*magnum London.* 8. die *Octobris.*

*Pat. 1 E. 1.  
pars 2. m. 4.  
Pro Electo  
Finaberen.*

The King likewise granted him restitution of the Temporalities by this Writ, if his  
election were confirmed, so as he sent his Proctor into *England*, with power to  
swear Fealty to the King upon his Soul, though he did not come to swear it in per-  
son, and so to receive his Temporalities.

**M**emorandum, quod Rex concessit Electo *Finaberen.* quod Temporalia Episco-  
patus ejusdem restituantur eidem, si contingat ipsum confirmari; Ita  
quod Runcius suus quem propter hoc transmittet in *Angliam*, cui idem Electus da-  
bit potestatem jurandi in animam suam de fidelitate, &c. recipiat literas ipsius  
Electi de restitutione Temporalium predictorum, et eas sibi deferat.

*Claus. 1 E. 1.  
m. 3. dorso.  
Pro Electo  
Finaberen.*

Sir *Mat. Hastings* Knight, Governor of *Wynchelse*, demanding and exacting Toll  
from the Tenants of the Archbishop of *Canterbury*, who were exempted from Toll,  
and detaining their pledges for it, after several admonitions by his Officials; the  
Archbishop thereupon immediately after the restitution of his Temporalities, sent  
this peremptory Letter to him, to restore all their pledges he detained for Toll with-  
in eight dayes; and likewise to give competent satisfaction for this high offence to  
God and the Church, under pain of Excommunication; or else he would execute  
his Pontifical office upon them.

**R.** Miseratione divina *Canthuariensis* Archiepiscopus, totius *Anglia* Primas, Domino  
*Matthaeo de Hastings* Militi, salutem, & spiritum consilii sanioris. Quam-  
pluries per nostras literas & Officiales nostros vos moneri fecimus, ut per vos et  
vestros non veraretis Tenentes nostros super exactione *Theolonii* in *Willa de Wyn-*  
*chelse*, a cuius prestatione liberi sunt et immunes. Et quia monitis huiusmodi  
parere hactenus non curastis, adhuc vos monemus, et vobis sub \* Excommunicatione  
nis poena injungimus, quatinus homines nostros super talibus exactionibus in pace  
dimittatis, et hominibus de *Essywendene*, ac aliis nostris tenentibus, quorum vadia  
pro *Theolonio* predicto capta detinetis, vadia restituatis; et super offensa quam  
propter hoc incurristis, Deo et Ecclesie satisfaciatis competenter, infra octo dies post  
presentium receptionem. Alioquin extunc contra vos et vestros ministros officii  
nostri debitum prout justum fuerit exequemur. Datum apud *Sutham*, die *Jovis* in  
festo *Assensionis Domini*, Consecrationis nostrae anno primo.

*Bundela Bre-  
vium, Anno 1.  
E. 1. n. 9.*

\* Abused upon  
every occasion.

The *Cistercian* and other Monks \* totally exempted by several Popes Bulls from  
payment of Tithes of the lands manured by them with their own hands, or at their  
costs, fraudulently enlarging their privileges by tilling, renting, manuring other mens  
aut sumptibus colitis, sive de nutrimentis vestrorum animalium, nullus presumat a vobis Decimas exigere. Monasti-  
con Angl. Vol. 1. p. 709, 732, 831, 832, 924.

\* Sane labo-  
rum vestro-  
rum quos pro-  
priis manibus

S

Lands,



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

*An. 1. E. 1.* Lands, to the great prejudice of Rectors of Parish Churches, whose Rights and Tithes they invaded. Thereupon *Richard Gravesend* Bishop of *Lincoln* writ this Letter to the Chancellor for his advice and assistance to reform this Grievance in the Kings Temporal Courts, in his friends and Clerks case.

Bundela Bre-  
vium, &c. An.  
1 E. 1. nu. 4.

Venerandæ discretionis viro, & amico & filio semper in Christo diligendo, Domino *W. de Merton* Domini Regis Cancellario, R. miseratione divina *Lincolniensis* Episcopus, salutem, gratiam, & benedictionem, cum dilectione sincera. Nostis (ut credimus) & familiari forsitan experientia probastis molestias, quas Religiosi privilegiati ingerunt Rectoribus Ecclesiarum vicinarum, et quibus machinationibus frequenter moliantur ipsorum Aus subvertere, et sibi usurpare, quod alienum existit. Cum igitur dilectus Clericus noster Magister *R. de Saxyngeburst*, Præbendarius Ecclesiæ de *Langeford*, injurias multiplices sustinuerit a quibusdam \* *Cisterciensibus*, possessionum suarum terminos in Parochia sua dilatantibus, et in vicina; Dilectionem vestram affectione qua possumus requirimus & rogamus, quatinus ad impetrandum remedium a Curia Domini Regis, (quatenus ad eum pertinet) super injuriis eidem irrogatis, velitis benevolentia vestra consilium et auxilium impendere, quale rei qualitas requiserit opportunum. Bene semper in Domino valeatis.

\* See Rot. Parl.  
An. 1 H. 4. nu.  
40. My Gof.  
pel Pica for  
Tithes, &c.  
part. 2. p. 45.  
46. 47. Johan.  
Salisburyensis  
de Nugis Cu-  
rialium, l. 7. c.  
21. Per. Bielen-  
sis, Ep. ff. 81.  
Laur. Rochellus  
Decret. Eccles.  
Gal. p. 966.  
Bibl. Patrum,  
Tom. 11. pars  
2. p. 766, 767.

The Dean and Chapter of *Rhoan* detaining from Mr. *Garland* (one of the four Canons which King *Henry* the 3<sup>d</sup>. had added to their Church) that annual pension the King had allotted him out of the Chapelry of *Blye*, K. *Edward* the 1. upon two Petitions of his (extant in the Bundle of Writs and Petitions, Anno 1 E. 1.) by his Sovereign Ecclesiastical Jurisdiction issued this Writ to the Archbishop of *Rhoan* to induce or compel them to pay him his Stipend, and the arrears thereof, according to his fathers pious intention and order, and to give him an account thereof; or else he would levy his portion out of the Rents they had in *England*.

Bundela Bre-  
vium, Anno  
1 E. 1. nu. 10.  
in Turri Lond.

EDWARDUS Dei gratia Rex *Angliae*, Dominus *Hyberniae*, & Dux *Aquitaniae*, venerabili in Christo patri — eadem gratia *Rotomagen.* Archiepiscopo, salutem. Cum progenitores nostri Reges *Angliae*, quatuor portiones Præbendales constituerint in Ecclesia vestra *Rotomagensi* de proventus Capellanae de *Blye*, quatuor ejusdem Ecclesiæ Canonicis assignandas: Et Decanus et Capitulum dicte Ecclesiæ Magistro de *Garland* uni de quatuor Canonicis prædictis portionem suam jam per biennium & amplius subtraxerint, et eam adhuc sibi reddere contradicunt, in gravamen ipsius non modicum, et præjudicium Regium manifestum, ac contra ordinationem auctoritate celeberrimæ memoriæ Domini *H. Regis* patris nostri inde factam in Curia sua. Volentes hujusmodi dona et concessionem Regias pro intuitu, et pro animarum remedio constitutas, taliter subtrahi, aut effectu suo frustrari; Paternitatem vestram duximus cum instantia requirendam, quatenus dictos Decanum et Capitulum ad reddendum præfato Canonico portionem suam cum arceragiis inde debitis efficaciter ducatis, et artius (si opus fuerit) compellatis. Sciant enim pro certo, quod nisi fecerint, nos portionem ipsam de redditibus et bonis quæ habent in regno *Angliae* levare faciemus, et prædicto Canonico assignari. Quid autem super hoc duxeritis faciendum nobis cum certitudine rescribatis. Datum per manum *W. de Merton* Cancellarii nostri apud *Westm.* 15. die Decembris. Anno Regni nostri primo.

The Covent of *S. Patrick's* Abby of *Sabbalo* in *Ireland* electing an Abbot without the Kings precedent license, against his Prerogative, the election was thereupon nulled, and a new Abbot appointed without election by the Bishop of *Dune*, with the license and consent of the Kings Lieutenants in *Ireland*; whereupon the King issued this Writ for restitution of the Temporalities to him; and all profits received from the time of his provision to the said Abby, for which he was to answer the King at his pleasure, as this Record informs us.

Pat. 1 E. 1.  
pars 1. m. 4.  
Pro Abbate S.  
Patr. cji de Sa-  
bello.

REX Magistro *Johanni de Sausford* Elcætori suo *Hibernie*, salutem. Cum celebrata nuper (nostra licentia eligendi irrequisita) electione in Ecclesia San-

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Ad Patricii de Saballo, de fratre Molys Priore de Bangor. in Abbatem ejusdem loci, ac ipsa electione ob hoc et alia merito cassata, venerabilis pater Episcopus Dunensis loci Dioecesanus, fratrem Galfridum de Stoks Canonicum Carleol. de consilio et consensu fidelium nostrorum locum nostrum in Hibern. tenentium prefecerit in Abbatem domus predictae: Nos de gratia nostra speciali Temporalia Abbatis predictae prefato fratri Galfrido de Stok duximus reddenda. Et ideo vobis mandamus, quod eidem fratri Galfrido Temporalia Abbatis predictae sine dilatione liberetis, una cum omnibus inde perceptis a tempore quo dictus Episcopus dictae Ecclesiae prohibuit de prefato Galfrido, iuxta veram estimationem eorundem perceptorum per vos fideliter faciendam; de quibus idem Abbas nobis ad voluntatem nostram teneatur respondere. In cujus, &c. Dat. &c. apud Cantuar. 18. die Septembris. Anno regni nostri primo.

Et mandatum est omnibus tenentibus de Abbacia predicta, quod eidem Galfrido tanquam Abbati suo, in omnibus quae ad Abbaciam illam pertinent intendentes sint & respondentes. Dat. ut supra.

After the death of Pope Clement the 4<sup>th</sup>. the See of Rome continuing voyd for two years and ten moneths, by reason of the Cardinals discord about the election of a Successor, at last An. 1272. (after King Henry the 3<sup>d</sup>. his decease) they elected one Theobald Pope, who was with King Edward the First in the Holy Land; as \* Mat. Westm. thus stories.

Post mortem Papa Clementis, per duos annos, & decem menses, sedes Apostolica vacans fuit. Igitur Cardinales convenientes in unum, Dominum Theobaldum Archidiaconum Leodicensem, qui commorabatur in transmarinis partibus cum Eadwardo communiter elegerunt. Qui, de sua electione auditis rumoribus, ad Curiam properavit, & summum Sacerdotium est adeptus. De isto dicti fuerant isti versus.

Papatum munus tenet Archidiaconus unus,  
Quem patrem patrum fecit discordia fratrum.

Prince Edward hearing tydings of his Fathers death, and his being proclaimed King in England, in his return from the Holy Land, repaired to this new Popes Court, his late Chaplain, familiar friend and fellow Souldier; who at his request, (by his meer Papal authority) excommunicated the murderers of his kinsman Henry, son and heir to the King of Germany at Viterbium, and disofficed, disinherited some of them by his Imperious Decree, till they should come personally to Rome to purge, or submit themselves to his absolute Order in all things, as Mat. Westm. and Walsingham thus relate.

† His diebus, cum Eadwardus in Civitate Acon. diuinus expellasset Christianorum & Tartarorum auxilium, eo quod proposuisset per manum validam Saracenos delere, videns se ab utrisque delusum, quia Christiani ad propria recesserunt, & Tartari, qui & Moalli, intestina tyrannide perierunt, dimissis in Acon. stipendiariis, mare transiit, applicans in regno Siciliæ. Cui cum honore Rex Carolus obviam, ipsum deducens usque ad Urbem veterem, in qua Romana Curia residebat. Pater Gregorio, modo Domino, nuper familiari suo, exposuit Eadwardus pericula Terræ sanctæ. Petit postea quod sententialiter condemnaret Aldebrandinum, Commitem dictum le Rus, et Guidonem de Monteforti, qui Henricum primogenitum Regis Alemanniæ cognatum suum in Viterbio funestis gladiis peremerunt, dum Pissarum solemnitis assisteret, in contemptum Ecclesiæ et scandalum nominis Christiani. Papa igitur his commotus protinus propter hos mandavit. Comes Rubeus se purgavit. Dominus Papa Guidonem de Monteforti, tam pro contumacia, quam offensa, anathemate perpetuo condemnavit, et sacrilegii, homicidii, Scarii, et læsæ Majestatis reum pronuntiavit sententialiter, et infamem, ita ut neque condere Testamentum, neque testimonium ferre, neque Praeses, Consul vel Potestas esse poterit Civitatis. Hunc etiam ad omnibus officiis, dignitatibus seu etiam administrationibus civilibus aut publicis, sequestratum et exheredatum usque in quartam generationem decrevit. Quod decretum fuit ab omnibus inviolabiliter observari, quousque idem Guido ad Curiam Romanam advenisset, et se voluntati Patris in omnibus submisisset. Praeterea

\* Flores Hist.  
pars 2. p. 352.  
Contin. Mar.  
Paris p. 976.  
See Stella, Latina; Onuphrius Volaterranus Crispin, Palas, Barnes, Opmeerus, Fasciculus Temporum, Hermannus Schede, and others in Gregorio 10 Walsingham H. St. p. 4.

† Anno 1172: p. 352, 353. Walsingham Hist. p. 3. Ypodygma Neustr. p. 67. Polydor. Virgil, Fabian, Holinshed, Speed, Grafton Daniel How, An. 1 E. 2.



K. Edward 1. *An Exact History of the Popes Intolerable Usurpations, B. 5. ch. 2.*

**Anno 1 E. 1.** tercia omnes illos, qui eum receptaverunt scienter, excommunicationis vinculo innodavit, et terris eorum supposituit interdicto ( mulieribus duntaxat exceptis, poenitentiis decedentium, et baptisimata parvulorum. ) *Hic rursus percellit*, Eadwardus secessit à Curia, cui communitates civitatum Tusciae & Italiae cum magno tripudio subinde obviarunt, communiter proclamantes, vivat Imperator Eadwardus. Mediolanenses ei munera obtulerunt, equos electos, coopertos flavoniis de Scarleto, quos, illis cogentibus, invitus recepit; Recedens ab Italia, venit in Burgundiam, ubi quendam nobilem, qui rapinis & spoliis intendebat, eum fortissimum castrum suo, Comes Sabaudiz reddidit, vel invitum. Primum namque terrenum Dominum non habebat, ideo transientes liberum spoliabat, quia non erat qui excessus corrigeret delinquentium. Episcopi et Abbates, Comites et Barones de Anglia venientes, ( sent to meet and conduct him into England by his Vicegerents order ) Domino Eadwardo in descensu montium Burgundiz occurrerunt, benedicentes Dominum, qui fecit prosperum iter suum.

Whiles the King in his return was entertained in the Popes Court at *Viterbium*, *Othobon* the Popes late Legate procured this Writ from him, to settle and protect his Nephew in the possession of a Prebendary in the Church of *Chichester*, by his Regal authority, formerly conferred on him by the Popes provision, which it seems he could not obtain by the Popes mandate which he prosecuted.

Bisindela Brevium in Turri London. Anno 1 E. 1. nu. 12.

**EDWARDUS** Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, dilecto & fideli suo *Roberto Burnell*, salutem. Protertu venerabilis patris Domini *Ottoboni* sancti *Adriani* Diaconi Cardinalis, *Jacobi* nepoti suo summus Pontifex quandam Prebendam in Ecclesia *Cicestrensi* vacantem contulit ( ut accepimus ) Cujus possessionem prosequitur secundum mandatum Papale, sibi super hoc concessum; Volentes etiam ad instantiam dicti Domini *Ottoboni* prefatum *Jacobum* prosequi favore gratioso; Vobis mandamus quatinus ipsum nec suum procuratorem super professione memoratae Prebendae, contra Juris observantiam, molestari vel inquietari minime permittatis. Teste meipso apud Urbem veterem, 19. die Martii, anno regni nostri primo.

Moreover, one Mr. *Angelo* a Canon of *Cameron*, formerly employed by King *Henry* the III. as his Proctor in the Court of *Rome* in several businesses, for which he granted him an annuity of 40. Marks each year, till he should be provided for by the said King of Benefices in *England* to the value of 400. Marks by the year, procured King *Edward* to employ him as his Proctor in the Court of *Rome*, to confirm his Fathers grant, and order payment of all his arrears by this Writ, dated from thence.

In eadem Bisindela, nu. 13.

**W.** Permissione divina *Eborum* Archiepiscopus, Anglia Primas, & R. de Mortuo mari, dilecto amico suo Domino *W. de Merton* Domini Regis Cancellario, salutem cum dilectione sincera. Mandatum Domini Regis recepimus, in hac verba.

**EDWARDUS** Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitan. dilectis & fidelibus suis, *W. eadem gratia* *Eboracensi* Archiepiscopo Anglia Primati, *Rogero de Mortuo mari*, & *Roberto de Burnell*, salutem. Dum bona memoria Dominus *H.* quondam Rex Anglia, Genitor noster charissimus, vite presentis gauderet induciis, ex certis causis et negotiis sibi quondam incumbentibus, quae in Romana Curia proponebat expedire, discretum virum Magistrum Angelum Canonicum *Cameracen.* in ipsius retinuit obsequio, cui quadraginta marcas fecit assignari, de Decario suo recipiendas annuatim, quousque sibi per dictum Dominum Regem ( si virisset ) in beneficio seu beneficiis ad valorum quadringentarum marc. provideretur. Sane quia praedictum Magistrum Angelum ex negotiis nostris quibusdam promovendis in prefata Curia, sub forma dictae conventionis seu promissionis in nostro retinuimus obsequio; Vobis mandamus, quatinus eidem Magistro Angelo, vel ejus procuratori suo nomine, quam cito vice nostra vobis facultas affuerit, de quantitate redditus praetaxati competenter provideatis. Teste meipso apud Urbem veterem, 24. die Februarii, anno Regni nostri

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*noſtri primo.* Quia verò contemplatione dicti Magiſtri, & obſequii ſui, quod im-  
pendit Domino Regi, vellemus ſuum negotium expediri; prout Dominus R.  
*Burnell* vobis plenius ſuper hoc exponet, cum quo inde habuimus tractatum, expe-  
diri faciatis, ſicut providimus, & ſimul videritis expedire. Vale.

An. 1 E. 1.

Before King *Edward's* arrival in *England*, this new Pope *Gregory* having grati-  
fied the King by his premiſed ſentence, denounced againſt the murderers of his  
Couſin *Henry*, (imitating his Predeceſſors rapines) ſent a ſpecial Nuncio into  
*England*, under pretext to compel all Eccleſiaſtical perſons to pay two years Diſmes  
of their Temporalities and Eccleſiaſtical Livings to the King and his Brother; but in  
truth to himſelf, who converted moſt of it to his own uſe, as \* *Mat. Weſtmiſter* \* An. 1171.  
thus relates; *His diebus quidam Clericus, nomine Reimundus, Vaſconus natione,* p. 354  
a ſummo Pontifice in Angliam fuit miſſus; qui poteſtatem habuit compellendi  
Eccleſiaſticas perſonas ad decimas, per duos annos, tam de Temporalibus quam  
ſpiritualibus, Eadwardo et Edmundo filiis Regis Angliæ perſolvendis. Sic par-  
tem collatæ pecuniæ tribuit Nobilibus ſupradictis, pro expenſis ſuis partem ſibi non  
modicam retinuit, et ad diſpoſitionem Papæ partem maximam reſervavit. Such was  
his Papal liberality and juſtice.

Whereupon ſundry of the Clergy and Abbots of the Realm diſcerning the abuſe,  
refuſed to pay the premiſed Diſme, notwithstanding the Popes Nuncios excommu-  
nications denounced againſt them, contemning his Eccleſiaſtical Cenſures: Upon  
which the Nuncio writ this Letter to the Chancellor to command the Sheriffs to  
aſſiſt the Collectors of it by their ſecular power, and levy it by force where there was  
need.

**S**UO ſpeciali in Chriſto *W. de Merton* Domini Regis Cancellario, ſalutem. Cum  
per Collectores Decimæ Domino Regi conceſſæ in noſtris partibus colligendæ,  
intelleximus, quod in plerisque locis dicta Decima hucusque levare non poteſt abſ-  
que auxilio ſeculari, expedit quod celeriter *Eborum, Nottingham et Lancaſtriæ*  
Vicecomitibus detis per literas Regias in mandatum, ut dictis Collectoribus ſint  
in auxilium ad ipſam Decimam levandam manu valida ſi neceſſe fuerit, cum per  
dictos Collectores ad hoc fuerint requiſiti. Hoc actio noſtro officio de ipſo negotio  
nobis ſcribito. Valet.

Bundela Brevi-  
um, An. 1 E. 1.  
num. 16.

Hereupon the Chancellor iſſued theſe enſuing Writs to all the Sheriffs of *England*  
and ſome others, to aſſiſt the Collectors accordingly.

**R**EX Vicecomiti *Wigorn.* ſalutem. Cum nonnulli Abbates, Priores, Meli-  
tuoſi et Clerici Decimam tam temporalium quam ſpiritualium nobis a ſede  
Apoſtolica ad duos annos conceſſam, detineant, et arrearagia ejus ſolvere contra-  
dicant, propter quod executores ad ipſam decimam colligendam per regnum noſtrum  
in ſingulis Dioceſſibus deputati, ipſos excommunicationis ſententia auctoritate Apoſto-  
lica innobarunt. Nos eorum induratum maliciam reprimere volentes, tibi præ-  
cipimus firmiter injungentes, quod prædictam decimam et ejus arrearagia a præ-  
dictis detentoribus ſeu contemptoribus, vel eorum beneficiis et bonis in Com.  
prædictis celeriter levare facias, quandoque a dilecto nobis Magiſtro *Reymundo*  
*de Noveris* Domini Papæ Capellano, prædictæ decimæ Collectore generali, vel  
ejus ſubſtitutus fueris requiſitus; eandem decimam et arrearagia ejuſdem deci-  
mæ Collectoribus assignando. Mandatum noſtrum in hac parte impleturus,  
ne pro defectu executionis ipſius, nos ad te et bona tua recurrere pro decima  
et arrearagiis huiusmodi non contingat. Teſte Rege apud *Wyndes.* decimo die Sep-  
tembris.

Clauf. 2 E. 1.  
m. 5. dorſo.  
De decima.

Conſimiles litteræ diriguntur ſingulis Vicecomitibus per *Angl.* et Caſtrodibus  
Episcopatus *Dunelm.* et *Juſtic. Ceſtren.* Such rigor and power of both ſwords muſt  
be uſed to enforce and extort theſe Diſmes from the Abbots and Clergy.

It ſeems the Biſhop of *Winton* compounded, and payed a Fine of 300. Marks for  
his two years Diſmes to the Pope's Collector, for which he received this Acqui-  
tance from the King, Anno 2 E. 1.

R E X



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

**W** Anno 2 E. 1. **R** EX omnibus ad quos presentes Literæ pervenerint, salutem. Sciatis, quod venerabilis Pater *N. Wynton*, Episcopus satisfecit Magistro *Reymundo de Nogeris* Domini Papæ Nuncio, nomine nostro de quingentis Marcis, per quas idem Episcopus finem fecit nobiscum et cum eodem *Reymundo* pro decima temporalium suorum de duobus primis annis, de illis duobus annis de quibus Dominus Papa nobis gratiam fecit de decima bonorum Ecclesiasticorum regni nostri. De quibus quidem quingentis Marcis præfatum Episcopum tenore presentium penitus quietamus. In cujus, &c. Dat. apud *Westm.* 24. die *Novembris*.

Pat. 1 E. 1.  
m. 24. Intus.  
Pro Episcopo  
Wynton.

What part of the new Dismes granted to the King, he received from the Popes Collector, these Records will inform us.

**R** EX omnibus, &c. salutem. Noveritis nos habuisse & recepisse à discreto viro Magistro *Reymundo de Nogeris* Domini Papæ Capellano & Nuncio, mille *Marcas* bonorum et leg. *Sterlingorum*, de pecunia per *Wzlatos Angl.* ad preces Domini Papæ nobis concessa, et per dictum Magistrum *Reymundum* collecta, et *Luca de Luk* Mercatori nostro ad mandatum nostrum liberata. De quibus quidem mille *Marci* nos fateamur ac recognoscimus bene esse pacatos & contentos. In cujus, &c. Teste Rege apud *Turrim London.* 10. die *Octobris*.

Pat. 2 E. 1. m. 7.  
De denariis a  
Magistro Reymundo  
receptis.

**R** EX dilectis sibi in Christo Magistro *Reymundo de Nogeris* Domini Papæ Capellano & Nuncio, salutem. Mandamus vobis quod de denariis quos penes vos habetis in custodia de Decima a sede Apostolica nobis concessa, habere faciatis dilecto nobis *Willielmo de Rading* Canonico *Cestrie*, & ceteris coexecutoribus Testamenti bonæ memoriæ quondam *Cicestrie* Episcopi, quinquaginta *Marcas*, in partem solutionis debitorum in quibus Dominus *H. Rex* pater noster eisdem die quo obiit tenebatur. Et nos dictas quinquaginta *Marcas* vobis in dicta Decima faciemus allocari. In cujus, &c. Teste Rege apud *Luton.* 2. die *Novembris*.

Pat. 2 E. 1. m. 3.  
Intus. Pro Executoribus  
Testamenti Cicestrie  
Episcopi.

At the same time the King (wanting Monies) appointed Special Collectors of the arrears due upon the Dismes granted to his Father by the Pope towards the relief of the Holy Land, by this Patent.

**R** EX dilectis & fidelibus suis fratri *Stephano de Folburn*, Electo de *Waterford*, & *Willielmo de Middleton*, salutem. Sciatis, quod assignavimus vos ad arreragia vicefime Domino *H. Regi* patri nostro in subsidium Terræ sanctæ in regno *Angliæ* concessæ, colligenda et adunanda, necnon ad fines a detentoribus ejusdem vicefime vel arreragiorum ejusdem, inde nomine nostro recipiendos, prout ad opus nostrum magis videritis expedire. Et ideo vobis mandamus, quod præmissis intendatis in forma prædicta. In cujus, &c. Teste Rege apud *Westm.* 18. die *Octobr.*

Pat. 2 E. 1. m. 5.  
De vicefima  
colligenda.

How the King disposed of the Temporalities of Bishopricks then in his hands during their vacancies, for his best advantage, this Record will instruct us.

**R** EX omnibus, &c. salutem. Sciatis, nos plenam dedisse potestatem dilectis & fidelibus nostris *Johanni de Lovetor*, & *Galfrido de Neubald*, Custodibus nostris Episcopatus *Dunelm.* tradendi, nomine nostro ad campi-partem tenentibus Episcopatus prædicti, omnes terras dominicas ejusdem Episcopatus quæ sunt in manu nostra, durante vacatione Episcopatus ejusdem. Ita quod ipsos quibus prædicti *Johannes* & *Galfridus* dictas terras nostro nomine dimittent ut prædictum est, acceptabimus, & receptores terrarum earundem in forma prædicta super eadem receptione conservabimus indempnes. In cujus, &c. Teste Rege apud *Wynd.* 26. die *Septemb.*

Pat. 2 E. 1. m. 7.  
De terris Episcopatus  
Dunelm.

The Executors of the deceased Bishop of *Durham*, having put in pledges to satisfy all Debts owing to the King, he thereupon issued this Writ to the Guardians of the Temporalities for their free administration of his goods, and reaping the Corn he had sowed on his Temporalities, to perform his Testament.

**R** EX dilectis & fidelibus suis *Johanni de Lovetor*, & *Galfrido de Neubald*, Custodibus Episcopatus *Dunholm.* salutem. Quia frater *Hugo* quondam Prior *Dunholm.* & Magister *Rogerus de Seyton*, manuceperunt pro executoribus Testamenti bonæ memoriæ *Roberti* quondam *Dunholm.* Episcopi, de debitis, si quæ idem Episcopus die quo obiit nobis debuit, reddend. Vobis mandamus, quod eisdem Executoribus plenam administrationem omnium bonorum quæ fuerunt prædicti Episcopi habere

Cl. 2 E. 1. m. 5.  
Intus. Pro Executoribus  
Testamenti Episcopi  
Dunholm.

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habere permittatis, ad Testamentum ipsius Episcopi plenarie perficiend. Permitta- Anno 2 E. 1.  
tis etiam eisdem executores blada et alia bona quæ fuerunt dicti Episcopi in Pane-  
ris prædicti Episcopatus, pro voluntate sua reponere, prout sibi magis viderint expe-  
dire. Teste Rege apud Wyndesf. 27. die Augusti.

Robert de Insula being soon after elected and confirmed B. shop of Durham by the Kings consent, he issued this Writ for the restitution of his Temporalities.

**R**EX Militibus, liberis hominibus, & omnibus aliis tenentibus de Episcopatu Dunelm. salutem. Cum venerabilis pater W. Ebor. Archiepiscopus Angl. Primas, electionem nuper celebratam in Ecclesia Cathedrali Dunelm. de discreto viro fratre Rob. de Insula, Priore de Finkelhall in Episcopum Dunelm. cui prius Regium assensum addidimus et favorem, confirmaverit, sicut per litteras dicti Archiepiscopi plenius intelleximus, cepimus fidelitatem ipsius Electi, & Temporalia dicti Episcopatus cum omnibus pertinentiis suis ei reddimus. Et ideo vobis mandamus quod eidem Electo tanquam Domino vestro, in omnibus quæ ad Episcopatum illum pertinent, de cætero intendentes sitis & respondentes sicut prædictum est. In cuius, &c.

Pat. 2 E. 1. m. 7.  
intus Detem-  
pora libus resti-  
tuendis.

Et mandatum est Johanni de Lovetot, & Galfrido de Neubaud, Custodibus prædicti Episcopatus, quod eidem Electo vel certo Attornato suo prædictum Episcopatum, cum Caltris & omnibus aliis pertinentiis suis liberent sine mora. In cuius, &c. Teste Rege apud Norhampt. 11. die Novembris.

In a Bundle of Writs of King Edward the First in the White Tower, in the second year of his Reign, I met with the draught of this Prohibition concerning Tithes of Assarts within the bounds of Wyndeshore Forest, belonging to the King, prohibiting any Suits for them in the Ecclesiastical Court by the Dean and Chapter of Sarum.

**C**um Decretum de Assartis factis infra Forestam seu bundas Forestæ nostræ de Wyndeshore sunt de advocacione nostra, et ad nostram pertinere debent collationem, et super perceptione earundem sit querela sive placitum inter vos et Decanum et Capitulum Sarum in Curia Christianitatis motum, cum huiusmodi placita ad Coronam et dignitatem Regiam pertinere noscuntur: Vobis mandamus, quatinus prosecutioni dictæ querelæ seu placiti in Curia Christianitatis supersedeatis omnino usque ad primum Parliamentum nostrum, in quo Parlamento compareatis cum munimentis vestris ad faciendum et recipiendum coram Nobis quod iuris fuerit et rationis. By which it appears, that all the Jurisdiction of Pleas for Tithes originally belonged to the Kings Crown, Dignity, Courts, not to Courts Christian; and even in that Age, the tryals for the right of Tithes of Assarts within the Kings Forests, whereof the King had the advowson and collation, was to be tryed and determined onely before the King in his Parliament, or other Temporal Courts, not in Ecclesiastical. Whereupon the King afterwards issued a Writ to the Constable of Wyndeshore Castle, to sequester these Tithes to his use.

Bundela Bre-  
vium An. 2.  
E. 1. in Turri  
London.

The Bishop of Bath and Wells laying claim to the Patronage and Custody of the Temporalities of the Abby of Gloucestonbury during the vacancy, the King issued this Writ for sequestering the profits thereof till the right between them should be determined.

**R**EX dilecto & fidei suo Galfrido Foliot Custodi Abbatæ Glouceston. salutem. Cum commiserimus vobis Abbatiam prædictam cum pertin. vacantem, & in manu nostra existentem, custodiendam quamdiu nobis placuerit, & venerabilis pater W. Bathon. & Wellen. Episcopus, & ejus Ministri patronatum et custodiam ejusdem Abbatæ ad ipsum Episcopum asserant pertinere: Vobis mandamus, quod ad custodiam ejusdem Abbatæ unum ex parte prædicti Episcopi vobis assistere permittatis; Ita quod per visum vestrum et ipsius, omnes proventus Abbatæ prædictæ, et alia ad eandem Abbatiam spectantia salvo et absque distracione, et deterioracione reserventur, quousque de jure nostro seu dicti Episcopi plenius liqueat, et aliud a nobis super hoc receperitis id mandatis. Dat. per manum W. de Merton Canc. apud Sanctum Martinum magnum London. 8. die April. & est litera patens.

Clauſ. 2 E. 1.  
m. 11 Pro  
Bathon. &  
Wellen. Epif-  
copo.

What Bishops and Abbots were this year elected or restored to their Temporalities in Ireland by the Kings special Grace, and dispensed with in some particulars prejudicial to his Prerogative, with a Proviso that it should not turn to his future prejudice nor be drawn into example, these Records will inform us.

R E X



K. Edward 1. *An Exact History of the Popes Intollerable Usurpations*, B. 5. ch. 2.

Anno 2 E. 1.

Pat. 1 E. 1. m. 1.  
De Temporalibus restituendis.

**R**EX dilecto Clerico suo *Johanni de Sausford* Escaetori suo *Hibernia*, salutem. Cum venerabilis pater *R. Archiepiscopus Cassalen.* electionem nuper factam in Ecclesia Cathedrali *Watreford* de fratre *Stephano de Fulburn.* in Episcopum ejusdem loci, cui Regium assensum prius adhibuimus et favorem, confirmaverit, sicut per literas patentes prefati Archiepiscopi plenius accepimus; Nos confirmationem illam acceptantes, Temporalia ejusdem Episcopatus, prout moris est, eidem restitimus. Et ideo vobis mandamus, quod eidem Electo Temporalia Episcopatus prefati restituatis. In cujus, &c. Teste Rege apud *Westm.* 28. die *Octobris*.

Et mandatum est Milibus, liberis hominibus, & omnibus aliis Tenentibus de Episcopatu *Watreford*, quod eidem fratri *Stephano* tanquam Domino & Episcopo in omnibus quæ ad Episcopatum illum pertinent intendentes sint & respondentes, sicut prefatum est.

Pat. 1 E. 1. m. 14. Pro Episcopo Finibr.

Nota.

**R**EX dilecto & fideli suo *Galfrido de Gyenvill* Justic. *Hibern.* salutem. Cum venerabilis pater *David* Archiepiscopus *Cassalen.* electionem nuper factam in Ecclesia Cathedrali *Finibrian.* de dilecto nobis *Florentio* nuper Abbate de *Kelsing.* in Episcopum *Finibrian.* cui Regium assensum prius adhibuimus et favorem, confirmaverit, sicut per literas patentes ipsius Archiepiscopi plenius accepimus. Nos laboribus et expensis prefati Electi parcere, et sibi gratiam facere volentes, Vobis mandamus, quod fidelitatem ipsius Electi nomine nostro recipiatis, et sibi temporalia Episcopatus prefati restituatis de gratia nostra speciali; Receptis tamen prius literis prefati Electi patentibus, quod gratia illa sibi hac vice facta, nobis aut heredibus nostris non cedet in prejudicium temporibus futuris. In cujus, &c. Datum apud *Westm.* 30. die *Novembris*.

Pat. 1 E. 1. m. 18. Delicencia eligendi, &amp; temporalibus restituendis.

Nota.

\* All who exercise any jurisdiction derived from the King, ought to do it in his name & stead.

**R**EX dilecto & fideli suo *Galfrido de Gyenvill.* Justic. suo *Hibernia*, salutem. Accedens ad nos frater *Christinus* Canonicus Monasterii de *Machill Dunen.* Dioc. literas patentes Supprioris & Conventus vacante nuper Ecclesia sua prefata per mortem *Colmani* nuper Abbatis ejusdem loci, ipsum *Christinum* sibi elegerunt in Abbatem, et nobis supplicarunt, ut electioni ipsorum Regium adhibere dignaremur assensum. Verum licet dicti Supprior et Conventus minus prudenter, non prius petita vel optenta a nobis licencia eligendi, ad electionem hujusmodi in nostri prejudicium processerunt, eis tamen ob eorum exilitatem misericorditer compatiētes offensam prefatam eis remissimus ad preteritum: et ut eorum parcat laboribus et expensis, ipsos ad vos remittimus, licenciam a nobis hujusmodi petitueros. Vobis mandantes, quod prefatis Suppriori et Conventui licenciam eligendi sibi Abbatem cum a vobis petita fuerit, Regio nomine concedatis, et Electo ipsorum si idoneus fuerit, assensum Regium prebentes, eidem Temporalia dictæ Abbatie prout moris est, et ad nos pertinet vice nostra restituatis. Volumus autem quod gratia ista eis liberaliter facta trahatur in consuetudinem vel consequenciam temporibus futuris. Dat. per manum, &c. apud Sanctum *Martinum magnum London.* 17. die *Maii*.

What Prebendaries he conferred in *Ireland* this year by his Prerogative, belonging to vacant Bishopricks, these Records relate.

Pat. 1 E. 1. m. 11. De prebendis concessis.

Ibidem.

**R**EX concessit *Henr. de Wodestok* Clerico suo Prebendam illam cum pertinent. quam Magister *Rogerus le Dru* nuper defunctus habuit in Ecclesia *Dublinensi* vacantem per mortem prefati *Rogeri*, & ad donationem Regis spectantem, ratione Archiepiscopatus *Dublinie* vacantis, et in manu Regis existentis. Dat. per manum, &c. apud *Westm.* 7. die *Julii*. Per *R. Burnell*.

**R**EX concessit *Anton. Bek* prebendam illam cum pertin. quam *Michael de Roy-mull* nuper defunctus habuit in Ecclesia *Dublinia*, vacantem per mortem prefati *Michaelis*, & ad donationem Regis spectantem, ratione Archiepiscopatus *Dublinie* vacantis, &c. ut supra. Dat. &c. ut supra.

A new Archbishop of *Dublin* being elected this year, who resided with the Queen of *Scots* in *Scotland*, the King at her special request granted him this Priviledge, to make Attorneys to appear for him in all his Courts, and to exempt him from all Amercements, for not appearing personally in them.

Clas. 1 E. 1. m. 7. verso Pro Episc. Dublin.

**R**EX ad instantiam sororis suæ *Reginæ Scotia*, concessit *R. Dublin.* Episcopo in *Scotia* commorantem, quod Magist. *Robertus de Robery*, quem idem Episcopus coram

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coram Rege loco suo constituit, nomine ipsius Episcopi, possit Attornatos facere ad *anno 2 E. 1.* lucrandum vel perdendum in Loquelis motis vel movendis in *Curia R.* coram quibuscunque Justic. & Baronibus de Scaccario; & in Comitibus, Hundredis, & aliis Curis Regis, pro ipso vel contra ipsam, usque ad finem septem annorum. Et quod idem Episcopus per tempus prædictum quietus sit de omnimodis communibus summonitionibus Justiciariorum Regis Itinerantium, tam ad Placita Forestæ, quam ad alia Placita, in quibuscunque Com. ipse Episcopus terras habuerit vel teneamenta. Ita quod ipse occasione absentie sue non amercietur, nec in aliquo sit perdens pro communibus summonitionibus prædictis. Teste Rege apud Wyndesore, 27. die Augusti.

The Archbishop of Cassal in Ireland being sued, prosecuted, and distrained by the Barons of the Kings Eschequer there, for Debts due by him to the King; He thereupon procured these two Writs to the Treasurer, Barons, and Chief Justice in Ireland, to suspend all further process and proceedings against him for a time, and till the King himself should return into England, where he would take further orders therein.

**R**EX dilectis & fidelibus suis Thesaurario, vel ejus locum tenenti, & Baronibus suis de Dublin. salutem. Mandamus vobis, quod omnes Craciones, Demandas, et Distractiones, quas facitis venerabili patri Cassalensi Archiepiscopo pro Debitis nostris, ponatis in respectum usque ad Quindenam Sancti Michaelis proximo venturam. Datum, &c. apud Westm. 9 die Julii. Ex Rec. Claus. de An. 2 E. 1. m. 6. intus. Pro Archiepisc. Cassalensi.

**R**EX dilecto & fideli suo Galfrido de Geymuil. Justiciario suo Hibernia, salutem; Mandamus vobis, quod omnimodas Craciones, Demandas et Distractiones, quas fieri facitis venerabili Cassalensi Archiepiscopo, ponatis in respectum usque adventum nostrum in Angl. ut tunc inde provideatur, quod rationabiliter fuerit inde faciendum; nullam molestiam sibi vel Ecclesie sue interim inferendo. Dat. &c. 13 die Julii. Per D. Burnell. Ibid. Pro Archiepiscopo Cassalensi.

I found in the White Tower this Original Bull of Pope Gregory 10. to K. Edw. 1. imploring his royal favor to, and protection of the Lands, goods and person of this Archbishop of Cassal, against suites and oppressions, who had taken up the Cross for the Holy Land (purposely to secure himself from his Debts and Creditors) whom this Pope had taken into his own and St. Peter's protection upon that account.

**G**regorius Episcopus, Servus servorum Dei; Charissimo in Christo filio E. Regi Anglia illustri, salutem, & Apostolicam benedictionem. Honori Regio satis addicitur, si ob reverentiam summi Regis (\* qui solus habens in regnis hominum potestatem, solus Regibus dat salutem) Ecclesie ac earum Ministri terrenorum Regum ac Principum potentie oportunitis protegantur auxiliis et congrui subsidii præsidio foveantur. Sane venerabilis frater noster Cassalensis Archiepiscopus, zelo fidei ac devotionis accensus, miserabili statui terræ Sanctæ compatiens, signo biblicæ Crucis assumpto, ad ipsius terræ subsidium se accingit; propter quod ipsum quam et Ecclesiam Cassalensem cum omnibus bonis suis quæ impresentiarum obtineret, sub beati Petri et nostræ protectione suscepimus, apud te credimus promoveri, ut tam ipse quam eadem Ecclesia subsidii adiutori subsidio, et Regalis gratiæ subnixi subsidio, abstrahantur ab oppressionibus malebolozum quorumlibet, et ad votivorum prosperitatem successuum dirigantur. Confidenter igitur Celsitudinem tuam requirendam duximus & effectuose rogandam, quatinus eidem Archiepiscopo & Ecclesie pro divina nostra reverentia, sic te reddas affectu benevolens & opere gratiosum, ut idem Archiepiscopus tuo fretus auxilio, tuoque favore sussultus, liberè possit perficere Votum suum, et ipsa Ecclesia nullam incurrat exinde in suis Juribus lesionem, sed oblati potius proficiat incrementis. Et tu per hæc & alia quæ in terris gesseris æternæ vitæ gaudia merearis. Dat. Lugduni 4. Non. Octobris Pontificatus nostri anno tertio.

\* Therefore the Pope hath no Sovereign power nor dominion over them.

\* It was rather to protect himself from the debts he owed to the King & others, for which he was sued, distrained the year before.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 1.

*An. 2 E. 1.* In a Fragment of Plea Rolls, or *Placita de An. 2 E. 1. Rot. 19.* (in the Tower of London) I find these Attachments for contempts on Prohibitions for suits in Court Christian for Goods and Debts that concerned not *Testament* or *Marriage*.

*Placita 2 E. 1. Rot. 19. Bedf.* Ricardus Prior de *Bismade* attachiatus fuit ad respondend. *Johanni de Gisors, &c.* de placito, quare tenuit placitum in Curia Christianitatis de *Catallis et Debitis* quæ non sunt de *Testamento* vel *Patrimonio*, contra prohibitionem, &c. Et unde prædictus *Johannes* Magister Hospitalis Sancti *Johannis Jerusalem* in *Anglia* traxit eos in placitum in Curia Christianitatis de *Bismade* in Ecclesia Conventuali de *Bismade*, &c. quæ non sunt de *Testamento* vel *Patrimonio*. Et cum idem *Johannes* & *Stephanus* die Veneris in dicta Ecclesia Conventuali detulisset prædicto Priori de *Bismade* Prohibitionem, &c. prædictus Prior de *Bismade* super Regia prohibitionem, fecit eum primo suspendi ab ingressu Ecclesiæ, et postea excommunicari, ad dampnum ipsius ad balenciam quadraginta librarum. Et inde producit sectam. Et Prior venit, & defendit vim & injuriam, &c. quod non tenuit placitum contra prædictam prohibitionem: & hoc paratus est verificare prout Curia consideraverit. Ideo consideratum est quod vadit ei legem se 12. manu, &c. a die Sancti Michaelis in 15. dies. Plegii de lege *Johannes de Gros*, &c. Postea ad diem illum prædicti *Johannes de Gisors* & *Stephanus* versus prædictum Priorem veniunt, & ipse non venit. Et ideo consideratum est, quod prædictus *Johannes*, &c. recuperent dampna sua quadraginta librarum, & Prior in misericordia. Postea venit prædictus Prior in propria persona sua. Inde nichil inde, &c. Et misericordia pardonatur ad instantiam, &c.

*Ibidem Rot. 29. Midd.* Abbas de *Bello loco* per Attornatum suum optulit se, &c. quare secutus est placitum in Curia Christianitatis, de *catallis et debitis* quæ non sunt de *Testamento* vel *Patrimonio*, &c. Et ipse non venit, & præceptum fuit Vicecomiti quod attacharet, &c.

*Ibidem Rot. 32. Suffex.* *Johannes Pye*, & *Johannes de Brommesbeye* per Attornatum suum optulit se 4. die versus Magistrum *R—*. Magistrum *Nicholaum de Sutton*, & *Rogernum Alard*, de placito, quare prædicti *Rogernus* & *Nicholaus* tenuerunt placitum in Curia Christianitatis, de *catallis et debitis* quæ non sunt de *Testamento* vel *Patrimonio*, contra prohibitionem, &c.

*Ibidem, Rot. 38.* *Nicholaus* filius *Simonis de Benington* per, &c. optulit se, &c. versus — fil. *Simonis de Benington*, &c. de placito quare secuti sunt plac. &c. de *catallis et debitis* quæ non sunt de *Testamento* vel *Patrimonio*, contra prohibitionem, &c. Ideo sicut prius præceptum est Vicecomiti, quod attachet eos quod sint, &c.

By these several Attachments and Suits upon Prohibitions we may discern;  
1. The Prelates, Clergies, and Ecclesiastical Courts continual, restless Encroachments and Usurpations upon the Kings temporal Jurisdiction, Courts, Rights, Priviledges, Crown, Dignity, and Subjects liberties in the beginning of the reign of King *Edward the 1.* as well as during the reign of King *Henry 3.* notwithstanding all former Prohibitions, Attachments, Suits, Complaints and Judgements against them in such cases. 2ly. This Kings and his Judges constant care to obviate, prohibit, suppress, punish these their bold usurpations and encroachments, by Prohibitions and Attachments against the Prosecutors of such Suits, and the Ecclesiastical Judges who held and encouraged them. 3ly. That their Courts and Jurisdiction Ecclesiastical, were then confined only to Chattels and Debts which concerned *Matrimony* and *Testaments*, (not to other Chattels, Debts, Advowsons or Freeholds;) which Jurisdiction they enjoyed, not by any Original Archiepiscopal, Episcopal, or Ecclesiastical right inherent in themselves, or derived to them from Christ or his Apostles, (as Popes, Popish Prelates, Canonists, and others most erroneously assert;) but by the mere grant, grace, favour, or connivance of our Kings, and other Christian Emperors, Princes in foreign parts, and that only in their Right, Steeds, Names, as their Deputies, Delegates, and Substitutes.

This is most perspicuously evident; First, by our Saviour Christs own resolution and answer in a case of the same nature, thus recorded to posterity by *St. Luke* the Evangelist, Lu. 12. 13, 14. And one of the Company said unto him, Master, Speak to my Brother, that he divide the Inheritance with me: And he said unto him, Man, Who made me a Judge or divider over you? By the 12. Apostles and whole Churches determination, Acts 6. 2, 3, 4. Then the 12. (Apostles) called the multitude of the

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the Disciples unto them and said, It is not reason that we should leave the Word of God and serve Tables; wherefore, brethren, look ye out among you 7. men of good report, full of the Holy Ghost and wisdom, whom we may appoint for this business; But we will give our selves continually to prayer, and to the Ministry of the word: And the saying pleased the whole multitude. By St. Pauls positive resolution, 2 Tim. 2. 4. No man that warreth (a spiritual warfare) intangleth himself with the affairs of this life, that he may please him who hath chosen him to be a soldier; compared with 2 Tim. 4. 1, 2, 4, 5. Acts 13. 2. Rom. 1. 1. Mat. 28. 19, 20. Acts 20. 28. to 36. 1 Pet. 5. 1. to 5. 1 Cor. 6. 4, 5. & most Expositors on these Texts.

2ly. By St. Bernards Resolution from the precedent Texts, who wr. t thus to Pope Eugenius, his Scholar; \* *Putasne hac tempora sustinuerint, si hominibus litigantibus pro terrena hereditate & flagitantibus abs te iudicium, voce Domini tui responderis; O homines, Quis me constituit Iudicem super vos? In quale tu iudicium mox veniris?*

\* De Consideratione ad Eugenium Papam, l. 1.

&c. *Et tamen non monstrabunt puto, qui hoc dicent, ubi aliquando quisquam Apostolorum Iudex sederit hominum, aut dibitor terminorum, aut distributor terrarum. Stetisse denique lego Apostolos iudicandos, sedisse iudicantes non lego. Cui illud, non fuit.* Itane imminutor dignitatis servus, si non vult esse major Domino suo?

Acts 5.

aut discipulus, si non vult esse major eo, qui se misit? aut filius, si non transgreditur terminos quos posuerunt patres sui? Quis me constituit Iudicem? ita te Dominus & Magister? & eris injuria servo discipuloque, nisi iudices universos? Quidni contemnant iudicare de terrenis possessionibus hominum, qui in celestibus et Angelos iudicabunt? Ergo in criminibus, non in possessionibus potestas vestra: quoniam propter illa, et non propter has accepistis claves regni Caelorum, Præbaricatores ut excludatur, non Possessores. Quam tibi major videtur & dignitas & potestas, dimittendi peccata, an prædia dividendi? Sed non est comparatio. Habent hæc infirma et terrena Iudices suos, Reges et Principes terræ. Quid fines alienos inbaditis? Quid falcem vestram in alienam messem extenditis? Non quia indigni eos, sed quia indignum vobis talibus insistere, quippe potioribus occupatis. The very same is likewise asserted by most antient and modern Commentators and Expositors on St. Luke, ch. 12. v. 13, 14. Yea by \* Johannes Ferus in his Commentary on St. Matthews Gospel, lib. 3. cap. 16. on these words of Christ to Peter, Tibi dabo claves regni cælorum; who from thence, and St. Bernards premised passages concludes, That neither St. Peter, nor the Pope himself hath any Temporal Monarchy, Iudicature, or Jurisdiction, in or ober any Temporal possessions or affairs, to divide, distribute any Temporal estates, goods or chattels, by any Divine or Ecclesiastical right: Therefore no other Apostle, Bishop, or Ecclesiastical person whatsoever can pretend thereto.

\* See Sixtus Senensis Bibl. Sanctæ lib. 6. Annot. 71. p. 451.

3ly. It is undeniable; That the Jurisdiction, Probate, Conusance, Judicature of all Wills, Testaments concerning Lands or Goods, together with the disposition and administration of all Intestates Goods, Chattels, Debts, & all causes concerning them, or Matrimony, antiently belonged to Emperors, Kings, Princes Temporal Courts, Jurisdctions, & Judges alone, (not to Bishops) who made many Laws, Constitutions, Rescripts, Judgements and Resolutions concerning them, collected and recorded by the Emperor Justinian, Codicis lib. 1. Tit. 7. De Episcopali audientia, lib. 3. Tit. 28. De inofficioso Testamento, Tit. 29. De inofficiosis Donationibus, lib. 6. Tit. 21. De Testamento Militis. Tit. 22. Qui Testamenta facere possunt vel non possunt. Tit. 23. De Testamentis, & quemadmodum Testamenta ordinantur. Tit. 24. De heredibus instituendis, Tit. 25, 26, 27, 28, 29, 30, 31, 32, 33. & Tit. 34. Si quis aliquem testari prohibuerit vel coegerit. Tit. 36. De Codicillis. Tit. 37. De Legatis. Tit. 39. Si omissa sit causa Testamenti. Tit. 41. De his quæ pæna nomine in Testamentis vel Codicillis scribuntur: Tit. 42, 43. De fidei commissis, & Legatis. & Tit. 44. to 61. Lib. 5. Tit. 1. De Sponsalibus & Arris sponsaliciis. Tit. 3. De Donationibus ante Nuptias, vel propter Nuptias, & Sponsalitiis. Tit. 4. De Nuptiis. Tit. 5. De Incestis & inuitilibus Nuptiis. Tit. 6. De Interdicto Matrimonio inter pupillam & tutorem, seu curatorem, filiisque eorum, & Tit. 7. to 40. By several Imperial Lawes, Edicts and Judgements to the same purpose in Codice Theodosii. In Legis Wisigothor. l. 3. Tit. 1, 2, 3, 4, 5. lib. 4. Tit. 2. & 5. lib. 5. Tit. 2. lib. 7. Tit. 5. Lex 4, 5. Edictum Theodoricis Regis, cap. 20. to 40. & 72. Leges Burgundiorum, Tit. 43. 60. Leges Longobardorum 1. Tit. 14. Lex 13. Lib. 2. Tit. 18. Leges Neapol. lib. 3. Tit. 40.



An. 2 E. 1. *Leges Anglorum*, Tit. 13. *Capitalia Caroli Magni & Ludovici*, Lib. 7. Tit. 246, 247. registred in *Frid. Lindebrogius* his *Codex Legum Antiquarum*, where you may peruse them: And by Sir *John Davis* his *Irish Reports*, fol. 52. where it is resolved, That all Causes, as well of Patrimony as of Testament, were Civil Causes, and appertained to the Jurisdiction of the Civil Magistrate, as is well known to all Civililians, until Christian Emperors and Kings, to do honoz to Prelates and Clergy-men, granted or allowed them cognisance or Jurisdiction of such causes, *cum non fuit sic ab initio*.

4ly. That Bishops, Ordinaries, Ecclesiastical persons, Courts, both in forraign parts and our own Realm, obtained the Conusance, Jurisdiction of all Testamentary Charters, Debts, Cases, and Probates of Testaments, and also of Matrimony, by the grant of Princes, and consent of our Kings and Nobles in Parliament, or else by Custom, connivance, or gradual insensible usurpations on the rights and prerogatives of the Crown, is evident not only by the last recited Laws, Authorities, but confessed by *Osborn* the *Popes Legate*, by *Boniface*, and *John Strasford* Archbys of *Canterbury* in their *Constitutions*, and by \* *Will. Lyndwode* himself, our greatest Canonist, in his *Gloss* on Archbishop *Strasford* his *Constitutions*, *De Testamentis*: where he propounds and resolves this question; *Sed possit quæri, unde provenit hæc libertas (Ecclesie) quoad casum nostrum (de Testamentis?)* Videtur namque quoad primum, quod Ecclesia non haberet se intromittere de tali approbatione Testamentorum, sed potius pertineret ad Iudices Laicos, ut in *L. consulta* distalia, &c. Dic, quod hæc libertas quoad approbationem hujusmodi (Testamentorum) fundatur super consensu Regio et suorum Procerum in talibus ab antiquo concessio. Item, super consuetudine in ea parte de scientia Regum Angliæ diutius conservata.

\* Provinciale,  
l. 3. De Testa-  
mentis, f. 118.  
h. Ecclesiasti-  
carum liberta-  
tum.

\* 2 Report, f.  
f. 37, 38.

5ly. Sir \* *Edward Cooke* and our other Judges resolved in *Hensloes Case* Trin. 42 Eliz. and before that, in the *Tear-Books* of 2 R. 2. Fitz. Testament 4. 11 H. 7. f. 12. b. *Brooke Administrator* 50. & Testament 271. That the Probate and Conusance of Wills and Testaments did not anciently, but of late times belong to the Spiritual Courts within this Realm, and that not by the Spiritual Law, but by the consent of the King and Nobles; the Temporal Lords in all other Countries except England, and the Lords of Manors in many places of England, having till this day the probate of Wills by Custom and Prescription. In what particular year, or by what Kings particular grant our English Bishops, Ordinaries, and Spiritual Courts first obtained this new Jurisdiction of proving, disproving, and holding Plea of mens Wills, Testaments, and matters contained in or relating to them, I cannot positively determine, but I conjecture they began after the reign of King *William the Conqueror*, and his Sons, in the reign of King *Henry the 2.* That which induceth me hereunto, is this passage in *Ranulphus de Glanvilla*, *Tractatus de Legibus & Consuetudinibus Regni Angliæ*, lib. 7. where after he had treated of the manner of making Testaments, c. 5. & 6. *Debet autem Testamentum fieri coram duobus vel pluribus viris legitimis Clericis, vel Laicis, & talibus qui testes inde fieri possunt idonei, &c.* (which this King H. 2. likewise \* settled for a Law in Ireland, in the Council of *Cassal*, An. 1172. c. 6.) He thus begins his 8. Chapter. *Si quis autem auctoritate hujus brevis conventus aliquid dixerit contra Testamentum, scilicet, quod non fuit rationabiliter factum, vel, quod res petita non fuerit ita ut dicitur legata, tunc quidem placitum illud in Curia Christianitatis audiri debet et terminari: Quia placita de Testamento coram Iudice Ecclesiastico fieri debent, et per illos qui Testamento interfuerunt testimonia, secundum iuris ordinem terminari.* Which being the first authority I meet with concerning the Jurisdiction of Ecclesiastical Courts in cases of Testaments, and questions arising on them; whereof I finde no mention in any of our ancient Saxon, Danish, Norman Kings Lawes or Constitutions, nor in the Lawes or Charters of King *Henry the 1.* or King *Stephen*, I thereupon conjecture, that King *Henry the 2.* by some Charter or Condescension first granted them this Jurisdiction; And that upon this account, because most mens [1] Wills and Testaments in that age were written and attested by Priests and Clergymen, when they came to visit them in their sick beds, (few others being then able to read or write) and all Clergymen being [2] prohibited by the Canons and Constitutions of Pope *Honorius*, *Eugenius the 2.* and *Alexander the 3.* in the Council of *Latran* under him, Anno 1180, before *Glanvil*

\* Giraldus  
Cambrensis,  
Hibernia Ex-  
pugnata, c. 34.  
Spelmani  
Concil. Tom.  
2. 98.

[1] See *Spelmani* Con-  
cil. Tom. 2.  
p. 155, 180,  
205, 387.  
[2] *Sirius*  
Concil. Tom.  
3 p. 682. See  
here, Tom. 2.  
p. 707.

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vil writ his Book, or was made chief Justice, (viz. [3] Anno 1181, or 1194. Anno 2 E. 1. as others compute) to take any Oath, or give Testimony upon Oath before any Secular Judges or Court in any Criminal or Civil Cause, without the Popes or their Bishops [4] special license; thereupon they obtained this Jurisdiction of Probate of Wills, and all causes, goods concerning them, from King Henry 2. at or about the time he purged himself from the murder of Thomas Becket, and quitted much of his antient Sovereign Regal Jurisdiction to the Pope and English Prelates, to purchase his peace from their vexations and Censures.

6ly. This point was likewise thus unanimously resolved by our Judges in Ireland, in Sir J. Davis his Irish Reports, *The Case of Trial of Legitimacy and Bastardy*, f. 51, 52. Our Kings of England though they (of later times) granted or permitted their Bishops & Ecclesiastical Courts to have Consuance & Jurisdiction of Causes of Matrimony and Testament; yet they alwayes had and reserved a Superintendency and Jurisdiction to direct and regulate their proceedings therein by the rules of the Common Law, and to restrain and correct their proceedings if extravagant or illegal, by their Writs and Prohibitions directed to Bishops and Ordinaries, and by Attachments and Consultations, extant in all ages in our Records and Law-books.

In the Book stiled *Regia Majestas*, or the Statutes of Scotland, collected by John Skene, printed at Edinburgh, An. 1609. dedicated to King James, Book 1. ch. 2. *Causas pertaining to the Kirk*, Sect. 1. & 6. there is this clause, *The Pley of Douries and Testaments pertains to the Ecclesiastical Jurisdiction*. And l. 6. c. 36. *Of Testaments*; & ch. 37, 38, 39. *Of the Division of any gudes on ane Testaments, of Witnesses and Executors, Payment of Debts approved by the Testator*, I finde sundry Laws concerning Testaments, which lie in his Margin, and Sir Henry Spelman in his *Concils*, Tom. 2. p. 37. attribute to Malcolm the 2. King of Scotland in the year of our Lord 1130. in the reign of our King Henry the 1. But these pretended Lawes are transcribed verbatim out of Glanvil and *Magna Charta*, by Mr. Skene, who quotes Glanvil in his Margin; and so is his Law of Intestates goods, which he attributes to William King of Scots, Anno Dom. 1165. ch. 22. as his quotation of Glanvil to it clearly manifests; the Scots Kings deriving sundry of their Laws from our English Kings as their Supream Lords, to whom they did homage and swore fealty, not our English Kings from them. This Jurisdiction in the probates and cases of Testaments and last Wills derived from our Kings, our Ecclesiastical Courts, Judges, have for the most part enjoyed ever since King Henry the 2. his reign, but not before, for ought appears.

But though they then obtained this Jurisdiction in cases of Matrimony, Testaments, Wills, Legacies, Testators Debts and Chattels, yet neither before, then, nor for many years after, did they receive or enjoy any legal Jurisdiction over the Chattels, Goods, or Debts of persons dying intestate, especially Laymens.

The first Law extant which seems to ordain ought concerning Intestates Goods, is this, in the last Classis of our [5] King Edmunds Laws, An. Dom. 944. *De Sponsalibus contrahendis*, c. 4. *Si quis virginem vel viduam ducere velit, & hoc illi placeat & amicis suis, &c. Postea dicat Sponsus, quia bonorum parte uxorem donat, præter hanc quam ex ejus beneplacito ipsa prius coaptaverat: Et quid ei destinat si supervixerit ipsum. Si sic quoque eveniat, tunc justum est, ut ipsa habeat dimidiam partem omnium bonorum, et si prolem inter se susceperint, integritatem ipsam donec transeat ad secundas nuptias; whether he made a Will or died intestate, as some expound it. But this Constitution seems to be only by vertue of the husbands præcontract at the espousals, to which this recited Law relates, and not by this or any precedent Law or Custom of the Realm touching Intestates goods, of which I can find no mention or footsteps in any of our old Saxon Kings Lawes or Constitutions.*

The first Expresse Law now extant made in this our Realm concerning Intestates Goods, is that of King Edward the Confessor, (which Sir Henry Spelman conceives not to be first made and introduced by him, sed Antecessorum suorum legibus (præsertim Regis Canuti, ut animadvertit Malmesburius) ducta plerumq; stiled, *Leges S. Edwardi Regis, quas in Anglia tenuit, id est, observavit, non quas tulit, hoc est, instituit*) viz. cap. 5. *De intestatorum bonis*, (promulged about the year of Christ 1056.) *Si quis intestatus obierit, libertusque hæreditatem* (to wit, his Goods and Chattels) *æqualiter dividant; yet with a salvo of the Wives portion, as some conjecture.*

[3] See Mr. Dugdales Origines Judiciales, pars 2 p. 4.  
[4] See Here, Tom. 1. p. 670 to 710.

\* See Matth. Westm. Ann. 1301. p. 416, to 437.

[5] Chron. Joan. Bromton, col. 861: Spelmanni Concil. Tom. 1. p. 415, 416. Mr. Nath. Bacon his Historical Discourse of the Uniformity of the Government of Engl. cap. 43, p. 108, 109, a Spelmanni Concil. Tom. 1. p. 625. Mr. Nath. Bacons Historical discourse, &c. cap. 43, p. 129.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 1.*

*An. 1 E.1. conjecture.* This Law was afterwards inserted *verbatim* into the Lawes of King William the Conqueror, Lex 36. published by Mr. <sup>b</sup> Selden out of the Copy of Abbot Ingulphus, and into the Charter of King Henry the 1. Upon which Law (thus ratified both by the Confessor and Conqueror) the antient Writs *De rationabili parte bonorum*, extant <sup>c</sup> in Glanvill, <sup>d</sup> Bracton, <sup>e</sup> Fleta, the <sup>f</sup> Register of Writs, and <sup>g</sup> other Lawbooks (in common use in the Reigns of King Henry the 2. and his successors) were originally grounded. From whence it is most irrefragably evident, that both before and during the Reigns of King Edward the Confessor, William the Conqueror, William Rufus, (and likewise of King Henry 1. and 2. Richard the 1. King John, and Henry the 3d. as I have <sup>h</sup> elsewhere proved) the Bishops, Ordinaries, and Ecclesiastical Judges of this Realm had no legal power at all to distribute or dispose of the Goods, Chattels or Debts of those who dyed Intestate, but only their Children, and Kinred; or the King, or Lords of whom they held their lands.

This Law of the Confessor and Conqueror was grounded on, and transcribed out of the Law of the Twelve Tables, the Lawes of the Roman Emperors Severus, Antoninus, Dioclesian, Maximianus, Valentinianus, Theodosius, Justinianus, and others made and used among the Romans, recorded by Justinian, Codicis lib. 6. Tit. 54. *De legitimis liberis, & ex filia nepotibus ab Intestato venientibus*; Tit. 57. *de legitimis Hæredibus*; Tit. 59. *De bonis maternis & materni generis*; which enacted, that the Goods and Estates of persons dying intestate should be equally shared, and divided between their Children, Nephews, and those of the same stock. But if they died intestate without Children or lawfull Heirs; that then they should usually accrue to the publike Treasury; unless in cases of Mariners, Souldiers, Military Officers, Courtiers, and some sort of Artificers; whose Goods and Estates by the Lawes of the Emperors Constantine, Theodosius, and Valentinian, (made out of special favour to them) were to remain so, and be distributed if they died Intestate without Children or heirs, among their fellow Souldiers, Officers, Courtiers, Artificers, for their better encouragement.

The like Laws I meet with among the antient Laws of the Wisigoths, made by King Euricus about the year 504. *Si pater vel mater Intestatus discesserint, tunc sorores cum fratribus in omni parentum facultate absque alio abjectu, aequali divisione succedant.*

*In hereditate illius qui moritur, si intestatus discesserit, filii primi sunt. Si filii defuncti, nepotibus debetur hereditas. Si nec nepotes fuerint, pronepotes ad hereditatem vocantur. Si vero qui moritur, nec filios nec nepotes, seu patrem vel matrem reliquit, tunc avus aut avia hereditatem sibi vindicabit.*

*Quando supradicta persona defuncta, qua aut de superiori aut inferiori genere discreto ordine veniunt, tunc illa persona qua sunt à latere constituta requirantur, ut hereditatem accipiant defuncti, qui intestatus discesserit. Nam illa persona qua sunt à longioribus constituta, nihil se existiment illis prioribus posse repetere.*

*De successoribus eorum qui sic moriuntur, ut nec donationem, nec ullum faciant testamentum, nec presentibus testibus suam ordinant voluntatem, qui gradu illis proximi fuerint, eorum obtinebunt hereditatem.*

*Qui fratres tantummodo & Sorores reliquit, in ejus hereditate fratres & sorores aequaliter succedant. Si tamen unus patris & matris filii esse videantur. Nam si de alio patre vel de alia matre alii esse noscuntur, unusquisque fratris sui aut sororis, qui ex uno patre aut ex una matre sunt geniti, sequantur hereditatem. Filii tamen qui ex diversis patribus & una matre sunt geniti ad accipiendam maternam facultatem aequali successione deveniant. Similiter quoque hii, qui de diversis matribus sed uno patre oriuntur, divisionis ordinem teneant.*

Agreeing with these Laws I finde the <sup>1</sup> Edict of Theodoricus King of Italy, cap. 22. 24. *Si quis intestatus mortuus fuerit, si ad ejus successionem veniat qui inter agnatos atque cognatos gradum vel titulum proximum invenitur, Salvo jure liberorum ac nepotum. Fiscus tunc agat, quando nec parentum, nec filiorum, nec nepotum, nec agnatorum, nec cognatorum, nec uxoris & mariti, quæ succedat extare comperitur persona, secundum veterum constituta.*

Since then these antient Laws not only of the Pagan, but Christian Roman Emperors & Kings of the Wisigoths and Italians, out of which the Confessors and our other Laws concerning Intestates Goods and Estates were derived or transcribed, did thus expressly distribute them to their Children and Kinred, or for want of such to the

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i Justinian.  
Codicis, l. 6  
T. 1. De  
hereditatibus  
Decurionum  
in Cohortali-  
um Militum  
& Fabricen-  
sium.  
k Legis Wisigothorum, l. 4.  
tit. 2. De suc-  
cessionibus,  
Lex 1, 2. 3, 4.  
5, &c. Fri-  
dericus Linde-  
brogus Codex  
legum anti-  
quarum, p. 73.  
73.

l Fridericus  
Lindebrogus  
Codex Le-  
gum antiqua-  
rum, p. 247.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

publique Exchequer, or other persons, and not leave them to the arbitrary distributions or administrations of their Bishops, or other Ecclesiastical Persons or Courts; no doubt our antient Kings and Laws, (from King Edward the Confessor, even to King Edward the 1. after the Conquest) did the like, especially in the cases of Laymen. And although the aforesaid <sup>m</sup> *Laws* of the *Wifigoths*, lib. 4. tit. 2. Lex 12. enacted in the case of intestate Clergy-men, Monks and Nuns; *Clerici, vel Monachi, sive Sanctimonialiter, qui usque ad septimum gradum non reliquerint heredes, & sic moriantur, ut nihil de facultatibus suis ordinent, Ecclesia sibi cui deferbirent, (not the Bishop or Ordinary) eorum substantiam vindicabit*; Wherewith this <sup>n</sup> *Edict* of Theodoric King of Italy accords; *Clericos religiosasq; personas intestatas deficientes, quotiens defuerit qui jure succedat, locum Ecclesie suae secundum leges satere debere precipimus*; yet neither of them gives the least power to Bishops or Ordinaries to distribute any of them to pious, or retain them to their own uses. By what Law of our Realm, or lawful Jurisdiction, any of our Bishops, Ordinaries, or their Officers can then either claim or exercise authority to distribute any intestate Temporal or Ecclesiastical persons goods to pious or other uses in this age, I cannot discern.

<sup>o</sup> *Mat. Westminster* and others story of Pope Gregory the 10. *Hic in creationis sua principio (usurping the Emperors Sovereign authority of summoning General Councils, to advance his Papal authority) mandabit literas generales per singulas Nationes de Consilio congregando Balendas Maii sub Anno gratiae 1272. Unde dictum fuit de illo, Gregorius denu, colligit omne genus.*

What Archbishops, Bishops, Abbots, with other Religious persons, and Clergymen, repaired to this Council, by the Kings special license, who constituted Attornies and Proxies for them in the Kings Courts, to sue and be sued during their absence; these Records will in part inform us.

<sup>\*</sup> *W. Eboracensis Archiepiscopus, qui de licentia Regis profecturus est ad partes transmarinas, dedit potestatem Nicholao de Stapleton, & Johanni de Bennigwrth. faciendi Attornatos loco ipsius Archiepiscopi, in omnibus Placitis, & Querelis, pro ipso, vel contra ipsum, motis vel movendis, in quibuscunque Curiis: Et quod ipsi Nicholau & Johannes vel alter ipsorum, qui praesens fuerit, hujusmodi Attornatos amovere, & alios vel alium Attornatos vel Attornatum loco ipsorum substituere possint, usque ad festum Sancti Michaelis proximo futurum: nisi interim, &c.*

*Gilbertus Prior de Merton, qui de licentia Regis profecturus est ad partes transmarinas, dedit potestatem fratribus Johanni de Eylesbur. & Henrico de Templo Canonici suis, faciendi Attornatos in omnibus Placitis & Querelis, pro ipso, vel contra ipsum, motis vel movendis, in quibuscunque Curiis; Et quod ipsi Attornatos illos amovere, & alios vel alium Attornatum vel Attornatos loco eorum substituere possint in praemissis, quotiens viderint expedire, usque ad festum Sancti Johannis Baptista prox. futur.*

*Robertus Abbas Colcestria consimilem dedit potestatem Godefrido de Menlinges, & Ricardo de Baynward.*

*Frater Guido Magister Milit. Templi in Anglia, consimilem dedit potestatem fratribus Tho. de Fenne, & Willo. de Medeburn.*

*Abbas de Hyda Winton. consimilem dedit potestatem Roberto de Laverkfoke & Johanni de Wensyngton.*

*Abbas de Sancto Albano, consimilem dedit potestatem fratribus Martino de Sancto Edmundo, & Ad. Polayn Commonachis suis.*

*Abbas de Waltham consimilem dedit potestatem Fratri Johanni de Maidenherb, & Ad. le Grannr, ipsos etiam in loco ponens suo.*

*Abbas de Bello loco Regis, qui de licentia fidelium Regis locum suum in Anglia tementium profecturus est ad partes transmarinas, dedit potestatem fratribus Willielmo de Cornubia, & Willielmo de Evisham Monachis Domus suae, faciendi Attornatos loco ipsius Abbatis, in omnibus Placitis, & Querelis, pro ipso, vel contra ipsum, motis vel movendis, in quibuscunque Curiis; & Attornatos illos amovendi, & alios vel alium Attornatos vel Attornatum loco ipsorum constituendi in praemissis, quotiens opus fuerit & viderit expedire, usque ad festum Omnium Sanctorum proximo futurum. Dar. &c. 20 die Martii.*

*Consimilem potestatem dedit Abbas beatae Mariae Eborum Fratri Willielmo de Barton Monacho Domus suae, & Thoma de Langetose.*

Abbas

An. 2 E. 1.

m Frider. Lindebrogus, p. 18.

n Frid Lindebrogus, p. 147.

o Flores Hist. An. 1272. p. 352.

\* Claus. 2 E. 1. m. 13. dorso. Pro Eborum. Archiepiscopo

Pro Gilberto Priore.

Pro Abbate de Bello loco Regis.



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

Anno 2. E. 1. Abbas *Westm.* consimilem dedit potentiam Fratri *Henrico de London*, Monacho & fratri *Alex. de Westm.*

Consimilem potestatem dedit Magister *Walterus Scamell*. Theff. *Sarum*, *Simoni Malefars.*

Consimilem potestatem dedit Magister *Thomas de Cantilupo* Magistro *Gilberto de Heywode*, & *Willielmo Faukeburn.*

Consimilem potestatem tradidit Magister *Ricardus de Mephram* Decanus *Linc.* *Roberto de Gravesende.*

Frater *Hugo Sancti B. r. holomai London.* consimilem dedit potestatem fratribus *Alex. de Stanndon*, & *Ada de Eytou.*

Ibid. Pro Ab-  
bate de Ose-  
neye

Abbas de *Oseneye*, qui de licentia Regis profecturus est ad Concilium *Lugdunen-* se, dedit potestatem fratri *Alexand. de Kanuto*, & *Roberto Sprete*, faciendi Attornatos loco ipsius Abbatis in omnibus Placitis, & Querelis, motis vel movendis, pro ipso, vel contra ipsum, in quibuscunque Curis, & Attornatos illos amovendi, & loco illorum alios substituendi, quociens opus fuerit, & ipsi ad opus prædicti Abbatis viderint expedire, usque ad festum Sancti Petri ad vincula; nisi idem Abbas interim redierit in *Angliam*.

Pro Abbate de  
Seleby

Abbas de *Seleby* consimilem dedit potestatem Fratri *Alexandro de Eborum* Comonacho suo.

Consimilem potestatem dederunt, Abbas *Salop*, Abbas Sancti Petri *Glouc.* Abbas de *Croyland*, Abbas de *Evesham*, Abbas de *Malmesbur.* Prior de *Staynes*, Abbas de *Abindon*, Episcopus *Coventr.* & *Lich.* Magister *Ricardus de Mephram* Decanus *Linc.* Magister *Radulfus de Fremingham*, Magister *Petrus de Abendon*, Magister Domus Scolarium, Prior de *Spalding*, profecturi ex *Anglia*.

Besides these, King *Edward* the 1. himself sent 4. special Proctors to this General Council, to propound, assent or dissent unto in his name and behalf, what ever they or either of them should deem fit and expedient, (a clear Evidence, that he and his Proxies had an affirmative and negative voyce in General Councils) as this Patent of Procuracion assures us.

\* Pat. 2 E. 1.  
m. 20. intus.

**S**ANCTISSIMO in Christo Patri Domino *Gregorio*, divinâ providentiâ Sacrosanctæ *Romana* Ecclesiæ Summo Pontifici, suus devotus in Christo filius *Edwardus*, Dei gratiâ Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, cum omni reberentia obedientiâ et honore pedum oscula beatorum. Vestra noverit Reverenda Paternitas, quod Nos in isto sacro Concilio Generali per vos convocato, nobiles viros et fideles nostros, *Johannem* filium *Johannis*, *Johannem de Vallibus*, *Johannem Wyger*, et Magistrum *Radulphum de Merlawe*, Procuratores nostros conjunctim et dividim facimus, constituimus et ordinamus; Dantes eisdem, et unicuique ipsorum potestatem et speciale mandatum, proponendi in eodem Concilio nomine nostro, quæ viderint vel biderit proponenda, et impetranda quæ viderint vel biderit impetranda, necnon et contradicendi quæ viderint vel biderit contradicenda. In quorum testimonium presentibus literis sigillum nostrum quo utimur in *Anglia* presentibus est appensum. Dat. *Lond.* die Martis proxima post Dominicam in Ramis *Palmarum*, Anno Domini M. CC. septuagesimo quarto.

a Flores Hist.  
Part 2. p. 355,  
356. See Pla-  
tina, Onuphri-  
us, Stella, Cre-  
spin, Volate-  
ranus, Laerti-  
us, Cherubinus,  
Barns & Ba-  
laus in Greg. y.  
Centur. Magd.  
23. c. 9. col.  
218. &c. Con-  
tinuator Baro-  
ni, an. 1274.  
& Binius  
Concil. Rom.  
3.

a *Matthew Westminster* renders us this Account of the Proceedings in this Council, and of the Greek Emperors, Patriarchs, and Bishops acknowledgement of the Supremacy of the Pope and Church of *Rome* over all other Prelates and Churches, as an Article of their Faith, Creed, which they never before assented to.

Anno Gratia 1274. Kalend. *Maii*, sub Papa *Gregorio* decimo, apud *Lugdunum* fuit Concilium maximum celebratum, quod a Kalend. prædictis, usque ad 16 Kalendas *Augusti* duravit. In hoc Concilio Dominus Papa *Eadwardum* commendavit omnibus, dicens, Terram Sanctam fuisse deperditam, nisi venisset citius ad eandem. In hoc Concilio Papa statuit, quod subsequentes septem annos de cunctis convenientibus Ecclesiasticis in subsidium Terræ Sanctæ Decimæ solberentur. In hoc etiam Concilio de conversione *Gracorum*, post schisma, lætitia magna fuit. Qui *Graci* literas auro bullatas cum literis Prælatorum de *Gracia* attulerunt ad Concilium, quarum tenor sequitur.

Sanctissimo

An. 2 E. 1.

Max. Westm.  
P. 355.

**S**anctissimo & beatissimo Patri & Summo Pontifici Apostolicæ sedis univ[er]sali  
 Papæ, et communi Principi Christianorum omnium, Venerabili Patri Im-  
 perit nostri Domino Gregorio, Michael à Christo Deo fideliter Rex & Imperator, &  
 Moderator Gracorum, Ducas, Angelus, Comnenus, Palæologus, & spiritualis filius  
 magnæ sanctitatis vestræ, decentem honorem & reverentiam, cum sincera & pura af-  
 fectione, & omni postulatione. Quoniam missi sunt à magna Sanctitate vestra ad  
 Imperium meum nuncios, Deo placentes, Ordinis fratrum Minorum, Frater Hiero-  
 nimus de Osculo, Frater Riccinius Berengarii, Frater Bonagratia de Sancto Johanne  
 in Persecto, & Frater Bonaventura de Magello; & detulerunt literas magnæ San-  
 ctitatis Imperio meo. In quibus inter alia de confessione fidei, qua docet & prædi-  
 cat, & confitetur Sacrosancta Romana Ecclesia, continebatur, & oportebat de his  
 magnis responsum facere decenter: Ecce hæc facit Imperium meum, habeat au-  
 tem Confessio Fidei in litera sic; *Credimus Sanctam Trinitatem, Patrem, & Filium,*  
*& Spiritum Sanctum, unum Deum Omnipotentem, totamq; in Trinitate Deitatem,*  
*eiusdem nature, &c.* (at large related in *Matthew Westminster.*) To which this  
 new Article was subjoyned, concerning the Supremacy of the Pope and Church of  
 Rome. Ipsa quoque Sancta Romana Ecclesia summum et plenum Præmum super  
 univ[er]salem Ecclesiam Catholicam obtinet, quod se ad ipso Domino in beato Petro,  
 Apostolorum Principe sibi vultice, cujus Romanus Pontifex est successor, cum po-  
 testatis plenitudine recipisse, veraciter et humiliter recognoscit. Et sicut præ cæte-  
 ris tenetur fidei veritatem defendere, sic, et si quæ de fide subortæ fuerint quæstiones  
 suo debent iudicio definiri. Ad hanc quilibet grabatus, super negotiis ad Ecclesia-  
 sticum forum pertinentibus, potest appellare, et in omnibus causis ad examen Ec-  
 clesiasticum spectantibus, ad ipsius potest judicium recurri, et eidem omnes Eccle-  
 siæ sunt subjectæ. Ipsarum Prælati obedientiam et reberentiam sibi dant. Ad hanc  
 autem sic potestatis plenitudo consistit, quod alias Ecclesias, et Patriarchales præ-  
 cipue, diversis privilegiis eadem Ecclesia Romana honorabit, sua tamen observata  
 prærogativa. Hæc quidem in Generalibus Conciliis, hæc autem in aliquibus aliis;  
 semper salva subscripta fidei veritate, prout plene lecta est, et fideliter exposita, ve-  
 ram, sanctam, catholicam, et orthodoxam fidem esse recognoscimus, et eam accep-  
 tamus, etiam corde et ore profitemur, quia hanc veraciter tenet, docet, et prædicat  
 Sancta Romana Ecclesia, inviolabiliter observatura eandem confessionem, et in ea  
 omni tempore perseveraturos, nec ab ea unquam ullo tempore recessuros quoquo-  
 modo, aut debitueros, vel, discrepaturos, promittimus. Quem quidem Præma-  
 tum ipsius sacrosanctæ Romanæ Ecclesiæ, prout in præmissa serie continetur, ad ip-  
 sius Ecclesiæ obedientiam spontaneam venientes, fatemur et recognoscimus, ac-  
 ceptamus et sponte suscipimus: prædicta siquidem profitentes, et attendentes, et  
 acceptantes, et promittentes nos servaturos, prout dictum est; Rogamus mag-  
 nam Sanctitatem vestram, ut Ecclesia nostra Gracorum dicat sanctum Symbolum;  
 sicut dicebat hoc ante schisma usque in hodiernum diem, ut permaneamus in riti-  
 bus nostris, quibus utebamur ante schisma; qui scilicet ritus non sunt contra supra-  
 dictam fidem, nec contra divina præcepta, nec contra doctrinam novi & veteris  
 Testamenti, nec contra Concilium universaliū illorum Patrum approbatorum, à  
 sanctis spirituali dominatione Sanctæ Romanæ Ecclesiæ celebratis. Hoc igitur non  
 gravè est vestræ magnæ Sanctitati, nec inassuetum, & nobis nunc difficile propter in-  
 finitam multitudinem populi. Commisimus autem & presentibus Nuntiis Imperii no-  
 stri, ut prænotata per præsentis literas Imperii nostri confiteantur, et attendant  
 vice Imperii nostri coram magna Sanctitate vestra, Præsentis literas de nostra  
 recognitione, acceptione, et confessione, propria manu Dei gratia Imperiali sub-  
 scriptione signabimus, et Sigillum nostri Imperii inferius secimus appendi.

To which Letter and Creed of this Greek Emperor, this Letter of the Greek  
 Prelates is subjoyned; wherein they relate, 1. The Emperors Ecclesiastical  
 Supremacy over them, in summoning them all together, and conferring with them  
 to reconcile the ancient differences in matters of Faith, and Supremacy, between  
 the Greek and Roman Church. 2ly. His extraordinary diligence used therein till  
 he had effected it. 3ly. His over-ruling those with force and penakies who were  
 at first obstinate and refractory against it.



An. 2 E. 1.

\*Max. Westm.  
Ibid. p. 358,  
359.

**S**anctissimo, Reverendissimo & Beatissimo Papæ, antiquo Romanorum Domino, *Gregorio Magno* Pontifici Excellentissimæ Apostolicæ sedis, et venerabilissimo Domino & Patri nostræ humanitatis, Nos qui Ecclesiasticam complemus ordinationem, vestræ *Romana* Sanctissimæ Ecclesiæ salutem, et spiritualis subjectionis affectionem ubique. Metropolita *Ephesus*, præhonoratus *Exarchus* totius *Asia*, cum ea, quæ circa me est sancta Synodo. Metropolita *Calcedonia* superhonoratus cum ea, quæ circa me est, sancta Synodo. Episcopus Metropolitanus *Concenii*, cum his, qui circa me sunt Episcopis. Metropolitanus *Nampati* superhonoratus, cum ea quæ circa me est, sancta Synodo. Metropolitanus *Arache* Ponto superhonoratus, cum his qui circa me sunt Episcopis. Metropolitanus *Conconii*, cum his qui circa me sunt Episcopis. Metropolitanus *Kavias*, cum ea, quæ circa me est sancta Synodo. Metropolitanus *Betheris*, superhonoratus, cum ea quæ circa me est sancta Synodo. Metropolitanus *Athenarum* & locum *Philapopolis* supplens, cum his qui circa me sunt Episcopis. Metropolitanus superhonoratus & *Exarchus Insularum Kididadan*, cum his qui circa me sunt Episcopis. Metropolitanus *Philippensium*, cum his qui circa me sunt Episcopis. Metropolitanus *Sinnica*, cum his qui circa me sunt Episcopis. Metropolitanus *Serrorum*, cum ea, &c. Metropolitanus *Anassidas*, Metropolitanus *Alania*, Metropolitanus *Prisca*, Metropolitanus *Meditarum*, Metropolitanus *Amidi*, Metropolitanus *Christianapoleos*, Metropolitanus *Silibria*, Metropolitanus *Mestibrios*, Metropolitanus *Aprometum*, *Akincii*, Metropolitanus *Parii*, Metropolitanus *Dedimatici*, Metropolitanus *Anastasiopoleos*. Archiepiscopus *Bisias*, Archiepiscopus *Bisfellorum*, Archiepiscopus *Gatelleris*, Archiepiscopus *Derkis*, Archiepiscopus *Praconis*, Archiepiscopus *Lopodii*, Archiepiscopus *Pergami*, Archiepiscopus *Melemterbi*, Archiepiscopus *Besias*. Ad hac autem cum nobis Pontificibus, & magna Synodo, & Archidiaconus honoratissimus *Seversibilis*, cum totali venerabili Clero, cum his autem & qui Clerum complent sanctissimæ Ecclesiæ magnæ Dei, videlicet magnus Conconomus, Prothedicus, Logotheta, Contricius, Referendarius, qui super judicia, qui super secreta, qui super sacrum & dona Apostolica, qui præmiserius Patriarchalium notariorum, qui Princeps Ecclesiarum, qui super petitiones, rememoratorii, qui hostiarii, qui patriarchales notarii, qui prothopapæ, cum toto Presbyterio Archidiaconatus Ecclesiastici, cum omnibus Psalmistis & Lectoribus. Non solum nunc, sed primo beatissima & sanctissima vestra Ecclesia magnam faciebamus divisionem integritatis & Ecclesiarum Christi totaliter unitatem dilacerabamus. Quomodo qui unum pastorem sumus, non in unum & inter unum aggregamur ovile, nec unum replemus mandatum Christi? sed ea quæ sunt discordia eligimus, & bono pacis amisso, invenire non quarimus illud quod ex bono zelo nobis declarabatur? Nullus autem erat qui conjungeret omnes in unum, & sufflaret quasi ad unum flamen singulorum concordiam: quàm autem secundum Christi desiderium a Deo coronandus sanctus noster Imperator totus ad seipsum, intellectum attendens (ut oportebat) nunc in hac parte Dei præhonorabilibus aliquibus deputavit. Prius ipse in seipso laborabat, quo utique modo non declinaret nec ad remissionem, donec scissuram Ecclesiæ ad unam interim compaginaret unitatem: deinde non desiebat communicando nobis, (quod in voluntate habebat semper) et ostendendo qualiter habet suum propositum animæ. Ut autem ad ipsam venerabiles nuncii vestræ Sanctitatis apostolicas literas & porrexerunt & præsentarunt, quam vestra beatitudo desiderantium accelerat conjunctionem, totus exurgit promptus, & prætermittit, quod alienum esset, & quasi in secunda consideratione omnis negotia sua reputat, proponens ea quæ mandatorum vestrorum sunt, & suarum sollicitudinum & dispositionum. Convocat igitur ad seipsum nostrum universum pontificale collegium, et postmodum alios, quotquot maxime spiritualitati adhaerent, et circa studium ecclesiasticum exercitium habent unum, et quantus eorum quidem nocturnus et diurnus ejus labor in medio est. Qui instat, quasi totaliter perbigit, qui etiam et studiose exercuit, et quasi semper in suscepto opere fuit, donec ad unam et eandem multorum attraheret sententiam, longiore quidem & indigno sermone agitatam, si totum processum vestræ magnitudini præsentaremus. Quidam tamen nostrum statim convenerunt, & quæ pacis fuerant, amplexati sunt, quidam vero magis obstinatiores apparuerunt temporis antiquitatem rebolebentes in mentem, et opposcentes alii quasi de necessitate hoc imponeretur eis. Sed a Deo coronati Imperatoris diligentia dicit in

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in finem, et habet omnes jam concordēs ad unicam hanc unionem, per quam *An. 2 E. 1.*  
*postolica Sedi antiquæ Romæ* (ab antiquissimis attributos) *Præmatus* attribuiere af-  
sentimus. Hoc scilicet Dei gratia cooperata est, ut habeat et nobis apostolica magni-  
tudo nostræ sanctitatis sententiam agnoscere, qualiterque magnifico Imperatori  
nostro simul communicaberimus in sententia: et quæ quidem attenderit et fuit li-  
benter, et nos acceptamus: breviter præsentem Epistolam annotamus, & ad con-  
spiciam excellentiam vestræ magnitudinis transmittimus. Scitote quod nos volu-  
mus, quod Pontificalis sedis tota plenitudo, cum toto venerabili Clero, et omni-  
bus Officiariis, Sacerdotibus, Diaconis, et Lectoribus, sanctissimæ Ecclesiæ Dei  
convenit in unum, ut attribuat prompte vestræ Sanctitati et Apostolicæ sedi, quod  
ad honorem pertinet, nec alium primum et summum Pontificem Ecclesiarum om-  
nium, nominaturi. Sed antiquam internuntiorum consuetudinem agnovimus, quam  
& patres nostri semper attenderunt toto præterito tempore usque ad tempus hoc.  
Unde nostrum Patriarcham & subsequenter omnes alios (quotquot conveniunt)  
ut in unum hæreant & sedis ponere concordiam, obsecravimus. Ipse vero cum  
magna instantia tenet, quod agnosci debet primum, & postea (ut indicat) non deciderit  
ab ista voluntate, nec adhuc à prima sententia, cum aliqua intentione mutatus est.  
Unde et pluries nos prælati coarctimus ipsum, ipse nequicquam ad præsens acqui-  
ebit. Nos autem et nobiscum potentissimus Imperator insunimus illi a Patriar-  
chali sede recedenti, omnia in una forma sollicitudinis manere, quæ sunt *Constanti-*  
*nopolis* Monasteriorum, donec nuntii ad vestram Sanctitatem accedant, & audiant ser-  
monem vestrum, & si magnitudo vestra ita recipiat, delegat certos delegatos cum  
nostris reversis Legatis. Et nos hunc finem obtinentes, communiter & interim conve-  
nientes, attrahemus Patriarcham nostrum, ut si recedere ipsum ab intentione con-  
tingat, nobisque inclinaverit, et nos reddet benevolos esse, quod præteritis tempo-  
ribus throno Apostolicæ sedis insuper excellens honor attributus est: sic habebimus  
ipsum Pontificem etiam spiritualiter, sicut prius præfidentem. Si vero immuta-  
biliter se habeat in sententia, tunc dependebit omnis necessitas et ipsum deicere, et  
Patriarchali principatu privare. Nos autem constituemus et promovebimus  
alium; qui utique consentiat nobiscumque ejusdem voluntatis esse, et reddere con-  
veniente primum summitati Sanctitatis vestræ. Hoc igitur proponimus (à  
Deo honorato Domine) nos, quos Patriarchalis *Constantinopolitana* sedis sublimos  
Pontifices cum omnibus (qui circa nos) venerabilibus Clericis per hoc scriptum no-  
strum vobis conjungi habes, qualiter si solum vestra magnitudo, ea quæ legationis  
sunt admittat, non est quod tempus teratur, & nos inclinamus promptè, et magnæ  
vestræ altitudini submittimus, et balde grater ea quæ sunt spiritualia subiectio-  
nis totius asserimus, et nihil eorum denegamus, quæ ante schisma præstabant, patres  
nostri, hiis qui apostolicam regebant sedem, sed et statim nos attribuimus. Alia qui-  
dem significabunt nuntii, & gloriosæ vestræ Sanctitati notificabunt. Finaliter, sicut in  
spiritualibus potentissimus noster Imp. et nos pontificum collegium Episcopis com-  
missimus: sicut ceteri spiritualiter ab Imperiali magnificencia mandatum acceperunt,  
de quibus quicumque ad secularis principatus pertinent gubernationem vestræ sanctitati  
referabunt à Deo coronato nostro Imperatore. Confidimus autem quod pacis au-  
thor Deus unitatem de paterna victus clementia adaperiet, nosque & Magistratus  
grater suscipiat inclinatos, & vestram familiaritatem invocantes & paternitatem.  
Sacramentum Græcorum ego nuntius habens ab eisdem sufficientem (ad infra scripta  
mandata) subscriptam fidei veritatem, prout plenè lecta est & fideliter exposita à me  
Dei & Domini nostri nomine veram sanctam catholicam fidem esse cognosco, eam ac-  
cepto, & corde & ore confiteor, ipsamque prout tenet fideliter, docet, & prædicat S.  
Eccles. *Romana* inviolabiliter servaturum, & in ea omni tempore perseveraturum, nec  
discrepatum, promitto. Præmatur quoque ipsius sacrosanctæ Ecclesiæ *Romane*,  
prout in præmissa serie continetur (ad ipsius Ecclesiæ obedientiam spontaneus be-  
nignus) fateor, recognosco, accepto, et sponte suscipio. Et ipse omnia præmissa,  
tam circa fidei veritatem, quam circa ejusdem Ecclesiæ *Romane* Præmatur, et E-  
piscoporum recognitionem, acceptionem, susceptionem, observantiam ac perse-  
verantiam servaturum (præfatis corporaliter juramento) promitto et confirmo: sic  
Deus ipsum adjuvet, & hæc sancta Evangelia, *Scriptarius*, *Sacrista*, *Carthaphilax*, &  
magnus *Skenephilax* sanctissimæ ejus, qui in *Constantinopoli* est Patriarchatus, *Johan-*  
*nes* Lector. Grati etiam alias literas, quas propter earum prolixitatem huic operi



*An. 2 E. 1.* non inferuimus, ad Concilium detulerunt: Venerunt etiam post *Gracos 16. Tartari* (qui *Moalli*) cum literis Regis sui, in Concilio publicantes verbis pomposis potentiam *Moallorum*. Hi non pro fide, sed ut confederationem haberent cum Christianis venerunt. Hos Papa benigne suscipiens; donis & honoribus ampliavit, & ad petitionem ipsorum, non baptizatos fecit honorifice baptizari.

The Pontificians then, and ever since have much triumphed in these public acknowledgements and submissions of this Greek Emperor, and the Patriarchs, Bishops, Clergy, Churches of *Greece*, to the Primacy of the Popes and Church of *Rome*, which they could never before inforce, or induce them to acknowledge or submit to: But if they will seriously consider, 1. The great probability that these Epistles were meer forgeries, as the barbarousnes of their stile, the names of the Patriarch, Bishops Sees, and other Historians pretermision of them, import. 2ly. That the submission of the Emperor and *Greeks* therein made, was not voluntary; But 1. By urgent necessities extorted from the Emperor himself. 2ly. That he used great violence to enforce his Bishops and Clergy to submit unto it. 3ly. That the Patriarch of *Constantinople*, and other Greek Prelates, Clergymen, Nobles, Magistrates, and the People stoutly opposed it, and that it produced great Schisms in that Church and Empire. 4ly. That the Emperor was forced to make sundry Apologies to them thereupon, that it was done only out of necessity, and policy, to avoyd present dangers threatening both that Church, Empire, and *Constantinople* it self, without any prejudice to the Greek Church for the future; not upon any real grounds of conscience, piety, or verity: upon all these considerations, this submission will be no advantage at all to the Pontifician Cause or Primacy; the verity whereof

\* *Histor. Romanæ, l. 5. Francofurti, 1567. f. 16.*  
\* Who raised great forces to dethrone him, \* pollicus.

this passage of \* *Nicephorus Gregoras*, a famous Greek Historian flourishing in that age, most clearly discovers. *Proinde tot difficultatibus circumbentibus Imperator Palæologus, pene ad desperationem compulsus, Legatos ad Papam mittit, de inuenda heteris et nobæ Romæ Ecclesiarum concordia, modo \* Caroli expeditionem abertteret. Ea Legatio à Pontifice benigne audita est: ea se facile, quæ Imperator petisset, confecturum esse \* pollicito. Stansque suos Legatos illis adiungit, qui concordiam conciliarent atque amplecterentur. Cujus hæc tria capita fuerunt. Primum, ut in sacrorum velaminum hymnodis, Pæpæ cum quatuor Patriarchis mentio fieret. Alterum, ut liceret cuivis Romam veterem, quæ Curia major & perfectior esset, appellare. Tertium, ut illi Principatus in omnibus deferretur. De appendice vero sacri Symboli, quam illi novarunt, aut alio quovis argumento, tum nulla acrior contentio incidit: sed (quod ad eas quidem res attinebat) pacata & tranquilla fuerunt omnia. At Patriarcha Josephus, ea concordia repudiata, sede sua cessit: nec multo post, relicta urbe, se in Archistrategi Monasterium ad Bosphorum contulit, ubi reliquum ætatis tranquillo & religioso otio exigeret. His rebus Sacerdotum collegium concitatum, haud obscure ferebat, se non esse quieturum: plebemque ab Imperatoris illa concordia rebocabat, Partizii et Cozonarum tempus esse clamitans; ita ut magnus inde tumultus excitaretur, atque in atrocem tempestatem erumperet: & Imperator externis negotiis velicis, omne suum studium ad res domesticas transferre cogeretur, urbana pericula externis graviora ratus. Erant enim non pauci & Magistratus etiam, qui decretis illius acriter adbererentur. In eas igitur redactus angustias, duas sibi patere vias arbitratus, summa necessitate nihil tertium admittente in presentia: ut aut omnes sibi assentirentur, aut hostium loco haberentur, Quamobrem adversariorum animos, principio verborum blanditiis, et comitate morum conciliare sibi, et obnoxias reddere studebat: captam eam esse rem, nullo studio nobilitatis, sed propter difficultates temporum. Esse autem prudentiæ, impendentes præcavere calamitates: et si quid ad grabioza mala abertenda nobandum sit, non esse contandum. Si enim hostes adventarent, urbe adhuc multis in partibus lacerata, modoque instaurata, & velut à multiplici dudum morte reviviscente, presentia mala graviora futura superioribus; ac dominos fore hostes, non tantum sacrorum, sed omnium simul, liberum, conjugum, & rerum: quorum domini vi abrepti, libertate cum servitute commutata, non corporibus tantum, sed animis etiam hostium sequi voluntates cogerentur. Id etiam reliquum fore, ne quis mores partios ac vetera instituta tueretur; immo ut sacra leges et sanctiones expeditissime et depraverentur et eborterentur. Quæ cum ipse prævideret, necessitati parere haud recusasset: exiguusque damnum, quod prudentiæ munus sit, magno emolumento potuisset: minoraque*

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minoque adversariis, ut majoribus potiretur, concessisset. Hac oratione alios *An. 2 E. 1.* commovit Imperator, alios non item. Unde suasionem omitta, biam alteram ingre-  
sus, et ut grassatus est: cuius barix rationes tuerunt, publicationes bonorum, re-  
legationes, custodix, excommunicationes, flagra, mutilationes, omnia denique quibus bi-  
rosum fortium et mollium animi expleantur. Ac quorum studium cognitione rege-  
batur, (qui pauci erant) ii magnis et fortibus animis omnia libenter tolerabant et  
perpetiebantur, quæ potestas Imperatoris inferebat. Maxima vero pars veri judi-  
cii expers, sæx plebs, et circumfozanea turba, semper nobis rebus gaudens, aspe-  
ris belut in scena pallis induti, ubique terrarum sparsim et passim bagati sunt, ubi  
Christianos esse audierunt: in Peloponeso (inquam) Achaia, et Thessalia, et Col-  
chide, ubique denique gentium extra ditionem Imperatoris: neque universalem  
pacem conferre volentes; neque inter sese: sed aliis aliis nominibus ascriptis, partim  
Arsenii aut Josephi Patriarcha festam profutendo, partim alia jactitando, tempus tere-  
bant; plerique et decipientes et decepti. Nec enim deerant, qui oracula in vicis &  
urbibus, quasi modo à Dei conspectu reversi, cantarent: nec post Ecclesia instauratio-  
nem, vita ratione mutata. This was the sad issue of this Emperors compliance with  
the Pope and Church of Rome, soon after generally disavowed by the Greek  
Church and Prelates.

<sup>a</sup> Thomas of Walsingham, <sup>b</sup> Ranulphus Cestrensis, <sup>c</sup> Henry de Knyghton, and others, a Hist. Angl.  
give us this brief account how many Bishops, Abbots, Prelates, were present at, and An. 1275 p. 4.  
what was decreed in this General Council. Hoc anno Gregorius Papa decimus, b Polychron.  
Kalendar Maii, apud Lugdunum Generale Concilium celebravit, ad quod Græci & l 7. c. 37.  
Tartari, solennes nuncios transmiserunt; Græci ad unitatem Ecclesiæ se redire spon- c De Eventib.  
dent, in cujus evidens signum cum cantaretur Symbolum, hortante Domino Papa, Angl. l. 2. c. 16.  
trina vice nunci eorum, & in Spiritum Dominum vivificantem, qui ex Patre Filio- col. 2438.  
que procedit, replicaverunt celebriter & devotè; without making any mention at  
all of their premised Epistles and acknowledgement of, or submission to the Popes  
or Church of Rome's Supremacy. Nuncii vero Tartarorum baptizati, & infra tempus  
Concili ad propria redierunt. Affuit ibi Prælatorum numerus, quingenti Epis-  
copi, Abbates sexaginta, Prælati vero alii circa mille; unde dixit quidam,

*Gregorius Denu congregat omne genus:*

Ibi statutum est illud insigne, & a retroseculis insolitum; quod omnes Rectores  
Curati deinceps forzent Sacerdotes: Prohibiti sunt et Bigami primam consuram  
deferre; et quod nulli hominum deinceps liceat Decimas suas ad libitum, ut antea,  
ubi vellent assignare; sed matri Ecclesiæ omnes Decimas persolvent: Ipse quo-  
que Gregorius Decimam serennalem universali Ecclesiæ imposuit; pluralitatem  
beneficiorum Curatorum damnabit. Aliquos status de ordinibus Mendicantium  
approbabit, utpote Predicatores, et Minores, aliquos tolerabit, utpote Carmelitas  
et Augustinenses. Aliquos reprobandit, ut Saccinos, qui intromittuntur de Penitentia,  
sive Valle viride, et consimiles. What else was there decreed, you may read at large  
in <sup>d</sup> Binus his Councils, and *Centur. Magdeburgenses*, Tom. 13. c. 9.

<sup>e</sup> William Thorne records of Nicholas Abbot of St. Augustines Canterbury, Anno  
Dom. 1274. Adivit idem Abbas Generale Concilium Lugduni in expensis CC. li-  
brarum, and <sup>f</sup> Henry de Knyghton stories; That in this Council, Papa petiit auxili-  
um ab Ecclesiæ in terram sanctam, Archiepiscopus Cantuariensis Robertus de  
Kylwarbi non audebat negare petitionem Papæ, eo quod ipsum promoverat.  
Inter alios, qui nolbant concedere, Magister Richardus de Peccham, Decanus  
Lincolniensis proposuit unam villam excommunicationem, quod terra Angliæ in tantum  
fuit depauperata per diversas Guerras, et Decimas, et Subsidia, per Papas con-  
cessa per sex annos, quod non possent ledere aliquos Subsidium, et vir vivere.  
Statimque Papa pæbavit eum ab omni beneficio, (such was his tyrannical Papal  
injustice) et habuit Decimam de sex annis ab Ecclesiæ; et tertia die restituit eam  
ad beneficia sua. Papa fecit ibi multas Constitutiones, quæ vocantur Gregoria-  
næ; & moriebatur eodem anno ultra montes.

<sup>g</sup> Johannes Aventinus renders this account of this Council, and the Popes pro-  
ceedings therein. Circa eundem temporis tractum Gregorius decimus sacricolarum  
Concilium Paschalibus Lugduni habet, undecunque Pontifices accessivit, ex Aleman-  
nia, Gallia, Anglia quaternos, Hispania duos, ex Sicilia regno Ecclesiæ, Ungaria,  
Dacia, Britania, Polonia, Sionibus, Nordovicis, & Scotis singulos, vocatoque con-  
cione,

d Tom. 3.  
e Chronica, c.  
26. col. 1921.  
f De Eventib.  
Angliæ, l. 3.  
c. 1. col. 2461.

g Annal. Boi-  
orum, l. 7. p.  
568. See Cent.  
Magd Tom.  
13. col. 918.



An. 2 E. 1.

\* Therefore  
they did not  
submit unto  
him, as Marth.  
Westm. sto-  
ries.

cione, ex libris sacre historiarum, quos *Macchabeorum* nominant, prefatus, curam studiumque belli, utriusque Reipublice administrationem ad Episcopos et Antistes attinere, multis verbis persuadet; collegis Palestinam expeditionem, et ad \* Græcos suigendos Romano Sacerdoti arma induenda censet: Deinde leges, quibus vicia Sacerdotum, Monachorum Antistitumque castigantur, corrigantur, rogat: *Zopreonna* genus fornicarum sacratarum abolet. Tum omnium rerum Ecclesiasticorum decimas in sex annos Monachis, mystis, maioribus, minoribus Pontificibus imponit, partem octavo Kalendas Julii, alteram portionem octava Kalendas Januarii numerare jubet. Postremo hæc Decreta scissit, promulgat, piacularii, atque sacro auriculario prefeci darent operam, orent, instant, suadere non desistant, ut rei sanctissimi propositi Pontificis maximi, ære, pecunia, opibus fa-beant: Quisque Christianus, puer, vir, infans, puella, femina, Sacerdos, profanus capite census sit, quotannis nummum tribuat. Debitus est, quisquis iis pensionibus adversus iberit. Pleraque alia tum, ut alias, magis argutorum hominum more, quam ex æquo & bono commenta sunt. Romulei vultures, quibus defraudari, atque compilari populus solet, et quæ nentiquam Deo immortalis co- di fuisse exitus probabit, ebentus docuit, plerique ad concilium coacti ire, eo loci habitum est. Impenditis non sufficere Aurum, Argentum, Gemma, Vestes peritose artis, opes Templozum vendidit, pauperibus, qui solvendo non erant, dicitur dicitur. Cistercienses Monachi, quibus Pontifex Romanus amicus erat, hæc suorum ædium decimationes retinere millibus onclatrum argenti puri sercentis atque quadraginta. *Fursienfeldenses* duo pondo argenti *Tentonica* pensitarunt, sunt uncie duæ & triginta. A ceteris omnibus Decimæ superbe atque abare eractæ; et licet Decimas eodem anno animam efflasset, nihilo fecius tamen Romani Flamines decimas per sex annos exorta per vim pecunia a Germanis emungerent: rurnore dissipabant, se suo periculo, atque stipendio Palestinam, Egyptum, Asiam, Africam erepturos Turcis, Saracenis, Tartaris; (but performed neither.) Quamobrem & *Ruolphus* illa lege atque omine primario Sacerdoti *Bononiam*, Præfecturas, Ducatus, Urbes, Regiones *Italiae* hæteris Imperatoribus parentes (*Romaniolam Martinus* vocat) quæ quotannis millia dyachmarum Auri septingentes pensitarent, concessit.

In this Council there was this Antimonarchical Decree, or Constitution made, to advance the Popes and Prelates illegal Sentences, Interdicts and Excommunications, denounced against Kings, Princes, Nobles, Judges, and Kings Officers, for executing their legal Writs against them, and the denouncers of them.

h Cent. Magd.  
13 cap 9 col.  
937. 938.

<sup>h</sup> *Præfenti generali declaramus Edicto*, beneficium relaxationis ad cautelam, quo ad interdicti sententias, in Civitates, Castra, vel quolibet alia loca sine terris aliquas generaliter promulgatas, locum aliquatenus non habere. Nuncquid pro eo quod in Reges, Principes, Barones, Nobiles, Ballivos, vel quolibet ministros eorum, aut quoscunque alios Excommunicationis, Suspensionis, seu Interdicti sententia fuerit promulgata, licentiam alicui dederint occidendi, capiendi, seu alias in personis aut bonis suis vel suorum grabandi, eos qui tales sententias protulerunt, sine quorum sint occasione perlatæ, vel easdem sententias observantes, seu taliter excommunicatis communicare volentes (nisi licentiam ipsam re integrâ revocaberint: vel si ad bonorum captiorem occasione ipsius licentiæ sit processum, nisi bona ipsa fuerint infra octo dierum spacium restituta, aut satisfactio pro ipsis impensa) eo ipso sententiam excommunicationis incurrant. Eadem quoque sententia sint innodati omnes, qui ausi fuerint prædicta licentia data uti, vel aliquid præmissorum, ad quæ committenda dari licentiam prohibuimus, alias committere suo motu. Qui autem in eadem sententia permanerint duorum mensium spacio, extunc ab eo non possint, nisi per sedem Apostolicam absolutionis beneficium obtinere. But this Constitution was never received, but protested against by our King Edward the 1. his Successors, Judges, and Courts of Justice, as succeeding Records attest.

i 2 Instit. p.  
271.  
k Cent. Magd.  
13. cap 9 col.  
930.

In this Council of Lions under Pope Gregory the 10th, (not Boniface the 8. as Sir Edward Coke very grossly mistakes, being not Pope till 28 E. 1.) this resolution of an ancient doubt concerning the allowance of Clergy to Bigamists, was declared by this Constitution. <sup>k</sup> *Altercationis antiquæ dubium præfentis declarationis oraculo decedentes, Bigamos omni privilegio Clericali declaramus esse nudatos, et*





K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

An. 2. E. 1. de Civitate predicta, per quos rei veritas in p[re]missis melius sciri poterit et inq[ui]rit.  
In cujus, &c. Dat. per manum, &c. apud Westm. 13 die Maii.

I shall conclude this Year with this memorable Patent or Writ of the King, as *Supream Ordinary and Governour of all Ecclesiastical persons within his Realm*, for the apprehending of certain Vagrant Canons of *Lantonay*, who despised the regular discipline of their Order, and deserted their House without their Priors license, to the scandal of the Church, and to deliver them over to their Prior to be duly corrected.

Pat. 2 E. 1. m.  
18. De Canon-  
icis vaganti-  
bus arrestan-  
dis.

**R**EX omnibus Ballivis, &c. salutem. Cum Nich. de Fekenham, Leonardus de Lantonay, & Johannes de Ros Canonici de Lantonay prima, sine licentia sui Prioris, et sp[eci]eta regulari disciplina Domum suam nequiter exierunt, et tanquam p[ro]fagi et vagabundi de loco ad locum discurrant, in scandalum Ecclesie; per quod sententia excommunicationis meruerunt innodari, sicut per literas venerabilis Patris J. Hereford. Episcopi accepimus. Nos insolentiam p[re]dictorum Canonico- rum sic vagantium quantum in nobis est reprimi volentes, ad requisitionem dicti Episcopi, necnon & Prioris Prioratus predicti, Vobis mandamus, quod cum p[re]dicti Canonici per vos transitum fecerint, ipsos arrestari, et eidem Priori liberari faciatis, secundum exigentiam sui Ordinis castigandos. In cujus, &c. Dat. apud Westm. 3. die Maii.

Anno 3 E. 1.

The very next Year the King by his Sovereign Ecclesiastical Authority issued the like Commissions or Writs for the apprehending of some vagrant and apostat Freers of the Order of *St. Augustine*, who had deserted their Houses and Order, to the prejudice of their souls, and scandal of their Order.

Pat. 3 E. 1. m.  
18.  
De Fratibus  
vagabundis.

**R**EX Vicecomitibus & omnibus aliis Ballivis & fidelibus suis, &c. salutem. Quia pro certo intelleximus, quod aliqui de fratribus Ordinis Sancti Augustini sp[eci]eta p[ro]fessione sua, ordinem p[re]dictum egressi vagantur per plures Com[itat]us Regni nostri, in dispendium animarum suarum, et p[re]dicti Ordinis scandalum manifestum. Et volumus quod ad ipsorum fratrum sic vagantium insolentiam reprimendam, fratribus predicti Ordinis literas Capituli sui super hoc habentibus sub- venire. Vobis p[re]cipimus, quod fratres ejusdem Ordinis sic vagantes ubicunq[ue] inventi fuerint in Ballivis vestris sine dilatione arrestari, et fratribus dicti Ordinis liberari faciatis, secundum Regulam p[re]dicti Ordinis, p[ro]ut iustum fuerit, castigandos. Talem diligentiam ad hoc apponentes, quod eam merito commendare debeamus. In cujus, &c. per annum duraturas. Teste Rege apud Westm. 20. die Junii.

Consimile de fratribus vagabundis ejusdem Ordinis supradicti, Pat. 3 E. 1. m. 36. Teste Rege apud Clyve 30 die Novemb.

Mat. Westm.  
An. 1273. p.  
363. Tho.  
Wallingham  
Hist. Angl. p.  
5. & Ypodig.  
Neustrix, p.  
64. Polychr.  
l. 7. c. 38.  
Henry de  
Knyghton de  
Event. Angl.  
l. 3. c. 1. Po-  
lydor Virgil,  
Fabian, Holin-  
shed, Grafton,  
Speed, and o-  
thers, in Edw.  
the 1. his life.  
b H de Knygh-  
ton de Event.  
Angl. l. 3. c. 1.  
col. 2461.  
c An. 1275. p.  
363.

King Edward the 1. Anno 1274. the third year of his reign; <sup>a</sup> *Pacificatis quo- dammodo in Vasconia resistens inimicis, post Concilium Lugdunense consummatum ad Angliam properavit. Expectabat enim Regni sui Prælatos qui in Concilio fuerant, quia in ipsorum absentia non poterat coronari. Ritè cunctis peractis in partibus trans- marinis, mare transiens 8. Kal. Augusti Anno Domini supradicti, Angliam est ingressus. Ubi à Clero & populo cum gaudio receptus est, & maximo cum honore. Soon after, 14 Kal. Septembris in Ecclesia Westmonasteriensis Edwardus in Regem, & Aliano- ra, soror Regis Hispaniæ in Reginam, à Roberto Archiepiscopo Cantuariensi pariter coronantur. Huic Coronationi intererant Alexander Rex Scotiæ, & Johan. Comes Britannix, cum suis uxoribus, sororibus Regis Edwardi, cum Prælatorum, Comitum, & Baronum, aliorumque Nobilium multitudine copiosa. Rex in Crastino Coronatio- nis sue recepto à Rege Scotorum homagio, ipsum dimisit ad propria plurimum honora- tum. The pomp and solemnities of his Coronation, you may read in <sup>b</sup> Henry de Knyghton, and others. Deinde fecit Rex diligentiam emendare et reformare errata Regni, ad laudem Dei, et honorem Ecclesie ejus, et gravamina communis po- puli sui emendare pro posse suo secundum rationem, & fecit Statutum apud Lun- donias, quod vocatur Statutum Westmonasterii; to wit, the Statute of Westminster the 1. of which <sup>c</sup> Matthew Westminster renders us this account. Rex ad Parlia- mentum*

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*mentum Westmonasterii omnes Nobiles regni sui jusserat congregari. In quo Statuta Ann<sup>o</sup> 3 E. 1. multa ad utilitatem Regni fuerunt publicata, inter qua Judæis fuit interdicta extranara licentia usurandis. Et, ut possent a Christianis discerni, præcepit Rex, quod ad instar tabularum, ad unius palmæ longitudinem, signa ferrent in exterioribus indumentis.*

In this Parliament (not in 18 E. 1. as <sup>a</sup> Sir Edward Coke very confidently affirms) against this Historians Testimony, the expresse Records of *Claus. 4 E. 1. m. 8, 11.* and other Authorities, this Statutum de Judaismo, against the Jews usury was made for the honour of God, and a voiding of many sins arising from it, by the piety of the King. *Pur ceo qe le Roy ad vieu qe mults des males & disberisons des prebes hommes de sa terre font avenus par les Usuriers qe les Jetoies ont fait en arere, et que mults des peches ent ouint surs de ceo, mesque luy & ses anne' eyent grand pren de la Jewrie tout en ceo en arerement, pur quant en le honour de Dieu, et pur le common pren del poeple ordeine le Roy est establie, que null' Jeto desormes ne püss riena Usur p sur les terres, rents, ne sur autres choses, et qe null' Usurp ne curge de Seint Edward prochainement passe en abant, mes qe les Cobenantz abant faitz soient tenus sabs, qe les Usurers mes cessent.*

Besides this particular Law, there were many excellent usefull Statutes made in this first Parliament of his, as the Laws themselves well known to all Common Lawyers, and Sir <sup>a</sup> Edward Cookes Commentary on them in his second *Institutes* sufficiently evidence: I shall only present you with the Prologue, and some few of his Lawes relating to the *Priviledges* and *Jurisdiction* of the Clergy, controlling some *Canons* of the Pope formerly used, to the obstruction of publike justice, proper to my History.

These be the Acts of Kyng Edward, sonne to Kyng Henry, made at Westminster at his first Parliament generall after his Coronation, on the Manday of Easter *U. 3 E. 1.* the 3. year of his Reign, by his counsell, and by the assent of Archebishops, Bishops, Abbots, Priours, Clerges, Barons, and all the Commynalty of the Realme, being thither summoned; because our Soberayne Lord the King had great zeal and desire to redress the State of the Realme in such things as required amendment, for the common profit of holy Church, and of the Realme. And because the state of holy Church had been evill kept, and the Prelates and Religious Persons of the Land greved many wayes, and the people othertwise intreated then they ought to be, and the peace lesse kept, and the Lawes lesse used, and the offendours lesse punished, then they ought to be, by reason whereof the people of the Land lesse feared to offend; the Kyng hath ordained and established these Acts under-written, which he intendeth to be necessary and profitable to the whole Realme. From which Prologue I shall observe: 1. That this King esteemed it a principal part of his Kingly office, to promote the common welfare of, and redresse and reform the grievances in and of the Church, as well as in and of the State and Realm of England; and that by advise of his Lords and Commons, as well as of his Bishops, Prelates and Clergy, in his high Court of Parliament, not in a Convocation. 2ly. That when Prelates, Clergymen, and their Officers grieve and intreat the Subjects otherwise then they ought, they may without scandal be complained of in Parliaments, as well as Temporal Officers, who grieve, or evil intreat them or the Kings Lay-Subjects. 3ly. That it is an ancient proper Right of our Kings and Parliaments to take diligent notice of, and make Lawes to reform all abuses and oppressions, as well of and in the Church as Civil State, and that in the first place.

*Chap. 1.* First the Kyng willeth and commandeth, that the peace of holpe Church and of the Land be well kept, and maintained in all points. And that common right be done to all, as well poore as ryche, without respect of persons. And because that Abbots, and the Religious of the Land have been overcharged and so greved by the resort of great men and other, so that their Goods have not been sufficient for themselves, whereby they have been greatly hindered and impoverishd, that they cannot maintain themselves, nor such Charity, as they have been accustomed to doe. It is provided, that none shall come to eat or lodge in any house of Religion of any others foundation then of his own, at the costs of the house; unless he be required by the Governour of the house before his comming thither: And that none of his own costs, shal entre and come to lye there against the will of them

<sup>a</sup> His 2. Instit. p. 506, 507. See the first Part of my Christian Demurer against the Jewes Remitter, p. 31, to 41. and Part 2. p. 66, to 70.

<sup>\*</sup> Page 156, to 266.

c West. 1. An. 3 E. 1. The Preface. See Cooks 2. Instit. p. 156, 157.



*Anno 3 E. 1.* that be of the house. And by this Statute the King entendeth not, that the grace of hospitality should be withdrawn from such as need, nor that the Founders of such Monasteries should overcharge or greve them by their often comynge. It is provided also, that none high nor low, by colour of kindred, affinity, or allyance, or by any other occasion, shall course in any Parke, nor Fysh in any Pond, nor come to eat, or lodge in the house or Mannour of a Prelate, or any other Religious person, against the will of the Lord or his Bailiffe, neither at the cost of the Lord nor at his own. And if he come in, or enter with the good will or against the will of the Lord or his Bailiffe, he shall cause no doore, locke, nor wyndowe, nor nothing that is shutte, to be opened or broken by himself or any other, nor no manner of vitaille nor other thinge shall take by colour of buyinge or otherwise. And that none shall threshe corne nor take corne, nor any manner of vyttaille, nor other goodes of Prelate, man of Religion, or any other Clerk, or Lay person, by colour of buying, nor otherwise, against the will and license of him, to whom the thing belongeth, or of the Keeper, be it within Market Town, or without. And that none shall take Horses, Oxen, Ploughs, Carts, Ships, nor Barges, to make carriage, without the assent of him to whom such things belong. And if he do it by the assent of the party, then incontinent he shall pay according to the covenant made between them. And they that offend against these Acts, and thereof be attainted, shall be committed to the Kynges prison, and after shall make Fyne, and be punished according to the quantity and manner of the trespassse; and after as the King in his Court shall think convenient. And it is to be known, that if they to whom such trespassse was done, will sue for damages, they shall be thereto received, and shall be awarded and restored to the double. And they that have done the trespassse, shall be likewise punished in the manner abovesaid. And if none will sue, the Kyng shall have the suite, as for a thing committed against his commandement, and against his peace. And the Kyng shall make enquiry, from yere to yere, what persons do such trespassses after as he shall think necessary and convenient. And that they that be indicted by such enquests shall be attached and constrained by that great distresse to come at a certain day containing the space of a moneth, in the Kynges Court, or where it shall please the Kyng. And if they come not at that day, they shall be distreined again of new by the same distresse, for to come at another day, containing the space of six weeks at the least; and if they come not then, they shall be judged as attainted, and shall yeld double damages (at the Kyngs suit) to such as have taken hurt or damage, and shall make a grevous fyne after the maner of the trespasss; And the Kyng forbiddeth and commandeth, that none from henceforth do hurt, damage, or grevance to any Religious man, or person of the Church, or any order, because they have denyed meat or lodging unto them, or because that any complaineth in the Kyngs Court, that he hath been greved in any of the things abovementioned. And if any do and thereof be attainted, he shall incurre the pain abovesaid. And it is further provided, that the points abovesaid shall as well binde our Counsellours, Justicers of Forests, and other our Justicers, as any other persons, and that the foresaid points be maintained, observed and kepte. Likewise the King forbiddeth upon grevous forfeitures, that no Prelate, Abbot, man of Religion, or Bapliste of any of them, or of other, receibe any man contrary to the form abovesaid. And that none shall send to the house or Mannour of a man of Religion, or of any other person, his men, horse, or doggs to sojourne, nor none shall them receibe, and he that doth (seeing the King hath commanded the contrary) shall be grevously punished. Yet it is further provided, that Shyriffes from henceforth shall not lodge with any person, with any more then 5. or 6 horses; And that they shall not grebe Religious men nor other by often comynge or lodging, neither at their houses nor their Mannours. This Act was principally made for the benefit of Prelates and Religious persons, to redresse the grievances and abuses therein specified.

*Chap. 2.* It is also provided, that when a Clerk is taken for gilt of felony, and is demanded by the Ordinary, he shall be delivered to him according to the priviledge of holy Church, on such peril as belongeth to it, after the Custome aforesayd. And the King admonished the Prelates, and enjoined them upon the faith that they owe to him, and for the common profit and peace of the Realm, that they should

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be endited of such offences by solemn enquest of lawful men in the Kings Court, in no manner shall be delibered without due purgation, so that the King shall not need to provide any further remedy therein. *An. 3 E. 1.*

This Privilege of Ordinaries demanding Clerks imprisoned for felony, and delivering them to them, was contrary to the antient Lawes and Custom of the Realm, introduced after *Becket's* death, by the Kings special grace and condescension: The abuse whereof by Prelates and Ordinaries, was restrained by this Act in 3. particulars. \* 1. In demanding those for Clerks who really were not in sacred Orders. 2ly. In delivering them without making any Inquisition of the felony or crime for which they were committed, so as they escap'd unpunished, or unattainted, & the King lost the forfeiture of their lands or goods. 3ly. By their delivering them out of their Prisons without any legal purgation after they were found guilty by Inquisition before the Kings Judges. And if they did any thing against the Kings ordination and Injunction, he threatens punishment and further remedy of these their exorbitances, to the publike prejudice and disturbance of the Realm.

\* See Cooks  
2 Instit p. 164.  
Bracton, l. 3.  
ch. 23. Brit.  
l. 4 f. 11.

Chap. 5. And because elections (of Bishops and others) ought to be free, the King commandeth upon great forfeiture, that no great person nor other, by force of arms, or menacing, shall disturb any to make free election.

Chap. 21. That the Guardians of Archbishopricks, Bishopricks, Abbots, Churches, and all Spiritual Dignities, in time of Vacation, shall keep and sustain the Lands without waste and destruction.

This was intended only of what was waste and destruction by the Common Law and Statutes, against waste. But the King and his Guardians of them did, and might by Law take Deer out of their Parks, Conies out of their Warrens, Fish out of their Ponds, and sell their Cops woods for the Kings provision and benefit, as far forth as the Bishops themselves might do; as I finde by the *Liberate Roll* of 3 E. 1. m. 9. that very year, and sundry other Records of such Guardians accounts and allowances, in the *Fine and Liberate Rolls*.

Chap. 28. And that none of the Kings Clerks, nor of any Justicer, from henceforth shall receive the presentment of any Church, for the which any plea or debate is in the Kings Court, without special license of the King; and that the King forbiddeth upon paine to lese the Church and his service.

This punished the frauds and abuses of the Kings own Clerks, and Chaplains of his Judges and Officers, who prejudiced Patrons and their Clerks; by turning them out of the livings they injuriously usurped, and out of the Kings service.

Chap. 40. Touching the oathes of Champions it is thus provided, because it seldom happened, but that the Champion of the Demandant is forsworn, in that he sweareth, that he or his Father saw the seisin of his Lord, or his antecessor, and that his Father commanded him to deraigne the right; that from henceforth the Champion of the Demandant should not be compelled so to swear: Neverthelesse his Oath shall be kept in all other points.

This Act regulated and abolished inconvenient clauses in antient *Legal Oathes* to prevent perjury; much more then \* *New illegal Oathes* imposed on the Subjects without Act of Parliament, to present on numerous Articles devised by Ordinaries and Visitors, wherein there is more apparent danger of perjury, then in Champions Oathes, ought to be prevented. \* See Tom. 2. p. 706, 707, to 712. & Here, p. 78, to 83.

Chap. 48. And for as much as it is great Charity to do right unto all men at all times (when nede shall be) by the assent of all the Prelates it was provided, that Assises of Novel disseisin, Mortdauncester, and Darrein presentment should be taken in Advent, Septuagesima, and Lent, eben as well as Enquestis may be taken, and that at the special request of the King, made unto the Bishops.

Before this Statute, the Kings Justices Itinerant could not hold these Pleas, nor swear Juries, or take Oathes on these times before them, without the Popes or \* Archbishops special licenses & dispensations in whose Province they were held, as this Statute intimates, & Pat. 8 H. 3. m. 2. Claus. 11 H. 3. m. 8. inform us; without incurring Ecclesiastical Censures: Which was first grounded (as I conceive) upon this Ecclesiastical Law of King Edw. the Confessor c. 3. \* *De Temporibus & diebus Pacis Regis. Ab adventu Domini usque ad Octavas Epiphaniæ, pax Dei & sancta Ecclesia per omne regnum. Similiter a Septuagesima usque ad Octavas Paschæ. Item, ab Ascensione Domini* chaion.

\* See Tom. 2. p. 394 407.  
\* Roger de Hoveden. Annal. pars posterior, p. 601.  
Spelmanni Concil. Tom. 1 p. 619.  
Lambardi Af.



*An. 3 E. 1.* Domini usque ad Octavas Pentecosten. Item omnibus diebus Quatuor temporum. To which was added, Item omnibus Sabbatis, ab hora nona & tota die sequente, usque ad diem Luna. Item vigiliis Sanctæ Mariæ, Sancti Michaelis, Sancti Johannis Baptiste, Apostolorum omnium & Sanctorum, quorum solennitates à Sacerdotibus Dominicis annunciantur diebus, & omnium Sanctorum in Calendis Novembris, semper ab hora nona vigiliarum, & subsequente solennitate. Item in parochiis in quibus dedicationis dies observatur. Item in Parochiis Ecclesiarum, ubi propria festivitas Sancti celebratur. Et si quis devote ad celebrationem Sancti adveniat, pacem habeat eundo, et substans, et redeundo. Item omnibus Christianis ad Ecclesiam causâ orationis euntibus, pax in eundo et redeundo sit eis. Similiter ad dedicationes, ad Synodos, ad Capitula venientibus, sive summoniti sint, sive per se quid agendum habuerint, sit summa pax. Etiam si excommunicatus aliquis absolvendi causa ad Episcopum confugerit, absolutus, eundo et redeundo pacem Dei et Sanctæ Ecclesiæ habeat. Quod si aliquis ei forsiterit, Episcopus inde Justitiam faciat. Veruntamen, si quis arrogans pro Episcopi justitia emendare noluerit, Episcopus Regi notum faciat. Rex autem constringat malefactorem, ut emendet cui forsiterit, scilicet primum Episcopo, deinde sibi: et sic erunt duo gladii, et gladius gladium iudabit.

The Bishops being many of them Judges, by their Canons extended this Law beyond its intention, which was only to secure persons from arrests, not to prohibit necessary legal trials on these times and days. John de Britton, (a Judge and Bishop under King Edw. the 1. at this time, as \* some observe,) records, that Pleas on those times were prohibited by the Canons of the Church; his words are these. \* *On si ilz y soient assés des Jours uncore purrount ascuns estre remuables par vercy challenges de parties, et auri pur le temps en cas. Car homes ne seunt pas murs: Car (per) Canon est defendu de seinte Eglise sur peyne de excomengement, que de la Septuagisme jelsq; al Citas de Pasche, ne del commencement de Advent jelsque al Citas de la Epifagne, ne en jours de Quatre temps, ne en jours de major Letanies, ne en jours de Robsours, ne en la semayne de Pentecost, (to which he addes) ne en temps de fier blees, ne de vendenges que dursant de la Saynt Margaret, jelsq; al 15 de Saynt Michael, ne en solennes jours festivals de seints de saynts, nullus ne jurge sur le Ebangelles, ne nul secular pled ne teigne, ne summons se ne face en temps abantdits, issint que tout cel temps soit done a Dieu prier, et de appeler conteskes, et de accorder ceur que sont a discord, et pur coiller les biens del terre, dont le people doit blyze. Les Evesques nequedent et les Prelates de Sepnt Eglise sont dispensations que Assises et Juries sont prises en tiels temps par resonables enchesons. But these real or pretended Canons being prejudicial to publike Justice and Legal trials, were now abolished as a grievance in this Parliament at the Kings request, and that by the assent of his Bishops, which else he would have reformed without them, being a publike grievance, against the Great Charter, ch. 29. and his Coronation Oath, Not to delay Justice to anyman, especially in these Actions requiring speedy remedies.*

I finde in the Clause Roll of 3 E. 1. m. 16. Dorso. a Lease of an House, Lands and Rents in *Badelkyng*, made for life by *Andreas de Scaccario, Domino Francisco de Bononia Legum Doctore et illustris Regis Angliæ Consiliario*; which Mr. \* *Selden* conceives to be *Francus Accursus* a famous Doctor of the Civil Law, whom the King made use of in his affairs in forreign parts; but that the Canon Law and professors of it had then any publike countenance or encouragement under this King or any of his predecessors, I cannot finde by Record or Story, being generally exploded and discountenanced for the \* *promised reasons*, as inconsistent with the Kings prerogative, and Common Law in many things.

\* *Matthew Parker* Archbishop of *Canterbury* rendreth us this account of Pope *Gregories* fraud and impostures, in granting Dismes to King *Edward* the 1. both before and in the Council of *Lyons*, under pretext of relieving the Holy Land, the greatest part whereof he and his Agents converted to their proper uses. *Itaque Gregorius Edwardo ad eos sumptus, quos in Syria fecisset recuperandos, potestatem concessit bonorum in Anglia quorumcumque, tam Temporalium quam Spiritualium decimam partem a Clero percipere. Egregium scilicet munus, cum de suo largiri nihil voluit, de alienis bonis sumendi veniam indulgit. Cumque Edwardus jam paucis diebus in Regina Matris & Antistitum Procerumque suorum de consuetudine*

\* Mat. Westm.  
An. 1275.

\* Britton, cap.  
53.

\* Dissertatio  
ad Fletam, cap.  
8. p. 526.

\* Secp. 14, 15,  
63, 63, 64.

\* Antiq. Ec-  
cles. Brit. p.  
194.

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ad deliberandum de publicis, privatisque negotiis fuisset, in Angliam à Gregorio Papa An. 3 E. 1. missus venit Romanus quidam Clericus Raymundus, natione Guasconus, cum auctoritate viros Ecclesiasticos Papalibus animadversionibus compellendi, Decimam tam Temporalium quam Spiritualium Edwardo Regi solvere. Et quia sine mora collecta pecunia Rex perexiguam tulit partem; Raymundus enim (qui nomine Regis huic conficienda pecunia præfectus fuit) Papalis potius et Romana cupiditatis, quam Regis necessitatis quæstio existimari jure debuit. Qui cum rationes retulisset pro suis in hoc negotio, Expensis atque opera non modicam portionem detraxit, deinde Papæ Domino suo donum tanto Pontifici dignum exhiberi postulavit. Quæ duæ rationes, hanc tam copiosam pecuniam pene totam absorpsit, ut Regi ex præfatum benevolentia dix aliquid Regis dignum gratiis relictum sit. Cumque hoc exemplo Gregorius Papa in Christianas Ecclesias Romano more grassandi occasionem nactus esset, Concilium Generale indixit Lugduni, ubi cum inutiliter de conjungenda Græca cum Romana Ecclesia multa acta essent, illius Conjunctionis ex Paleologi Græcorum Imperatoris & Episcoporum Græcorum literis ad Papam datis spes inanis, assu Gregorii totum Concilium lactabisset, decretum fuit, ut toto proximo septennio proventuum Ecclesiasticorum decima pars in Terræ Sanctæ subsidium solberetur. Cujus (ut patebit postea) cum Quæstiones a Papa constituti essent, in Romanam abarritam, non illius negotii expeditionem aut curam, tota conversa est.

\* Hanc Decimam cum Gregorius postulasset, deliberandi diem Archiepiscopis, Episcopis, Prælatiis statuit, quo vel consentirent, vel dissentienti causas & rationes ostenderent. Adveniente die plerique contradicere non ausi apertis suffragiis assenti sunt. Inter quos Robertus Kylwarby Cantuariensis Archiepiscopus ab ipso (ut diximus) Papa constitutus. Pater, inquit, Sancte, Opus & creatio manuum vestrarum Ego sum, & Ecclesia mea Ecclesia vestra, bona mea, bona vestra sunt; Disponite ergo de Ecclesia mea, & de bonis meis, sicut de bonis propriis. Inter ceteros autem qui contradicere statuerunt, erat Simon quidam de Mepham Decanus Lancoloniensis, qui Papa tradidit Schedulam excusatoriam, Angliæ Ecclesiæ exspilationes diuturnas et varias continentem, quibus ita defecta et depreffa, aut dix aut ne dix quidem asurgere aut se attollere possit. Cui perlecta Scheda Papa, Dictasti Schedulam hanc D. Decane? Et ille; Pater Sancte, Ego dictavi & scripsi. Et Papa; Nunquid consensu, vel contradicis? Et ille; Domine, non contradico? Et Papa; Aliud est consentire, aliud non contradicere. Quid igitur, consentis? Eodemque iterum modo respondit, Domine, non contradico. Cumque aliter non responderet, præbatur eum dicto citius omnibus beneficiis Ecclesiasticis. Cujus metu ceteri sine contradictione assensus suos præbuere. Tandem ipse Decanus ne solus dissentire videretur, & dignitates amitteret, una cum reliquis assensus est, & elapso triennio beneficiis suis restitutus. In eoque Concilio Papa, quo facilius in oppressos antea actis injuriis Anglos sese insinueret, Edwardum Regem ob terram sanctam sua præsentia & adventu servatum in finitibus laudibus extulit. Hujus Decimæ solutione a Clero promissa, Concilium fratim a Gregorio dissolutum est. This being the Popes principal design in summoning it, to extort a 7. years Disme from the Clergy, by these pious Papal fraudulent pretexes.

Soon after the Council of Lions, Pope Gregory the 10th. sent Raymundus de No-gerris his Chaplain, as his Nuncio into England, Wales, Scotland and Irelana for certain affairs of the Church, especially to demand and receive from the King 8. years arrears of the Annual Tribute, and Peter-pence, then due to the Church of Rome, by virtue of this original Bull, which I found in the White Tower Chapel; desiring the King therein to grant him a safe conduct through his kingdom, and to assist and advise him in his affaires when required by him.

**G**REGORIUS Episcopus Servus servorum Dei, Charissimo in Christo filio Edwardo Regi Angliæ Illustri salutem & Apostolicam benedictionem. Quod ad benevolentem tibi & favorabilem matrem tuam Romanam Ecclesiam reverentiam jugiter exhibens filialem, non solum de juribus in quibus teneris eidem promptitudine tibi respondeas liberali, immo etiam ubicunque de suis pertractandis negotiis agitur fructuosus adjutor et propitius habearis, firmam spem gerimus et infallibilem fiduciam obtinemus. Cum itaque dilectum filium Magistrum Raymundum

\* Ibidem :  
Walt. Gif.  
born Peter de  
Ickeham.

See Here,  
Tom. 2. p.  
311, 312.



*Anno 3 E. 1. de Nogeris* Capellanum nostrum, nobis & fratribus nostris merito sua probitatis acceptum, pro Censibus colligendis, et denario beati Petri, ac debitis praefata Ecclesiae requirendis, aliisque nostris et ipsius Ecclesiae negotiis ad partes Angliae, Walliae, Scotiae et Hiberniae jamdudum duxerimus transmittendum: Celsitudinem Regiam de qua requirimus attentius et rogamus, quatinus Capellanum ipsum benigne recipiens, et honeste pertractans, Annuum Censum in quo constat eidem Ecclesiae te teneri pro instanti, et septem transactis annis in quibus non fuit Census hujusmodi persolutus, Capellano ipsi nostro et Ecclesiae memoratae nomine liberaliter facias, et integre assignari: dictum Capellanum praefata negotia promobentem, habens circa illa pro nostra et Apostolica sedis reverentia propensus commendatum: eidem super his, ac etiam in securo conductu per Regnum tuum cum ab ipso fueris requisitus, auxilium opportunum et consilium impensurus. Ita quod proinde Reverentia Regiam dignis laudibus et gratiarum actionibus prosequamur. Dat. Lugduni viii. Idus Novemb. Pontificatus nostri Anno Tertio.

What answer the King returned to this his Bull, and another of like nature, precedent to it, appears by his memorable Epistle to this Pope, thus recorded in the *Clause Rolls*, An. 3 E. 1. m. 9. Cedula.

*Clauſ. 3 E. 1. m. 9. Cedula.*

**S**anctissimo in Christo Patri & Domino Domino G. divina providencia Sacrosanctae Romanae Ecclesiae & universalis Ecclesiae Summo Pontifici, *Edwardus* ejusdem gratia Rex Angliae, Dominus Hiberniae, & Dux Aquitaniae, cum reverentia & honore salutem & pedum oscula beatorum. Mandabit vobis olim per literas apostolicas quas pro nostra mentis devotione recepimus, vestra Sanctitas reverenda, ut annuum Censum in quo Sacrosanctae Romanae Ecclesiae, ratione Regni Angliae pro eo praeteritis Annis asseritis nos teneri, venerabili viro Magistro R. de Nogeris Capellano vestro assignari liberaliter ac integre, nomine praedictae Romanae Ecclesiae faceremus. Nuper autem alias literas vestras recepimus cum reverentia, continentes, quod cum nos responsionem petitionis solutionis Censuum annui memorati quam nobis praedictus Capellanus vester exposuit, vestra et Ecclesiae Romanae nomine diligenter, deliberatione consilii Procerum Regni nostri in Parlamento quod circa Octabis Resurrectionis Dominicae celebrari in Anglia consuevit, pro eo duxerimus referband. quod tempore receptionis praedictarum literarum vestrarum nobiscum ejusdem Regni nostri gubernacula sumpleramus: nunc de hujusmodi Censu sine ulteriori procrastinatione impendi faceremus eidem satisfactionem plenariam Capellano. Fatemur enim, Sanctissime Pater et Domine, ad Parliamentum nostrum in Octabis Resurrectionis Dominicae prior praeteritis, Regni nostri Praelatos et Proceres evocasse, ibique multa statuisse, divina gratia favente, quae melioracionem status Ecclesiae Anglicanae, reformationem Regni ejusdem respiciunt, et communis profectus populi sapiant incrementa: sed antequam eidem Parlamento propter negotiorum multitudinem quae reformationis remedio indigebant finem imponere valeremus, eodem Capellano vestro responsionem debitam sibi fieri instantanter postulante, quaedam gravis (nos) inbasit, sicut Domino placuit, infirmitas corporalis, quae perfectionem multorum aliorum negotiorum et deliberationem petitionis Censuum annui praedicti, de quo dolemus non modicum, impedivit; sicque cum occasione infirmitatis hujusmodi, a qua per Dei gratiam, cujus est perimere & mederi, incepimus convalescere, idem Parliamentum fuerit dissolutum, et super hoc nequiverimus super petitione Censuum ejusdem deliberationem habere cum Praelatis et Proceribus antedictis, sine quorum communicato consilio Sanctitati vestrae super praedictis non possumus respondere; et iurejurando in Cozonatione nostra praestito sumus ascripti, quod Iura Regni nostri servabimus illibata, nec aliquid quod Diadema tangat regni ejusdem absque ipsorum requisito consilio faciemus. Reverendae benignitati vestrae humiliter supplicamus, et pro dono petimus spirituali, quatinus moleste non ferat Sanctitas vestra, si ad praesens super praedictis sicut vellemus non possumus respondere, immo patientia vestra paterna si placet nos super hoc habere dignetur de gratia excusare. Pro firmo scituri, pie Pater et Domine, quod in alio Parlamento nostro quod ad festum Sancti Michaelis prior futurum intendimus, dante Domino, celebrare, habito et communicato consilio cum Praelatis et Proceribus memoratis, vobis super praemissis ipsorum consilio dabimus responsionem

*Nota.*

*Nota.*

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responsionem. Conserbet hos Dominus Ecclesie sancte sue per tempora longeva. *An. 3 E. 1.*  
 Teste meipso apud Westm. 19 die Jan. Anno Regni nostri Tertio.

By which Record it is apparent, 1. That notwithstanding the Kings great obligations to this Pope Gregory for the two Dismes granted him, his entertainment in his Court in his return from the Holy Land, and his double Letters and Nuncio sent to him, to demand and receive this annual rent of 1000 Marks, granted by King Johns Charter, yet he denied to pay it without the advise and consent of his Prelates and Nobles in Parliament. 2ly. That he conceived it contrary to the Rights of his Crown, and his Coronation Oath newly taken, to preserve and maintain them inviolable. 3ly. That he delayed his answer thereto from one Parliament to another, yea never paid him one farthing thereof, nor his 4. next successors.

The Bishop of Coventry and Lichfield and his Official suing a Merchant in their Spiritual Court for Debts and Chattels in his hands belonging to the King, against his Prohibition to them; thereupon the King issued this Writ to summon them to answer this their contempt.

**R**EX Vic. Salop. salutem. *Præcipimus tibi quod ponas per vadios & salvos plegios* Claus. 3 E. 1.  
*os R. Coventr. & Litchf. Episcopum, & Magistrum Simonem Ballingdem,* m. 10. dorlo.  
*Officialem suum, quod sint coram nobis a die Sancti Michaelis in 15. dies, ubicun-* Pro Rege.  
*que tunc fuerimus in Anglia, ostensuri quare cum eisdem Episcopo et Simoni inhi-*  
*buerimus, ne placitum aliquod tenerent in Curia Christianitatis de Catallis bel-*  
*debitis nostris in manu et custodia Nicholai de Lodelawe Mercatoris nostri exi-*  
*stentibus, unde idem Nicholaus questus fuit, quod iidem Episcopus et Simon. traxe-*  
*runt ipsum in placitum in Curia Christianitatis, iidem Episcopus et Officialis pla-*  
*citum illud postmodum tenere præsumperint in Curia Christianitatis in contemp-*  
*tum mandatorum nostrorum, et contra prohibitiones nostras prædictas. Et habe-*  
*as ibi nomina plegiorum & hoc breve. Teste Rege apud Keninton x. die Julii.*

It being the Kings special office and duty to provide that the Alms and Lands bestowed by him and his ancestors on Churches and religious Houses, should be duly preserved, and rightly imployed, without any waste, sale, or destruction, he thereupon issued out Writs for that end, to the Sheriff of Kent on the behalf of the Prior and Cell of Leueham.

**R**EX Vic. Kanc. salutem. Cum ad nos prohibere pertineat, ut Eleemosynæ Claus. 3 E. 1.  
 quæ de patronatu nostrorum prædecessorum et nostro sunt, in statu debito absq; m. 10. dorlo.  
 basto, venditione, seu distracione inde facienda conferantur: Tibi præcipimus, Pro Priore &  
 quod non permittas quod Abbas de Gandavo, bel Ballibi sui bastum, venditionem Conventu  
 seu destructionem faciant de boscis, domibus, bel hominibus pertinentibus ad Prio- Cellæ de Le-  
 ratum sive Cellam de Leueham, quæ est de Patronatu nostro: Et taliter te habeas in ueham.  
 hac parte, ne per defectum tuum seu Ministrorum tuorum ad te graviter nos capere debeamus. Teste Rege apud Keninton Decimo die Julii.

**R**EX eidem Vic. salutem. Cum ad nos pertineat specialiter prohibere, quod in Ibidem.  
 domibus nostri Patronatus erogationes et Eleemosynæ a nobis et prædecessoribus nostris Regibus Anglia stabilitæ absque diminutione bel dolo fideliter observentur. Tibi præcipimus, quod scire facias Abbati de Gandavo & Priori Cella sue de Leueham, quod sint coram Nobis in Octabis Sancti Michaelis, ubicunque tunc fuerimus in Anglia, cum omnibus munimentis dictam Cellam, una cum suis appenditiis, quocunque jure contingentibus, ut tunc coram Nobis super defectibus ac subtractionibus si qui forte subsint, id fieri faciamus, quod de fidelium nostrorum consilio de jure videbitur faciendum. Et habeas ibi hoc Breve. Teste ut supra.

The Archbishop of Canterbury having nulled an election of an Abbot to the Monastery of Faverham, and thereupon provided them another Abbot, to whom the King had given his royal assent, he made this certificate and request to the King, for Restitution of the Temporalities to him.

EX-



K. Edward 1. *An Exact History of Popes Intollerable Vjurations, B.5. ch.1*

An. 3 E. 1.

Clauf. 3 E. 1.  
m 2 dorfo.  
De Electione  
de Favertham.

**E**xcellentissimo Principi Domino Edwardo Dei Gratia Illustri Regi Angliæ, Domini no Hybernix, & Duci Aquitanix, R. miseratione divina Cantuar. Archiepiscopus, totius Angliæ Primas salutem, & per Regni Temporalis Administrationem vitam consequi sempiternam. Cum nos nuper Electionem factam de fratre Johanne de Romenhale per Monachos Monasterii de Favertham in Abbatem Electo iustitia exigitte cassaverimus, & eisdem Monasterio & Monachis de fratre Oswaldo de Ellry, cui assensum Regium ad nostram instantiam debore adhibuistis probiderimus. Excellentiam vestram attente rogamus, quatinus prefato Oswaldo in Abbatem per nos confirmato Administrationem bonorum temporalium & possessionum Monasterii antedicti juxta Regni vestri consuetudinem concedere dignemini in hac parte. Dat. apud Lamhethe 8 Idus Novembris. Anno Domini 1275. Consecrationis nostra Anno Tertio.

King Edward the 1. receiving by a special Messenger the Epistle of Abagathaan Prince of the Magali, sent to Pope Gregory by the Patriarch of Jerusalem, signifying his readinesse to embrace the Christian faith, and assist the Christians in the holy Land against the enemies of Christ, and desiring King Edward to hasten thither to that end; he returned this pious answer to it, encouraging him in this Religious design, not extant in our Histories, but only in the Patent Rolls in the Tower.

Pat. 3 E. 1. m.  
32. dorfo.

**I**N nomine Patris, & Filii, & Spiritus Sancti, unius Dei. Ex parte Edwardi Dei Gratia Regis Angliæ, Domini Hibernix, Ducis Aquitanix; Excellenti & Potenti Domino Abagathaan, Principi Gentis Magalorum salutem, & veræ fidei notionem, Religiosus vir frater David de ordine Prædicatorum, Capellanus, & familiaris Venerabilis in Christo Patris fratris Thoma Patriarchæ Jerusalemitan. Apostolicæ sedis Legati, ad præsentiam nostram accedens, Literas quas sanctissimo Patri Domino G. Sacrosanctæ Romanæ & Universalis Ecclesiæ Summo Pontifici, & aliis Regibus Christianis per vestros nuncios destinastis, nobis detulit, & ostendit: in quibus dilectionis affectum quam ad fidem Christianam, extra quam nullus omnino salvetur, habeatis, et propositum quod de præstando iubamine Christianis et Terræ Sanctæ contra Christianæ fidei inimicos, spiritu Dei ducti, sicut credimus, concepistis, collegimus et intelleximus diligenter, quod ineffabiliter est affectibus nostris gratum. Et de quo vobis assurgimus ad gratiarum verbales actiones. Magnificentiam vestram rogantes, et in virtute altissimi obsecrantes, quatinus propositum vestrum sanctum velitis circa prosecutionem prædicti juvaminis per potentiam vestram ejusdem Christianæ fidei Cultoribus exhibendi potenter & viriliter, ducere ad effectum. De adventu vero nostro ad terram prædictam, & de termino passagii Christianorum, vobis ad præsens non potuimus scribere veritatem, quia in consecutione præsentium de prædicti passagii termino non erat per memoratum Summum Pontificem ordinatum, quam cito autem super præmissis, quod erit in proximo Deo dante, certitudinem habere poterimus, id Excellentix vestræ curabimus intimare. Recommendamus potentix vestræ affectuose quantum possumus prædictæ negotium Terræ Sanctæ, & omnes Christianos de partibus Orientis. Dat. apud Bellum locum Regni 26 die Januarii Anno Dom. 1274. & Anno Regni nostri Tertio.

\* Here, p. 133.  
Some Religious persons and Clerks refusing to pay the Dismes granted to the King by the Pope, ( notwithstanding the Kings \* former Writs, ) and their Excommunications for that cause by the Popes authority; he thereupon issued other Writs this year to some Sheriffes to assist the Collectors to levy them when ever required by them.

Pat. 3 E. 1. m.  
De Decim.  
de levancia.

**R**EX Vicecomiti Wygornix, & omnibus Ballivis Hundredorum & Libertatum infra dictum Com. existentibus salutem. Cum nonnulli Religiosi et Clerici Decimam tam Spiritualium quam Temporalium Nobis a sede Apostolica ad duos Annos concessam detineant, et arcerag. ejus solvere contradicant, propter quod Executores ad ipsam Decimam colligendam deputati, ipsos excommunicationis sententia auctoritate Apostolica inmodarunt. Nos eorum induratum maliciam reprimere volentes, Vobis precipimus firmiter injungentes, quod prædictam Decimam et ejus

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ejus Arrei ag. a prædictis detentoribus seu contemptoribus, vel eorundem beneficiis et bonis in Balliba vestra celeriter levari facere quodocunque a dilecto Clerico nostro Gilberto de Sutton, quem ad dictam Decimam colligendam deputabimus, fueritis requisiti. Et hoc nullatenus omittatis. In cujus, &c. Teste Rege apud Wyndf. 6. die Martii.

Ar. 3 E. 1.

*Consimiles litera diriguntur Vic. Glouc. & omnibus Ballivis Hundred. & Libertarum infra dictum Com. existentibus.*

*Consimiles litera diriguntur Vic. Warr. & omnibus Ballivis, &c. ut supra.*

*Consimiles litera diriguntur Vic. Hereford. & omnibus Ballivis, &c. ut supra.*

The Abbot and Covent of *Faversham* being greatly indebted to Merchants and others, (by their expenses at *Rome*, and Papal exactions) the King by his Sovereign Ecclesiastical authority, to preserve them and their house from ruine, took them and all their lands, monies, goods into his special protection, and committed them to the management of certain persons for discharge of their debts and necessary support, by this Patent.

**R**EX omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Cum dilecti nobis in Christo Abbas & Conventus de *Faversham*, Mercatoribus & aliis Creditoribus suis in diversis debitis multimodis & immensis teneantur, ad quorum solutionem facultates ejusdem Domus per magni temporis spacium sufficere non possent absque dispersione Conventus prædicti, vel feodaliū suorum dilapidatione, seu forte Domus illius subversione totali, quod nollemus. Nos imbecilitati status ipsorum compatiētes, ne hujusmodi discriminis aut depressionis periculum ipsis videatur imminere, Domum illam cum terris, redditibus, possessionibus, ac rebus aliis ad eam pertinentibus cepimus in protectionem et defensionem nostram specialem, & eam cum omnibus pertinentiis suis commisimus dilectis & fidelibus nostris *Fulconi Peyfoter*, & Magistro *Hamoni Doges*, custodiend. quamdiu nobis placuerit. Ita quod omnes exitus, redditus, & proventus terrarum, reddituum & possessionum prædictæ Domus, salva rationabili sustentatione Abbatis & Conventus ejusdem loci, ad exonerationem debitorum suorum & relevationem aliorum defectuum ejusdem Domus reserventur, & eisdem exonerationi & relevationi per visum aliquorum de discretioribus Domus ejusdem per adjutorium & Consilium dictorum *Fulconis & Hamonis* prout melius fieri poterit, applicentur. Nec volumus quod aliquis Vicecomes, aut Ballivus, aut Minister noster, aut alius quicunque in dicta Domo aut Grangis ad eam spectantibus, dum in Custodia præfatorum *Fulconis & Hamonis* sint hospitetur, sine ipsorum licentia speciali. In cujus, &c. Teste Rege apud *Atterival*, 17. die Augusti.

Pat. 3 E. 1.  
m. 13. intus.  
Pro Abbate &  
Conventu de  
Faversham.

The like protections were granted in the same form, to the Abbots and Covents of *Bordesleye* and *Byndon* the same year, dated 5. & 9. Februarii, and to the Prior and Covent of *Thornholm* 27 Februarii, but the custody of them, their lands and goods, to other persons.

Pat. 3 E. 1.  
m. 33. intus.

The Chalice, Books, Ornaments, Goods and Lands of the Hermitage near *Cripplegate*, London, being usually imbezilled for want of good Government and Regulation; the King being Patron thereof, out of his piety committed it to the care and Government of the Lord Mayor of London for the time being, by this Patent, to prevent the like imbezillments.

**R**EX omnibus, &c. salutem. Quia Calices, Libri, Vestimenta, Imagines, Campanæ, & alia Ornamenta & Bona Hermitagii juxta *Cripplegate*, quod est de advocacione nostra, & quod celebris memorie Dominus H. Rex pater noster Roberto de Sancto Laurentio Capellano, cum omnibus pertinentiis suis dedit ad inhabitand. quoad vixerit, post decessum Heremitarum heremitagii illius, tempore vacationis ejusdem, tam per viros Ecclesiasticos, quam Laicos subtrahi & asportari solent, pro eo quod heremitagium illud non fuit tunc sub certa Custodia & protectione alicujus. Nos ad hujusmodi dampna & pericula ibidem imposterum evitanda remedium adhibere volentes, Majorem nostrum London, qui pro tempore fuerit, ejusdem hermitagii nomine nostro quamdiu nobis placuerit, Custodem deputabimus & Protectorem, ut ipse heremitagium illud inhabitantes, & redditus, & omnia

Pat. 3 E. 1.  
m. 16. intus.  
De Heremita-  
gio juxta Cri-  
pplegate.



*An. 3 E. 1.* alia ad illud pertinentia de cetero nomine nostro protegat et defendat. Et si quid eis forisfactum fuerit, id eis sine dilatione faciat emendari. In cujus, &c. Teste Rege apud Kenynton 12. die Julii.

The Chancellor and University of Oxford, having at their proper costs founded a Chappelry in the Church of St. Maries in the midst of the Town, to pray for the safety of the King, his Queen, Children, ancestors, and all their benefactors, the King highly commending their piety therein, and endeavouring to promote it, writ to all the Archbishops and Bishops of England and Ireland, to grant some special indulgences to all who should resort to this Chappelry to hear Mass or Prayers, by this Patent, wherein he thus expressed his Sovereign care to advance Religion and Gods Worship, as the chief part of his Regal office; and records the honour and eminency of this famous University, as the Fountain from whence the faculty of Theology, and the living waters of mens souls, did flow, and to which many resorted from forraign and remote parts to learn Philosophy and Divinity.

*Pat. 3 E. 1. m. 34. intus. De Ecclesia beate Mariæ Oxon.*

**R**EX Venerabilibus in Christo Patribus Archiepiscopis & Episcopis, per Regnum Angliæ, & terram Hiberniæ constitutis salutem. Rem honestam agere credimus, cum ab id ex officio Regiæ dignitatis intendimus, per quod divini cultus augetur nominis, et animarum salus, visorum scilicet et fidelium defunctorum salu, bytter procuratur; iocundum nihilominus reputantes ad p̄missorum desideratos et felices effectus amore virtutis, effundimus cum efficacia preces nostras. Cum igitur dilecti & fideles nostri Cancellarius et Universitas ville nostre Oxon, ubi suum posuerunt trivium & quadrivium fundamenta, ubi fons scaturit Theologicæ facultatis, ac ubi unde animæ hominum dententiam de longinquis, Philosophiæ vestibus induuntur, in Ecclesia beate Virginis dicti loci Capellaniam quandam de liberatione sancta nuper et probida duxerint statuendam, ut in ea tam pro nostra, Confortis et liberorum nostrorum incolumitate corpora, quam pro recolendæ memoriæ Domini genitoris, ac aliorum progenitorum nostrorum, et omnium Benefactorum Universitatis ejusdem remedio animarum, Majestati divinæ sacrificia offerantur. Et ad hac incommutabiliter exequenda perpetuum Capellanum in ea, cui necessarii pro sustentatione vitæ de proprio deputarent, duxerint ordinandum. Postque desideremus ex corde, quod pia ipsorum ordinatio et honesta fidelium Christi subsidis sustententur, ut devotionis per hoc cumulus augeatur, universitatem vestram attente requirimus et rogamus, quatinus divi retributionis intuitu et nostrorum rogarum omnibus qui ad Missarum sollempnia Capellaniæ p̄bitorum causa devotionis et orationis accesserint, indulgentias aliquas secundum quod potestatis vobis a Deo datæ requirit officium, concedatis, ut ex hoc vobis a Deo p̄mium, et a nobis commendationis titulus, et multorum gratiarum actiones possint et debeant merito provenire. Teste Rege apud Woodstock in crastino beati Thomæ Martyris, Anno Regni nostri Tertio.

He likewise out of his favor and respect to this University, and the advancement of Learning and Religion, confirmed all their former Priviledges and Charters, to convene the Burgesles of the Town before them in all personal actions, commanding the Mayor and Bailiffs of Oxford to observe them to their power, and likewise issued a Writ to the Mayor and Bayliffs of Oxford, for regulating the excessive prises of victuals, beer, wine, according to their Oath, by the advice and assistance of the Chancellor.

*Pat. 3 E. 1. Pro Scolariibus Universitatis Oxon.*

**R**EX omnibus, &c. salutem. Sciatis quod de gratia nostra speciali concessimus Scolariibus Universitatis Oxon. quod de omnibus actionibus personalibus possint convenire Burgeses, et alios Laicos municipii nostri Oxon. coram Cancellario ejusdem Universitatis, et quod per prohibitionem nostram super hoc nequaquam impediatur. In cujus, &c. pro nostra libito voluntatis duraturus. Teste Rege apud Westm. xxx. die Octobris.

*Ibid. De Cancellario & Scolariibus Universitatis Oxon.*

**R**EX Vicecomiti, Majori, & Ballivis suis Oxon. salutem. Volentes dilectis nobis Cancellario et Scolariibus Universitatis Oxon. a progenitoribus nostris Regibus Angliæ per litteras suas patentes concessa, quibus hucusque rationabiliter

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nabiliter usi sunt in omnibus et singulis suis articulis inbiolabiliter obseruari, hoc  
bis mandamus, quod Cancellario et Scolaribus prædictis privilegia prædicta con-  
ferberis illata, et ab aliis omnibus quantum in vobis est illata conferuari facia-  
tis in forma prædicta. *In cuius, &c. quamdiu Regi placuerit duraturas. Teste Rege  
apud Westm. 4. die Novembris.*

Av. 3 E. 1

**R**EX Majori & Burgensibus suis Oxon. salutem. Cum bonas & legales denari-  
as victualium facere, ac certam modificationem precii vini & rerum aliarum  
venalium in prædicta villa nostra providere & statuere qua vos præfata Major. & alii  
Balliva nostri ejusdem Ville, de consilio et assensu Cancellarii et Procuratorum Un-  
iversitatis ipsius Willæ, ex virtute juramenti præstiti fideliter obseruari facere te-  
neamini, Pistores, et Baciatrices, necnon et alii victualium venditores assisas  
nostras in pane, potu, et maxime in vini venditione, et ceterorum victualium fran-  
gentes, hujusmodi victualia carius quam de jure facere debent vendunt in Willa  
prædicta, ad grave dampnum ipsius Universitatis, et totius communis ejus-  
dem Willæ, et in laesionem juramenti vestri et assisarum nostrarum prædictarum,  
sicut ex relatu quorundam fidelium nostrorum plenius intelleximus. Et ideo vobis  
firmiter injungentes mandamus, quatinus assisas nostras in hujusmodi victualibus,  
certam modificationem precii, tam vini quam rerum aliarum venalium de consilio et as-  
sensu prædictorum Cancellarii et Procuratorum in Willa nostra prædicta plenius ob-  
servari et probideri faciatis. Scholares insuper Universitatis prædictæ suis libertati-  
bus et consuetudinibus libere uti permittatis, prout temporibus retroactis eis ra-  
tionabiliter usi sunt: Ita ne clamor ad nos inde proveniat iteratus, per quod ma-  
num ad hoc apponere debeamus. *Teste Rege apud Westm. 2. die Maii.*

Claus. 3 E. 1.  
m. 18. dorso.  
Pro Cancellar.  
& Scolaribus  
Universitatis  
Oxon.

The Citizens of *Norwich* being severely \* punished, imprisoned, fined to the  
King, and to the Prior and Monks of *Norwich*, for burning and spoiling their Mona-  
stery and Cathedral Church, in the last year of King *Henry* the 3. and ordered to  
pay their damages thereby sustained; thereupon there were certain Persons cho-  
sen to mediate an accord between the Bishop, Prior, Covent and Citizens, what  
damages they should pay them; who varying in the sums, the one party demand-  
ing 4000, and the other profering them only 2000 marks, they both at last agreed  
to refer themselves to the Kings final Arbitrement concerning the sum; who or-  
dered the Citizens to pay 3000 marks damages to them at several payments, as  
this Record informs us.

\* See Here,  
Tom. 1. page  
1065, 1019 & 8.

**C**UM super actionibus & querelis quas Venerabilis Pater R. *Norwiche*. Episco-  
pus, Prior & Conventus ejusdem loci ex parte una, & Communitas Civium  
*Norwiche*. ex altera, asserebant adinvicem se habere ratione combustionis Ecclesie  
et Prioratus *Norwic*. ac dampnorum datorum occasione combustionis ipsius hinc  
inde, et alia ratione quacunque, mediantibus Decano *Sar.* et *Thoma de Clare* tra-  
ctatus pacis inter partes fuisset habitus; Fuissentque per dictos Episcopum, Priorem  
& Conventum pro omnibus supradictis quatuor millia *Marcarum* petita a Com-  
munitate prædicta: Ac ex parte Communitatis ejusdem duo millia *Marcarum* obla-  
ta pro bono pacis: Tandem prædicti Episcopus & Prior pro se & Conventu suo, &  
*Ad. de Tofrys, Willus de Rollesby, Henr. le Chancer, & Rogerus de Tudenham*, Cives  
*Norwiche*. pro dicta Communitate, super prædictis omnibus in Dominum nostrum  
Regem tanquam in arbitrum, arbitratorem et ordinatorem alte et basse compo-  
miserunt. Ac volentes quod ipse inter dicta quatuor millia *Part.* et duo *Millia*  
scindere et ordinare, et terminos ad solvendum statuere, ac omnes actiones & que-  
relas prædictas sopire valeat pro sua libito voluntatis, promiserunt se quicquid idem  
Rex inter ipsas partes dicendum, arbitrandum vel ordinandum duxerit pace vel judi-  
cio super præmissis inbiolabiliter servaturas, & facturas prædictum Conventum &  
dictam Communitatem in omnibus observari, Ad quæ compelli per potestatem Re-  
giæ concesserunt.

Claus. 3 E. 1.  
m. 3. intus.  
Compromiss.  
Episcopi Nor-  
wiche. Prioris  
& Conventus  
ejusdem loci,  
& Civium  
*Norwiche*.

**U**nde Nos Edwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquit-  
aniæ, Habito super præmissis prudentium virorum consilio, In nomine Patris, & super eodem  
Filii, & Spiritus Sancti, Dictum nostrum dicimus & proponimus in hunc modum: In-  
primis

primis



*An. 3 E. 1.* primis dicimus et ordinamus, quod omnes actiones et querelæ quas habebant, vel habere poterant adinvicem usque hanc diem, ratione vel occasione prædictis, remittantur hinc inde. Et quod dicta Communitas reddat dictis Priori et Conventui ad reparandum seu reedificandum Ecclesiam et Prioratum prædictos, Tria Millia Marcarum ad terminos infra scriptos, videlicet, quolibet anno Quingentas Marcas; medietatem scilicet ad *Quindenam Pentecostes*, & aliam medietatem ad *Quindenam Sancti Martini*, quousque dicta summa (*Tria millia Marcarum*) fuerit integrè perfoluta. Dicimus etiam et ordinamus, quod dicta Communitas faciat fieri unum vas aureum ponderis decem librarum auri, precii Centum librarum argenti, ad tenendum corpus Christi super altare dictæ Ecclesiæ. Deinceps insuper et ordinamus, quod dicti Prior & Conventus faciant ex quacumque parte voluerint portam & introitum dicti Prioratus, absque dampno vel prejudicio alieno. Adhuc dicimus et ordinamus, quod prædicti Episcopus, Prior et Conventus bona fide in Curia Romana et alibi sumptibus Communitatis, exceptis expensis quas faciet Sanctus prædictorum Episcopi, Prioris et Conventus, qui ibit ad Curiam Romanam ad impetrandam relaxationem sententiarum latarum in dictam Communitatem et Civitatem Norwic. procurent, quod dicta Communitas et eorum Civitas a sententiis Excommunicationis, et Interdicti, et aliis latis in ipsos rationibus et occasionibus supradictis, absolvantur, et dictæ sententiæ totaliter relaxentur. Et si fortè super præmissis vel eorum aliquo dubitationem aliquamori contigerit, Nos declarandi et interpretandi dubitationem hujusmodi, retinemus Nobis plenariam potestatem. *Dat. apud Westm. v. die Octobris, Anno r. n. Tertio.*

\* Which usurped a Jurisdiction to excommunicate & Interdict them, only to get money by their absolution.

The King having the year before issued a Proclamation to banish all forraign Merchants who were Usurers (as sinfull and mischievous persons) out of London and the Realm by a day, under pain of imprisonment and confiscation of their goods, issued this Writ to inquire after the persons and goods of all such who disobeyed his Proclamation, and to seise their goods and persons for their contempt.

*Cl. 3 E. 1. m. 23. intus.*  
De bonis Mercatorum Usurarium arrestand. et cu' o'diendis.

*R*EX dilectis & fidelibus suis Fratri Joseph de Chancy, *Thesaur. suo*, & Johi de Lovetot. & Galfrido de Neuland, duobus vel alteri eorum salutem. Cum nuper publice clamari fecerimus quod omnes Mercatores Usurarii infra Civitatem nostram London. et alibi infra regnum nostrum commorantes, infra certum diem jam præteritum, sub gravi satisfactione exirent regnum supradictum; Ac quidam eorum in Civitate prædicta & alibi in Regno nostro adhuc morentur, contrahibitionem nostram prædictam, ut accepimus; Vobis mandamus, quod inquisita super hoc caute et diligenter veritate, si aliqui hujusmodi Mercatores infra dictam Civitatem vel extra in Regno nostro prædicto inveniuntur, tunc corpora eorum et omnia bona et catalla sua in quorumcumque manibus ea inveniuntur contigerit, sine dilatione aliqua arrestari, et salvo custodiri faciatis, donec aliud a nobis super hoc receperitis in mandatis. Et ita circumspectè & diligenter vos habeatis in hoc mandato nostro exequendo, quod diligentiam vestram exinde merito commendare debeamus. *Teste Rege apud Ringwood, xxiii. die Januar.*

The King according to the Law of Merchants, and custom of the Realm, having distrained the goods of all the Merchants of the Bishop of Leige, for a debt owing by this Bishops predecessor to the Merchants of Florence, for monies lent him to dispatch his and his Churches affaires in the Court of Rome; at the Popes special request, released their goods by this Patent, the Bishop having promised to pay them the debt in his own Country.

*Pat. 3 E. 1. m. 34. intus.*  
Pro Mercatoribus & hominibus Episcopi Leodiens.  
\* Where nothing could be obtained but for money.

*R*EX omnibus, &c. salutem. Cum nuper ad querimoniam Hugonis Papæ & sociorum suorum Mercatorum Florentinorum, mandaverimus Majori & Vicecomitibus London. & Ballivis nostris Subt. quod omnes Mercatores de terra & potestate Episcopi Leodiens. ad partes Angliæ accedentes per bona & catalla sua, secundum legem Mercatorum, et consuetudinem Regni nostri distringerent, ad satisfactionem præfatis Mercatoribus Florentinis de quadringentis Marcis quas ipso Wilhelmo Electo predecessori prædicti Episcopi in Curia Romana ad negotia sua et Leod.

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Leod. Ecclesie expedienda mutuo tradiderunt, prout prefati Mercatores Florentini Anno 3 E. 1. pecuniam illam sibi debere rationabiliter ostendere possent coram iis. Ac Dominus Papa nos instanter requisierit, ut, cum Johannes jam Episcopus Leodiens. paratus sit super hoc eis in partibus suis exhibere iusticia complementum, districtiorem illam Mercatoribus & hominibus de Episcopi Leodiens. remitteremus ad prefens. Nos precibus dicti Domini Papae annuentes in hac parte, Vobis mandamus, quod dictis Mercatoribus et hominibus dicti Episcopi Leod. occasione debiti aut mutui predicti non gravetis in aliquo vel molestetis. In cuius, &c. Teste Rege apud Woodstock 28 die Decembris.

After the decease of William Button Bishop of Bath and Wells, (the Proceſſe and form of whose election, as likewise of his predecessors Walter Gifford, translated to York, I finde registred in a very fair hand in the Leiger Book of the Priory of Bath, p. 91. to 103.) The King upon the Petition of the Prior and Covent of Bath, and of the Dean and Chapter of Wells, granted this license to them to elect a new Bishop.

**R**EX dilectis sibi in Christo, Priori & Conventui Bathon. salutem. Accedentes Pat. 3 E. 1. ad nos fratres Johannes Præcentor, et Thomas de Wynton Commonachi vestri m. 34. Intus. cum literis Capituli vestri patentibus, nobis ex parte vestra humiliter supplicarunt, De Licentia eligendi. ut cum Ecclesia vestra Bathon. & Ecclesia Wellensis sint per decessum bonæ memorie Willielmi nuper Episcopi vestri pastoris solacio destitutæ, vobis & Decano & Capitulo Wellen. alium eligendi Episcopum licentiam concedere dignaremur. Nos igitur vestris in hac parte precibus favorabiliter inclinati, Licentiam illam vobis et ipsis duximus concedendam, Mandantes, quatinus vos una cum ipsis, talem vobis eligatis in Episcopum et pastorem, qui Deo debotus, regimini Ecclesiarum prædictarum necessarius, nobisque et regno nostro utilis et fidelis existat. In cuius &c. Teste Rege apud Oveston xx. die Decembr.

**R**EX dilectis sibi in Christo Decano & Capitulo Wellensi salutem. Accedentes Ibid. ad nos dilecti nobis Henr. de Monteforti, & Magister Robertus de Brandon, cum literis Capituli vestri patentibus, nobis humiliter ex parte vestra supplicarunt, ut cum Ecclesia vestra Wellensis, & Ecclesia Bathon. sint per decessum bonæ memorie Willielmi nuper Episcopi vestri pastoris solacio destitutæ, vobis & Priori & Conventui Bathon. alium eligendi Episcopum licentiam concedere dignaremur. Nos igitur vestris in hac parte precibus favorabiliter inclinati, Licentiam illam vobis et ipsis duximus concedendam. Mandantes quatinus vos una cum ipsis, talem vobis eligatis in Episcopum et pastorem, qui Deo debotus, Regimini Ecclesiarum prædictarum necessarius, nobisque et regno nostro utilis et fidelis existat. In cuius, &c. Teste ut supra.

How they proceeded in their Election upon this License to elect Robert Burnell, I finde thus recorded in the Leiger Book of the Priory of Bath, p. 109.

**M**emorandum de forma Electionis facta per viam compromissi in Ecclesia Cathedrali Wellen. de Domino Roberto Burnell, sub forma qua sequitur. Omnibus Christi fidelibus, ad quos præfens scriptum pervenerit, Walterus Prior, & Conventus Bathonienses, Edwardus Decanus, & Capitulum Wellenses, salutem in Domino. Noveritis quod nos constituti in Capitulo Wellensi, in Crastino Sancti Vincentii, anno Incarnationis Dominicæ Millesimo ducentesimo septuagesimo quarto, ad eligendum futurum Pontificem assignati, ob tranquillitatem Bathoniensis & Wellensis Ecclesiarum & bonum pacis, dilectis in Christo fratribus nostris, Ricardo Supriori Bathoniensi, Martino de Dunster, Mattheo de Dunster, Johanni de Redingges, Thoma de Winton. Richardo de Chernibury, & Johanni Præcentori, Monachis Bathoniensibus, Thoma Archidiacono Wellensi, Henrico de Monteforti, Magistris Constantino, Philippo de Stanton, Willielmo Subdecano, Roberto de Grandon, & Rogero de Cruk, Canonis Wellensibus, ad eligendum nobis & ipsis de gremio, seu collegiis Ecclesiarum nostrarum prædictarum Episcopum & Pastorem hac vice ad diem prædictam, ommitimus vices nostras. Ratum habituri & firmum quicquid omnes ipsi, xiii. xii. xi. seu x. de eis ad minus, in dicto Electionis negotio, dicta die, duxerint faciendum. Promittentes



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An. 3 E. 1. Promittentes firmiter, quod ipsum habebimus in Prælatum, quem duxerint eligendum in dictarum Ecclesiarum nostrarum patrem & pastorem. Dat. die, loco, *Wellens.* & c. supradictis. In cujus rei testimonium sigilla nostra presentibus sunt appensa.

In nomine Domini nostri Jesu Christi Amen. Anno Incarnationis ejusdem 1274. Regnante Domino *Edwardo* illustri Rege *Anglia*, mense *Januario*, in Crastino San. *At Vincentii*, x. scilicet Kal. *Februarii Bathon. & Wellen.* Ecclesiis Pastoris solatio destitutis per mortem bonæ memoriæ *Willielmi* nuper ipsarum Episcopi, corporeque ipsius Patris tradito sepultura, à Priore & Conventu *Bathon. & Decano & Capitulo Wellensibus*, dicta die ad eligendum præfixa, vocatis vocandis in Capitulo Cathedralis Ecclesiæ *Wellen.* invocata Sancti Spiritus gratia; Nos *Ricardus* Supprior *Bathon.* *Martinus* Prior de *Dunster*, *Matthæus* de *Dunster*, *Johannes* de *Redingges*, *Johannes* Pæcentor *Bathon.* *Thomas* de *Wynton*, *Ricardus* de *Chernibury*, Monachi *Bathonien-* ses; *Thomas* Archidiaconus *Wellens.*, *Henricus* de *Monteforti*, Magistri *Constantinus*, *Philippus* de *Staunton*, *Willielmus* Subdiaconus, *Robertus* de *Granddon*, & *Rogerus* de *Cruk*, Canonici *Wellenses*; quibus commissa fuit potestas à Priore & Conventu *Bathon.* à Decano & Capitulo *Wellen.* providendi de Pastore, habito inter nos super his diligenti tractatu, potestate eadem in Dominum *Robertum Burnell* Canonicum *Wellen.* virum providum & discretum, scientem et valentem Ecclesiarum jura tueri, patrem & Episcopum nostrum præficiendum consentimus. Unde Ego prædictus *Thomas* Archidiaconus *Wellen.* pro me & con-compromissariis meis antedictis, de mandato & voluntate ipsorum con-compromissariorum meorum vice mea & omnium nostrum, eundem Dominum *Robertum* eligo nobis & Ecclesiis nostris Episcopum & Pastorem. Et ut fides huic Electioni adhibeatur, presentibus Sigilla Capitulorum nostrorum sunt appensa.

Upon the Certificate of this their Election to the King, he gave his Royal assent thereto by this Patent.

Pat. 3 E. 1. m. 31. De assensu electioni factæ

R EX Venerabili in Christo Patri R. Cantuar. Archiepiscopo, totius Angliæ Primati salutem; Sciatis quod electioni nuper celebrata in Ecclesiis *Bathon. & Wellen.* de discreto viro *Roberto Burnell* Canonico *Wellen.* in Episcopum ejusdem loci Regium assensum addidimus et favorem. Et hoc vobis tenore presentium significamus, ut quod vestrum est in hac parte exequamini. In cujus, &c. Teste Rege apud *Kaveresham*, 3 die Febr.

Ibidem. De assensu electioni factæ.

R EX Electioni nuper celebrata in Ecclesia *Wellen.* per Priorem & Conventum *Bathon. & Decanum & Capitulum Wellen.* de discreto viro *Roberto de Burnell* Canonicum *Wellen.* in Episcopum *Bathon. & Wellen.* Regium assensum addidit et favorem. Et hoc significatum est D. mino R. Cantuar. Archiepiscopo, ut quod vestrum est in hac parte exequatur. Teste Rege apud *Caversham* 2. die Febr.

After his Confirmation by the Archbishop, and Fealty to the King, this Writ issued for the restitution of his Temporalities.

Claus. 3 E. 1. m. 31. inaus. De restitutione Temporalium.

R EX Militibus, liberis hominibus, & omnibus aliis Tenentibus de Episcopatu *Bathon. & Wellen.* salutem. Cum venerabilis pater R. Cantuariensis Archiepiscopus totius Angliæ Primas, electionem nuper celebratam in Ecclesia *Wellen.* per dilectos nobis in Christo Priorem & Conventum *Bathon. & Decanum & Capitulum Wellen.* de discreto viro *Roberto Burnell* Canonico *Wellen.* cui prius Regium assensum addidimus et favorem, confirmaverit, sicut per literas dicti Archiepiscopi patentes plenius accepimus, nos fidelitatem ipsius Electi cepimus, & eidem temporalia prædicti Episcopatus cum pertin. prout moris est, reddidimus. Et ideo vobis mandamus, quod eidem Electo tanquam Domino vestro in omnibus quæ ad Episcopatum illum pertinent intendentes sitis & respondentes. In cujus, &c. T. R. apud *Windes.* 15 die Febr.

This Bishop soon after his Consecration, to end the frequent Controversies between the King, Abbots of *Glastonbury*, and Bishops of this See, by consent of the Dean and Chapter of *Wills*, and of the Prior and Covent of *Bath*, exchanged the Patronage of the Abbey of *Glastonbury*, and some other rights therein granted to him

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him by former Kings Patents, for the City of *Bath*, as this Patent attests, which I An. 3 E. 1. finde enrolled in the Clause Rolls of this year, and in the Leiger-book of the Priory of *Bath*.

V Niverſis Sanctæ Matris Eccleſiæ filiis ad quos præſens ſcriptum pervenerit *Robertus* permiſſione divina *Bathon. & Wellen.* Episcopus, ſalutem in Domino ſempiternam. Noveritis quod nos de communi conſenſu, & aſſenſu Capitulorum noſtrorum *Bathon. & Wellen.* conceſſimus, remiſimus, & quietum clamavimus pro nobis & ſucceſſoribus noſtris imperpetuum, Magnifico Principi & Domino noſtro Domino *Edwardo* Dei gratia Regi *Anglia* illuſtri, & hæredibus ſuis, ſervitium omnium terrarum & feodorum nunc *Abbatia Glaſton.* cum patronatu ſeu cuſtodia ejuſdem Abbatia, & pertin. quæ prædeceſſores noſtri habuerunt, ut medii inter Reges *Anglia*, & Abbas *Glaſton.* ex conceſſionibus inclytæ recordacionis *Richardi, Johannis, & Henrici* tertii Regum *Anglia* prædeceſſorum nunc dicti Domini Regis noſtri, & miſericordias *Abbatum Glaſton.* cum in miſericordias Regum vel amerciamenta inciderint, & illam medietatem quæ remanſit *Waltero Gifford,* quondam *Bathon. & Wellen.* Episcopo & ſucceſſoribus ſuis, per quandam Compositionem initam inter ipſum *Walterum* ex una parte, & *Robertum* quondam Abbatem *Glaſton.* ex altera, de omnibus amerciamentis, finibus, eſchapiis latronum, catallis fugitivorum & dampnatorum, & de murdr. & de bobus de diſſeiſina provenientibus de terris & feodis hominum Abbatia prædictæ, & de omnibus feodis & hominibus eorundem, & ſimiliter alias libertates quas Episcopi *Bathon. & Wellen.* habuerunt ex dictis conceſſionibus Regum *Anglia*, ut medii inter Reges ipſos & Abbates *Glaſton.* ſalvis nobis & ſucceſſoribus noſtris & Eccleſiis noſtris *Bathon. & Wellen.* imperpetuum Maneriis de *Pokelechurch,* cum advocacione Eccleſiæ ejuſdem Manerii & pertin. ſuis in Com. *Glouc.* *Blakeford* cum libera Capella ejuſdem loci & pertin. ſuis, *Wynſcumbe* cum advocacione Eccleſiæ ejuſdem Manerii, & pertin. ſuis, & *Cranemere* cum omnibus pertin. ſuis in Comitatu *Summerſ.* Ita quod idem Manerium de *Cranemere* ſit quietum ab omni ſecta Curiarum & Hundredorum; Et ſalvis nobis & ſucceſſoribus noſtris & Eccleſiis noſtris feodo unius Milit. in *Camolerton,* & feodis ad ſupradicta Maneria pertinentibus, advocacionibus Eccleſiarum de *Criſtemeleford* & *Kyngton* in Com. *Wyltes,* *Aſſebur.* in Com. *Berk.* & *Bocland* in Com. *Dorſ.* & etiam amerciamentis, finibus, eſchapiis latronum, catallis fugitivorum & dampnatorum, & de murdris & de bobus de diſſeiſina provenientibus de ſupradictis Maneriis de *Pokelechurch, Wynſcumbe, Cranemere* & *Blakeford,* cum pertinentiis & feodis ad ipſa pertinentibus, & omnibus hominibus eorundem feodorum & maneriorum. Ita quod prædicti Abbas & Conventus prædicto Domino Regi & hæredibus ſuis in omnibus dictam Abbaciam feoda & libertates, & alia ut præmittitur contingentibus, tanquam Dominis et Patronis intendant et respondeant immediate. Et ita quod nos & ſucceſſores noſtri nichil iuris et clamei in prædictis ſervicio, patronatu, cuſtodia, amerciamentis, libertatibus, et aliis, dicto Domino Regi per nos conceſſis et remiſſis aliquo tempore vendicare vel exigere poterimus in ſuturum. Habenda & tenenda omnia ſupradicta per nos Domino Regi conceſſa, & ſine ullo retenemento remiſſa & hæredibus ſuis, integre et quiete in eſcambium pro Civitate *Bathon.* et ſuburbio ejuſdem Civitatis, una cum domibus, gardino et prato ſubtus Civitatem prædictam ex parte orientali, inter Abbatiam et Civitatem ipſam, et advocacionibus Eccleſiarum ejuſdem Civitatis et ſuburbii, ſi quæ ad ipſum Dominum Regem pertineant in dicta Civitate & ſuburbio, & una cum omnibus aliis pertinentiis ejuſdem Civitatis ſine ullo retenemento, excepta *Bertona Bathon.* quam Prior & Conventus *Bathon.* tenent de Domino Rege ad feodi firmam, & quæ ipſi Domino Regi & hæredibus ſuis remanent, & etiam pro quibuſdam libertatibus dictam Civitatem contingentibus, quas Dominus Rex nobis per Cartam ſuam conceſſit, ſalvis etiam nobis, ſucceſſoribus noſtris, & Eccleſiis noſtris, iuribus, poſſeſſionibus, & libertatibus aliis nobis & Eccleſiis noſtris per Reges *Angl.* conceſſis, in quibus non intendimus nobis & ſucceſſoribus noſtris præjudicium generari, occasione conceſſionis, remiſſionis, & quiete clamacionis quas prædicto Domino Regi & hæredibus ſuis fecimus de prædicto ſervicio, patronatu, cuſtodia, & aliis ſupradictis; Salvis etiam nobis Eccleſiis et ſucceſſoribus noſtris, jure et juſisdictione Diocæſana, ac authoritate in eodem Monafterio et pertinentibus ad ipſum in omnibus. In cujus rei teſtimonium Sigillum noſtrum;

Clauſ. 3 E. 1.  
m. 6. dorſo.



K. Edward 1. *An Exact History of Popes Intollerable Vjurations, B. 5. ch. 1*

*An. 3 E. 1.* nostrum, unâ cum Sigillis Capitulum nostrorum Bathon. & Wellen. præsentibus est appensum. Dat. Quintodecimo Kal. Junii, anno Incarnationis Dominicæ Millesimo ducentesimo septuagesimo quinto. Huius testibus, Domino Waltero tunc *Roffensi* Episcopo, Magistro Waltero Stamel Decano Sarum, Thoma de Cantilupo, Dominis Rogero de Mortuo Mari, Johanne fil. Johis, Radulpho de Hengham, Waltero de Helyon tunc Domini Regis Jultic. Johanne de Kirkeby, & aliis.

In pursuit and execution of which Exchange, the King issued these two ensuing Patents to the Citizens of Bath, and others, to make livery and seisin thereof to the Bishop.

Pat. 2 E. 1. m.  
19. Pro R.  
Bathon. &  
Wellen. Ep.  
copo.

**R**EX Civibus Bathon. & omnibus aliis tenentibus de eadem Civitate salutem. Cum per Cartam nostram concessimus Venerabili Patri R. Bathon. & Wellen. Episcopo & Successoribus suis ejusdem loci, necnon & Ecclesiis suis Bathon. & Wellen. Civitatem nostram Bathon. cum suburbio, et omnibus aliis pertinentiis suis sine aliquo retentamento, exceptâ bertona nostra Bathon. Habend. in escambium pro patronatu Abbacie Glaston. prout in Carta nostra eidem Episcopo inde confecta plenius continetur; Vobis mandamus, quod eidem Episcopo & Successoribus suis prædictis, tanquam Dominis vestris in omnibus quæ ad Civitatem prædictam pertinent de cætero intendentes sitis et respondentes, ut prædictum est. In cuius, &c. Teste Rege apud Westm. xv. die Jun.

Ibidem;

**R**EX dilectis sibi Willielmo Sleghe, & Godefrido Horset salutem. Cum per Cartam nostram concessimus Venerabili patri R. Bathon. & Wellen. & Successoribus suis Episcopis ejusdem loci, necnon & Ecclesiis suis Bathon. & Wellen. Civitatem nostram Bathon. cum suburbio, et omnibus aliis pertin. suis, exceptâ bertona nostra Bathon. Habend. in escambium pro patronatu Abbacie Glaston. prout in Carta nostra eidem Episcopo inde confecta plenius continetur; Vobis mandamus, quod dictam Civitatem cum omnibus pertinentiis suis, excepta bertona prædicta, eidem Episcopo vel suo certo Attoznato literas nostras deferenti sine dilacione liberetis, et plenam seisinam inde habere faciat. In cuius, &c. Teste ut supra.

a Mar Westm.  
Anno 1275.  
P. 364.

<sup>a</sup> Mat. W. Westminster informs us; Obiit hoc anno Johannes Bretoun Episcopus Herefordensis, qui admodum peritus in Juribus Anglicanis, librum de eis conscripsit, qui vocatur, Le Bretoun; Cui successit Thomas de Cantilupo. Which is likewise recorded by Johannes Bale Catalogus Scriptorum Brit. Centur. 4. c. 44. Johannes Pitsens Relationum Hist. de Rebus Anglicis, Tom. 1. Etar. 13. An. 1275. Sir Edward Cookes Preface to his 10. Report, Dr. Cowels Interpreter, Tit. Britton, Centurie Magdeburgenses 13. c. 10. and Francis Godwin in the Life of Britton Bishop of Hereford, who all record, that this Bishop was a great Lawyer, and that he writ a Book, *De Legibus Anglicanis*, spending his time in hearing secular Causes, instead of preaching the Gospel, and discharging his Episcopal function; for which John Bale Bishop of Offery passed this censure upon him: Johannes Bekton (so he styles him) utriusque Juris Doctor, & Episcopus Herefordensis, magna per hos dies apud Regem & Principes autoritate valebat, in Jurisprudentia insigniter eruditus, sed qualis interim fuerit in studio Legis utrinque pro Evangelii ministerio, ad quod tunc vocabatur, apud nullos certe scriptores invento. Leges utiles ac necessarias fore, quis non novit? Dum pro privato leguleiorum commodo non sint, sed pro communis civium utilitate conscriptæ. Facta sunt Leges (inquit Isodorus) ut earum metu humana coercentur præcepta audacia, itaque maneat inter improbos Innocentia. At Evangelii ministerium Episcopum, qui solis eloquiis ac promissionibus Christianum pacificare gregem, in illis versari, quæ ad causas spectant forenses, ut in Anna et Caiapha, plus quam Judaicum est. Nihilominus concessit Johannes ad communem (ut dicunt) Anglorum Reipublica utilitatem, ingens opus ex variis scriptis collectum.

b/ Sir Roger  
Owen, & Mr.  
John Seldens  
Notes upon  
Hengham,  
P. 129.

*De Legibus Anglicanis*, l. 1. Edwardo Henrici Regis filio (inquit Lelandus) cum præterea toti plebi longè utilissima hæc Leges erant. But <sup>b</sup> others more probably affirm, that this Book, *De Legibus Anglia*, was not written or collected by this Bishop, but by another John de Bretou, a Judge under King Henry the 3. surviving this Bishop, who dyed Anno 3 E. 1. whereas this Book makes mention of the Statute

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Statute of Gloucester, Anno 6 E. 1. in his Chapter *De Purch. se Conditionel.* c. 36. *An. 3 E. 1.* and of the Statute of Winton, Anno 13 E. 1. cap. 20. *De Plusors Torts*, being 10. years after his decease, and so could not be writ by him. But whoever was Author of it, he thus informs us of the Jurisdiction of the King and his Temporal Judges, over the Ecclesiastical Courts Encroachments in that age. *Prologue. f. 1. b.* published in the Kings name: *Nous volons que nostre Jurisdiction soit sur tous Jurisdicions en nostre Roialme.* Cap. 20. *De Plusors Torts*, f. 32, 33. *Doit aussi enquis de Clerks que teinent piecs de ley gent de autres choses que Testament, et de Patrimoine, ou de Dismes,* (which they had then encroached by their \* Canons) *ou que eyent sage aucun lay home en Court Chrestienne a aucune compungation de argent, ou aucun autre point que en le pointz abantoltz,* (whereof Incestate Goods were none, of which they had then no Jurisdiction) *ou que ount la quil a tozt Excomenge, et a tozt fait prendre et emprisonner. Et aussi de ceuz que ount autres graves per Billes per double somons a un jour en diverse lieues per malice; et toutz ceuz soient punys par prison, et par fyn.* And Cap. 4. f. 11. *Si le Clerke en coupe de Felonie allege Clergye, & si soit tiel trone, & par Ordinarie demande, si soit enquis coment il est miscreu.* Et si il soit miscreu, si soient les chateaux taxes & ses terres prisez en nostre mayn, et \* son cors delibere al Ordinarie. Et si le Ordinarie le delibere hors de sa prison abaunt due acquittance solonc purgation de Clerks, ou si il le face si negligentement garder, qe il eschape, cu si malicusement le fait tener, que il ne poit a sa purgation venir, et de ceo soit atteynt, en chescun point soit le Ordinarie en nostre mercy. Et solonc ceo que le Ordinarie nous serra assavoir del acquittance de ceuz Clerks, lour ferons nous faire restitution de lour biens, si ils ne eyent de fuy nostre pees. Car nous volons qe sapnte Eglise ept ses franchises desblemes, issint qe ele ept complance a juger de pure Spiritualte de Testament, de Patrimoine, de Bastardy, de Bigamie, et de Felonie de ses Clerks, et en correptions de peches, saube qe les Ordinaries ne preignent null denier, ne la valne des lays, ne de nul denier sacent jugement, fors que de Testament, et de Patrimoine, et de pure Spiritualte, et de amende ment de Cymiters, et de default de Eglises, et de Portnaries, et de Dismes, en presubice de nous. Et si null Ordinarie demande per lay ou per Procuratour tiel que tout est lays, ou bigams, ou de autre condition, que il ne doit la franchise del Clergye enjoyer, volons que toutz soient comandés a la prison, en soient punys par prison. Et aussi soit de Procuratour qui se protere par le Ordinarie sans garrant per letter. The later of which particulars, concerning Bigamy, Churchyards, Mortuaries, our Bishops and Ordinaries had then newly encroached, usurped to themselves, by their own Canons and Constitutions, as you may clearly discern by Sir Henry Spelmans *Concilia, Decreta, Leges, Constitutiones in re Ecclesiarum Orbis Britannici*, Tom. 2. p. 133, 192, 203, 241, 299, 318, 365, 390, 391, 449, 453, 454.

\* See Spelman.  
Concil. Tom.  
2. p. 232, 250,  
316, 320.  
384, 391, &c.

\* See 3  
2. Here  
155.

The Kings license, upon the Dean and Chapter of *Herefords* petition, to elect a New Bishop in the place of *John Breton* after his decease, with his confirmation of their Election of *Thomas de Cantilupo*, and restitution of the Temporalities to him after his confirmation by the Archbishop of *Canterbury*, without the Popes approbation or privity, are thus recorded in the Patent Roll of 3 E. 1.

**R**EX dilectis sibi in Christo Decano & Capitulo Hereford. salutem. Accedentes ad nos Willielmus de Confeys Archidiaconus Hereford. & Magister Lucas de Bree Canonicus Herefordensis, cum literis patentibus Capituli vestri nobis humiliter ex parte vestra supplicarunt, Quod cum Ecclesia vestra Herefordensis pastore solatio, per mortem bonae memoriae J. nuper Herefordensis Episcopi, sit destituta, altam vobis eligendi in Episcopum et pastorem licentiam concedere dignaremur. Nos igitur precibus vestris in hac parte annuentes, licentiam illam vobis et ipsis durimus concedendam: Mandantes, quatinus talem vobis assumatis in Episcopum, qui Deo devotus, regimini Ecclesiae vestrae necessarius, nobis et regno nostro utilis et fidelis existat. In cujus, &c. Teste Rege apud Westm. 23 die Maii.

Pat. 3 E. 1.  
m. 23 intus.  
De licentia  
eligendi.



Ibid. De  
De assensu  
electioni.

**R**EX Electioni nuper factæ in Ecclesia Herefordensi de discreto viro Magistro Thoma de Cantilupo Canonico ejusdem Ecclesie, Regium assensum adhibuit et favorem. Et hoc significatum est venerabili patri Cantuariensi Archiepiscopo, ut quod suum est in hac parte exequatur. Teste Rege apud Westm. 20 die Junii.

Pat 3 E. 1. m.  
19. De Tem-  
poralibus re-  
stituendis.  
\* See Godwin's  
Catalogue of  
Bishops, p. 376  
377.

**R**EX Militibus, liberis hominibus, & omnibus aliis tenentibus de Episcopatu Hereford. salutem. Cum venerabilis Pater R. Cantuar. Archiepiscopus electionem nuper factam in Ecclesia Cathedrali Hereford. de Magistro Thoma de Cantilupo Canonico ejusdem Ecclesie in \* Episcopum loci prædicti, cui prius Regium assensum adhibuimus et favorem, confirmaverit, sicut per literas patentes ejusdem Archiepiscopi accepimus. Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Elei, et temporalia Episcopatus prædicti, prout moris est, restituimus eidem. Et ideo vobis mandamus, quod eidem Thomæ tanquam Domino vestro et Electro loci prædicti in omnibus ad Episcopatum prædictum pertinentibus de cætero intrendentes sitis et respondentes. In cujus, &c. Teste Rege apud Bernes xxvi. die Jun.

Et mandatum est Hugoni de Kendal, Custodi Episcopatus prædicti, quod eidem Elei Temporalia Episcopatus prædicti restituat in forma prædicta. Teste ut supra.

The King upon complaint of the Bishop of Exon. issued this Writ to preserve the rights, and to enquire of, and punish the encroachments upon the Bishop and Bishoprick by the Earl of Cornwall.

3 E. 1. m.  
19. dorfo.

**R**EX dilectis & fidelibus suis Henr. de Monteforti, & S. de Rossa, salutem. Monstravit Nobis venerabilis pater W. Exon. Episcopus, quod cum ipse sit verus Patronus Abbacie de Herthylannd, & ipse & prædecessores sui Episcopi ejusdem loci in omnibus & singulis vacationibus ejusdem domus semper custodiam ejusdem Abbacie habere consueverunt, tanquam veri patroni ejusdem loci; Ac Oliverus de Dinaunt jam termino elapso dum prædictus Episcopus nobiscum in partibus Vascon. in servicio nostro, quo tempore eundem Episcopum homines, terras, res, redditus, & omnes possessiones suas susceperamus in protectionem et defensionem nostram specialem: & dum Officiales & Ballivi ejusdem Episcopi per Ballivos Com. Cornub. occasione contentions inter ipsos Episcopum & Comitem mora detenti fuerant in prisona, custodiam Abbacie prædictæ super Episcopum prædictum occupavit, et bona domus illius acsi ad ipsum pertinuerent hi, et contra voluntatem Canonicoz et alioz hominum ejusdem loci cepit, et consumpsit, et pecuniam non modicam per indebitas distractiones ab eis extorsit, ut per easdem extorcionem et occupationem patronatum ejusdem domus posset in futuris vacationibus suis sibi et hæreditibus suis attrahere, et seisinam inde vendicare, in prædicti Episcopi et Ecclesie sue Exon. præjudicium, et exheredacionem manifestant. Et quia manifestè liquet, quod prædicto Episcopo et Ecclesie sue prædictæ poterit ex hoc dispendium non modicum suboriri, nisi citius remedium ad hoc opponi faciamus; Volentes quod partibus inde justicia celeriter fiat in hac parte, assignavimus vos ad inquirendum per Sacramentum proborum et legalium hominum de Com. Devon. per quos rei veritas melius sciri poterit, veritatem præmissorum, et ad easdem transgressiones, tam de dicta occupatione quam de extorcionibus et dampnis prædictis audiend. et terminand. secundum Legem et consuetudinem Regni nostri. Et ideo vobis mandamus, quod ad certos diem & locum quos ad hoc provideretis inquisitionem, &c. & easdem transgressiones, &c. audiat, salvis, &c. Mandatum est Vicecomiti Devon. quod venire faciat, &c. ad certos, &c. tot & talis, &c. In cujus, &c. Teste Rege, &c. iiii. die Novembris.

The King during the Vacation of Bishopricks, defended their rights against others suits and encroachments, and likewise paid pensions issuing out of their lands due to Hospitals and poor people by way of alms, as appears by this allowance to the Guardian of the Temporalities of the Archbishop of Canterbury, and sundry others of like nature in the *Liberate Rolls*.

Liberate An.  
3 E. 1.

**R**EX Baronibus suis de Scaccario salutem. Allocate Magistro Ricardo in exitibus Archiepiscopatus Cantuar. quadraginta marcas pro expensis suis quas

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quas fecit in Itinere Justic. nostrorum apud *Cantuar.* pro Juribus prædicti Archiepiscopus defendendis, & decem libras pro expensis suis quas fecit in Itinere Justic. nostrorum apud *Cycest.* si hujusmodi pecunia aliis Custodibus tempore vacationis allocari consueverit pro hujusmodi expensis factis in Itineribus consimilibus. Allocate etiam prædicto Magistro *Ricardo* in exitibus prædictis sexaginta & decem solidos & decem denarios quos per præceptum nostrum liberavit Magistro Hospitalis de *Severhach* pro duobus annis & dimid. ad sustentationem ejusdem domus de elemosyna constituta, nisi pecunia illa eidem Magistro *Ricardo* prius fuerit allocata. T. Rege apud *Kenynton* x. die *Julii*.

An. 3 E. 1.

The King by his Sovereign Ecclesiastical Jurisdiction, issued this Commission for the visiting of his free Chappel of *Hastings*, and placing a Dean therein.

**R**EX dilecto fratri *Willicmo de Fauresham* salutem. De circumspectione & pericia vestra specialiter confidentes, vos in Domino deprecamur, quatinus hac instanti die Sabbati apud *Hastings* personaliter accedentes, Capellam nostram beatæ Mariæ loci ejusdem, tam in rebus quam in personis cum diligencia histeris, corrigentes corrigenda, ac reformates quæ in eadem videritis reformatanda. (without any oath) Ad hæc aliquem virum providum & discretum de gremio ejusdem Capellæ loco Decani perficiatis, qui loco eidem præsit & prosit in rebus & personis, quousque aliud duxerimus ordinandum. T. Rege apud *Westm.* 7 die *Maii*, anno r. n. tercio.

Pat. 3 E. 1. m. 25. De visitatione in Capella Regis de Hastings facienda.

Several Freers deserting their Houses and Orders; the King upon complaint by his Ecclesiastical prerogative issued these Writs for their apprehension, and delivering them over to those of their Order.

**R**EX Vicecomitibus & omnibus aliis Ballivis & fidelibus suis, &c. salutem. Quia pro certo intelleximus quod aliqui de fratribus Sancti Augustini spreta professione sua Ordinem prædictum egressi bagantur per plures Com. regni nostri in dispendium animarum suarum, et prædicti Ordinis scandalum manifestum: Et volumus ad ipsorum fratrum sic bagantium insolentiam reprimendam, fratribus prædicti Ordinis literas Capituli sui super hoc habentibus subbenire; Vobis precipimus, quod fratres ejusdem Ordinis sic bagantes ubicunque inveni fuerint in Ballivis vestris sine dilacione arrestari, et fratribus dicti Ordinis liberari faciatis, secundum Regulam prædicti Ordinis castigandos. Talem diligentiam ad hoc apponentes quod eam merito commendare debeamus. In cujus, &c. per annum duraturas. Teste Rege apud *Westm.* xx. die *Junii*.

Pat. 3 E. 1. m. 19. intus. De fratribus vagabundis.

**R**EX Vicecomitibus & omnibus aliis Ballivis & fidelibus suis, &c. salutem. Quia pro certo intelleximus quod aliqui de Fratribus Ordinis Sancti Augustini spreta professione sua, Ordinem prædictum egressi, bagantur per plures Comitatus regni nostri, in dispendium animarum suarum, et prædicti Ordinis scandalum manifestum; Et volumus ad ipsorum fratrum sic bagantium insolentiam reprimendam fratribus prædicti Ordinis subbenire: Vobis precipimus, quod fratres ejusdem Ordinis sic bagantes, ubicunque inveni fuerint in Ballivis vestris, sine dilacione arrestari, et fratribus dicti Ordinis liberari faciatis. Talem diligentiam ad hoc apponentes quod eam merito commendare debeamus. In cujus, &c. Teste Rege apud *Clyve* xxx. die *Novembris*.

Pat. 3 E. 1. m. 36. intus. De fratribus vagantibus arrestandis.

What Jurisdiction King *Edward* exercised in *Ireland* in the election of Bishops, what indulgences he granted to them out of special grace, what Ecclesiastical Dignities and Benefices he there conferred, and what persons he there advanced to Church dignities; as also what care he took to save and secure his prerogative by the graces he indulged to any of them this year; these Records will inform us.

**R**EX Electioni nuper factæ in Ecclesia Cathedrali *Clovensi* de fratre *Alano* *Clongam* de Ordine Minorum in ejusdem loci Episcopum, Regium assensum adhibuit et favorem: Et hoc significatum est Domino *A. Cassalen.* Archiepiscopo, ut quod suum est in hac parte exequatur. In cujus, &c. Teste Rege apud *Wyndes.* xviii. die *Febr.*

Pat. 3 E. 1. m. 2. De consensu electioni adhibito.



Anno 3 E. 1.

De Temporalibus restituendis.

**R**EX dilecto & fideli suo *Galfriao de Genvill Justic. Hibern.* salutem. Cum electioni nuper factæ de fratre *Alano de Clungan* de Ordine Minorum in Episcopo *Cloven.* Regium assensum adhibuerimus et favorem; Attendentes quod prædictus Electus circa hujusmodi perfectionem negotii sui diucius laboravit; & volentes ulterioribus hujusmodi laboribus suis parcere in hac parte; Vobis mandamus, quod si contingat electionem prædictam canonice confirmari, tunc recepta ab ipso Electo nomine nostro fidelitate nobis in casu isto debita, Temporalia Episcopatus prædicti eidem liberetis; Receptis tamen prius literis patentibus sigilli Capituli *Clovenensis* signatis, quod hac gratia nostra quam eidem Electo ad præsens et mera liberalitate concessimus, processu temporis in præjudicium vel exheredationem nostram ad consequentiam non trahatur. Teste Rege apud *Wyndesf.* xxi. die Febr. Anno ejusdem Tercio.

Pat. 3 E. 1. m. 19.

**R**EX dilecto & fideli suo *Galfriao de Genvill Justic. suo Hibern.* salutem. Cum electioni nuper factæ in Ecclesia Cathedrali de *Ros* de fratre *Petro O Hullan* Ordinis *Cisterciensis* in Episcopum loci prædicti, Regium assensum adhibuerimus et favorem. Nos attendentes quod prædictus Electus circa prosecutionem negotii electionis prædictæ diucius laboravit; et volentes suis laboribus et expensis parcere in hac parte; Vobis mandamus, quod si contingat Electum prædictum in Episcopum loci prædicti canonice confirmari, tunc recepta ab ipso Electo nomine nostro fidelitate nobis in casu isto debita, Temporalia Episcopatus prædicti eidem liberetis. Receptis tamen prius literis patentibus sigillo suo, necnon et sigillo Capituli de *Ros* signatis, quod hac gratia nostra quam eidem Electo ad præsens et nostra liberalitate mera concessimus, nobis vel heredibus nostris non cedat in præjudicium vel exheredationem, seu trahatur in consuetudinem vel consequentiam temporibus futuris. In cujus, &c. T. Rege apud *Aylesbyr.* xxv. die *Marci.*

Pat. 3 E. 1. m. 19 dorso.

**R**EX dilectis & fidelibus suis *Bartho. de Suthleye, & Willielmo Hamelyn* salutem. Cum *Richardus de Wynnelesgh* Præcentor Ecclesiæ *Leichen.* in *Hybern.* jam diu vacantis, quam in protectionem et defensionem nostram suscepimus, in veniendo in regnum nostrum *Anglia* à partibus *Hybernica,* ad petendam à nobis licentiam sibi eligendi Episcopum, nuper transitum fecerit per villam *Philippi Marmion de Thammworth,* ubi ipse detentus infirmitate moram traxit per tres menses & amplius, *Johannes le Procuratour, Nicholaus fitz Leden, Rob. fil. Rad. de Monte, Garinus le Normannus, & Nicholaus serviens Willielmi le Tayllard* ex missione præfati *Philippi* exierunt castrum ipsius *Philippi de Thammworth* vi & armis, & duobus garcionibus ipsius *Nicholai* abstulerunt duos equos ejusdem *Ricardi,* qui audito rumore de prædatione illa, levavit clamorem & hutesum super eosdem deprædatores, & eos insecutus fuit à Comitatu *Staff.* usque *Vic. Warr.* ad castrum ipsius *Philippi,* ubi equi prædicti detinentur, & deprædatores prædicti receptantur, qui quidem deprædatores postmodum in prædictum *Richardum* insultum fecerunt, & ipsum verberaverunt, sanguinem traxerunt, & ipsum modis aliis malè tractaverunt, non solum ad ipsius *Richardus* grave dampnum, immo in nostri contemptum manifestum, ac contra pacem nostram et protectionem nostram supradictam. Nos igitur ad hoc festinum remedium adhiberi cupientes, assignavimus vos ad inquirendum per Sacrament. &c. de *Com. Staff. & Warr.* minimè suspectorum, per quos, &c. Et ad plenam & celerem justiciam eidem *Richardo* inde faciendam, prout secundum legem & consuetudinem regni nostri fuerit faciendum. Assignavimus etiam vos ad attachiandum præfatum *Philippum* & alios per *Vic. nostros* locorum prædictorum. Ita quod habeant corpora eorum coram nobis à die Sancti *Johannis Baptistæ* in unum mensem ubicumque tunc fuerimus in *Anglia,* ad respondendum nobis de contemptu prædicto, & aliis quæ sibi objicere voluerimus in hac parte. Et ideo vobis mandamus, quod ad certos, &c. præmissa faciatis in forma prædicta. Et dictam Inquisitionem inde distinctè & aperte factam, nobis sub sigillis vestris & sigillis eorum per quos facta fuerit, qualem vos & ipsi warrantizare volueritis sine dilacione mittatis, & hoc breve. Mandavimus enim *Viccomitibus* nostris *Com. prædictorum* quod ad certos, &c. venire faciant, &c. minimè suspectos per quos, &c. Et etiam quod attachient præfatum *Philippum* & alios, ita quod habeant corpora eorum coram nobis ad diem supradictum prout  
eis

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eis scire facietis ex parte nostra. In cujus, &c. Teste Rege apud *Westm.* xxx. die *Anno 3 E. 1.*  
*Junii.*

**R**EX dilectis sibi in Christo Decano & Capitulo *Imilac* salutem. Accedens ad nos *Laurencius Florens Walensis*, Concanonicus vester, cum literis patentibus sigillo Capituli vestri signatis, nobis ex parte vestra humiliter supplicavit, quod cum Ecclesia vestra per mortem *Matthai* nuper Episcopi vestri, pastoris solacio sit destituta, vobis alium eligendi in Episcopum et pastorem licentiam concedere dignaremur. Nos igitur precibus vestris in hac parte condescendentes, licentiam illam vobis duximus concedend. Vobis mandantes, quod talem vobis eligatis in Episcopum et pastorem, qui Deo devotus, Ecclesie vestre necessarius, nobisque et Terrae nostrae Hiberniae utilis et fidelis existat. In cujus, &c. Teste Rege apud *Westm.* v. die *Maii.*

Pat. 3 E. 1. m.  
 26. De licentia eligendi.

**R**EX Electioni nuper factae in Ecclesia Cathedrali *Imelacensi* de discreto viro fratre *David* Abbate de *Sancta Cruce* in *Imelac.* Regium assensum adhibuit et favorem. Et hoc significavit Domino *Cassalensi*, ut quod suum est in hac parte exequatur. T. R. apud *Westm.* xxiv. die *Junii.*

Pat. 3 E. 1. m.  
 17. intus De assensu electioni adhibito.

**R**EX Militibus, liberis hominibus, & omnibus aliis de Episcopatu *Imelac.* salutem. Cum venerabilis pater *David* Archiepiscopus *Cassalensis* electionem nuper factam in Ecclesia Cathedrali de *Imelac.* de fratre *David* Abbate *Sancta Crucis* Ordinis *Cisterciensis* in Episcopum loci praedicti *Imelacensis*, cui Regium assensum prius adhibuimus et favorem confirmaverit, sicut per literas patentes praefati Archiepiscopi plenius accepimus. Nos confirmationem illam acceptantes, cepimus fidelitatem ejusdem Electi, et temporalia Episcopatus praedicti (prout moris est) restituimus eidem. Et ideo vobis mandamus, quod eidem fratri *David* tanquam Domino vestro in omnibus quae ad Episcopatum illum pertinent de cetero intendentes sitis, et respondentes, ut praedictum est. In cujus, &c. T. R. apud *Bekel.* ii. die *Aug.*

Pat. 3 E. 1. m.  
 14. intus. De Temporalibus restitutis.

**R**EX dilectis sibi in Christo Archidiacono & Clero Ecclesiae *Coverensis* salutem. Accedens ad nos Magister *Adam de Slynbrigg* Procurator vester, cum literis patentibus sigillo Cleri Ecclesiae vestrae signatis nobis ex parte vestra humiliter supplicavit, quod cum eadem Ecclesia per mortem R. nuper Episcopi ejusdem loci pastore solacio sit destituta, vobis alium eligendi in Episcopum licentiam concedere dignaremur. Nos igitur vestris precibus in hac parte benigne condescendentes, licentiam illam vobis duximus concedendam. Mandantes quatinus talem vobis eligatis in Episcopum et pastorem, qui Deo devotus, regimini Ecclesiae vestrae necessarius, nobisque et terrae nostrae Hiberniae utilis et fidelis existat. In cujus, &c. T. R. apud *Marleberg.* vii. die *Jan.*

\* *Coverensis.*  
 Pat. 3 E. 1. m.  
 34. De licentia eligendi.

**R**EX Electioni nuper factae in Ecclesia *Conerensi* de Magistro *Petro de Dunath* in Episcopo ejusdem loci, Regium assensum adhibuit et favorem. Et hoc significatum est Domino *N.* Archiepiscopo *Armacano*, ut quod suum est exequatur in hac parte. T. R. apud *Wynd.* iv. die *Marci.*

De Temporalibus restituendis.

**R**EX dedit & concessit dilecto Clerico suo *Willielmo de Salinis* Archidiaconatum *Dublin.* cum Praebenda eidem Archidiaconatu annexa, quem Magister *Willielmus de Northfeld* defunctus habuit in praedicta Ecclesia *Dublin.* vacantes, ac ad donationem Regis spectantes, ratione Archiepiscopatus *Dublin.* vacantis, et in manu Regis existentis. Et mandatum est Decano & Capitulo Sancti *Patricii Dublin.* quod eidem *Villio* stallum in Choro & locum in Capitulo, prout moris est, assignent. T. R. apud *Marleberg.* vi. die *Januar.*

Pat. 3 E. 1.  
 m. 34. De Archidiaconatu dato.

**R**EX dedit & concessit dilecto Clerico suo *Iter. Bochard* illam praebendam quam *Galfridus de Insula* habuit in Ecclesia praedicta vacantem, & ad donationem Regis spectantem, ratione Archiepiscopatus *Dublin.* vacantis, et in manu Regis existentis. Et mandatum est Decano & Capitulo loci illius, quod eidem *Iter.* stallum

Pat. 3 E. 1. m.  
 36. De praebenda data.



An. 3 E. 1. lum in choro, & locum in Capitulo, prout moris est, assignent. Teste Rege apud Clyve iii. die Dec.

Pat. 3 E. 1. m.  
33. intus. De  
Vicaria conse-  
renda.

**R**EX dilecto Clerico suo *Thoma de Cheddeworth* Cancellar. *Dublin.* salutem. Sciatis, quod dedimus vobis potestatem conferendi Vicariam Ecclesie de Domenathliac. in Archidiaconatu *Dublin.* vacantem, et ad donacionem nostram spectantem, ratione Archiepiscopatus *Dublin.* vacantis, et in manu nostra existentis, alicui Capellano idoneo, qui Ecclesie predictae deserviat, et in eadem residentiam faciat personalem. In cujus, &c. Teste Rege apud *Ambresbyr.* xv. die *Januarii.*

The Prior of the Hospital of St. *Johns of Hierusalem in Ireland,* being commanded by the King to repair into *Ireland* for its safety, and refusing to go, because commanded by his Superior to repair to him into the Holy Land; the King thereupon by his Sovereign authority enjoined him notwithstanding to go into *Ireland,* under pain of seising and confiscating all the lands and goods belonging to that House, for his neglect and contempt therein.

Pat. 3 E. 1. m.  
17. intus.  
De Terra Hi-  
bernice.

**R**EX dilecto sibi in Christo fratri *Willielmo fil. Rogeri,* Domorum Hospitalis Sancti *Johannis Jerusalem in Hibern.* Priori, salutem. Quia pluries requisiti a nobis quod ad partes *Hibern.* pro nostra & totius terrae utilitate sine dilatione qualibet rediretis, prætendistis, quod cum essetis à religioso viro fratre *Hugone Revel* Magistro Domorum vestrarum in partibus Terrae Sanctae superiore vestro vocati, quod ad eundem in Terra Sancta personaliter veniretis, cui Magistro volebatis sicut nec debebatis promissam et debitam obedientiam violare, nostris non poteratis mandatis super hoc obedire. Quare nos considerantes incommoda quae nobis & toti terrae *Hiberniae* possent per vestram absenciam venire; & vobis sub incurrimiento omnium terrarum et tenement. quae Domus vestra tenet in *Hibernia,* firmiter injungimus, quatinus remoto cujuscunque excusationis et dilationis obstaculo, sicut domum vestram ab amissione tantorum bonorum et rerum conservare vultis indemnem, mandatum nostrum expressum superius compleatis. Alioquin ad captionem praedictorum prout nobis videbitur procedemus. Nos enim erga dictum Magistrum vestrum super mora vestra vos excusatos faciemus haberi. In cujus, &c. Teste Rege apud *Bernes,* xxvii. die *Junii.*

How much the Bishop of *Waterford* the Kings Treasurer of *Ireland,* was this year busied in improving the Kings lands there, and in secular affairs, instead of discharging his Spiritual office, and what pension he received; these Records will inform us.

Pat. 3 E. 1. m.  
36. intus. Pro  
Episcopo *Waterford.*

**R**EX Omnibus, &c. salutem. Sciatis quod concessimus venerabili patri *Stephano* Episcopo *Waterford.* Thesaurario nostro *Hiberniae,* quadraginta libras singulis annis percipiendas a nobis ad Scaccarium nostrum *Dublin.* videlicet unam medietatem ad Scaccarium nostrum *Pascha,* & aliam medietatem ad Scaccarium nostrum Sancti *Michaelis,* ad sustentationem suam quamdiu steterit in officio supra praedicto. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud *Clyve* xxvi. die *Novembris,* anno regni nostri Tertio.

Ibid. De Do-  
minicis appru-  
iandis.  
\* Improved.

**R**EX Venerabili in Christo Patri *S. eadem gratia Waterfordensi* Episcopo Thesaurario suo *Hiberniae* salutem. Quia intelleximus quod Dominica nostra et terrae nostrae *Hiberniae* per vestram circumspectionem et diligentiam plus solito appropinquari poterunt ad opus nostrum. Vobis mandamus, quod Dominica nostra et terras nostras vobis propinquiores per consilium dilecti et fidelis nostri *Galfridi de Genevill* Justic. nostri *Hiberniae* appropietis ad opus nostrum modis omnibus quibus poteritis, et nobis videbitis expedire; Aliasque terras nostras remotiores aliis ad firmam seu ad campipartem vel alio modo committatis per consilium praedicti Justic. nostri. Ita quod per ipsos qui terras illas sic recipiat fideliter inde respondeatur ad Scaccarium nostrum *Dubliniae.* Et ad hoc faciendum vobis quamdiu nobis placuerit damus potestatem. Mandantes quod taliter in hac parte vos habeatis, quod Domi-  
nica

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nica et terra nostræ ibidem tempore vestro per circumspeditionem et industriam vestram magis solito appropiari videantur ad opus nostrum. In cujus rei testimonium has literas nostras vobis mittimus patentes. Teste meipso apud *Chy*: xxvii. die *Novembris*, anno Regni nostri Tercio.

An. 3 E. 1.

**R**EX Venerabili in Christo Patri *S. Waterford*. Episcopo salutem. Cum assignaverimus vos ad inquirendum super quibusdam transgressionibus & excessibus *Willielmi filii Warini* de tempore quo fuit Senescallus noster *Ulton*. impositis, & super quibusdam aliis nos in partibus *Hibernia* tangentibus, damus vobis potestatem prædictum *Willielmum* interim à prædicta Balliva sua amovendi, & alium loco ipsius substituendi ibidem, si videritis expedire. Et ideo vobis mandamus, quod præmissa diligenter faciatis in forma prædicta. In cujus, &c. Teste ut supra.

Pat. 3 E. 1. m.  
20 De pote.  
state data S.  
Waterford.  
Episcopo.

I finde this warrant in the *Liberate Roll* of this year, for paying this pension to the Kings Advocate in the Court of *Rome*.

**R**EX Thesaur. & Camerariis suis salutem. Liberate de Thesaurò nostro *Migistro Anglo*, Advocato nostro in Curia Romana Sexaginta *Parcas*, super arreragia feodi sui Quadraginta *Parcarum*, quod de nobis percepit quousque provisum esset ei per nos in beneficio valoris Quaterviginti *Parcarum*, & unde in partem concessionis nostræ prædictæ satisfactum est ei in Ecclesiastico beneficio valoris Quadraginta *Marcarum*, quam pro arreragiis feodi sui Quinquaginta *Marcarum* quod percipere consuevit ad idem Scaccarium tempore Domini *H. Regis* patris nostri. T. R. apud *Marleberg*. viii die *Jan*.

Liberate, An.  
3 E. 1. m. 11.

I shall close this year with this Writ, discovering the use, necessity, and Kings care to preserve his Records, for the just defence of his Rights, Royalties both at home and abroad, especially in controversies and disputes with *France*, and other Foreign Princes, which I found in the White Tower Chappel by it self.

**R**EX Thesaurario & Camerariis Scaccarii sui salutem. Quia super omnibus processibus inter nos & antecessores nostros, & Ministros suos, & subditos ac nostros ex una parte, & Francorum Reges, & suos ex altera, in Cur. Franc. & alibi, quondam & nuper inchoatis & adhuc pendentibus indecisus super conventionibus incompletis et omni quæstionis materia ex guerris, resistenciis, et rebellionibus, excessibus, et inobedientiis, et ex aliis bellatis quibuscumque de nobis hinc inde exortis, per Jurisperitos ex parte nostra deputandos tam in partibus transmarinis quam cismarinis, in proximo habere volumus consilia et tractatus. Et nonnulli ex dictis processibus, et ex Bullis, Cartis, Literis, instrumentis, rotulis et memorandis ad defensionem juris nostri in huiusmodi processibus, conventionibus et quæstionis materia necessariis vel utilibus in vestra, et Custodis privati Sigilli nostri, et aliorum *Ministroz* nostrorum custodia London. et alibi existunt, ut accepimus; vobis mandamus, quod omnes huiusmodi Bullas, Cartas, Literas, instrumenta, rotulos et memoranda in dicta Custodis privati Sigilli nostri, et aliorum quorumcumque *Ministroz* nostrorum custodia existencia, ab ipsis per indenturas inter vos et ipsos inde consciendas recipiatis, et ipsorum transcripta una cum processibus in custodia vestra existentibus, et Bullarum, Chartarum, instrumentorum et memorandorum in custodia vestra existentium, et dictos processus, conventiones et quæstionis materiam tangentium transcriptis, et specialiter illis quæ ad Thes. patris nostri et ejus Consilii ordinacione cum dicto patre nostro ad mutuas Regum visiones pro homagio faciendo, vel cum Procuratoribus et Punctis dicti patris nostri ad Parliamenta Franc. pro juris sui defensione in eisdem portari solebant. Et etiam cum quibusdam aliis quæ ad defensionem juris nostri valere poterunt in processibus contra nos super homagio Comitatus *Armanaci*, et super pluribus aliis contentis in litera credenciarum nobis per *Hen. Vascon*. transmissa, imper inchoatis per Clericos nostros dictis negotiis intendentes, vobis plenius nominando. ad dicta consilia et tractatus coram nobis et Consiliariis nostris quotiens opus fuerit, usque ad finalem decisionem processuum prædictorum exhibendo. per Clericos sufficientes ad huiusmodi processuum et transcriptorum custodiam et informati-

Brev. 3 E. 1.

nem



nem super hiis, et prosecutionem pro eisem personis et temporibus ac locis quibus decet faciend. portari et custodiri faciatis. Pandamus enim dicto Custodi priuati sigilli nostri, et aliis spinistris nostris quibuscumque huiusmodi Bullarum, Cartarum, Literarum, instrumentorum, rotulorum et memorandorum cum nobis habentibus, quod ea vobis per indenturas faciant liberari quando per vos super hiis fuerint requisiti. *Tiste meipso apud Walingford 22 die Aprilis, anno regni nostri tertio.*

An. 4 E. 1.

\* Mat. Westm. & Th. Walingham, An. 1276 Platone, Onuphrius, Balanus, and others in his Life.

\* Peter Hispan being elected Pope An. 1276. (4 E. 1.) after the death of Adrian the 5. and stiled Pope John the 21. in the very first year of his Papacy, sent this Bull to King Edward the 1. (the Original whereof I found in the White Tower Chappel) to demand the arrears of the annual rent of 1000 Marks, for 7 years last past, and that present year, (as his predecessor Pope Gregory the 10. had done.)

**J**OHANNES Episcopus seruus seruorum Dei, Carissimo in Christo filio Regi Angliæ illustri, salutem & Apostolicam benedictionem. Cum centum Ecclesiæ Romanæ a te annis singulis debitum, pro septem annis iam præteritis, et pro anno præsentis complendo in festo beati Michaelis Archangeli mense Septembris proximo venturo, octo millia marcarum sterlingorum solvere tenearis: Serenitatem Regiam requirimus et rogamus, quatinus huiusmodi pecuniam pro dictis septem annis præteritis, et anno præsentis, videlicet, tria millia marcarum infra mensem post receptionem præsentium, et totidem in festo beati Johannis Baptistæ proximo futuro, et duo millia in prædicto festo beati Michaelis, dilecto filio Magistro Gifredo de Vecano Clerico Camera nostræ, et Banco nostro in Anglia, nomine nostro et Ecclesiæ Romanæ persolvas. Nos enim eidem Magistro Gifredo liberandi et absolendi te ab huiusmodi debito, et faciendi tibi pro nobis et Ecclesiæ prædicta resutationem et adquietationem plenariam de hiis quæ a te receperit, prout de iure fuerit plenam tribuimus tenore præsentium potestatem. *Dat. Viterbii 15 Kal. Januarii, Pontificatus nostri anno primo.*

\* See Tom. 2. p. 312, 313.

I find no answer to this Bull, nor was there any payment of these arrears then made unto him, as appears by \* Pope Martins subsequent Bull and demand of these arrears, for that they were not satisfied.

\* Chron. Wil. Thorne, col. 1921, 1923, 1924.

About the same time, Anno 1276. this Pope John granted two new Privileges to the Monks of St. Augustines Canterbury, (whose \* Abbot Nicholas Anno 1274. *adivit generale Concilium Lugduni in expensis 200 librarum*) per hac verba.

Johannes Episcopus; & infra. *Auctoritate vobis præsentium indulgemus, ut in illis parochiis in quibus habetis & iuste percipitis majores ac veteres, novales quoque decimas de quibus aliquis hactenus non percepit, pro ea portione qua veteres vos contingunt iuxta constitutionem & declarationem felicis recordationis Alexandri Papa prædecessoris nostri super hoc editas, libere percipere valeatis sine iuris præiudicio alieni.*

Item idem Johannes. *Auctoritate vobis præsentium indulgemus, ut possessiones & alia bona mobilia & immobilia qua personæ liberis fratrum vestrorum ad Monasterium vestrum à seculo fugientium & professionem facientium in eodem, si remansissent in seculo ratione successionis vel alio iusto titulo contigissent, & ipsi libere potuissent aliis largiri, feudalibus duxtaxat exceptis, petere, percipere ac retinere libere valeatis sine iuris præiudicio alieni.*

This year some Ecclesiastical Judges holding, and others prosecuting suits in Courts Christian for Advousons, Debts and Chattels, whereof they had no Jurisdiction, against the Kings Prohibitions, I find these Suits and Attachments prosecuted against them for it in the Plea Rolls of Hill. 4 Ed. 1.

Plac. de Term. Hill. An. 4 E. 1. m. 4. Norff.

Gilbertus de Tichewell optulit se 4. die versus Magistrum Alanum de Freston Archidiaconum Norff. & Magistrum Willielmum de la Hilde, de placito Prohibitionis, &c. Et ipsi non ven. Et præceptum fuit Vicecomiti, quod attach. eos, quod sint hic à die Pasche in tres septimanas. Et Vic. sit auditorum iudicium, &c. *Adhuc de Officiis Sancti Hilarii.*

m. 16. Leic.

Magister domus Sancti Lizarii de Burton optulit se 4. die versus Simonem Personam Ecclesiæ de Norton, de placito quare secutus est placitum in Curia Christianitatis de advocacione quartæ partis Ecclesiæ de Galliby, contra Prohibitionem, &c. *ad hunc*

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hunc diem. Et Episcopus nihil inde fecit. Ideo preceptum est Vicecomiti, quod attach. *An. 4 E. 1.*  
 predictum Episcopum, quod sit in Octavis Sanctæ Trinitatis. Et ibi habeat, &c.

Rogerus de Glantham, & Agn. uxor ejus, per Attornatum suum opulit se 4. die *Ibid. Lincoln.*  
 versus Richardum Episcopum Linc. de placito, quod, &c. & hic haberet Petrum  
 de Wifeth, & Magistrum Willielmum de Cotes Clericos suos, ad respondend-  
 um Agn. & Rogero de placito, quare prosecuti sunt placitum in Curia Christi-  
 nitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, con-  
 tra Prohibitionem, &c. Et ipsi non ven. Et preceptum fuit Vicecom. quod distringat  
 eum, &c. Et Vicecomes mandavit, quod districtus est per triginta boves, & per bladum  
 ad valentiam 12 marcarum. Et nichilominus Theobaldus le Messer de Haldingham,  
 & Robertus Joppe de eadem, & Johannes le Bedel man. cum. Ideo ipsi in miseri-  
 cordia. Et sicut prius preceptum est Vicecom. quod distringat eum per omnes terras, &c.  
 Et quod habeat corpus eorum & similiter predictos exitum in Octavis Sanctæ Trinitatis.  
 Et unde Vic. mand.

The King this year by his Sovereign Ecclesiastical Prerogative, to prevent the  
 ruine of the Abby of *Rading*, issued these Patents of Protection, and regulation  
 of the expenses of it, and of the Cell belonging to it, founded by his Ancestors,  
 committing its Revenues to certain persons to defray the Debts thereof.

**R**EX Omnibus, &c. salutem. Quia ipsam intentionem quam progenitores *Par. 4 E. 1.*  
 nostri Reges *Angl.* in fundatione Domus & Monasterii de *Radinges*, quæ *m. 34.*  
 ab eisdem Regibus immediate noscuntur esse fundata, diligenter in animo rebo-  
 lamus, ejusdem Domus imminenti destructionis periculo tenemur celeri subvenire  
 remedio, ne dictorum progenitorum in hac parte fraudetur intentio, & ut ipsorum  
 non solum pro eo quod ipsa Domus pro ipsis & nobis nostrisque successoribus fun-  
 data extitit, verum etiam tanquam novæ fundacionis seu relevacionis Domus ipsius  
 auctores atque participes fieri debeamus. Cum itaque Domus ipsa sit in multis  
 summis pecuniæ nonnullis creditoribus obligata, ad quas solvend. absque distracti-  
 one rerum & honorum suorum non sufficit, nisi ipsius et membrorum suorum ad  
 tempus expensæ superflue rescantur. Nos ejusdem Domus compacientes statui,  
 & in eadem & membris Deo serviencium exoneracioni providere volentes, Domum  
 seu \* Cellam de *Leminiestre Hereford*. Dioc. ad Monasterium predictum de *Radinges*  
 pleno jure spectantem, cepimus in manum nostram et in defensionem nostram,  
 veluti ad patronum pertinet ejusdem, ac omnium rerum & pertinenciarum suarum  
 custodiam in temporalibus dilecto nobis *Rolando de Herlegh* Militi, committentes,  
 ac injungentes eidem, quod fructus, redditus et proventus Domus predictæ fide-  
 liter colligens et conservans, Decano & Capellanis in eadem Deo famulantibus  
 necessaria in victu & vestitu competenter inveniat, ac pauperibus mendicantibus,  
 secundum quod Cartæ predictorum fundatorum requirunt ibidem elemosynas  
 eroget intuitu caritatis. Volumus autem quod rescatis superfluis tam in sa-  
 milia quam in expensis aliis, et potissime in superfluentibus iuxta \* statuti nostri  
 tenorem, reddituum et proventuum predictæ Domus per ipsum probi-  
 tum Abbatem et Priorem de *Radinges*, et aliorum quos ad hoc deputandos duximus,  
 in exoneracionem Domus ipsius, et non in alios usus convertatur. In cujus, &c.  
 Teste Rege apud *Gillingham* 26 die Decembris.

\* Ibid. m. 34.  
 intus. De Cel-  
 la de Lemini-  
 stre capta in  
 manum Re. is.

\* 3 E. 1 c. 1.

**R**EX Omnibus, &c. salutem. Licet de consensu dilectorum nobis in Christo *Pit 4 E. 1.*  
 Abbatis & Conventus de *Radinges*, Domum seu Cellam de *Leminiestre Here-*  
*ford*. Dioc. ad ipsum Abbatem & Conventum pleno jure spectantem pro exone-  
 ratione Domus de *Radinges* quæ multis est debitis onerata in manum nostram cepe-  
 rimus ipsius custodiam dilecto nobis *Rolando de Herlegh* Militi, in Temporalibus  
 committendo. Nos nolentes quod hujusmodi captio in manum nostram possit  
 dictis Abbati & Conventui vel eorum successoribus in posterum facere aliquod no-  
 cumentum, vel nobis aut hæredibus nostris capiendi in manum nostram vel hære-  
 dum nostrorum ipsam Domum vel aliquam aliam Domorum ipsorum Abbatis  
 et Conventus sui aliquod tribuere, volumus & concedimus, quod Abbas de  
*Radinges* qui pro tempore fuerit dicta Domo liberata vel non liberata, possit dictam  
 custodem amovere omninoque suæ libito voluntatis, & de ipsa Domo prout prius  
 poterat

*m. 34 intus.*  
 Pro Abbate &  
 Conventu de  
*Radinges*.



*An. 4 E. 1.* poterat ordinare absque nostri vel hæredum nostrorum reclamacione aliqua faci-  
enda. In cujus, &c. Teste ut supra.

The King likewise granted this Patent of Protection to the Abbot and Convent of Ryvall.

*Pat. 4 E. 1. m.  
16 intus. Pro  
Abbate &  
Conventu da  
Ryvall.*

**R**EX Omnibus Ballivis, &c. salutem. Cum dilecti nobis in Christo Abbas & Conventus de Ryvall. Mercatoribus & aliis Creditoribus suis diversis in multis modis debitis & immensis teneantur, ad quorum solutionem facultates Domus prædictæ per magnum temporis spaciū sufficere non possent absque dispersione Monachorum & Fratrum Domus illius, vel feodaliū suorum dilapidacione, seu fortè Domus ejusdem subversione totali, quod nollemus: Nos imbecillitati status ipsorum compacientes, ne hujusmodi discriminis aut depressionis periculum ipsis videatur imminere, Domum illam cum terris, redditibus, & omnibus possessionibus ac rebus aliis ad eandem Domum pertinentibus, cepimus in protectionem et defensionem nostram specialem, &c. as in the forecited Protections to other Houses. In cujus, &c. Teste Rege apud Estwod, 13 die Julii. The like Protection and Commission issued for the Abbot of Luntony in Wales, m. 5. Teste Rege apud Westm. 28 die Novembris.

The King out of his Royal care to defend Christians, and Christian Religion, against the invasions of the Saracens, issued this Commission to the Mayor and Citizens of Baion, to assist the King of Castell with their Ships.

*Pat. 4 E. 1. m.  
34 intus. Pro  
Rege Castell.*

**R**EX dilectis & fidelibus suis Majori & Civibus suis Baion. salutem. Quia intelleximus quod Saraceni se præparant ad veniendum hostiliter cum magno exercitu in terram karissimi sororii nostri Regis Castella illustris, non solum in dampnum ipsius Regis, verumetiam in Christianitatis et aliorum Christianorum partium illarum grabe periculum et confusionem manifestam; vobis mandamus, quod ad requisitionem ipsius Regis, & suorum sumptibus suis sitis eidem Regi in auxilium et consilium pabigio vestro, & aliis, quibus melius sciveritis & poteritis ad resistendum per mare Saracenis prædictis, ne terram dicti Regis, aut aliorum Christianorum, cum hujusmodi exercitu ingrediantur. Tantum inde facientes, quod Deo promereri, et a nobis grates reportare possitis speciales. In cujus, &c. Teste Rege apud Caneford, 7 die Jan.

The King likewise by his Royal authority, and special grace, ratified all the Lands and Priviledges of the Bishop of St. Asaph in Wales, by this Patent.

*Pat. 4 E. 1. m.  
34. intus. Pro  
Amano Asaph.  
Episcopo.*

**R**EX Omnibus, &c. salutem. Volentes venerabili Patri Amano Episcopo de Sancto Asapho, optentu dilectionis quam penes personam suam gerimus, gratiam facere specialem, concessimus pro nobis & hæredibus nostris, quantum in nobis est eidem Episcopo & successoribus suis, & Ecclesiæ suæ de Sancto Asapho, quod ipsi de cætero eidem fortibus, libertatibus, possessionibus et consuetudinibus diu obtentis utantur et gaudeant pacifice et quiete quibus idem Episcopus et prædecessores sui Episcopi ejusdem loci usi et gaudii fuerant, melius tempore bonæ memoriæ Domini Henrici Regis patris nostri. In cujus, &c. Teste Rege apud Wynton, 20 die Jan.

He likewise issued these several Writs to the Sheriffs and Bayliffs of Liberties in Derbyshire and other Counties, for levying the Dims granted him by the Pope from the Spirituality, which some Religious persons and Clerks refused to pay, for which they were excommunicated by the Popes authority, and Collectors.

*Iterum, m. 30.  
intus. De De-  
cima levand.*

**R**EX Vic. Derby, & omnibus Ballivis Hundredorum & Libertatum infra dictum Com. exutentibus salutem. Cum nonnulli Religiosi et Clerici Decimam tam Spiritualium quam Temporalium nobis a sede Apostolica ad duos annos concessam detineant, et arreragia ejus solvere contradicant, propter quod executores ad ipsam Decimam colligendam deputati ipsos excommunicationis sententia auctoritate Apostolica innodarunt. Nos eorum induratum maliciam reprimere volentes; Vo-  
bis

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bis præcipimus firmiter injungentes, quod prædictam Decimam et ejus arreragia a prædictis detentoribus seu contemptoribus, vel eozundem beneficiis et bonis in Balliva vestra celeriter levari faciatis, quandocumque à dilecto nostro Gileberto de Sutton, Clerico, quem ad Decimam colligendam deputavimus, fueritis requisiti. Et hoc nullatenus omittatis. In cujus, &c. Teste Rege apud La Bure Temple ix. die Marci.

Consimiles literæ diriguntur R. Dunelm. Episcopo, & Justic. Cestr.

Consimiles literæ diriguntur Vicecomitibus Northumbr. Cumbr. Eborum, Sallop. & Staff. & omnibus Ballivis, Hundredorum & Libertatum infra.

**R**EX Universis Vicecomitibus suis per Regnum Angliæ constitutis, salutem. Dum ad mentem reducimus & memoriter recensemus quantis sit subiecta periculis Terra Sancta, quamque & humanum existat in tanta necessitatis articulo subvenire eidem, grandis compassio in utero cordis nostri suboritur & vehementer inducimur ejus prout possumus obviare discriminibus & commoda promovere. Sane cum nonnulli Abbates, Priores, Religiosi et Clerici Decimam bonorum suorum, tam spiritualium quam temporalium nuper ad sex annos Terræ sanctæ subsidio in Generali Concilio deputatam, pro duobus annis prædictis retinent, et arreragia ejus solvere contradicunt, propter quod Executores ad ipsam Decimam colligendam in Civitatibus et Diocibus constituti, in ipsos excommunicationis sententiam latam in eodem Concilio, et suam auctoritate Apostolica sibi concessa tulerunt, et etiam promulgarunt. Nos eorum induratum contumaciam & maliciam reprimere cupientes; Vobis præcipimus firmiter injungentes, quod prædictam Decimam et ejusdem arreragia a prædictis detentoribus seu contemptoribus, vel eozundem beneficiis et bonis levari, et ejusdem Decimæ Collectoribus persolvi celeriter faciatis, quandocumque a Venerab. patre G. Verdun Episcopo seu ipsius Collectoribus fueritis requisiti. Et hoc nullatenus omittatis. Teste Rege apud Westm. xxiii. die Julii. Et sunt sex literæ omnibus Vicecomitibus ut supra directæ de eadem forma.

Pat. 4 E. 1. m. 13. De Decima levanda.

The Nobles, Commons, Prelates and Clergy having granted the King a Quindism out of their Liberality, to discharge his Debts contracted in the Holy Land; the King granted this Patent to the Archbishop and his Suffragans, that this grant out of their free grace should not be drawn into custom or example.

**R**EX Omnibus, &c. salutem. Licet Comites, Barones, ac alii Magnates et Communitas Regni nostri, Quintamdecimam omnium bonorum suorum, et etiam Venerabilis pater R. Cantuar. Archiepiscopi et sui Suffraganei, propter urgentia negocia nostra Subsidium de bonis suis nobis sponte et gracie concesserint. Nos per has literas nostras protestamur, beneficium hujusmodi ex sola ipsius Archiepiscopi et Suffraganeorum suorum liberali gratia, et non nomine Quintamdecimæ processisse, nec illud a nobis vel hæredibus nostris occasione vel exemplo tali in debitum vel consuetudinem trahi posse. In cujus, &c. Teste Rege apud Westm. primo die Novembris. Et duplicantur.

Pat. 4 E. 1. m. 6. intus. Pro R. Cantuar. Archiepiscopo

He likewise issued this Patent and direction for levying it.

**R**EX Abbatibus, Prioribus, Baronibus, Militibus, liberis hominibus, & omnibus aliis tenentibus de Honore de Bergaveny salutem. Cum Archiepiscopi, Episcopi, Abbates, Priores, Barones, Milites, et omnes alii de Regno nostro Quintamdecimam de bonis suis, quibusdam tamen exceptis, nobis liberaliter concesserunt et benigne, ad exonerationem debitozorum in quibus diversis Pccatoribus de tempore quo moram in Terra Sancta fecimus obligamur; Nos de affectione & dilectione quas erga nos credimus vos habere, gerentes fiduciam plenioram, vos affectuose requirimus & rogamus, quatinus Statum nostrum quoad præmissa plenius intuentes, Quintamdecimam de bonis vestris, juxta formam quam dilecti et fideles nostri Grimbaldus Panncefor, & Magister Henr. de Bray, quos ad Quintamdecim in partibus vestris colligendam deputavimus, vobis ex parte nostra exponant, nobis favorabiliter concedatis; Ita quod à nobis ex hoc grates favorabilius reportare debeatis temporibus opportunis. Et prædictis Grimbaldus & Henr. in præmissis intendentes sitis & respondentes. In cujus, &c. Teste Rege apud Turrin London. xxiii. die Novembris.

Pat. 4 E. 1. m. 36. intus. De Quintadecima de honore de Bergeveny.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 4 E. 1. The General Proctor of St. Edmunds and Abbot Pontiniac. complaining of divers false Proctors, who fraudulently collected monyes in their names and converted them to their own private uses; issued this Commission for their apprehension, examination, and punishment.

Pat. 4 E. 1. m. 16. De Generali Procuratore beati Edmundi, ac Abbatis & Conventus Pontiniacensis

**R**EX omnibus Vicecomitibus & Ballivis, ac ceteris fidelibus suis ad quos, &c. salutem. Ex gravi querela fratris Hugonis Generalis Procuratoris beati Edmundi, ac Abbatis & Conventus Pontiniacensis Antiodorensis Diocesis, nuper ad partes Angliæ accedentis accepimus, quod quidam propria honestatis immemores sub nomine beati Edmundi in dicto Monasterio quiescentis, per diversas partes Angliæ discurrentes, & se Procuratores dictæ Lemus falso fingentes, pecuniam et alia bona nomine præfati Sancti petunt et recipiunt a diversis, et ea non in usus, nec ad opus secreti jam dicti Sancti, sed in usus proprios illicite et inhoneste convertunt, in dictæ Domus et fratrum fraudem, et dampnum non modicum, ac dicti Sancti dituperium et scandalum manifestum; Volentes autem maliciis & insolenciis hujusmodi modis quibus convenit obviare, vobis mandamus firmiter injungentes, quod ubicunque tales inveneritis in Ballivis vestris testimoniales dicti Procuratoris non habentes, ipsos arrestari et detineri faciatis, donec de statu & conversatione ipsorum nobis aut Procuratori prædicto constiterit evidenter; proviso, quod pecuniam ac alia bona apud eos inventa, vel penes alios nomine suo deposita, Procuratori prædicto, vel ejus certo nuncio, literas suas super hoc exhibenti totaliter assignentur. Et si qui forsitan literas Regias datam præsentium præcedentes super recommendatione vel admissione ipsorum ad hujusmodi elemosinas colligendas prædicti Procuratoris testimonium legitimum non habentes, exhibeant, eisdem literis de cætero minime pareatis. Ipsum vero Procuratorem H. et ab eodem substitutos protegatis et protegi, ac præfati Sancti negotium promoveri efficaciter faciatis. In cuius, &c. per biennium duraturas. Teste Rege apud Cantuar. viii. die Julii.

The King issued this Writ on behalf of the Abbot of *Relieu* on the New Statute of *Westm. 1. ch. 1.* made but the year before, for the ease and benefit of Religious Houses.

Pat. 4 E. 1. m. 14. Pro Abbate de Bello loco Regis.

**R**EX Omnibus ad quos, &c. salutem. Cum in primo Generati Parlamento nostro post Coronationem nostram in Crastino Octavis Paschæ anno Regni nostri tertio, de voluntate nostra, & consiliariorum nostrorum consilio, & Communitate Regni nostri ibidem convocatorum consensu, ad honorem Dei, et utilitatem Ecclesiæ suæ sanctæ, et melioracionem dicti Regni nostri, ordinaverimus et statuerimus, quod nullus veniat manducare, hospitari, vel jacere in domo Religionis quæ non sit de sua advocacione, ad custodiam domus, nisi prius rogatus fuerit & requisitus à Domino domus, præter Vicecomites, qui venire poterunt cum quinque vel sex equis tantum; Ita tamen, quod non gravent Religiosos suis crebris adventibus vel pernoctacionibus in domibus vel maneriis eorundem: Et quod nullus ad suos proprios Custos domum aliquam Religiosorum intret aut jacere veniat, contra voluntatem Custodum domus, & quod nullus magnus, vel parvus, colore parentelæ vel spiritualitatis aut alicujus affinitatis, seu aliqua hujusmodi occasione in parco currat alieno, nec piscetur in alterius vivario, nec manducet, neque hospitetur in domo aut manerio præfati, vel alicujus alterius, contra voluntatem vel consensum aut licenciam Domini vel Ballivi sui, neque ad custagia Domini loci, neque ad propria, & quod si fortè intraverit cum consensu Domini, vel sine consensu ipsius Domini vel Ballivi, nullam serruram, hostium, fenestram, aut alicujusmodi firmaturam faciat frangere vel aperire vel per se vel per alium, nec aliquid victualium, aut alterius rei ibi capiat colore empcionis vel aliter, nec faciat triturare, nec capiat de victualibus aut aliis bonis alicujus Prælati, personæ, vel alterius Clerici sive Laici, colore empcionis vel aliter, contra bonam voluntatem & licenciam illius cujus fuerit res, vel Custodis ipsius rei infra villam mercati vel extra; Et quod nullus capiat equos, boves, carros, carrectas, naves, seu batellos ad aliquid carandum vel aliud faciendum, sine bona voluntate ipsius cujus res fuerit, & tunc ei statim satisfaciatur secundum conventionem habitam inter eos; Et quod illi qui voluerint contra prædicta Statuta venire vel facere, & inde convicti fuerint, adjudicentur prisonæ nostræ, & inde secundum quantitatem

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titatem transgressionis, & secundum quod nos & Curia nostra viderimus bonum esse; & quod si illi quibus transgressio facta fuerit sequi voluerint pro dampnis sibi factis, adjudicentur & retornentur in duplo; & quod nullus de cetero malum faciat vel gravamen alicui personæ Sanctæ Ecclesiæ, aut alicui alteri eâ occasione quod prandium vel hospitium ei fuerit denegatum, aut eo quod aliquis in Cur. est conquestus de hoc quod gravatus fuit de re aliqua supradicta, & quod si aliquis super hoc convictus fuerit poenam in ipsis Statutis nostris hujusmodi transgressionibus provisam sustineat, & quod articuli antedicti adeo benè ligent nostros Consiliarios, Justic. de Forestis, & alios Justic nostros & forestar, sicut & alios universos; & ut articuli antedicti manteneantur & observentur, quod nullus Prælatus, Religiosus, Abbas vel Ballivus, vel aliquis eorum, aut aliquis alius super gravem forisfacturam nostram aliquem hominem recipiat contra formam antedictam. Cum etiam prohibuerimus, ne aliquis mittat ad Manerium vel Domum Religionis homines, equos & canes, vel aves ad perhendinandum, & quod nullus eos si forte mittantur retineat, & quod quicumque hoc fecerit, quia hoc est contra defensionem & præceptum nostrum, graviter puniantur. Præcipimus insuper postmodum, quod nullus Religiosus nec alius pro debito Regio, nec alterius per animalia quæ terram suam excolunt, nec per oves suas distringatur, dum districtio alterius rei sufficiens debito vel demandæ possit inveniri, excepto in parcamento animalium quando ea in dampno alieno contigerit inveniri, secundum consuetudinem & legem terræ; & quod districtiones minime sint superflue set secundum bonum valorem per æstimationem rationabiles ad quantitatem debiti vel demandæ; *Et Domus Belli loci Regis Cisterciensis Ordinis in Suthampton. à nostris Progenitoribus sit fundata, propter quod eandem specialius tenemur diligere, & volumus tanquam res nostras proprias custodire, vobis inhibemus, ne contra tenorem dictorum Statutorum nostrorum eandem Domum molesteris in aliquo indebite vel grabetis.* Volumus autem quod Abbates dicti loci qui pro tempore fuerint contra tenorem eorundem Statutorum in aliquo venire præsumant. *In cuius, &c. Teste Rege apud Westm. xxiiii. die Julii.*

The like Writ *verbatim* issued this year for the Abbot of *Bildwas*, m. 9. (*mutatis mutandis*) *Teste Rege apud Bristol, 23. die Septembris.* The like Writ by way of Inquisition (upon complaint) issued for the Brethren of *St. Thomas Hospital* in *Southwarke*, num. 19.

**R**EX dilectis & fidelibus suis J. de Lovetot, & El. de Beking salutem. *Ex Pat. 4 B. 1. m. 3. dorso.* parte fratrum Hospitalis Sancti Thomæ de Suthwerke nobis est ostensum, quod cum nuper ad meliorationem status Ecclesiæ Sanctæ, et virozum Religiosorum tranquillitatem in regno nostro. Ac insuper pro conserbacione et continuacione elemosinarum quæ in domibus Religiosorum hujusmodi fieri solent, de consilio nostrorum providderimus et firmiter obserbari statuerimus, ne qui ad domos seu loca alia Religiosorum in Regno nostro prædicto ad hospitandum in eisdem, seu bona aut victualia ipsorum Religiosorum capienda venire præsumerent, nisi per præfatos Religiosos ad hoc essent requisiti, Radulphus le Aumoner, Rogerus de Heeweld, Robertus le Ken, Nichus de Heesend, Jhes le Clerk, Nichus le Chapeleyn, & plures alii advocantes se per Venerabilem patrem N. Winton. Episcopum, & asserentes custodiam ejusdem Hospitalis ad eundem Episcopum pertinere, cum ad ipsum non pertineat, Hospitale prædictum quod ex largicione elemosinarum fidelium ad sustentationem fratrum & pauperum Christi infirmarum, & ad imbecillitatem vergencium ibidem undique confluentium fundatum est, præter licentiam fratrum prædictorum ingressi possessiones, victualia, & alia bona prædicti Hospitalis pro voluntate sua dissiparunt, distraxerunt, & consumpserunt, ad subtractionem elemosina ejusdem Hospitalis, & sustentacionis pauperum, infirmarum, & imbecillium prædictorum, & status dicti Hospitalis subversionem: Ita quod bona dicti Hospitalis ad sustentationem fratrum prædictorum non sufficiunt, in ipsorum fratrum præjudicium & dispendium non modicum & gravamen, & contra Statutum supradictum. Quia vero fratres prædicti parati sunt in Curia nostra sufficienter docere, quod ipsi cedentibus vel decedentibus Magistris seu Custodibus prædicti Hospitalis liberam electionem alium sibi eligendi Magistrum seu Custodem habere debent, & liberam hujusmodi electionem temporibus retroactis habuerunt. Nos depreffioni status Hospitalis et fratrum prædictorum pie compacti-



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 1

*An. 4 E. 1.* entes, et eis in suis Juribus et libertatibus, prout justum fuerit, et Regiam decet Majestatem subvenire volentes in hac parte, assignavimus vos Justic. nostros, una cum hiis quos vobis associaveritis, ad querelas fratrum predictorum super premissis audiend. & terminand. & ad inquirendum per Sacramentum, &c. de Com. Surr. per quos, &c. si necesse fuerit super eisdem plenius veritatem, & ad justiciam inde faciendam secundum legem & consuetudinem regni nostri. Et ideo vobis mandamus, quod vocatis partibus predictis coram vobis ad certum diem & locum quos ad hoc provideritis, querelas predictas audiat & terminetis, & dictis partibus in eisdem plenam & celerem justiciam secundum legem & consuetudinem predictam fieri faciatis, salvo, &c. Mandavimus enim Vic. nostro Surr. quod ad certos, &c. partes predictas & predictum Episcopum, ostensur. si quid juris habeat in custodia predicta, & ad faciendum & recipiendum quod justum fuerit in hac parte coram vobis venire faciatis, & tot & tales probos & legales homines de Balliva sua, per quos, &c. In cujus, &c. Teste Rege apud Westm. xvi. die Novembris.

The Bishop of Ely being riotously and forcibly disturbed in his Market, Fair at Pulham, View of Frankpledge, and other Liberties belonging to that Bishoprick, the King upon complaint, by his Regal Sovereignty, issued these ensuing Patents legally to inquire of and redresse the same.

Pat. 4 E. 1. m.  
17. dorso.

**R**EX dilectis & fidelibus suis Rogero Loveday, & Johanni de Mettingham, salutem. Sciatis quod assignavimus vos ad inquirendum per Sacramentum proborum, &c. de Com. Norff. per quos rei veritas, &c. qui malefactores & pacis nostrae perturbatores Mercatum & Feriam venerabilis patris Hugonis Eliensis Episcopi de Pulham vi & armis intraverunt, & Ballivos ipsius Episcopi ad Manerium illud & Feriam illam custodiend. deputatos verberaverunt, vulneraverunt, & male tractaverunt, & Radulphum de Hecheham unum de Ballivis predicti Episcopi ibidem interfecerunt, & quendam latronem per predictos Ballivos in predicta Feria captum, ab eorum manibus rescusserunt & abduxerunt, & alia enormia eidem Episcopo & suis intulerunt, ad dampnum ipsius Episcopi trescentarum librarum, et praesudicium libertatis suae, et contra pacem nostram. Et ideo vobis mandamus, quod ad certos, &c. inquisitionem illam capiat, & convocatis coram vobis partibus loquelam illam audiat & terminetis, facturi inde, &c. salvo, &c. Mandavimus enim Vic. nostro Norff. quod ad certos, &c. venire faciat, &c. per quos, &c. In cujus, &c. Teste Rege apud Winchlessey ii. die.

Ibidem.

**I**dem Rogerus & Johannes assignantur eodem modo ad inquirendum per Sacramentum, &c. de Com. Norff. per quos, &c. qui malefactores & pacis Regis perturbatores Ballivis Venerabilis patris H. Eliensis Episcopi tenentibus Curiam ipsius Episcopi de visu Franci plegii apud Walsoken de hominibus ejusdem Villae, sicut hactenus nomine dicti Episcopi & praedecessorum suorum teneri consuevit, insultum dederunt, & eos male tractaverunt, non permittentes ipsos Curiam illam de visu predicto pacifice tenere, sicut teneri debet, et teneri consuevit temporibus predictis, & alia enormia eidem Episcopo & suis intulerunt, ad dampnum ipsius Episcopi ducentarum librarum, et contra pacem Regis. In cujus, &c. Teste ut supra.

Ibidem.

**I**dem Rogerus & Johannes assignantur eodem modo ad inquirendum per Sacramentum, &c. de Com. Norff. per quos, &c. qui malefactores &c. Ballivis venerabilis patris H. Eliensis Episcopi, Cur. ipsius Episcopi de visu Franci plegii apud Walsopol & Walton. de hominibus ejusdem Villae, sicut hactenus nomine dicti Episcopi & praedecessorum suorum consuevit, insultum dederunt, & eos male tractaverunt, non permittentes ipsos Curiam illam de visu predicto pacifice tenere, sicut teneri debet, et teneri consuevit temporibus predictis, & alia enormia eidem Episcopo & suis intulerunt, ad dampnum ipsius Episcopi ducentarum librarum, et praesudicium libertatis suae, et contra pacem Regis. In cujus, &c. Teste ut supra.

The Pope having granted this privilege to the Prior of St. Johns of Jerusalem in England, that all who contributed Alms to their Hospital in their life, should be buried by their men and Tenants after their death, of what death soever they died, some

some Thieves being condemned and executed at *Iwelceſter*, were cut down caſually, or by ſome who envied them, before they were dead, whereof one when he was carried to the grave revived, and took Sanctuary, for which the Priors men were impriſoned for a felonious Eſcape; the King thereupon iſſued this Commiſſion to enquire and certifie the truth of this rare caſe.

An. 4 E. 1.

**R**EX dilectis & fidelibus ſuis Solomoni de Roſſa, & Thomæ Tryvet, ſalutem. Pat. 4 E. 1. m. 32.  
Ex querela Prioris Sancti Johannis Jeruſalem in Anglia accepimus, quod cum per privilegia a ſede Apoſtolica ſibi et Hoſpitali prædicto conceſſa, quibus ipſe et ſui prædeceſſores in regno noſtro hactenus uſi ſunt, corpora defunctorum illorum qui in vita ſua ſcateritati ipſius Hoſpitalis ſuas eleemoſynas contulerint, per ſuos homines ſepulturæ Chriſtianæ quotiens opus fuerit deputari debeant quocumque caſu mortis deceſſiſſent. Ac quidam latrones nuper coram Juſtic. noſtris ad gaolam noſtram de Iwelceſtr. deliberandam assignatis, pro feloniam quam fecerant, iudicium ſuum ſecundum lege & conſuetudinem regni noſtri habuiſſent, & poſtmodum ſuſpenſi fuiſſent, per quod decennarii locoꝝ illorum attachiati & quibus deputati fuerant ad furcas illas expelli ſe debuerant, donec ultimum ſpiritu exaſſent, ac demum antequam Willielmus Cukeman, Nicholaus le Meſſager, & Stephanus de Pecham homines ipſius Prioris ad huiusmodi corpora ſic ſepelienda deputati, ad furcas illas veniſſent pro ipſorum corporibus ſic ad ſepulturam huiusmodi deputandis, præſatos latrones nemine præſatorum decennariorum aut aliorum ibidem invento, ſive per rupturas cordarum, ſive per aliquorum prædicti Prioris amulorum excogitatam maliciam, aut alio modo inde proſtratos homines inveniſſent, ac eos mortuos fuiſſe credidiſſent; & eorum corpora ad Eccleſiam Sancti Olavi de Iwelceſtria in ipſius Eccleſiæ Cimiterio ſepelienda poſtaſſent, Adam le Meſſer unus prædictorum latronum ſic ſuſpenſorum cum in ſepulchra ſic poſſa poneretur, vitali reſumpto vigoꝝ pedem ſuum moviſt, et poſtmodum uberioꝝ potius conualeſcentia, limina peciit Eccleſiæ prædictæ, et ſibi ſe tenuit donec regnum noſtrum abiuravit, per quod Wic. noſter Somerſ. præſatos homines ipſius Prioris in priſona noſtra de Iwelceſtria detinet, ac ſi ipſi culpabiles eſſent de feloniam eſchapio vel malicia prædictis. Et quia ſuper iſto negotio plenius certiorari & plenam juſticiam in hac parte fieri volumus, nos de veſtra circumſpectione & induſtria plene confidentes, assignavimus vos ad inquirendum per ſacramentum, &c. de Com. prædicta, per quos, &c. plenam veritatem & certitudinem caſus memorati, & ad faciendum inde ulterius, quod ſecundum legem & conſuetudinem regni noſtri fuerit faciendum. Et ideo vobis mandamus, quod ad certos, &c. inquisitionem illam capiatis in forma prædicta, & ſecundum quod per inquisitionem illam factum eſſe inveneritis in hac parte, tam pro noſtra parte, quam Prioris & hominum ſuorum prædictorum ſeu aliorum ſi quis inde culpabiles inveneritis, plenam juſticiam exhibeatis. Mandavimus enim Vic. noſtro prædicto, quod ad certos, &c. vos & tales venire faciat, &c. per quos, &c. In cuius, &c. Teſte Rege apud Wynton. 19 die Januar. Et mandatum eſt Vic. prædicto, quod ipſos per bonam manncapſionem interim deliberari faciat.

The King in purſuance of the Statute of *Marlbridge* Anno 52 H. 3. ch. 10. granted this Writ to the Biſhop of *Dumblan* in *Scotland*, to exempt him from Sheriffs Tornes, and County Courts, as well as *Engliſh* Clergymen.

**R**EX Omnibus Ballivis ad quos, &c. ſalutem. Cum de communi conſilio regni noſtri proviſum ſit, quod Archiepiſcopi, Epicoꝝ, Abbates, Priores, & ceteri viri Religioſi, ſeu Milites, non habeant neceſſe venire ad Turnum Vic. niſi eorum præſentia ob aliam cauſam ad hoc requirantur, (to the end they might the better attend on, and only apply themſelves to the diſcharge of their Spiritual functions) conceſſimus venerabili patri Roberto Dumblan. Epicoꝝ, quod toto tempore vite ſue ſit quietus de Turni Vic. in *Wapentag. de Brokelneſtowe & Riſeclyve* in Com. *Noringh.* & etiam quod quietus ſit de duobus adventibus per annum quas debet ad Com. prædictum. Et ideo vobis mandamus, quod ipſum Epicoꝝ contra hanc conceſſionem noſtram non veretis. In cuius, &c. Teſte Rege apud *Polton.* 14 die Febr.

Pat. 4 E. 1. m. 36. intus. Pro R. Dumblan. Epicoꝝ. See the Register of Writs, f. 175, 176. Fitz. Natura Brev. f. 160. Cooks 2 Inſtit. p. 120, 121.

What Eccleſiaſtical Jurisdiction the King exerciſed this year in *Ireland*, theſe enſuing Records inform us.

REX



An. 4 E. 1.

Pat. 4 E. 1. m.  
20. intus De  
confessu ele-  
ctioni adhibito  
in Hibern.

**R**EX Justic. suo Hibern. Cum vacante Abbacia beata Marix de Trum. per mortem Gilberti nuper Abbatis ejusdem domus ad requisitionem Prioris & Conventus ejusdem loci, eis licentiam concesserimus aliam sibi in Abbatem suum, prout moris est, eligendi. Nos laboribus & expensis eorundem Prioris & Conventus parere volentes, vobis mandamus, quod electionem eorundem Prioris & Conventus de Abbacia domus sue in Ecclesia sua Trum. faciendam, Regiam assensum et favorem nomine nostro prabeatis. Et si contingat ipsum Electum in Abbatem loci praedicti per loci Diocesis animum canonicè confirmari, tunc recepta ab ipso Electo nomine nostro fidelitate nobis in huiusmodi casu debita, temporalia dicto Abbati liberetis; receptis tamen prius literis patentibus sigillo praedicti Abbatis, et sigillo Capituli signatis, quod hac gratia nostra quam eisdem Priori et Conventui ex mera liberalitate nostra concessimus nobis et heredibus nostris non cedet in praedictum vel exheredationem, seu trahatur in consuetudinem vel consequentiam temporibus futuris. In cuius, &c. Teste Rege apud Westm. 8 die Jun.

The Archbishoprick of Dublin in Ireland being void, the King by his Prerogative granted the custody of it to Thomas Chaddeworth, allowing him 40. Marks a year for his Salary out of it.

Liberate 4 E.  
1. pars 1. m. 3.  
Pro Magistro  
T de Chaddeworth.

**R**EX Baronibus suis de Saccario Dublin. salutem. Allocated Magistro Thomae de Chaddeworth custodia nostro Archiepiscopatus Dublin. vacantis & in manu nostra existentis, in exitibus ejusdem Archiepiscopatus, de toto tempore quo fuit custos ejusdem Archiepiscopatus, & quamdiu custodiam illum habuerit singulis annis quadraginta marcas quas ei concessimus percipiend. pro feodo suo & custodia Archiepiscopatus praedicti. Teste Rege apud Bathon. 15 die Sept. Stephen Bishop of Waterford was then Treasurer of the Kings Exchequer in Ireland, as appears by the Kings Writ of Liberate to the Auditors of his Accounts, and other Records.

The King presenting to the Archdeaconry of Dublin, by reason of the Temporalities of the Archbishoprick then in his hands, and the Prior and Chapter of St. Trinity in Dublin pretending the Archdeacons of Dublin had a right thereto; the King by his Ecclesiastical Prerogative summoned both parties with their Evidences to appear before him, and appointed special Delegates to hear and decide the cause, which they did accordingly, who awarded the right to the King, and his Clerk to be installed, as this Record attests.

Pat. 4 E. 1. m.  
24.

**R**EX Justic. suo Hibern. salutem. Magistro Guilielmo de Notafeld quondam Archidiacono Dublin. natura debitum persolvente, nos Archidiaconatum ipsius vacantem, et ad nostram donationem ratione Archiepiscopatus Dublin. vacantis & in manu nostram existentis spectantem, dilecto Clerico nostro Willielmo de Salinis donavimus. Mandantes Decano & Capitulo Ecclesiae Sancti Patricii Dublin. quod eidem Guilielmo stallum in Choro & locum in Capitulatione dicti Archidiaconatus, prout moris est, assignarent. Cumque Prior & Capitulum Sanctae Trinitatis Dublin. offerrent mandatum nostrum huiusmodi in eorum praedictum redundare, cum Archidiaconi Dublin. qui pro tempore fuerint consueverint in dicti Archiepiscopatus vacationibus praesentari eisdem, et ab ipsis Jurisdictionem spiritualitatis & civitatis et Dioc. Dublin. quam ibidem Archidiaconi vacante sede habere consueverunt, retinere; & peterent, quod eundem Willielmum in forma praedicta praesentaremus eisdem, ab ipsis dictam jurisdictionem more solito receptaram. Nos quia volebamus iuri paritatem in aliquo derogare, Decanum & Capitulum Sancti Patricii, & Priorem & Conventum Sanctae Trinitatis praedictos, ad nostram mandavimus praesentiam cum omnibus actis et munimentis negotium huiusmodi tangentibus evocari: Dilectis itaque partibus coram nobis sufficienter apparentibus, Nos dilectos Clericos nostros Magistrum Thomam Bek & Robertum de Scardeburg dedimus partibus auditores. Coram quibus cum fuisset inter partes per plures dies super questione huiusmodi altercatum, tandem quassum fuit a parte dictorum Prioris & Conventus, Utrum haberent aliquam praesentationem sibi factam super ipso Archidiaconatu a Regibus Angliae temporibus retroactis, vel aliquid aliud per quod possent de jure suo vel possessione sua

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sua nostram conscienciam super hoc infirmare: *Quibus respondentibus*, se prae manibus non habere; *quasitum fuit ulterius*, utrum videtur eisdem justum vel æquum an quod nos propter nudam eorum assertionem deberemus mandatum quod feceramus pro prædicto *Guillielmo* dictis Decano & Capitulo revocare? *Ad quod directè taliter responderunt*, Quod volebant pro bono pacis & ob reverentiam Regiam, prædictum *Guillielmum* tenere pro Archidiacono de cætero & habere. *Quare vobis mandamus*, quatinus prædictum Archidiaconum faciatis in omnibus secundum quod prædecessores sui usi sunt, pacifica dicti Archidiaconatus possessione gaudere; Non permittentes eundem super prædictis a prædictis Prior & Conventu atqualiter impediri: Provideatis tamen, quod ipsi Prior & Conventus per ipsum Archidiaconum vel ipsius Offic. indebitè non graventur. *Teste Rege apud Wynton. 8 die Dec.*

An. 4 E. 1.

The King by his Royal authority, and this Writ, authorized the Abbot of *Grimesby* totally to demolish a ruinous Chappel near *Grimesby*, and to convert the stones thereof to such other sacred Fabricks as he should deem meet.

**R**EX *Vic. Lincoln. salutem.* Cum nuper (quantum in nobis est) concesserimus dilecto nobis in Christo Abbati de *Grimesby*, quod Capellam Sancti Andreæ extra *Grimesby*, quæ ruinosa est, et in qua divina non celebrantur his diebus demolire possit, et lapides ejusdem in usus sacrarum aedium convertere, prout sibi videbitur expedire: Tibi precipimus, quod Capellam illam liberes eidem Abbati ad voluntatem suam inde faciend. in forma prædicta, salvo jure cuiuslibet. *Teste Rege apud Westm. 16 die Octobris.*

Claus. 4 E. 1.  
pars 1. m. 1.  
Pro Abbate de  
Grimesby.

Some Purprestures being made in the Kings Forest of *Windsore*, without his license, and the Dean and Chapter of *Sarum*, and Abbot of *Waltham* demanding the Tithes thereof, when as no Tithes were formerly paid, the King to secure his own right and interest in them, commanded the Tithes to be sequestred by this Writ.

**R**EX dilecto & fidei suo *Galfrido de Pichesford, Constabulario Castri sui Windes.* salutem. Cum quadam Purprestura facta sint super nos in Foresta de *Windsore*. de quibus Decimis hucusque datæ non fuerunt, ut intelleximus, ac Decanus & Capitulum *Sarum*, & Abbas de *Waltham* ex adverso jure sibi vendicent in Decimis Purprestur. prædict. Solentes quod per huiusmodi nobis possessionem alterutrum eorum præjudicium nobis seu heredibus nostris generetur: Vobis mandamus, quod Decimas illas in certo et tuto loco poni faciatis, non permittentes ipsos seu ipsorum alterum ad eas manum apponere, donec certi fuerimus de indemnitate nostra vel aliud inde præceperimus. *Teste Rege apud Westm. 25 die Julii.*

Claus. 4 E. 1.  
m. 6. intus.  
De Purpresturis factis in Foresta de Windes.

The Abbot and Covent of *Fountain*, of the *Cistercian* Order, selling 62. sacks of Wool to Merchants of *Florence*, which they were to deliver to them at several dayes, for which they received of them before hand at *London* 690 marks and an half, of good new money; they entred into this Recognisance, with strange conditions and renunciations of all Priviledges granted them by the King or Pope, all Inhibitions from either, and not to be sued upon it out of the Realm, (to the prejudice of the Crown and Realm) thus recorded in the dorfe of the Clause Roll.

**U**niversis præsentis literas inspecturis, Fr. D. dictus Abbas de *Fontibus*, & ejusdem loci Conventus \* *Cyestrien.* ordinis *Ebor.* Dioc. salutem in Domino. Noverit universitas vestra nos vendidisse & concessisse *Dunelmo Fonte* & *Bernardo Thechald*, ementibus & recipientibus tam pro seipsis quam pro *Theclano Theald* fratre dicti *Bernardi*, ac aliis eorum sociis Civibus & Mercatoribus *Florentin.* sexaginta duos saccos lanæ, de collecta Monasterii nostri, sine clack & lok, god & card, nigra grissa vilem tuiyun, & sine pellic. Quam quidem lanam paratam & ponderatam nostris sumptibus propriis & expensis promittimus, & tenemur deliberare eam per legitimam stipulationem terminis infra scriptis, videlicet, in Quindena Nativitatis Sancti *Johannis Baptiste* anno Domini 1277. decem & septem saccos:

Claus. 4 E. 1.  
m. 3. dorso.  
De Dunelmo Fonte & sociis suis Mercatoribus Florent.  
\* *Cistercien.*



An. 4 E. 1. Item in eadem Quindena anno Domini 1278. decem & septem saccos: Item & quatuordecim saccos anno Domini 1279. Et quatuordecim alios saccos in dicta Quindena anno Domini 1280. quolibet anno apud *Clifion* prædictis Mercatoribus vel uni eorum, aut eorum certo nuntio has literas deferenti sine ulteriori dilatione. Pro quibus sexaginta & duobus saccis, prædictis modo, loco & terminis deliberand. & tradend. ut dictum est, dicti Mercatores solverint nobis præ manibus apud *London*. sexcent. & nonaginta marcas & dimidium, bonorum novorum & legalium sterlingorum, tresdecim solidis & quatuor sterlingis pro marca qualibet computatis. De qua pecunia nomine nostro & Monasterii nostri benè & integrè nos vocamus quietos & pacatos; Exceptioni non numerata, non soluta, non tradita nobis pecunie omnino renunciantes. Si vero dicta lana, sicut dictum est, eisdem Mercatoribus prædictis loco & terminis non fuerit integrè deliberata & reddita, extunc eis promittimus, & tenemur per antedictam stipulationem refundere & reddere, ac restaurare eisdem Mercatoribus, vel uni eorum, aut eorum certo nuntio, omnes expensas, dampna, & interesse, quæ vel quos dicti Mercatores fecerint aut incurrerint pro defectu solutionis & deliberationis seu assignationis lane prædictæ. Super quibus credetur dictis Mercatoribus, vel uni eorum, aut eorum nuntio, per simplex verbum suum tantum sine juramento & alio probatione, nec computabimus dictas expensas, dampna, ac interesse in sortem dictæ lane, nec retinebimus dictam lanam contra voluntatem dictorum Mercatorum prætextu dictarum expensarum & dampnorum refusionem ultra terminos antedictos. Pro quibus omnibus & singulis antedictis firmiter & fideliter observandis & adimplendis, obligamus nos, Ecclesiam nostram, et successores nostros, et omnia bona nostra, Ecclesie nostræ, et successorum nostrorum, mobilia et immobilia, presentia et futura, Ecclesiastica et mundana, ubicunque inventa fuerint, dictis Mercatoribus et eorum sociis. Quæ bona ab eis præcari nomine possidere recognoscimus, usque ad integram observationem omnium prædictorum. Renunciantes in his omnibus et singulis pro nobis, Ecclesia nostra, et successoribus nostris, omni iuri, iuris, auxilio Canonici et Civili, privilegio Clericali et fori, omni consuetudine, statuto, omnibus literis, et indulgentiis, et privilegiis, ac inhibitionibus a sede Apostolica et a Curia Regia impetratis et impetrandis, constitutioni de duobus diebus editæ in Concilio generali, conventioni, appellationum remedio: Et specialiter indulgentiæ sedis Apostolicæ Anglicis concessæ, quæ cabetur ne Anglici extra Angliam trahantur ad causas per literas dictæ sedis, et omnibus aliis exceptionibus, iuribus et defensionibus, personalibus et realibus, quæ nobis, Ecclesie nostræ, et successoribus nostris possent prodesse, et dictis Mercatoribus nocere, vel quæ possent obicere contra præmissa. Volumus autem nomine nostro, & successorum nostrorum, ac Ecclesie nostræ super præmissis omnibus & singulis a dictis Mercatoribus, vel ab uno eorum, aut eorum nuntio in omni loco libere conveniri, et ad iudicium trahi. In cuius rei testimonium presentibus literis sigillum nostrum apposuimus. Dat. *London*. proximo ante festum Sancti *Lucæ* Evangelistæ, Anno Domini 1276. Et memorand. quod prædictus Abbas venit in Canc. Regis, et recognovit omnia præmissa in forma prædicta. Postea venit *Dunelm*. prædictus in Canc. Regis, & posuit loco suo die canonicum, Mercatorem *Florentin*. ad recipiendum medietatem lane prædictæ ab Abbate & Conventu prædictis.

How carefull and conscientious the King was to satisfy his Fathers debts, to exonerate his soul, will appear by these two Patents, on behalf of the deceased Bishop of *Cicesters* Executors, and the present Bishop thereof.

Pat. 4 E. 1. m.  
19. intus. Pro  
Executoribus  
Testamenti R.  
quondam Cy-  
cestren. Episc.

REX dilectis sibi in Christo *Willielmo de Selesy*, & *Roberto de Parle* Canonicis *Cycestr.* & *Ivoni de Whistringer*, Executoribus beati *Richardi* quondam *Cycestr.* Episcopi, & Magistri *Walter de Glouc.* quondam Decani ejusdem loci, & custodis Episcopatus prædicti, salutem. Cum celebris memorix Dominus *H.* Rex pater noster teneretur prædicto *Richardo* Episcopo in ducentis libris, & venerando patri *Stephano* nunc ejusdem loci Episcopo in centum libris, de quibusdam exitibus Episcopatus prædicti, quas recepit per manus Decani prædicti, dum dictus *Stephanus* Episcopus ageret extra regnum in Curia Romana, volentes vobis de pecunia prædicta, ad exoneracionem anime dicti patris nostri plenarie satisfacere sicut decet:

Volumus

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Volumus & concedimus, quod prædictas trescentas libras recipiatis per manus Ballivorum Villæ nostræ *Suthr.* tam de arreragiis firmæ Villæ prædictæ, quam de fine quem dicti Ballivi ultimo fecerunt nobiscum, ac de firma ejusdem Villæ de anno futuro, videlicet, in festo Sancti *Michaelis* proximo venturo centum libras, & in festo *Pasche* immediatè sequenti alias centum libras, & postmodum in festo Sancti *Michaelis* proximo subsequenti centum libras. Mandavimus enim Ballivis nostris prædictis, quod dictas trescentas libras de arreragiis fine & firma prædictis vobis prædictis terminis plenariè & sine dilacione persolvant. In cujus, &c. Teste Rege apud *Cyestriam* 18 die *Junii*.

An. 4 E. 1

**R**EX Ballivis & probis hominibus suis *Suthr.* salutem. Cum celebris memoriz *Ibidem.* Dominus *H. Rex* pater noster teneretur beato *Richardo* quondam Episcopo *Cyestr.* in quingentis marcis, de quibus jam satisfieri fecimus Executoribus suis de ducentis marcis, & restant adhuc ducentæ libræ ad solvendum eisdem, & teneretur etiam idem Rex venerabili patri *Stephano* nunc ejusdem loci Episcopo in centum libris, de quibusdam exitibus Episcopatus prædicti, quos percepit per manum *Walteri* quondam *Decani* dicti loci, et custodis Episcopatus ejusdem, dum præfatus *Stephanus* Episcopus ageret extra regnum in Curia Romana, volentes tam Executoribus dicti Episcopi de ducentis libris, quam etiam Executoribus dicti *Decani* de centum libris prædictis, ad eronerationem animæ dicti patris nostri satisfacere sicut decet, ordinavimus, quod tam de arreragiis firmæ Villæ vestræ prædictæ priusquam capta esset in manum nostram, quam de fine vestro quem ulterius nobiscum fecistis, & de firma ejusdem Villæ de anno futuro dictis Executoribus plenariè satisfieri. Et ideo vobis mandamus, quod dilectis nobis in Christo *Willielmo de Slesye,* & *Ivoni de Whistinger,* Executoribus dictorum Sancti *Richardi* & *Decani*, ac *Roberto de Purle*, vel duobus aut uni ex eis, de arreragiis finis & firmæ prædictis centum libras in festo Sancti *Michaelis* proximo futuro, & in festo *Pasche* immediatè sequenti alias centum libras, & postmodum in festo Sancti *Michaelis* proximo sequenti centum libras, modis omnibus persolvatis. Et hoc propter aliquod aliud mandatum nostrum de pecunia alibi vel alii cuicumque solvend. vobis directum vel etiam dirigendum nullatenus omittatis. In quolibet autem prædictorum terminorum recipiatis à prædictis Executoribus literas ipsorum de solutione illius termini sibi facta, & in ultimo terminorum prædictorum recipiatis ab eis literas nostras patentes quas habent de prædictis trescentis libris, & literas illas nobis habere faciatis, & tunc vobis de prædicta pecunia plenam fieri faciemus allocationem. Teste ut supra.

There being a controversy between the King and the Dean and Chapter of *Burdeaux*, about the custody of the Temporalities of the Archbishoprick of *Burdeaux*, which belonged to him and his ancestors by their Royal Prerogative; yet the King out of special grace, and to quiet all differences, quitted and released the custody thereof for the future, by this Patent.

**R**EX Omnibus ad quos, &c. salutem. Licet progenitores nostri *Aquit.* qui pro tempore fuerant, et nos quociens sedem *Burdeg.* vacare contigit, custodiam Temporalium ejusdem Archiepiscopatus eadem sede vacante habere et facere fructus nostros consuevissemus, quambis *Decanus* et *Capitulum* *Burdeg.* aliquibus temporibus asseruerint, custodiam hujusmodi ad nos vel alios *Duces Aquitan.* minime debere pertinere. Nos intuitu Dei, & salutis animæ nostræ, & animarum antecessorum & heredum nostrorum, necnon & contemplatione venerabilis patris *S. Burdeg.* Archiepiscopi, volentes inter nos & hæredes nostros, & successores nostros, & Ecclesiam *Burdeg.* ac ipsius *Prælatus* in hac parte, sopiri omnem materiam quæstionis, concedimus et quietamus pro nobis et hæredibus et successoribus nostris eidem Archiepiscopo, pro se et successoribus suis universis, et Ecclesia sua prædicta, totum jus quod habebamus vel habere poteramus in custodia antedicta. Inhibentes omnibus Ballivis nostris qui pro tempore fuerint, ne de cætero cum eandem sedem vacare contigerit, aliquid de terris, redditibus vel bonis dicti Archiepiscopatus ratione prædictæ custodiæ vel regalium præsumant occupare, capere vel seiscire. In cujus, &c. Teste Rege apud *Westm.* 25 die *Julii*.

Pat. 4 E. 1. m.  
11. Pro Archiepiscopo  
*Burdeg.*



An. 4 E. 1.

\* Antiq. Eccl.  
Brit. p. 195.\* Mat. Westm.  
Walsingham,  
Hen. de Knygh-  
ton, Cicestren-  
sis, Holmsted,  
Speed, Grat-  
ton, Daniel,  
and others,  
Anno 1276,  
to 1281.a Chronica  
W. Thorne,  
cap. 26. Sect. 8.  
col. 1925.  
Nicholas Ab-  
bas & Conser-  
vator Ordinis  
Præmonstra-  
tensis.

\* ejusdem.

\* Matthew Parker records, that Robert Kilwarby Archbishop of Canterbury, to advance his Ecclesiastical Jurisdiction, Anno 1276. exalto jam primo sua consecra-  
tionis anno vetera Cantuariensis Curia, qua in arcuato Londini Templo celebratur,  
statutis a multis Cantuariensibus Archiepiscopis, antiquitas sancta, desuetudine  
pene adumbrata renobabit, omniaque brebiter quinque a sticulis complexus est.  
Deinde suæ Provincie Clerum ad Novum Templum convocavit, cui Concilio  
etiam Eboracensis Archiepiscopus accersitus interfuit. In hoc Concilio Lewelin  
Griffini filius Princeps Wallie, quia mandatis Regis obtemperare recusavit,  
totius Synodi decreto excommunicatus est. Who contemned both this Councils  
Excommunication, and the Kings summons of him to come to his Parliament, (as  
our \* Historians inform us) which occasioned a bloody War between the King and  
him, till he submitted to his Royal will.

Anno 1277. Pope John to advance his Papal authority, and the Privileges of the  
Præmonstratensian Friars, appointed Nicholas Abbot of St. Augustines Canterbury to  
be the Conservator of their Order, prohibiting suits against them under pain of  
Excommunication by any other Ecclesiastical Jurisdiction or Judge, according to  
Popes privileges indulged to them: Who by this new Papal authority inhibited a  
suit against the Abbot and Covent of Laugele of that Order before the Prior of West-  
minster and his Official by the Rector of a Church, (most likely for Tithes detained  
by them,) as \* William Thorne thus stories in his Chronicle. Eodem anno Dominus  
Nicholaus per litteras Apostolicas recepit in defensionem et tuitionem omnes religio-  
sos Ordinis Præmonstratensis per Angliam constitutos, unde inter alia multa Priori  
Westmonasterii ex officio suæ Conseruationis scripsit sub ista forma.

**N**icholaus Dei Gratia Abbas Sancti Aug. Cant. Conseruator pibilegiozum Abbati  
Præmonstratensis Ordinis, ejusque Coabbatibus et Fratribus Præmonstratensis  
a Sede Apostolica indultozum Reuerendo viro Domino Priori Westm. Ordinis  
Sancti Benedicti, ejusque Commissariis quibuscunque salutem. Cum Abbati Præmon-  
stratensi ac ipsius Coabbatibus, Conventibus, & Fratribus ab Apostolica sede specia-  
liter sit indultum, ut per \* eisdem sedis litteras a quodquam non valeant nec debe-  
ant in iudicium ebocari, aut cuiquam poterit iurisdicatio attribui, neque aliquam  
habeant firmitatem, quæ tacito nomine P. ordinis fuerint impetrata contra liber-  
tates istis Præmonstratensibus concessas. Nos attendentes quod vos seu Commis-  
sarii vestri, prætextu quarundam Litterarum a sede prædicta contra Religiosos viros  
Abbatem et Conventum de Laugele Præmonstratensis Ordinis Normicensis Diocæ-  
sis, per W. de Sancto G. Rectorem Ecclesiæ de N. ejusdem Diocæsis impetratarum,  
quæ nullam de indulto hujusmodi faciunt mentionem, ad ejusdem Rectoris instan-  
tiam in suæ salutis dispendium judicialiter procedere intenditis ac hactenus proces-  
sistis, quod publicum, manifestum asseritur & notorium; in prædictorum Abbatis  
et Conventus præjudicium, pibilegii Papalis lætionem, ac elusionem nostræ ju-  
risdictionis, qui ad tuitionem pibilegiozum eidem Religiosis et suo Ordini Præ-  
monstratensi indultozum contra publicos manifestos et notorios injuriatores eorum-  
dem simus a sede Apostolica specialiter deputati, quique licet auctoritate nobis  
commissa in vos animadvertere possemus pro præsumptis, volentes tamen vestram  
& Commissariorum vestrorum prudentiam plenius experiri, ad coercionem proce-  
dere differimus in præsentem, vos rogantes, monentes, & in Domino exorantes,  
auctoritate qua fungimur Apostolica, sub poena coercionis Canonice firmiter in-  
jungendo, quatinus receptis præsentibus difficultate qualibet ac dilatione remo-  
tis, supersedeatis causæ cognitioni, occasione litterarum prædictarum coram vobis  
hactenus agitata, de ipsa de cætero, ac meritis ejusdem nullatenus cognituri. Ip-  
sum Rectorem nihilominus citantes peremptorie, quod compareat coram nobis del  
Commissariis nostris in Ecclesia nostra Conventuali Cantuarie proximò die juridi-  
co, post festum Conversionis Sancti Pauli, super temeraria fatigatione et injuria  
factis Abbati et Conventui de Laugele memoratis responsurus, facturus, et recep-  
turus, quod juris fuerit et rationis. Quid autem super præmissis feceritis, nos di-  
ctis die & loco per vestras patentes litteras harum seriem continentes, vel Commis-  
sarios nostros reddatis certiores. Dat. apud Rading.

Set isto Rectore à fatigatione prædictorum Religiosorum non cessante, neque monitioni-  
bus

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*bus Conservatoris obtemperante; idem Dominus Nicholaus Abbas (by his new Papal authority) scripsit Decano loci illius in hac verba.* An. 4 E. 1.

**N**icholaus Dei gratia, &c. Cum ex anthozitate nobis a sede Apostolica commissa specialiter incumbat, Religiosos viros Abbates, Conventus, & fratres Premonstratensis Ordinis per Angliam constitutos contra publicos, notorios, & manifestos injuriatores eorum defendere & tueri; Ac publicum existat manifestum & notorium, quod W. de Sancto G. Rector Ecclesie de N. Abbatem & Conventum de Langeley dictae Diocesis Ordinis Premonstratensis in causam traxit coram Domino Priore Westmonasterii & ipsius Commissariis, & adhuc contra eosdem indebitè prosequendo ipsos laboribus fatigare non cessat & expensis, contra suorum tenorem privilegiorum; Vobis anthozitate qua fungimur Apostolica sub poena Canonica distractionis firmiter injungendo mandamus, quatinus moneatis et efficaciter inducatis Rectorem supradictum, quod a Polestationibus supradictis Religiosis eisdem illatis penitus cesset, atque ipsos in pace permittat, sub poena excommunicationis maioris, quam ex nunc in personam ipsius in hiis scriptis proferimus, si nostris monitionibus parere contempserit.

The same Historian renders us this Account of the Collectors, and sums of the Dism levied within the Province of Canterbury to Ayde the Holy Land. \* Anno supradicto erat Decima concessa in Subsidium Terrae Sanctae, in tota Anglia, & duravit per vi. annos continuè. Et fuerunt Collectores huiusmodi per iii. Annos in Diocesi Cantuariensi, fratres scilicet Dominus Wylmynton huius loci Prior, & Johannes Belham; & repertum fuit quod summa omnium receptorum pro toto tertio anno per dictum Priorem Collectorem.

|                                                                                  | l.   | s. | d.                |
|----------------------------------------------------------------------------------|------|----|-------------------|
| Est Summa                                                                        | 804  | 02 | 02                |
| Receptorum quarti Anni                                                           | 1706 | 10 | 07                |
| Receptorum quinti Anni                                                           | 0828 | 14 | 05- $\frac{1}{2}$ |
| Et Receptorum sexti Anni                                                         | 1027 | 04 | 00                |
| Et recept. de Arreragii de duobus primis Annis quibus non extiterunt Collectores | 126  | 01 | 02- $\frac{1}{2}$ |
| Et receptorum à primis Collectoribus in deposito                                 | 1264 | 07 | 11- $\frac{1}{2}$ |

Summa omnium Receptorum per eosdem in Diocesi Cantuariensi

\* Chron. W. Thorne, col. 1916.

a Hist. Angl. An. 1177. p. 7.

b Walsingham Hist. Angl. p. 6, 7. Mat. West. Anno 1176, 1177. Platina, Onuphrius, Palaeus, Barns, Opmerus, Lactus Cherubinus, Steila, Crespin in the lives of these Popes, Cent. Magd. cap. 10. c Polychron. 17. c. 38 Hen. de Knyghton, de Event. Ang. l. 3. c. 1, col. 2461. Tho. Walsingham, Hist. Angl. p. 7. Mat. West. Anno 1176. Platina, Onuphrius, & Balzus in his life.

Thomas Walsingham stories, a Hoc tempore frater Johannes de Derlington, Ordinis Praedicatorum, Confessor quondam Regis Henrici, anthozitate Papali in regno Angliae Collector efficitur Decimarum, salva Papali reverentia contra sui Ordinis professionem tali officio deputatus.

He further relates; b Eodem tempore Papa Gregorius 10. apud Arescium defunctus, ibidem traditur sepultura, cui successit Innocentius Quintus, natione Burgundus, factus autem Papa sedet mensibus quinque, diebus duobus, mortuoque Romae, & in Lateranensi Ecclesia sepelitur. Cui eodem anno successit Adrianus Quintus, natione Januensis, dictus antea Octobonus, qui tituli Sancti Adriani Diaconus Cardinalis, a Papa Clemente Quarto in Angliam missus est. Hic Papa factus, statim constitutionem quam Papa Gregorius Decimus fecerat de inclusione Cardinalium pro electione Summi Pontificis, suspendit, proponens jam aliter ordinare; sed morte praeventus, constitutionem suspensam reliquit, sedit vero mensibus duobus Papa. Adriano defuncto successit Johannes 21. dictus Petrus Hispanus: Hic Episcopus Tusculanus erat prius in artibus diversis famosus, sed scientiarum florem, Pontificalemque dignitatem quadam morum soliditate deformabit, adeo ut naturali pro parte carere videretur indultis, in hoc tamen quamplurimum laudabilis fuit, quod se tam pauperibus quam divitibus communem exhibuit, studiumque literarum amplectens multos in beneficiis Ecclesiasticis promovit egentes. This Pope John, c Cum sibi vita spatium



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 1*

*An. 4 E. 1.* in annos plurimos extendi crederet, & hec etiam coram multis assereret, subitò cum nova Camera quam sibi Viterbio circa palatium construxerat, selus corruit, & inter lapides & ligna collisus, sexto die post casum moritur, & in Ecclesia S. Laurentii sepelitur. These 4. Popes dying all within the compass of one year, Anno 1277. *Transit annus iste propter tot Paparum interitum, tristis lugubrisque Romanis.*

\* Walsingham  
Ibidem.

*An. 5 E. 1.* Anno 1277. (the 5. of Edw. the 1.) in Quindena Paschæ, Rex recedens à Westmonasterio versus Walliam properavit cum omni militari servicio terra sua Angliæ, Baronibus de Scaccario, & Justiciarios de Banco usque Salopiam secum ducens, qui placita secundum consuetudines Angliæ audientes, ibidem pro tempore aliquo morabantur. While the King lay there with his army, though they were much distressed for victuals and carriages, yet the King was so carefull to preserve the Liberties of the Church and Clergy, and observe the Statute of *Westm. 1. cap. 1.* made on their behalf, that he granted several Protections to Abbots, Abbesses, Bishops, and other Clergymen, that no Purveyor or other Officers should take any of their goods, carriages, or quarter upon them, without their free wills and license; as these Patents of protection evidence.

Pat. 5 E. 1.  
p. 1 m. 3.  
De Blad. aut  
Carriag. pro  
Exercitu  
Wall nullatenus cap.

**R**EX omnibus Ballivis, Clericis, & Ministris suis ad quos, &c. salutem. Licet nos Magnates & ceteri fideles nostri nobiscum in Exercitu nostro Walliæ existentes, bladibus, victualibus, et carriagiis non modicum ad Exercitum nostrum prædictum indigeamus; nolumus tamen, quod aliquod de bladibus seu rebus aliis dilectorum nobis in Christo Abbatis et Conventus de *Pippewell* quibuscunque, vel etiam carriagi. aliquod ad opus nostrum vel alicujus alterius ab ipsis capiatur contra voluntatem suam. Et ideo vobis mandamus, quod de bladibus & aliis bonis prædictorum Abbatis & Conventus, vel etiam carriagium aliquod ab ipsis ad opus nostrum vel alterius, sicut prædictum est, sine licentia et voluntate sua nullatenus capiat. In cujus, &c. per unum annum durat. Dat. per manum, &c. apud *Sallop.* xxviii. die *Octobris*.

Consimiles literas habent Moniales de *Gratia Dei*, usque ad quindenam *Pascha* prox. futur. Dat. ut supra.

Consimiles literas habent Prior & Conventus de *Novo loco* in *Shirewode*, dur. usque ad festum *Pascha* prox. futur. Dat. ut supra.

Consimiles literas habet *Regin. de Legh.* dur. ut supra. Dat. ut supra.

Consimiles literas habet *Ricus* Persona Ecclesiæ de *Bishopbir.* dur. ut supra. Dat. ut supra.

Consimiles literas habent Prior & Conventus de *Thorney*, dur. ut supra. Dat. ut supra.

Consimiles literas habent Prior & Conventus de *la Lannd*, dur. ut sup. Dat. ut sup.

Consimiles (m. 4.) habent Priorissa de *Amnondesbir.* Abbas de *Heles*, Priorissa & Conventus de *Eton*, *Henricus de Mersinton*, Abbas de *Hyda Winton*, Abbas de *Bello*, Dat. 16. die *Octobris*.

Consimiles literas habent Abbas & Conventus de *Crokeston*, Dat. 10 die *Julii*.

Consimiles literas habet *Lichf. & Coventr.* Episcopus. Dat. 17 die *Aug.*

Pat. 5 E. 1.  
m. 4.  
De bladibus pro  
Exercitu, &c.

**R**EX omnibus Ballivis, Clericis & Ministris suis ad quos, &c. salutem. Licet providentias nostras de bladibus in diversis Regni nostri Comitatibus fieri præcepimus ad nos & exercitum nostrum *Wallen*, ducend. Nolumus tamen quod de bladibus dilectorum nobis Magistri et Prioris Ordinis de *Semplingham*, quæ habent ad sustentationem suam, contra voluntatem suam aliquid capiatur. Et ideo vobis mandamus, quod de bladibus prædictorum Magistri & Prioris (ipsis invitis) occasione prædicta nihil capiat. Et si quid inde contra voluntatem suam ceperitis, id eis sine dilatione restitui faciat. In cujus, &c. Dur. usque ad festum *Pascha* prox. futur. Dat. 15. die *Octobr.*

Consimiles literas habent Priorissa & Conventus de *Westwode*, & Priorissa & Conventus de *Eton*.

Consimiles habent *Willus de Salim.* Persona Ecclesiæ de *Kyngeclere*.

Consim. habet *Alanus de Bretun.* Thess. *Lich.*

Consimiles habet *Henricus de Mersington* Persona Ecclesiæ de *Galeby*.

Consimiles

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Consimiles habent Abbas & Convent. *Roff.* m. 7.

Consimiles habet Abbas *de Lulleſhall.*

Consimiles habent Prior & Conventus *de Newport.*

Consimiles Prior & Conventus *Lanton. prima in Wall.*

Consimiles Magister Robertus *de Wincheles.*

*An. 5 E. 1.*

**R**EX omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Sciatis quod concessimus venerab. patri Episcopo de Sancto *Asaph*, quod ducere possit blada, & alia bona sua, tam victualia quam alia, a partibus *Anglia* usque ad partes *Wallie*, & a partibus *Wallie* usque in *Angliam*, prout ad commodum suum magis viderit expedire. Etiam vobis mandamus, quod prefatum Episcopum, aut homines suos, blada, & alia bona sua, ut predictum est, ducentes; contra hanc concessionem nostram non molestetis in aliquo seu grabetis. In cujus, &c. dur. usque ad diem Dominicam in *Ramie Palmarum* prox. futur. Teste Rege apud *Halſo* xxii. die *Februarii*.

*Pat. 5 E. 1. m. 15. Pro A. Episc. S. Asaph.*

**A**. *Bangoren.* Episcopus habet literas de Protectione simplices sine clausula per unum annum duraturas. T. ut supra. Et duplicantur. Consimiles habet *Margarita de Ros.* Dar. ut supra.

*Ibid. m. 7. inus. De Protectione.*

He like wise granted this general Protection to the Freers Predicants of *Bangor.*

**R**EX Baronibus Quinque Portuum, & omnibus Ballivis & fidelibus suis ad quos, &c. Quia Religiosos et maxime Fratres de Ordine Prædicatorum, quos quadam dilectionis prerogativa commendatos habeamus, cum tranquillitate & mansuetudine, qua statui suo convenit, manutenere volumus et tueri: Dilectos nobis in Christo fratres Prædicatores de *Bangor.* in protectionem & defensionem nostram suscepimus specialem. Et ideo vobis mandamus, quod fratres prædictos homines res & bona in domo eorundem fratrum existentia manuteneatis, protegatis et defendatis; non inferentes eis, &c. si vos per partes illas transitum facere contigerit, injuriam molestiam, dampnum, aut gravamen. Et si quid eis, &c. In cujus, &c. Teste Rege apud *Cestr.* xxi. die *Julii*.

*Ibid. m. 7. inus. De Protectione.*

In this Expedition against the *Welsh*, though the Bishops and Clergy were thus protected from purveyance, yet all of them either fined, or compounded with the King for a summe of money for the Military services and Knights fees, which they were bound by their tenures to perform in times of Warr; as appears by this Record.

**R**EX omnibus ad quos presentes literæ pervenerint, salutem. Sciatis quod venerabilis Pater *J. Londoniensis* Episcopus solvit per præceptum nostrum *Orlandino de Podyo*, & sociis ejus mercatoribus *Lucaten.* Ducentas Marcas, per quas finem fecit nobiscum pro servitio sex feodorum Militum. quod nobis debuit pro expeditione nostra in instanti exercitu nostro *Wall.* de quibus quidem Ducentis Marcis prædictum Episcopum presentium tenore quietamus. In cujus, &c. Teste Rege apud *Westm.* xii. die *Maii*.

*Pat. 5 E. 1. m. 15. Pro London, Episcopo*

Pope Gregory the 10. in his life, to procure some countenance from King Edward to his illegal usurpations and Provisions, granted this power to him by his Bull, by way of provision to prefer 3. of his own household Clerks and Chaplains to any livings without Cure then voyd, or which should next fall voyd within the Diocese of *Bath, Sarum*, or elsewhere; by vertue whereof (after this Popes death) the King nominated and recommended one of his Chaplains to be thus provided for by the Bishop of *Bath* and *Wells*, and Archdeacon of *Sarum*.

**R**EX Venerabili in Christo Patri *Bathon. & Wellen.* Episcopo, & Magistro *Thoma Bek* Archidiacono *Dors.* in Ecclesia *Sarum*, salutem. Cum mandatum receperitis Sanctissimi patris Gregorii Dei gratia Summi Pontificis providendi per vos vel per alium, seu alios, tribus Clericis et familiaribus nostris, quos vobis

*Pat. 5 E. 1. m. 25. inus. Pro Egidio de Audenard.*



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 5 E. 1. vobis nominandos duximus, de totidem beneficiis ecclesiasticis præbendis vel aliis cum cura vel sine cura, ad cuiuscunque collationem spectantibus in regno nostro Angliæ, si vacant, vel ad præsens quam cito ad id optulerit se facultas, quemadmodum in litera tullata dicti patris plenius continetur, dilectum & familiarem Clericum nostrum *Egid. de Audenard* vobis tenore præsentium nominamus, volentes sibi auctoritate literarum huiusmodi præbideri. Teste Rege apud *Westm.* xv. die *Maii*.

The Abbey of *Kirkefall* being indebted to the King and sundry others, as well forreign Merchants as Natives; the King thereupon took it into his own hands and protection, and committed it by these ensuing Patents of protection, somewhat different from others premised of this nature.

Pat. 5 E. 1. m.  
15. Pro Monachis de  
*Kirkefall*.

R EX omnibus, &c. Cum Abbatia de *Kirkefall*, quæ de fundatione nostra existit, accumulatis pœnis grabibus, tanta præmatur sarcina debitorum, quod nisi per celere remedium succurratur, viz poterit onere huiusmodi relebari. Nos statui Monachorum ejusdem Domus providendi cupientes, Domum illam cepimus in manum nostram, & eam dilecto Clerico nostro *Hugoni de Kendall* commissimus custodiendam, prout ei injunximus, donec aliud inde duximus ordinand. Et Monachos prædictos, homines, terras, redditus, & omnes possessiones suas in protectionem et defensionem nostram suscepimus. Et ideo vobis mandamus, quod Monachos prædictos, homines, terras, res, redditus, et omnes possessiones suas manuteneatis, protegatis, et defendatis; non inferentes eis, aut inferri permittentes injuriam, molestium, damnum aut gravamen. Et si quid eis forisfactum fuerit, id eis sine dilatione faciatis emendari. In cujus, &c. per quinquennium duraturas. Teste Rege apud *Westm.* xii. die *Maii*.

Ibidem.

R EX omnibus, &c. Quia dilecti nobis in Christo Abbas & Conventus de *Kirkefall*. nobis in maxima pecuniæ summa tam ratione mutui in Judaismo nostro contracti quam aliunde, necnon et creditoribus suis diversis tam Mercatoribus alienigenis et indigenis quam aliis in debitis multimodis et immentis tenentur, ad quorum solutionem facultates Domus suæ per magni temporis spatium sufficere non possent absque dispersione Conventus prædicti vel feodaliu suorum dilapidatione, seu forte Domus illius subversione totali, quod nollemus. Nos de debitis in quibus fidem Abbas et Conventus nobis tenentur præ cæteris omnibus nobis satisfieri volentes, et imbecillitati status ipsorum præcompantes ne huiusmodi discriminis aut dispositionis periculum videatur ipsis imminere, Domum illam cum terris, redditibus, & omnibus possessionibus ac rebus aliis ad eam pertinentibus cepimus in manum nostram, & eam dilecto Clerico nostro *Hugoni de Kendall*. concessimus custodiendam, quamdiu nobis placuerit; Ita quod omnes exitus, redditus, & proventus terrarum, reddituum, et possessionum dictæ Domus, (salva rationabili sustentatione Abbatis & Conventus Locij ejusdem) ad exonerationem debitorum suorum, & relevationem defectuum aliorum ejusdem Domus reserventur, ac eisdem operationi et relevationi per visum aliquorum de discretioribus ejusdem Domus per adiutorium dicti *Hugonis* & consilium, prout melius fieri poterit, applicentur. Nec volumus quod aliquis Vic. Ballivus, aut Minister noster, aut alius quicunque in Domino prædicta, Grangis seu terris, redditibus, aut aliis possessionibus ejusdem dum in manu nostra et in custodia prædicti *Hugonis* extiterint, in eisdem hospitetur, vel aliter de hiis, quæ ad ea pertinent, se intromittat, sine mandato nostro, aut nostra vel præfati *Hugonis* licentia speciali. In cujus, &c. Teste ut supra. There is a third Patent of Protection in this Roll to the like effect, which I pretermitt.

King Edward by his Sovereign Ecclesiastical Jurisdiction issued this Commission, to inquire of all Christians who used Usury in *London* and elsewhere, and punish them according to Law by seising their goods, as a thing unbecoming Christians and Christianity.

Pat. 5 E. 1. m.  
m. 26. dorso.  
De inquit. fact.  
de Usurar

R EX dilectis & fidelibus suis Johanni de Lovetot, & Greg. de Rokelle salutem. Cum non liceat Christianis aliquibus pecuniam aliquam, seu bona alia pro usuris

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usuris, ratione præstiti, vel colore alterius emolumenti inde percipiendi aliam com- An. 5 E. 1.  
mittere, seu pro hujusmodi commissione vel præstito quocunque pacto seu contracto  
pecuniarum aliquam extra summam rei præstitæ ab aliquo erigere vel extorquere; et  
quidam Christiani de Com. Surr. et Civitate nostra London. (ut accepimus) illicita  
cupidine ducti Judæizantes, ac pecuniam et bona alia Christianis aliis indigen-  
tibus mutuo committentes terminis statutis, rebus suis quas mutuo tradiderunt  
sibi restitutis pecuniam illam pro hujusmodi beneficio exigant, et vadia sibi impig-  
norata detineant, et alias distractiones gravissimas eis faciant et fieri procurant,  
donec eorum cupiditati illicitæ satisfaciatur, in Christiani nominis scandalum, et hu-  
jusmodi usuras præstantium iacturam, et dampnum non modicum et gravamen;  
quod sustinere nolumus, sicut nec debemus; assignavimus vos ad inquirendum per  
Sacramentum, &c. de Com. et Civitate prædictis, per quos, &c. de hujusmodi usu-  
rariis, et ad plenam et celerem Justitiam de eis faciend. secundum Legem, &c. Et  
ideo vobis mandamus, quod ad certos, &c. Inquisitionem illam fac. facturi, &c. salvis,  
&c. Mandavimus enim Vic. nostris Surr. & Lond. quod ad certos, &c. venire faci-  
ant, &c. In cujus, &c. Teste, &c. apud Windes. xiii. die Decembr.

The Abbot of *Bardney* being unjustly deprived by the Bishop of *Lincoln*, the sen-  
tence against him was nulled as unjust upon his appeal to the Archbishop, and he  
restored thereby; the King upon certificate thereof, issued this Writ for his re-  
stitution.

**R**EX Militibus, liberis hominibus, & omnibus aliis tenentibus de Abbacia de Pat. 5 E. 1. m.  
*Bardene* salutem. Cum frater *Petrus* Abbas de *Bardene* per iniquam ve- 27. Pro Ab-  
nerabilis patris *Lincol.* Episcopi sententiam amotus a regimine Abbacie prædictæ bate de Bar-  
Cur. *Cantuar.* de jurisperitorum consilio legitime appellavit; in qua pronuncia- neya.  
tum est per venerabilem patrem *R. Cantuar.* Archiep. totius *Anglia* Primatem.  
sententiatiter dictam, Episcopum contra memoratum Abbatem injuste et perperam  
processisse, per quod prædictus Archiepiscopus eundem Abbatem ad pristinum sui  
regiminis statum sententiatiter restituit, sicut per literas patentes ipsius Archie-  
piscopi accepimus. Vobis mandamus, quod eidem fratri *Petro* tanquam Domino  
vestro, & Abbati loci prædicti, in omnibus quæ ad Abbatiam illam pertinent, inten-  
dentes sitis & respondentes. In cujus, &c. T. R. apud *Wyndes.* 10 die Decemb.

There being a design this year to succour the Holy Land by Christian Princes, the  
King authorized his Proctors by this Patent to oblige him to the Pope and Cardinals,  
that he or his brother *Edmond* would personally repair thither at the time they  
should prefix.

**S**ANCTISSIMO Patri in Christo & Domino, Domino *I. Dei Gratia Sacrosanctæ &* Pat. 5 E. 1. m.  
*Universalis Ecclesiæ Summo Pontifici; Edwardus* eadem gratia Rex *Anglia,* 26. in schedula  
*Dominus Hiberniæ, & Dux Aquitaniæ,* cum omni devotione pedum oscula beato-  
rum. Ut in generali ad Terram Sanctam passagio proximo personaliter ad ean-  
dem terram proficiscamur, vel charissimum fratrem nostrum *Edmundum* *Lancastriæ*  
*Comitem* pro nobis transmittamus ibidem, dilectis et fidelibus nostris *R. Abbati*  
*Westmon.* et Magistro *Henr. de Newerk,* Clerico et familiari nostro nos specialiter  
obligandi tenore præsentium plenam tribuimus potestatem. Et hoc idem vene-  
rabilibus patribus Dominis Cardinalibus patefacimus per præsentem, quibus sigillum  
nostrum apponi fecimus in testimonium præmissorum. Dat. apud *Windes.* xii. die  
Decembris.

*Robert de Insula*, Bishop of *Duresme*, in his Synod held in his Diocese in the 5th  
year of King *Edward* the 1. presumed by his Episcopal Authority to compile and  
publish sundry Constitutions concerning the payment of *Tithes* and *Mortuaries*, and  
likewise denounced this solemn Excommunication against the forcible invaders of  
*Tithes*, lately published in *Sir Henry Spelmans* 2. Tome of *Councils*. <sup>a</sup> Quidam a *Spelmani*  
*justitie contemptores, Decimas vicinorum, quidam verò proprias, in quorum possessione* Concilia,  
*hactenus non fueris, manu laicali et bi armata invadere non formidant. Nos præteri-* Tom 2 p. 316  
*tis edocti periculis, ut obviamus futuris, auctoritate Dei Patris, & approbatione præ-* 10320.  
C c sentis



*An. 5 E. 1. sentis Synodi sacrosancta, excommunicamus omnes illos, qui de cetero talia impetrare præsumpserint, et eorum fautores, et sine conscientia (salva superiorum auctoritate) nullatenus absolvantur, poena Legati decrebimus esse subdendos; cum quaquam non doceat propria auctoritate invadere, per quod iudicis officium habet exposcere.* Whereunto he subjoyns, *Ut concedet preceptis Canonicis obedire nolentes, et in*

See Johann.  
de Ator. Con-  
stit. legitimæ,  
c. 121. Guil.  
I. ndewode,  
Provincialis,  
l. 5 De Sen-  
tentia Excom-  
municationis,  
f. 249, 252.

*hiis marime quæ in favorem Ecclesiæ statuuntur, sententia in perturbatores liber-  
raturum Ecclesiæ in Oxoniensi Concilio promulgata, in presenti sancta Synodo duxi-  
mus innovandos; injungentes omnibus & singulis (curam) nostrarum animarum ha-  
bentibus parochialium, ut ipsam in singulis Ecclesiis, ter in anno, in majoribus so-  
lemnitatibus, accensis Candelis, et pulsatis Campanis, promulgata, publice non  
postponant, in forma tradita, quæ talis est; (before related, Tom. 2. p. 385, 386.)  
whereunto they now subjoyned in the cloze thereof; Item premissas sententias et alias  
in Constitutionibus Canonicis et Legatorum, et Statutis Episcoporum Dunelmi  
contra transgressores proinde latas, et publice promulgatas statuendo, approbante  
presenti sacro Synodo, solemniter publicamus, et mandamus et injungimus eas  
singulis annis in tribus solemnitatibus majoribus, solemniter publicari. All their  
Constitutions, Synods and Sentences of Excommunication tending principally to  
advance their own Episcopal Constitutions, Canons, Jurisdiction, Priviledges, Church-  
liberties, Usurpations on the Kings Royal Prerogative, Ecclesiastical and Temporal  
Jurisdiction, and his Lay Subjects rights, properties, franchises; not Gods true wor-  
ship, honor, service, or salvation of the peoples souls, which they seldome really  
minded, or publickly promoted in their Synods in this age, or long before it.*

What Sovereign Ecclesiastical Jurisdiction King Edward exercised this year in  
*Ireland*, in the elections, confirmations of Bishops, Abbots, donation of other Eccle-  
siastical benefices and Church-affairs, these Records relate.

Pat. 5 E. 1. m.  
13 intus.  
De assensu E.  
lectioni adhib.  
Hibernia.

**R**EX electioni nuper factæ in Cathedrali Ecclesia de *Corke* de fratre *Roberto* Ordinis *Cisterciensis*. Monacho in Episcopum ejusdem loci, Regium assensum adhibuit et favorem. Et mandatum est *Cassalen*. Archiepiscopo, ut quod suum est in hac parte exequatur. Teste Rege apud *Westm.* viii. die *Maii*.

Pat. 5 E. 1. m.  
21 De assensu  
electioni adhi-  
bito Hibernia.

**R**EX electioni nuper factæ in Ecclesia Sancti *Patricii* de *Duno* de fratre *Nicholao*, Priore loci ejusdem in Episcopum loci illius, Regium adhibuit assensum et favorem. Et hoc significatum est Domino *Ardmacano* Archiepiscopo, ut, quod suum est, in hac parte exequatur. T. R. apud *Norwic.* 19 die *Decemb.*

Ibid. De  
Temporal.  
restituendis,  
Hibernia.

**R**EX dilecto & fideli suo *Roberto de Ufford*. Justic. suo *Hibernia* salutem. Cum nos electioni nuper factæ in Ecclesia Sancti *Patricii* de *Duno* de *Nicholao* Priore ejusdem in Episcopum loci Regium assensum adhibuerimus et favorem. Attendentes quod prædictus *Robertus* circa prosecutionem negotii electionis prædictæ diutius laboravit; et volentes suis laboribus et expensis parcere in hac parte; Vobis mandamus, quod si contingat Electum prædictum in Episcopum loci prædicti canonicè confirmari, tunc recepta ab ipso Electo nomine nostro fidelitate nobis in casu isto debita, Temporalia dicti Episcopatus eidem liberetis; receptis tamen prius literis parentibus sigillo suo, necnon et sigillo Capituli prædictæ Ecclesiæ Sancti *Patricii* de *Duno* signatis, quod hæc gratia nostra, quam eidem Electo ad præsens ex mera liberalitate nostra concessimus, nobis vel hæredibus nostris non cedat in præjudicium vel exhæredationem, seu trahatur in consuetudinem, vel consequentiam temporibus futuris. In cujus, &c. Teste Rege apud *Norwic.* xxix. die *Martii*.

Pat. 5 E. 1. m.  
21 De licentia  
eligendi. Hi-  
bernia.

**P**Riorissa & Moniales Ecclesiæ Sanctæ *Maria de Hoges* juxta *Dublin*. nuntiantes Regi mortem Abbatisæ suæ, habent literas Regis de licentia eligendi. T. R. apud *Norwic.* 19 die *Martii*.

Pat. 5 E. 1. m.  
20. De licen-  
tia eligendi, &  
temporal. re-  
stit. in Hibernia.

**R**EX dilecto & fideli suo *Roberto de Ufford* Justic. suo *Hibernia* salutem. Cum Priorissa & Moniales Sanctæ *Maria de Hoges* in *Hibernia* nobis per literas suas patentes significaverint, quod Ecclesia sua per mortem *Rossie* quondam Abbatisæ de

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de *Hoges*, Pastoris solatio est destituta, petentes a nobis licentiam eligendi aliam in Abbatissam, sicut moris est; Nos precibus suis benignè in hac parte condescendentes, licentiam illam eis concedimus, eis mandantes ut talem eligant in Abbatissam, quæ dictæ [Domui] debota, et regimini Ecclesiæ suæ necessaria, et nobis et regno nostro fidelis existat. Et quia earum laboribus pariter & expensis parcere volumus in hac parte; Concessimus eis de gratia nostra speciali, et vobis dedimus potestatem, quod facta electione prædicta de futura Abbatissa, sicut prædictum est, ejusdem electioni assensum Regium vice nostra præbeatis; Significantes loci Diocesano, quod id quod suum est in hac parte exequatur; Et volumus quod confirmata electione prædicta, et fidelitate ab eadem Electa (prout moris est) accepta, omnia Temporalia ejusdem Abbatissæ eidem Electæ vice nostra restituatis; receptis prius a præfata Priorissa et Conventu, necnon et ab Electa supradicta, literis suis patentibus, quod gratia prædicta nobis vel hæredibus nostris in aliis vacationibus Ecclesiæ prædictæ non cedat in præjudicium, et in consuetudinem, vel consequentiam in posterum non trahatur. In cuius, &c. Teste Rege apud *Framebingham*, 9 die *Aprilis*.

An. 5 E. 1.

**R**EX dilecto & fideli suo *Roberto de Ufford* Justic. suo *Hibern.* salutem. Cum Electioni nuper factæ in Ecclesia de *Kilkelekin de Mabill. de Cursy* in Abbatissam ejusdem loci, Regium assensum adhibuimus et favorem; nos attendentes, quod prædicta Ecclesia circa prosecutionem negotii electionis prædictæ diutius laborabit, & volentes suis expensis & laboribus parcere in hac parte; Vobis mandamus, quod si contingat electam prædictam in Abbatissam loci prædicti canonice confirmari, tunc recepta ab ipsa electa nomine nostro fidelitate nobis in casu isto debita, Temporalia Abbatissæ prædictæ eidem liberetis. Receptis tamen prius a præfatis Priorissa et Conventu, et ab electa prædicta, literis suis patentibus. Quod hæc gratia nostra, quam eidem electæ ad præsens ex mera liberalitate nostra concessimus, nobis vel hæredibus nostris non cedat in præjudicium vel exheredationem, seu trahatur in consuetudinem vel consequentiam temporibus futuris. In cuius, &c. Teste ut supra.

Pat. 5 E. 1. m. 7. intus. De temporal. re-stituentis.

**R**EX dilecto & fideli suo *Roberto de Ufford* Justic. suo *Hibern.* salutem. Cum Prior & Conventus Abbatissæ Sanctæ *Maria de Kensis Midden* Dioc. in *Hibern.* nobis per literas suas patentes significaverint, quod cum Ecclesia sua per mortem *Grandani* quondam Abbatis ejusdem Domus, pastoris solatio sit destituta, petentes a nobis licentiam eligendi alium in Abbatem, sicut moris est. Nos precibus suis in hac parte benigne condescendentes, licentiam illam eis concedimus, eis mandantes, quod talem eligant in Abbatem, qui Deo devotus, regimini Ecclesiæ suæ necessarius, et nobis et regno nostro fidelis existat. Et quia eorum laboribus pariter & expensis parcere volumus in hac parte, concessimus eis de nostra gratia speciali, et vobis dedimus potestatem, quod facta electione prædicta de futuro Abbate, sicut prædictum est, ejusdem electioni assensum Regium vice nostra præbeatis; significantes loci Diocesano, quod id, quod suum est in hac parte, exequatur. Et volumus, quod confirmata electione prædicta ab eodem, et fidelitate ab eodem electo (prout moris est) accepta, omnia Temporalia ejusdem Abbatissæ eidem electo vice nostra restituatis. Receptis prius a præfatis Prioris et Conventu, et ab electo supradicto, literis suis patentibus, quod gratia prædicta nobis vel hæredibus nostris, in aliis vacationibus Ecclesiæ prædictæ, non cedat in præjudicium, et in consuetudinem, vel in consequentiam in posterum non trahatur. In cuius, &c. Teste Rege apud *Cestr.* 16 die *Julii*. This last clause being thus specially inserted into all the precedent Writs of restitution, to preserve the Kings Ecclesiastical Sovereignty, and prevent Usurpations on it, by his special favour indulged in the precedent cases.

Ibidem. Delicentia eligend. & temporal. restituendis *Hibern.*

**R**EX Justic. suo *Hibern.* salutem. Cum nuper credentes Ecclesiam de *Fresketb* fuisse vacantem, & ad nostram presentationem spectantem, ratione custodiæ terrarum & heredium *Johannis de Cozan*, junioris defuncti, quas de nobis tenuit in capite, in manu nostra existentium, dilectum Clericum nostrum *Richardum de Blund* presentaverimus ad eandem; & dilectus & fidelis noster *Galsfridus de Gyrcill* tunc Justic. noster *Hibern.* nomine nostro (nobis tamen ignorantibus) Magistrum *Johannem*

Ibid. m. 9. Pro Richardo de Blund.



An. 5 E. 1. *hannem de Hathfeild ad eandem Ecclesiam prius presentasset, qui per loci Diocesanum ad ipsam Ecclesiam admissus fuit, & institutus in eadem, quo minus presentatio nostra predicta effectui potuit mancipari. Nos eidem Richar do gratiam facere volentes specialem, vobis mandamus, quod eidem in beneficio Ecclesiastico, valente per annum Triginta Marc. ad nostram spectante donationem prohibeatis, quam primum ad id optulerit et facultas. In cujus, &c. T. R. apud Wyndes. 3 die Julii.*

Pat. 9 E. 1. m. 6  
intus. De  
potestate data  
presentandi  
Hibern.

**R**EX dilecto Clerico suo *Thoma de Chaddesworth*, salutem. Sciatis quod dedimus vobis potestatem presentandi idoneum Capellanum nomine nostro hucusque ad Vicariam Ecclesie de Sancto Kenino in suburbio *Dublinensi*, quae vacat, & ad nostram spectat donationem, ut dicitur. Et nos presentationem illam nomine nostro faciendam, ratam habemus & acceptam. In cujus, &c. Teste, &c.

Ibid m. 7.  
Hibern.

**R**EX dedit & concessit *Iserio Bochard* Præbendam de *Swerd* cum pertinentiis in Ecclesia Sancti *Patricii Dublin*. vacantem per mortem *Roberti de Blund*, et ad Dominum Regem spectantem ratione Archiepiscopatus *Dublin*. vacantis, et in manu Regis existentis: Et mandatum est Decano & Capitulo Sancti *Patricii Dublin*, quod eidem *Iserio* stallum in Choro & locum in Capitulo assignent, & sibi de Præbenda prædicta cum pertinentiis, prout moris est, possessionem habere faciant. In cujus, &c. Teste Rege apud Castrum prope *Basingwerk*.

Ibid in cedula.  
Hibern.

**R**EX dilectis sibi in Christo Decano & Capitulo *Dublin*. salutem. Sciatis quod dedimus & concessimus dilecto Clerico nostro *Ada de Wadonhall* Præbendam illam quam *Iserius Bochard* nuper habuit in Ecclesia *Dublin*. vacantem per commutationem, quam eidem *Iserio* fecimus de Præbenda de *Swerd* in Ecclesia vestra prædicta, et ad nostram donationem spectantem, ratione Archiepiscopatus *Dublin*. vacantis, et in manu nostra existentis: Et ideo vobis mandamus, quod eidem *Ada* stallum in Choro & locum in Capitulo, prout moris est, assignetis. In cujus, &c. Teste Rege in Castris prope *Basingwerk*, 27 die Julii.

The Popes Delegate giving a sentence against the Prior of *Kilkenny*, for two Churches in *Ireland* given them by *William* Earl of *Pembroc* by his Charter, under the vail and colour of a spoliation, the Kings Justices in *Ireland* thereupon issued a Prohibition to stay the execution of that sentence, as this Certificate of the proceedings to the King, upon the Prior of *Christ-Church* complaint, records.

Bundela Brev.  
& Pat. Anno  
5 E. 1.

**S**Altem ex parte Prioris & Capituli Ecclesie Christi Cantuar. vobis fuit intimatum, quod nos Iudicem a sede Apostolica datum, super executione cuiusdam sententie pro prædictis Prioris & Capitulo, super spoliatione Ecclesiarum Sancti *Edwini*, & Sancte *Mariæ de nova Ros*, contra Priorem de *Kilkenni* coram Iudice delegato latæ, (ut dicitur) occasione cuiusdam Cyrographi, de abbocationibus earundem Ecclesiarum inter extraneas personas dudum in Curia nostra Hiberniæ levati minus iuste, quominus huiusmodi sententiam executioni debita potuit demandare: Serenitati vestre duximus significandum, quod præfatus Iudex ab executione dictæ sententie occasione dicti Cyrographi nequaquam per nos extitit impeditus; sed quia idem Iudex & Commissarius sui, ad querelam & scellam ipsius Prioris Sancti *Johannis*, attachati sunt per breve vestrum, coram Iudicariis vestris de *Banco Dublin*. super eo, quod venerunt contra prohibitionem vestram eis ex parte dicti Prioris *Kilken*. prædictam, super abbocatione earundem Ecclesiarum, quam idem Prior habet ex dono & feoffamento *Willielmi Comitis Penbrok* & *Marescalli Angliæ*, et de qui quidem abbocatione ipsum Priorem per prædictam sententiam sub velamine spoliationis prædictæ nituntur expellere, ut asserit. Idcirco per eosdem Iudicarios eis est inhibendum, ne pendente placito dicti Attachamenti in Curia vestra, procedant ad executionem sententiæ memoratæ in prædictum ipsius Prioris placitum illud prosequentes.

*Ebol* Viscount of *Ventodore* in *France*, being compelled by the Popes Legate to resume the Cross he had taken up for the *Holy Land*, which he had laid down by reason of sickness, and special services of King *Edward*, as one of his menial Servants; the King thereupon sent this Letter to Pope *John* the 21. and his Agent in

*France*

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France, to discharge him from refusing the Croffe, to which others were then compelled in France. *An. 5 E. 1.*

**S**anctissimo in Christo Patri Domino J. Dei gratia Sacrosancta Romanæ Ecclesiæ Summo Pontifici, Edwardus eadem gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, salutem, & cum omni reverentia & honore se totum ad pedum oscula beatorum. Volentes perhibere testimonium veritati, Sanctitati vestra veraciter intimamus, quod dilectus & fidelis noster Eboles Vicecomes de Ventodoro Lemovicen. Diocesi, (qui tempore quo ad Terram Sanctam transfretavimus, de nostra familia existerat, et per nos cinctus fuit apud Tunes cingulo militari, gravi postmodum & quasi incurabili athide morbo detentus) de licentia et mandato nostro, ac propter quodam specialia negotia nostra, quæ sibi commissimus, ad propria remeabit inbitus. Unde cum intelleximus, quod una cum aliis Crucesignatis regni Franciæ, ad Crucem resumendam auctoritate sedis Apostolicæ compellatur, & idem Eboles tanquam fidelis & familiaris noster affectus & promptus sit sequi in omnibus viam nostram, Sanctissima paternitati vestra duximus humiliter supplicandum, quatinus a compulsionibus huiusmodi, quo ad ipsam demandetis cessari, si placet. Firmiter enim credimus, quod suo tempore sine compulsionibus aliqua paratus erit in hiis & aliis Romanæ Ecclesiæ obedire mandatis. Teste meipso apud Westm. primo die Maii, anno regni nostri quinto.

Brev. Regis  
Anno 5 E. 1.  
in Turri Lond.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, dilecto & fideli Procuratori suo Magistro Henrico de Newerk, salutem. Cum pro dilecto & fideli nostro Ebole Vicecomite de Ventodoro, Domino Papa per literas nostras quas vobis eidem liberandas misimus, humiliter supplicemus, ut a compulsionibus quam Legatus Franciæ facit eidem de Cruce resumenda, prout in regno Franciæ, sit omnibus Crucesignatis, qui de Tunys ad Terram Sanctam minime transfretarunt, cessari mandet ad præsens: Vobis mandamus, quatinus negotium huiusmodi prosequamini, tanquam nostrum, & ad finem deduci procuratis optatum. Teste meipso apud Westm. primo die Maii, anno regni nostri quinto.

Ibidem.

Richard Aubin being imprisoned at Norwich upon a *Capias Excommunicatum*, by the Archbishop of Canterbury, and afterwards released upon caution to obey the Churches command, yet after that retaken and imprisoned for the same cause in London, the King thereupon issued a Writ to the Archbishop, to certify the truth of his case, & for his enlargement, whereupon the Archbishop returned this Certificate.

**S**erenissimo Principi & Domino suo, Domino E. Dei gratia Regi Angliæ illustri, Domino Hiberniæ, & Duci Aquitaniæ, frater Robertus permissione divina Cantuariensis Archiepiscopus, totius Angliæ primas, salutem, cum omni reverentia & honore. Mandatum vestrum nuper recepimus in hæc verba. Edwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, venerabili in Christo Patri R. eadem gratia Cantuariensi Archiepiscopo, totius Angliæ primati, salutem. Ostensum est nobis ex parte Richardi Aubin, quod cum ipse per Vicecomitem nostrum Norwiche. juxta mandatum nostrum ad denunciationem vestram sibi directam, tanquam Excommunicatus et claves Ecclesiæ contempnens captus, & in prisona nostra Norwiche. detentus, & postmodum præstita vobis cautione coram Officiario vestro Norwiche. Diocesis sede vacante, de parendo mandatis Ecclesiæ in forma iuris ab eadem prisona auctoritate vestra deliberatus extiterit; Major & Ballivi Civitatis nostræ London. per breve nostrum de data prioris mandati nostri ad denunciationem vestram prædictam eis de præfato Richardo occasione qua prius iusticiando directum, ipsum iterato ceperunt, & eundem in prisona nostra de Newgate adhuc detinent, in ipsius dampnum non modicum et gradamen. Et quia non est iuri consonum, quod idem Richardus post dictam cautionem taliter datam ulterius in prisona detineatur, dum tamen eadem sit causa captionis suæ prædictæ. Nos super hoc certiorari volentes, vobis mandamus, quod rei veritatem in hac parte nobis per literas vestras significetis, ut exinde fieri faciamus quod de jure fuerit faciendum. Teste meipso apud Westm. 22 die April. Anno regni nostri sexto. Facta igitur super præmissis inquisitione diligens per Decanum nostrum de Arcibus London. compertum est, quod

Brevia Regis  
Anno 5 E. 1.



K. Edward 1. *An Exact History of Popes Intollerable Vjrrpations, B.5. ch.1*

*An. 5 E. 1.* quod prefatus Richardus ob eundem causam pro qua apud Norwic. in carcere detentus fuerat, & per Officiarium nostrum in Decasi Norwicensi sede vacante prefata cautione in forma juris extiterat liberatus, iterato apud Newgate carcerali custodiae mancipatus. Datum apud Gennyng. 2. kalendas Maii, Anno Dom. 1278. Whereupon it seems he was enlarged, as the Writ imports.

The King sending a Prohibition this year to the Dean of the Arches, notto hold Plea of a Debt, belonging to his Temporal Jurisdiction, the Archbishop of Canterbury certified him, that he was there impleaded not by the Dean of the Arches, but by the Popes special command, whom he ought to obey, and would obey.

Brev. Regis  
Anno 5 E. 1.

*Serenissimo Principi & Domino suo Reverendo, Domino E. Dei gratia Regi Anglie illustri, Domino Hibernie, & Duci Aquitanie, suis frater Robertus Cantuariensis Ecclesie Sacerdos indignus, salutem in eo per quem Reges regnant, & Principes dominantur, cum omni reverentia tam debita quam devota. Prohibitum est per Curiam vestram Decano de Arcubus London. ne teneat placitum de Catallis aut Debitis, quæ Magister Henricus de Haukele petit a Magistro Radulpho de Fremingham. Noverit igitur Excellentia vestra, quod non tenetur ibi de placito per Decanum, unde exequitur mandatum Apostolicum mihi sub certa forma directum, cui obedire debeo et obediam. Hac autem est rei veritas, propter quod (si places) non credat vestra Serenitas, quod Decanus præterit huiusmodi Executionis aliquid faciat in vestra præiudicium dignitatis. Dat. apud Mortelabr. 2 Idus Maii, Anno Domini 1278.* A very insolent Certificate of an Arch-prelate to his Sovereign; but being advanced to the Archbishoprick by the Popes provision, not Kings previous assent and approbation, no wonder he preferred and obeyed the Popes commands before the Kings.

I shall conclude this 5th. year of King Edward the 1. with this most memorable Record and Case. *Gilbert de Thychewell* being sued in the Ecclesiastical Court for Chattels and Debts. whereof they had no Jurisdiction; and sending a Prohibition to them out of the Kings Court to stay the proceedings, delivered in open Court by the Kings Messengers to *Nicholas Chapple* the Judge, he in a most insolent contemptuous manner; (encouraged as it seems by Archbishop *Boniface* and his Suffragans) instead of obeying it, denounced a publick Excommunication against those who delivered the Prohibition, and against all who ayded, countenanced or favoured that Writ, not excepting the Kings person; citing the said *Gilbert* to remote places, to attend them from day to day to vex and weary them, and caused him to be Excommunicated in Churches with Bells ringing, and Tapers burning and extinct: For which high contempt against the Kings Prohibition, Crown and Regal authority, illegal Excommunication and vexation, he was prosecuted at the Kings suit to his damages of 1000*l.* and at the Parties suit to his damage of 100 mark, and found guilty by the Jury and imprisoned; as *Placita curam* Rogero de Seyton & sociis suis Justiciariis de Banco apud Westm. a die Pasche in 15. dies, Anno regni Regis Edwardi quinto, Rot. 15. dorso, (remaining in the Treasury of the Receipts of the Kings Exchequer) thus record to posterity.

\* See Tom. 2.  
p. 901.  
p. 939.  
p. 991.

Rot. 15. dorso.  
Norff.

*Magister Nicolaus de Capella attach. fuit ad respondend. Domino Regi de placito, quare cum Gilbertus de Thychewell tanquam Puncius Domini Regis brebe suum de Prohibitione prædicta Magistro Nicholao in pleno Capitulo apud Docking porrigi fecisset, ne tenerent placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, præfatus Nicolaus in personas illud brebe Regis differentiam, et auxilium, consilium. et favorem eidem brebi præstantium in eodem pleno Capitulo, sententiam Excommunicationis, non excipiendo personam Regis, minus prohibere fulminabit, trahens distant Gilbertum ad loca remota inde in placitum coram eo in Curia Christianitatis, ut sic eum gravius fatigare possit laboribus et expensis; et eum ex causa prædicta Excommunicatum denunciari fecit, in Corona et Regie dignitatis laesionem, et Domini Regis contemptum manifestum, nec non et prædicti Gilberti præiudicium.*

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et non modicum gravamen, &c. Et unde Dominus Rex per prædictum Gilbertum *An. 5 E. 1.* qui sequitur pro eo, queritur, quod cum idem Gilbertus breve suum de Prohibitione prædicto Nicholao, die Jovis proximo post festum Sancti Marci Evangeliste, anno regni Regis nunc tertio, in pleno Capitulo apud Doking, per quendam Thomam Tristrem porrigi fecisset, ne placitum de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem Domini Regis tenerent, præfatus Nicholaus post prædictum breve per eos receptum, in personas illud breve differentium, et eidem favorem præstantium sententiam Excommunicationis, non excipiendo personam Regis, fulminabit, et per decem Capellanos sibi subiectos de Decanatu de Hecheham ipsam sententiam solempniter prædictis die et loco pulsatis Campanis et accensis Candelis publicari fecit, trahens ea occasione prædictum Gilbertum in placitum in Curia Christianitatis coram eo apud Brakedene, die Sabbati proxima post festum Sancti Barnabæ anno prædicto, denuncians ipsum ratione prædicti brevis impetrati in sententiam generalem incidisse, et postquam ipsos per diversos labores et expensas per diversa loca fatigasset, eum eadem de causa esse Excommunicatum die Veneris proxima ante festum Exaltationis Sanctæ Crucis anno prædicto apud Doking, denunciari fecit de die in diem. Et similiter ubi Wic. Norff. ex parte Domini Regis et per eius præceptum in propria persona die Dominica proxima ante festum Sancti Nicholai anno quarto, efficaciter monuit, quod sententias et huiusmodi errores sine mora rebocaret, idem Nicholaus prædictas sententias et errores ad mandatum Domini Regis et Wic. monitionem non rebocavit, immo prosequeretur in Coronæ et Regiæ dignitatem lisionem, et Regis contemptum Pille Librarium prædicti Gilberti dampnum Centum Marcarum, et inde productum sextam, &c. Et Magister Nicholaus venit & defendit vim. & injur. quando, &c. Et quicquid, &c. Et bene defend. quod ipse nunquam Excommunicationis sententiam in prædictum Gilbertum, nec in aliquem breve Domini Regis prædictum differentem, auxilium, consilium, vel favorem præstantes fulminabit, nec ipsam Gilbertum ea de causa ad loca remota in Curia Christianitatis ad placitum trahit, nec Excommunicatum eadem de causa denunciabit. Et hoc offert defendere contra ipsum & familiam suam, sicut Curia consideraverit. Ideo consideratum est, quod vadant eis legem se 12. man. Et prædictus Nicholaus instanter fecit legem suam. Ideo ipse inde quietus & prædictus Gilbertus in misericordia. Et quo ad hoc quod prædictus Gilbertus dicit, ipsum Nicholaum sententiam Excommunicationis non excipiendo personam Domini Regis, in omnes consilium, auxilium et favorem præstantes, fulminasse, dicit, quod ipse nunquam huiusmodi sententiam fulminabit. Et quod ita sit ponit se super patriam. Et Gilbertus qui sequitur pro Domino Rege similiter. Ideo præceptum est Vicecomiti, quod venire faciat hic in Octavis Sanctæ Trinitatis, nisi J. de Lovetost prius, &c. duodecim, &c. per quos, &c. Qui nec, &c. ad recogn. in forma prædicta. Quia tunc, &c. Postea ad diem illum prædictus Gilbertus qui sequitur pro Domino Rege, optulit se quarto die versus Magistrum Nicholaum. Et ipse non venerit, & habuit diem ad hunc diem, ut patet superius. Et ideo præceptum est Vicecomiti, quod distringat eum per omnes terras, &c. Et quod de exitibus, &c. Et quod habeas corpus ejus a die Sancti Michaelis in 15. dies apud Salop, ad audiend. prædict. Jur. Et præceptum est Vicecomiti, quod habeat corpora Recognitorum ad præfatum terminum, &c. Postea in Octavis Sancti Johannis Baptiste Anno regni nunc sexto, venerunt Jur. qui dicunt super Sacramentum suum, quod prædictus Nicholaus die quo prædictum breve ei porrigendum fuit, in pleno Capitulo de Doking, per prædictum Thomam de Tristrem ne prædictum placitum teneret; statim post receptionem eiusdem per quosdam Presbyteros quos ad hec deputavit, in omnes illos breve illud differentes, et consilium, auxilium, et favorem eidem præstantes, in eodem Capitulo sententiam Excommunicationis fulminabit, non excipiendo personam Regis. Ideo mandatum est Episcopo Norwic. quod fac. eum venire hic in Octavis Sancti Michaelis audiend. inter Record. et Iudicium suum. Postea venit prædictus Magister Nicholaus, et committitur Gaol. pro contemptu.

From which memorable Record I shall observe, 1. The strenuous endeavours of Ecclesiastical Judges and Courts in that age, to enlarge their Jurisdiction, and usurp the consuance of Pleas of all Goods, Chattels, Fees, and other Temporal things, not belonging to them. 2ly. Their strange insolencies and contempts, in fulminating

Excom-



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

*An. 5 E. 1.* Excommunications in their open Courts, and Churches, with Bells and Candles, against all such who sued, prosecuted or delivered the Kings Writs of Prohibition to restrain their Usurpations, and against all who advised, counselled, assisted or granted such Prohibitions, not excepting the King himself. 3ly. Their great and intollerable vexations of such who sued such Prohibitions by new Citations, to attend them *de diem in diem* at remote places, and denouncing new Excommunications against them. 4ly. The Kings deep resentments of these their high contempts, and affronts against his Crown, Dignity, Regal Jurisdiction, and of the vexation of his Subjects, and his royal prosecutions against them for it, both at his own and the parties suit, to recover damages against, fine and imprison them for these contempts, usurpations and vexations. 5ly. Their impudency in denying and pleading a special Not guilty, though most guilty thereof, against their own knowledge, with their manifold defaults and delays to tyre out and discourage their prosecutors, and prevent Judgements against them. 6ly. That all such general Excommunications denounced by Ecclesiastical Judges, are illegal, and that the King by his Prerogative ought to be specially excepted out of them.

*An. 6 E. 1.* About the same time *Walter Bronescombe* Bishop of *Exeter* (of whose frauds and oppressions you may read in \* *Godwins* Catalogue of Bishops) and his Officials, cited sundry of the Kings Subjects, and Officers into his Ecclesiastical Courts for Debts and Chattels, that concerned not Matrimony or Testament, and for Trespases, Freeholds, and other things of which they had no legal Jurisdiction; excommunicating, and putting them to pecuniary redemptions and grievous penalties, to their great oppression and vexation, and withall exacted illegal Oathes and obligations from them, against the Kings Crown, Dignity, and Subjects Liberties; the King upon the complaints of *Edmund* Earl of *Cornwall* and his Officers, and of the whole County of *Cornwall*, of these his exorbitances, issued a special Commission in the 6. year of his reign to some Judges, to inquire of, hear and determine these his Exorbitances and Usurpations, before whom he was prosecuted at the Kings suit, to his Damages of 10000 *l.* which the Bishop denying in some sort, appealed to the King, Pope, and Court of *Rome*, from the Kings Justices; for which his misdemeanor, high affront and dishonour to the Kings Crown and Dignity, he was adjudged undefended, ordered to satisfy the King his 10000 *l.* Damages: and likewise to answer his contempt for this his enormous appeal to the Pope, in affront of the Kings Crown and Dignity, before the King and his Council; as this memorable Record at large informs us.

Inquisitiones factæ apud *Lanceaneton*. per præceptum Domini Regis die Venens in Crastino Nativitatis beatæ *Mariæ*, coram *Rogero Loveday*, & *Waltero de Wynborn*. Anno regni Regis *Edwardi* 1. sexto.

*Anno 6 E. 1.* *Edwardus* Dei gratia, &c. Dilectis & fidelibus suis *Rogero Loveday*, & *Waltero de Wynborn*. salutem. Quia ex gravissimis querimoniis *Wic. nostri Cornub.* et aliorum *Balliborum* nostrorum, et etiam hominum dilecti et fidelis nostri *Edmundi Com. Cornub.* Consanguinei nostri, ac totius Communitatis hominum *Com. prædicti* accepimus, quod *Venerabilis Pater Walterus Exon. Episcopus*, Officiales, Decani, et alii Ministri sui, de ipsius Episcopi mandato speciali ipsum *Wic. Ballibos* nostros, Milites, liberos homines, et alios de prædicta Communitate indesinenter trahunt in placitum coram eis in *Cur. Christianitatis de Carallis* et *Debitis* quæ non sunt de Testamento, vel Patrimonio, et etiam de *Laicis Feodis*, *Festatis diversis*, *Parcis*, *Libertis*, *Piscariis*, *Sabulonibus*, et de transgressionibus et destructionibus in eis factis, quorum cognitio et correctio ad *Coronam* et dignitatem nostram, et non ad *Forum Ecclesiasticum* pertinent, et etiam quosdam eorum per Sententias Excommunicationis compulerunt, et adhuc compellere non cessant ad redemptiones pecuniarias gravissimas eidem Episcopo ex causis prædictis præstand. et ad obligationes ei faciendas, quod sibi in omnibus adhererunt, et per omnia, nulla de fidelitate nobis debita exceptione, vel meritione facta, et alia contra nos et nostros indesinenter perpetrant, in Regiæ dignitatis, et *Coronæ* nostræ

\* See Cooks  
1 Instit on  
Littleton, f 65.

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Arz lationem, ac nostri et multorum exheredationem et depauperationem manifestas, quæ ulterius sustinere nolumus, sicut nec debemus; *Constituimus vos Justic. nostros, una cum his quos vobis associaveritis, ad inquirend. per Sacramentum pze-* *An. 6 E. 1.*  
*bozum et legallium hominum de Comitatu pꝛædicto, per quos rei veritas melius sciri*  
*poterit veritatem pꝛæmissorum. Et ad querelas omnium et singulorum super pꝛæ-*  
*missis vel aliqua parte eorum conqueri volentium, et eorum grabamina audiend. et*  
*terminand. et ad Justic. inde faciend. secundum Legem et Consuetudinem Regni*  
*nostri. Et ideo vobis mandamus, qd. quod ad certos diem, qd. quos ad hoc, qd.*  
*Inquisitionem illam in forma pꝛædicta, qd. Mandavimus enim Vic. nostro Comitatus*  
*prædicti, quod ad certos diem & locum, quos ei sciri facietis, venire faciat coram vobis*  
*tot & tales probos & legales homines de Com. prædicti, per quos rei veritas in prædictis*  
*melius sciri poterit & inquire. In cuius rei testimonium has literas nostras fieri fecimus*  
*Patentes. Teste meipso apud Glouc. xi. die Augusti, Anno Regni nostri Sexto.*

Per quod quidem mandatum præfati R. & W. mandaverunt Vicecomiti Comitatus prædicti, quod venire faceret coram eis apud Lanceaneton die Veneris prox. post festum Nativitatis Beate Mariæ Anno supradicto, tot & tales probos & legales homines de Com. prædicto, per quos rei veritas melius super præmissis sciri poterit & inquire. Et quod sciri faceret eidem Episcopo, quod tunc esset ibi facturus super præmissis, & recepturus quod iustum fuerit. Ad quem diem venerunt prædicti Justic. ibidem & Vic. summon. fecit totam patriam Cornub. secundum tenorem brevis prædicti. Et Vic. testatur, quod scire fecit prædicto Episcopo, quod esset hic ad hunc diem. Et ipse Episcopus modo be- nit, &c.

Et Mich. de Northampt. qui sequitur pro Rege queritur, quod cum Dominus Rex ratione Regis dignitatis et Coronæ suæ tale habeat privilegium, quod nullus in regno suo de aliquo qui sit de Regno Angliæ alicui homagium sive fidelitatem alicui facere debeat, vel aliquis huiusmodi homagium vel fidelitatem ab aliquo recipere debeat, nisi facta mentione de fidelitate Domino Regi debita, eidem Domino Regi fideliter observanda, idem Episcopus in contemptum Domini Regis, et ad manifestam quoad privilegium prædictum ipsius Domini Regis exheredationem, et ad dampnum, et ad dedecus ipsius Domini Regis, ad valentiam decem Millia librarum, de Henr. de Pomeray, Tho. de Kanc. Johe de Bello prato, Laur. fil. Richardi, Johanne le Soer, Willielmo de Map, Eudon. de Grancell, Rogero le Gros, Johanne le Lung, Radulph. de Boyvill, Guidon. Nouannt, Willielmo de Rostou- reks, et Henr. de Cannell obligationem per scripta, et de multis aliis, et de Com- munitate dicti Com. et etiam per Sacramentum huiusmodi obligationes recepit, quod eidem Episcopo in omnibus empyis suis firmiter adhererunt in dictis obliga- tionibus, \* nulla mentione facta de fidelitate Domino Regi observand. sicut prædi- tum est. Et hoc idem Mich. qui pro Rege sequitur, offert se belle verificare versus prædictum Episcopum, sicut Cur. Domini Regis consideraverit, &c.

Et Episcopus dicit, quod aliquas non recepit obligationes ab aliquibus, nisi in forma subscripta.

Noverint universi Christi fideles, quod cum ego Tho. de Kanc. Miles, violentiæ et debonestationi Presbyteris et Clericis apud Gargaul Exon. Dioc. injuriose et bi- olesenter illatis interfuissem, opem, audaciam et consilium aliis seberius delinquendi nequiter adhibuissem, hiis non contentus conspirationi factæ contra Sanctam Ec- clesiam et venerabilem patrem W. Dei gratia Exon. Episcopum, in ejus præjudici- um et Ecclesiasticæ libertatis lationem, propriæ salutis immemor maliciose confes- sissem, aliaque dampna grabia, et enozmia fecissem, propter quæ non est dubium in sententiam majoris excommunicationis incidi ipso facto. Denum filiis pacis in- tervenientibus et salvatione mea procurantibus, ad cor rediens, pro emendatione et satisfactione dictorum criminum corporali juramento interveniente promisi, et promitto quingentas Marcas sterlingorum prædicto patri solvend. secundum ipsius patris ordinationem terminis statuendis; eodem Juramento gratis affirmans, quod de cætero huiusmodi violentias seu injurias, vel quascunque alias contra Ecclesiam seu Ecclesiasticas personas nisi cum moderamine inculpata tutelæ me defendendo, non committam, et hoc sub poena quadraginta librar. præmissa plenarie complend. per dictum Juramentum meum obligo me et astringo. Et si præmissa vel aliqua præmissorum non observavero, volo et concedo quod prædictus pater in præstinam excommunicationis sententiam sola mentione præmissa, sine aliqua in Jus re-

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\* See Cooks  
 1 h. fol. 65



*An. 6 E. 1.* bocatione me retrudat, et sic excommunicatum denunciari publice faciat, quoutque de p[re]dictis omnibus ad plenum per me fuerit satisfactum. Renunciens super hiis omnibus, omni cabillationi, appellationi, Epistola Domini Adriani, exceptioni, Regia prohibitioni, privilegio Crucesignatorum, indulto, et utriusque Juris cuiusque remedio per quae p[re]missa possent impediri, seu quoquo modo retardari. In cuius rei Testimonium p[re]sentibus Sigillum meum apposui. *Hic Testibus Domino Radulpho de Arundell Milite, Domino King de Plumton, Johanne le Chamberlain, Richardo de Derteford Clerico, Tho. de Trevill. Clerico, Thom. Rector Eccl[esi]e de Bonquimmot, Rogero de Gyves, & aliis. Actum & Datum apud Tytyng. xv. Kal. Jun. Anno Domini MCCLXXV.*

*Et p[re]dictus Mich. qui sequitur pro Rege, dicit, quod qualemunque formam dictus Episcopus p[re]sendar, idem Episcopus per alia scripta et Iuramenta obligationes recepit a pluribus et diversis de p[re]dicto Com. in p[re]judicium Domini Regis, sicut eidem Episcopo imponitur. Et hoc paratus est verificare sicut Cur. Dom. Regis consideraverit, &c.*

*Nota.*

*Et Episcopus venit & dicit, quod ipse Auctoritate p[re]dicti Mandati Domini Regis ad istam querimoniam non vult respondere, sed in plena Curia Domini Regis super hoc appellat ipse ad Dominum Regem, et etiam ad Dominum Papam, et ad Curiam Romanam. Et p[re]dictus Episcopus super hoc requisitus si aliud velit dicere, dicit quod non.*

*Et Mich. de Northampt. qui sequitur pro Rege, petit Iudicium de p[re]dicto Episcopo, tanquam de ipso qui est indefensus. Et ideo consideratum est, quod p[re]dictus Episcopus indefensus est quoad p[re]dicta, et ideo in misericordia. Et satisfacet Domino Regi de dampnis suis. Et datus est ei dies coram Domino Rege, a die Sancti Michaelis in tres septimanas ubicunque tunc fuerit in Anglia, ad respondend. super contemptu per eundem Episcopum Domino Regi facto per p[re]dictas suas Appellationes, quia valde enormiter sonant in p[re]judicium Domini Regis et Coronae suae, et in p[re]judicium totius Communitatis Angliae. Which is thus further aggravated and recorded, Rot. 3. Et quia huiusmodi Contemptus eidem Rogero & Waltero ita videtur esse gravis et inauditus, et ita in dedecus Domini Regis redundare, et etiam totius Regni perturbationem, cum in huiusmodi placitis in Curia Dom. Regis nunquam huiusmodi Appellationes, scil. ad Curiam Romanam, fieri consueverunt. Consideratum est, quod p[re]dictus Episcopus quoad hoc est indefensus, et datus est ei dies coram p[re]dictis R. & W. a die Sancti Michaelis in Tres Septimanas, ubicunque, &c. Ad audiend. super hoc Iudicium suum, secundum discretionem Domini Regis.*

*Nota.*

*Item, idem Mich. de North. qui sequitur pro Rege, petit Iudicium de p[re]dicto Episcopo, tanquam de ipso qui est indefensus. Et ideo consideratum est quod p[re]dictus Episcopus indefensus est quoad p[re]dicta, et ideo in misericordia, et satisfacet Domino Regi de dampnis suis, ad taxationem per Dominum Regem et Consilium suum faciend. Et datus est ei dies coram Domino Rege, a die Sancti Michaelis in Tres Septiman. ubicunque, &c. Et ad respondend. super Contemptu per eundem Episcopum Domino Regi facto per p[re]dictas suas Appellationes, quia valde enormiter sonant in p[re]judicium Domini Regis et Coronae suae, et in p[re]judicium totius Communitatis Regni Angliae. Et quia p[re]dicta super quibus Mich. queritur pro Domino Rege, ita specialiter tangunt Dominum Regem in dedecus p[re]dicti Episcopi, qui ita contemptabiliter recedit a Curia, ut Dominus Rex super hoc plenius cerciozetur, inquiratur rei veritas per patriam.*

*Queritur etiam idem Mich. qui sequitur pro Rege, quod ubi Willielmus de Monketon Vic. Domini Regis Com. p[re]dicti, fecerat quandam districtionem super Episcopum p[re]dictum per Averia sua per p[re]ceptum Domini Regis, et pro debito ipsius, ubi venerunt, quidam Willielmus Vicarius Ecclesie de Langewe, Decanus de Poudrechire, die Lunae prox. ante Festum Ascensionis, Anno regni Domini Regis nunc sexto, apud Bomyne in pleno Comitatu, ubi idem Vic. tenuit placitum ipsius Domini Regis, ipsum Vic. per p[re]ceptum ipsius Episcopi pro eo quod districtionem p[re]dictam pro p[re]dicto debito fecerat, solempniter excommunicabit, in laqueum Coronae Domini Regis, et in eius respectum et dampnum ipsius 1. Milia librarum: et ad dampnum Vic. p[re]dicti Centum librar. Et quod ita sit paratus est verificare, sicut Cur. Domini Regis consideraverit, &c.*

*Qu.*

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*Queritur etiam predictus Mich. qui sequitur pro Rege, quod cum Dominus Rex An. 6 E. 1.*  
*Wic. suo Cornub. per Bzebem suum mandasset, quod Sabulon. in Com. predicto iux-*  
*ta littus Maris in manum suam caperet, ac idem Dominus Rex per eundem Vic. suum*  
*predictum de eodem Sabulon. in plenaria seissina extirisset: predictus Episcopus per*  
*Excommunicationis sententias indefinenter et enozmiter factas, omnes illos qui*  
*de Sabulone predicto aliquid curare seu curari fecerunt excommunicabit, et senten-*  
*tiis predictis innodabit, quousque cum eo redemptionem fecissent pro Sabulone pre-*  
*dicto sic ablato, in lxxonem et prejudicium Coronæ Domini Regis et ejus despec-*  
*tum, et ad dampnum ejusdem Domini Regis decem Millia librar. ac. Et quod ita*  
*sit paratus est verificare, sicut Curia Domini Regis consideraverit, ac.*

*Queritur etiam idem Mich. qui sequitur pro Rege, quod cum Comes Cornub. ac ma-*  
*ior pars Communitatis Com. predicti ad utilitatem Dom. Regis & patrie illius, quadam*  
*scripta obligatoria ad invicem et inter se fecissent, quod fideliter et indefinenter par-*  
*tes suas apponerent pro utilitate Domini Regis, ad quosdam vias Regias infra*  
*Parcos predicti Episcopi inclusas deobstruendas, quas idem Episcopus obstruere se-*  
*cit, sicut ad Turnum Wic. presentatum fuit et conditum, ac eadem scripta ad uti-*  
*litatem Domini sic facta in Priozatu de Bomyne, per predictam Com. & Communita-*  
*tem predictam apposita fuissent specialiter custodiend. tanquam Thesaur. Domini Regis,*  
*predictus Episcopus, simul cum quodam Guydon. Nonaunc Milite suo, tunc sa-*  
*miliar. & aliis, vi et armis ad Priozatum predictum accessit, et cistam in qua pre-*  
*dicta scripta apposita erant fregit, et scripta illa asportavit: Ita quod postea omnes*  
*illos qui illis scriptis consenserant excommunicabit, et excommunicatos denunci-*  
*abit. quousque cum illo redemptionem fecissent pro voluntate sua pro illo facto, et*  
*hoc fecit in lxxonem Coronæ Domini Regis, et ejus despectum, et ad dampnum*  
*ipsius decem Millia librar. Et sciend. quod predictus Guido praesens fuit, et cog-*  
*nobit se fractioni predictæ. cistæ interfuisse, et quod ita sit paratus est verificare*  
*sicut Curia Domini Regis consideraverit, ac.*

*Et predictus Mich. qui sequitur pro Rege queritur, quod cum ad Dominum Regem*  
*ratione Regis dignitatis suæ pertineat placitare in Regno suo per se et Justic. suos*  
*placita quæ non sunt de Patrimonio vel Testamento, utpote de Laicis Feodis,*  
*Fossatis, dibidis, parcis, bivariis, piscariis, sabulone, et de transgressionibus et distri-*  
*ctionibus in eisdem factis: Ita quod nullus Ordinarius se inde intromittere debet, di-*  
*ctus Episcopus in prejudicium Domini Regis et Coronæ suæ, et ad dampnum Do-*  
*mini Regis decem Millia librar. et ad dampnum totius patriæ, multos per se, et Jus-*  
*tic. Decanos et alios ministros suos in Curia Christianitatis placitat de Debitis et*  
*Caractis quæ non sunt de Testamento vel Patrimonio, et etiam de aliis Laicis feo-*  
*dis supradictis. Et quod ita sit paratus est verificare sicut Curia Domini Regis conside-*  
*raverit, &c.*

*Et Episcopus petit Judicium. Si debeat inde respondere desicut nullus Officialis,*  
*Decanus vel Minister suus inde sit adhuc convictus?*

*Et predictus Mich. dicit, quod factum Offic. Decanorum, mere factum est ipsius*  
*Episcopi in hac parte, et petit quod dicet aliud, et maxime quod respond. de facto*  
*suo proprio sicut ipse ei imponit, quod ipse per scriptum hujusmodi placita multoci-*  
*ens tenuerit, ad dampnum Domini Regis et patriæ, sicut predictum est.*

*Et predictus Episcopus dicit, quod nichil aliud super hoc dicet, sed facit suas ap-*  
*pellationes ut supra.*

*Et predictus Episcopus quo ad predictum Willielmum de Monketon per ipsum ex-*  
*communicatum, dicit, quod non videtur ei quod de Sententiis per ipsum satis debet*  
*ipse hic respondere, et precise dicit, quod quoad illum Articulum non vult ipse aliud*  
*dicere, sed tenet se ad suas Appellationes quas fac, ut supra.*

*Et quo ad predict. Sabulonem dicit, quod non vult inde hic respondere, quia dicit, quod*  
*ipse et quidam Walterus de Farnesham attach. sunt ad respondend. inde Domino*  
*Regi coram Justic. suis de Bauro apud Westm. per quoddam Bzebe Domini Regis*  
*in hac forma.*

*Rex Vic. Cornub. salutem. Pone per vadios & salvos plegios Walterum Episco-*  
*pum Exon. & Walterum de Farnesham Personam Ecclesiæ de Sancto Meloro, quod sint*  
*coram Justic. apud Westm. a die Sancti Michaelis in xv. dies. Offensuri quare*  
*cum cognitis placitorum de Feodis Laicalibus in Regno nostro, et maxime de Do-*  
*minicis nostris, et etiam correctiones Contempt. Balliborum nostrorum contra*



*An. 6 F. 1.* mandata nostra factorum, ad nos et ad coronam et dignitatem nostram specialiter pertineant, idem Episcopus et Walterus de quodam Marino Sabulone infra Regnum nostrum apud Lauwychecks existente versus Reginaldum de Prydias, Nigellum de Trevell, Willhelmum de Cosgaran, et alios usque ad trescent. et quadraginta et quinque homines de Wisneto de Lauwychecks quem Sabulonem per Willielmum de Moneketon capi fecimus in manuum nostram ad epus nostrum appuzand. et etiam versus eundem Willielm. de Moneketon, de eo quod ipse dum fuit Vic. noster Com. p̄dicti quoddam Mandatum nostrum de Johanne Alet, et Isabel. uxorē ejus tanquam excommunicatos, et claves Ecclesiæ contemnite, per corpora sua secundum consuetudinem Angliæ Justiciand. donec Sanctæ Ecclesiæ tam de contemptu quam de injuria ei illata ab eis satisfactionem non executus, ut idem Episcopus dicebat, secuti placitum in Curia Christianitatis contra Prohibitionem nostram. Et habeas ibi, &c.

*Et Vic. Cornub. requisitus si tale breve sibi venerit, dicit, quod non.*

*Et p̄dictus Mich. de Northt. qui sequitur pro Rege, dicit; quod non credit quod aliquod tale breve pendeat in Cur. Domini Regis, et si esset pendens, liceret eidem Domino Regi Jus suum sequi versus p̄dictum Episcopum hic coram istis Justic. Et petit quod dictus Episcopus respondeat. ulterius si voluerit.*

*Et Episcopus dicit, quod ipse super hoc nichil aliud dicit ad p̄tens, set facit suas Appellationes ut supra.*

*Et quo ad p̄dicta scripta deposita in Prioratu de Bomyne, dicit, quod isti Justiciarii non habent auctoritatem per hoc breve super hoc cognoscere, nec eis vult inde respondere, set facit suas appellationes ut supra.*

*Et idem Mich. qui sequitur pro Rege, petit Judicium de p̄dicto Episcopo, tanquam de ipso qui est indefensus super omnibus p̄dictis. Et ideo consideratum est quod p̄dictus Episcopus indefensus est, quo ad p̄dicta: Et ideo in misericordia; et satisfactio Domino Regi de dampnis suis. Et dies datus est ei coram Domino Rege a die Sancti Michaelis in Tresseptiman. ubiunque, &c. Et ad respondend. super contemptu per eundem Episcopum Domino Regi facto per p̄dictas Appellationes, quia valde enormiter sonant in p̄judicium Domini Regis et Coronæ suæ, et in p̄judicium totius Communitatis Regni Angliæ.*

*Et quia p̄dicta super quibus p̄dictus Mich. queritur pro Domino Rege, ita specialiter tangunt Dominum Regem in defectu ipsius Episcopi, quia ita contemptibiliter recedit a Cur. ut Dominus Rex super hoc plenius cognoscatur, inquiratur res veritas per patriam, scilicet, de placitis quæ idem Episcopus remittit. non sperand. tibus ad Jurisdictionem suam, et de Sabulone.*

*Et Jur. Inquisitionis p̄dictæ, scilicet, Johannes de Roskermey, Radulphus Tregod, Petrus de Narikort, Henricus de Kaul, Reginaldus de Pridias, Hugo Pennerel, Willielmus de Kosgolan, Radulphus de Trecheffs, Willielmus de Taustoke, Thom. Noel, Richardus Flemyng, Richardus Marne, Robertus de Kenros, Richardus de Pridias, Drogo Treboer, Reginaldus de Bodrigan, Alanus de Blydon, Rogerus de Kenrich, Willielmus des Molyns, Thom. de Kancia, Hugo de Treverbin Miles, & Jordanus de Hacumbe tunc venerunt, & Jurati dicunt super Sacramentum suum, quod p̄dictus Walterus Exon. Episcopus per Magistrum Johannem de Elsche Offic. suum, tenuit placitum inter Galfridum de Bosigan quer. et Johannem de Smalprend defend. de Custod. et Partitag. heredis Philippi de Bodrigan, et illud placitum coram eis adhuc pendet. Iterum idem Episcopus per suum Offic. Magistrum Petrum de Crediton tenuit placitum inter p̄dictum Magistrum Johannem de Elsche quer. & Willielmum Kestell, Walterum de Hay, Petrum Bundin de Confs. & serviciis; unde idem Petrus amerciatus fuit ad dimid. marcam pro unico defectu. Iterum idem Episcopus per suum Offic. Magistrum Johannem de Elsche tenuit placitum inter ipsum & p̄dictum Magistrum Johannem quer. & Willielmum Kestell, Petrum de Treworth, & Gilbertum de Trehydien de placito debiti. Iterum idem Episcopus per suum Offic. Magistrum Petrum de Crediton tenuit placitum inter Clementem de Trechehhech quer. & Johannem Baudyn, & Richardum Baudyn defend. de placito transgressionis, videlicet, de effusione sanguinis, & butess. levato; unde p̄dicti Johannes Baudyn & Richardus amerciatii fuerunt ad decem solid. de quibus soluti fuerunt p̄dicto Clementi quatuor solid. Iterum idem Episcopus per suum Offic. p̄dictum Magistrum Johannem de Elsche tenuit placitum inter Robertum Gregilen quer.*

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& Rogerum Peyn defend. de placito detencionis Cat. Iterum idem Episcopus per suum Offic. pradiatum tenuit placitum inter Radulphum Blundel quer. & Walterum le Taverner, de una Selda quod pradiatus Walterus tenuit ad Terminum per scriptum pradiati Radulphi. Iterum idem Episcopus per suum Offic. pradiatum Magistrum Petrum tenuit placitum inter Johannem Peterel quer. & Richardum Fatte defend. de placito Conbencionis de uno West. quod idem Richardus tenuit ad firmam per scriptum pradiati Johannis. Iterum idem Episcopus per suum Offic. pradiatum tenuit placitum inter quendam Fabrum de Bomine quer. & Richardum de Bomine Marescalum de placito detencionis unius super-tunicæ et unius firmaguli. Iterum idem Episcopus per suum Offic. pradiatum tenuit placitum inter Willielmum Belde quer. & Richardum Crispyn defend. de placito sanguinis effusionis. Iterum idem Episcopus per pradiatum Magistrum Petrum tenuit placitum inter Richardum Dewyden quer. & Richardum Bylop defend. de placito debiti. Iterum idem Episcopus per pradiatum Offic. suum tenuit placitum inter Richardum de Trevisa quer. & Nicholaum Lowys, de placito Conbencionis cuiusdam terræ quam pradiatus Nicholaus tenuit ad firmam per scriptum pradiati Richardi. Iterum idem Episcopus per suum Offic. pradiatum tenuit placitum inter Johannem de Rospele quer. & Nicholaum de Ewe defend. de placito sanguinis et plagæ, unde butess. fuit levatum. Iterum idem Episcopus per suum Offic. pradiatum tenuit placitum inter Johannem Personam Ecclesia de Lanteglos quer. & Nicholaum de Ewe, de quadam domo quam habuit in lidenum Partagium cum uxore sua. Iterum idem Episcopus per pradiatum Magistrum Johannem de Eshe Offic. suum. tenuit placitum inter Reginaldum de Templo quer. & Richardum Badecoks defend. de placito cuiusdam Domus quam idem Richardus ad firmam tenuit de pradiato Reginaldo, et per scriptum suum; unde pradiatus Richardus amerciatatus fuit ad quinque Marcas. Iterum idem Episcopus per suum Offic. pradiatum tenuit placitum inter Radulphum Traebeu Capellanum quer. & Rogerum de Byrehull defend. de placito transgres. videlicet, quod idem Rogerus debuit octofove equum pradiati Radulphi, ob quod idem Rogerus amerciatatus fuit ad unam Marcam. Iterum idem Episcopus per suum Offic. pradiatum Magistrum Petrum tenuit placitum inter Robertum Ilger quer. & Richardum Fate defend. de placito Conbencionis, videlicet, de quadam domo quam idem Richardus ad firmam tenuit per scriptum pradiati Roberti. Iterum idem Episcopus per pradiatum Magistrum Johannem de Eshe tenuit placitum inter Radulphum Trevebon Capellanum quer. & Johannem de Belloneron, Thomam fil. ejus, & Richardum Baudin, de placito debiti. Iterum idem Episcopus per suum Offic. Magistrum Johannem de Wlverton tenuit placitum inter Clariam de Trymscort quer. & Willielmum de Mafon defend. de placito debiti, videlicet, de den. promissis. Iterum idem Episcopus per suum Offic. pradiatum tenuit placitum inter Valentinum Dyncmeder quer. & Richardum Baudyn defend. de placito transgres. Iterum idem Episcopus per suum Offic. pradiatum Magistrum Petrum tenuit placitum inter Herneum de Tregencres quer. & Robertum de Mareis defend. de placito debiti, quod quidem placitum prius placitatum fuit in Curia Domini Regis. Iterum idem Episcopus per pradiatum Magistrum Johannem de Eshe tenuit placitum inter Gervas. de Austronon Clericum quer. & Nicholaum de Tredohel, & Christopherum de eadem defend. de placito debiti. Iterum idem Episcopus per suum Offic. Magistrum Petrum tenuit placitum inter Johannem Crist de Trewoldyk quer. & Stephanum de Bonyton defend. de placito Conbencionis. Iterum idem Episcopus per pradiatum Magistrum Johannem de Eshe tenuit placitum inter Joceum Austronon juniores quer. & Philippum de Kaul defend. de placito debiti. Iterum idem Episcopus per suum Offic. pradiatum tenuit placitum inter Richardum de Wenbacheleg quer. & Johannem le Myre de Steva de placito debiti. Iterum idem Episcopus per suum Offic. pradiatum inter pradiatum Magistrum Petrum quer. & Willielmum de Ludre defend. de eo quod idem Willielmus voluit implacitasse Willielmum Vicar. de Seynbreth, de placito Conbencionis in Curia Domini Regis, unde idem Willielmus amerciatatus est ad dimid. Marc. Iterum idem Episcopus per suum Offic. Magistrum Petrum pradiatum tenuit placitum inter Johannem Monforel quer. & Willielmum de Tholney, & Johannem de Lekeran defend. de eo quod idem Willielmus & Johannis implacitarunt pradiatum Johannem in Curia Christianitatis de injusta detentione 4. solido. Iterum idem Episcopus per suum Offic. pradiatum Magistrum Johannem de Eshe tenuit placitum inter Willielmum Duibell quer. & Johannem



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Johannem Thovum defend. de placito unius Curtilagii dimissi ad firmam p[re]dicto Johanni. Iterum idem Episcopus per p[re]dictum Offic. suum tenuit placitum inter Agn. qua fuit uxor Roberti Store quer. & Johannem de Ely defend. de una solta dimissa ad firmam, unde idem Johannes amerciatu[s] fuit ad octo solid. Iterum idem Episcopus per p[re]dictum Offic. tenuit placitum inter Nicholaum le Ken quer. & Rogerum fil. Alic. Sike, & Robertum Fot defend. de quatuor demo t[er]minis ad firmam p[re]dicto Nicholao, unde idem Nicholaus amerciatu[s] fuit ad quatuor solid. Iterum idem Episcopus per p[re]dictum Offic. tenuit placitum inter Ranulphum de Trechhu quer. & Walterum de la Dere defend. de quadam terra quem idem Walterus tenuit ad firmam de p[re]dicto Ranulpho. Iterum idem Episcopus per suum Offic. p[re]dictum tenuit placitum inter Nicholaum le Potter quer. & Robertum Loerel defend. de quadam domo dimissa ad firmam, unde idem Robertus fuit amerciatu[s] ad dimid. marc. Iterum idem Episcopus per suum Offic. p[re]dictum tenuit placitum inter Johannem personam Ecclesia de Lantegles quer. & Willielmum Lammolyn defend. de quadam via obstru[n]da per p[re]dictum Johannem, de qua placitum prius erat in Curia Domini Regis. Iterum idem Episcopus per suum Offic. p[re]dictum tenuit placitum inter Willielmum de Boterden quer. & Hamelinum de Timeslak defend. de quadam terra quam idem Hamelinus t[er]net ad firmam de p[re]dicto Willielmo, unde idem Hamelinus amerciatu[s] fuit ad unam marcam. Iterum idem Episcopus per suum Offic. p[re]dictum tenuit placitum inter Obuerum personam Ecclesia Sancti Hogger. de quadam via obstru[n]da, unde Robertus le Brun reatus fuit coram Epagistro Rogero le Rus Offic. p[re]dicti Episcopi, amerciatu[s] ad quatuor solid. Iterum idem Episcopus per p[re]dictum Offic. suum tenuit placitum inter Johannem de Sancto Ivone quer. & Richardum Doygol defend. de eo quod idem Richardus intravit in turno Wic. una cum alitis Jur. p[re]sentabit quandam viam esse obstru[n]dam, unde placitum fuit prius in Curia Domini Regis. Iterum idem Episcopus per suum Offic. p[re]dictum tenuit placitum inter Radulphum personam Ecclesia de Pyleton quer. & Johannem de Halgeton defend. de divisis factis, unde placitum fuit inter eos in Curia Domini Regis, et adhuc pendit in eadem Curia Christianitatis. Iterum idem Episcopus per Offic. suum p[re]dictum tenuit placitum inter Walterum Wade quer. & Johannem Penquid defend. de placito transgres. quod prius fuit placitatum in Curia Domini Regis. Iterum idem Episcopus per Offic. suum p[re]dictum tenuit placitum inter Johannem Capellanum de Neweton quer. & Richardum Kalle de Lanc. defend. de imp[er]catione Aberiozum p[re]dicti Johannis. Iterum idem Episcopus per p[re]dictum Offic. suum Magistrum Petrum de Credynton tenuit placitum inter Joachim Capellum quer. & Robertum de Woleton defend. de eo quod idem Robertus levavit hutes. super Dominam de Welleton, pro eo quod ipsa quandam Chartam abstulit de p[re]dicto Roberto in Cimiterio de Woleton vi et armis, et ob quod amerciatu[s] fuit ad 12 d. Iterum idem Episcopus per suum Offic. p[re]dictum tenuit placitum inter Robertum de Boskemay quer. & Henricum de Boskemay defend. de placito transgres. videlicet, de divisis fructis et hutes. levato. Iterum idem Episcopus per suum Offic. p[re]dictum tenuit placitum inter Thomam Hamelin quer. & Walterum de Wyke defend. de placito transgres. scilicet, de sanguine effuso et hutes. levato. Iterum idem Episcopus per suum Offic. p[re]dictum Magistrum Johannem de Efshe tenuit placitum inter Robertum de Trewyder quer. & Richardum Badecok defend. de placito terrarum et ten. unde Magister Johannes de Efshe cepit de p[re]dicto Roberto unam marcam pro auxilio sibi p[re]stando in causa p[re]dicta. Iterum idem Episcopus per Offic. suum p[re]dictum tenuit placitum inter Rogerum le Marchaund quer. & Walterum Flegard defend. de placito terrarum; et Rogerus fuit amerciatu[s] ad 12 d. quia retravit se. Iterum idem Episcopus per p[re]dictum Offic. suum tenuit placitum inter Robertum Moyfyn quer. & Walterum Flegard defend. de placito terrarum et ten. dimissum ad firmam: Et p[re]dictus Offic. cepit dimid. marc. de p[re]dicto Waltero ut super sedisset in causa p[re]dicta. Iterum idem Episcopus per Offic. suum p[re]dictum tenuit placitum inter Richardum Clericum de Trenarigan quer. & Thomam de Trenergorum defend. de quadam via obstru[n]da, unde Offic. Jurate fecit duodecim liberos homines in p[re]dicto placito in modo Mis. Iterum idem Episcopus per suum Offic. Magistrum Johannem de Wolverton tenuit placitum inter Magistrum Johannem de Efshe quer. & Johannem de Trehurst, Sim. de Trenaton, Nich. Bodeleg defend. de eo quod p[re]dicti Johannes et alii emerunt quadam blada contra voluntatem

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prædicti Dñic. et fuerunt amerciatu ad quatuor lib. sexdecim solid. et octo denar. *An. 6 E. 1.*  
 Iterum idem Episcopus per suum Offic. prædictum Magistrum Petrum tenuit placitum  
 inter Nicholaum de Naukesby quer. & Hamelinum de Karkehull defend. de placito  
 transgres. Iterum idem Episcopus per suum Offic. prædictum tenuit placitum inter  
 Willielmum Kyda quer. & Osbertum de Sancta Columba defend. de eo quod idem  
 Osbertus asportavit aquam extra Regalem viam ad domum suam quæ per plu-  
 viam in dicta via descenderet. Iterum idem Episcopus per suum Offic. prædictum  
 tenuit placitum inter Rogerum le Creton quer. & Johannem de Karkelwe, de pla-  
 cito transgres. unde idem Johannes percoluit decem solid. Iterum idem Episcopus  
 per suum Offic. prædictum tenuit placitum inter Nicholaum de Ewe quer. & Radul-  
 phum Balun defend. de placito transgres. unde idem Radulphus fuit amerciatu ad  
 duos solid. Iterum idem Episcopus per suum Offic. Magistrum Johannem de Efshe  
 tenuit placitum inter prædictum Magistrum Petrum quer. & Andr. de Greinwal  
 Capellannum defend. de eo quod idem Capellanus demandaverat quandam anciam  
 suam alibi quam in Capello suo; et fuit amerciatu ad dimid. marc. Iterum  
 idem Episcopus per suum Offic. prædictum tenuit placitum inter Simonem Leynham  
 quer. & Benedictum le Brun defend. de placito defentionis Avertorum. Iterum  
 idem Episcopus per suum Offic. prædictum tenuit placitum inter Osbertum de Trefuwe-  
 ton quer. & Andr. Russell defend. de placito debiti quod prius erat placitatum in  
 Curia Domini Regis. Iterum idem Episcopus per suum Offic. prædictum tenuit pla-  
 citum inter prædictum Osbertum quer. & Luciam de Rydwor defend. de placito  
 transgres. unde hutes. fuit levatum. Iterum idem Episcopus per suum Offic. præ-  
 dictum tenuit placitum inter Eudonem Peupond quer. & Vivianum Pumbre, de pla-  
 cito transgres. quod prius erat placitatum in Curia Domini Regis. Iterum idem  
 Episcopus per suum Offic. prædictum Magistrum Petrum tenuit placitum inter prædictum  
 Magistrum Johannem de Efshe & Nicholaum Peupud quer. & prædictum Vivianum  
 defend. de placito transgres. Iterum idem Episcopus per Offic. suum prædictum tenuit  
 placitum inter Hugonem de Trefaulon quer. & Johannem Andr. defend. de placito  
 unius Vile Cnæ emptæ. Iterum idem Episcopus per suum Offic. Magistrum Petrum  
 de Credynton tenuit placitum inter Walterum le Archer quer. & Adam le Engleys,  
 de eo quod idem Adam fuit conquestus de prædicto Waltero in Hundz. Iterum idem  
 Episcopus per suum Offic. prædictum Magistrum Johannem, Excommunicabit Pri-  
 orem de Bomyn, quia idem Prior nunciavit fecit homines prædicti Magistri in  
 Piscaria sua separati Piscantes, quam idem Prior tenet et habet de dono Domini  
 Regis in perpetuam elemosynam, et eundem Priorem sic denunciabit Excom-  
 municatum, quousque fecit finem cum ipso pro 20 marc. De Sabulone dicunt,  
 quod postquam Dominus Rex præceperat prædicto Wic. quod ipse prædictum Sa-  
 bulon. caperet in manum suam, et ad opus ipsius Domini Regis appropriaret,  
 Dominus Episcopus per sententias suas inhiuit ne sine sua licentia aliquis  
 inde caperet.

Michael. de North. qui sequitur pro Rege quer. quod idem Episcopus excommu-  
 nicasset prædictum Willielmum de Moneketon imponens ei, quod ipse debuerat  
 contempnisset præceptum Domini Regis de quodam Excommunicato capiendo. Ac  
 Dominus Rex eidem Episcopo postea mandasset, quod idem Episcopus propter  
 prædictum contemptum in prædicto Willielmo nullam infligeret penam, cum ad  
 Dominum Regem pertineat, et non ad dictum Episcopum, huiusmodi contemp-  
 tus Ballivorum ipsius Domini Regis corrigere, dictus Episcopus non obstante  
 dicta inhibitione eidem super hoc facta per Dominum Regem, dictum Wic. denun-  
 ciabit esse Excommunicatum, in manifestum Domini Regis contemptum, et ad  
 dampnum ipsius Domini Regis 10 millia librarum. Et quod ita sit paratus est  
 verificare, sicut Curia consideraverit, &c.

Et prædictus Episcopus ad hunc Articulum nihil vult respondere, sed facit suas  
 Appellationes ut supra, &c.

Et prædictus Mich. qui sequitur pro Rege, petit Iudicium de ipso tanquam de inde-  
 feso. Et ideo consideratum est, quod prædictus Episcopus quo ad hoc sit inde-  
 fesus. Ideo ipse in misericordia. Et satisfaciatur Domino Regi de dampnis, &c.

Et prædictus Comes Cornubiæ in propria persona sua quer. de prædicto Episcopo,  
 quod ubi ipse & antecessores sui habuerunt quoddam passagium ultra aquam de Efshe, &  
 a transeuntibus pecuniam recipere pro eodem passagio. Ac cum homines ipsius Comes  
 de



*An. 6 E. 1.* de Elshe de hominibus predicti Episcopi pro passagio aqua predicta certum quid cepissent, predictus Episcopus homines Willatæ predictæ de Elshe excommunicabit, et excommunicatos denunciabit, et Capellam ejusdem Willæ in Interdicto posuit. Ita quod illa Capella sic Interdicta fuit per septennium, et adhuc est. Ita quod homines ejusdem Willatæ ad celebrationem obsequii audiend. longius de tribus leucis adeunt, et ita evenit quod multi multociens ipsorum submersi sunt præ multitudine aquæ torrentis, in læsionem Coronæ Domini Regis, et ad exheredationem predicti Com. et dampnum suum 5. millia librarum. Et quod ita sit paratus est verificare, sicut Curia consideraverit, &c.

Et Episcopus venit & dicit, quod de hujusmodi sententiis suis, nec de isto facto vult ipse hic respondere.

Et predictus Comes petit Judicium de predicto Episcopo tanquam indefenso. Et ideo consideratum est, quod predictus Episcopus super hoc sit indefensus, et ipse in misericordia. Et satisfacet dicto Com. de dampnis suis, &c.

Queritur etiam idem Comes, quod cum H. de Monteforti & Thomas Trevet Justic. qui quidem Henr. predicti Episcopi fuit Præbendarius, coram ipsis in Com. predicto die Sabbati prox. post festum Sancti Jacobi, anno regni Regis nunc tertio apud Lanceaneton, auctoritate Regia, cum inde Warantum non habuissent, sed præcipue ad procuratorem et ad instantiam predicti Episcopi, maiorem partem Comitatus Cornubiæ acquirere, et terminand. quædam placita Coronæ et Gaol. deliberand. venire fecissent. Ad quem diem Johannes de Bello prato tunc Vic. Cornub. & Senescallus predicti Comitatus, Alanus de Bloho, Osbertus de Hoylaund, Willielmus de Roslowrek, Johannes le Lung, Robertus de Marisco, Johannes de Rosgawar, Eudo de Alneslow, Hug. le Gros, Richardus Bylon, Rogerus Payen, Lucas de Penhat, Henr. de Hextelworth, & Henr. Caural, Ballivi tam predicti Com. quam Vic. coram eisdem Justic. venerunt ad præcepta eorundem Justic. audiend. & persciend. prout decet, qui quidem Justic. habita eorum presentia, eorum corpora custodiri, et in prisona Domini Regis poni præceperunt, ad quorum præceptum ita factum est, nulla mentione facta ob quam causam hoc fecerunt, nec aliquo Waranto ostenso quod sic faciendi potestatem habuerunt. Et postea per quendam Johannem de Exon. Ballivum predicti Episcopi, 12 Jur. patriæ illius, & inimicos predicti Richardi Bylon Clerici, coram ipsis venire fecerunt, & per eorum Sacramentum nulla calumpnia aperte ipsius Richardi Bylon allocata inquisierunt, si idem Richardus fuit culpabilis de latrocinio, viz. de quadam vacca furata, qui quidem Jur. ipsum inde acquiesceverunt. Et postea idem Episcopus imposuit ei maliciose, quod debuit maledixisse de Domino Rege et de ipso Episcopo, ob quod idem Episcopus ipsam Richardum in prisona sua apud Lanceaneton poni fecit, et per 40 dies et amplius ipsum ibi detinuit: Et postea ad prisonam suam apud Exon. deduci fecit, quo audito quidam Radulphus Bylon frater ipsius Richardi Bylon, quoddam Breve Domini Regis predicto Episcopo directum impetravit, quod idem Episcopus corpus ipsius Richardi coram Domino Rege ad quendam certum diem haberet, quo omisso ipsum adhuc detinuit, et Dominus Rex secundo et tertio in forma predicta ei mand. Cumque idem Episcopus tertio mandato Domini Regis perpendisset, se ulterius non posse supersedere, ipsum Richardum in prisona sua occidit, et occidi fecit, ita quod post hoc nullus rumor de eo auditus fuit, nec sciri poterit quo devenit. Et predictus Radulphus frater predicti Richardi præsens est, et ipsum Episcopum præsentem de morte predicti Richardi fratris sui per verba de feloniam appellabit. Dicit etiam predictus Comes, quod postquam predicti Johannes de Bello prato, & alii Ballivi Domini Regis predicti dissentierant, sicut predictum est, idem Episcopus ipsos excommunicabit, et per sententias excommunicationis graviter molestabit, per quod idem nec aliqui alii de Episcopatu suo in servicio dicti Com. in partibus illis ausi sunt commorari; unde dicit, quod deterioratus est et dampnum habet ad valentiam quinque millia librarum. Et hoc offert verificare, sicut Curia consideraverit, &c.

Et quia predictus Radulphus predictum Episcopum de morte predicta appellabit, dictum est predicto Episcopo, quod sufficientem manucaptionem inveniat quod erit coram Domino Rege a die Sancti Michaelis in tres septimanas, ubicunque, &c. super Appellatio predicta placitum Domini Regis receptur. Et idem Episcopus manucaptos subscriptos invenit in forma predicta; scilicet, Reytridus de Arundell, Richardus de Heywys, Willielmus Resseron, Bernardus de Bodbran, Johannes de

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de Treiagu, Petrus de Tregelou, Willielmus de Stapeldon, Laurentius de Arundell, *An. 6 E. 1.*  
 Jordanus de Hatton, Johannes Loli, Walterus Germon, & Robertus le Flemmyng,  
 qui quidem Manuceptores ipsam Episcopam prout decet in hujusmodi Appellatione  
 manuceperunt, &c.

Et Episcopus dicit, quod revera predictus Johannes de Bello prato & alii predicti  
 fecerant ei quandam transgress. ad quem transgress. audiend. & terminand. impetravit ipse  
 à Domino Rege, quod predicti Henr. & Thom. ad partes illas accederent, & qui Offi-  
 cium suum super hoc fideliter fecerunt, absque hoc, quod ipse per eos aliquam injur.  
 dictis Johanni & aliis heri procurasset, & de hoc voc. Record. rotulorum predictorum  
 Justic. Et de Brevibus Domini Regis sibi directis pro predicto Clerico, coram Domino  
 Rege venire faciendo, dicit, quod revera Dominus Rex super hoc misit diversa Brevia,  
 & ipse ad quodlibet Breve ita sufficienter respond. Domino Regi, quod omnino  
 eidem Regi satisfecit, & de hoc voc. inde ad War. testimonium Domini Regis, &  
 sui Cancellarii. Et ideo dictum est ei, quod ipse habeat coram Domino Rege ad prafa-  
 tum terminum, predictum Recordum & predictum Testimonium, &c. These pro-  
 ceedings are again repeated and recorded, Rot. 3, 4, 7, 8, 9, 10, 11. of  
 the same year.

The Bishop instead of reforming and forbearing these high illegal Usurpations,  
 Excommunications, and treasonable, tyrannical proceedings against the Kings Pre-  
 rogative, and the Subjects Rights, Liberties, upon these Informations and Judge-  
 ments, after sundry complaints against him, that he procured the Bishop of Bangor,  
 by command from the Archbishop, to come into the Diocess of Exeter, and to ex-  
 communicate all those Clerks and others of what quality soever, who had complained  
 to the Kings Justices, accused, or given evidence or verdicts before them against him,  
 in every Parish Church on all *Lords-days* and *Holy-days*, with Bells ringing, Tapers  
 burning and extinguished; yea summoned many people of *Devonshire* and *Cornwall*  
 to appear before him, and to travel from one County to another, examining those  
 upon Oath, who had appeared before the Kings Justices upon their summons, (to  
 serve the King and inform against the Bishop for invading the Rights of the Kings  
 Crown, violating his Laws, and injuring and oppressing his Subjects) who excited  
 them thereto, and re-examining what the Justices had examined before them, against  
 the Laws and Custom of the Realm, to the ill example of other Prelates, and sub-  
 jecting of the Kings Crown, Dignity, Laws, and peoples Liberties to the Bishops  
 Usurpations. Moreover the Bishop himself and his Officials Excommunicated the  
 Under-Sheriff of *Cornwall*, and divers of the Kings and Earls Bayliffs, for arresting  
 Felons, and distraining him and other Clergymen for Debts and Amerciaments due  
 to the King, till they released the prisoners and distresses, and entred into Bonds to  
 pay great sums to the Bishop; and some Bayliffs dying excommunicate, the Bishop  
 by his Officials cast their corps out of the Churchyard when buried, till their Friends  
 compounded with his Officers for great sums of money to re-interr them, to the high  
 contempt, dishonour and damage of the King, the Earl, County and People, the  
 disinherison of the Rights of the Crown, the prejudice of the Kings Officers, Service,  
 and great discontent, terrour and oppression of his people; as this new *Remon-  
 strance*, Complaint of the Earl and County of *Cornwall* against him to the King, in-  
 forms us more at large, thus recorded in this Plea Roll.

*Ceste est la Monstraunce le Conte de Cornewaille.*

**C**um a nostre Seingnoz le Roy e a la Cozonne e a dignete reale, et nemis a la  
 Curt de Sainte Eglise apartiegne la conissance des plez le pleder, e les pleez *Ibid. Rot. 5.*  
 tenir des Chateaus, e de dettes he ne sont de Testament ou de Patrimoine, e  
 ensement de Roy fees, e Tenemenz, Fosses, dîvices, Parks, Albers, Pescheries,  
 destresces en memes les choses fetes, e les amendes des trespas, par quey ne ad  
 geres, a la Monstraunce le Conte de Cornewaille, nostre Seingnoz le Roy aveit  
 enveez Sire Roger Loveday e Wautier de Wymborne en le Conte de Cornewaille ses  
 Justices assignez, a enquere Oir e Terminer solonc la Ley e la custume de son  
 Reaume, uns trespas a nostre Seingnor le Roy, e ses Baillifs, e ses Ministres, e al  
 Conte de Cornewaille, e a ses homes, e as plufours de la comunante del Cuntee  
 E c avauitdit,



*Ar. 6 F. 1.* avauindit, sez par *Wantier* Evesque de *Exestre*, sus les choses avauindites. E cum les avauindites Justices par la reson de lur office, sus memes les choses feissent solonc ceo ke par la lay e par la custume du Reaume fust asert, le abaundit Evesque en apres, procura e ad procure e se servir le Evesque de *Landaf*, en le Eveschee de *Exestre*, en le Countee avauindit, e en le Cuntee de *Deveneshir*, e memes celi Evesque de *Landaf* par son procurement, ad fet par totes les Eglises Parochiales del Eveschee abaundite communement par dimanches e jour de festes, a channeles alumes, e seinz sonanz, denuncier escumengez par le antozite le Ercevesque de Caunterbire, sicum il dist, touz ceus ausi bien lays com clers, de quel office ou dig. rete, ou de ordze ke il fussent, ki al abaundit Evesque de *Exestre* abeint mis leir crimes, de la dignete le Roy blemve, en de tortes, ou de homicides, ou de autres grevances e lez, de qeues choses en la Curt nostre Seingnoz le Roy debaunt ses Justices abaundits, le abaundit Evesque de *Exestre* fust enquereler solonc le usage e la custume du Reaume.

E sus, ceo lavaundit Evesque de *Landaf*, par procurement lavaundit Evesque de *Exestre*, fist somondze sus peine de escumenge e assembler moult de gent de la Eveschee abaundite del un e lautre Countee, e les tret apres lay del un Cuntee en lautre encontre lor gre, e enquist par loz serment espaciaument des nous de ceus ke cel office de par nostre Seingnoz le Roy feseynt, e qeues gens ceste chose fissent ou procurerent e qeues a la somonse des abaundites Justices, as abaundites choses Dir e Terminer assignez par comaundement nostre Seingnoz le Roy vindrent. E des choses ke les abaundites Justices par antozite e le comaundement nostre Seingnoz le Roy feseint unes equestes, sanz de ceo conseiller nostre Seingnoz le Roy, fist le abaundit Evesque de *Landaf*, par procurement le abaundit Evesque de *Exestre*, e par le examinement des Clers le Evesque de *Exestre* de chescone persone seberaument par sei esloz, a loz volonte non dument, en despit e prejudice de nostre Seingnoz le Roy, e de sa cozoine, e de sa dignete reale, e la desheritance de li, e de ses epies, e a greingnoz damage par proces de teuz ke heume seit certainement l'her, e a graunt subjection de sa cozoine ke seinte Eglise, e tot le peopple en son Reaume doit giner, e justicer, e au damage le abaundit Conte, e de sa gent.

E de sicom la cozoine e la dignete nostre Seingnoz le Roy, ne doit par autre estre justice, ne gupee si par le maines: E de si com les choses ke sont passez en la Curt par jugement ou en autre manere solonc la Ley e la custume du Reaume ne debient estre ou autre Curt recreteez, pte le Conte abaundit a nostre Seingnoz le Roy, par la sannete de sa cozoine, e de sa dignete, e de ly, e de soen peopple, ke cestes choses soient adreseees, e amendees issi ke autres prelatz de seinte Eglise de ceo autre feez ne eient ensauple de nondnement cele chose ke a loz office ne apent mie enprendre e fere, en prejudice nostre Seingnoz le Roy, e de soen peopple.

Derechef, cum lavaundit Conte par agard e jugement de la Court nostre Seingnor le Roy devaunt *Roger Loveday* e *Wantier de Wymborne* ses Justices a ceo assignes, eust recovere vers lavaundit Evesque par achefon de uns trespas al davaundit Conte par le abaundit Evesque fez, les damages de dis mille liberes, ausi cum ters cely ke su non defendu ausi bien des damages come des trespas pncipaus, par quez les damages solonc les Lays e la custume du Reaume, ne dussent estre tarez ne recopez, e come memes celi conte eust de ceo brefs de jugement au Wisconte de *Cornewaille* de fere leber les damages abaundiz, un bref contraire vint al abaundit Wisconte, ke il de la abaundit destresce e del leber les damages, de tot fessast geke taunt, ke il eust autre comaundement, e ke les biens e les chatens meimes cele Evesque, par cele achefon pris sauns de layfeist deliberer, par ce ke il ne fu pas remembre ke les damages abaundiz fussent tarez a nule certeine somme d'aner. E de sicom solonc la Ley e la custume de Reaume nule taxation apent des damages ke sont recoberez par non defens per lavaundit Conte, ke ses damages fussent levez saunz nule taxation, e les brefs per quel il adeste de ceo disturbe soient repelez e desormes defendez.

Le Cunte se plaint de ceo, ke *Wantier* le Evesque de *Exestre* par *Gwy de Novaun* e autres le mecredi prochein apres la Feste le an le Roy *Edward* ke ore est, ke deu gard, brisa, e fist briser par le avauindit *Gwy* e ses compaygniuns un cofre le Cunte

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mis en la Priur de de Bomyne, par Johan de Beaupre Baillifs le Cunte, e de lukes enprist e prendre fist par le avaunt dit Guy e autres, e encore desliant atort e encuntre la pes le Roy, un escrit meime le Cunte ensemblement ou autres privetez, le quel escrit contint ke aucune gent de la Tere li furent tenuz asere certeyn ayde, e certepn serbise a la balue de treis mile liures de argent, e de plus, estoit le prist a prendre fist, e uncoze le detient, e encuntre la pes le Roy, en damage du Conte de treis mile liures e de plus.

Ceo remoustre le Cunte Emmond de Cornewaille Viscunte le Roy de Engleterre de Fee, ke Wantier le Eveske de Exestre atort a distorde lay e sez ministres a fere e a purloze lur office par le Roy, e par le Cunte, nomement en escumeiaunt Johan de Beaupre, Johan le Lung, Lucas Caillio, Willame de Rostourek, Baillifs le Roy, e le Cunte, par la respn he meismes cuns firent arester un Johan de Esse, endite au Cunt de Wiscoute par debaunt Cozon de recettement de Laruns, e de feluns, e de mali autrestrespas sez encuntre la pes le Roy, le quel Johan de Esse Justier ne se voleit a la pes le Roy de esser parunt, les abaunt diz Baillifs le firent arester, e par ceo meisme le Eveske abaunt nome escumenja e escumeng fist les abaunt diz Baillifs, e en sentence les tint, deske atant ke le abaunt dit Johan fust delivre, e eus veint a la volente le Eveske, al annuitaunce de Cinkcenz liures e de plus par la respn abaunt dite, dunt le serbise le Roy e le Cunte, e lur Office est ariri, e la pes le Roy distorde, e le serbise le Cunte perdu en ceo, e en autre chose, en hontage e en damage du Roy de Pile liures en hontage, e en damage du Conte de Cinkcenz liures e de plus.

Meime cely Eveske escumenja Michel Bloy ——— Bailifs de kerrir, pur ceo ke lis distreid le Eveske par sun lay see en la Baille, a bender ove le Cunt si cu....  
..... auncienement soleit cunt de amerciementz par eire de Justices erraunz de meime cel Contre, dues al Roy, puis ke celi Michel fu mozt, fist le abaunt dit Eveske le Pardi pzochein abaunt la Feste ——— le an ———  
reniettre son cozs hozs de Cemitere, jeske Aleyn Bloyho frere le abaunt dit Michel, out fet syn obe Mestre Johan de Esse Official le Eveske, pur quarraunte soz, encuntre la dignite nostre Seigneur le Roy, e en hontage e en damage del Cunte.

Peinte celi Eveske escumenja Hammund Baillife de Pidrischir, pur ceo qe il prist les abers le Priur de Bomyne, en son Lay fist pur un amerciement, e apres le mozt meime celi Hammund le ——— pzochein apres la Feste ———  
le an ——— fist eniettre de Cemitere par Mestre Johan de Esse son Offieer le Cozs meime celi Hammund jeske Lucas de Chapelleyne frere meime celi Hammund eu fist syn obe le abaunt dit Official pur quarraunte soz en despote du Roy, qe. e en hontage e en damage del Cunte.

Peinte celi Eveske escumenja Oede de Tenuel Vis-Viscunte le Roy en Cornewaille e Baillif le Cunte, pur ceo ke il prist distresses en le Lay fist le Eveske, e le Priur de Bomyne pur dette due au Roy par commandement le Roy, e le tint escumenge par deus auns, deske meime cely Oede, eut fet obligaciun al Eveske de Cent liures, en despote du Roy, qe. e en hontage e en damage del Conte.

Le Conte se pleint de ceo ke le Eveske Wantier par lui e Mestre Johan de Esse e autres ses Officialis ke il a pleide e fet pleider par les abaunt diz pleez e atachementz en la Curt Crestein ke duissent estre euz al Cunt de Cornewaille pleidez e terminez, ou meime le Conte est Viscoute le Roy de Fee, e les espleys demeyme les plez e atachementz come de amerciement, e autres choses prendze soleyr e debept, nomement de chemps eskopez, Ewes trestozne, bundes tziies, Cri e f unkh, chateus, e dettes, services e custumes, nomeiment entre le abaunt dit Mestre Johan de Esse plepnaunt e Willame de Kestel, Wautier Hay, e Peris Baudin defendaunz de Custumes e de Services. Centre Clement de Trechenheks, Johan. Baudin, e Richard de cri e de saunk, Centre Rauf Blundel, e Wautier le Taverner, de play de Covenant de terre e de tenement, e entre de autres communement punis le tens ke il a esse Conte, en damage e en deseritefon del Conte, qe.

Peinte le Conte se pleint, de ceo ke meime le Eveske a reint e fet reindre ses bi-leins e ses tenauns des Paners de Brancel, Tybeste, Seint Eure, Moreske, e de plusieurs autres luis, et amuntaunce de deuz cenx liures, ou de plus pur un sablon pris pur lur teres amendere, la ou la mer munte e recreiti ouste Seint Melor, le quel sablon est commun a tote gent, en damage del Conte, ke de la grevaunce la gent, ke de ses teres nient apzotoves, qe.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 1.*

*An. 6 E. 1.* By this memorable Record, Petition, Remonstrance, Complaint, and others preceding and following, it is most evident: 1. That our Bishops, with their Officials, Archdeacons, Deans, and other Officers in this age, endeavoured to usurpe and engrosse all sorts of Temporal Causes into their own hands, and Spiritual Courts, to fulminate Excommunications, with other Ecclesiastical censures against them for Civil offences, extort moneys, bonds, and impose pecuniary Fines upon them, to the great prejudice of the Kings Prerogative, and peoples intollerable vexation. 2ly. That they endeavoured to exempt themselves from all secular and Regal Jurisdiction or Censures, for such Exorbitances or Usurpations, and to subject themselves wholly or principally to the Popes Judicature, to which they appealed from the Kings Justices, who was ready to protect, comply with them against the King and Subjects. 3ly. It is observable, That the King by his Attorney declared the damages he sustained by these several Usurpations of this Bishop upon the Rights of his Crown and peoples Liberties, to amount to no lesse then Thirty One Thousand Pounds, which he had Judgement to recover against him; that the Earl of *Cornwall* declared his damages thereby received, to amount to Ten Thousand Pounds, for which he had likewise Judgement, and a Writ of Execution against him; and the Sheriff of *Cornwall* One Hundred Pound damages awarded against the Bishop, for his injurious Excommunication denounced against him; besides the Thousand Pounds damages to the King and Earl, specified in the last Remonstrance: Which presidents if strictly pursued, would deterre all Bishops, with their Chancellors, Commissaries, Officials, from the like Usurpations and injurious Excommunications, since revived, continued, to the Kings dishonour, and the peoples unsufferable vexation. 4ly. That this Bishop by way of revenge, caused the Pope and Archbishop of *Canterbury* to Excommunicate and Interdict those of *Cornwall*, who complained against, and prosecuted these Usurpations, Oppressions of the Bishop and his Officers; who after two years contest, to avoid the Judgements given against him upon the premised Verdicts by the Kings Justices, solicited Queen *Alienor* and the Bishop of *Bath* and *Wells* (then Chancellor of *England*) to become Arbitrators, to make a final accord and release of all Suits, Judgements, Differences pending between him and the Earl of *Cornwall*, their Officers and Tenants, in all Temporal or Ecclesiastical Courts whatsoever; which they accordingly did, as appears by this their award made between them, to the Earls and Kings great disadvantage, by the Chancellors power, who favoured his brother Bishop, and caused this award to be entred on Record in his favour *An. 8 E. 1.* which I shall here insert.

Clauſ. 8 E. 1.  
m. 4. dorſo.  
De diſſenſio-  
nibus inter E-  
piſcopum Ex-  
on. & Ed-  
mundum Co-  
mitem Cor-  
nubiz.

**C**UM diſſenciuns & divers contekes eyent eſte entre le honourable Pere *Wanter* par la grace de Deu Eveske de *Exceſtre*, e le honourable Peer *Edmund* Conte de *Cornewayll*, e levantdit Eveske e le Conte des conteks avantditz se ſeyent mys en le dit e le ordenement de noble Dame *Alienore* par la grace de Deu Reyne de *Engleterre*, Dame de *Hirland*, e Duchesse de *Aquitayne*, e de le honourable pere *Robert* par memes le grace Eveske de *Ba.* e de *Welles*, e eyent grante ke il tendrunt lur dit de haut e de bas des conteks avantditz. Puis a la requeste des parties, lavantdite Reyne e lavantdit Eveske de *Ba.* unt dit e ordine, ke tuz conteks e descors mulz entre eus avant ceus oures, ou ke purrunt estre mulz par nule manere de play ou jugement passe entre eus, ou par sentences ou par prise des avers, ou par nule manere de achesun ke eyt eſte enter eus avant ceus oures, ſeyent des ore mes releſſez, iſſi ke lavantdit Contez ne puis demander de lavantdit Eveske dis mille liures ne nul denier par la reſon de un Jugement rendu par *Sire* Rogger Loveday, e *Sire* *Wanter* de *Wymburn*. Se deus mille mars ke lavantdit Eveske gaga autre ſiez a lavantdit Conte, ne action puiſſe aver bers lavantdit Eveske, ne bers nul de ſoens par nule manere de trespas ke ept eſte fet abant ceſte houre. Dient enſement e ordey- nent, ke lavantdit Conte doyne a la vantdit Eveske Deus Cent Mars, e lavantdite Royne doynt Cent Mars pur les damages ke il ad eu par une prise de avers fet en *Cornewayll* par le Viſcunte de memes le Cunte par la reſon de un bref de jugement; dunt il paiera la moite a la feſt de Saint *Johan le Baptiſt* procheyn avenir a *Londres*, e lautre moite a la feſt Saint *Michel* procheyn ſuant. E lavantdit Eveske des ore mes rien ne purra demander de lavantdit Conte des avantditz avers, ne de ſes damages, ne acciun ne purra aver vers ly nevers nul de ſoens, par nule manere de trespas ke

eyt

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eyt este fet avant ces oures. E estre ceo ke avantdit Eveske de Excestre a la requeste de l'avantdit Royne e l'avantdit Eveske de Ba. ad repele tutte maneres de sentences donez en la gent l'avantdit Conte par adhesion des contehs abantditz, e ad pzemis de bone sep, ke les sentences ke sunt donez par le Apostopll, ou par le Ercebeske de Canteburs, par sa seute ou son pzocurement, e par les soens, il mettra son poer e sa tele pepne ke cele sentences en le Curt le Roy par commune sep, ou en Curt Crestiene de memes les choses, issi ke le Conte ne epde ne suslepne par ly ne par les soens, sa seut vers le Eveske, ne il apde ne suslepne par ly ne par les soens sa seut encuntre l'avantdit Cunte. En tesmoigne de la quele chose l'avantdit Royne e le avantdit Eveske de Ba. a cest escript unt fet mettre loure seus. E un escript de suz lure seus unt fet liurer a l'avantdit Eveske, e un autre a l'avantdit Conte. E estre ceo si unt fet ceste chose enrourler en roubles de la Chancelerye des Clerks le Roy. Done a Westmyster la veile de la Pentecoste, le andu nostre Seigneur le Roy huittime.

An. 6 E. 1.

\* Ralph Holinshed in his Chronicle, and Bishop Godwin in his Catalogue of Bishops, \* Page 1303, p. 326. render us this further account of this Bishop of Exeters frauds and oppressions. He did by a Policy purchase the Lordship and House of Clift Sachfeld, and enlarged the Barton thereof by gaining of Cornish Wood from the Dean and Chapter fraudulently; building then a very fair and sumptuous house there; he called it Bishops Clift, and left the same to his Successors. Likewise he got the Patronage of Clift Fomeson, now called Sowton, and annexed the same to his new Lordship, which (as it was said) he procured by this means. He had a Frier to be his Chaplain and Confessor, which died in his said House of Clift, and should have been buried at the Parish Church of Faringdon, because the said House was and is in that Parish; but because the Parish Church was somewhat farre off, the wayes foul, and the weather rainy, or for some other causes, the Bishop commanded the Corps to be carryed to the parish Church of Sowton, then called Clift Fomeson, which is very near, and bordereth upon the Bishops Lordship; the two Parishes being then divided by a little Lake called Clift. At this time one Fomeson, a Gentleman, was Lord and Patron of Clift Fomeson; and he being advertised of such a Burial towards in his Parish, and a leech way to be made over to his Land, without his leave or consent required therein; calleth his Tenants together, goeth to the Bridge over the Lake between the Bishops Land and his; there meeteth the Bishops men, bringing the said Corps, and forbiddeth them to come over the Water. The men nothing regarding the Prohibition, do pzeis forwarde to come over the water, and the others do withstand, so long, that in the end, my Lords Fryer is fallen into the Water. The Bishop taketh this matter in such grief, that a holy Fryer, a Religious Man, his own Chaplain and Confessor, should be so unreverently cast into the Water, that he falleth out with the Gentleman, and upon what occasion I know not, he sueth him in the Law, (in his own Ecclesiastical Court, where he was both party and Judge) and so vexeth and tormenteth him, that in the end he was fain to yeld himself to the Bishops debotion, and seeketh all the wayes he could to curry the Bishops good will, which he could not obtain, untill for Redemption he had given up and surrendered his Patronage of Sowton, with a peece of Land; all which the said Bishop annexed to his new Lordship. Thus by Policy he purchased the Honour of Bishops Clift; by a Devise gaineth Cornish Wood; and by Power wresteth the Patronage of Sowton from the true Owner. Yet because he thus enlarged his Churches possessions and Jurisdiction by these unchristian frauds and oppressions, he was at his death (July 22. 1280.) cryed up for a most sincere Father of the Church, an unparalleled Saint, worthy all love and honor, by this Epitaph engraven on his Tomb in our Ladies Chappel of Exeter, where he was buried.

\* Olim Sincerus Pater, omni dignus amore  
Primus Walterus, magno jacet hic in honore.  
Quot loca construxit, pietatis quot bona fecit,  
Quam sanctam duxit vitam, hoc dicere quæ scit :

\* Godwins  
Catalogue of  
Bishops, p.  
327.

\* Matthew Westmyster Stories, Anno gratia 1278. (the 6. of the Kings reign) Rex Edwardus Regiam dignitatem cupiens ampliare, multa famosa Monasteria per Angliam constituta, judicialiter libertatibus usitatis et antiquis privabit: (as pre-judicial

a Mat. Westm.  
Floris Hist.  
pars 2. p. 364.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 6 E. 1. judicial to his Crown) *Abbas igitur & Conventus Westmonasterii in quo idem Rex Sacramenta Baptismatis, Confirmationis, et Coronationis susceperat, in quo etiam patris sui bona memoria Regis Henrici, liberorumque suorum corpora sunt sepulta, libertatem de retorno Brevium, quam specialiter per Cartas dicti Patris sui Henrici obtinuerant multis temporibus retroactis, post defensiones legitimas, insistentibus Civibus Londinensibus, ordinationi Regiæ submiserunt, quam tempore subsequenti Ecclesiæ supradictæ de speciali gratia Rex concessit; which the Charter and Patent Rolls of this year likewise attest.*

b Mat. Parker,  
Antiq. Ecclef.  
Brit. p. 196.

On the other hand <sup>b</sup> Archbishop Kilwardby, advanced meerly by the Pope, by his own Pontifical authority this year, without any Commission from the King, Totam Cantuariæ Provinciam visitationis jure peragravit, seque donis non imperitando, sed artificiose, ut fratres sui ordinis solebant, suadendo locupletavit. At hac visitatione Academias ipsas Metropolitica auctoritate ingressus est; & Oxonii in Scholis, non modo de Theologia, sed de Philosophia, atque Logica argutè disceptavit. In quibus artibus multas Oxoniensium opiniones & sententias tanquam minus probabiles reprehendit, atque refellit; quas opiniones Johannes Peckam qui cum in Archiepiscopatu proxime secutus est, instituta Cleri Synodo, cum inania tantum & inepta sophisticorum essent deliria, \* tanquam hæreticas, et a fide Christiana abhærentes, condemnavit.

\* See Spelman  
ni Concil.  
Tom. 2. p. 347  
348.

Antiqu. Ec-  
cles. Brit. p.  
196.

This Archbishop having gained much wealth by his Visitation, and other means in England; \* a Nicholao 3. Papa Romam ad præcium participandum accitus est, ab eo- que Cardinalis Hostiensis & Portuensis Episcopus creatus est; that so he might by his Papal Provision and authority confer it on another, who would pay well for it, and be sure to serve his turn upon all occasions, without any previous consent of the King, or election by the Monks, as his predecessors had done in the cases of Kilwardby, Sr. Edmund, and Stephen Langton before, to the prejudice of the Kings Right and Prerogative, and Monks privilege. In pursuit whereof, as <sup>c</sup> Matthew Westminster stories, Archiepiscopus Cantuariensis Robertus per Nicholaum tertium Papam, ab Archiepiscopatus onere absolutus, vocabatur ad Cardinalatus honorem. Post cuius vocationem, Monachi Cantuarienses Dominum Robertum Burnel Bathon. & Wellensem Episcopum, Regis Cancellarium, postularunt; cuius postulatio per Summum Pontificem quassabatur, et Frater Johannes de Peckam, Ordinis fratrum Minorum, vir perfectissimus in doctrina, per Romanam Curiam præficebatur Ecclesiæ Christi Cantuariæ in Pastorem.

c Mat. West-  
minster Flores  
Hist. pars 2.  
p. 366. See  
Chronologia  
Augustinensis,  
col. 2273.  
H. de Knygh-  
ton de Event.  
Angl. l. 2. col.  
2460. l. 3. c. 1.  
col. 2462. Po-  
lychron. l. 7.  
c. 38. Tho.  
Walsingham,  
Hist. Angl. p. 8.

That the Monks of Canterbury unanimously elected the Bishop of Bath and Wells, the Kings Chancellor, for their Archbishop, by the Kings direction, who approved, importuned, and commanded him to accept thereof, this Record assures us.

Pat. 6 E. 1 m.  
6 intus. De  
assentiendi  
postulacioni  
Cantuar.

**R**EX Venerabili in Christo patri R. eadem gratia Bathon. & Wellen. Episcopo, Cancellario suo salutem. Cantuar. Ecclesia per electionem venerabilis patris R. quondam ejusdem Archiepiscopi in Portuensem & Sanctæ Rufinæ Cardinalem Episcopum assumpti, pastozis scilacio destituta, dieque ad providendum de pastore ipsi Ecclesiæ assignata, Prior & Conventus disponente illo per quem vocari debent ad Pontificium Sacerdotes, vos unanimiter in suum pastorem et Archiepiscopum postularunt, verum quia nobis summe cordi existit quod postulacioni hujusmodi assentiatis, rogamus in quatuor possumus mandata precibus adjungentes, quatinus eidem postulacioni assensum vestrum sine mora dispendio præbeatis. Et ut hoc libentius faciatis, has literas nostras vobis mittimus patentes. Teste ut supra.

\* Antiq. Ecclef.  
Brit p. 196.  
& Godwins  
Catalogue of  
Bishops, p. 75.

\* Matthew Parker Archbishop of Canterbury writes thus of Kilwardby his translation, Cantuariensi Archiepiscopatu non tam sponte cessit, quam ut alium sui ordinis atque loci virum illius scaturiginis minorum in Anglia fratrum sicut ipse fuerat Provinciale, loco suo a Papa surrogari procuraret. Horum igitur fratrum aucta, & Monachorum extenuata tam Regi quam Papa gratia, cum Robertus, ex illo fratrum græge, Cantuariensi Archiepiscopatu cessisset, Papa eundem Archiepiscopatum Johanni Peckam, Monachis Cantuariensibus non modo non requisitis, sed etiam invitatis contulit, eumque sine Suffraganeorum presentia Romana in Curia consecravit, Nam Monachi Johannem Burnel Bathoniensem Episcopum, necnon Cancellarium postularant,

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*fulaverant*, qua postulatione spreta et contempta, Johannes in Archiepiscopatum Papali voce tanquam fulmine immissus est. The Chancellor, Bishop Burnel, being very wealthy, chusing rather to recede from his right to the Archbishoprick, then to contest it with the Pope, or Peckam, to avoid the Popes displeasure, and the King then needing the Popes favour to promote his forreign affairs, was content to connive at this Papal usurpation for the present.

Our Records inform us; 1. That the Archbishoprick of *Canterbury* became ipso facto voyd in Law, by this Popes creating *Kilwardby* Cardinal of *Ostia*, and translating him to the Bishoprick of *Portua*; whereupon the King forthwith committed the Custody of the Temporalities, and presented to Livings becoming voyd by this his translation. On which <sup>d</sup> *Polydor Virgil* hath this special observation; *Hinc cernere licet apud nostros Pontifices aliquod spicere iam tum fuisse, cum per legem paucis liceret duas simul obtinere Provincias, quando Robertus Portueni Episcopatum consecutus, & Cantuariensi abdicavit. Quod legem nunc prece ebertam, nam quisque pro opibus, pro potentia, plures habent Episcopatus, ut nullum illozum (ita credere par est) recte gubernent; qui talem commissi gregis curam non officio, sed atque Deo cupiditate metiri videntur.* A sharp, but true censure of this abuse by the Popes own Collector of *Peter-pence* in *England*, when he penned his History. 2ly. That the King out of special grace and favour to this translated Archbishop, granted him liberty to receive the rents of several Livings he had reserved to himself, after his translation, belonging of right to the King by the vacancy, and received the stock of the Archbishoprick from him, at the same rate he received it upon his installment from the Guardian of the Temporalities: I shall present you with some of these Records to these purposes.

**R**EX Custodi Spiritualitatis Archiepiscopatus *Cantuar.* sede vacante salutem. Ad Ecclesiam de *Harwes* vacantem, & ad nostram donacionem spectantem, ratione Archiepiscopatus predicti vacantis, et in manu nostra existentis; dilectum Clericum nostrum Magistrum *Galfridum de Everley* vobis caritatis intuitu presentamus; Rogantes quatinus ipsum ad Ecclesiam illam admittatis, & personam institutis in eadem. In cujus, &c. Teste Rege apud *Glouc.* 8 die *Aug.*

Pat. 6 E. 1. m. 6. intus. De Presentatione

**E***Gidius de Audenard* habet literas Regis de presentatione ad Ecclesiam de *Cher-ringe* vacantem, & ad donacionem Regis spectantem, ratione Archiepiscopatus *Cantuar.* vacantis, et in manu Regis existentis. Et diriguntur literæ Custodi Spiritualitatis Archiepiscopatus predicti sede vacante. Teste Rege apud *Rothelan.* xi. die *Sept.*

Ibid m. 6. intus. De Presentatione.

**R**EX dilectis & fidelibus suis *Radulpho de Sandwico*, & *Willielmo de Sabam*, Cuiusmodi Archiepiscopatus *Cantuar.* sede vacante salutem. Mandamus vobis quod hac vice, de gratia nostra speciali, habere faciatis Venerabili patri *R. Portuensi* Episcopo, Sacrosanctæ Romanæ Ecclesiæ Cardinali, nuper Archiepiscopo *Cantuar.* portionem agistamenti pasturæ, à festo Paschæ usque ad festum Pent. quæ cessit basulacioni Crucis Archiepiscopatus illius pro rata temporis sui: faciatis eciam habere eidem Episcopo de gratia nostra predicta, viginti et quinque libras, de termino Paschæ predicto de quinquaginta libris annuis, pro quibus idem Episcopus dimisit quandam culturam terræ quæ vocatur *Oxenball*, infra manerium de *Aldington*, Præposito suo ibidem sibi solvend. ad duos terminos, videlicet, unam medietatem ad festum Pentecostes, & aliam medietatem ad festum Sancti Michaelis, pro rata temporis sui predicti. Faciatis eciam habere eidem Episcopo de eadem gratia nostra octo libr. de termino supradicto de sexdecim libris, pro quibus idem Episcopus dimisit terram de *Shirle* Præposito suo, ibidem sibi solvend. ad terminos supradictos. Et nos vobis inde debitam allocationem seu quietanciam habere faciemus. Teste Rege apud *Clarendon.* xxvi. die *Julii.*

Claus. 6 E. 1. m. 6. intus. Pro Portuensi Episcopo.

**M**andatum est Custodibus predictis, quod recipiant a Venerabili Patre *R. Portuensi* Episcopo Sacrosanctæ Romanæ Ecclesiæ Cardinali, nuper Archiepiscopo *Cantuar.* boves et scottos, ad carucas Paneriozum Archiepiscopatus predicti in denariis, prout idem Archiepiscopus eos recepit a Magistro *Richardo de Clyfford* dudum Cant. recip.

Ibid. m. 6. intus. De bobus & Scottis Maneriozum Archiepiscopatus predicti



An. 6 E. 1. dudum Custod. Archiepiscopatus ejusdem. Et hoc nullatenus omitatis. Et Rex eis inde debitam quietanciam habere faciet. T. ut supra.

\* Antiq. Eccl. Brit. p. 197, 198.

Nic. Trivet. Archiv. f. 157.

In literis ad Papam scriptis. Vide Archiv.

Verba ipsius Epist. in Archivis.

<sup>a</sup> Matthew Parker stories, that this new created Archbishop John Peckam, (who succeeded Kylwarby) before his advance to this See, Lugduni cum esset, juri civitatis atque Pontificio operam dedit; in quibus ut uberiores haberet progressus, Italiam Academiis perlustravit. In his cum diuturnam operam posuisset multumque profecisset, Romanam Curiam adiit: In qua causas tanta juris peritia tractavit, ut sacro Papa palatio causarum auditor a Papa praefereretur. Cessu, incessu, et sermone glorioso et elato fuit. Cumque (after his consecration and mission to Canterbury by the Pope) magna ex more solemnitate atque pompa Cantuariæ in throno ac sede collocandus esset, literis suis Winton. Exon. Wigorn. Bathon. Norwicen. Hereforden. Ciceitren. Rossen. Landaffi Episcopos, Abbatesque ac Priores sua provincia locupletiores interesse, ac tam magnifico convivio carnem ternam, volucres, pisces, et ejusmodi munera exhibere iussit. Monachi Cantuarienses hanc in Archiepiscopatu conferendo Papæ Nicholai injuriam, qui Regia æquissima jura ferre non poterant, inbiti perpessi sunt. Hic frater Johannes (ut Robertus Kylwardby in Concilio Gregorii decimi ante fecit) subinde se Papæ creaturam; Papamque suum Creatorem agnoscit: Sed dirus ille Creator (which is worthy observation) suam creaturam in primo Archiepiscopatus ingressu, exactis quatuor marcarum millibus, diripuit, penique destruxit. Qua de re his verbis ad Papam suum creatorem cujus calum Romæ situm cum omnipotentia existimabatur, scripsit.

Ecce me creastis, et quanto creatura a suo naturaliter appetit perfici creatore, sic in meis oppressionibus censeo per vos recreandum. Sane nuper ad me perbenit cuiusdam executionis litera horribilis in aspectu, et auditu terribilis, quod nisi infra mensem Perceptoribus Lucanensibus cum effectu de quatuor millibus marcarum quæ in Romana Curia contrahi, satisfaciam, ex tunc sum excommunicationis sententia innodatus, et in Ecclesia mea, et aliis majoribus, pulsatis campanis, accensis candelis, excommunicatus denunciaret singulis diebus Dominicis et festis. Hanc tam grandem solutionem impossibilem sibi futuram, rescribit. Quoniam & Robertus Kylwarby, discedens Ecclesia Cantuariensis bona secum abstulisset, & ante eum Bonifacius adificia Archiepiscopalia caduca & ruinosam reliquisset, et Rex unius anni redditus retinisset, & sibi ad unius anni sumptus sustinendos magna sumenda est pecunia. Qua in Angliam jam crebris solutionibus exhausta, haberi vix aut ne vix quidem poterat. Et ad Gentilem quendam suum in Romana Curia familiarem scribit; se conatum ad accipiendum mutuo duo millia marcarum pro intronizationis sue sumptibus, octavo idus Octobris proximi faciendis. Illa autem Papalis cantela, ut hi, quibus pecunias mercatoribus suis solvendas imperaret, agnoscerent se ad suos usus mutuos prius accepisse, non nova jam fuit, sed à Rustando quondam Papa in Anglia quastore callidissimo in usum, novo exemplo introducta. Johannes sapè atque multa non modo Papa, sed Cardinalibus suoque confratri, atque predecessori Roberto Kylwarby, ut ab hac solutione liberaretur scripsit; quod cum impetrare non poterat, datus est ei post diuturnam intercessionem agre tandem unius anni ad solvendum dilatio. Interea Robertus Kylwarby Anglicanis spoliis locuples, in dignitatis sua culmine positus, cujus usuram perexiguo percepit tempore, Romæ vita functus est. Quo mortuo atque intestato, frater Johannes Peckam ad Papam, qui intestatorum bona, pauperibus et pijs usibus ipso jure Pontificio concessa sibi referbabit, de restituendis Cantuariensi Ecclesiæ 5000. marcas, quas Robertus Romam discedens ab eadem Ecclesia iniuste abstulisset, literas dedit. Ad quas etiam repetendas procuratorem Anselmum quendam suum constitutum cum multis ad Cardinales mandatis misit. Etsi mirum videri possit hominem satis astutum atque callidum, quique ipsas Romanas versutias longè dectius tempore cognovisset, ejusmodi expectatione atque spe decipi voluisse. Praeterea cum suo exemplo, ex antedictis quatuor marcarum millibus, Papam non reddendis, sed exigendis rationibus assiduam dare operam, intellexisset. Sed dum hac petitione liberari se saltem ab illa 4000. marcarum prestatione sperabat, pro eisdem solvendis, literis nobis Papales execrationes minantibus illico interpellatus est. Quo quasi imperato sibi silentio re perinde atque spe excidens princeps conticuit. Thus the Pope preyed upon his own creatures, and they upon the Church of Canterbury, and England in that age.

Nota.

King

Upon the Liberties of the Kings and Subjects of Engl. & Irel K. Edward 1.

King William the Conqueror, conferring the Advowson of the Church of *Esheburne* on the Dean and Chapter of *Lincoln*; which many Deans enjoyed as appropriated to the Deanery of *Lincoln* by sundry Bishops of the place, and the Popes Bulls, without the Kings special license and assent; King Henry the 3. notwithstanding their appropriation, and long enjoyment thereof (since *nullum tempus occurrat Regi*, and no impropriation could be made by the Bishop or Pope without the Kings special license, of any Advowson, especially in the Crown) recovered the presentation thereof in an Assise of *Darrein presentment*, by a Judgement given by his Court and Judges at the Tower against the Bishop, Dean and Chapter; and thereupon granted it to the Abbot and Monks of *Valle Regali*; till King Edward the 1. upon their resignation of it to him, restored and confirmed the future impropriation to the Dean and Chapter of *Lincoln* by his Patent; as this Record attests.

**R**EX Archiepiscopis, &c. salutem. Sciatis quod cum Dominus *Willielmus* quondam Rex *Anglia*, Caritatis intuitu, & pro salute animæ suæ, & animarum antecessorum & hæredum suorum, per Cartam suam dedisset & concessisset Deo & Ecclesiæ beatæ *Mariae Lincoln*. Advocationem Ecclesiæ de *Esheburn*. in antiquo Dominico Coronæ *Angliae* sitæ; Quam Ecclesiam plures Decani *Lincoln*. per loci Diocesanos et sedem Apostolicam Decanatus *Lincoln*. postmodum appropriatam, in proprios usus pacifice possederunt; quousque celebris memoriz Dominus *Henricus* Rex pater noster in Curia sua apud Turrim *London*. per considerationem ejusdem Curiz suæ per breve ultimæ presentationis recuperasset presentationem suam ad eandem Ecclesiam de *Esheburn*. versus Episcopum et Decanum ac Capitulum Ecclesiæ *Lincol.* Cujus Ecclesiæ Advocationem ab eodem Patre nostro: post prædictæ presentationis recuperationem nobis datam; per Cartam nostram inter alia in eadem Carta nostra contenta, dedimus & concessimus Deo & beatæ *Mariae*, & Ecclesiæ tunc de *Derubals*, nunc de *Valle Regali* vocatæ in *Com. Cestria*, quæ est de fundatione nostra, necnon & Abbatibus & Monachis ibidem Deo imperpetuum servituris. Cumq; venerabilis pater *R. Lincol.* Episcopus, & dilecti nobis in Christo Magister *Oliverus de Sutton* Decanus *Lincoln*; ac Capitulum ejusdem Ecclesiæ asserentes, se & Ecclesiam *Lincoln*. ex donatione prædicti Domini Regis *Willielmi* jus habere in advocatione dictæ Ecclesiæ de *Esheburn*. ipsam advocationem coram nobis et nostro consilio petivissent, & iidem Abbas & Conventus de *Valle Regali* pro ipsis & successoribus suis; tam ad nostram instantiam & requisitionem præfatam advocationem Ecclesiæ de *Esheburn*. per Cartam suam reddiderint, dimiserint, concesserint, & quietum clamaverint nobis & hæredibus nostris, de se & successoribus suis imperpetuum. Nos donationem advocationis dictæ Ecclesiæ de *Esheburn* per prædictum Dominum Regem *Willielmum* Deo & Ecclesiæ *Lincoln*; factam ratam habentes & firmam, & si quid in ea diminutum fuerit, pro salute animæ prædicti Regis, patris nostri, ac animarum progenitorum & hæredum nostrorum, per præsentem Cartam nostram supplere volentes, Advocationem ejusdem Ecclesiæ, et omnium Capellatum ad eam spectantium, dictis Episcopo, Decano & Capitulo *Lincoln*. ut jus suum reddidimus, & insuper eandem advocationem eis pro nobis & hæredibus nostris damus, concedimus, & quietam clamamus. Habend. & tenend. eisdem Episcopo, Decano & Capitulo, & successoribus suis quietam de nobis & hæredibus nostris, absque reclamatione aut impedimento nostri vel hæredum nostrorum imperpetuum. Ita quod eandem advocationem Ecclesiæ de *Esheburn*. cum suis Capellis rehabeant, & sibi & successoribus suis retineant, sicut eorum prædecessores eam melius & quietius unquam tenuerunt; Quare volumus & firmiter præcipimus pro nobis & hæredibus nostris, quod prædicti Episcopus, Decanus & Capitulum Ecclesiæ beatæ *Mariae Lincoln*. prædictam Advocationem Ecclesiæ prædictæ de *Esheburn*. cum suis Capellis habeant & teneant, ut jus suum sibi & successoribus suis quietam de nobis & hæredibus nostris, absque reclamatione seu impedimento nostri vel hæredum nostrorum imperpetuum. Ita quod eandem Advocationem Ecclesiæ de *Esheburn*. cum suis capellis rehabeant, & sibi & successoribus retineant, sicut eorum prædecessores eam melius et quietius unquam tenuerunt. Quare volumus & firmiter præcipimus pro nobis & hæredibus nostris, quod prædicti Decanus & Capitulum Ecclesiæ beatæ *Mariae Lincoln*. prædictam advocationem Ecclesiæ prædictæ de *Esheburn*. cum suis Capellis



*An. 6 E. 1.* habeant & teneant, ut jus suum sibi & successoribus suis quietam de nobis & heredibus nostris, absque reclamatione seu impedimento nostri, vel heredum nostrorum imperpetuum. Ita quod Advocationem illam habeant & teneant sicut eorum predecessores eam melius & quicquid unquam tenuerunt sicut prædictum est. Hiis testibus venerabilibus patribus *Tho. de Cantilupo Heref. & Willielmo de Middelston Norwyc. Episcopis, Willielmo de Valenc. Avunculo nostro; with sundry others.*

*Llewellyn Prince of Wales* doing some injuries to the prejudice of the Rights and Liberties of the Bishop and Church of *Bangor*, and Abbot of *Basingwerk*; the King writ to him to use them as became a Prince, and to make an Accord between them, which he taking in ill part, and misinterpreting; the King thereupon sent this Letter to him, expressing both his Regal care and duty to defend their just rights and privilege, and to do them justice, in case he proceeded in his injuries, and expounding the meaning of some clauses in the agreement between him and this Prince.

Rot. Walliz  
6 E. 1. m. 10.  
dorlo,

**R**EX dilecto & fideli suo *Llewelino fil. Griffini Principi Wallie*. Ea quæ de negotiis venerabilis patris *A. Bangorensis* Episcopi vobis nuper mandavimus, non ob id quod libertates vestras in aliquo diminui, seu juribus vestris aliquatenus derogari vellemus vobis significavimus, set ut inter vos & ipsum Episcopum pax & bonæ vestro congruit, pacem & concordiam foveremus, ne ipse de aliquo quod libertates aut jura Ecclesiæ suæ ledere posset, de vobis justam materiam habere posset conquerendi. Propter quod vos rogamus, quod jura spiritualia et temporalia ipsius Episcopi (protegatis) et tam curialiter et modeste sicut Principem decet, vos geratis erga ipsum, quod et hoc honor vobis accrescat, et a Deo retributionem condignam mereamini reportare. Cæterum nobis non displicet, quod vos de Abbate de *Basingwerk* exigitis ea quæ vos & predecessores vestri semper hæcenus jussu & pacifice percipere consuevistis, set intencionis nostræ fuerat cum pro ipso vobis scripsimus, vobis ea potius suadere quæ ad honorem vestrum spectare noscuntur, quam eisdem Abbati aliquam immunitatem præstare ad id faciendum, quod ipse & predecessores sui vobis & progenitoribus vestris semper hæcenus jussu & debite facere consueverunt. Verumtamen vos rogamus, quod ad ipso alia non petatis, quam ea quæ jussu et debite petere debetis, et hæcenus percipere solebatis, et ipsum adeo humaniter tradetis, quod ad justam querimoniam suam, cui sicut nec cæteris de regno nostro in justitia deesse non possumus, nos non oporteat iusticiariis nostris ibidem demandare, quod auditis suis querimoniis sibi fieri faciant iusticiæ complementum. Articulum autem pacis inter nos & vos ibidem, de quo vestra litteræ mentionem faciebant, videlicet de placitis & controversiis in *Marchia & Wallia* audiendis & terminandis, aliter non intelligimus, nec intelligi potest, quam temporibus predecessorum nostrorum Regum *Angliæ*, & etiam temporibus nostris semper hæcenus usitatum extitit & consuetum; nec etiam aliud ex verbis pacis elici potest, nisi quod controversiæ & contenciones motæ in *Marchia* secundum Leges *Marchiæ*, & illæ quæ in *Wallia* oriuntur, secundum leges *Wallie*, audiri & terminari debent, ad certos dies & loca quos nos ibidem partibus duxerimus præfigendos. Et idcirco coram iusticiis nostris in partibus illis, ad dies et loca quos ipsi vobis scire facient, coram ipsis venietis, ad faciendum & recipiendum quod iusticia dictaverit secundum leges supradictas. Aliæ autem vera illius articuli interpretatio fieri non potest, nec aliud unquam intelleximus aut intelligimus in hac parte, sinistra siquidem ad alicujus fallam suggestionem de vobis non credemus, set potius speramus quod facta dictis compensabitis, et erga nos et nostros semper fideliter vos geratis. Teste Regis apud *Winds.* xiv. die *Julii*.

*David ab Eynun* having bought corn in *Anglesey* within the Diocesse of *Bangor*, which others claimed and set a Crosse upon, according to the custom of those parts, so that he could not dispose of them, without incurring the Bishops censure, the King thereupon commanded the Bishop to take off the Crosse, and deliver him the corn by this Writ.

REX

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

**R**EX Venerabili in Christo patri *A. Bangorensi* Episcopo salutem. Quia ex querimonia *David ab Eynn* accepimus, quod quidam de partibus illis asserentes, quendam blada quæ idem *David* à *Willielmo Burnell* & hominibus suis emit in *Anglesey* vestre Diocesis, dum fuerunt ibidem in servicio nostro, sua esse, quandam Crucem super blada prædicta, prout moris est in partibus illis, apponi fecerunt; occasione cuius Crucis prædictus *David* aliquam administrationem de bladis illis habere non potest. Vobis mandamus rogantes, quatinus Crucem prædictam amoveri, et eidem de bladis prædictis liberam administrationem habere faciatis. Et si quid inde captum fuerit, id eidem restitui faciatis. T. Rege apud Turrim London. iv. die Jan.

An. 6 E. 1.

Rot. Wallia,  
6 E. 1. m. 11.  
dorso.

What Archdeacons and Præbendaries the King this year bestowed in Ireland, these Records will inform us.

**R**EX dedit & concessit Magistro *Galfrido de Aspal*. Archidiaconatum *Dublin*. cum pertinentiis, una cum præbenda de *Rafferman*. eidem Archidiaconatui annexa, vacantem, et ad donationem Regis spectantem, ratione Archiepiscopatus *Dublin*. vacantis, et in manu Regis existentis. Teste Rege apud *Macclesfeld* xxviii die Septemb. Et mandatum est Decano & Capitulo Sancti *Patricii Dublin*. quod eidem Magistro *Galfrido* stallum in choro, & locum in Capitulo, ratione præbendæ prædictæ, prout moris est, assignent. T. apud *Shotwik*. 17 die Sept.

Pat. 6 E. 1.  
m. 6. intus.  
De Archidiaconatu  
Dunlin.  
& de Præbenda  
daris.

**R**EX dilectis sibi in Christo Decano & Capitulo *Dublin*. salutem; Sciatis, quod dedimus et concessimus dilecto Clerico nostro Magistro *Galfrido de Aspal*. Archidiaconatum *Dublin*. per mortem *Willielmi de Salinis* nuper Archidiaconi ejusdem loci defuncti vacantem, et ad donationem nostram spectantem, ratione Archiepiscopatus *Dublin*. vacantis, et in manu nostra existentis. Et ideo vobis mandamus, quod eundem *Galfridum* vel ejus procuratorem ipsius nomine in possessionem Archidiaconatus prædicti cum pertin. prout moris est, inducatis. In cujus, &c. Teste ut supra.

Ibidem, De  
Archidiaconatu  
Dunlin.  
dato.

The King sending *Franciscus Accursus* and other Messengers to *Rome* about his affairs, issued these Writs for furnishing them with moneys, and payment of the Annual pension of his Advocate in the Court of *Rome*, and to a Cardinal of *Rome*, granted to them til prefer'd by him to benefices of greater value then their Pensions.

**R**EX *Orlandino de Podio* & sociis suis Mercatoribus de *Luk*. salutem. Mandamus vobis, quod de denariis nostris vel vestris in custodia vestra existentibus habere faciatis, dilecto Clerico nostro Domino *Francisco Accursi*, et sociis suis nunciis nostris ad Curiam Romanam proficiscentibus, rationabiles expensas suas quibus indigent in eundo, ibidem morando, et redeundo, ad expeditionem negotiorum prædictorum. Et cum sciverimus quantum eis liberaveritis, nos debitam allocationem seu quietanciam vobis inde habere faciemus. Teste Rege apud *Shotwik* xvii. die Sept.

Pat. 6 E. 1. m.  
6. intus. De  
denariis Fran-  
cisco Accursi,  
& sociis suis  
nunciis Regis  
ad Cur. Ro-  
manam,

**R**EX dilectis sibi *Reynero Maglar*. *Orlandino de Podio*, & sociis suis Mercatoribus de *Luk*. salutem. Cum dudum concesserimus dilecto Clerico nostro Magistro *Angelo de Urbe*, Advocato nostro in Curia Romana quingentas *Parcas*, percipiendas annuatim ad *Secaccarium* nostrum, quousque sibi præbideremus de Ecclesiastico beneficio valoris quater viginti *Parcarum*, et jam præbideri fecerimus eidem de quodam beneficio valoris quinquaginta *Parcarum*, per quod concessimus, quod idem Magister *Angelus* singulis annis percipiat à nobis viginti *marcas*, quousque dictam præbitionem eidem compleberimus; Vobis mandamus, quod de denariis nostris vel vestris habere faciatis *Bartho Morchy* Mercatori *Senensi*, Procuratori prædicti Magistri *Angeli* quadraginta *Parcas* de residuo prædicti feodi sui de duobus annis, videlicet de annis Regni nostri quinto & sexto. Et cum pecuni- am illam eidem liberaveritis, recipiatis ab eo literas suas patentes receptionem dictæ

Pat. 6 E. 1. m.  
8. intus. Pro  
Magistro An-  
gelo de Urbe  
Advocato  
Regio.



*An. 6 E. 1.* pecuniæ ad opus prædicti Magistri *Argeli* testificantes. Et nos vobis inde debitam acquietanciam seu allocationem habere faciemus. Teste Rege apud *Wyndes. x.* die *Julii.*

*Pat. 6 E. 1.*  
*m. 24. intus.*  
*Pro Domino*  
*M. Sanctæ*  
*M. in Por-*  
*tu. u. Diacono*  
*Cardinali.*

**R**EX omnibus ad quos, &c. salutem. Sciatis quod concessimus Venerabili Patri Domino *M. Sanctæ Maria in Portic. Diacono Cardinali*, sexaginta *Parcas* singulis annis ad *Scaccarium nostrum* percipiend. videlicet unam medietatem ad *Scaccarium nostrum Pasch.* & aliam medietatem ad *Scaccarium nostrum Sancti Michaelis*, donec per nos eadem uberius provideatur. In cujus, &c. Teste Rege apud *Westm. xviii. die Jan.*

King *Henry* the 3d. having granted a license by his Patent to the Bishop of *Norwich* to make his Will, and freely to demise his goods, corn, chattels, without the interruption of him, his heirs or officers, and dying before the Bishop, he doubting of its validity in Law, procured this confirmation of it from King *Edward* the 1, with a proviso that his Executors should put in security to satisfy all debts due to the King, ere they administered or meddled with his goods.

*Pat. 6 E. 1.*  
*m. 24. intus.*  
*Pro Episcopo*  
*Norwycensi.*

**R**EX Omnibus, &c. salutem. Cum celebris memorie Dominus *H. dudum Rex Angliæ* pater noster, venerabili in Christo patri *Rogero Norwyc. Episcopo* per literas suas patentes concesserit, ut de bonis et catallis suis libere posset condere Testamentum suum; Ita quod Executors sui Testamenti illius sine occasione et impedimento ipsius patris nostri et heredum, *Ecclesiarum, Vicecomitum, et omnium aliorum Ballivorum et Ministrorum suorum* quorumcumque plenam et liberam inde habere possint administrationem ad executionem testamenti sui prædicti inde faciend. Nos concessionem prædictam grater acceptantes, præfato Episcopo concedimus pro nobis et heredibus nostris quantum in nobis est, quod ipse huiusmodi testamentum suum licite condere et executores sui de bonis et catallis suis prædictis libere possint disponere, sicut prædictum est. Accepta tamen ab eisdem Executoribus sufficienti securitate, quod de debitis si quæ idem Episcopus die obitus sui nobis debuerit, ad *Scaccarium nostrum* fideliter respondebunt. In cujus, &c. Teste Rege apud *Turrim London 8 die Jan.*

The like license he granted to the Abbot of *St. Edmunds*, with the like Proviso, as this Patent manifests.

*Pat. 6 E. 1. m.*  
*24. intus. Pro*  
*Abbate de S.*  
*Edmundo.*

**R**EX Omnibus ad quos, &c. salutem. Dilectis nobis in Christo *Simon Abbas de Sancto Edmundo*. Nobis humiliter supplicavit, ut nos ei licentiam concedere dignaremur, videlicet, quod ipse de bonis et catallis suis libere posset condere Testamentum suum. Ita quod Executors Testamenti sui, absque occasione et impedimento nostri, et heredum nostrorum, *Ecclesiarum, Vicecomitum, et aliorum omnium Ballivorum ac Ministrorum nostrorum*, quorumcumque plenam et liberam inde habere possint administrationem ad executionem Testamenti sui prædicti inde faciendam. Nos autem precibus prædicti Abbatis favorabiliter inclinati, concedimus ei pro nobis et heredibus nostris, quantum in nobis est, quod idem Abbas huiusmodi Testamentum suum licite condere, et Executors Testamenti sui de bonis et catallis suis prædictis libere possint disponere, ac liberam administrationem habere, ad executionem dicti Testamenti inde faciendam, sine occasione vel impedimento nostri, vel heredum nostrorum, *Ecclesiarum, Vicecomitum, et omnium aliorum Ballivorum ac Ministrorum nostrorum*, quorumcumque sicut prædictum est. Accepta tamen ab eisdem Executoribus sufficienti securitate, quod de debitis, si quæ idem Abbas die obitus sui nobis debuerit, ad *Scaccarium nostrum* fideliter respondebunt. In cujus, &c. Teste Rege apud *Westm. 17 die Januarii.*

*W. luy de Merton* Bishop of *Rocheſter*, the Kings Chancellor, having made his Will by the Kings license, and owing several Debts to the King and Queen at the time of his death, the King thereupon seized all his Goods and Chattels, till his Executors had put in good security in the Exchequer to satisfy these Debts to him and

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and his Queen; which done, he issued Writs to restore his Goods to his Executors, granted them Protections, and summoned all indebted to him into the Exchequer, speedily to pay the Debts they owed, to enable his Executors to perform his Will, by several Writs and Patents; which because they more clearly expound the Statute of *Magna Charta* cap. 18. then Sir Edward Cook's Institutes and Exposition thereof, I shall here insert for the benefit of those of my Profession.

**R**EX Vic. *Sutht.* salutem. Quia bonæ memoriæ W. nuper *Roffensis* Episcopus jam defunctus nobis & karissimæ consorti nostræ *Alianora* Regina Angliæ, in diversis debitis tenebatur die quo obiit, tibi præcipimus, quod omnes terras et tenementa quæ fuerunt prædicti Episcopi in Ballivâ tuâ, una cum omnibus bonis et catallis in eisdem aut alibi in Ballivâ tuâ prædicta existentibus, sine dilatione capias in manum nostram, et ea sine aliqua distractione vel diminutione inde faciendâ, salvo custodiri facias. Ita quod nullus ad ea manum apponat, donec alio inde tibi præceperimus. Teste meipso apud *Dover.* primo die Febr. anno regni nostri sexto. Claus. 6 E. 1. m. 12. in Cedula.

Consimilis litera directâ est Majori & Vic. *London.* sub eadem data.

Consimilis litera directâ est Vic. *North.* sub eadem data.

Consimilis litera directâ est Vic. *Dors.* sub eadem data.

Consimilis litera directâ est Vic. *Norff.* sub eadem data.

Consimilis litera directâ est Vic. *Leyc.* sub eadem data.

**R**EX Vic. *Sutht.* salutem. Quia bonæ memoriæ W. nuper *Roffensis* Episcopus jam defunctus nobis & karissimæ consorti nostræ *Alianora* Regina Angliæ, in diversis debitis tenebatur die quo obiit, et Executores Testamenti sui sufficientem securitatem nobis jam fecerint de debitis illis, nobis et præfatæ Reginae fideliter solvendis ut tenentur; tibi mandamus, quod occasione alicujus mandati nostri tibi dicti, de bonis et catallis dicti defuncti arrestandis occasione debitorum illorum nullatenus omittas, quin dictis Executoribus de bonis et catallis quæ fuerunt dicti Episcopi, ubicunque inventa fuerint, in Ballivâ tuâ liberam administrationem sine quolibet impedimento habere facias. Et hoc nullatenus omittas. Teste meipso apud *Dover.* 10 die Febr. anno regni nostri sexto. Ibidem.

Consimilis litera directâ est Vic. *Dors.* sub eadem data.

Consimilis litera directâ est Vic. *Norff.* sub eadem data.

Consimilis litera directâ est Vic. *Leyc.* sub eadem data.

Consimilis litera directâ est Majori & Vic. *London.* sub eadem data.

Consimilis litera directâ est Vic. *North.* sub eadem data.

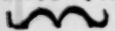
Consimilis litera directâ est Vic. *Kanc.* sub eadem data.

**R**EX Thesaurariis & Baronibus suis de Scaccario, salutem. Quia bonæ memoriæ W. nuper *Roffensis* Episcopus jam defunctus nobis & karissimæ consorti nostræ *Alianora* Regina Angliæ, in diversis debitis tenebatur die quo obiit, ac Executores Testamenti sui sufficientem securitatem nobis jam fecerint de debitis illis nobis et præfatæ Reginae fideliter solvendis, ut tenentur. Ac plures de regno nostro in diversis debitis ei tenerentur dum viveret quæ jam diu ei solvisse debuerant, et de quibus præfatus Episcopus vel Executores prædicti hactenus in nullo satisfacere curaverunt, per quod Executores prædicti debita nostra prædicta nobis et præfatæ Reginae solvere, et executionem Testamenti prædicti facere nequeunt, sicut ex ipsorum querela accepimus; Vobis mandamus, quod omnes debitores qui præfato Episcopo in aliquo debito tenebantur die quo obiit, coram vobis ad Scaccarium prædictum venire, et debita quæ præfati Executores rationabiliter monstrare poterunt dicto defuncto deberi ab eodem die quo obiit, secundum quod citius et melius poteritis, secundum legem et consuetudinem Scaccarii prædicti levari, et præfatis Executoribus habere faciatis ad debita nostra nobis reddenda, et ad executionem Testamenti prædicti inde faciendum. Teste meipso apud *Dover.* 10 die Febr. anno regni nostri sexto. Ibidem.

**R**EX Omnibus Ballivis & fidelibus suis ad quos præsentem literam pervenerint, salutem. Sciatis, quod suscepimus in specialem protectionem et defensionem nostram Ibidem.



An. 6 E. 1.



nostram Executores Testamenti quondam W. Rossensis Episcopi, terras, possessiones, res, redditus, bona etiam et catalla dicti defuncti, ubicunque fuerint in regno nostro. Et ideo vobis mandamus, quod predictos Executores et Administratores eorundem terras, possessiones, res, redditus, bona etiam et catalla dicti defuncti protegatis et defendatis, non inserentes vel inserri permittentes eisdem dampnum, impedimentum, molestiam seu grabamen, quo minus executionem dicti Testamenti libere et plenarie facere possint. In cuius rei testimonium has literas nostras fieri fecimus patentes quamdiu nobis placuerit duraturas. Teste meipso apud Dover. 10 die Febr. anno regni nostri sexto.

Ibidem.

**R**EX dilecto sibi Thesaur. Novi Templi London. Quia bonæ memoriæ W. nuper Rossensis Episcopus jam defunctus nobis & karissimæ consorti nostræ Alianoræ Regina Angliæ, in diversis debitis tenebatur die quo obiit; vobis mandamus, quod quondam cistam ipsius defuncti, non cum pecuniâ ea contenta, salvo et sine distractive aliqua, vel diminutione aliqua inde faciendâ, in manu nostra custodiri faciatis. Ita quod nullus ad eam manum apponat, donec aliud inde præceperimus. Teste ut supra.

In most of the Fine and Clause Rolls of King Edward the 1. I find sundry Writs of like nature, for delivering the Goods and Chattels of Bishops, Abbots, and also of Laymen who held of the King in Capite, on their Demesne Lands or elsewhere, seised by the Escheators, Sheriffs or Bayliffs of the King, for satisfaction of Debts and Duties owing to them, to the Executors of their last Wills and Testaments, only upon sufficient pledges or security given by them to the King, to satisfy all Debts and Duties owing to him in the first place; but I find no one president in any Records during his reign, nor before or after it, of any such Writs for restoring the Goods of any Bishop, Abbot, Tenant in Capite, or other Tenant of the King dying Intestate, to his Administrators: From whence it seems most apparent to me; 1. That Administrators of Bishops, Abbots, and other of the Kings Tenants dying Intestate, are not within the meaning or intention of that Act, but only the Executors of such of them who actually made Testaments in their life time, as the words, quod clarum fuerit et restorum relinquatur Executoribus ad faciendum Testamentum defuncti, most fully and positively declare. 2ly. That our Bishops and Canonists straining, extending this Law to Administrators of persons dying Intestate, and reputing the surplussage of their Estates, after their Debts and Duties satisfied, and Wives and Childrens shares deducted, to be de Testamento; and thereupon distributing them to such pious uses as they think meet, is a direct contradiction to the words and intention of this Act, and repugnancy in it self; Testate & Intestate, Executoribus ad faciendum Testamentum defuncti, & Administratoribus Intestati ad faciendam voluntatem Ordinarii, being as opposite and contradictory to each other, as Life and Death, Executors and no Executors, Testament and no Testament; which all their Evasions to enlarge their Jurisdiction over Intestates Estates can never reconcile, no more then they can \* Light and Darknesse, God and Mammon.

\* Mat. 6. 24.

Luke 16. 13.

2 Cor. 6. 14.

William de Middleton being elected Bishop of Norwich during the vacancy of the See of Canterbury, the Monks of Canterbury at the Kings request consented he should be consecrated at Lambeth, upon the Kings, and his, and his Chapters Patents to them, that it should not be prejudicial to the Rights of their Church, or drawn into consequence for the future.

Clauf. 6 E. 1.

m. 10. dorso.

**R**EX dilectis sibi in Christo Priori & Capitulo Ecclesiæ Christi Cantuar. salutem. Super eo quod ad requisitionem nuper inde vobis factam, liberaliter concessistis, quod venerabilis pater W. Norwic. Electus apud Lambeth monas consecrationis accipere possit ut proponit, vestræ dilectioni speciales referimus gratiarum actiones, volentes et concedentes, quantum in nobis est, quod huiusmodi vestra concessio nobis grater facta, vobis aut Ecclesiæ vestræ præiudicium non generet in futurum. Et ut vestræ securitati uberius prospiciatur in hac parte mandavimus præfato Electo, quod literas suas patentes vobis faciat, ac etiam literas Capituli sui vobis fieri procuraret, quod ex huiusmodi concessione vestra eidem Electo facta, vobis

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vobis aut Ecclesie vestre prejudicium non generabitur, et quod futuris temporibus in consequentiam non trahetur. Telle Rege apud Winton. 4 die Maii. An. 6 E. 1.  
So sedulous were the Monks to maintain, and the King to preserve their Rights and Priviledges.

In the *Placita of Term. Michaelis Anno sexto Edwardi Regis, filii Regis Henrici*, in the Treasury of the Exchequer at Westminster, Willielmus Boneville qui sequitur pro Domino Rege optulit se versus Radulphum Archidiaconum Midd. & Magistrum Willielmum de Norton Offic. ejus, de placito quare prosecuti sunt placitum in Curia Christianitatis de Libertatibus, Parochiis, et aliis possessionibus pertinentibus ad Decanatum Ecclesie Sancti Martini Magni London. quæ est libere Capella Regis, in qua nullam Jurisdictionem habeat, &c. in coercendo Magistrum Willielmum Table Canonicum prædictæ Ecclesie Sancti Martini, Rectorem de Godesfetre, et alios Parochianos suos ad indebita solvendo. et faciendo contra libertates ejusdem Capelle Regis, &c. Ideo præceptum est Vicecomiti, quod attach. &c. Postea mandavit Rex, quia Magister Adam de Phileby Canonicus dictæ Ecclesie est in partibus transmarinis in negotiis Domini Regis, quod prædictus Episcopus utatur Jurisdictione sua quousque item Adam redierit, vel Dominus Rex inde aliquid præceperit. Ita tamen quod idem Episcopus nihil inde interim surripiet in prejudicium Domini Regis. Essex.

In *Placita de Terminis Sancti Michaelis* (in the Tower of London) Rot. 100. I find this Action brought for prosecuting a Suit in Court Christian, in the Diocese of Norwich, against the Kings Prohibition.

Johannes de Comberton Cheshireman per Thomam de Cotenham Attornatum suum optulit se quarto die versus Johannem de Spanneby, de placito quare ipse simul cum Johanne Radulpho filio Roberti de Comberton, & Johanna uxore ejus, secuti sunt placitum in Curia Christianitatis de Castellis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et ipse non venit. Et præceptum fuit Vicecomiti, sicut plur. quod distringat Johannem Episcopum Norwic. per omnes terras, &c. Ita quod de exitibus, &c. Ita quod habeat prædictum Johannem de Spanneby Clericum suum hic ad hunc diem, &c. Et Vicecomes nihil inde fecit, nec breve misit. Ideo fuit plur. præceptum est Vicecomiti, quod distringat prædictum Episcopum per omnes terras, &c. Et quod de exitibus, &c. Ita quod habeat prædictum Johannem de Spanneby Clericum suum hic à die Sancti Hilarii in 15. dies. Et Vice. sit, &c. Rot. 100.

<sup>a</sup> John de Pecham being made and consecrated Archbishop of Canterbury at Rome by Pope Nicholas the 3d. his Papal Usurpation and Provision, without the Kings precedent licence or Monks election, and Robert Burnel Bishop of Bath and Wells elected by the Monks of Canterbury, and approved by the King, put by without any cause alleged, who being very wealthy, a great Usurer, and purchaser of lands to enrich his kindred, was loath to displease the Pope; upon his arrival in England, An. 7 E. 1. the King having occasion to make use of this Popes favour both to collect the Rismes granted him, and promote his affairs in France, was pleased out of his meer grace to issue a special Writ to restore the Temporalities of the Archbishoprick to him, with a special saving of his own and others rights, as this Record informs us.

An. 7 E. 1.

a See Walsingham Histor. Angl. p. 8.  
b See the Patent & Clause Rolls of An. 5. till An. 15 E. 1. which are fraught with Recognizances, Charters, and grants of lands purchased by him; & Godwins Catal. of Bishops, p. 199.  
Pat. 7 E. m. 15. De temporalibus Archiepisc. Cant. restitutis.

**R**EX Militibus, liberis hominibus, & omnibus aliis tenentibus de Archiepiscopatu Cantuariensi salutem. Cum Summus Pontifex dilectum nobis in Christo fratrem Johannem de Pecham Ordinis fratrum Minorum præfecerit in Archiepiscopum Patrem et Pastorem Cantuariensis Ecclesie, sicut nobis per Patentes ejusdem Summi Pontificis literas nobis inde debitas, innouit. Nos præfectioni illi Regium assensum addibentes, de gratia nostra speciali, cepimus ab eo Sacramentum fidelitatis, prout moris est, & Temporalia dicti Archiepiscopatus eidem reddidimus; salvo jure nostro et alterius cujuscunque; (to wit, in the election, approbation, confirmation, and consecration of all future Archbishops of Canterbury.) Et ideo vobis mandamus, quod eidem fratri Johanni tanquam Archiepiscopo & Domino vestro in omnibus que ad dictum Archiepiscopatum pertinent intendentes sitis & respondentes in forma prædicta.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 7 E. 1. *prædicta. In cuius, &c. Dat. per manum Magistri Thomæ Beke apud Dovor. 30. die Maii.*

The King having sowed the Archbishops Temporalities with corn, the Archbishop compounded with him for the crop for a fine of 2000. Marks, at 4. payments, (for \* want of present money,) thus entred in the Patent Roll.

\* See p. 216.

Pat. 7 E. 1. m. 11. Pro Archiep. Cant. de Fine facto.

**R**EX pro fine duorum millia Marcarum quem venerabilis pater J. Cantuar. Archiepiscopus fecit cum Rege & unde solvet Regi vel certo attornato suo quingentas marcas in Quindena Pasche proximo futur. & alias quingentas marcas in Quindena Sancti Michaelis proximo sequenti, & quingentas marcas in Quindena Pasche tunc prox. sequenti, & residuas quingentas marcas in Quindena Sancti Michaelis proximo sequenti, concessit eidem Archiepiscopo blada Archiepiscopatus prædicti de Aurumpno instanti, quæ ad Regem pertinent ratione Archiepiscopatus illius nuper vacantis, et in manu Regis existentis. In cuius, &c. Teste Rege apud Wyndes. xxiv. die Julii.

Et mandatum est Radulpho de Sandwico & Willielmo de Middleton, nuper Custod. Archiepiscopatus prædicti, quod eidem Archiepiscopo blada prædicta liberent in forma prædicta. Teste ut supra.

\* See Godwins Catalogue of Bishops, p. 468.

The Archbishoprick of York becoming voyd by the death of Walter Giffard, (who was translated from Bath and Wells by the Provision of Pope Clement the 5th, whose Chaplain he was, and William Langton the Dean of York, legally elected, put by) the King thereupon committed the Temporalities thereof, and seised the Bishops goods and chattels thereon, till his Executors put in security to satisfie all Debts owing to the King at the time of his death into the Exchequer; whereupon they were restored to them, as these words attest.

Fines 7 B. 1. m. 15. De Archiepiscopatu Eborum commissio.

**R**EX commisit Thomæ de Normanvill & Magistro Henr. de Newerk Archiepiscopatum Eborum vacantem, & in manu Regis existentem, cum pertin. custodiendum quamdiu Regi placuerit: Ita quod de exitibus inde provenientius Regi respondeant ad Scaccar. Regis. Et mandatum est Militibus, liberis hominibus, & omnibus aliis tenentibus de Archiepiscopatu prædicto, quod eisdem Thomæ & Magistro Henr. tamquam Custodibus Archiepiscopatus prædicti in omnibus quæ ad custodiam illam pertinent intendentes sint & respondentes in forma prædicta. In cuius, &c. Teste Rege apud Westm. 28 die Apr.

Ibid. Pro Executoribus Testamenti Eborum Archiepiscopi.

**Q**uia R. Bathon. & Wellen. Episcopus, & Nicholaus de Wodeford, manuceperunt pro Executoribus Testamenti bona memoria W. nuper Eborum Archiepiscopi, de omnibus debitis in quibus idem Archiepiscopus Regi tenebatur, die quo obiit, ad Scaccarium Regi reddend. Mandatum est Richardo de Holebrook Senesch. Regis, quod Executors prædictos de omnibus bonis et catallis quæ fuerunt prædicti Archiepiscopi plenam et liberam administrationem habere permittat ad executionem prædicti Testamenti inde faciendam juxta manucaptionem prædictam. Teste Rege apud Westm. xxviii. die April.

Pro Executoribus Testamenti Eborum Archiepiscopo.

**M**andatum est Magistro Henr. de Newerk Custodi Archiepiscopatus Eborum se de vacante, quod si executores bona memoria W. nuper Archiepiscopi Eborum invenerint ei sufficientes manucaptos de omnibus debitis in quibus prædictus Archiepiscopus tenebatur die quo obiit Regi, ad Scaccarium nostrum reddendis, tunc eosdem Executors de omnibus bonis & catallis quæ fuerunt prædicti Archiepiscopi, & quæ occasione mortis ejusdem capta sunt in manu Regis liberam administrationem habere faciat ad executionem dicti Testamenti inde faciendam. Eodem modo mandatum est Richardo de Holebrook Senesch. Regis. Teste ut supra.

\* See Godwins Catalogue of Bishops, p. 467. Thomas Stubbs, &c. Pontif. Ebor. col. 1727.

After which the King granting a license to the Dean and Chapter, to elect a New Archbishop, the majority of the electors elected \* William Wickwane; whom the King approved by this Charter.

REX

Upon the Liberties of the Kings and Subjects of Engl. & Irel K. Edward 1.

**R**EX electioni nuper celebratæ in Ecclesia Cathedrali Eborum de Magistro Wilhelmo Cancellario ejusdem Ecclesie in Archiepiscopum ejusdem loci Regium assensum addidit et favorem. Et hoc significatum est Domino Papæ, ut quod suum est in hac parte erequatur. (He having then usurped a power to approve, or null all Archbishops elections at his pleasure, to fill his Coffers.) In cuius, &c. Dat. apud Boston. 4. die Julii.

An. 7 E. 1.  
Pat. 7 E. 1.  
m. 14. D:  
assensu electio-  
ni.

Whereupon this new elected Archbishop repaired to Rome to Pope Nicholas the 3. for his confirmation and consecration; where his election was declared null by the Bishop and Cardinals to whom the Pope referred the examination thereof, for some pretended defects therein: yet because he had the majority of voices, and was a deserving man, lest the Church should continue longer void to its prejudice, he by his own usurping Papal provision created and consecrated him Archbishop, and sent this Bull to the King, (the Original whereof I found in the *White Tower*) informing him of the premises, and desiring his Royal favour for the restitution of his Temporalities.

**N**icholaus Episcopus, Servus servorum Dei, Charissimo in Christo filio Regi Angliæ Illustri, salutem & Apostolicam benedictionem. Divinæ gratia maiestatis acquiritur, si Ministris ejus et hiis specialiter qui Pontificati præditi sunt dignitate, condignus honor impenditur, et favor necessarius exhibetur. Sane dudum Eboracensis Ecclesia per obitum bonæ memoriæ Walteri Eboracensis Archiepiscopi, solatio destituta Pastoris, dilecti filii Capitulum ipsius Ecclesiæ, a te (prout de consuetudine fore asseritur hæcenus observatum) eligendi petita licentia et obtenta, vocatisque omnibus qui voluerunt, debuerunt, & potuerunt commodè interesse, certa quoque die ad eligendum præfixâ, insimul conveniunt, & ad Electionem huiusmodi per viam scrutinii procedentes, cum essent viginti & unus numero, tam per se, tum per Procuratores, tres scrutatores ordinaverunt ex eis qui vota sua & aliorum etiam scrutarentur; quibus vota ipsa scrutantibus & mox publicantibus in communi, compertum est, quod decem et octo in Venerabilem fratrem nostrum Willielmum Archiepiscopum Eboracensem, tunc ejusdem Ecclesiæ Cancellarium consenserunt. Et idem (torn) (W) in Magistrum Hugonem de Ewsan, ipsius Ecclesiæ Canonicum (torn) Et (torn) in Magistrum Thomam Archidiaconum Eboracen, tunc præsentem, & Magister Thomas de Hedon Eboracen. Canonicus, in Magistrum Thomam de Corbriggæ Ecclesiæ præfatæ Canonicum (torn) Et tandem eisdem Archidiaconis & Thoma de Hedon qui dictum Thomam de Corbriggæ tunc absentem (ut prædicitur) nominaverat, ad alios qui in eundem Archiepiscopum, &c. (torn) aliorum prædictorum ac sua Electi eundem Cancellarium in

(conserunt) procuratoribus dicti Capituli ac eodem Thoma de Cantebriggæ illam petentibus confirmat. Nos itaque electionem ipsam, per venerabilem fratrem Episcopum, & dilectos filios nostros G. Tituli Sancti Marci Presbyterum, ac M. Sanctæ Mariæ in Porticu Diaconum, Cardinales, juxta modum quem in hac Romana Sancta Ecclesia (torn) examinari fecimus diligenter, (torn) dicta Electione reperiebatur, omissa, prædictam electionem, non vitio personæ (torn) \* sed Justitia exigente. \* cassarini. Et postmodum specialis Caritatis affectum quem ad præfatam Ecclesiam Eboracensem, (torn) rememoratione prosequimur infra nostra præcordia revolventes, et de ipsius provisione utili et salubri, ne prolixioris dispendia vacationis incurreret, cogitantes, (a meer pretext for this his Usurpation and Provision, to gain more money from the Archbishop) & ad personam ipsius Archiepiscopi, quam (torn) habeatur vitæ laudabilis, & conversationis honestæ, Literarum scientia præditus, discretionis maturitate conspicuus, præclarus meritis & aliis in Spiritualibus & Temporalibus circumspæctus, nostrum dirigentes affectum, sperantes quoque virtutibus desursum sibi traditis insignitus eandem Ecclesiam salubri, dante Domino, regimine gubernabit, ipsaque utilis præsidio munita Pastoris oblati affluet incrementis, eundem Willielmum (torn)

de fratrum nostrorum consilio et apostolicæ plenitudine potestatis eidem Ecclesiæ præfecimus in Archiepiscopum et Pastorem, sibi que munus Consecrationis de nostris manibus dirimus impendendum. Quocirca Serenitatem Regiam rogamus, & hortamur



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

An. 7 E. 1. hortamur attente, quatinus Regalia Eboracensis Ecclesie dicto Archiepiscopo, divina Majestatia intuitu, ob reberentiam quoque nostram et prefata sedis, dignes, vel facias (prout ad te pertinent) assignari; & alias predictum Archiepiscopum habens propensius commendatum, in omnibus quae salubrem, tranquillum, & prosperum Ecclesie sue statum respiciunt, continuis et assiduis favoribus opportunis, ut Regem Regum promptum exinde tibi constituas, nosque Magnitudinem tuam dignis in Domino laudibus commendemus. Dat. Viterbii 13 Kal. Octob. Pontificatus nostri Anno secundo.

Dorso. *Bulla Papa Willielmo Archiepiscopo Eborum, pro restitutione Temporalium Archiepiscopatus Eborum.*

Upon which the King was pleased to restore his Temporalities.

Thus this Pope by his Provisions usurped a power to confer the Archbishopricks of *Canterbury* and *Yorke*, and likewise to ratifie the election of the Abbey of *St. Edmunds*, as appears by this Patent.

Pat. 7 E. 1.  
m. 4. intus.  
De Temporalibus restitutis.

**R**EX Militibus, liberis hominibus, & omnibus aliis tenentibus de Abbacia Sancti *Edmundi*, salutem. Cum summus Pontifex electionem nuper factam in Ecclesia Conventuali Sancti *Edmundi* de fratre *Johanne de Northwold* Monacho ejusdem Domus in Abbatem loci predicti, cui Regium assensum adhibuimus et favorem, confirmaverit, sicut per litteras patentes predicti Summi Pontificis accepimus: Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Abbatis, & temporalia ejusdem Abbacie, prout moris est, restitimus eidem. Et ideo vobis mandamus, quod eidem *Johanni* tanquam Abbati & Domino vestro in omnibus quae ad Abbaciam predictam pertinent, intendentes sitis & respondentes. In cujus, &c. Teste Rege apud *Westm.* 5 die *Novembris*.

This Pope not content with these Provisions and Usurpations in *England*, the Archbishoprick of *Dublin* in *Ireland* being then void, and in the Kings hands, he did by his Papal plenitude of Power confer it by Provision (without the Kings license, or the Deans and Chapters election) on *Freer John de Derlington*, his former \*Tax-gatherer in *England*; who resorting to the King in person, and taking an Oath of Fealty to him, (entered *verbatim* in the Patent Roll) he out of his special grace not only restored the Temporalities of the Archbishoprick to him, but likewise granted him the free use and exercise of all Liberties and ordinary Jurisdiction within his Archbishoprick, as amply as any of his predecessors claimed or enjoyed them by his or his Progenitors Charters, as these Records attest.

\* See here p. 189.

Claus. 7 E. 1.  
m. 7. dorso.  
De fidelitate fratris *Johannis de Derlington* facta Regi.

**D**e Jovis proximo post festum Sancti *Marcii* Evangelistae, Anno, &c. septimo, Frater *Johannes de Derlington* de ordine Prædicatorum electus *Dublin*, in presentia Magistri Archidiaconi *Runcii* *Wodis* Apostolicæ fecit fidelitatem Regi *Edwardo* et hæredibus suis Regibus Angliæ pro temporalibus *Dublin*. Archiepiscopatus, in hæc verba: Ego Frater *Johannes de Derlington* Ordinis Prædicatorum, de quo Dominus Papa prohibuit Ecclesie *Dublin*, juro inspectis sacrosanctis Evangeliiis, quod ego Domino *Edwardo* Regi Angliæ, et hæredibus suis Regibus Angliæ, portabo bonam fidem de vita et membris et terreno honore contra omnes gentes: Et quod fideliter faciam servitium debitum et consuetum de Temporalibus dicti Archiepiscopatus; Et distm Rex, quia personaliter venit et fecit fidelitatem, ut predictum est, reddidit ei Temporalia dicti Archiepiscopatus, prout moris est, & fieri consuevit, & precepit quod haberet super hoc breviam. Which he had as followeth.

Ibid. m. 19.  
De Temporalibus Archiepiscopatus *Dublin* restitutis.

**R**EX Militibus, liberis hominibus, & omnibus aliis tenentibus de Archiepiscopatu *Dublin*, salutem. Cum summus Pontifex dilectum nobis in Christo fratrem *Johannem de Derlington* Ordinis fratrum Prædicatorum Ecclesie *Dublin*, in Archiepiscopum patrem et pastorem præfecerit, sicut nobis per Patentes ejusdem Summi Pontificis litteras nobis inde directas innotuit; Nos præfectioni illi Regium assensum adhibentes, de gratia nostra speciali cepimus ab eo Sacramentum fidelitatis, prout moris est, et Temporalia dicti Archiepiscopatus eidem reddidimus. Et ideo vobis mandamus, quod eidem fratri *Johanni*, tanquam Archiepiscopo & Domino

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Domino veltro in omnibus quæ ad Archiepiscopatum illum pertinent, intendentes *An. 7 E. 1.*  
fictis & respondentes. In cujus, &c. T. ste Rege apud *Westm.* 28 die *Aprilis*.

Et mandatum est *Roberto de Ufford* Justic. *Hibern.* *Thoma de Cheddesworth* custodi  
Archiepiscopatus *Dublin.* & Magistro *Johanni de Sannford* Escaetori *Hibernis*, quod  
eidem fratri *Johanni* Temporalia ejusdem Archiepiscopatus liberent. Teste ut supra.

**R**EX Justic. Escaetoribus, Vicecomitibus, Ministris, & omnibus Ballivis & fide- *Pat. 7 E. 1. m.*  
libus suis ad quos, &c. salutem. Volentes venerabili patri fratri *Johanni de* *3. Pro Archi-*  
*Derlington Dublin.* Archiepiscopo, gratiam facere specialem, concessimus ei, quod *episc. Dublin.*  
toto tempore vite sue utatur et gaudeat eisdem libertatibus et quietanciis quales  
ipse et predecessores sui Archiepiscopi *Dublin.* per Chartas progenitorum nostro-  
rum Regum Angliæ et nostras hactenus rationabiliter usi sunt: Et quod idem  
Archiepiscopus omnem Jurisdictionem ordinariam habeat in Archiepiscopatu præ-  
dicto, et ea per se et suos subditos sine impedimento nostri, vel heredum aut quo-  
rumcunque Ballivorum nostrorum plene, libere et rationabiliter utatur, sicut ipse  
et predecessores sui Archiepiscopi *Dublin.* Jurisdictione hujusmodi plenas et libe-  
rias usi sunt temporibus retroactis. Et ideo vobis mandamus, quod prædictum  
Archiepiscopum contra hanc concessionem nostram non vexetis, vel ab aliquibus  
quantum in vobis est vexari permittatis. In cujus, &c. Teste Rege apud *Westm.*  
15 die *Novembrii*.

The Archbishop of *Dublin* being restored to his Temporalities by the King graci-  
ous favour, he thus relates to *John de Kirkeby* the special favours shewed to him by  
the Pope and his Cardinals concerning his Pall, and the persons and place of his  
Consecration, (which no doubt cost him dear) at which he desired *Kirkby's* and the  
Kings presence.

**S**Uode *Kyrkeby*, saus de *Derlynton*, quod sibi. Robertis quod mandata Apo- *Brevia Regis*  
stolica ac Cardinalium nuper recepi, set super hiis quæ pertinent ad consecra- *Anno 7 E. 1.*  
tionem meam meæ reliquerunt electioni, quantum ad personas et locum. Quan-  
tum vero ad Palli missionem facit michi insuper gratiam ultra Statuta Canonum  
admirandam, et quam hactenus facere sedes Apostolica minime consuevit, maxime  
tempore translationis de loco ad locum. Verum quia non possum omnia vobis  
intimanda scripto transmittere, supplico devotissime, ut nostræ consecrationi per-  
sonaliter adesse velitis, ac Domino nostro Regi super ejus præsentia exhibenda,  
efficaciter persuadere dignemini. Locum & diem vobis exprimet lator præsen-  
tium, sicut & Domino Regi, qui utinam literæ sibi directæ vestram interpretem  
merear habere benevolentiam, de qua multiplici experimento præhabito, quamvis  
immeritis, omnino confido. Valete hic & in æternum sicut opto valere meipsum.

Dorso. Domino *J. de Kyrkeby*.

The King notwithstanding his connivance at these Provisions and Usurpations of  
the Pope, to preserve the antient Liberties, Rights and Prerogatives of his Crown  
and Kingdom against future Encroachments, and the citing of his Subjects out of the  
Realm to *Rome* and elsewhere, upon Appeals or other occasions, sent this memo-  
rable Epistle to Pope *Nicholas*, to forbear and reform these abuses and grievances  
for the future, upon his Subjects complaints against them.

**S**ANCTISSIMO in Christo Patri & Domino, Domino *N.* divina providentia Sacrosancta *Clas. 7 E. 1.*  
*Romanæ & Universalis Ecclesiæ Summo Pontifici*, Edwardus Dei gratia Rex *m. 9. dorso.*  
Angliæ, Dominus Hiberniæ, & Dux Aquitaniz, cum omni reverentia & honore primum *Quidam lite-*  
oscula beatorum. Illam gerimus de Sanctitate vestra fiduciam, quod preces nostras *ra directæ Do-*  
benigne audiat, et benignius admittatis ad gratiam exauditionis optatæ, illas *mino Papæ.*  
maxime quæ honestatem non deserunt, et ab æquitatis tramite non discor-  
dant. Cum igitur Sanctissime Pat. & Domine, longis temporibus retroactis Apostolicæ  
sedis benignitas genti Anglorum inter alia honoris insignia gratanter indulsit,  
Quod nullus Anglicus posset a quoquam per literas sedis ejusdem extra regnum  
Angliæ ad judicium edocari: Et nunc temporibus vestris, quæ prolonget Altissi-  
mus in tempora longiora, regnicolæ nostri Anglici quasi passim et indistincte per  
litteras



An. 7 E. 1.

litteras vestras extra Regnum prædictum, contra indulta privilegiorum sedis ejusdem, ad iusticia pertrahantur: Et hoc non absque gravibus eorum laboribus, expensis et dispendiosis periculis personarum, ac insuper hoc ab eisdem regnicolis nostris sumas pluries cum instantia requisiti, ut super prædictis quantum ad nos pertinet, convenientem remedium apponamus. *Beatitudini vestre cum omni affectione quam possumus supplicamus, quatinus ad Anglicos nostros Ecclesie Romanæ devotos filios continuantes, si placet, privilegia gratiæ et honoris ipsius a prædecessoribus vestris indulta, immo ea potius, erga ipsos nostræ devotionis intuitu ampliantes, conservare eis libere dignemini, quæ de gratia et mera liberalitate præfate sedis Apostolicæ sunt concessa, ac eorum dignemini in hac parte gravamina et dispendia relebare: Præsertim cum in Regnum prædictum securus accessus pateat, et recessus ab eo universis et singulis illuc venire volentibus, et recipere ab eodem, et divina gratia faciente idem Regnum in illius pacis et tranquillitatis soliditate consistat, quod quilibet exterius contra quemlibet indigenam libere valeat prosequi super querelis quibuslibet facta sua. Super his igitur, si placet, tale dignetur apponere remedium auctoritas vestra sacra, quod de devotis illis devotioribus efficiat, et nos vobis astringamur propter ea, ad ea quæ sunt placibilia votis vestris, et ad gratiarum uberes actiones. Conservet vos Dominus Ecclesia Sancta sua. Dat. apud Woodstock 7 die Februarii.*

Moreover to preserve the Rights and Priviledges of his Free-Chappels and Crown, against the Popes Provisions to them, and Bishops and other Ordinaries Usurpations of Jurisdiction in and over them, he issued these ensuing memorable Writs and Prohibitions this year.

Bundela Brev.  
& Petit. in  
Turri London.  
Anno 7 E. 1.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanie, dilectis Clericis ejus Magistro Thomæ Bek, & Johanni de Kirkeby, salutem. Cum quidam Galfridus le Chapeleyn quondam provisionem in Ecclesia Sancti Martini Magni London. quæ est libera Capella nostra, de quodam Præbenda in eadem sibi ad executionem venerabilis patris J. London. Episcopi, quancumque ad hoc se offerret facultas conferenda, a sede Apostolica impetraverit; propter quod idem Episcopus de Præbenda quæ fuit Johannis le Fauconer defuncti in eadem Ecclesia quam dilectus Clericus noster Magister Johannes de Cadomo vendidit ex collatione Decani Ecclesie memorate prædicto Capellano, ut accepimus prohibere intendit, et per diversa privilegia nobis a sede Apostolica sit instituta, ut Capellæ nostræ libere ab hujusmodi provisionibus penitus sint exempta; unde posset nobis et hæreditibus nostris futuris temporibus magnum præjudicium generari, si dicti Capellani provisione in hac parte sortiretur effectum: Vobis mandamus, quod prædicto Magistro Johanni, vel nuncio suo, tam pro iure nostro quam ipsius Clerici nostri salvando Brevia competentia de magno sigillo nostro, eis quorum interest dirigenda super præmissis in forma debita faciatis. Teste meipso apud Card. 8 die Junii, anno regni nostri septimo.

Ibidem.

**E**xcellentia vestra, si placet, monstravit Willielmus de Lewes & Walterus de Tothylle Capellani & Canonici vestri libera Capella de Hastings ibidem residentes, quod Dominus Episcopus Cicestrensis et ejus Officiales, (always usurping upon the Kings Prerogatives) non cessant eis graviter et iniuste molestare, videlicet ad Synodum suam citando, Ecclesias suas ad prædictam liberam Capellam vestram spectantes interdicens, ita quod mortuos sepelire, et infantes baptizare, nec missas in eisdem Ecclesiis celebrare non possunt, ab eorum dampnum non modicum et gravamen, et ad maximum præjudicium et contemptum præfate Capellæ vestræ, ab hujusmodi molestis auctoritate Apostolicæ immunitatis existentis. Super istis petit remedium, &c. Præterea Dominus Rex consulit prædicto Waltero de Tothylle Præbendam quam Galfridus de Wynton tenuit, cum omnibus suis pertinentiis quam habet, excepto quadam domo quam dictus Galfridus edificavit sibi & successoribus suis; quare petit litteras Domini Regis Ballivi de Hastings, quod plenam iusticiam in hac parte sibi faciat, quia non habet ubi caput suum possit reclinare. Dicamus noster petit deponi, nec vult ulterius esse Decanum, (by reason of the Bishops vexations, and violations of his Priviledges.)

To

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To which Petition this answer is endorsed; *In Cancellaria, Habeat Breve Episc. An. 7 E. 1.*  
 copo quod desistat.

To which I shall subjoyn this memorable Prohibition to *Oliver Sutton* Dean of *Lincoln*, and the Canons thereof, and Archdeacon of *Derby*, for exercising Jurisdiction over his Free-Chappel of *All Saints* in *Derby*, in derogation of his Crown and Dignity, by Excommunicating the Ministers thereof, and giving occasion to draw them out of the Realm by Appeals.

**R**EX Magistro Olivero de Sutton Decano Lincoln. ac omnibus & singulis Canonicis, Capellanis & Ministris Ecclesie Omnium Sanctorum Derb. salutem. *Pat. 7 B. 1. m. 18. intus.*  
 Cum ipsa Ecclesia Omnium Sanctorum, cum Præbendis & aliis pertinentiis suis, sit libera Capella nostra, et ab omni Jurisdictione ordinaria exempta, ac Domino Papæ immediate subjecta, et ex donatione prædecessorum nostrorum Regum Angliæ ad Decanatum Ecclesie Lincolnæ pertineat. Ac Magister Jordanus de Wynburn Archidiaconus Derb. Jurisdictionem ordinariam pro libito sibi vendicet et multipliciter usurpare contendat, sententiam Excommunicationis in quosdam ipsius Ecclesie Derb. Ministros de sacro cum de jure non possit temere proferendo, in grave præjudicium libertatum nostrarum, et Regis dignitatis, necnon et sedis Apostolicæ contemptum manifestum, ut intelleximus. Nos ne nobis præjudicium in hac parte generetur prohibere cupientes: Vobis mandamus firmiter inhibentes, sicut alias per litteras celeberrimæ memoriæ Domini H. Regis patris vobis inhibuit fuisse compertimus, ne Coventrensis, et Lichfield, Episcopo, Archidiacono Derb. vel eorum Officialibus, Decanis, vel aliis quibuscunque Jurisdictionem ordinariam in dicta Ecclesia Omnium Sanctorum sibi vendicantibus, aliquo modo pareatis vel intendatis, contra libertates et privilegia nostra prædicta. Et quia audivimus præteritu contentione hujusmodi super libertatibus dictæ Capellæ nostræ inter vos et ipsum Archidiaconum exortæ, quasdam Appellationes fuisse interpositas occasione quarum posset nobis de facili super libertatibus prædictis præjudicium generari, eidem Archidiacono per alias litteras nostras nuper inhibuimus, sicut et vobis tenore præsentium inhibemus, ne ipse vel vos occasione Jurisdictionis prædictæ per modum querelæ vel Appellationis alicujus super prædictis libertatibus extra Regnum nostrum Angliæ aliquo modo agitetis vel agitari procuretis, in præjudicium nostrum et Ecclesie supradictæ. In cuius, &c. Teste Rege apud Westm. 28 die Aprilis.

This Dean and his Officials refusing to receive another Writ of Prohibition issued to them in the Kings name, and contemptuously rejecting and trampling it under their feet; the King thereupon issued two successive Writs against them, to appear before him and his Council, to answer this high contempt of his Royal authority, as this Record informs us.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanie, Venerabili in Christo Patri R. eadem gratia Lincoln. Episcopo, salutem. Quia ex querela Mabil, quæ fuit uxor Radulphi de Grenham accepimus, quod cum ipsa Breve nostrum de Prohibitione Magistro Olivero de Sutton Decano Lincoln. Antonio de Santhorp. Jordano de Lincoln. & Magistro Rogero de Cave, Commissariis ejusdem Decani, nuper (prout mox est) detulisset, et illud eidem optulisset; prædicti Antonius, Jordanus & Rogerus Breve prædictum admittere recusarunt, et illud turpiter conculcarunt et rejecerunt, in nostri præjudicium et contemptum manifestum; per quod eidem Decano mandavimus, quod in propria persona sua esset coram nobis, et præfatos Antonium, Jordanum, & Rogerum haberet apud Nottingham die Dominica proximo ante decollationem Sancti Johannis Baptistæ, ad faciendum et recipiendum in hac parte, quod de Consilio nostro duxerimus providendum. Cumque præfato Decano absentiam suam ad diem illam excusante, & præfatis Antonio & Jordano tunc coram nobis comparentibus & asserentibus, quod Breve prædictum eis nunquam postructum aut oblatum fuisset, nec per ipsos conculcatum vel rejectum, nec etiam ipsos admissioni, conculcationi, aut refectioni brevis prædicti consensum vel assensum præbuisse, per quod credidimus, quod præfatus Rogerus

Brevia Regis de Anno 7 E. 1. nu. 13.

\*Nota.

rus



*An. 7 E. 1.* rus de Cave de Contemptu p[ro] dicto culpabilis existit; et quod ipse dictis die et loco ea occasione se subtraxit. Hos contemptum illum relinquere nolentes impunitum, *Vobis mandamus*, quod praedictum Rogerum habeatis coram nobis in proximo adventu nostro apud Stamford, ubi praedictos Mabil. Antonium & Jordanum tunc adjunximus, ad faciendum et recipiendum, quod inde de consilio nostro duxerimus prohibendum. Et hoc nullo modo omittatis. Et habeatis ibi hoc Breve. Teste meo ipso apud Nottingham xxviii. die Augusti Anno regni nostri septimo.

Dorso. *Magister Rogerus de Cave non est inventus in nostra diocesi, nec potuit inveniri*, veruntamen ipsum fecimus apud beneficia sua quae obtinet in nostra Diocesi citari, quod sit coram Domino Rege apud Stamford in primo adventu suo ibidem, ad faciendum et recipiendum (quod salvo ordine Clericali) ibidem fuerit prohibendum. A strange (salvo for such an high contempt, which the King so highly resented, as he had just cause.) These Prohibitions and Writs demonstrate how bold the Prelates, Archdeacons, and their Officials were then grown, in contemning and trampling under foot the Kings Prohibitions and Regal Authority, and invading the rights of the Crown, being encouraged by the Popes premised Usurpations, and their new Archbishops, which I shall next relate.

John Peckam, Archbishop of Canterbury, was no sooner settled in his Metropolitick Chair by the Kings extraordinary favour, but like a Pope of our other World he presumed to summon a Provincial Council of his Suffragans and Clergy at Redding, by his own Archiepiscopal authority. The main design whereof was, to publish some New Constitutions against Pluralities and Commendae, (against which he was very zealous all his life) but especially to enforce all former, and adde some new Clauses of Excommunication against such of the Kings Judges, Ministers and Subjects, who should grant or sue forth any Prohibitions to controul their Usurpations upon the Kings Prerogative, or Subjects Rights, Liberties, Priviledges; or not execute their illegal Excommunications, for not observing such Decrees as Popes, their Nuncios, or his predecessors had published in former Councils; thus registred to Posterity.

a Spelmanii Concil. Tom. 2. p. 320.  
b Johannes de Aton Constitutiones legittimas, f. 130, 131.  
c Guill. Lyndewode, lib. 1. f. 8. & lib. 5. 254, 255. De Sententiis Excommunicationis.  
d Spelmanii Concil. Tom. 2. p. 320, to 326 Ex Ver. Cod MS. sub effigie Othonis, A. 25. f. 105. b in lib. Cotto-niana.

<sup>a</sup> Anno Domini 1279. circa festum S. Jacobi Apostoli, frater Johannes Cantuariensis Archiepiscopus, convocatis universis Suffraganeis suis apud Radinges, celebrabit Concilium, in quo Constitutiones Concilii generalis, quod silentio praeire non conuenit, innovavit; viz. quod singuli Mediores Ecclesiarum unico tantum beneficio, curam animarum habente, cogentur esse contenti, quin etiam omnes ad ordinem Sacerdotii infra annum se faciant promovere. Had he done this only it had been praise-worthy.

The Canons and Constitutions of this Council, are thus recorded at large by Johannes de Aton, <sup>c</sup> William Lyndewode, and <sup>d</sup> Sir Henry Spelman.

Constitutiones Domini Johannis Peckham Cantuariensis Archiepiscopi, editae apud Redyng iii. Kal. Augusti, Anno Domini 1279. & Regni Regis Edwardi primi, septimo.

#### De Institutionibus & Destitutionibus.

**A**udistis, Fratres conscripti, istam Constitutionis tenorem; novistis etiam Canones Sanctorum Patrum super hanc materiam editos, tam in Thessalono quam in Romano Concilio, necnon & Capitulum Dionysii, quae omnia, seu qui omnes pluralitatem Beneficiorum cum cura, inhibent uni committi; singulas Ecclesias singulis Sacerdotibus committentes: secuta sunt deinde Concilia Lateranensis sub Alexandro Papa, et generale Concilium sub Innocentio tertio; in quibus omnibus ista Pluralitas inhibetur; haec addito in ultimo Concilio, quod per receptionem secundi beneficii vacat primum; receptoque secundo primum, per eum, ad quem Collatio pertinet, libere alii conferatur. Et si id infra sex menses alteri conferre distulerint, non solum ad alios, iuxta Concilium Lateranense, collatio devolvatur; verum etiam cogatur de suis proventibus in utilitatem Ecclesiae, cujus est illud Beneficium

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beneficium, assignare, quantum a tempore hacationis ipsius constiterit esse perceptum. *An. 7 E. 1.*  
 Et cum non sit finis ambitionis, nec cæcæ cupiditatis esset impositus, successit  
 præsens Legati institutio Octoboni, quæ ad multa mala præterita extirpanda, et ad  
 providendum in futurum, ne de cætero pestis hujusmodi pullularer, et sufficiens ab  
 eodem fuerat æstimata, dum pestes atque miseriae, quæ ex hac radice præveniunt,  
 et pericula quæ sequuntur ebidenter enervans, ea studet imprimere in cordibus pec-  
 carorum, dum nunc Institutiones decernit irritas ipso jure, nunc vero ipsum insti-  
 tuendum adigit Juramento, nunc perjuros præbat beneficiis habitis et habendis,  
 et contra hoc Episcopos venientes a beneficiorum collatione suspendit, donec Insti-  
 tutiones a se factas improvide, contra Constitutionis tenorem, duxerint rebocan-  
 das; licet hæc omnia cum gravi studio magnaque diligentia sint probata, istorum  
 tamen omnium non secutus est fructus quibus nec præbentus, quin potius, ac si ni-  
 hil propius super ista materia excogitatum fuisset a majoribus seu probis, nec  
 amore justitiæ, nec timore poenæ cessarunt hucusque aliqui, per phas vel nephas undi-  
 que sibi beneficia cumulare, nec ipsi poenas Constitutionis verentes, nec alias sacris  
 inhaerentes Canonibus, eisdem ipsa Beneficia immensa numerositate conferre, licet  
 cum eisdem non fuerit dispensatum: Quæ omnia sæpe et sæpius ad aures Summi  
 Pontif. perbenerunt, qui hæc omnia vehementer abhorrens, necnon admirans  
 vehementius, quod nec Constitutiones aut Canones per cautelas aut poenas huc-  
 usque tantæ præsumptionis enormitas poterit coerceri, nec etiam remedium ei-  
 dem adhiberi; nobisque etiam vix vocis injunxit Quaculo, quod tanto incommodo  
 celeri reformatione feceremus occurrere, et hujusmodi præsumptores a tantæ temerita-  
 tis audacia, quacunque possumus coercionem compelli. Et licet ad hæc omnia com-  
 primenda solius Metropolitane Jurisdictionis potestas apud nos sufficere dinoscatur,  
 qui in benignitate, tolerantia et lenitate ingredi, et progredi potius affectamus in  
 singulis, quam in severitate nimia ac rigore plectere corrigenda: Quia tamen facti  
 perberitas in tantum se extulit, ut ex eo sit multiplicata ruina, et exortum sit scan-  
 dalum plurimorum, clamorque ad aures Superioris ascenderit, ut tantum scelus  
 contra decorem Ecclesiasticæ honestatis, sub dissimulatione de cætero nequeat per-  
 trahi, multisque grassantibus, opus sit exemplo, Apostolicæ præcepti nos  
 urgeat auctoritas in hac parte.

Quos Dei adjutorio invocato, prout nobis in præsentis occurrit, manus huic nego-  
 tio opposuimus adjutrices, decernentes juxta formam generalis Concilii, omnia  
 illa Beneficia curam Animarum habentia quæ optinuerunt, et optinent illi de facto,  
 qui dispensationem Sedis Apostolicæ super hujusmodi pluralitatem non habent,  
 per beneficii receptionem, quod ipsi beneficiarii sic ultimo receperunt, ipso jure bacare,  
 licet juxta Constitutionis rigorem Domini Octoboni sic recipiens plura Beneficia,  
 etiam ipso jure sit ultimo præbatus; præcabere tamen volentes, ne rigorem videamur  
 coercere rigoremque etiam Constitutionis tam Concilii generalis, quam etiam  
 Domini Octoboni clarius advertentes, quarum neutra et præbentis, et ultimo  
 simul præbat, cum Concilium generale sola auferat præbentia, ultimum tamen re-  
 servat: Conciliumque Octoboni institutionem in ultimo beneficio decrevit irritam  
 ipso jure, præbentis tamen non præbat ipso jure: nos misericordiam cum rigore  
 miscentes, non tam misericorditer, quam prudenter permittimus, ut is qui plura  
 beneficia curam animarum habentia, sine dispensatione Apostolica, fuerit affectus,  
 ultimo sit obtento, et eodem juxta Concilii generalis tenorem, de nostra speciali  
 gratia, sit contentus, nisi forsitan, ex temeritate contendit etiam præbentia im-  
 probe retinere: In quo casu, nec primo, nec ultimo dignum, nec medio, immo nec  
 aliquo judicamus, sed potius ea omnia de jure bacare, quibus omnibus quatenus  
 de facto eadem detinet occupata sensimus perpetuo spoliandum. Beneficia ve-  
 ro quæ per modum superius nominatum eatenus bacaverint, adeo ut ad nos,  
 propter negligentiam Prælatorum, et Capitulorum, fuerit devoluta collatio, no-  
 bis, seu nostræ collationi reservamus. Quæ autem per tantum tempus bacaverint,  
 ut per consimilem negligentiam ad Sum. Pontif. jus ea conferendi fuerit devolutum,  
 eidem Sedi tanquam Vicarij Sedis Apostolicæ, in hac parte specialiter reservamus;  
 decernentes erunc irritum et inane, si quid circa eadem beneficia sic retro vacantia  
 commutando vel personis aliis præsentando, seu alias quocunque ingenio, vel colore  
 quæsit, per quoscunque Prælatos superiores, vel inferiores, seu per quoscunque  
 Clericos in posterum fuerit innovatum. Ipsis quoque Ecclesiarum detentoribus  
 earundem,

*Nota.*

\* Who mono-  
 polized all  
 such dispensa-  
 tions to it  
 self, selling  
 them at dear  
 rates to all  
 who had mo-  
 ney to pur-  
 chase them.



*An. 7 E. 1.* earundem, per nos et fratres Coepiscopos nostros, et eorundem Confessores nunciamus, et volumus impoſterum nunciari, quod nec ad dignitates Ecclesiasticas, nisi demum, purgato vitio, possunt assumi; et si de facto ad easdem ascenderint, non posse absque periculo ministrare, nec salvari poterunt in die Iudicii, nec in presenti accipere poenitentias (scias quæ non proficiunt ad salutem, nisi cum renunciant Beneficiis, quæ sic de facto detinent occupata: Merum etiam de fructibus Ecclesiæ sic consumptis, Ecclesiæ Dei quam graviter offenderunt, quatenus poterunt, satisfaciant competenter, cum ista beneficia taliter invadentes scienter faciem in messem inferunt alienam; cumque non intrent per hostium, non pastores, sed fures pariter existunt, et latrones; miseræque animas imprudenter decipiunt, quas nec utique solvere valent nec ligare. Et illos quoque qui Confessores talium Clericorum existunt, qui eisdem in poenitentia non iungunt, ut fructus Ecclesiarum taliter non perceptos, sed furtive surreptos restituant, seu de eisdem satisfaciant, prout possint Ecclesiis, quas sic de eisdem fructibus retinendo læserunt, imperitos decernimus, aut minus benignos, et callidos animarum Clericorum huiusmodi decipit.

*Nota.*

*Nota.*

Inhibentes sub pœna Excommunicationis, ne ad talium absolutionem manus extendant temerarias, cum huiusmodi Ecclesiasticorum Beneficiorum improbi sint detentores, in scelere continuantes. Huic quoque vitium Canceroso, per quod per modum alium in futurum ut cernitur, sanari non potest; ferrumque quod adhuc superest ignitum inijcimus, mucrone Anathematis tam enormis flagitii piacula reserantes; decernentes, et in perpetua stabilitate firmantes, ut quicumque in posterum plura beneficia curam animarum habentia, absque Sedis Apostolicæ dispensatione, receperit, vel fuerit affectus per modum Institutionis, vel Commendationis, seu Custodiæ, vel unum titulo institutionis, aliud titulo Commendationis, sive Custodiæ, præter modum illum quem Constitutio Gregoriana edita in Concilio Lugdunensi permittit, sit eo ipso præbatus omnibus sic obtentis beneficiis ipso facto, Excommunicationis sententia permaneat innodatus, a qua, non nisi per nos, vel per Sedem Apostolicam Absolutionis gratiam valeat promereri; ut ad beneficiorum vacantium, per hunc modum, vel per alium pervenire notitiam beleamus. (A very memorable, usefull Constitution, worthy observation.)

Nos, fratres charissimi, firmiter injungendo mandamus in virtute obedientiæ, quatinus per vos, seu Officiales vestros, Archidiaconos et Decanos, nomina et numerum Ecclesiarum cum cognomine, agnomine, vel Prenomine, ita quod possit haberi notitia personarum, tempora ipsarum Ecclesiarum collationum factarum ipsis Rectoribus, seu assignationum per modum quemcunque; quo titulo eas obtineant, Institutionis, Commendationis, aut solius Custodiæ; cuius ætatis sint memorati Rectores, seu Ecclesiarum huiusmodi detentores, in quo ordine fuerint constituti; utrum alibi quam in una Ecclesia beneficiati existant? Item, utrum cum eis dispensatum fuerit super pluralitate huiusmodi obtinenda, et qui sunt, et in quibus modis censeantur earum Ecclesiarum Patroni; In cuius æstimationis sint singulæ Ecclesiæ seu balozis, iuxta taxationem Norwicensis, faciatis distinde conscribi, et scripturas hæc omnia continentem clare et distinde confectas, singuli Episcopi de singulis Diocessibus suis nobis ad Civitatem London. transmittant in Otava Sancti Hilarii; quibus loco et die, sabente Altissimo, ad ipsius laudem congregati erimus iterato. Illi autem qui in renuntiatione seu descriptione præfata, nobis ut supra, injungimus facienda, fraudem vel dolum commiserint, vel veritatem instructioni nostræ necessariam subitendo, aut falsitatem (quod absit) aliquam immiscendo, vel per bias alias callide comento quocunque circa præfata verlando, quo minus ad nos perveniat veritas atque notitia præmissorum, poenam falsarii merito poterint formidare.

By which Constitution it is most apparent; 1. That the Plurality of Ecclesiastical Benefices and Commendæ, especially with Cure of Souls, was prohibited, condemned by several Popes, Popes Legates, the Constitutions and Decrees of General, National, Provincial Councils both abroad and at home, as most scandalous, pernicious, impious mischiefs, dishonourable to God, destructive to the peoples, and Pluralists souls, and prejudicial to Gods Church, Worship and Christian Religion. 2ly. That notwithstanding all former Canons and Constitutions made against them, yet through the avarice, ambition, impiety of Pluralists, the dispensations or connivance of Popes and Prelates for their own filthy lucre, they still increased more

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more and more, and continued unredressed (as they do till this very day) as a growing mischief, and cancerous ulcer past all cure, to the eternal infamy of those Popes, Prelates, and Ecclesiastical Officers who ought in duty, conscience effectually to suppress them, for the honour, advancement of Religion, Gods Worship, Service, and salvation of the peoples souls. 3ly. That the principal end of these Canons and Constitutions of Popes and Archbishops against Pluralities and Commendaes, was but to gain more monies for dispensations with them, or a new power to dispose of such Churches and Benefices for which they could not procure such sums for dispensations as they demanded, as the precedent and this next Constitution manifests.

De Institutionibus & Ecclesiarum Commendis.

*Ut Constitutio ista, prout lata est in Constitutione Lugdunensi, quoad verba & quoad sententiam verborum omnino servetur, ipse quoque Summus Pontifex decernit, & nos ipsi vestigiis inherentes, decernimus beneficia aliter commendata a tempore Concilii Lugdunensis, seu quæ diutius sub commendationis specie sunt optenta, quam Constitutio memorata Gregoriana permittit; Illa quoque quæ sub specie custodiæ, quam Summus Pontifex nihil differre æstimat a Commenda, aliter vel diutius sint optenta, quam tenore Constitutionis Gregorianæ commemorat, necnon et illa quæ sunt collata minoribus 22. annis, aut hiis, qui infra annum post admissionem talis beneficii in Presbyteros non fuerint ordinati, esse vacantia ipso iure; ipsa quoque quorum per negligentiam Prelatorum seu Capitulorum, ad nos vel ad Sedem Apostolicam fuerit devoluta collatio, nobis et Sedis Apostolicæ collationem huiusmodi specialiter reservamus, decernentes irritum et inane, &c. ut supra. Cap. De Institutionibus, in clausula. Beneficia vero, &c.*

De sententiis Excommunicationis publicè denuntiandis.

*\* Quoniam malum, nisi cognitum, vitari non potest, plures autem sunt Excommunicationum sententiæ, quibus in Sanctorum Patrum Conciliis homines etiam probi percellantur; ne per ignorantiam de cetero in tanti periculi foveam demergantur, precipimus Cantuariensis Provincia Sacerdotibus universis, ut in omni die Dominica sequenti immediatè post celebrationem ruralis Capituli, exponant aperte populo sibi commissæ Excommunicationis sententiæ, quæ sequuntur.*

*Primo, quibem Excommunicantur auctoritate Concilii Oxoniensis a (sanctæ memoriæ) Stephano Cantuariensi Archiepiscopo, omnes qui maliciose Ecclesias iure suo privare præsumunt, aut per malitiam, aut contra iustitiam, libertates earum infringere vel perturbare intendunt; ex quo intelligimus vinculo Excommunicationis subsacere omnes illos, qui literas impetrant a quacunque Curia Locali ad impediendum processum Ecclesiasticorum Iudicum in causis, quæ per sacros Canones ad forum Ecclesiasticum pertinere noscuntur.*

*Secundo, Excommunicantur universi, qui scienter falsum perhibent testimonium, vel perhiberi procurant, vel qui tales testes scienter producunt vel subornant, ad impediendum iustum Patrimonium, vel ad exheredationem alicujus procurandam.*

*Tertio, Excommunicantur omnes illi, qui pacem & tranquillitatem Domini Regis & Regni injuriosè perturbare præsumunt, & qui jura Domini Regis injuste detinere contendunt. Ex quo intelligimus excommunicari non solum \* guerrarum suscitantes errorem, verum etiam Latrones publicos et prædones, et quoscunque Regni iustitiam impugnantes.*

*Quarto, Excommunicantur Advocati omnes, qui maliciose per quasdam exceptiones verum Patrimonium impediunt, ne effectum debitum sortiatur.*

*Quinto, Excommunicantur omnes illi, qui gratia lucri, odii, vel favoris, maliciose imponunt crimen alicui, cum apud bonos & graves personas non fuerat infamatus, ut sic ei purgatio indicatur, vel alio modo gravetur.*

*Sexto, Excommunicantur omnes, qui vacante Ecclesia, maliciose opponunt vel opponi procurant questionem de iure Patronatus, ut verum Patronum illius Ecclesiæ saltem impediant illa vice.*

*Septimo, Excommunicantur omnes illi, qui maliciose contemnunt erequi mandatum Regis de Excommunicatis capiendis, vel eorum impediunt capti-*

H h

\* See Guil. Lindewode, l. 5. De sententiâ Excommunicationis, f. 254.

Nota.

\* And were not Popes and Prelates principal Delinquents herein?



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ners, seu procurant eorum iniustam liberationem, contra decretum Ecclesie, licet discipline.

*Octavo*, Excommunicantur in Concilio (sancta memoria) Ottoboni, omnes illi, qui pro impedimento pacis seu compositione litigantium quicquid recipiunt, donec ipsum sic receptum restituerint donatori.

*Nono*, Excommunicantur per eundem quicumque de Domibus, Paneris, vel Cangiis, vel locis aliis Archiepiscoporum vel Episcoporum, vel aliarum personarum Ecclesiasticarum, contra ipsorum voluntatem, seu custodum rerum earundem aliquid auferunt vel consumunt, vel injuriose tractant, quæ omnia sententia litigantur, nec absolvi possunt, donec de injuriis satisfecerint competenter.

*Decimo*, Excommunicantur ab eodem, quicumque abstrahunt violententer reum ad Ecclesiam, vel Cimiterium, vel Claustrum fugientem, vel qui ei dictum necessarium prohibent exhiberi, vel qui res alienas in locis eisdem depositas violententer asportant vel asportari faciunt, vel qui asportationem talem factam nomine suo vel a familiaribus suis ratam habent, vel qui ad hoc publice vel occulte consilium præbuerint vel consenserint.

*Undecimo*, Excommunicati sunt ab omnibus Archiepiscopis et Episcopis Angliæ, omnes qui veniunt et faciunt contra Magnam Chartam; quæ sententia per Sedem Apostolicam et pluries confirmata et approbata.

*Auditis* (fratres charissimi Corpiscopi nostri) articulos, in quibus Sanctorum Patrum Conciliis, incurritur sententia Excommunicationis, ipso facto. Sane etiam articuli præter istos, in quibus Episcopi, ipso facto, suspensionis vinculo innodantur per eadem Concilia, quorum Constitutiones quandoque Prælatos ab officio, quandoque à quibusdam Episcoporum insigniis, quandoque à Beneficiorum collatione suspendunt; quæ omnia ex ipsorum Conciliorum tenore colligere poteritis evidenter, in quas liquidem poenas veremur nos, vel aliquos, tanquam temeratores Constitutionum in ipsis editarum Conciliis incidisse: veremur etiam ne sic ligatis divina celebraveris, et Officia vestra, ut prius fuerint assecuti; veremur etiam ne notam irregularitatis contraxeritis in hac parte. Sed quicquid fueris de præterito, hortamur nos ex parte Domini Patris Omnipotentis, monemus, & in virtute obedientie firmiter vobis injungimus, quod de cætero Concilioz statuta supradictorum, necnon et Statutorum nostrorum in præsentis Congregationis primordio editorum, cum Dei timore, et omni diligentia observetis, et faciatis a vestris subditis observari: Alioquin super vos provocabitis iram Dei, & Canonicam merito formidare poteritis ultionem: Et si istorum ignorantia quengquam reddere valeat excusatum, de omnibus quæ nostra congregatione præsentis recitata sunt, publicata seu ordinata hanc formam teneri volumus in futurum; ut hæc omnia (fratres & Corpiscopi nostri) per vos vel Archidiaconos vestros faciatis in vestris Synodis publicari; nihilominus Constitutiones Domini Ottoboni de Baptismo, necnon etiam extracta de quatuor Conciliis in Sessionis nostra primordio memoratis, super diversis articulis, in quibus Excommunicationis vinculum incurritur ipso jure, in singulis Ecclesiis tam majoribus quam minoribus, per quatuor dies Dominicos, post celebrationem quatuor Capitulorum principalium, faciatis rectari. Constitutio vero edita super Concubinis in Concilio Ottoboni in quatuor Capitulis ruralibus, & in principalibus, exclusis tamen Laicis, publicetur. Quæ autem à nobis fuerint in præsentis ordinata vel adjecta Conciliis suprascriptis Ottoboni, his in anno, viz. in duobus generalibus Capitulis Archidiaconatum precipimus singulorum auribus inculcari. Ipsam autem Chartam Domini Regis super Libertatibus Ecclesiarum per Regem concessis, bene et aperte conscriptam in singulis Ecclesiis Cathedralibus, seu Collegiatis, in loco publico subemus affigi, ut omnium intrantium oculis se palam exhibeat, et in fine anni in vigilia Paschæ et Pentecostes renovetur; ut sublata veteri, nova recensque bene scripta substituatur eidem; (not out of zeal to preserve the peoples Liberties, not here mentioned, which they trampled under feet by these their Excommunications, but to advance the Churches pretended Liberties, Usurpations over the Kings and peoples persons, Rights and Privileges.)

De Pueris Baptizandis, &c.

Quod in præsentis Constitutione cavetur de pueris baptizandis, usque ad generale Baptismum Paschæ & Pentecostes, viz. reservandis, pro ipsius statuti reverentia, quod hætenus

\* See Joh. Baleus Scriptor. Brit. Cent. 4. c. 64. Not Gods Laws and Statutes.

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hactenus videtur esse neglectum, sic duximus declarandum esse vel statuendum, ut pueri per octo dies ante Pascha, & per dies totidem ante Pentecosten, de matrum uteris nati, si absque periculo reservari valeant, reserventur usque ad illa tempora baptizandi; ita quod cum medio tempore inter natiuitatem puerorum huiusmodi & Baptismum, perfectum recipiant Cathecismum, solaque diebus Baptismi supersit immersio facienda. Alii autem qui aliis temporibus nati extiterint, tum propter mortale periculum, quod sapè pueris imminet improvvisum, tum propter simplicitatem parentum, qui contra formam Baptismi sunt faciliter erraturi, absque offensionis nota, iuxta vetustam consuetudinem, vel incontinenti cum fuerint nati, vel postea, prout placuerit ipsis parentibus, baptizentur. Quod si foris contigerit pueros propter mortis periculum à Laicis baptizari, caveant Sacerdotes, ne Baptismum legitime factum audeant iterari.

De Concubinariis.

**Nota Incontinentiæ vitium** (occasioned by Popes and Prelates prohibiting Priests marriage, against Gods express institution both under the \* Law and † Gospel) \* **Clerum maculat et lamentabiliter debonestat, in scandalum plurimorum, \* statum Domini Othoboni contra Concubinarios editum præcipimus rigore inviolabiliter observari; ut ne criminis contagione caliginem adduciente mentibus blutios, se per ignorantiam vel per oblivionem valeant excusare; præcipimus Archidiaconi omnibus in virtute sanctæ obedientiæ, et sub pœna suspensionis ab officio et beneficio quam in ipsos ferimus, ut si sponte contra hos negligentes fuerint, quatinus Constitutionem supradictam faciant in quatuor anni principalibus Capitulis ruralibus per se, vel per eorum Officiales, vel saltem per Decanos rurales seu gerentes vices eorum distinctè & apertè coram toto capitulo, exclusis laicis, recitari: quam recitationem pro monitione haberi volumus; ut liberius contra omnes procedi valeat vitiosos; ne causari possint cum executionem privationis in eos lata sententialiter in prædicto statuto processum fuerit, se monitos non fuisse. Si quis vero dicta statuta recitare neglexerit, Archidiaconus, seu Decanus vicem eius gerens, omni sexta feria in pane & aqua jejunare per obedientiam (nisi infirmitate præpediatur) teneatur, donec in sequenti capitulo ipsum fecerit recitari. Besides these he published some Ordinances touching the regulating of Religious Houses of both sexes, the same year, which you may peruse in Sir Henry Spelman, Concil. Tom. 2. p. 325, &c.**

\* Lev. 21. 9.  
13. 13. 14.  
† 1 Tim. 3. 2.  
11. 12. Hebr.  
13. 4. Tit. 1. 6.  
\* See Tom. 1.  
p. 413.

<sup>a</sup> Thomas Walsingham renders us only this brief account of this Councils proceedings: *Frater Johannes Pecham Cantuariensis Archiepiscopus convocavit Concilium apud Radingum, ubi Suffraganeis suis imposuit, ut statuta generalis Concilii facerent arctius observari*; then generally neglected, because not obligatory in point of Law, being not consented to or confirmed by the King and Parliament. During or about the time of this Council, (as <sup>b</sup> *Mat. Westminster* relates) *mota fuit discordia inter Archiepiscopos* (such was their ambition and insolence) *Cantuariensem & Eboracensem, eo quod Archiepiscopus Eboracensis venturus ad Regem fecit deferri Crucem ante se in provincia Cantuariensi; et inhibuit fuit per Archiepiscopum Cantuariensem Edictis per totam provinciam suam promulgatis sub pœna Excommunicationis, ne quis Eboracensi vel suis famulis esculentis, poculentis, seu quæcumque ad victum necessaria ministrarent, ullusve publici aut privati negotii commercium cum illis haberet, vel contraheret*, (such was his Papal Tyranny.) *Cujus rei severitate, cum aut provincia infesto negotio excundum, aut fame pereundum esset Eboracensibus, crux illa tanto festu erecta, humiliter deposita et dejecta fuit.*

The King so highly resented these Usurpations, Insolences, Constitutions, Excommunications, and proceedings of this Archbishop, that in a Parliament held this year soon after, he publicly convened him as a Delinquent, enforcing him to make this open memorable Revocation of them, recorded in the Clause Rolls in the Tower for a perpetual memorial, worthy all our Archbishops, Bishops, Canons, and our Judges serious consideration.

<sup>a</sup> Hist. Angl.  
Anno 1280.  
p. 9. See Jo.  
Balæus Script.  
Brit. Cent. 4.  
c. 64 p. 340.  
<sup>b</sup> Flores Hist.  
Anno 1279.  
p. 367 See  
Mat. Parker  
Antiq. Eccles.  
Eric. p. 198.

Clayf. 7 E. 1.  
m. 1. dorso.  
Revocationes  
Provisionum  
Concilii Rad-  
ding.

**M**emorandum, quod venerabilis pater J. Cantuar. Archiepiscopus, ven't coram Rege et Consilio suo in Parlamento Regis Sa. & Michaelis, anno regni Regis

H h 2



*An. 7 E. 1.* Regis septimo, apud Westm. et constebatur et concessit, quod de statutis, Prohibitionibus et Declarationibus eorundem, quæ per ipsum promulgatæ fuerunt apud Rading. mense Augusti anno eodem, inter quasdam sententias Excommunicationis quas idem Archiepiscopus ibidem promulgavit: \* *Primo*, deleatur, et pro non pronunciata habeatur illa clausula in prima sententia Excommunicationis quæ facit mentionem, de impetrantibus literas Regias ad impedendum processum in causis quæ per sacros Canones, &c. *Secundo*, quod non Excommunicentur Pridici Regis, licet ipsi non pareant mandato Regis, in non capiendis Excommunicatis. *Tertio*, de illis qui inbadunt Paneria Clericorum, ut ibi sufficiat poena per Regem posita. *Quarto*, quod non interdicat vendere victualia Eboracensi Archiepiscopo, vel alii venienti ad Regem. *Quinto*, quod tollatur Magna Charta de foribus Ecclesiarum. Constitetur etiam et concessit; quod nec Regi nec heredibus suis, nec Regno suo Angliæ, ratione aliorum Articulorum in Concilio Rading. contentorum, nullum præjudicium generetur in futurum.

\* See Here,

Tom. 3. p. 88.  
89. & Tom. 1.  
p. 60. to 90.  
163, &c. 178,  
208, 231, 233,  
234. Tom. 2.  
p. 890. to 912.  
983, 990.

\* See Fox Acts  
& Monuments  
Vol. 1. Edic.  
ult. 1640 p.  
427, 428. &c.  
Tom. 2. p.  
890, to 912.  
983, 989, 990,  
991.

By which Record it is apparent: First, That our Archbishops and Bishops by the Laws and Custom of the Realm can summon no Provincial Council, nor make any new Articles or Clauses of Excommunication, Canons or Constitutions to binde the King, kingdom or people, without the Kings special Writ, license, and his Nobles, Parliaments approbation or confirmation of them; and that all sentences of Excommunication, Canons and Constitutions otherwise made and published, are void and unobligatory to the King and kingdom, as I have *elsewhere* evidenced by former Presidents. Secondly, That these Excommunications, Canons, Constitutions, though thus publicly revoked by the Archbp in Parliament before the King and his Council the same year they were made and promulged; were yet published, glossed upon, printed, and cried up for the received *Canon Law of England*, by William Lynde-*wood*, John Aton, and other bold or ignorant Canonists, and are lately published as such in Sir Henry Spelmans *Councils*. An abuse, yea Imposture, worthy our especial observation. Thirdly, That this Archbishop and his Suffragans, as well as his predecessors, were very active, industrious in their Provincial Synods, Councils, by new Canons & Constitutions, to advance their own usurped Authority and Jurisdiction paramount the Kings Prerogative, Judges, Ministers, Courts, and to subject them to their Ecclesiastical Censures, for suing out, granting, or executing any Prohibitions or Writs to restrain their Usurpations or Exorbitances to the prejudice of the Kings Prerogative, or Subjects Liberties or Properties; and that the King, his Parliament, Councils, Judges, were as sedulous to oppose and prevent their encroachments of this nature.

In this Parliament (wherein the Archbishop made this recantation and revocation) the King and Nobles, lest the unsatiable avarice, ambition of Abbots, Monks, and other religious persons, Prelates and Clergymen should swallow up all the Lands, Rents, wealth of the Crown and Kingdom by degrees, as they had formerly done a great part thereof, to the excessive prejudice of the Crown and other temporal Lords, against the Statute of *Magna Charta*, c. 36. which enacted, *It shall not be lawfull from henceforth for any man to give his lands to any Religious house, and to take the same again to hold of the same house. Nor shall it be lawfull to any house of Religion to take lands of any man, and to lease the same to him of whom he received it. If any man from henceforth give his lands to any Religious house, and thereupon be convicted, the gift shall be utterly void, and the Land shall return to the Lord of the fee.* (Which they had quite eluded by crafts and subtilties,) made this further Act against the alienation or purchase of Lands in *Mortmain*, ne omnes soli possessiones in Ecclesiis tandem transferantur, cuius ferenda legis fratrum et predicatorum avaritia, qui possessiones acquirere contra suum institutum ceperunt, causam dedit; as *Matthew Parker* observes out of *Walter Gisleborne*, and *Peter de Ickham*. Which Act is thus recorded in the *Clause and Patent Rolls* of 7 E. 1.

a Antiq. Eccl. Brit. p. 270.  
b Claus. 7 E. 1. m. 5. dorso.  
Pat. 7 E. 1. m. 2.

Forma Statuti virorum Religiosorum.

**R**EX Justic. suis de Banco, salutem. Cum dudum provisum fuisset, quod viri religiosi feoda aliquorum non ingrederentur, sine licentia & voluntate capitalium dominorum de quibus feoda illa immediate tenentur, et viri religiosi postmodum nihilominus tam feoda sua propria quam aliorum hactenus ingressi sint, ea ubi appro-  
prianda

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propiando et emendo, et aliquando ex dono aliorum recipiendo, per quod servicia que ex huiusmodi feodis debentur, et que ad defensionem Regni ad initio probata fuerunt, indebite subtrahuntur, et Domini Capitales exactas suas inde amittunt. Nos super hoc pro utilitate Regni congruum remedium providendi volentes, de consilio Prelatorum, Comitum, et aliorum fidelium Regni nostri de Consilio nostro existenciam, prohibemus, statuimus, et ordinavimus, quod nullus religiosus aut alius quicumque terras aut tenementa aliqua emere vel vendere, aut sub colore donationis aut termini, vel alterius tituli cujuscunque ad aliquo recipere, aut alio quovis modo arte vel ingenio sibi appropriare presumat sub forisfactura eorundem, per quod ad manum mortuam terrarum et tenementa huiusmodi debeantur quoquo modo. Providimus etiam, quod si quis religiosus aut alius contra presens statutum aliquo modo arte vel ingenio venire presumpserit, liceat Nobis et aliis immediatis capitalibus Dominis feodi taliter alienati illud infra annum a tempore alienationis huiusmodi ingredi, et tenere in feodo et hereditate. Et si Dominus capitalis immediatus negligens fuerit, et feodum huiusmodi ingredi noluerit infra annum, tunc liceat proximo capitali domino mediato feodi illius, infra bimestrium annum sequentem feodum illud ingredi, et tenere, sicut predictum est, et sic quilibet dominus mediatas faciat si propinquior dominus in ingreduendo huiusmodi feodum negligens fuerit, ut predictum est. Et si omnes huiusmodi capitales domini huiusmodi feodi qui plenam fuerint ætatis, et infra quatuor maria, et extra prisonam per unum annum negligentes vel remissi fuerint in hac parte, Nos statim post annum completum a tempore quo huiusmodi emptiones, donationes, aut alias appropriationes fieri contigerit, terras et tenementa huiusmodi captemus in manum nostram, et alios inde feoffabimus per certa servicia nobis inde ad defensionem Regni nostri facienda, talibus capitalibus dominis feodorum illorum wardis, exactis, et aliis ad ipsos pertinentibus, ac serviciis inde debitis et consuetis. Et ideo vobis mandamus, quod Statutum predictum coram vobis legi, et de cetero teneri et observari faciatis. Teste Rege apud Westm. xiv. die Novembris. Et memorandum, quod istud Statutum irrotulatur in dogro Rotuli clausurarum de hoc anno.

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<sup>c</sup> Matthew Westminster, a Monk, renders us this account and censure of this Act *Contra Religiosos*, Anno gratiæ 1280. Rex, Pontifices et Principes Anglicani Venerunt in unum, Ratuentes, Quod religiosæ personæ in ampliationibus terrarum non crescerent, dicentes, quod ad detrimentum Regni, et obsequii militaris, feoda militaria et aliæ possessiones ad religiosos in manum mortuam devenerunt; intelligere forsè volentes, quod potius orationibus Moyses (the chief Civil Magistrate, not of Popes, Prelates, Abbots, Monks) quam pugna filiorum Israel Amalachitarum exercitus vincebatur. <sup>d</sup> Thomas Walsingham, another of our Monks, refers this Act to the Parliament held at Westminster, Anno 3 E. 1. in quo Statuta edidit contra manum mortuam, ne de cetero possessiones terrarum seu reddituum, sine speciali Regis licentia ad manum mortuam devolvantur: being mistaken both in the year and Parliament, as this Record assures us. But this Act made little or no reformation of this abuse, and general grievance, the Bishops, Abbots, Monks, Nuns, and religious persons of all Orders, by frauds, flattery, favour, or for fines and sums of money to the King, immediately after this Act procuring pardons of, or licenses for alienations of Mannors, Lands, Tenements, Rents, Churches, Advowsons to them in Mortmain from this King and his successors, notwithstanding this Statute, as all the Patent, Charter, and Fine Rolls attest, being over-fraught with such dispensations every year, since this Act.

c Flores Hist. p. 368.

d Hist. Angliz, An. 12764 p. 5, 6. Ypodigma Neudigma, p. 68. An. 1275.

The Archbishop of Canterbury having (like the King himself) an Exchange and Mint at Canterbury, the King out of his special grace granted him the profits thereof, saving his own right, by this Writ.

**R**EX de gratia sua speciali concedit dicto Archiepiscopo, quod ad presens liberet denarios suos proprios Custodibus Cambii Cantuariæ, & percipias emolumentum denariorum suorum propriorum per visum annis de suis quem ad hoc deputaverit quantum ad emolumentum trium Cuneorum quos clamat ad se pertinere ratione Archiepiscopatus sui, sicut temporibus predecessorum suorum, & temporibus aliorum Cambiorum fieri consuevit; salvo jure Regis.

Brevia Regis, An. 7. E. 1.

The



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

*An. 7 E. 1.* The King in prosecution of the Liberties granted by him four years before to the Prelates concerning Clerks accused and committed for capital Crimes, and of the Statute of Westminster, 1. chap. 2. forecited, issued this Writ to the Constable of the Tower and Sheriffs of London.

*Here, p 154, 155.*  
*Clauſ. 7 E. 1. m. 11. intus. De Clericis imptonatis Episcopo libe- raudis.*

**R**EX Constabulario Turris London. & Vic. London. salutem. Volentes manutenere libertates Ecclesiasticas ut tenemur, vobis mandamus quod Clericos London. Dioc. in Turri nostro, vel alibi in Civitate nostra London. incarceratos, quos Venerabilis Pater London. Episcopus vel alius ab ipso cum sufficienti mandato, ad id deputatus, secundam consuetudinem & Ecclesiasticam Libertatem exigere voluerit, eidem liberetis; ita tamen quod Clericos sic exatos et sibi liberatos habeant coram vobis vel Justic. nostris ad plenam liberationem hujusmodi Clericorum et aliorum incarceratorum London. deputandis, diebus et locis eidem rationaliter exponendis. Teste Rege apud Wyndes. 26 die Decembris.

What forms of Recognizances our rich Bishops, who were Usurers, then took from their Debtors for their monies lent, with Oathes and Covenants to subject themselves to Ecclesiastical Courts or Judges censures, sentences, and renounce all Prohibitions to them in case they failed of payment, (by which they endeavoured to extend their Jurisdiction, and engrosse suits for all such debts to their own Courts,) this Record will inform us.

*Clauſ. 7 E. 1. m. 2. dorſo. Pro Landavensi Episcopo.*

**U**niversis Sancta Matris Ecclesia filiis ad quorum notitiam pervenerit hac scriptura, Simon filius & Hares Radulphi de Trop. salutem in Domino sempiternam. Universitati vestra pateat per presentes, me predictum Simonem filium & heredem Radulphi prefati, teneri Venerabilipatri W. de Brewose Episcopo Landavensi in Centum Marc. sterlingorum in fine quadriennii post confessionem presentium, sine omni dolo & fraude, in Ecclesia Cathedrali Landav. eidem seu suo Attorn. plenarie solvendum, pro eo quod cum Radulphus Pater meus predictus hereditatem meam diversis creditoribus obligasset, & are alieno graviter obligasset, idem Episcopus sua pecunia & sumptibus non modicis eam totaliter liberavit, & finaliter satisfecit eisdem. De quibus Centum Marcis eidem dicto termino per me super hoc corporali prestito Sacramento, promitto satisfacere bona fide, subjiendo me jurisdictioni, et coercioni cujuslibet Judicis Ecclesiastici et Secularis, qui super hoc fuerit requisitus, quod possit me per quamcunque censuram et distractionem ad solutionem predictae pecunie faciendam compellere, una cum interesse, et dampnis quas idem Venerabilis Pater sustinuerit, occasione ejusdem pecunie suo termino non solutae, si in termino solutionis, quod absit, eidem per me non sit satisfactum; Renunciando sub virtute prestiti Sacramenti Regie prohibitioni, et omni alia defensionem, tam Juris Civilis quam Canonici, quod sibi possit obesse et mihi in hac parte prodesse. In cuius rei testimonium Sigillum Reverendi Patris Domini R. Dei gratia Bath. & Wellens. una cum Sigillo meo presentibus est appensum. Dat. London. 15 Kal. Novembris, Anno Domini 1279.

*Et memorandum quod idem Simon venit in Cancellaria Regis & recognovit, &c.*

Other Recognizances of like nature with like Oathes, Clauses made to Bishops, Clergymen, the Popes Usurers and Merchants, frequently occur in our Records.

The King by his Prerogative having the disposal of the Temporalities of the Abby of St. Michael in Normandy of his progenitors foundation, and of all Cells thereto belonging during the vacancy of the Abbey, and the Covent thereof during the vacation violently intruding a Monk of theirs into the Custody of the Cell of St. Clements in Gernesey therunto belonging, in contempt of the King, and to the prejudice of his Crown and right, he thereupon issued this Writ to the Bailiffs of the Islands of Gernesey and Jersey to seise the Temporalities of the Cell into his hands, and answer the profits thereof to his Exchequer.

*Fines 7 E. 1. m. 18. De Cella S. Clementis in Geres cap. in manum Regis.*

**R**EX Ballivo suo Insularum de Gernes. & Geres. salutem. Quia Rex accepit, quod vacavit jamdiu Abbatia de Monte Sancti Michaelis, qua est de fundatione

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datione progenitorum suorum Regum Anglia, cujus quidem Abbacia Cellarum in Regno suo custodia in tempore vacationis Abbacia illius ad Regem ratione dignitatis sue dinoscitur pertinere; quidam Monachus Abbacia ejusdem nuper per Conventum ejusdem loci praefectus in Priorem Cella Sancti Clementis in Geresey, quae pertinet ad Abbaciam, homines Regis ad custodiam Cella ejusdem ratione vacationis dictae Abbacia deputatos nuper violenter ejecit, non permittens ipsos Custodiam illius Cella nomine suo retinere, sicut hactenus in aliis vacationibus praedicta Abbacia fieri consuevit, in Regis praedicti judicium et contemptum manifestum. Rex qui huiusmodi transgressionem relinquere non vult impunitam, mandabit Ballivo praedicto, quod ad Cellam praedictam personaliter accedat, et Temporalia ejusdem sine dilatione capiat in manum Regis, et ea salvo custodiat donec alius inde praeeperit. Ita quod Regi inde respondere possit ad Scaccarium suum, proviso quod Monachi Cella praedicta rationabilem sustentationem suam interim habere possint de Temporalibus supradictis. Teste Rege apud Wodestok, 12 die Martii.

King Edward the 1. out of his Sovereign Regal authority, and duty towards God, to suppress the manifold Blasphemies of the Jews against Christ crucified, and the Christian Religion, prevent their seducing of Christians to Judaism, and the Apostacy of Jews converted to Christianity; as also to reform their usury, brocage, and clipping of money, for which many of them were executed this year, issued this memorable Writ and Proclamation in the 7th. year of his reign.

**R**EX dilecto & fideli B. de Suley, & sociis suis, &c. & Johanni le Fauconner, salutem. Quia datum est nobis intelligi, quod quidam Judaei regni nostri fidem Catholicam et sacramenta Ecclesiastica haecenus diversimode blasphemare non formidant, nec adhuc formidant, in divini nominis contumeliam, et totius Christianae professionis opprobrium: Nos huiusmodi blasphemias, sicut Principem Catholicum decet reprimi cupientes, volumus, quod nullus Judaeus taliter de cetero blasphemare praesumat, videlicet, aliquod enorme, detestabile, aut abominabile dicendo, vel faciendo in blasphemiam Crucifixi, sive Catholicae, seu beatissimae matris Mariae Virginitatis, seu Ecclesiasticorum sacramentorum. Volumus etiam, quod hoc per omnia loca regni nostri in quibus Judaei morantur publice proclametur, et ne aliquis Judaeus sub periculo vitae et membrorum talia facere vel dicere praesumat. Et si quis notorius blasphemator inveniatur, ita quod per Inquisitionem per Sacramentum Christianorum bonorum et gravium inde faciendam inde convinci possit evidenter, volumus quod quilibet talis puniatur secundum quod in huiusmodi casibus alias fieri consuevit. Idem fiat de ipsis qui aliquando ad fidem Catholicam verbi baptizati fuerunt, et postmodum ad Judaicam praestitatem perverti ad eadem fide Apostatari praesumpserunt. Quod mulieres Judaeae de cetero portant signa in superioribus vestibus suis, sicut Judaei mares. Et quod Judaei de cetero nullo habeant servientes Christianos, mares aut feminas, secum in quibuscumque obsequiis commorantes, nec in domibus propriis, nec aliis in Civitatibus aut locis aliis ubi morantur, sed ipsi Judaei sibi invicem in omnibus serviant et ministrent, et hoc utique praecipitur tam Christianis quam Judaeis, sub gravi satisfactione nostra. Volumus insuper, quod omnes Christiani qui pignora sua inter bona Judaeorum dampnatorum inventa redimere voluerint, huiusmodi pignora per testes fideles et bonae famae probent esse sua, et ea per certa signa et indicia describant, et huiusmodi testibus eatenus credatur, quatenus maioris vel minoris famae esse constiterit. Et si forte pignora illa sua esse per testes probare non possint, & quod testes defuncti vel absentes sint, ita quod eos habere non possint, vel quia secretum & absque testimonio impignorata fuerunt, tunc ad pignora illa recuperanda sufficiat tantummodo sacramentum ipsorum quorum pignora illa existunt, dum tamen pignora illa certis signis & indicibus describant, sicut praedictum est; & hoc propter lapsum anni a tempore impignoracionis huiusmodi nullatenus omittatur. Volumus insuper, quod omnes illi qui per testes fide dignos probare possint debita sua pro suis pignoribus persolvisse, & pignora illa propter aliquam certam rationem per ipsos coram vobis ostendendam, aut propter maliciam ipsorum Judaeorum ab eisdem Judaeis non recepisse, ad iteratam solutionem debitorum illorum faciendam nullatenus compellantur, & testibus illis credatur juxta famam personarum, additis testibus

Brevia Regis, & Claus. 7 E. 1 m. 6. See the second part of my short Demurrer to the Jews long discontinued Remitter into England, p. 79, to 83.



*An. 7 E. 1.* testibus aliis si necesse fuerit, juxta discretionem vestram. De libris autem apud Oxon. impignoratis, volumus quod nullum fiat indicium usque ad festum *Omnium Sanctorum* proximo futurum. Volumus etiam, quod per Civitates, Burgos, Vill. Mercat. & alias publice proclametur, ne quis bona *Judeorum* dampnatorum seu dampnandorum recipiat, seu jam recepta celet vel occultet, sed ea nobis restituat citra festum *Sancti Petri* ad Vincula proximo futurum, alioquin versus ipsos tanquam ad celatores & occultatores thesauri Regii graviter capiemus, & pro concilamentis hactenus inde factis non inquietentur. Et ideo vobis mandamus, quod omnia prædicta fieri & firmiter observari faciatis in forma prædicta: Teste meipso apud *Westm.* 16 die *Aprilis*, anno regni nostri septimo.

After which, *Consimiles litera* (Teste Rege apud *Westm.* 10 die *Maii*) diriguntur Stephano de *Pentecester*, Waltero de *Helynn* *Jussiciariis* suis, ad *Placita transgressionum Moneta* audienda assignatis, & dilecto Clerico suo Philippo de *Wylegbeby*.

*Consimiles litera* diriguntur Barthol. de *Sutlesh*, Willielmo de *Beof*, Adz de *Boteler*, & Johanni de *Faukoner*.

*Consimiles litera & breve* diriguntur Johanni *Beks*, Alex. de *Kirketon*, Ranulpho de *Dacre*, & Hugoni de *Kendale*.

About the same time *Nicholas Boncelli* the Popes Chaplain, procured this Letter from *Charles Prince of Salerno* to King *Edward*, to promote him to some of his Benefices in *England*, and especially to some Prebendary in the Church of *York*, whose See was then vacant.

*Bundela Brev.*  
*Anno 7 E. 1.*

**E**xcellentissimo Principi carissimo consanguineo suo Domino E. Dei gratia Regi Angliæ illustri, Karolus primogenitus illustris Regis Jerusalem, Princeps Salerni, & Honoris Montis Sancti Angeli Dominus, cum salute se totum ad ejus beneplacitum preparatum. Ad preces nostras promissisti nostri gratia providere de aliquibus ex Beneficiis vestris Angliæ venerabili et discreto viro Magistro Nicholao Boncelli Domini Papæ Capellano, Clerico & Consiliario Domini patris nostri & nostri. Propter quod idem Magister Nicholaus, latorem presentium Clericum suum, ut reducat ad memoriam vestram negotium ad vestram mittit presentiam, prout vos etiam ordinastis. Verum cum dictus Dominus pater noster & nos eidem Magistro Nicholao propter grata & accepta sua probitatis obsequia, que ipse prædicto Domino nostro & nobis longo tempore fideliter & prudenter impendit, & cotidie non cessat impendere, multipliciter teneamur, Excellentiam vestram omni prece quam possumus attentè requirimus & rogamus, quod nobis in persona dicti Magistri Nicholai specialem gratiam facientes, hujusmodi promissionem vestram, prædicti Domini patris nostri & nostri amoris intuitu efficiendi demandare velitis, si placet. Ita quod ipse ex nostris precibus in hac parte commodum assequatur, & nos proinde serenitati vestre teneamur ad merita gratiarum. Et quia intelleximus, quod collatio Prebendarum Ecclesiæ Eboracensis spectat ad vos, Ecclesiæ ipsa vacante, multum vellemus si placeret vobis, ut eidem Magistro Nicholao Prebendam in prædicta Ecclesiâ conferretis: Nichilominus tamen quicquid ei in Ecclesiâ ipsâ vel alibi feceritis, illud quasi persona propria reputabimus esse factum. Dat. Parisiis.

The Church of *Rhoan* being greatly slandered, spoiled, oppressed by the Bishop of *Exeter* and *John Clavell*, against the Kings intention, the Archbishop of *Rhoan* thereupon sent this memorable Letter to King *Edward*, as to its Patron, and principal Protector of the Christian Faith and Church; wherein he magnifies his virtues, and the eminent piety and orthodoxy of our Kingdom, and its unshaken defence of Ecclesiastical Liberty, founded and protected by his Royal Predecessors.

*Brevi Regis*  
*Anno 7 E. 1.*

**E**xcellentissimo Domino Edwardo Dei gratia Anglorum Regi, Domino Ybernix, & Aquitanix Comiti, Guilielmus permissione divina Rothomagensis Archiepiscopus, salutem in eo per quem Reges regnant, et Principes dominantur. Multiplicatur nobis materia exultationis in Deo, in cujus manu cor Regis est, & quo voluerit ducit illud. Dum gestis vestris magnificis vestri præclari fama nominis diffusa per orbem, & confidens laudabiliter in excelsum, laudari meruit apud Deum, et extolli

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extolli populi laudibus; cum in vobis gentes inveniant affabilitatem, benevolentiam, magnificentiam gratiam, curialitatis affluentiam, & alta providentia maiestatem. Sane vestra Rothomagensis Ecclesia, in Christianissimo regno vestro, quod semper Orthodoxæ fidei murus fuit et inconvulsus paries Ecclesiasticæ libertatis, ubi adversus turbationis cujuslibet impetus intemerata religio et devotio Christiana permansit, cuius honorem & commodum non immerito diligimus tota mente, a vestris inclitæ recordationis fundata progenitoribus et dotata, lamentari cogimur & gemere punitionum stimulis agitata diversis. Nam ut de aliis taceamus, reverendus pater Episcopus Exoniensis, & Johannes Clarelli Clericus, bona diæ Ecclesiæ quasi rabie viperina dilacerant, et velut instructi ferali sædicia membra ejus impiis diripiunt moribus, fructus ejus, redditus, maneria et decimas occupant minus iuste, et detinent, et inbadunt, et destruunt, contra vestram et diæ vestræ Rothomagensis Ecclesiæ voluntatem, et Canonicoz et vestroz ab olim liberalitate sincera progenitorum caritativa percipientium stipendia pro eozum commemoratione piissima et anniversariis faciendis in ea; quibus stipendiis sine causa rationabili, sed non sine dictorum Episcopi, & Johannis, & etiam aliorum quorundam fraudibus sunt fraudati. Vestram Regiam celsitudinem sollicitandam durimus et attentis precibus exorandam, non de nostris precedentibus meritis quod dolemus, qua utinam subsequantur plus solito, sed de vestra Regia benevolentia confidentes, quam expertimentis sensibilibus obdiximus fructuosam, pro grandissimo munere postulantes, quantum super pietatis officium impendatis per ipsam Regiam incedentes; neque vestra, vestroz progenitorum & successorum piissima intentio non fraudetur, utque velit vestra sublimitas in serbozem veritatis assurgere, quod perzeta Ecclesia sentiat hos patronum ipsius quem semper habuit præcipuum defensozem. Ceterum antedicti vestri Rothomagensis Canonici vobis mittunt Magistrum Johannem dictum Lalce, diæ Ecclesiæ Canonicum, virum utique industrium, circumspectum, providum & discretum, ad tractandum cum vestris gentibus super quadam permutatione seu venditione bonorum immobilium qua in vestro regno possident facienda, a vestra Regia placuerit Majestati, prout ipse lator presentium dicet vobis, qui utinam vestra Regia mansuetudinis gratiam inveniat & favorem. Valeat & vigeat vestra Regia celsitudo per tempora longiora, cui nos & nostra pro viribus offerimus, cupientes effectum mancipare qua vestra Regia placuerit voluntati, cui nos & vestra Rothomagensis Ecclesiæ negotia commendamus, & qua commendata velis habere quasumus, & favore prosequi speciali. Dat. Rothomagi die Dominica post festum Nativitatis beati Johannis Baptistæ, anno Domini 1279.

An. 7 E. 1.

Nota.

\* John Derlington, Collector of Peter-pence and Dismes in England and Ireland to Pope John, Nicholas 3. and Martin 3. (Pullo enim tempore, inquit Lelandus, defuerunt suæ artes Romanis conradendi pecunias, sive Turæ aliquid novarum rerum, sive nihil in Christianos moliretur) reliqua religiosa Apostoli Petri, Derlingtonus iniquæ proditoris Judæ permansit in officio; till his new advancement this year to the Archbishoprick of Dublin by the Popes Provision, (as you heard before) wherein (as John Bale records in his Life) he shewed himself, mercenarius et non Pastor; repairing to his Archbishoprick, non ut pascat, sed ut mulgeat vel tondat. Hypocrita ista, Regum ac Regnozum fuissent tunc apud suum Antichristum assutissimè proditores; therefore no wonder he and his brother Minors were so much favoured, advanced by Popes in that age.

\* Joh. Balzus Scriptor. Brit. Cent. 4. c. 36. P. 344. 345. 346.

\* Here p. 226, 227.

The Covent of Dinelek in Ireland having elected no Abbot in above 30 years space, the King thereupon granted them a license to elect an Abbot, and pardoned their offence in not electing one in so long time, for which the Chief Justice of Ireland intended to punish them, as appears by this Writ Anno 7 E. 1.

Edwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanie, dilectis Clericis suis Magistro Thomæ Beck, & Johanni de Kirkeby, salutem. Mittimus vobis literas patentes Ecclesiæ Sanctæ Mariæ de Dinelek in Hibernia, per latorem presentium Canonicum (ut asserit) diæ domus: mandantes, quatenus retentis ipsis, eidem Canonico nostras literas patentes de licentia eligendi sub magno sigillo nostro in forma debita faciat. Mandatis etiam per alias literas nostras Justiciario nostro

Brevia Regis Anno 7 E. 1.



An. 7 E. 1. *noſtro* Hiberniæ, quod cum albino intaltu pardonaverimus Priori et Conventui dictæ domus transgressionem quam fecerunt in differendo per triginta annos et amplius aliquem sibi eligere in Abbatem, ipsi ea occasione non moleſtentur in aliquo vel grabentur, salvo tamen iure nostro in aliis vacationibus ejusdem domus. Teste misſo apud Muscroll. 16 die Junii, anno nostri regni septimo.

The Popes Delegate in *Ireland* holding Plea of Advowſons of Churches then in difference, between the Prior and Convent of *Christchurch Canterbury*, and the Prior and brethren of the Hospital of *St. Johns in Kilkenny*, the Kings Judges in *Ireland* granted Prohibitions to stay their suits, and Attachments upon them for their contempt, whereof complaint being made to the King, who commanded the Delegate not to be hindred in his proceedings, surmised to be just; thereupon he received this answer and Certificate of the truth of the case from his Chief Justice there, craving his farther direction therein.

\* Brevia Regis de Anno 7 E. 1. in the White Tower.

Excellentissimo Domino suo, R. de Ufford quicquid potest obsequii & honoris: Literas vestras recepi in hæc verba. *Edwardus Dei gratia, &c.* Dilecto & fidei suo Roberto de Ufford Justiciario suo Hiberniæ salutem. Ex querela Magistri David Thesaurarii Ecclesiæ Imolenſis nuper nobis exiit intimatum, quod cum ipse dudum a sede Apostolica Juberet datus fuisset ad executionem cujusdam sententiæ latæ auctoritate Curie Romanæ, et postmodum ab eadem Curia confirmatæ inter Priorem et Capitulum Ecclesiæ Christi Cantuariensis, et Priorem et fratres Hospitalis Sancti Johannis de Kilkenny super possessione Ecclesiarum Sancti Cynini, & Sanctæ Mariæ de Nova Ros. Ac nos ad instantiam eorundem Prioris & Capituli Ecclesiæ Christi Cantuar. vobis mandaverimus, quod eundem Magistrum David contra justiciam non impediretis quo minus ipse ea quæ ad officium suum pertinerent in hac parte libere exercere, et ea debite executioni demandare posset, prout iuxta officii sui debitum et de jure esset faciendum, vos et ministri vestri ad procuratorem dictorum Prioris et fratrum Hospitalis prædicti contra quos dicta sententia lata fuit, pro eo quod idem Magister David sententiam illam executioni debite demandari mandabit, ipsam Thesaurarium tam in persona sua quam per bonorum suorum ecclesiasticorum, ac aliarum rerum suarum in partibus illis occupationem, et aliis gravaminibus diuersis quæ de die in diem per vos et vestros eidem inferre non desistatis, multipliciter beatis, grabatis, et inquietatis, ad dampnum ipsius Thesaurarii non modicum et gravamen, et contra tenorem mandati nostri prædicti. Et quia ei injuriari nolumus in hac parte; vobis mandamus, quod ab eisdem molestiis et injuriis eidem Thesaurario hac occasione inferendis desistatis, et vestros omnino desistere faciatis, et ea quæ per vos et vestros minus rite attemptata sunt in præmissis saliter emendari faciatis quod clamor ad nos inde non veniat iteratus, propter quod magnum ad hoc aliter apponere debeamus. Teste meipso apud Westm. 28 die Septembris, anno regni nostri sexto. — Et licet præfatus Magister ad hoc instaret, ut ego prætextu prædicti mandati vestri ei remitti faceremus quandam summam pecuniæ quæ ab eo erigitur per summonitionem Scaccarii vestri, pro eo quod cum ad querelam Prioris Hospitalis Sancti Johannis de Kilkenny, per bebe de Cancellaria vestra præceptum fuisset, quod præfatus Magister attachiaretur, ad respondendum eidem Priori quare tenuit placitum in Curia Christianitatis de advocationibus quarundam Ecclesiarum ipsius Prioris, contra coronam et dignitatem vestram, Idem Magister noluit super hoc in Curia vestra iustificari, per quod demum propter ipsius multiplicem contumaciam Justiciarii vestri de Banco Dublin. eo quod dictus Magister non habuit laicum sedum per quod potuit distringi, demandaverunt Episcopo loci, quod distringeret ipsum per beneficia sua ecclesiastica, ita quod coram eisdem Justiciariis ad certum diem responderet de exitibus beneficiorum illorum. Ego tamen prædictam pecuniam absque specialiori mandato vestro ei remittere nolui, sicut nec potui; et hoc Excellentie vestre significo, ut mihi mandare dignemini quid in hac parte vestra viderit beneplacito volumatis. Valeat Excellentia vestra per tempora longiora.

What Liberties of Free Warren and Markets the King granted to the Bishop of *Middin* in *Ireland* this year, you may peruse at leisure in Charta 7 E. 1. num. 16, 17.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

I finde this sad Complaint and Petition made to the King, against the Archbishop of *Cassel* in *Ireland* by *Margaret le Blund*, for detaining her inheritance, and for sundry barbarous murders of her Father, Mother, Grandfather, her six Brothers and Sisters, and sundry other *Englishmen* whom he slew, or cast into prison, there starving them to death, and other misdemeanors, against whom she could obtain no justice after divers journeys into *England*. An. 7 E. 1.

**M**argareta le Blunde de Chassell petit gratiam Domini Regis, ut possit habere hereditatem suam quam recuperavit coram Justiciariis Domini Regis apud *Clummele* coram Magistro *Johanne de Sampford*, Domino *Ricardo de Excur.* & *Wilhelmo de Cassham* tunc Justiciariis de Banco apud *Clummele*. Et sunt nunc presentes in Villa *London*, versus *David Macmakerway* Episcopum de *Cassell*. recuperavit hereditatem suam. Brevia Regis, An. 7 E. 1.

Item, dicta *Margareta* petit remedium de hoc, quod pater suus per dictum Episcopum occisus fuit. Item, petit remedium super incarceratione abi et matris suæ, eo quod incarceratione eos et eos in prisona detinuit quousque pro fame moriebantur, quia voluerunt perquirere remedium de morte filii sui patris prædictæ *Margaretæ* qui per ipsum Episcopum erat occisus. Item, petit remedium de morte sex fratrum et sororum qui mortui fuerunt per prædictum Episcopum ob defectum sustentationis, quia idem Episcopus quando patrem eorum occidit, hereditatem eorum in manu sua habuit. Et sciendum, quod idem Episcopus construxit quandam Abbatiam in villa de *Cassell* super terram Domini Regis, quam in elemosina pro anima sua dedit, et illam replevit latronibus qui occidunt *Anglicos* et depredantur patriam. Et cum Consilium Domini Regis inde loquitur, quia inde loquuntur in ipsos fulminat sententiam Excommunicationis. (*Such was his insolency.*) Et sciendum quod prædicta *Margareta* jam quinquies mare *Hibernicum* transivit, unde petit pro Deo quatinus compaciatur ei Regia dignitas, ut ad hereditatem suam possit appropinquare. Et sciendum quod prædictus Episcopus culpabilis est de morte plurimorum *Anglicorum*, adeo bene sicut de morte patris sui.

Et sciendum quod pluries breviam Domini Regis prædicta *Margareta* optinuit, set nihil profuit ei ob favorem ipsius Episcopi, et domus ipsius Episcopi mediantibus.

Et petit pro Deo dampna, expensas & jacturas cum laboribus suis sibi restitui per prædictum Episcopum quæ occasione prædicti placiti sustinuit. What recompence she obtained against this murdering, oppressing, bribing Archbishop at last, I find not.

Some counterfeit Freers of the Order of *St. Antony* of *Vienna*, wandering abroad and collecting alms throughout *England*, the King upon complaint thereof issued this Writ for their apprehension.

**R**EX omnibus Vicecomitibus, & Ballivis, & cæteris fidelibus suis ad quos, &c. salutem. Ex querela fratris *Willielmi* generalis procuratoris domus Sancti *Antonii* *Vienensis* accepimus, quod quidam propriæ honestatis immemores sub nomine vel habitu illius ordinis per diversas partes *Angliæ* discurrentes, et se fratres et procuratores dictæ domus falso contingentes, pecuniam, et alia bona nomine fratrum prædictorum petunt et recipiunt a diversis, et ea non in usus domus prædictæ aut fratrum, set in usus proprios illicite et inhoneste convertunt, in dictæ domus et fratrum fraudem et dampnum non modicum, et ordinis Sancti *Antonii* bituperium et scandalum manifestum: Volentes autem maliciis et insolenciis hujusmodi modis quibus convenit obviare, vobis mandamus firmiter injungentes, quod ubicunque inveneritis in ballivis vestris literas testimoniales dicti procuratoris non habentes, ipsos arrestari et detineri faciatis, donec de statu & conversatione ipsorum vobis aut procuratori prædicto constiterit evidenter. Proviso, quod pecuniam ac alia bona apud eos inventa, vel penes alios nomine suo deposita procuratori prædicto, vel ejus certo nuncio, literas suas super hoc exhibenti, totaliter assignentur. Et si qui forsan literas Regias datam præsentium præcedentes super recommendatione vel admissione ipsorum ad hujusmodi elemosinas colligendas prædicti procuratoris testimonium legitimum non habentes exhibeant, eisdem literis de cætero minime pareatis. In cujus, &c. Teste Rege apud *Ledes* xxv. die Junii. Et duplicentur. It seems there were many false counterfeit Freers, and cheating Collectors of Alms then, as well as in late times.



*An. 8 E. 1.* In the 8. year of King Edward the 1. some other Monks turning Apostates, and wandering abroad out of their Mansions; the King issued these Writs for their apprehension and castigation.

*Pat. 8 E. 1.  
m. 1  
De Canonico  
vagabundo  
arrestando.*

**R**EX Vicecomitibus, Ballivis, & omnibus fidelibus suis ad quos, &c. salutem. Quia per literas patentes dilecti nobis in Christo Prioris de *Tomburgg*. nobis transmissas accepimus, quod *Robertus dictus juvenis*, Canonicus dictæ Domus, sp̄ta professione sua, ordinem illum egressus, bagatur in habitu seculari per diversos Comitatus Regni nostri, in animæ suæ dispensium, et prædicti ordinis scandalum manifestum. Volentes ipsius insolentiam reprimere, et prædicti ordinis honestati specialiter prospicere in hac parte, vobis districte præcipimus, quod præfatum *Robertum* prædictum ordinem sic egressum ubicumque inventus fuerit in Ballivis vestris sine dilatione faciatis arrestari, prout dilectus nobis in Christo Prior de *Tomburgg*. vobis intimabit, & ipsum præfato Priori, vel ejus attorney præsentem literas deferenti, una cum literis Prioris ejusdem juxta exigentiam ejusdem ordinis castigandum liberetis. Talem ad hoc diligentiam apponentes, quod eam merito debeamus commendare, & ne pro defectu vestri querimonia ad nos inde proveniat. In cujus, &c. Teste Rege apud *Westm.* xv. die *Novembris*.

*Pat. 8 E. 1. m. 3. De Monacho vagabundo arrestando.* The like Writ verbatim issued to apprehend *Willielmus de Stannesworth* Monachus de *Sesby*. T. R. apud *Westm.* xxx. die *Octobris*. duratur. usque ad Term. Pasche prox. futuro.

Sundry Monks and Converts of the *Cistercian* Order, then likewise deserting their Order and Cloisters, and wandering abroad in secular and other habits, to the scandal of their Order, and peril of their souls; the King thereupon issued this Writ for their apprehension and punishment.

*Pat. 8 E. 1.  
partunica. m. 4.  
De Monachis  
vagabundis  
arrestandis.*

**R**EX Vicecomitibus & omnibus Ballivis & fidelibus suis, &c. salutem. Quia pro certo accepimus, quod quidam Monachi et Conversi de Ordine *Cisterciensis* sp̄ta professione sua ordinem illum egressi, bagantur aliquando in habitu seculari, et aliquando in habitu Regulari per plures Comitatus nostros, in dispensium animarum suarum, et prædicti ordinis scandalum manifestum; Volentes ipsorum insolentiam reprimere, et prædicti ordinis honestati specialiter in hac parte providere, vobis districte præcipimus, quod Monachos et Conversos ordinem prædictum sic egressos, ubicumque inventi fuerint in Ballivis vestris sine dilatione faciatis arrestari, prout dilectus nobis in Christo Abbas de *Valle Dei* vobis intimabit, & ipsos prædicto Abbati vel ejus attorney præsentem literas deferenti, simul cum literis Abbatis ejusdem juxta exigentiam ejusdem ordinis castigandos liberetis. Talem ad hoc diligentiam apponentes, quod eam merito commendare debeamus, & quod pro defectu vestri querimonia ad nos inde non perveniat. In cujus, &c. duraturas usque ad festum *Natalis Domini* proximo futur. Teste Rege apud *Langelt* xvi. die *Octobris*.

The same year the Archbishop of *Canterbury* by his usurped Jurisdiction suing and excommunicating the Kings Bailiffs of *Suthwerk* in his Ecclesiastical Court for attaching the Kingtenant there in his laysee for certain trespasses against the peace, according to Law, alleging that the consuance of such causes belonged to his Ecclesiastical Court, to the prejudice of his Crown and Jurisdiction, and to their great Grievance; the King thereupon issued this memorable Writ of Prohibition to the Archbishop commanding him to desist from this prosecution of them, and to absolve them from their excommunication.

*Claus. 8 E. 1.  
memb. 6.  
dorso. Pro  
Hugone de  
Digneveton,  
& Joh. nne de  
Hatton.  
De Prohibitione.*

**R**EX Venerabili Patri *J. Cantuar.* Archiepiscopo, totius *Anglia* Primati, salutem. Monstraverunt nobis *Hugo de Digneveton*, & *Johannes de Hatton* Ballivi nostri de *Suthwerk*, quod cum ipsi nuper *Alanum Pynyot* hominem nostrum in Laico feodo nostro in *Suthwerk* pro quibusdam transgressionibus per ipsum contra pacem nostram factis, ut dicitur, juxta officii sui debitum attachassent, prout hactenus fieri consuevit, sicut ipsi parati sunt verificare coram nobis, prout Curia nostra duxerit considerandum, vos afferentes, cognitionem placitorum de hujusmodi attachamentis ad forum Ecclesiasticum pertinere, trahitis eos in placitum in Curia

*Christia-*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

Christianitatis coram vobis, et ea occasione Excommunicationis sententiam in vos fulminari fecistis, ut sic quod nostrum hactenus extitit per huiusmodi coerciones Ecclesiasticas vobis possitis usurpare, in nostri praejudicium manifestum, et dictorum Ballivorum nostrorum dampnum non modicum et gravamen. Cum igitur placita de feodalibus et libertatibus feodalium, ac rerum secularium quibuscunque personis seu dignitatibus a nobis seu progenitoribus nostris in regno nostro concessis, nostra sint et esse consueverint Jurisdictionis; Nosque parati simus si forte vos aut vestri de dictis Ballivis nostris conqueri volueritis vobis in hac parte plenam et celerem iustitiam exhibere, vobis prohibemus ne per sententias aliquas aut coerciones Ecclesiasticas dictos Ballivos nostros super praemissis in causam vel placitum trabatis coram vobis in Curia Christianitatis, quia huiusmodi placita spectant ad Coronam et dignitatem nostram. Et sententias si quas in ipsos Ballivos nostros occasione praedicta promulgari feceritis, sine dilatione revocari faciat. Teste Rege apud Westm. 28 die Maii.

An. 8 E. 1.

What forms of Recognizances the Popes Merchants and Usurers took for moneys borrowed of them, and paid to the Pope by our Bishops for the pretended benefit of their Churches, themselves and successors, and renouncing all benefit of the Canon, Civil, or Common Law, to avoid these Obligations upon any pretext, this Recognizance of the Bishop of Norwich will ascertain us.

Universis presentes Literas inspecturis, *Willielmus* permissione divina *Norwicen.* Episcopus, salutem in Domino sempiternam. Noverit universitas vestras quod licet nos recognoverimus in Cancellaria coram venerabili fratre nostro Domino R. Dei gratia *Bathon. & Wellen.* Episcopo, Illustris Regis *Anglia* Cancellario, nos teneri ex causa mutui *Johanni Symmonetti, Richardo Guidicionis, & Bonren-* cimo, Domino *Waltero*, & aliis eorum sociis Civibus & Mercatoribus *Lucanen.* in Quingentis decem & septem Marcis bonorum novorum & legalium sterlingorum, solvend. *London.* terminis infrascriptis, videlicet Ducentis & quinquaginta octo Marcis & dimidia in festo Purificationis beatae Mariae Virginis prox. ventur. & aliis Ducentis quinquaginta & octo Marcis & dimidia in festo Nativitatis beati *Johannis Baptista* proximo tunc sequente. Volentes tamen dictis Mercatoribus de dicto debito plenius caveri, promittimus supradictis Mercatoribus supradictas quingentas & decem & septem Marcas quas confitemur & in usus & utilitatem nostram & Ecclesiae nostrae esse conversas dare, solvere & numerare *London.* in domo eorum terminis suprascriptis. Et si, quod absit, in solutionibus praedictis vel earum aliqua defecerimus, promittimus refundere & restaurare eisdem, vel eorum alteri omnia dampna & expensas quas & quas fecerint vel aliquis eorum fecerit, incurrerint vel incurrerit pro defectu dictae pecuniae praedictis loco & temporibus non solutae, de quibus dictis Mercatoribus vel uni eorum, vel eorum aut unius eorum procur. credi volumus per simplex verbum suum tantum sine juramento, vel alterius honore probationis. Et propter hoc obligamus nos, Ecclesiam nostram, et successores nostros, et omnia bona et catalla nostra, Ecclesiae nostrae *Norwicensis*, et successorum nostrorum mobilia et immobilia, Ecclesiastica et mundana, praesentia et futura, ubicunque indenta fuerint, eisdem Mercatoribus et cuilibet de Societate eorum distringenda, per Dominum Regem *Anglia*, et quemcunque alium de ipsius mandato, usque ad solutionem plenariam et satisfactionem omnium et singulorum praemissorum. Et renunciamus in hiis omni Juris auxilio Canonici et Civis, Constitutioni de duabus dietis editae in Concilio Generali, conventioni Judicum et locorum, contradictioni literarum Apostolicarum, Exceptioni non mutuae, et non numeratae nobis dictae pecuniae, et omnibus aliis exceptionibus, juribus et defensionibus quae nobis prodesse poterunt, et dictis Mercatoribus in praemissis obesse, vel aliquo praemissorum, et juri dicenti generalem renunciationem non valere. Dat. &c. apud *Lanham* sexto Kal. Julii. Anno Domini 1280.

Claus. 8 E. 1.  
m. 5. dorso.

King Edward the same year, at the supplication of the *Freres Predicans* in England, who desired to preach unto the obstinate Jews, thereby to convert them to the Christian Faith, and turn them from their ancient Errors, Blindness, and Unbelief, by his Sovereign Ecclesiastical Prerogative issued this notable Writ and Proclamation



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 1.*

An. 8 E. 1. tion to all his Sheriffs, Bayliffs, and other Liege people, commanding them to induce the Jews in all places to resort unto, and hear these Freers preachings, without blasphemy or disturbance, at such times and places as the Predicants should direct.

Pat. 8 E. 1. m.  
27. De Prædicatione  
c. 2. de Judæis.  
See the Second  
Part of my  
Brief Demur-  
rer, &c. p. 82.

**R**EX Vicecomitibus & omnibus Ballivis & fidelibus suis, salutem. Cum dilecti nobis in Christo Fratres de ordine Prædicatorum in Anglia, Judæis quorum mentes vetustas erroris et perfidia obnubilat et obsecrat, prædicare proponant Verbum Dei, quo facilius interbente gratia Spiritus Sancti, ad fidem Catholicæ converti valeant unitatem: Et ob hoc dilectus nobis in Christo Prior Provincia- lis ejusdem ordinis nobis supplicaverit, ut vobis demus in mandatis, Quod omnes Judæos ubicunque locorum in Ballivis nostris conversantes efficaciter moneatis & inducatis, quod in locis ubi vobis, de consilio Fratrum ipsorum magis expedire videbitur, ad audiendum Verbum Dei conveniant, & illud ab eisdem Fratribus, absque tumultu, contentione, vel blasphemia, audiant diligenter & benigne. Et si forte Altissimus, velamen duritia à cordibus eorum auferens, aliquibus vel alicui ipsorum Judæorum gratiam dederit convertendi, quod ceteri Judæi eis super hoc non impediant, nec per alios impedire procurent. Nos prædictum propositum ipsorum Fratrum attendentes plene et salubre, et prædictis prædicti Prioris favorabiliter annuentes in hac parte, vobis mandamus, Quod omnes Judæos in Ballivis vestris conver- santes, ad præmissa facienda efficaciter moneatis, et eos ad hoc modis quibus melius sciveritis inducatis, prout unicuique vestrum inspiraverit Spiritus veritatis. In cujus, &c. quando Regi placuerit duratur. Teste Rege apud Winton, 2 die Januarii.

\* See the First  
& Second Part  
of my Brief  
Demurter to  
the Jews long  
discontinued  
Remitter into  
England.

What good effects this zealous pious project of the Frees Preachers, and King in pursuit thereof, produced in converting any considerable number of Jews to the Catholick Faith, I finde not in our Histories or Records: But their universal banishment out of England within 8. years after, \* principally for their Infidelity, sufficiently manifests, that all the endeavours then used for their conversion, by drawing them to these Preachers Sermons, and the provisions made by the King for the Converts support elsewhere specified, were very successlesse.

The Pope encouraged by his former Usurpations, in preferring Archbishops by his own Provisions to both our Archbishopricks, by the Kings connivance, presumed this year to conferre the Bishoprick of Carlisle by his Papal Provision on Ralph de Ireton, as this Patent (for restoring the Temporalities to him out of the Kings grace), attests.

Pat. 8 E. 1. m.  
10. intus. De  
Temporalibus  
Episcopatus  
Karlioli testi-  
tutis.

**R**EX Militibus, liberis hominibus, & omnibus aliis tenentibus de Episcopatu Karlioli, salutem. Scitis, quod cum Dominus Papa venerabilem Patrem Radulphum de Ireton quondam Priorem de Gisburne, præfecerit in Episcopum Karlioli, sicut per litteras patentes ipsius Domini Papæ nobis inde transmissas, nobis constat evidenter; nos fidelitatem ipsius Episcopi cepimus, et de gratia nostra reddidimus ei Temporalia Episcopatus prædicti. Et ideo vobis mandamus, quod eidem Episcopo tanquam Domino vestro in omnibus quæ ad Episcopatum prædictum pertinent intendentes sitis & respondentes. In cujus, &c. Teste Rege apud Seleburne, 10 die Julii.

What annual Pensions the King gave and paid to Cardinals and Notaries of the Court of Rome this year, to expedite his affairs therein, these Warrants in the Liberat Roll will inform us.

Liberate 8 E.  
1. m. 24. intus  
P. o. Domino  
J. Sanctæ Ma-  
riæ in Chof-  
medyn. Diac.  
Cardinali.

**R**EX Thesaurario & Camerariis suis, salutem. Liberate de Thesauris nostro venerabili patri J. Sanctæ Mariæ in Chosmedyn. Diac. Cardinali, Centum marcas, videlicet, Viginti & quinque Marcæ de Terminis Sancti Michaelis anno regni nostri sexto, & Quinquaginta Marcæ de Terminis Paschæ & Sancti Michaelis anno regni nostri septimo, & Viginti & quinque Marcæ de Terminis Paschæ anno regni nostri octavo, de annuo feodo suo Quinquaginta Marcarum quod et concessimus percipiendum ad decursum prædictum. Teste Rege apud Westm. 10 die Junii.

REX

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward I.

**R**EX *Theſaurario & Camerariis ſuis, ſalutem. Liberato de Theſauro noſtro venerabili patri Domino O. Tuſculano Epifcopo ſingulis annis ad Seaccartum noſtrum Paſche, Quadraginta Parcas, quas ei conceſſimus annuatim ad eundem Terminum percipiendas ad totam vitam ſuam. Teſte Rege apud Dounamen 3 die Marcii. Et ſunt preſentes.*

An. 8 E. 1.

Ibid. m. 7. intus. Cedul.

**R**EX *Theſaurario & Camerariis ſuis, ſalutem. Liberato de Theſauro noſtro Baruntino Walteri, Richardo Guidicionis, & ſociis ſuis Mercatoribus de Luk, Quaterviginti Parcas, per manus ſuas liberandas dilecto Clerico noſtro Magiſtro Berardo de Neapol. Domini Papæ Potario, videlicet, Quadraginta Parcas de Terminis Sancti Michaelis anno regni noſtri ſextimo, & Quadraginta Parcas de Terminis Paſche anno regni noſtri octavo, de annuo feodo ſuo Quaterviginti Parcarum quod de nobis percipit. Teſte Rege apud Briſtoll 23 die Aprilis.*

Ibid. Pro Ba-

runtino Walteri & ſociis ſuis Mercatoribus de Luk.

The King ſeiſing the Goods and Chattels of the Biſhop of Lincoln after his deceaſe, reſtored them to the Executors of his Teſtament, having given ſecurity to ſatisfie all Debts due by him to the King on the day he deceaſed.

**Q**uia Magiſter Ricardus de Graveſhend, unus Executorum Teſtamenti bonæ memorie Ricardi Lincoln. Epifcopi, manucepit coram Rege de ſatisfaciendo Regi de omnibus debitis ſi quæ idem Epifcopus Regi debuit die quo obiit; mandatum eſt Johanni de Berewik cuſtodi Epifcopatus Lincoln. ſede vacante, quod eundem Magiſtrum Ricardum de omnibus bonis & catallis quæ fuerunt prædicti Epifcopi die quo obiit, & quæ occasione mortis ejusdem capta ſunt in manum Regis, plenam & liberam adminiſtrationem habere permittat, ad executionem Teſtamenti prædicti inde faciendam per manucaptionem prædictam. Teſte Rege apud Londhurſt 20 die Januarii.

Rex Fin 8 E.

1. m. 18 De Executoribus Teſtamenti Lincolnienſis Epifcopi.

The like Writ iſſued for the Executors of the laſt Will and Teſtament of the Biſhop of Winton, Ibid. m. 17.

The King having recovered the Patronage of the Hoſpital of St. Nicholas by York, againſt the Archbiſhop, authorized the Sheriff of the County in his name, by advice of the Juſtices Itinerant, to enquire after and preſent a fit Clerk thereto, to take care of the ſouls belonging to the Pariſh Church of that Hoſpital.

**R**EX Vicecomiti Eborum, ſalutem. Cum venerabilis pater W. Eborum Archiepiſcopus nos rogaverit, ut ad cuſtodiam Hoſpitalis Sancti Nicholai extra Eborum, cujus advocacionem verſus eundem Archiepiſcopum nuper diſtrationavimus in Curia noſtra coram Juſticiariis noſtris in eodem Comitatu, præſentari faciamus aliquem Clericum idoneum, qui de cura animarum ad Eccleſiam Parochialem ejusdem Hoſpitalis ſpectantium valeat reſpondere: Nos ipſius Archiepiſcopi rogatu in hac parte favorabiliter annuentes, tibi præcipimus, quod per conſilium Juſticiarioꝝ noſtroꝝ apud Eborum Itinerantium inquiras aliquem idoneum Sacerdotem, vel Clericum idoneum, qui in brevi ſe faciat in Sacerdotem ordinari, & ipſum prædicto Archiepiſcopo nomine noſtro præſentes ad cuſtodiam Hoſpitalis prædicti in forma prædicta. Teſte Rege apud Wiſtm. 12 die Novembris.

Claus. 8 E. 1.

m. 1. intus.

The King to preſerve his prerogative in his free Chappels, iſſued this Writ to the Sheriff of Glouceſter, not to permit the Biſhop of Worceſter, or his Officials or other Miniſters, Chaplains or Clerks, to viſit or exerciſe any ordinary Jurisdiction within the Free Chappel of Kynelye, belonging to him by reaſon of a Ward underage, during his Minority.

**R**EX Vicecomiti Glouceſtrie ſalutem. Præcipimus tibi, quod non permittas venerabilem patrem G. Wygornia Epifcopum, vel Officialem, aut alios miniſtros ſuos Capellanos, Clericos, aut alios miniſtros libera Capellæ de Kynelye, infra manerium de Nyndesfeld, quod eſt de hæreditate Nicholai filii Radulphi infra ætatem, et in cuſtodia noſtra exiſtentis viſitare, vel Jurisdictionem ordinariam in eadem

Claus. 8 E. 1.

m. 8. Pro Nicholao filio Radulphi.



*An. 8 E. 1.* eadem libera capella exercere, aut in ea aliquid contra tenorem Inquisitionis nuper de precepto nostro super hoc per dilectum et fidelem nostrum *Radulphum de Sandwyco* Senescellum nostrum factæ, cujus transcriptum presentibus interclusum tibi transmittimus extempere, set ipsam Capellam et ministros suos in eodem statu in quo fuerunt die obitus prædicti *Radulphi* patris prædicti *Nicholai* manuteneas, protegas et defendas durante custodia supradicta, juxta tenorem inquisitionis prædictæ: et hoc nullo modo omittas. Teste Rege apud *Westm.* xxii die *Maii*.

The King also to defend the rights and privileges of his Free Chappels in *England*, against the Bishops visitations, excommunications, and encroachments, constituted a General Proctor for that purpose by this Patent, entred in the Roll of *Gascoigne*, giving him authority to defend the same in all places upon all occasions in his name and right, and to prosecute such as invaded their persons or rights in any kinde.

Rot Vasconiz  
8 E. 1. m. 5.  
intus.  
Procuratori-  
um pro Ca-  
pellis Regiis.

**R**EX omnibus Ballivis, &c. salutem. In omnibus causis et negotiis liberas Capellas nostras in Regno *Anglia* constitutas ubicumque, et coram quicunque personis contingentibus, dilectum Clericum nostrum *Radulphum de Merlawe* nostrum procuratorem facimus, constituimus, ac etiam ordinamus, Dantes eidem potestatem specialem nomine nostro agendi, defendendi, ac etiam prosequendi jura et libertates nostras in Capellis prædictis, et earum pertinenciis, tam in rebus quam in personis, prout juri et honestati Regiæ videbitur condempnare; Appellandi etiam, appellationes prosequendi, et omnia alia et singula faciendi quæ ad conservacionem et tuitionem jurium et libertatum hujusmodi pertinere noscuntur. Ratum & firmum habiruri quicquid dictus *Radulphus* quibuscunque diebus & locis nomine nostro in præmissis omnibus & singulis duxerit faciendum. Hæc omnibus quorum interest tenore præsentium intimamus. In cujus, &c. Teste Rege apud *Westm.* primo die *Decembris*.

How the Popes Delegates and Bishops encroached Jurisdiction in temporal matters, suits, causes, by awards in suits between themselves, wherein they submitting themselves to the Popes and Bishops Censures if they violated them, this award made by the Popes Delegates between the Prior of *Lenton*, and the Dean and Chapter of *Litchfield*, will inform us.

Claus. 8 E. 1.  
Cedula, m. 11.  
dorso.

**M**emorandum quod cum inter Religiosos viros Priorem & Conventum de *Lenton Cluniacensis* ordinis ex parte una, & venerabiles viros Decanum & Capitulum Ecclesiæ *Lichfeldensis* ex altera, super quibusdam Decimis sitis in parochia de *Barbekwell* & de *Hop.* & de *Tydeswell*, & super quadam spoliacione earundem facta vi armata, & super quadam Compositione super eisdem inita, orta fuisset materia questionis; Tandem amicis communibus intervenientibus, videlicet Domino *Antonio Bek* Archidiacono *Dunelmensi*, & Magistro *Thoma Bek* Archidiacono *Dorsetensi* lis inter partes memoratas in hunc modum conquievit; videlicet, quod Compositio facta inter partes per fratrem *Walterum* quondam *Gardianum* fratrum *Minorum* *Leycestriz*, & Dominum *Adam* quondam *Archidiaconum* *Cestrie* in omnibus suis articulis inviolabiliter imperpetuum observetur. Which is recited at large *Ibid. m. 11. dorso*. In which composition there was this agreement and award made in case of violation.

Claus. 8 E. 1.  
m. 11. dorso.  
De Compositi-  
one inter  
Priorem &  
Conventum  
de *Lenton*, &  
Decanum &  
Capitulum  
Ecclesiæ *Lich-*  
*feldensis*.

**I**N Nomine Domini Amen. Pateat universis, &c. Quod Compositio per discretos viros Magistrum *Adam* de *Stafford* quondam *Archidiaconum* *Cestrie*, & fratrem *Walterum* quondam *Gardianum* fratrum *Minorum* *Lenton*. Judices a sede apostolica delegatos, et auctoritate ejusdem Sedis super prædictis Decimis quondam inita et ordinata in suo robore inviolabiliter perpetuis temporibus observetur super Decimis de quibus contentio erat inter partes, eisdem Decano et Capitulo silentium perpetuum imponentes, easdem adjudicantes dictis Priori et Conventui de *Lenton*. et quod dicti Religiosi dent et solvant dictis Decano et Capitulo *Lechfeldensi* inter festum beati *Cedæ* Episcopi et Confessoris, Anno Domini M. CC. septuagesima nono in Ecclesia Cathedrali *Lechfeldiæ* sexaginta et quindecim marcas, &c. quod ex-

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tunc teneantur dicti Religiosi prædictis Decano & Capitulo Lechfeld in mille Marcis bonorum & legalium sterlingorum nomine interesse solvendis. Ad quas mille marcas fideliter persolvendas, si in prædictis vel in aliquo prædictorum defecerint ut præmittitur, dictus Prior & procurator ipsius Prioris & Conventus de Lenton. se obligaverunt bona fide & stipulatione solempni prædictis Decano & Capitulo Lechfeld. subicientes se et omnia bona sua habita et habenda in Coventrensi et Lechfeldensi Diocesi cohercent et districtioni Domini Coventrensis et Lechfeldensis Episcopi qui pro tempore fuerit, ut ipse sine strepitu judiciali possit eos compellere ad solutionem dictarum mille marcarum si in præmissis defecerint, vel aliquo præmissorum, per sequestrationem omnium bonorum suorum in dicta Diocesi existentium, et alia censura qua sibi viderit expedire, non obstantibus aliquibus privilegiis vel exemptionibus sibi vel ordini suo indultis vel indulgendis. Et prædictus Prior & Procurator ipsius Prioris & Conventus de Lenton. promiserunt bona fide et fideliter se obligaverunt, quod omnia & singula supradicta procurabunt pro posse suo per Abbatem suum Cluniacensem approbari, et etiam per literas ejus patentes harum seriem continentes realiter confirmari, &c. Similiter prædictus Decanus & Capitulum Ecclesie Lechfeldensis hac omnia supradicta omologabunt, approbabit, & per literas suas patentes harum seriem continentes realiter confirmabit. Promiserunt etiam dicti Procuratores Decani et Capituli Lechfeld bona fide et se firmiter obligaverunt, quod omnia & singula supradicta procurabunt pro posse suo per Episcopum suum approbari, & etiam ex certa scientia confirmari de confirmatione Archiepiscopi Cantuariæ, & Romani Pontificis, &c. Submiserunt etiam se dictus Prior & procurator ipsius Prioris & Conventus de Lenton. & procuratores prædictorum Decani & Capituli Lechfeld. ex certa scientia non per errorem cohercenti et districtioni dicti Cantuariensis Archiepiscopi, vel ejus Officialis qui pro tempore fuerit, ut quæcunque illorum pars, si qua (quod absit) per partem in aliquo venientem contra prædicta, vel aliquod prædictorum in aliquo venientem, sine strepitu Judiciali, et absque alicujus probationis onere, hortantium scripto viso possit compellere ad observationem omnium et singulorum prædictorum, et ad penam si eam aliquoaliter committi contingat plene persolvendam censura qua sibi videbitur expedire. (Thus our Bishops and Archbishops encroached and enlarged their Ecclesiastical power and Jurisdictions by such awards and submissions.) Ordinaverunt etiam Ordinatores prædicti, quod procuratorum Decani & Capituli Lechfeld. sub magno sigillo eorundem penes prædictos Priorem & Conventum de Lenton. resideat, & vice versa quod procuratorum prædictorum Prioris & Conventus de Lenton. penes Decanum & Capitulum Ecclesie Lechfeld. remaneat. Et dictus Prior & procurator ipsius Prioris & Conventus de Lenton. & supradicti procuratores Decani & Capituli Lechfeld expresse renuntiaverunt in his scriptis beneficio restitutionis in integrum, et omni juris auxilio Canonici et Civilis, et quibuscunque privilegiis et literis a sede apostolica alterutri parti concessis et concedendis, impetratis et impetrandis, litibus motis et movendis, sententiis diffinitivis et interlocutoriis, et aliis juribus et exceptionibus quibuscunque, per quæ supradicta vel aliquod prædictorum possent revocari, vel aliquatenus infringi. Et nos procuratores partium prædictarum omnia et singula supradicta ratificavimus, approbavimus, et etiam omologavimus. In quorum omnium & singulorum præmissorum testimonium nos dicti Arbitratores, Ordinatores, seu amabiles Compositores sigilla nostra huic scripto, una cum sigillis procuratorum dictarum partium apposuimus, decernentes sigilla partium autentica huic scripto apponenda. Acta sunt hac apud Winton. in Crastino Circumcisionis Domini M.CC. septuagesimo nono.

Rox. Vascou.  
8 E. 1. m. 9.  
intus. De  
compromisso  
facto super  
contentionibus  
& discordiis  
motis inter E-  
pisc. Baionen-  
sem & Major.  
Centumq; pa-  
res & totam  
Communita-  
tem Baion.

The Mayor, Peers, and Commonalty of Bayon in Gascoigne having offered a great injury and affront to their Bishop, (in cutting off his Officials hand judicially, and banishing him the City) for which they were excommunicated and interdicted by the Pope; King Edward the 1. enjoined the Mayor and 100. Peers this penance by his Regal authority: which done, he ordered the Bishop to solve them from their Excommunication and Interdict.

**I**N nomine Domini Amen. Quia multæ circumstantiæ facti atrocitatem habent merito mitigare: Nos Edwardus Dei gratia REX Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, à venerabili patre Domino eadem gratia Baionensi Episcopo ex parte una, & Majore, Centumque Paribus, ac tota Communitate Baion. ex alterâ, su-



*An.* 8 E. 1. per contencionibus, quæstionibus, & discordiis inter eos motis, in nos arbitrandi, ordinandi, faciendi, diffiniendi, alitè & basse non servato etiam juris ordine potestate translata, prout in compromisso super huius facto plenius continetur ex bono & æquo, actis et processu diligenter examinatis, pensatis undique personarum, rerum & negotiorum conditionibus universis, arbitramur, diffinimus, statuimus, ordinamus, laudamus, et dicimus, quod pro injuriis Deo, Ecclesiæ, et prædicto Episcopo irrogatis, Major et alii prædicti qui præsentibus Iudicio consenserunt per quod *Mameldu de Aby* manum habuit mutilatam, videlicet Centum pares, (*Arnaldo de Polym*, & *Johanne de Castro Jeroslo* qui præfato Iudicio reclamabant duntaxat exceptis) die Nativitatis beate *Maria* Virginis processionem sollempniter faciant a domo Communitatis prædictæ incipientes, et usque ad majus altare Cathedralis Ecclesiæ præcedentes, quilibet eorum in sola tunica sine coregia et copea, cum uno cereo, ad minus unius libæ cere accenso, Cereosque ipsos ad altare prædictum cum devotione offerant et dimittant, et per Episcopum istius rei causa in Ecclesia ipsa populo publice exponatur; et quod Major, centumque Pares, et qui Iudicio interfuerunt et concesserunt, *Maynaldo de Aby* ad sustentacionem suam perpetuam contribuant ducentas libras *Burdgalenses* ad Natale Domini, & ad festum Nativitatis Sancti *Johannis Baptista* proximo sequens pro æqualibus portionibus solvendas: Et ne qui sine culpa fuerint poena percantur; volumus & mandamus, quod cum res urgeat, Senescallus noster aut Ballivus de his qui Iudicio prædicto concesserunt inquirendi liberam habeant potestatem. Prædictum verò *Maynaldum* per sententiam bannitum ad Civitatem ipsam per nostrum dictum seu diffinitionem restituimus. Arbitramur insuper, diffinimus, statuimus, ordinamus, laudamus & dicimus, quod Major, Centum pares, & Communitas memorati prædicto Episcopo dent et solvant Quingentas libras sterlingorum citra festum Sancti *Martini* in yeme. Et quia in hujusmodi Collectis aliquando pauperes indebitè gravantur; præcipimus, quod Senescallus noster aut Ballivus videat ne nimis onerentur, nec prætextu istius pecunie collecta majoris pecunie fiat. Volumus etiam & præcipimus, ut procuratores partium aut partes ipsæ coram nobis præsentibus hoc nostrum arbitrium, diffinitionem, statutum, ordinationem, laudum & dictum, statim per suam scripturam omologent & acceptent. Reservamus itaque nobis specialiter potestatem hoc nostrum arbitrium, diffinitionem, statutum, ordinationem, laudum & dictum corrigendi, declarandi, & interpretandi, aliàs semel aut pluries prout nobis videbitur expedire. Et in hiis omnibus reservamus Nobis Regalem potestatem et dominicam emendas capiendi pro libito nostro cum nobis placuerit, quatinus prædicta delicta nostram Regiam potestatem offenderint seu dominicam. Nos vero *Robertus* Dei gratia *Bathoniensis* & *Wellensis* Episcopus à partibus prædictis arbiter, concorditer similiter electus, in hiis si quæ sint quæ jure refragante non possunt cadere in personam Domini Regis prout in forma compromissi plenius continetur, sententias excommunicationis et interdicti in prædictos Majorem, Centum Pares, et Communitatem prædictam latis arbitramur, ordinamus, diffinimus, et dicimus per .. *Baionensem* Episcopum revocandas, et petentes ab eodem absolutionis beneficium ex dicta causa sine difficultatis obstaculo fore absolvendos. Actum & datum in palatio nostro Regali Tercio die Junii, Anno Domini M. CC. octogesimo primo. Et triplicatur.

Some of the Kings Subjects within the Bishoprick of *Agen* in *Gascoigne*, seising, subtracting the Bishops Tithes, and invading his Subjects persons and goods; the King upon the Bishops complaint issued this Writ to his Seneschal to do them right, and restore their Tithes.

Pot Vasco-  
rix, 8 E. 1.  
in 11. incus.  
De Agenensi  
Episcopo &  
subditis suis,

**R**EX dilectis suis universis Senescallis, Judicibus, Ballivis, Castellanis, cæterisque Ministris in Episcopatu *Agenensi* constitutis, & qui pro tempore fuerint, salutem. Licet venerabilis pater *Arnaldus* Dei gratia *Agenensis* Episcopus in servicio suo existat, invenit tamen, ut asserit, qui in decimis suis abjuratis et incurtis, et possessionibus aliisque bonis suis et subditorum suorum impedimentum præstare non formidant, personas inbadendo, decimas et bona occupando et diripiendo. Cumque Senescallus noster *Agenensis* ex debito juramenti præstiti eidem Episcopo & sociis suis ad tuitionem personarum, Decimarum et bonorum tenetur; Vobis distri-

ctè

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Ad præcipiendo mandamus, quatinus alter alterum non expectans dictos Episcopum et subditos quos sub custodia nostra et protectione suscipimus, in personis et bonis defensionis subsidio assistatis, Decimasque incursas possessas et abjuratas habere plene et libere faciatis, absque strepitu iudicii, et de plano, et ipse eorumque Procuratores et Collectores Decimarum ipsarum faciatis plena et pacifica possessione gaudere, salvo in omnibus iure nostro, et etiam alieno; contraditores et rebelles si quos inveneritis, prout melius expedire videritis compescendo. Peccabentes, quod si quis de Decimis alienatis, possessis et incuris raptum, inbasum seu occupatum fuerit, eisdem Episcopo et subditis, vel eorum mandatis plenam restitutionem fieri faciatis. In cujus, &c. Teste Rege apud Westm. 22 die Novembris.

An. 8 E. 1.

A Bishop and Chapter in *Aquitain* being rebellious against the King, he gave this order to his Seneschal to proceed against them in the Court of the King of *France*.

**R**EX dilecto, &c. *Johanni de Grilly* Senescallo suo in Ducatu *Aquitania*, salutem. Super controversiis pendentibus in Curia *Francia* inter nos & Episcopum & Capitulum *Vasatense* ex altera, volumus & mandamus, pro eo quod Episcopus et Capitulum prædicta, nobis rebelles fuerunt, quod in eisdem per viam litis et iudicii alterius procedatur, si id ad nostrum commodum, et ad eorumdem Episcopi et Capituli fatigationem fore videritis opportunum. Quod si ob aliquas causas utile fore non videritis, mittimus vobis literas nostras Domino Regi *Francia* dirigendas, negotia prædicta tangentes ut petistis, quas eidem porrigere poteritis, si id videritis expedire. Alioquin custodiat eas nobis cum opportune poteritis remittendas. Dat. apud *Cessiam* 8 die Junii.

Rot. Valcon. 8 E. 1. m. 4. dorso De controversiis inter Regem & Episcopum & Capitulum *Vasatensem*.

The Dean and Chapter of *Cluon* (*Clon*) in *Ireland*, upon the death of their Bishop, having sent a Messenger to the King to desire his license to elect a new Bishop, who died by the way, whereupon they elected a Bishop without a license, to the Kings manifest prejudice; the King notwithstanding out of his special grace, putting them to a Fine for this contempt, was pleased to confirm their election, if it should be Canonically confirmed; the Bishop, Dean and Chapter giving security under their Letters Patents and Seals, that this grace of his should not prejudice him or his Heirs, nor be drawn into custom for the future, by this Writ.

**R**EX dilecto & fideli suo *Roberto de Ufford* Justic. suo *Hibernia*, vel ejus locum tenenti, salutem. Veniens ad nos frater *Gilbertus* Monachus de *Innocentia* juxta *Adlon*, nobis dedit intelligi, quod cum Decanus & Capitulum *Cluon*, nuper ratione vacationis Episcopatus *Cluon*, per mortem fratris *Thoma* nuper Episcopi ejusdem loci, quendam Nuncium cum literis Capituli sui patentibus, pro licentia alium eligendi in Episcopum a nobis optinenda, ad nos destinassent; Et idem Nuncius inveniendi ad nos viam universæ carnis sit ingressus, idem Decanus et Capitulum licentia a nobis non optenta, quendam fratrem de ordine *Pinozum* in Episcopatum loci prædicti iam elegerunt, in nostri præjudicium manifestum. Quia vero dictis Decano & Capitulo gratiam in hac parte facere volumus specialem; Vobis mandamus, quod accepto ab eisdem Decano et Capitulo rationabili fine ad opus nostrum, pro eo quod hujusmodi electionem fecerunt licentia a nobis super hoc prius non optenta, electioni prædictæ Regium assensum loco nostri adhibeatis hac vice de gratia nostra prædicta. Et quia laboribus & expensis electi prædicti, charitatis intuitu parcere volumus in hac parte, vobis mandamus, quod si contingat eundem electum in Episcopum loci prædicti canonicè confirmari, tunc recepta ab eodem electo nomine nostro fidelitate nobis in casu isto debita, Temporalia Episcopatus prædicti liberetis. Receptis tamen prius literis patentibus sigillo suo, necnon et sigillo Capituli *Cluon*, signatis, quod hæc gratia nostra quam eidem electo ad præsens ex mera liberalitate nostra concessimus, nobis vel hæredibus nostris non cedat in præjudicium vel exheredationem, seu trahatur in consuetudinem vel consequentiam temporibus futuris. In cujus, &c. Teste Rege apud Langell, 20 die Julii.

Clau. 8 E. 1. m. 8. irus. Pro Decano & Capitulo *Cluon*, in *Hibernia*.



*An. 8 E. 1.* The Prior and Covent of the *Mount of the Apostles* in *Luneth* in *Ireland*, having elected an Abbot without the Kings precedent license, and petitioning the King to confirm him, he thereupon out of his special grace, considering the poverty of the Abby, and willing to spare their expences and travel, commanded his Chief Justice to put them to a Fine for their contempt, and then to confirm the election, and restore his Temporalties, after Fealty made to the King, and security given by Letters Patents under the Seals of the Abbot and Covent, that this his special grace to them should not afterwards be drawn into consequence or example, to the prejudice or disinheretance of him or his Heirs.

Pat. 8 E. 1. m.  
2. intus. Pro  
Priore & Con-  
ventu domus  
de Monte Apo-  
stolorum de  
Luneth in Hi-  
berniam.

**R**EX dilecto & fideli suo *Roberto de Ufford* Justiciario suo *Hibernia*, vel ejus locum tenenti, salutem. Cum Prior & Conventus Domus de *Monte Apostolorum* de *Luneth* in *Hibernia* ratione vacationis Domus illius per cessionem fratris *Johannis* quondam Abbatis ejusdem Domus, fratrem *Johannem de Cnok* Canonicum in Abbatem loci illius, licentia a nobis super hoc prius non petita, eligerint, et nobis per litteras Capituli sui patentes supplicaverint, ut electioni illi Regium assensum adhibere dignemur. Nos licet hujusmodi electionem in nostri preiudicium fecerint, compatiens tamen statui Domus predicta quae valde (ut dicitur) est eribilis, et dictis Priori et Conventui gratiam facere volentes in hac parte specialem; Vobis mandamus, quod accepto ab eisdem Priori et Conventu rationabili fine ad opus nostrum, pro eo quod hujusmodi electionem fecerunt licentia super hoc a nobis prius non optenta, electioni predicta Regium assensum loco nostri adhibeatis hac vice de gratia nostra predicta. Et quia laboribus & expensis electi predicti, charitatis intuitu parcere volumus in hac parte, vobis mandamus, quod si contingat eundem electum in Abbatem loci predicti canonicè confirmari, tunc recepta ab eodem electo nomine nostro fidelitate nobis in casu isto debita, Temporalia Abbatis illius liberetis. Receptis tamen prius litteris patentibus sigillo suo, necnon et sigillo Capituli predicti signatis, quod hac gratia nostra quam eidem electo ad praesens ex mera voluntate nostra concessimus, nobis vel heredibus nostris non cedat in preiudicium vel exheredationem, seu trahatur in consuetudinem vel consequentiam temporis futuri. In cuius, &c. Teste ut supra.

The Archbishop of *Canterbury* and his Suffragans intending to hold a Council or Convocation at *London* this year, the King being jealous by their late forced Canons and proceedings in the Council of *Reading*, that they would presume to enact something therein against his Crown and Dignity, issued this Patent and Commission to two of his Officers to repair to them, and appeal against such their Constitutions and proceedings.

\* Herep. 233,  
to 237.

Pat. 8 E. 1. m.  
10. intus. De  
Militibus missis  
Archiepiscopo  
Cantuar. &  
alijs Episcopis  
ad appellan-  
dum pro Rege.

**R**EX Venerabili in Christo Patri *J. Cantuar.* Archiepiscopo, totius *Anglia* Primati, et omnibus Episcopis et alijs Prelatis, et absentium Procuratoribus *London.* conventuris, salutem. Dilectos & fideles nostros *Rogertum* Extraneum, & *Hugonem* filium *Othonis* Seneschallum Hospitii nostri, ad vos durimus transmittendos, ad appellandum pro nobis, ne in Concilio seu Congregatione nuper apud *London.* convocata, contra Cozonam et Dignitatem nostram aliqua statuere praesumatis. In cuius, &c. Teste Rege apud *Wynton.* 6 die *Januarii*, anno regni nostri octavo.

Whereupon it seems the Archbishop and Bishops put off and adjourned their Council, and designed Constitutions, for that time.

*An. 9 E. 1.*

\* Hist. Anglie  
p. 9. Mat. Par-  
ker Antiquar.  
Eccles. Brit. p.  
198. Specimen  
ni Concilio  
Tom. 2. p. 218.  
Johan. Balais  
Scriptor. Brit.  
Cent. 4. c. 64.

The next year (*Anno 9 E. 1.*) this Archbishop held a Council at *Lambeth*, with his Suffragans, of which \* *Thomas Walsingham* and others render us this account: *Frater Johannes* Peckham Cantuariensis Archiepiscopus, ne nihil fecisse videretur, convocavit Concilium apud *Lambeth*, in quo non Evangelii regni Dei predicationem imposit, sed Constitutiones *Othonis* & *Octoboni* quondam Legatorum in *Anglia* innovans, iussit eas ab omnibus observari. Præterea leges Ecclesiasticas sexdecim novas condidit, quæ inter provinciales Constitutiones continentur.

The King suspecting the Archbishop and Bishops loyalty and proceedings in this their Council, (summoned as it seems without his Royal Writ, by the Archbishops authority)

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authority.) sent this memorable Writ to them, strictly commanding them upon their Oaths of Fealty they had all taken, to be faithfull to him, and defend his Crown and Regal dignity in all things to their power; to observe this their Oath therein with all diligence, and not to act, agitate, or assent to any thing against him, or the ancient Rights of the Crown, enjoyed by his Progenitors, under pain of losing all their Temporalities.

An. 9 E. 1.

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**R**EX Venerabilibus in Christo Patribus *F. eadem gratia Cantuariensi Archi-* episcopo, totius *Anglia* Primati, et omnibus Episcopis et aliis Prelatis in instanti Concilio de Lambeth contenturis, salutem. Vinculo Juramenti nobis estis (ut nostris) addicti, quo nobis in omnibus ad Coronam et Dignitatem nostram spectantibus, omnem quam poteritis fidelitatem observare debetis. Quapropter vobis mandamus in fide et fidelitate quibus nobis tenemini firmiter insungentes, quod ad defensionem et conservationem Juramenti nostrorum et Regni nostri, omnem quam poteritis diligentiam adhibere curetis; et sub vinculo Juramenti memorati, et poena amissionis Temporalium quæ de nobis tenetis, vobis omnibus et singulis firmiter inhibemus, ne in præjudicium nostri, vel ejusdem Regni in Concilio nunc apud Lambeth convocato, nec etiam contra nos, vel jura nostra, quibus prædecessores nostri Reges Angliæ et nos ex antiqua et approbata consuetudine uti sumus, procurare vel attemptare aliqua præsumatis, aut etiam alieni hujusmodi procurare seu statuere volenti, assensum præbeatis, sic ergo vos habeatis in hac parte, quod vos debeamus potius specialiter commendare, quam de contrariis, quod abist, increpare. Teste Rege apud *Lyndhurst* 18 die Septembris.

Pat. 9 E. 1. m. 6. intus. De Inhibitione ne Episcopi & alii Prelati, &c. aliquid statuunt in præjudicium Regis, &c.

How far this Papal perfidious Archbishop and his Suffragans, were from obeying this Royal mandate, according to their Oaths and bounden duties, will most evidently appear by the Prologue to their Canons and Constitutions made therein, wherein they highly extoll that Arch-traytor *Thomas Becket*, as a most glorious Martyr, for opposing the ancient Rights of the Crown and Kingdom, as inconsistent with the Churches pretended Liberties; and revived, confirmed the Constitutions of Archbishop *Boniface* and his Suffragans, (against which the \* King had solemnly appealed to the Pope, as prejudicial to the Rights, Prerogative, Customs, Liberties of his Crown and Kingdom) by several Canons made therein, and the Excommunications republished in it; but more especially by the Archbishops insolent Epistle to the King, in answer to this his Royal Inhibition and Mandate sent unto them; the most of which Constitutions I shall here present you with at large.

\* See Tom. 2. p. 983, 990, 991.

\* Constitutiones Fratris *Johannis de Peckham Cantuariensis Archiepif-* copi, editæ apud *Lambeth* Anno Domini 1281. & Regni Regis *Edwardi* primi 9.

\* *Johannes de Aton* Constitutiones Provinciales, f. 126, to 130. *Spelmanni* Concilia Tom. 2. p. 328, to 341.

**A**B exordio nascentis Ecclesie Christiana, orthodoxi patres, retroactis temporibus, errorum laqueis, morum corruptionibus, adversitatum molestiis, Concilioz tractatibus obbiarunt: In eis siquidem sapientes se minus exacuunt, & congregati sancti viri Christi Domini sensum & consilium facilius impetrarunt, qui se spondet talibus sui nominis honorem zelantibus medium assuturum. Sanctorum Patrum igitur vestigiis inherentes, jurisque auctoritate compulsi, ac necessitate multiplici Ecclesia ferurgente, nos Frater *Johannes*, permissione divina *Cantuariensis Archiepiscopus*, totius Angliæ Primas, cupientes presentibus incommodis obviare, sperantesque Christi patrocinante gratia, ad hoc nos posse proficere, cum Fratrum ac Coepiscoporum nostrorum, ac ceterorum provincia nostra Prælatorum assistentia efficaci, de prudentum virorum consilio, hoc sacrum Concilium mandavimus convocari, (by his own authority, without the Kings special Writ.) Intendentes pravia Spiritus Sancti gratia, opere, & consilio, transgressores Canonum corrigere; quedam etiam olim salubriter edita, non tamen satis moribus mentium comprobata, recentia stabilire; & contra novellas quasdam tergiversationes, quas in furno sulphureo non cessat abissi puteus exhalare, novis quibusdam remediis occurrere, ut valeamus, in quo obtrektorum dentes minime formicamus. Quoniam etsi res divina tanquam perfectissima in certis consistant finibus, humani tamen juris conditionem in infinitum currere cogit necessitas manifesta.

Con.



*An. 9 E. 1.* Contemptum autem Canonum immane esse placulum, utriusque docet pagina Testamenti. Decretis enim Apostolicis, & Conciliorum diffinitionibus obfistentes, a sanctæ matris Ecclesiæ meritis sunt præcisi; nupte quos Rhomphæa Mosaica plebet sententia capitali, & sapientia incarnata illos, qui Ecclesiam non audiunt, Ethnicis & Publicanis similes esse decrevit, ac contemptum \* authoritatis Apostolica in contemptum Patris omnium redundare. Quippe quos legum suarum Petrus ligat vinculis, in summi & cœlestis Imperatoris palatio sunt ligati. E contra tamen quosdam frivole de Christiani nominis titulo gloriantes, tam Clericos quam Laicos, quotidianis angustis experimur jugum abficere, et Apostolicos sanctiones arrogantia Diabolica concutere, illius + gloriosi Martyris Thomæ Patriarchæ nostri immemores, qui se pro hujusmodi scribis defendendis murum opposuit, pro ipsis præsumptum sustinens exitium, et postea passionem. Lateranensis igitur Concilii autoritate præmoniti, faciemus Canonicas regulas revocari. Et quia Lugdunense Concilium ultimo celebratum, eo enormius, quo recentius infringitur; ne quis possit se in temeritate hujusmodi per ignorantiam excusare, ipsum volumus in principio recenseri; non solum ut omnibus innotescat, verum etiam, ut si quid in ipso videatur intollerabile istius regionis consuetudini, qua in multis ab omnibus aliis est distincta, circa illud temperamentum Apostolica clementia humiliter imploretur. Quoniam (sacro restante Eloquentio) melior est obedientia victima; & quia peccatum ariolandi est repugnare; & quia scelus Idolatriæ nolle acquiescere. Hanc enim inobedientiam credimus esse causam mutationis utriusque parietis Ecclesiæ Anglicanæ. Secundò, Constitutiones (sanctæ memoriæ) Domini Ottoboni eo loco faciemus reverentius, quo ipse in eisdem Statutis suis hoc mandavit fieri hujusmodi per singulos annos ab Archiepiscopis, Episcopis in Synodis suis de verbo ad verbum, postea ad honorem Apostolicum sublimatur. Tertio vero recitari volumus Concilium de Lameheth, (summoned against \* King Henry the 3d. his expresse Writ and Prohibition, who appealed to the Pope against the Antimonarchical Constitutions made therein, as contrary to his Prerogative, Crown, Dignity, the Laws, Customs of the Realm, and peoples Liberties, yet here revived) quod (sanctæ memoriæ) prædecessor noster Bonifacius cum Fratribus & Corpiscopis sui temporis noscitur salubriter edidisse; ut circa ipsum, quod dicitur, fuisse appellationem \* suspensum, qualiter procedi debeat, videatur. Ultimo vero adjicimus quæ nobis videntur necessario ordinanda.

## De Sacramento Eucharistiæ.

Altissimus de terra assumpti corporis creavit humani generis medicinam in septem vasculis repositam, quæ sunt septem Ecclesiæ Sacramenta; quæ à plerisque non cum condigna tractari reverentia, nec cum debita diligentia dispensari fide didicimus oculata. In his igitur præsens correctio sumat exordium, & præcipue circa corporis & sanguinis Domini Sacramentum, quod est Sacramentum & Sacramenti sacrificium sanctificans manducantes, & sacrificium oblatione sua universis tam vivis quam defunctis proficiens, a pro quorum suffragiis immolatur. Multos igitur esse numero & paucos merito Domini Sacerdotes quotidianis scandalis experimur; inter quorum damnabiles acidiæ, hanc plangimus præcipue, quod ad hoc ipsum Eucharistiæ Sacramentum se irreverentes exhibent supra modum, quod et erecratis linguis conficiunt, contemptibiliter custodiunt, et reponunt, et ipsum tanto tempore negligunt immutatum, donec <sup>b</sup> corrumpantur species continentes, ut salutis author qui infinito amore se in viaticum dedit Ecclesiæ, pro tantæ irreverentiæ injuria offendatur. In cuius remedium discriminis, statuimus, ut quilibet Sacerdos, quem canonica necessitas non excusat, conficiat omni Ebdomada saltem semel, & ut in qualibet Ecclesia Parochiali fiat Tabernaculum cum clausura decens & honestum, secundum curæ magnitudinem & Ecclesiæ facultates, in quo ipsum corpus Domini in pyxide pulcherrima & lineis tegumentis, sed nullatenus in loculo propter contractionis devitandum periculum, collocetur; quod in omni Dominico præcipimus renovari. <sup>c</sup> In elevatione vero ipsius corporis Domini pulsantur Campanæ in uno latere, ut populares, quibus celebrationi Missarum non vacat quotiæ interesse, ubicunque fuerint, seu in agris, seu in domibus, flectant genua, indulgentias concessas à pluribus Episcopis habituri. Sacerdotes autem, in custodia Eucharistiæ negligentes, puniri præcipimus, secundum regulas Concilii generalis, (Capitulo statuimus) & gravius, si negligentia perseveret. Circa deportationem vero Eucharistiæ ad agros, servetur honestas aliis & alibi constituta. <sup>d</sup> Attendant insuper Sacerdotes, quod cum

a By Popish Priests, but never by Christ or his Apostles.  
b Therefore not the very body of Christ born of the Virgin Mary, now incorruptible, 1 Cor. 15. 42, 53 54. Rom. 6. 11.  
Acts 2. 17, 31.  
c Guil Lyndewode Provincialis l. 3. De Celebratione Missarum, f. 167, 168.  
d Guil Lyndewode Provincialis l. 1. De Summa Trinitate, f. 6, 7.

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Communione sacram porrigant, simplicibus Paschali tempore vel alio, sollicite eos instruunt sub panis specie, simul eis dari corpus et sanguinem Domini, immo Christum integrum cibum et verum, qui totus est in specie Sacramenti. Docerant etiam eos illud quod ipsis eisdem temporibus in calice propinatur sacramentum non esse, sed Christum purum eis hauriendum traditum, ut facilius sacrum corpus gluciant quod perceperunt. Solis enim celebrantibus sanguinem sub specie vini consecrati sumere in huiusmodi minoribus Ecclesiis est concessum. Instruant etiam eosdem sumptum ore Sacramentum non nimis dentibus comminere, sed tritum modice sorbere perfecte, ne particula aliqua eveniat in dentium intersticiis, vel alibi remaneret. Parochiales insuper Sacerdotes caveant diligenter, ne alicui dent corpus Domini, nisi prius constet eis ipsum fuisse confectum testimonio vel iudicio fidedigno, & huiusmodi certificationis onus ipsum susceptoris impingimus Sacramento, qui habet ea qua salutis sua sunt necessaria procurare. Nullus ergo sacram Communionem prabeat Parochiano alterius Sacerdotis sine ipsius licentia manifesta, quam ordinationem non intendimus ad peregrinantes extendere, nec necessitatis casus derogare. Thus did they pervert Christs institution in all particulars by this Constitution.

An. 9 F. 1.

\* Against

Christs ex-

press precept,

& his & the

Apostles pra-

dile, Mat. 26.

27, 28. Mar.

14. 23, 24.

Lu. 22. 17, 20.

1 Cor. 10. 16.

21. c. 11. 25. to

30 John 6.

53. to 57.

\* Guil Lynde-

wode Provinc-

cialis l. 3. De

Sepulturis, f.

134. b.

*De Annalibus celebrandis & Anniversariis.*

Sacerdotes insuper caveant universi, ne \* Missarum peculiarium seu familiarium se celebrationi obligent, quo minus valeant Canonico officio commissam sibi Ecclesiam officiare, ut tenentur. Nec presumat aliquis Annalia celebranda suscipere, nisi pro defuncto celebret quotidie, vel procurat specialiter celebrari. Nullus insuper plura recipiat Annalia celebranda, quam habet socios celebrantes, illo casu excepto, in quo procurans suffragia fieri pro defuncto consensit expresse, defuncti memoriam alibi vel aliis copulari. \* Nec credat celebrans se dicendo Missam unam posse satisfacere pro duobus, pro quo utroque promissit specialiter & insolidum celebrare. Licet enim dicat de con. di. v. c. non mediocriter Capitulum, quod licet minus accipitur cum Missa una pro cunctis dicitur, quam si pro uno quolibet ipsorum una diceretur. Loquitur tamen de hiis Missis, qua anxio corde dicuntur. Absit enim, ne a quodam Catholico credatur tantum intentione prodesse Missam unam devote celebratam mille hominibus, pro quibus forsitan dicitur, quantum si mille Missa pro eis devotione consimili canerentur. Licet ipsum Sacrificium, quod est Christus, sit infinita virtutis, non tamen in Sacramento vel Sacrificio in sua immensitatis summa plenitudine operatur; alioquin pro uno mortuo nunquam opereretur nisi unam Missam dicere. Operatur enim in huiusmodi ministeriis distributione certa sua plenitudinis, quam ipse eisdem lege infallibili alligat illos qui pro Annalibus seu Anniversariis celebrandis stipendia receperunt, nec ex certa malitia seu acidia satisfaciunt, ut tenentur, monemus, ut omnia suppleant, & ad plenum satisfaciant in futurum. Et quandocumque id fecerint, fructus taliter perceptorum pro Annalibus eorum qua eis talia contulerint erogent pauperibus, aut si mirumque istorum sponte neglexerint, sicut fraudatores fidelium ab Ordinariis suis asserere corrigantur.

\* Guil Lynde-

wode Provinc-

cialis l. 3. De

celebratione Mil-

larum, f. 165.

\* A good Ar-

gument a-

gainst Plurali-

ties.

I pretermitt the Constitutions *De Baptismo & ejus effectu*, *De Sacramento Confirmationis*, & *Ne Quinque Ordines simul conferantur*.

I shall insert that *De Confessione*, worthy observation in sundry respects, discovering the abuses of Popish Confessions, Confessors, absolutions, and the pride of Bishops to advance their Episcopal authority over Priests as well as Laymen.

\* Sacramentum Pœnitentiæ nanfragantium remedium singulare, per quorundam insipientiam Sacerdotum debito caret fructu; & qui credit à fluctibus emergere, perniciosum in damnationis pelagum demergitur, dum de facto absolvent plurimi, quos de jure absolvere nequeunt, vivificantes, ut ait Propheta, propter pugillum ordei & fragmentum panis, animas quæ non vivunt, utpote absolventes de facto, excommunicatos de jure, et præcipue ab Oxoniensi Concilio propter lationem seu perturbationem Ecclesiasticæ libertatis, vel propter consilia scelera in eodem Concilio simili poena damnata, seu Decimas, seu alia Jura Ecclesiastica detinentes; quibus obstrictes, ut seductozibus animarum et pulvillus consentibus sub cubitis Reproboz, omnibus Cancuar. Provinciarum Confessoribus, sub nobis et Coepiscopis nostris constitutis, districtus

\* Guil Lynde-

wode, Provinc-

cialis, l. 5. De

Pœnitentiis &

Remissionibus

f. 143, 144.



*An. 9 E. 1.* districtius inhibemus, ne de cetero audeant manus extendere ad seducendos hujusmodi per Absolutionis signaculum, quod nobis sine satisfactione debita et speciali commissione Archiepiscopi et Episcopi non tenere, dum sunt in suis sceleribus peritantes. Existimantes nihilominus hujusmodi non tam Confessores, quam soborum Diaboli Confessores peccare gravissime, cum conbincantur saltem tacite eisdem sceleribus consentire, et scelerosos in sua perfidia confortare; Unde caveant ipsi ne eodem cum talibus Excommunicationis laqueo involvantur.

Cum insuper nos dudum pluralitatem beneficiorum sacrilege usurpatam, cohibere volentes, inhibuerimus sub pena Excommunicationis, ne quis de facto ad tales in suis furtis & sacrilegiis contumaces manus extenderet absolventes. Quidam tamen Sacerdotes potius Belial quam Domini, contrarium facere presumpserunt, occidentes animas Christi sanguine redemptas, et enerbantes disciplinam Ecclesiasticam. Istos igitur, quasi vulpes demolientes vineas Domini veraciter repantes, sub pristina distinctione iterato precipimus, quatenus à talibus absolvendis de cetero abstineant, et ad renunciandum beneficiis illicite optentis vel retentis sollicitè inducant: Alioquin, sciant se certissime divina maledictionis fulgure feriendos.

\* Guil. Lynde-  
wode Provinc.  
l. 5. De Privi-  
legiis, f. 224.

Sunt præterea nonnulli, qui prætextu quorundam \* privilegiorum generalium a sede Apostolica optentorum, præter intentionem Apostolicam auctoritate Pontificali, ipsorum Pontificum irrequisito beneplacito et assensu, ingerunt se Subditorum eorundem Confessionibus audiendis; quorum presumptiones volentes reprimere, ut tenemur, prohibemus sub pena Excommunicationis, ne quis de cetero absque Episcopi licentia expressa vel probabiliter præsumpta, Confessiones suorum audiat Subditorum, nisi in audiendis Confessionibus à jurisdictione ordinaria Diocesana & Metropolitica expresso tenore sui privilegii sit exemptus. Et si qui contrarium fecerint, procedatur contra eos, sicut Privilegiorum temerarios abutentes.

#### De Pœnitentiâ.

\* Guil. Lynde-  
wode Provinc.  
l. 5. f. 244.

\* Præterea cum juxta sacros Canones peccata graviora, ut Incestus, & similia, quæ vulgarissima suo scandalo totam commovent Civitatem, sint solemniter pœnitentiâ castiganda; quorundam tamen negligentia id agente, hujusmodi pœnitentiâ videtur quasi in oblivionem tradita, et crebrius per consequens audacia hujusmodi horrenda facinora et flagitia perpetrandi. Quocirca precipimus, ut hujusmodi pœnitentiâ solemniter de cetero imponatur secundum sanctiones Canonicas. Absolutionem tamen ab homicidio voluntario, tam publico, quam occulto, solis Episcopis, extra necessitatis articulum reservamus: per quod intendimus reſſrenare audaciam, et non majorum reſſerentia in aliquo derogare.

#### De uno Confessore in quolibet Decanatu faciendo.

\* Guil. Lynde-  
wode Provinc.  
l. 5. f. 246.

\* Licet à sanctis Patribus jam pridem fuerit ordinatum, ut in quolibet Decanatu unus sit Rector aut Vicarius, literatura sufficienter illustratus, gratia famaque laudabilis assignatus ad Confessionem Rectorum, Vicariorum aliorumque Sacerdotum, ac Ministrorum Ecclesia audiendam, injungendasque pœnitentias, ut sit mare fons in Templi introitu, juxta Templi typica Sacramenta: Hoc tamen hæcenus non fuit Cleri moribus approbatum, non sine multis Dei injuriis in Sacramentorum ministracionibus ac Missarum celebrationibus, quæ execrationes potius dicerentur. Ordinationem igitur prædictam à dissuetudine revocantes, precipimus, ut ipsa de cetero inviolabiliter observetur. Ex hoc minime intendimus quin possint, si voluerint, ad alios communes Pœnitentiarios, (dum tamen id constet) pro Sacramento Pœnitentiæ convolare.

#### De informatione simplicium.

Ignorantia Sacerdotum populum precipitat in foveam Erroris; & Clericorum stultitia vel ruditas, quæ de fide catholica fidelium instruere jubentur, mentes magis aliquando ad errorem proficit quam ad doctrinam. Quidam etiam ceteri prædicantes non semper loca visitant, quæ magis constet veritatis lumine indigere; testante Propheta, Quod parvuli petiebant panem, nec erant qui frangerent; & alio clamante, Quia egeni & pauperes querunt aquas, lingua eorum siti aruit. In quorum remedi-

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um discriminum statuendo precipimus, ut quilibet Sacerdos plebi præsident quater in anno, hoc est, semel in qualibet quarta anni die uno solenni vel pluribus, per se vel per alium exponat populo vulgariter, absque cuiuslibet subtilitatis textura fantastica 14 fidei articulos, 10 mandata Decalogi (the 2. whereof against graven Images and their worship is wholly omitted out of their Popish Decalogue, and the last divided into two Commandements, as it is in most of their Popish Primers, Psalters, Howers, Missals, Breviaries and Catechisms ever since, as inconsistent with their Popish Images, and adoration of them) duo precepta Evangelii, sc. gemina charitatis, & 7 etiam opera misericordia, 7 capitalia peccata, cum sua progenie, 7 virtutes principales, & etiam 7 gratia Sacramenta. Et ne quis à prædictis per ignorantiam se excuset, qua tamen omnes Ecclesia Ministri scire tenentur, ea perstringimus summaria brevitate: (there briefly recited in order, where those who please may peruse them.)

Next follows the Canon, *De Sententiis Excommunicationis publicandis*; in Johannes de Atom (the beginning and Title whereof is omitted in Spelman's Councils.)

Temporibus eisdem etiam sententia publicantur à nostris, & nostrorum prædecessorum temporibus lata olim. Verbi gratia, excommunicati sunt in Oxoniensi Concilio, Ecclesias suo jure præbantes, et eorum libertates per maliciam, et contra justitiam infringere vel perturbare etiam contententes. Ubi tria genera hominum excommunicationis vinculo innodantur; auferentes Ecclesiis sua jura, infringentes Ecclesiasticas libertates; Similiter perturbantes easdem: quod non solum intelligimus de generalibus libertatibus universalis Ecclesie, verum etiam de spiritualibus & temporalibus; in quo illos excommunicari intelligimus præcipue qui \* literis aut juribus Curie laicalis Ecclesiasticarum causarum processum impediunt, quæ ita ad Ecclesiam pertinere noscuntur, quod nullatenus possunt vel consueverunt per seculare judicium terminari. Quod dicimus, non intendentes prædictas sententias ad illos tantummodo coaptare nec turbationes jurium Ecclesiasticorum alias approbantes, sed quia hujusmodi Dei et Ecclesie inimicos volumus rigore debito castigari. (The same in effect with those Clauses in the Council of Reding for which he was \* questioned, and thereupon revoked in Parl. yet now contemptuously revived and reenforced. Ex hujusmodi insuper sententia decreto excommunicatos denunciari precipimus omnes illos, qui falso exceptionis titulo Episcopalem et Archiepiscopalem processum impediunt aut subterfugiant disciplinam: (To which they subjoyned all other Clauses of excommunication in the Councils of Oxford and Reding, which they ordered to be published 4. times every year, concluding thus.) De hac autem publicatione inquirant Archiepiscopi, et quotiens Presbyteros invenerint, prædictam moxalem Instructionem seu præmissas Excommunicationis sententias statutis temporibus populo minime prædicasse, totiens eos arguant, et poena canonica castigando supplere compellant, quod temere omiserint.

Lindes. l. 1. Officiarii diaconi.

\* Nota.

\* Here, p. 135, 136.

*De Hospitalitate tenenda.*

Præterea, cum sacro testante Elogio, Pastores sibi greges creditos pascere teneantur; & os bovis trituranis non debeat alligari, Statuimus, ut Rectores qui in Ecclesiis suis non faciunt residentiam corporalem, nec habent Vicarios, per Iconomos suos Hospitalitatis gratiam exhibeant, juxta quod sufficiunt Ecclesie facultates; adeo ut saltem Parochianorum pauperum necessitati extrema subveniatur, ut qui ibidem transiunt & prædicant verbum Dei, necessaria recipiant corpori alimenta; ne Ecclesia ipsorum inopia violentia à prædicantibus mersa deferantur. Dignus est enim Operarius mercede sua, nec quisquam tenetur propriis stipendiis militare.

Lindewode, l. f. 97. De Clerico Non-residente.

Prædicatoribus subvenendum est.

I shall subjoyn these ensuing Constitutions, discovering the detestable frauds, forgeries, falsities and abuses commonly practised in that age in Ecclesiastical Courts by the Bishops Officers, and others belonging to them; still frequently practised among them notwithstanding these Constitutions, to their infamy.



An. 9 E. 1.

## De certificationibus Citationum faciendis.

Citato suffici-  
entes dari de-  
bet indicie.

*Quidam ruralium Decanorum in Citationibus faciendis contra omnem juris ordinem, de Luciferana veritate merito diffamantur. Qui videlicet Certificatio- nem subdolum, et pendunt pro p[re]sentis illis falsitatis, nulla Citatione ad notitiam citati ante Certificationem huiusmodi vel post eam aliquatenus ventente illud frequenter evenit, ut innocentes condemnentur. In cuius noquitia remedium, statui- mus, quod nulli tradatur vel concedatur Certificatorium, nisi in die sollemnali, inter Missarum sollempnia in Ecclesia ubi citatus foret laicis, vel amplius convenerit, publice recitetur; hoc adjuncto moderamine, ut citatus sufficienter habeat indicies, ut die et loco ubi p[re]sentis competenter valeat comparere, quum si aliquo casu tuncum arceat quod dilationi locus non pateat, citatione facta publice coram testibus detur Certificato- rium in Ecclesia vel in aliquo loco publico coram testibus fidedignis, ita quod dies Cita- tionis, et locus in ipso Certificatorio exprimantur, et nullo modo sit Certificatio ante Citationem factam, quod sicut fideliter Decani in Episcopati Synodo hoc omni anno sacros.*

## De falsis Procuratoris non signandis.

\* Lindewode  
l. 1. f. 56. De  
Procuratori-  
bus.

*\* Per horrendam quorundam malitiam perpendimus accidisse pro aliquo poss[ess]ore Eccle- siastici Beneficii in remotis agente, aliquis dolosus ipsius adversarius domum eius vel rem aliam contra inhibitionem Domini concupiscens, spiritu Sathánico se in lucis Angelum configurans, fingit mendaciter p[re]dictum absente ad vocari coram iudicibus; et se ip- sius Procuratorem existere, et vocari p[ro]curat absentem ad causam ipsius in iudicio defendendam, p[re]tendens falsum Procuratorem officio Decano vel superi- ori supplicat in hac verba. Quia sigillum meum paucis est cognitum, peto ut si- gillum vestre Authoritatis huic meo Procuratorio apponatis: Et sic, data mercede, iniquitatis, obtinet quod requiritur. Deinde verobrevi falso Procuratorio, cum alio, se ipsius fingente mendaciter adversarium, litem ingreditur; et in hac fraude procedens possessionem tandem nanciscitur per sententiam; vero Domino (cujus status de facto sic subvertitur) penitus hoc ignorante. Volentes igitur tam detestandis fraudibus obviare; Inhibemus, ut nullus Decanus, seu Archidiaconus, vel ejus Officialis, seu etiam Officialis Episcopi sigillum suum alicui Procuratorio apponet presumat, nisi hoc ab eo posatur publice in iudicio vel extra iudicium, si is, qui Proc- uratorem constituit, (quem constat verum Dominum esse) prasens corporaliter, hoc requirat; ut fraus qualibet excludatur. Quicumque vero Decanus, Archidiaconus, vel ejus Officialis, vel etiam Officialis Episcopi ex certa malitia contrarium fecerit, suspen- datur per triennium ab officio abscindendi, et inhabilis sit ad officium Ecclesiasticum obtinendum. Quod si uxoriatus ambigamus si, Excommunicationi subiaceat ipso facto; et id quod per talem Procuratorem actum fuerit vel procuratum modis omnibus pro infello penitus reputetur. Procurator autem ipse totius falsitatis inventor, ab omni actu legitimo perpetuo repellatur. Et hi omnes nihilominus, si super hoc convincti valeant, parti laesa ad interesse et restituenda damna omnia teneantur.*

## Ne fiant clandestinæ Inquisitiones pro Præsentatis.

*Per Provinciam nostram frequenter perpendimus, fidos Ecclesiasticorum benefi- ciorum possessores suis beneficiis fraude diabolica spoliari; dum nonnulli Infer- nalis Regis falsitatis aggraveri, qui ipsorum beneficia oculos ambitionis insi- gunt, procurant se per Patronos ad eadem p[re]sentari; et impetrantes clandesti- nas Inquisitiones fieri per Decanos vel alios, possessionem nanciscuntur. Unde contingit de petitore perfido fieri possessorum; et de possessore vero fieri actorem, omni iustitia reclamante. Nos autem cupientes a nostra Provincia iniquitatem funditus eripare; Statuimus et perpetuo ordinamus, ut nullus Decanus, sive quivis Prelatus, alius (exceptis personis Episcoporum, quorum hac opinione auctoritas non ardeatur) Inquisitiones faciat de huiusmodi presentationis negotio, nisi in plena loci ca- pitula, eo qui possessioni Ecclesia incumbit, vocato legitimè; sub tanto temporis spatio, quo possit sibi prudentium virorum consilio proficere, et defensioni status sui sufficienti remedia*

Upon the Liberties of the Kings and Subjects of Engl. & Irel K. Edward :

remedio providere. Quicquid autem de cat. 10 contra hanc Ordinationem nostram fuerit An. 9 E. 1. attentatum, decernimus penitus non tenere; ad satisfaciendum nihilominus de damno omnimodo, quod idem Possessor passus fuerit, Decanum vel Prælatum alium taliter clandestinè inquirentem, presentis sanctione Concilii condemnantes; ambitiosum ipsum ab ipsi beneficio sic nequiter ambitio excludentes perpetuo: & nihilominus eundem ab omni obtentu Ecclesiastici alterius beneficii per triennium suspendentes.

De firmis non dandis.

Videntes & ementes quos de Templo Domini cepit ejicere, si cepta pœnitia perficisset, non fraudarentur pauperes firmarum contractibus, quibus vertitur in Mammonam quod ex Christi visceribus infundendum. Huic igitur pesti remedium apponentes, precipimus firmiter observari, quod circa firmas in Oxon. Concilio salubriter est provisum; ut videlicet Ecclesiæ ad firmam minimè tradantur. \* Statimus insuper, ut nulli tradatur ad firmam, nisi personis Ecclesiasticis sanctis & honestis, quas locorum Episcopi libere valeant cohercere. Provisio etiam, ut Parochia pauperibus de firmis hujusmodi pingnibus, portio juri consona secundum arbitrium Episcopi assignetur, sub testimonio quatuor fidelium Parochianorum eis fideliter eroganda. Et ut ab hujusmodi firmis omnis contractus imaginarius subducatur, quam in personis Clericorum falso suppositis vel sub nomine Ballivatus Ecclesiæ ad firmam laicis conceduntur, sacro approbante Concilio: Ordinamus, ut si quis Clericus in tali versutia repertus fuerit, puniatur secundum statutum (sancta memoria) Domini Othoboni; & gravius, si Prælati viderint expedire.

De Religiosis non eximendis à Capitulis tenendis.

\* Plures invenimus Domos Religiosas Sancti Benedicti Ordinis, quæ pro eo, quod olim quibusdam Matricibus Ecclesiis ultramarinis adhaerant, à quibus ferme jam diuturno tempore separata noscuntur à ceteris ejusdem Ordinis Domibus, in Cantuariensi Provincia constitutis, non conveniant cum ceteris in Capitulo generali singulis terminis, juxta generale Concilium celebrandis: sed quia turpis est pars qua non convenit suo toto, statimus, ut omnes hujusmodi de cætero Domus (salva scilicet ceremoniarum suarum observantiâ:) Specialiter moneantur per locorum Episcopos, ut conveniant cum aliis Canonicis in Capitulo suo generali de regimine & reformatione Ordinis sui tractaturi; vel si inter eos quantum ad substantialia Religionis sit notabilis diversitas, sibi ipsis separatim constituent Capitulum generale, alioquin hoc facere per censuram Ecclesiasticam compellantur.

The next Canons evidence, the uncleanness, Apostacy, ravishments and Vices of their Nuns, Monks and Priests, notwithstanding all former Canons to prevent them.

De Sanctimonialibus non violandis.

\* Tantum invaluit detestanda lubricitatis enormitas, ut quidam nec Legibus, nec Canonibus deferentes, ad castitatem Sanctimonialium concitandam editis, cum ipsis Sacrilegium et Incestum committere non formidant; (such was the fruits of their cloystered vowed chastity.) Cui horrendo flagitio remedium apponere cupientes, omnes tam Clericos quam Laicos, hujusmodi turpitudinis perpetratores, majoris Excommunicationis sententia immodamus; solis personis Episcoporum hujusmodi absolutionem sententiæ reservantes; exempto mortis articulo, in quo sic valeant absolvi a quolibet Sacerdote, ut si convalescerint piaculum suum hujusmodi teneantur sub pœna prædictæ Anathematis infra trium mensium spacium propriis Episcopis confiteri; aut sede Episcopali vacante, custodi Spiritualitatis, aut Decano Ecclesiæ Cathedralis. \* Sanctimoniales plurimæ in bagationis vitio delicate, nec divino vacantes officio, in consimile corruptionis scandalum, immo longe perniciosius assidue prolabantur. Cui periculo providentes, magis optantes earum saluti consulerè quam vanis earundem desideriis complacere, sub pœna Excommunicationis totaliter inhibemus, ne quæ illoz cum sociis, nedum sola apud parentes vel affines quantumcunque propinquos, nedum apud extraneos quantumcunque famæ eminentiæ vel religionis existant, ultra tres dies naturales causa recreationis perennarent.



An. 9 E. 1.

\* Lindewode  
l. 3. f. 146  
De Regulari-  
bus, &c.

binarie, seu quacunque necessitate vel occasione cessante infirmitate commozari presumant, nisi locorum Episcopis aliud aliquotiens videatur ex causa necessaria; de quo earum conscientias in extremo iudicio oneramus. Hanc autem ordinationem ad illas non extendimus, qua exterius coguntur vendicare sibi necessaria dum mendicant.

\* Item Moniales quadam in tantum decipiunt, ut cum sint aetatis legitima & doli capaces, postquam ultra annum inter Moniales Monastice vixerint, putantes se non esse professas, ac sibi licere redire ad seculum; pro eo quod benedictionem Episcopalem cum solemnitate voti immixta minime receperunt. Nos vero errorem huiusmodi excludentes, presentis auctoritate Concilii declaramus, eas ipso facto professas existere reputandas, postquam ultra annum vitam sponte in Collegio duxerint regularem, adeo ut nullatenus ad seculum redire permittantur; nihilominus ab Episcopis cum solemnitate debita consecrandas suo tempore vel velandas. Item etiam quantum ad professionis vinculum sentimus, de Monachis & Religiosis aliis quibuscunque quibus nihil obstat canonicum, & eos si ultra annum religionis habitum sponte detulerint, & ipso rejecto, ad seculum redierint, esse sicut Apostatas ab Ecclesiasticis beneficiis repellendos, et ad repetenda sua Monasteria secundum iuris exigentiam compellendos. De quibus diligens inquisitio fiat per Archidiaconum, quoniam multos huiusmodi sub obvio velere lupinum animum nobis palliare.

## De Apostatis revocandis.

\* Lindewode  
l. 5. f. 320.  
De Apostatis.

\* Præterea, sunt nonnulli, qui apparent per facti evidentiam seculum perpetuo intendere, relinquere per certa indicia in Claustri exculis toto suo tempore Deo militare; qui tamen prævalente corporali (alias carnali) desiderio, ut canes qui redeunt ad vomitum, seculum repetunt, inter Sydera errantia computandi. Quamvis enim iura manifeste desinant, huiusmodi non posse religionis habitum omnino deserere, quin saltem in Religione aliqua laxiori perpetuo remaneant; quidam tamen attritæ frontis audacia Apostatæ infamiam non verentes, postquam absolute se velle seculum relinquere ostenderunt, relictâ Hierosolyma redeunt in Egyptum. Quocirca statuimus, ut Ordinarii locorum tales cum omni diligentia investigent; et subtractione tam Officii quam Beneficii Ecclesiastici (si quod habuerint) ad statum pristinum vel laxiorem cogant regulam pertransire. Quod si sint Laici huiusmodi Apostatæ, & ipsi ad salutis suæ studia redire, per censuram Ecclesiasticam compellantur. Hanc autem Ordinationem ad illos non extendimus, cum quibus Sedes Apostolica aliter ordinabit. Which would and did unorder, and disorder all Orders, for money and filthy lucre.

## Ne Religiosi sint Testamentorum Executores.

\* Lindewode  
l. 3. f. 122. De  
Testamentis.Religiosi an  
possint esse  
Executores  
Testamentorum.

\* Religiosi sinceritas ab omni seculari implicationis macula est eo præferenda sollicitudo, quo devotioni sanctæ simplicitas facilius retardatur; cum in curis et rinctis mentis oculis districtus unitatis studio perpenditur. Quocirca (which reason holds as strongly, that Bishops and Ordinaries should likewise not intermeddle with the ordering or disposing of secular mens Testaments, Goods, Chattels, dying testate or intestate, as they do) in Concilio de Lamberth salubriter est provisum, ne aliqui Religiosi, cuiuscunque professionis, sint Executores Testamentorum, nisi de Ordinarii licentia et voluntate procedat; cui Statuto adjiciendum duximus, ut nullus Religiosus permittatur Executor alicujus existeret Testamenti, nisi suis superioribus sufficienter caveat pro Religioso huiusmodi, quod exequetur fideliter, et reddet integram rationem de residuo (si qua fuerint) et de damnis, si quæ per ipsam ebenerint loci Ordinario, absque difficultate qualibet responsurus. Et quia nonnulli Religionis habitum deferentes, licet non sint Executores, tamen et distributores efficiuntur Bonorum defuncti, temeritate propria vel imprudentia aliena; ex quo magnam pervenire videmus Bonorum huiusmodi laxationem; idem contra huiusmodi distributionem præcipimus observari, quod contra executionem superius est probatum; ne aliter executioni vel distributioni huiusmodi se immisceant, sub pœna Anathematis inhibentes. Unde qui sufficienter cavere nequeunt, sciant se tam ab executione quam a distributione Bonorum, huius presentis definitione Concilii perpetuo elongatos.

De

## De Habitu Clericali.

An. 9 E. I.

\* Quamvis Religionis nomen vita Monastica loquentium usus appropriet; habet tamen Clericalis honestas religioſe vite gradum eximium; ſi ea cuſtodiat vita & habitus, quæ ſacri Canones decreverunt obſervanda Clericis. Sed (proh dolor) Clerici plurimi huius inclyte Religionis, Indorum antiquam infantiam imitantes, qui Græcis gloriæ paternis prætulērunt, dum vercundantur Clerici apparere, militari ſe contingunt apparatus, ut ſtultis placeant; quos conſtet cunctis ſapientibus eo ipſo merito diſplicere, ac fatuos reputari. Et cum corona ſit character Eccleſiaſtica militiæ, & revelati cordis ac patuli radiis cæleſtibus inſigne; ipſi ut veraciter oſtendant ſe huiusmodi characterē titulum erubescere, tantæ coronas abſcōdunt, quaſi cæleſtes radios repellentes, ad Judæorum inſtar corda ſua gerentes erroris velamine obſcurata. Statuo adherentes Domini Octoboni, nihilominus ordinamus & diſtrictè præcipimus, ut Clericus quilibet in ſacris Ordinibus conſtitutus, veſtem exteriorē gerat diſſimilem militari, utpote antèrius & poſterius habeat non birratam, vel ſaltem ex forma ſua militari vel laicali congrua diſſimilem honeſtate. Et qui ſecus facere præſumpſerit, quamdiu forma contraria veſtem ſuam induit, ac tenas coram Prælatu, aut coram populo publicè deferent; ſtatuit, ut ſi moniti minime ſe emendaverint, ipſo facto ſuſpenſionem incurrant ab Officio; in qua ſi per tres meſes extiterint, extunc à Beneficio ſint ſuſpenſi; à qua ſuſpenſione abſolvi nequeant, niſi data ſexta parte Eccleſiaſticorum bonorum per manus Episcoporum pauperibus eroganda; Nihilominus poenitis aliis puniendi ſiſta arbitrium Prælatorum. Nos igitur Statutum huiusmodi advertentes modica efficacia hætenus extitiſſe, pro eo, quod Prælati minores huiusmodi Clericos monſtroſos monere non audent; propter quod in poenās à dicto Legato conſtitutas videntur puſillanimitatis ſua merito incidiſſe, & raro Episcoporum aſpectibus Clerici huiusmodi ſe præſentant; Statuimus, ut, admonitione ceſſante, cum Clericos juris ignorantia non excuſet, prædicti Clerici ſua prætervia merito quotieſcunque publicè coram populo vel Prælato huiusmodi inſulas portaverint, niſi forſan in itinere, in poenās omnes incidant ſupradictas. Caveant inſuper omnes illi, de quibus loquitur Legatus, qui moniti inſularum inſolentiam publicè detulerant per præſcripti temporis ſpatium, ne in ſuſpenſione ab officio & beneficio merito culpa ſua inciderint. Mandamus etiam in poſterum, ut de talibus fiat per Decanatus ſingulos inquiſitio ſpecialis, & cujuſcunque gradus ſint vel excellentia, contra ipſos in forma Canonica procedatur.

\* Lindewode  
l. 3. f. 83. De  
vita & hono-  
re Clerico-  
rum.

## De Filiis Presbiterorum.

\* Cum à jure ſit prohibitum, ne abſque diſpenſatione Apoſtolica (who gained a Monopoly of, and great ſums of money by ſuch Diſpenſations) præſtetur filiis Rectorum vel Presbiterorum in Eccleſiis, in quibus parentes eorum immediate ſeu proprio miniſtraverunt, et conſtet ipſa Beneficia vacare, ſed in contrarium de facto fuerit attentatum: Præcipimus, ut Prælati de Eccleſiis ſic vacantibus inquirant, & juxta juris exigentiam de his non differant ordinare, cautius præcaverint de cætero, ut tales ad huiusmodi Beneficia nullo modo admittant; ne contra juſtitiam in hæreditate Crucifiri per ſurreptionem locus pateat ſucceſſioni. By which it appears, that Priests in that age had either Sons or Bastards, which ſucceeded them in their Benefices, notwithstanding all Canons againſt Priests marriage, and Incontinency.

\* Lindewode  
l. 1. f. 33. De  
Filiis Presbiterorum.

## De Institutionibus.

Ex ſolito curſu cauſarum multis recepimus conſequentibus, quod nonnulli Coepiscopi noſtri Clericos præſentatos ad vacantes Eccleſias admittentes, literas teſtimoniales eis reſuſant impendere facti ſui, propter quod ſuborta inter huiusmodi præſentatos & alios materia quaſtionis, ſuccumbit plerumque veritas falſitati. Nos autem Eccleſiaſticis regulis adherentes, qua fidem geſtorum ex legalibus colligunt miniſtris; Statuimus, ut unusquisque Episcopus Clerico quem ad Eccleſiam aliquam admittit, literas patentes ſuper ſua admiſſione concedat, inter alia continentes in quo conſiſtit ordine, quo articulo ad huiusmodi Beneficium admittatur.

The



*An. g E. 1.* The Constitution made against Pluralities in this Council (against which this Archbishop was very zealous) is very observable; worthy all Pluralists and their Dispensers, or abettors consideration.

De Clericis Beneficia plura occupantibus,

\* putridis,  
\* Nota.

Languor prolixior grabat Medicum; nec facilius ebullitur plantatio infernalis quæ innumeris perditionis filijs est insita; nec alicui mortaliū hactenus legitur fuisse concessum, simul totam convertere multitudinem impiorum, sacra pagina attestante, Deus (*inquit*) consumet nationes has in conspectu tuo paulatim atque per partes. Sane Ecclesia Anglicana a membris \*putredinis, a falsis Clericis ab olim \*sustinuit plagas diras; qui pompæ et abaritiæ æstus inflammari, beneficia cum cura absque dispensatione Apostolica, ac contra Canones acerbantes, non veriti sunt hactenus animas perdere acquisitas sanguine Redemptoris; nec erubuerunt fures existere, et vitam insanam agere tandiu, donec horrenda morte (ut in multis vidimus) divinæ severitatis percussu summe, de medio sunt sublati: quam plagam paulatim, atque per partes sanare cupientes, hujusmodi multiplicationes salubriter præcipiendo inhibuimus, circa adventus nostri principium, sub certi seque-  
ma rigoris, ne quis auderet extunc hujusmodi Pluralitate se involvere ullo modo. Præteritam etiam pluralitatem minis salubribus deterrentes, quas minas intendimus (Deo authore) ad effectum mancipare; ut sic supra sacra eloquia radicatum nequitiam baleamus paulatim funditus extirpare; paulatim quidem, dicente Scriptura, non poteras eas delere pariter, ne fortè multiplicarentur contra te bestie terræ. Hujus autem processus nostri conatibus boni fructus exordium contulit pietas Redemptoris, dum saltem prohibita est pristina effrenatio beneficia hujusmodi sine scrupulo admittendi. Quibusdam etiam dedit Deus compunctionis spiritum, ut damnata pluralitatis suæ magnam partem absciderint, quibusdam etiam insuper, ut superfluitatem suam nostræ submiserunt discretionis arbitrio moderandam; qua submissione noverint universi hujus excessus non purgari vitium, cum non possumus cum ipsis in talibus dispensare, sed purgationem ipsius quodammodo quamvis tenuerit inchoare. Ceteros autem omnes et singulos hujusmodi pluralitatem damnabiliter occupantes, et in suâ adhuc persistentes arrogantia supercilio, monemus primo, secundo, et tertio, quod, \*cum parata sit eos absorbere (nisi citius poenitentiam egerint) bozago infernalis, mola asinaria deprimente, ulteriori deliberationi nulla poterit concedi dilatio, quatinus hujusmodi Beneficia, libere et absolute, infra sex mensium spacium, in Episcoporum suorum manibus omnino resignent: satisfacientes nihilominus, ut eorum status patitur, Ecclesiis sic fraudatis, nunquam per se vel per alias, clam vel palam, verè vel imaginariè, aliquid de hujusmodi Ecclesiarum fructibus illicite recepturi. Salvo nobis jure de illis Beneficiis ordinandi, quorum collatio est ad nos per lapsum temporis devoluta. Alioquin extunc contra ipsos (sacrato Altissimo) in forma Canonica procedemus. Interim etiam hac monitione nec nobis nec fratribus ac Coepiscopis nostris præjudicare intendimus, quin contra hujusmodi ordinario progressu particulariter procedatur.

\* Nota.

De Advocatis.

\* Lindeworde,  
l. 1. f. 55. De  
Postulando.

Veloces ad audiendum existere & tardos ad loquendum, sanctus Jacobus imperat, & à juventute usque ad maturitatis annos edocum docet ceteris præstare Ducatum. In Schola siquidem Pithagoræ quinquennale tenebant auditores silentium, prorsusquam de illa gentium sapientia dicere sinerentur; Cujus prudentia disciplinam plurimi Advocatorum hujus temporis non sectantur, quin potius post unum librum juris vix auditum vel dimidium, arrogant sibi Officium in Causis Ecclesiasticis publice postulandi; \* & quia veritatem juris ignorant, ad fraudes horribiles impeditivas processus judiciales tantummodo se conpertunt. Cui pesti remedium apponere cupientes, statimimus, ut nullus de cetero permittatur advocacionis officium publice exercere, nisi prius ad minus per triennium audiverit cum debita diligentia Jus Canonicum et Jus Civile; hujus autem fidem nobis nec de condigno appareat testimonio, nec per facti evidentiam, proprio faciet Juramento.

## De Suffragiis Episcoporum.

An. 9 E. 1.

Ingratitudinis visum est plurimum detestandum et subditozum, præcipue ad Prælatos, qui sollicitè perhibent, tanquam rationem reddituri pro sibi creditis animabus. Quocirca statumus, ut Archiepiscopo vel Episcopo decedente, quilibet sacerdos tam religiosus quam secularis qui defuncto subditus extiterat, pro ipso missam unam dicere teneatur. Fratres etiam et Coepiscopi omnes in Congregatione sua sequenti peragna simul faciant solenne officium pro defuncto; singuli nihilominus in Capellis suis condigna suffragia exhibentes, sicut desiderant fieri in casu consimili exhiberi. Acta sunt hæc in Concilio de Lambeth, à Pecham celebrata, & revisita in celebratione dicti Concilii, die Veneris sexto Idus Octobris, E. litera Dominicali currente, Anno Domini 1281. Indictione nona, Pontific. Domini Martini Papa quarto. Anno regni illustris Regis Edwardi Angliæ nono; & Consecrationis nostræ tertio.

Matthew Westminster renders us this account of the Archbishops suspensions and sequestrations in this Council against the exempt Abbots and others, who refused to appear in person in, or send Proctors to it upon the Archbishops summons, and of their Appeals against his Suspensions to the Pope; <sup>a</sup> Anno gratia 1281. post festum Sancti Michaelis, frater Johannes de Pecham Archiepiscopus Cantuar. apud Lambethe Provinciale Concilium celebrabit, qui contra exemptos, ibidem venire nolentes, libellum famosum edidit sub hac forma. Frater Johannes permissione divina Cantuar. Archiepiscopus, totius Angliæ Primas, venerabili fratri Domino Richardo de Gravesend Londonen. Episcopo, salutem & sinceram in Domino Charitatem. Celebratur in præteritis, ut scitis, apud Lambethe Provinciale Concilium, cum Coepiscoporum nostrorum venerando collegio, universos nostræ Provinciæ Prælatos inferiores, quos Conciliorum tractatibus interesse jubent sancti Canones, vocandos derelinquimus, acriter ceteros Meligiosæ sanctimonie personas præcipuas, Abbates, Monachos et Priores, non solum Episcopi gradui subjectos, juxta ordinem Ecclesiasticæ Hierarchiæ, verum etiam alios, ab Episcopali obedientia exemptos, ratione saltem Ecclesiasticæ non exemptarum, quas in proprios usus, permittente Domino, detinent occupatas, sperantes nos solius Dei honori, ac communi Ecclesiæ Anglicanæ commodis servantes, eorum juvandos potentia, dirigendos consiliis, & sustentandos suis meritis præcipuos. Exempti vero, tanquam pullos Onagri, liberos se putantes, quinque hoc modice condolentes suæ sanctæ matris angustias, cuius viscera multo ex eis plus onerant quam honoant, quasi per effectum vel defectum beatus, de se dictum illud Johannis Propheticum in Apocalypsi allegarunt: Atrium, quod extra Templum est, rejice foras, & ne metiaris illud, nec patiaris parturientium cecuram audire rugitus, nec ad ipsum Concilium in angustate, matris consilium et solacium, venire dignos sunt, utpote filii alieni a semetis claudicantes, quin potius ne quicquam humesceret eorum nimia elatio, nec procuratores ad suæ excusationem abentis inmittere curaverunt, tam reverendum Collegium contemnentes, Agar ex parte Ismael, quæ illustrem desperit Dominam, videns se dibitionis filium concepis, sic agonizante olim Dei milita, et se laudabiliter periculis exponente dibiti a præstantibus Rehenite, inter terminos proprios quieverunt, gregum sibilis delectati. Nos autem, tam ingrata præsumptionis audaciam, secundum juris regulas corrigere cupientes, scientes, juxta Salvatoris sententiam, Contra nos esse, qui nobiscum esse despicunt, severitati tamen plurimum detrahentes, quam possemus in contemptores hujusmodi, si vellemus, canonice exercere, in virtute obedientiæ qua sedi Cantuar. tenemini, firmiter injungendo mandamus, quatenus omnes Ecclesias non exemptas in Diocesi, exemptis Monasteriis appropriatas, quorum nomina sub sigillo nostro præsentibus sunt appensa, cujuscunque ordinis existant, auctoritate nostra sine ulla dispendio sequestrantes, eas faciatis sub arcto sequestro nihilominus custodiri, donec super hoc aliud receperitis in mandatis. Non exemptos quidem, quorum nomina in scedula annexa præsentibus continentur, quos nos propter eorum contumaciam ab ingressu Ecclesiæ suspendimus, sustinere exigente, sic suspensas facias publice denunciari. Ab hac sententia per Dominos Abbates de Westminster, de Sancto Eadmundo, de Sancto Albano, & de Waltham, fuerat præicipua-

aMat. Westm.  
p 368. Anno  
Domini 1281.

liter



**An. 9 E. 1.** liter appellatum. Alii etiam appellaverunt exempti, suam appellationem tepide prosequentes, pro eo quod Archiepiscopus dissimulavit, quoad quosdam, executioni suam sententiam demandare.

b Antiq. Bocl.  
Brit. p. 198,  
199.

What the issue of this appeal was, b *Mat. Parker* informs us; In eodem Concilio exemptos quos vocant, qui Petropolitani jurisdictione continere, ejusque suffraganeis Concilium accedere recusarunt, (which they would not have done, if summoned to it by the Kings Writ or Mandate) Excommunicationis atque suspensionis poenis afflitit. Inter hos Westmonasterii, S. Albani, S. Edmundi, & Walrami Canobiorum Abbates tanquam reliquorum duces, probecabant ad Papam; quibus magnus per Cant. provinciam exemptarum numerus adjunctus adhaesit. Sed cum Cantuariensis Archiepiscopi vim ac potentiam sustinere non poterant, appellatione deserta, in ejus potestatem et misericordiam sese committebant. Concluse autem & dimisso illo Concilio provinciam totam visitando perlustravit, magis ut de singulis Ecclesiis totiusq. Provincia statum certior fieret, quam ut severitate & Ecclesiastica disciplina uteretur. Cujus lenitatis atque moderationis causa perhibetur, quod primo ingressu provincialium suorum benevolentiam captavit, ideoque durius adhuc cum eis agere noluit: or rather to avoid opposition and appeals against his visitation.

\* Scriptorum  
Brit. Cent. 4.  
c. 64. Appen-  
dix, p. 350.

The King and his Council being highly offended with the Archbishop and his Suffragans for sundry of their Canons, Excommunications, and proceedings in this Council, against the tenor of his premised Writ, and Proctors appeals: Archbishop Peckem (magnus et robustus Antichristi Satelles, as \* *John Bale* not improperly styles him) writ and sent this most insolent, undutifull Epistle to him and his Council, to justify what they had done; wherein he advanceth the Ecclesiastical and Papal Jurisdiction, Power, Canons, Laws, far above the Regal, to which all Emperors, Kings, and Temporal Lawes ought to submit; whose fallacies and mistakes therein I shall observe, and answer, as they occurre in his Epistle.

a Spelmanni  
Concil. Tom.  
p. 341, 342.  
Ex vet. cod. M.  
S. in Registro  
principali D.  
Archiep. Cant.  
[nuncupato  
Peckham] fol.  
97. a. Anno  
Domini 1181  
9 E. 1.  
b 1 Pet. 2. 17.  
c Act. 5. 29.  
d Illy 10. 1.

**E**xcellentissimo Principi ac Domino Edwardo, Dei Gratia illustri Regi Angliæ, Domino Hiberniæ, & Duci Aquitaniæ, ac ejus Consiliariis literatis, Franc. Johannes permissio divina Cantuariensis Ecclesiæ Minister humilis, totius Angliæ Primas, cum omni reverentia & honore orationes anxie peccatoti. Auctore Domino praesidimus, b Majestatem Regiam honorare, & ad idem beneficij innumeris obligamur: Quia tamen oportet c Domino magis quam hominibus obedire; ad pravaricationem Legum illarum, qua divina auctoritate absque omni dubio subsistunt, nulla possumus humana constitutione ligari, nec etiam juramento; quoniam quicquid Divinis beneplacitis adberatur (not to Bishops or Popes, the only thing in question) est illicitum et dampnatum; dicente Domino per Prophetam; d Vix qui condunt leges iniquas: Quia igitur ab antiquo tempore, inter Reges ac Magnates Angliæ ex parte una, et Archiepiscopos, et Episcopos ac Clerum ejusdem Regni ex altera, durabit amara dissensio, pro oppressione Ecclesiæ, contra Decreta Summorum Pontificum, contra Statuta Conciliorum, contra sanctiones Orthodoxorum Patrum, (not against Christ, or his Apostles precepts, here totally omitted) in quibus tribus summa auctoritas, summa veritas, summaque sanctitas consistunt, Supplicamus Regia Majestati, quatenus pro honore Dei, et animæ suæ suorumque salute ac prosperitate stabili successionis suæ ab Imperatore omnium obtinenda, in cuius redundat injuriam Ecclesiæ contra prædicta conculcatio, hinc periculosa regno et perniciose Clero discedit, dignemur finem apponere salutarem, cui finis aliter imponi non potest, nisi Vos Sublimitatem vestram prædictis tribus, scilicet Decretis Pontificum, Statutis Conciliorum, et Sanctionibus Orthodoxorum Patrum, juxta Domini beneplacitum cum Catholicis Imperatoribus dignemini inclinare. (But not by his or their dutifull submission to the Kings Supreme Authority, Laws, and Customes of the Realm, according to e Christ, St. Peters, and Pauls expresse precepts.) Ex his enim tribus sunt Canones aggregati, et jura Coronæ vestræ Christi Coronæ supponenda, (not to Popes or Bishops Miters) ejus sancti Diadema ac sponsæ suæ monilia, unibersæ Ecclesiasticæ libertates (mistaken they are for true f Christian graces, whereof humility, and obedience to Christian Magistrates, are not the meanest, which these proud Prelates quite abandoned) Ipse per Prophetam dicente, g Quasi sponsum decoratum Coronæ, & tanquam sponfam ornatam

e Mat. 22. 11.  
1 Pet. 2. 13.  
Rom. 13. 1.  
to 7. Tit. 3. 1.  
f Psal. 45. 11.  
13. Mat. 11.  
29. 1 Pet. 3. 4.  
c 5. 5. Tit. 3.  
1. Rom. 13.  
1, to 7  
g Illy 61. 10.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

ornatam monilibus suis. Decretis autem Summorum Pontificum, auctoritatem An. 9 E. 1.  
 dedit omnium Imperator, dicens Petro in Evangelio Matthæi, <sup>1</sup> Quicquid ligaveris super terram, erit ligatum & in cælo; ligat siquidem Summus Pontifex, (no  
 more than any other ordinary Priest) non vinculis corporalibus, sed spiritualibus, Mat. 16. 19.  
 sacris saltem legibus, (not with Popes, or Bishops Canons,) quibus tenentur uni-  
 versi homines obedire; dicente eodem Domino per Moysen in Deuteronomia, <sup>2</sup> Qui  
 superbiert, nolens obedire Sacerdotis imperio, qui eo tempore ministrat Domino m Deut. 17. 12.  
 Deo suo, & decreto Judicis (who was no Priest, but the Chief of the Fathers of Is-  
 rael, appointed by the King, as Deut. 16. 18, 19, 20. 2 Chron. 19. 5. to 11. resolve,  
 which quite subverts his following inference from it) morietur homo ille; Ab hac  
 autem obedientia non est altitudo Regia absoluta, (Ergo Kings are as much sub-  
 ject, and ought to be as obedient to their Judges, as to their Priests) sed  
 plus quam exteri Laici inferiores eidem obnoxia; unde subjungitur consequenter;  
 "Postquam sederit Rex in Solio regni sui, describet Deuteronomio sibi legis hujus n Deut. 17.  
 (not of Popes or Bishops Lawes, Decrees or Constitutions) in volumine, accipiens ex- 18, 19, 20.  
 emplar à Sacerdotibus Leviticæ tribus, (not High Priest, or Pope) legetque illud  
 omnibus diebus vitæ suæ, ut discat timere Dominum Deum suum, & custodire ver-  
 ba & ceremonias ejus quæ in lege præcepta sunt, ut longe ipse regnet, ipse & fili-  
 us ejus. Tenetur igitur Rex ipse ex præcepto legis expresso, Summo Pontifici  
 obedire; (not mentioned in the Text, but only the inferior Priests, to whom Kings  
 are to obey only in what God and Christ have specially commanded in and by  
 their Lawes, not what Popes and Prelates have since decreed against, or beside  
 them) quod si non fecerit, timere potest Rex Legis infirmatione, ne Reg-  
 nisui prolongatio minuat. Item Salvator dixit in Lucæ Evangelio discipu-  
 lis congregatis; Qui vos audit, me audit; & qui vos spernit, me spernit;  
 Quod exponit beatus Dionysius, Ierarchis in hiis quæ agant Ierarchie  
 obediendum est, sicut à Deo motis, Ergo nulla obstante consuetudine obe-  
 diendum est Canonicis Ierarchis impossitis, hoc est sacris arbitriis Prælatorum.  
 Sed dicit forsitan Ecclesiæ inimicus, quod non pertinet ad Summum Pontificem,  
 jura hujusmodi Legum vel Canonum imponere Principi seculari: cuius nos cum  
 universali Ecclesiâ, et omnibus mundi sanctis et sapientibus, ex adverso contrari-  
 um affirmamus; Quicquid autem diffidio si quærat qualiter debeat pacis remedium  
 adhiberi; Docet Dominus in Deuteronomio ut supra, dicens; <sup>3</sup> Si difficile et ambiguum o Deut. 17.  
 apud te Judicium esse prospexeris, & judicium intra portas tuas videris verba variari, 8, 9, 10, 11.  
 surge & ascende ad locum quem elegerit Dominus Deus tuus, veniesque ad Sacer-  
 dotes Levitici generis, & ad Judicem qui fuerit illo tempore; quæresque ab eis qui  
 indicabunt tibi judicii veritatem, & facies quodcunque dixerint, qui præsent loco  
 quem elegerit Dominus, et docuerint te juxta legem ejus; Ergo ad Summum  
 Pontificem pertinet, omnis controversiæ terminatio, quæ non potest per inferiores  
 Judices quoscunque terminari. (The Argument holds not from the High Priest  
 under the Law, to the Pope alone or Archbishop under the Gospel, not mention-  
 ed in the Text, but only the inferior Priests and secular Judge, conjoyned with  
 them; Besides, the High Priest under the Law was only a Type of Christ, whose  
 voice alone we are enjoyned to hear and obey in all things, not the Popes or Archbi-  
 shops.) Item quantæ auctoritatis sit Ecclesiâ, in Concilio, Christi nomine con- p Heb. cap. 4.  
 gregata, patet ex evangelio Matthæi, dicente Domino, <sup>4</sup> Ubi sunt duo vel tres to 11. Mat.  
 congregati in meo nomine, (to wit, in Prayer, not Synods, and those meer Laicks as 17. 5. c. 18.  
 well as Priests) ibi ego sum in medio eorum: Et ibidem, <sup>5</sup> Si Ecclesiam (never 20. Act. 3. 22.  
 used in Scripture for the High Priest, Pope, or Priests alone, as he surmisset) non audi- q Mat. 18. 19,  
 erit, sit tibi sicut Ethnicus & Publicanus. Qui igitur Ecclesiæ non obediunt, in 20.  
 Concilio præcipue congregati, hæretici sunt censendi, (a learned Non-sequitur.) r Mat. 18. 17.  
 Item quanta auctoritatis sit sanctorum Patrum sincerissima Doctrina patet testimonio  
 Salvatoris dicentis in Evangelio Matthæi, <sup>6</sup> Non vos estis qui loquimini, sed Spiritus f Mat. 10. 20.  
 patris vestri qui loquitur in vobis. (meant of the Apostles, immediately inspired by  
 the Holy Ghost, not Popes or Prelates, which subverts his inference) Idem est  
 ergo sanctorum Patrum definitionibus resistere, quod Spiritus sancti oraculis  
 obtemperari. Hac attendentes Imperatores Catholici, (he names none) leges suas em-  
 issas sacris Canonibus subdiderunt, ne Schismatici vel Hæretici puterentur. Cum  
 igitur ad vos, Excellentissime Domine Rex pertineat pax inclyta Imperii, et vos  
 M m etiam



**An. 9 E. 1.** etiam tenemini leges vestras Canonibus subicere, et contrarias abolere, (he should have proved, as well as barely affirmed it) turpis est pars quæ suo non condemit uniberso. Constantinus *in super* Rex Angliæ, et Orbis nihilominus Imperator, unibersa concessit quæ petimus, et specialiter personas Clericorum, a solis Prelatis Ecclesiæ judicandas esse decrevit. (A forgery I have *elsewhere* refuted, Tom. 1. p. 72, to 87.) Hoc idem Wyghredus Rex Cantuariæ Canones affirmans esse servandas, fieri concessit, ut patet ex Concilio à Brighewaldo Archiepiscopo celebrato, Anno Domini septuagesimo nonagesimo quarto. (A clear mistake, his Charter in this Council, if genuine, and not forged by the Monks or Archbishops of Canterbury, (of which there is just ground of suspicion, as I have *elsewhere* observed) did not exempt Clergymen and religious persons from secular Jurisdiction, or subject all Regal or Temporal Lawes to their Canons or Constitutions, but only appropriated the election, approbation, and installment of all Bishops, Abbots, Abbesses, Priors, and other Prelates to the Archbishop.) Hoc & Rex Canutus de personis Ecclesiasticis in suis scriptis legibus diffinivit. (It is true King Canute after his return from Rome to gratifie the Pope and Clergy, out of his special grace, enacted these <sup>b</sup> 2. Lawes, which gave our Bishops power to punish their Clerks, who committed Murder, or any other capital crimes, and receive their purgations. Si eorum qui aris deservierint aliquis hominem occiderit, aut aliquid perpetravit flagitium, gradu & honore dispoliat perinde atque ei Papa suus (so he styles the Bishop in that age) circumscripterit habitandi locum exulato, ac cumulate compensato. Si se purgare velit, tripliciter hoc faciat. Atque in hanc qua Deo & hominibus debetur compensationem intra 30. aggrediatur dies, ad omni legis commoditate destitutus habetor. Si quis sacris inauguratus rei capitalis obnoxius extiterit, comprehensor, atque ut tandem Episcopo criminis admitti pœnas dependat, asserbator: Which Lawes of his were the original ground of delivering Clerks convicted and imprisoned for any Capital crimes, to their Ordinaries, upon demand, to make their purgation; ratified by King Edward the 1. in the Statute of Westm. cap. 2. But this New indulged Jurisdiction granted by King Canute to Bishops, did not totally subject himself or his Lawes to the Popes or Bishops Canons, nor yet wholly exempt Clerks from secular Jurisdiction and punishments, to which they were still liable, but only from death; this King in his Lawes expressly resolving; Christiana siquidem fide imbuti Regis est, Deo illatas graviter (pro facti ratione) ulcisci injurias, who by his Lawes inflicted imprisonment, banishment, outlawry, confiscation of goods, deposition, degradation, and incapacity of holding any preferments on such offending Clerks.) Sanctus etiam Edwardus in regnum Angliæ sublimandus, prius juravit se leges Canuti Regis inviolabiliter servaturum. Willielmus etiam Rex, cui Sanctus Edwardus Regnum contulit, leges ipsius sancti servandas esse concessit. Qui sanctum inter cetera diffinivit; (only out of his royal grace, not of meer right or duty) Ut si quis pacem Ecclesiæ infregerit, ab Episcopis sit justitia exercenda, & non à Regis Justitiariis, nisi propter Episcopi impotentiam vel neglectum. Et plura alia sanctissima sanxivit, quæ servata honori Domini proficerent, et Regis merito coram Deo. Ecclesiæ etiam hujus Insulæ credimus fuisse in possessione libertatum quas petimus, tribus temporibus Regum diversarum linguarum Insulæ supradictæ; tempore scilicet Regum Britanorum, sicut patet de parte illius Ecclesiæ qua hactenus mansit in partibus Walliæ, quæ contra libertates hujusmodi non didicit concutere. Item, tempore Regum Anglorum, utpote Regum Cauti & Ardecnuzi, et præcipue et indubitanter tempore Sancti Edwardi. Item tempore Regis primi Normannorum triumphatoris incliti Domini Willielmi primi, (all which I have <sup>d</sup> already largely refuted) Et oppressiones quas plangimus, credimus sumpsisse exordium tempore Regis Henrici primi, et præcipue Regis Henrici patris Henrici junioris, quando voluit articulos gravaminum, per consensum Sancti Thomæ Archiepiscopi et ceterorum Pontificum Angliæ confirmari: Quibus quia ncluit consentire, sustinuit exilium; et hujus occasione postea, passionem. (He suffered exile, death, as a most egregious, ungrateful, obstinate Rebel, Traytor, and oppugner of the ancient Prerogatives, Rights, Lawes, Customs of the King, kingdom, which himself had sworn to observe.) Si igitur Partem non facit pœna sed causa, illiciti et dampnabiles sunt articuli, quibus quia assentire noluit, sustinuit agoniam; cujus injuriæ totiens repetuntur, quotiens Clerus vel Ecclesiæ

a See Here,  
Tom. 1. p. 191,  
192. Spelman.  
Concil. Tom.  
1. p. 198.

b Spelmanni  
Concil. Tom.  
2. p. 555, 556,  
&c.

c See Cookes  
Instit. p. 163.  
Hobards Re-  
ports p. 188,  
289, &c.

d See here,  
Tom. 1. p. 334,  
&c.

e See Tom. 1.  
p. 608, to 709.

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contra Canones illos opprimuntur, quos voluit observari. (Whose Treasons are rather re-acted as oft as such Canons against the Kings prerogative are new minted or justified.) *Quia igitur excellentissime Domine, ista vobis meru conscientia cogimur scribere, sicut volumus in tremendo iudicio respondere; supplicamus humiliter, quatenus istis nostris exhortationibus aurem dignemini inclinare, qui et juramento vestro tenemini, a regno vestro malas consuetudines extirpare; nec juramento aliquo potestis ad ea quæ repugnant libertati Ecclesiasticæ obligari, et ex habundanti ob omni vos juramento absolvimus, (he should rather have kept his own Oath of Fealty and Allegiance to the King as he required him; then absolve the King from his Coronation Oath upon this account) quod potest conscientiam vestram contra Ecclesiam aliquatim erigere; et firmiter opinamur, quod vos nec animæ vestræ potestis salubriter prospicere, nec stabilitati regni vestri impiopter prohibere, nisi exhortationem nostram dignemini exaudire, pro qua tot Sancti Patres, (Rebellious Traytors rather) et penultimo sanctæ memoriæ Dominus Bonifacius, illustris genetrice vestræ Abunculus, (\* forced to fly the Realm, and particularly appealed and complained against by King Henry the 3d. to the Pope, for his Antimonarchical Constitutions against his Crown, Dignity, Laws, and Prohibition, in a Council held at Lambeth, as this was) tam anxie laborarunt; ad quod bonitatem cordis vestri credimus esse proclibem, nisi vos decipiant impij suggestores, (so he stiles his loyal faithfull ministers, when as himself only was an impious suggestor) quod si fecerint altissimo supplicamus, ut eos sic temporaliter fectat, ut ipsorum animæ salvæ fiant. Datum apud Lambethe quarto Nonarum Novembris, Anno Domini 1281, Consecrationis nostræ anno tertio.*

An. 9 E. 1.  
w

\* See Tom. 2.  
p. 890, to 912.  
983, 989, 990,  
991.

Thus doth this Papal Arch-prelate, instead of obeying the Kings premised Writ, and observing his Oath of Fealty to him, in maintaining, not attempting or decreeing any thing to the prejudice of the antient Rights and Priviledges of his Crown and Realm, in this his insolent Epistle most perfidiously, trayterously, and professedly oppugn, argue, contest against them; and by wrested, misapplied Texts of Scripture, false suggestions, and the presidents of his most seditious trayterous predecessors *Becket* and *Boniface*, whom he highly magnifies, to endeavour to justify his and his Suffragans Antimonarchical proceedings and Constitutions in this Council, yea to subject the Kings, and all other Christian Emperors, Kings, Princes persons, consciences, Oathes, Laws, Crowns, Prerogatives, to the Jurisdiction, Canons, Constitutions not only of the Pope, but of their own Prelates and Clergy, assembled in Synods without their Regal authority or presence in them, and that under pain not only of incurring Gods temporal Judgements on their Persons, Realms, but of eternal damnation, as oppugners of the Churches pretended Liberties, though conferred on them by their meer Regal Charters and favours.

This Archbishop of *Canterbury* (who loved Venison better then his Sovereign, or peoples souls) claiming 13 Bucks and 13 Does annually out of the Forest of *Arundell*, by a composition made between Archbishop *Boniface* and the Earl of *Arundell*, the King notwithstanding his premised insolencies against him, issued this Writ for payment of them to the Keeper of the Forest.

**M** Andatum est *Isabella de Mortuo mari* custodi Honoris de *Arundell*, quod in Foresta de *Arundell* habere faciat venerabili patri *J. Cantuariensi* Archiepiscopo singulis annis tresdecim Damos et tresdecim Damas, juxta compositionem initam inter bonæ memoriæ *Bonifacium* quondam Archiepiscopum *Cantuariensem*, & *Johannem* filium *Alani* quondam Dominum Forestæ de *Arundell*, quamdiu dicta Foresta fuerit in custodia sua. Permittat etiam præfatum Archiepiscopum semel in anno in cundo versus Manerium suum de *Slindon*, & inde recedendo, habere quendam cursum in Foresta prædicta juxta compositionem prædictam. Distingat etiam *Matill*, quæ fuit uxor *Johannis* filii *Alani*, ad reddendum sibi Damos & Damas in portione quam tenet in dotem in prædicta Foresta. Et præfata *Isabella* similiter reddat eidem Archiepiscopo Damos & Damas in portione quam ipsa similiter tenet in dotem in Foresta illa, prout de jure fuerit faciendum, & juxta compositionem prædictam. Teste, &c. apud *Westm.* 5 die *Julii*.

Claus. 9 E. 2.  
m. 5. Pro Archiepiscopo  
Cantuariensi  
de Damis in  
Foresta de  
Arundell habendis.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 1.*

*An. 9 E. 1.* In a Bundle of Writs (*Anno 9 E. 1.*) which I rescued out of the Rubbish in the White Tower, I met with three memorable Writs issued to three several Sheriffs to seise all the Lands of *Bogo de Clare*, for his contempt in prosecuting a Suit in the Ecclesiastical Court concerning an Advowson of a Church, and appealing to *Rome* against the Kings Prohibition; whereof he was found guilty before the Justices in Eyre in the County of *Lincoln*, upon an Attachment, to the prejudice and dishonour of the Kings Crown and Dignity.

Brevia Regis  
Anno 9 E. 1.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniz, Vicecomiti Exon. & Berks. salutem. Offendit nobis Johannes de Lovetot Patronus Ecclesiæ de Athelingflete, quod cum Bogo de Clare attachatus esset in Curia nostra coram Justiciariis nostris apud Weilm. ad respondendum eidem Johanni de placito, quare secutus fuit placitum in Curia Christianitatis de Advocacione Ecclesiæ prædictæ, contra Prohibitionem nostram; ac idem Bogo in eadem Curia nostra se inde in Inquisitionem patriæ posuisset: Qua quidem Inquisitio postea capta fuit coram Justiciariis nostris Itinerantibus apud Linc. per quam convictum fuit, quod Magister Johannes le Romeyn, & Magister Ricardus de Horton, Justices in Curia Christianitatis super Advocacione prædicta, post Prohibitionem nostram eis potestatem ad prosecutionem ipsius Bogonis attestaciones dictam prosecutionem tangentes assignarunt, et ad Curiam Romanam per eundem Bogonem remiserunt, ac tam per Justiciarios nostros de Banco, quam per præfatos Justiciarios nostros Itinerantes in Com. Lincoln. ex parte nostra eidem Bogoni firmiter fuisset inhibitum, ne placitum illud in præfata Curia Christianitatis ulterius sequeretur: Idem Bogo, spretis inhibitionibus nostris prædictis sibi ex parte nostra factis, a prosecutione placiti prædicti non desistit; sed placitum illud adhuc secutus est in Curia Christianitatis, contra Prohibitiones nostras. Et quia ex prosecutione dicti placiti in Curia Christianitatis dictus Johannes de Lovetot, non tantum Advocacionis prædictæ sactorum incurreret, immo nobis et hæredibus nostris, Coronæ et Dignitatis nostræ læsio, et exhereditatio manifesta in perpetuum emineret: Tibi precipimus firmiter injungentes, quod capias in manum nostram omnes Terras et Tenementa prædicti Bogonis in Balliva, et ea in manu nostra salvo custodias; ita quod nec ipse, nec aliquis per ipsum ad ea manum apponat, donec aliud a nobis habueris inde præceptum: Et quod de Critibus eorundem, nobis (si necesse fuerit) plene respondere possis, quousque nobis constiterit, quod præfatus Bogo a prosecutione dicti placiti in Curia Christianitatis finaliter cessaverit. Et quid inde feceris, & qualiter præceptum nostrum executus fueris in hac parte, scire facias præfatis Justiciariis nostris Itinerantibus apud Lincoln. in Octabis Sancti Michaelis; & habetis ibi hoc breve. Teste J. de Walthus apud Lincoln. 25 die Julii, anno regni nostri nono.

Upon which Writ the Sheriff endorsed this Return; Bogo de Clare, *diu ante traditionem istius brevis, tradidit ac dimisit Manerium de Alkote, cuiusdam Adæ de Philebi Clerico. Et nullum habet Laicum feodum in Comitatu Exon. neque Berks. per quod distringi possit seu assalvari, nec terras nec tenementa que capi possint in manum Domini Regis pro prosecutione placiti infra contenti. Et hoc verificate potest per patriam.*

The like Writ verbatim issued to the Sheriff of Southampton, who endorsed this Return thereon; Bogo de Clare *non habet Laicum feodum in Balliva mea, unde executionem istius brevis facere potui.*

The like Writ of the same date issued to the Sheriff of Essex, who Returned; Bogo de Clare *nullus habet terras seu tenementa in Balliva mea, per qua posset distringi. Habet enim Ecclesiam de Dunmawe in Balliva mea, de dono Domini Comitis Gloucest. fratris sui in Episcopatu London. sed nullum habet Laicum feodum ad dictam Ecclesiam spectantem, nec alibi in Balliva mea.*

In the same Bundle, I found this Writ issued to the Sheriff of Nottingham, against the Archbishop of York, and sundry Canons of St. Maries Church in Suthwell, for prosecuting a Suit for an Advowson in Court Christian, against the Kings Prohibition, and not appearing before the Kings Justices upon former Proccesse issued to them.

Edwardus

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward I.

An. 9 E. 1.  
Brevia Regis  
Anno 9 E. 1.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ; Vic. Nottingham salutem. Precipimus tibi, sicut alias tibi præcepimus, quod ponas per vadum & saluos plegios Willielmum Archiepiscopum Eboracensem, quod sit coram Justiciariis nostris Itinerantibus apud Lincoln. in Octabis Sancti Johannis Baptistæ, & ibi habeat Magistrum Johannem Clarell, Magistrum Henricum de Skipton, Magistrum Nicholaum de Welles, Nicholaum de Knovill, Magistrum Johannem de Peningeston, & Magistrum Benedictinum de Halom, Canonicos Ecclesiæ Sanctæ Mariæ de Suthwelle Clericos suos, ad respondendum Richardo de Grey custodi terræ & hereditatibus Anthonii de Frethevill, de placito, quare secuti sunt placitum in Curia Christianitatis de Advocacione Ecclesiæ de Boneye, contra Prohibitionem nostram, ut dicit: Et ad ostendendum quare prædictum Johannem & alios coram Justiciariis nostris Itinerantibus apud Ebor. in crastino Sancti Hilarii venire non fecit, sicut sibi mandatum fuit. Et tu ipse tunc sis ibi auditurus Iudicium tuum de hoc quod præceptum nostrum prius inde tibi directum non excecutus, sicut tibi præceptum fuit. Et habeas ibi nomina pleg. & hoc breve. Teste J. de Metingham apud Dereby 12 die Maii, anno regni nostri nono.

Sundry Canons and Converts of the Order of *Sempingham* this year turning Apostates, and deserting their Houses in divers Pories of that Order, to the peril of their souls, and scandal of their profession; the King upon complaint issued this Writ to apprehend and punish them for it, and to deliver such of them who were then apprehended, to those of that Order to be chastised.

**R**EX dilecto & fideli suo Roberto de Ros, salutem. Cum nuper per literas nostras patentes concesserimus dilecto nobis in Christo Magistro Ordinis de *Sempingham*, quod quosdam Canonicos et Conversos de diversis Prioratibus ejusdem Ordinis professos, qui sine licentia sua et Priorum suorum, in sua salutis periculum, et Ordinis prædicti scandalum gravissimum, relicto habitu suo, et aliqui eorum in eorum habitu discurrunt per patriam vagabundi, ubicunque eos inveniri contigerit, capere et detinere valeant secundum sui Ordinis regulam inficiandos, ac Frater Adam de Karleton, & Frater Willielmus de Hikeham Conversi Hospitalis Sanctæ Katerina extra Lincoln. Ordinis prædicti, qui habitum suum reliquerunt, capti sint & detenti in Castro vestro de Belvero, ad prosecutionem Fratris Ada de Barwe Celerarii Hospitalis prædicti, ut accepimus, nos eidem Magistro concessionem nostram prædictam in hac parte continuari volentes; Vobis mandamus, quod prædicto Celerario nomine prædicti Magistri, prædictos Conversos fugitivos sic arrestatos, sine dilatione deliberari faciat castigandos, sicut prædictum est. Nisi aliquid aliud contra pacem nostram fecerint, quare nobis inconsultis sibi deliberari non debeant. In ejus, &c. Teste Rege apud Tame primo die Maii.

Pat. 9 E. 1.  
pars 1. m. 22.  
De Fratribus  
vagabundis ca-  
stigandis.

The King to prevent the Sacrilegious imbezilling of the Rents, Chalice, Books, Vestments, Images, Reliques, Charters, and Bulls of the Hermitage by *Cripelgate*, granted the custody thereof in his name to the Constable of the Tower for the time being, by this Patent.

**R**EX omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Quia Redditi, Calices, Libri, Vestimenta, Imagines, Campanæ, Reliquiæ, Cartæ, munimenta Regia, privilegia Apostolica, Tituli, et alia bona Heremitagii juxta *Cripelgate*, quod est de advocacione nostra, & quod celebris memorie Dominus H. Rex pater noster Roberto de Sancto Laurentio Capellano, cum omnibus pertinentiis suis dedit, ad inhabitandum quoad vixerit, post decessum Heremitarum Heremitagii illius tempore vacationis ejusdem, tam per viros Ecclesiasticos quam Laicos subtrahi et asportari solent, ut dicitur, pro eo quod Heremitagium illud non fuerit tunc sub certa custodia: Nos ad huiusmodi dampna et pericula idem in posterum evitanda, remedium adhibere volentes in hac parte; Constabularium Turris nostræ London. qui pro tempore fuerit, ejusdem Heremitagii nomine nostro quomodolibet nobis placuerit custodem deputabimus, ut ipse Heremitagium illud inhabitantes, redditus, & omnia alia ad illud pertinentia de cætero nomine nostro custodiat;

Pat. 9 E. 1. m.  
10. intus. De  
custode depu-  
tato ad Here-  
mitagium jux-  
ta *Cripelgate*.



*An. 9 E. 1.* custodiat, protegat et defendat. Et si quid eis forisfactum fuerit, id eis sine dilatione faciat emendari. In cujus, &c. Teste Rege apud *Westm.* 12 die *Julii*.

The King this year, at the Petition of the Prior and Covent of *New Burgh* much indebted, granted this Royal Protection to them.

*Pat. 9 E. 1. m. 19. intus.*

**R**EX omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Cum dilecti nobis in Christo Prior & Conventus de *Novo Burgo* Mercatoribus & aliis Creditoribus suis diversis in debitis multimodis & immentis teneantur, ad quorum solutionem facultates Prioratus prædicti per magni temporis spacium sufficere non possent, absque dispersione Canonorum Prioratus prædicti, vel feodalia suorum, dilapidatione seu fortè Prioratus illius subversione totali quod nollemus: Nos, &c. as in former Protections. In cujus, &c. Teste Rege apud *Westm.* 25 die *Maii*.

The Prior and Covent of *Chirebiry* translating themselves thither from *Suede*, which they afterwards found inconvenient to their devotion, the King upon their petition granted them this Patent to return again to *Suede*; in the prologue whereof and close he expressed his Sovereign Royal duty and care to advance Religion and Devotion.

*Pat. 9 E. 1. m. 19. intus. De Prior & Conventu de Chirebiry.*

**R**EX omnibus, &c. salutem. Cum nos in hiis quæ ad cultum obsequium pertinent ministris et professoribus cultus illius ad laudem et honorem omnipotentis Dei in locis congruis ad hoc confidere teneamur, et illos præcipue qui sub nostro speciali regimine ad hoc vacaverint, ac dilecti nobis in Christo Prior & Conventus de *Chirebiry*, qui primo apud la *Suede* suæ professionis & devotionis inchoaverunt originem, exinde postmodum usque *Chirebiry* translati, ibi locum non invenerint adeo congruum divino ministerio celebrando ob varia impedimenta quæ eis ibidem occurrunt, ut accepimus. Nos ipsorum Prioris & Conventus tranquillitati in hac parte prospicere volentes, ut commodius et liberius contemplationi districte valeant vacare, concedimus eisdem, quod ad prædictum locum de *Suede* absque calumpnia et occasione nostri vel hæredum nostrorum ad vota et professionis suæ debita ibidem complenda regredi et morari valeant, et ea ibidem suo perpetuo consummare. Provisio tamen, quod animabus illorum qui in prædicto sacro loco de *Chirebiry* recitescunt non minus per prædictos Priorem et Conventum in prædicto loco de *Suede* ministeriis obsequiis super hoc suffragetur imposterum, quam ibidem temporibus retroactis fieri consuevit. Ita etiam quod præfatis Religiosis nichil juris sui depereat seu decreascit apud *Chirebiry* occasione translationis suæ prædictæ. In cujus, &c. Teste Rege apud *Westm.* 21 die *Maii*.

This year there fell out this memorable case, in an Assise of *Darraig* Presentment, between the King, and the Bishop and Chapter of *Landaff*, concerning the Church of *Lantehowe*, the presentation whereunto the King then claimed by reason of the Wardship of *John de Hastings*, Heir of *Bergeveny*, in whose Court he sued them, to which they demurred.

*Pat. 9 E. 1. m. 20. intus. Pro Episcopo & Capitulo Landaven. de Ecclesia de Lantehowe.*

**R**EX omnibus, &c. salutem. Inspeximus Recordum & Processum habitum inter nos & *Landaven*. Episcopum & Capitulum ejusdem loci coram dilecto Clerico nostro Magistro *Henrico de Bray* Senescallo nostro de *Bergeveny* de Ecclesia de *Lantehowe* *Purthelok* in hæc verba. *Hugo* Ballivus de *Bergeveny* qui prosequitur pro Domino Rege nomine *Johannis de Hastings*. qui infra ætatem est & hæres de *Bergeveny*, optulit se versus Dominum *W. de Breus*. Episcopum *Landavensem*, & ejusdem loci Capitulum de placito Assise ultimæ præsentacionis Ecclesiæ de *Lantehou Porchalank*. Et prædicti Episcopus & Capitulum non venerunt, & ideo consideratum est quod dicti Episcopus & Capitulum resumerentur per bonos summonitores quod sint ibidem die Jovis proxima ante festum Annunciationis beatæ *Mariæ*, ad audiendum Recognitionem prædictæ Assise, &c. Curia tenta die Jovis Anno regni Regis *Edwardi 1.* sexto in vigilia Annunciationis beatæ *Mariæ* apud *Bergeveny* qui prosequitur pro Domino Rege nomine *Johannis de Hastings*. qui infra ætatem est & hæres de *Bergeveny* optulit se versus *W. de Breus*. Episcopum *Landavensem*.

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*sim* & ejusdem loci Capitulum de Placito Assise ultimæ Præsentacionis Ecclesiæ de *An. 9 E. 1*  
*Lanch. Porch.* Et Episcopus & Capitulum venerunt, & dicebant, quod non tene-  
 bantur ad summonicionem alicujus Ballivi seu Senescalli de *Bergeveny* pro aliquo  
 Brevi Regis venire, nec in Curia illa de *Lantehold. Porchalank*, nec de aliquo Jure  
 ad Ecclesiam de *Land.* pertinente ibidem respondere, quia ipsi et prædecessores sui  
 a tempore cujus non erat memoria usque nunc, continue tenuerunt illam tanquam  
 pertinentem ad Ecclesiam suam *Cathedralem de Land.* nec aliquid tenent seu tene-  
 re clamant de Domino de *Bergeveny*, unde ibi respondere non debent ut dicunt. Et  
 sic recesserunt Episcopus & Capitulum. Et consideraverit Curia quod Assisa  
 illa per Dominum Regem verum Episcopum et Capitulum sic arramata  
 caperetur in ipsorum Episcopi et Capituli defectum, et quod ulterius in-  
 quireretur de Jure Patronatus Ecclesiæ prædictæ, quia talis consuetudo consue-  
 vit esse in Curia prædicta. Assisa ultimæ præsentacionis per Dominum *Edwardum*  
 Regem *Anglia* tanquam Custodem hæred. de *Bergeveny*, coram *Henrico de Bray*  
 & sibi associatis die Jovis in vigilia beatæ *Maria* anno regni Regis *Edwardi* 1. sexto,  
 versus Dominum *Willielmum de Breus*. Episcopum *Landavensem* & ejusdem loci Ca-  
 pitulum arram. per *Philippum ab Menrik* ab *David*, *David* ab *Wronon* ab *Gilbert*,  
*Lenlin* ab *Wilim*, *Walterum de Tineley*, *Menricum* ab *Adam*, *Wronon* ab *Adam*,  
*Wafelon* ab *Knaithon*, *Bleshin* ab *Knaithon*, *Willielmum de Grosemunde*, *David* ab  
*Wronon* *Kelim*, *Philippum ab Laurenc*. *Irienard Wanham* ab *Madok*, *Adam Waludi-*  
*an*, ab *Adam* ab *Knaithon*, *Willielmum* filium *Ricardi*, *Vincencium Scudemor*, *Ro-*  
*bertum Wroch Macy*, *Wroch Macy* filium *Walteri*, *Henricum Pelliparium*, *Walterum*  
*Comyn*, *Walterum Somery* venit recognitura, quis advocatus tempore pacis præsen-  
 tavit ultimam personam quæ mortua est ad *Lanchporch.* quæ vacat ut dicitur:  
 Cujus præsentacionem Dominus Rex dicit ad ipsum pertinere, ratione custodiæ hæ-  
 redis & terrarum de *Bergeveny*, & quam præsentacionem memorati Episco-  
 pus & Capitulum *Landav.* injustè ei deforc. ut dicit. Qui jurati super Sacra-  
 mentum suum dicunt, quod nemo advocatus umquam præsentavit ad Ecclesiam de  
*Lanch porch.* set quod omnes Episcopi et Capitulum *Land.* qui pro tempore fuerunt  
 a tempore cujus non erat memoria, hæcenus tenuerunt memoratam Ecclesiam de  
*Lanch Porch* in proprios usus; hoc adjecto, quod *Adam* de *Lanch.* qui ultimo obiit  
 in eadem sunt firmarius prædictorum Episcopi & Capituli. Et etiam quidam *Johan-*  
*nes* qui proximo ante ipsum *Adam* obiit similiter fuit firmarius in eadem. Et sic qui-  
 dam *Gorgi Capellanus* qui immediatè decessit ante ipsum *Johannem* similiter obiit ut  
 firmarius in eadem, ita quod nullus eorum tenuit pro equali summa pecunia pro qua  
 alter tenuit, set pro voluntate prædictorum Episcopi & Capituli majus & minus con-  
 tulerunt pro firma memorata juxta firmarium consuetudinem. Et ideo consideratum  
 est, quod prædicti Episcopus & Capitulum in præsentia sua possent tanquam pro-  
 prietarii Ecclesiæ prædictæ suam tenere proprietatem Ecclesiæ de *Lanch Porch*  
 memoratæ per visum Recognitorum Assise prædictæ, & quod prædictus Dominus  
*E. Rex* nichil capiat per præsentacionem suam ad præsens factam. In cujus, &c.  
 Teste Rege apud *Westm.* xv. die *Maii*.

The King having an expedition against the *Welsh* in the 5th. year of his Reign,  
 summoned all Bishops and Abbots, as well as Earls, Barons and Laymen, who held  
 of the Crown by Knight Service, to attend and serve him with their Horse and  
 Armes; whereupon those who attended not, or made no composition for their  
 Service then, were afterwards forced to pay a Fine for their defaults, amongst the  
 rest the Abbot of *Malmesbury* paid one Hundred Marks Fine, as this Record attests.

**R**EX Thesaurario & Baronibus suis de Scaccario, salutem. Sciatis quod di-  
 lectus nobis in Christo Abbas *Malmesbir.* liberavit per præceptum nostrum  
 dieceto Clerico nostro *Rogero de Evesham* Centum *Parcas*, per quas finem fecit  
 nobiscum pro servicio suo in exercitu nostro *Wallie* anno regni nostri quinto,  
 prout per literas nostras patentes quas idem Abbas inde habet, & quas inspeximus  
 nobis constar. Et ideo vobis mandamus, quod prædictum Abbatem de prædictis  
 Centum *Parcis* quietum esse faciatis; proviso quod idem *Rogerus* inde oneretur  
 ad Scaccarium prædictum. Teste Rege apud *Westm.* 28 die *Octobris*.

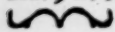
Claus. 9 E. 1.  
 m. 2. Pro Ab-  
 bate de *Mal-*  
*mesbury.*

The



K. Edward 1. *An Exact History of Popes Intollerable Usurpations; B. 5. ch. 1.*

An. 9 E. 1.



The Monks of *Battle* Abby having by antient Charters the custody of the Temporalities and Goods of the Abby during the vacancy, the King thereupon issued this Writ not to interrupt this Priviledge.

Clauſ. 9 E. 1.  
m. 8. Pro  
Monachis de  
Bello.

**Q**uia per Chartas prædecessorum Regis Regum Angliæ concessum est Monachis de Bello, quod cedentibus vel decedentibus Abbatibus ejusdem loci ipsi Monachi habeant custodiam Abbatis sue, & omnium terrarum & tenementorum ad ipsam pertinentium, & liberam administrationem de omnibus rebus & possessionibus ad eandem Abbatiam pertinentibus, (against common right) Mandatum est Radulpho de Sandwico Senescallo Regis, quod ipsos Monachos custodiam Abbatis sue in hac vacatione sua & omnium terrarum & tenementorum ejusdem Abbatis, & liberam administrationem de omnibus rebus & possessionibus ad ipsam pertinentibus habere permittat, sicut prædictum est: Nec de custodia prædicta, vel aliquibus ad ipsam pertinentibus se intromittat contra concessionem prædictam. Et si qua inde post captionem dicta domus in manus Regis percepta fuerint, ea eis sine dilatione restituat. Teste Rege apud Westm. 9 die Maii.

He likewise issued these Writs for confirmation and allowance of all Charters of Priviledge granted to the Abby of *Westminster*.

Clauſ. 9 E. 1.  
m. 11. Pro  
Abbate &  
Conventu  
Westm.

**R**EX Thesaurario & Baronibus suis de Scaccario, salutem. Cum nos Chartas progenitorum nostrorum Regum Angliæ factas dilectis nobis in Christo Abbati & Conventui *Westm.* per Chartas nostras favorabiliter duxerimus confirmandas: Nos eos in omnibus et singulis articulis in Chartis prædictis contentis, manuteneri volentes et teneri; vobis mandamus, quod lectis coram vobis in Scaccario prædicto Chartis Confirmationum nostrarum eis factis, eos articulis in eisdem Confirmationum Chartis contentis uri & gaudere, & Chartas illas eis allocari faciatis. Teste Rege apud *Westm.* 5 die Decembris.

Clauſ. 9 E. 1.  
m. 12. Pro  
Abbate Westm.

**M**andatum est *Galfrido de Pychford* Constabulario Castri *Wyndesores*, quod in Foresta de *Wyndesore* habere faciat Abbati *Westm.* octo *Damas*, loco octo *Danorum* quos percipere consueverunt in Foresta prædicta per Chartas prædecessorum Regis Angliæ quas Rex confirmabit. Teste Rege apud *Westm.* 28 die Novembris.

*Robert Bayton* and two other Clerks being accused and imprisoned before the Kings Justices Itinerant for several trespasses, murders, rebellions, rapines, and his lands, goods and chattels thereupon seized into the Kings hand, they being delivered to the Bishop, and thereupon making their purgations, their lands and goods by the Kings special grace were restored by these Writs.

Clauſ. 9 E. 1.  
m. 3. Pro  
Roberto de  
Eoyton Clerico.

**R**EX Vic. Cornub. salutem. Cum *Robertus de Bayton* Clericus, pro suspicionem fractionis Capellæ de *Kynnersdon*, ac asportacione & rapina quarundam Cartarum, & aliis transgressionibus sibi impositis coram Justiciariis nostris ultimo Itinerantibus in Comitatu *Somerſetie* indictatus, & per eosdem Justiciarios ad requisitionem venerabilis patris *R. Bathoniensis & Wellensis* Episcopi, eidem Episcopo iuxta privilegium Clericale, prout moris est, liberatus, innocentiam suam super hujusmodi transgressionibus coram eodem Episcopo legitime purgabit, sicut idem Episcopus per literas suas patentes nobis significavit; Tibi præcipimus, quod omnes terras et tenementa, bona et catalla prædicti *Roberti*, quæ occasione transgressionum prædictarum capta sunt in manum nostrum, et quæ sunt in custodia tua, eidem *Roberto* restitui facias hac vice de gratia nostra speciali. Teste Rege apud *Wyndesores*, viii. die Septembris.

Confirmas literas habet idem *Robertus* Vicecomitibus *Bake, Sommers. Suff. & Essex.* Teste ut supra.

Ibid. m. 4 Pro  
Magistro Wil-  
lielmo de E-  
bor. Clerico.

**R**EX Vic. Suthr. salutem. Cum Magister *Willielmus de Eborum* de morte *Hugonis de Uff. cote* coram Justiciariis nostris ultimo itinera tibi s in Com. *Wilt.* in

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in eodem Com. indictatus, & ad requisitionem R. *Sarum* Episcopi, &c. ut supra *An. 9 E. 1.*  
T. R. apud *Westm.* primo die *Sept.* Moreover these Writts issued for other Clerks.

**R**EX Vic. *Lincolnia* salutem. Cum *Willielmus de Freston* Clericus super sinistra suspitione furti & roberie coram Justiciariis nostris nuper itinerantibus in eodem Comitatu indictatus, & ad requisitionem venerabilis patris O. per eodem Justic. &c. liberatus fuerit ut supra, &c. Teste Rege apud *Westmonasterium* primo die *Sept.* *Ibid Pro Willielmo de Freston Clerico.*

**C**onsimile Vic. *Lincolnia* pro *Roberto de Newcomen de Lessceby* Clerico super receptamento cujusdam felonis filii sui, &c. ut supra. Teste Rege apud *Canthuariam* xii. die *Aug.* Per Billam. *Ibid. Pro Roberto de Newcomen Clerico.*

**C**onsimile Vic. *Suffex* pro *Alex. Pricklove* nuper capto & detento in prisona nostra *Ciceffria*, pro quadam transgressionem sibi imposita coram dilectis & fidelis nostris *Luca de Tavy*, & *Ricardo de Exton*, ad quasdam Inquisitiones in Com. predicto captas nuper per nos assignatis, demum ad requisitionem venerab. patris *S. Ciceffr.* Episcopi eidem Episcopo, &c. liberatus fuisset — &c. ut supra, &c. in manum nostram capta nisi prius fugam fecerit, sine dilatione restituas, &c. Teste Rege apud *Westm.* 7 die *Julii.* *Ibid m. 3. Pro Alexand. Pricklove Clerico.*

**R**EX Vic. *Nottingham* salutem. Cum *Willielmus Barne de Scafestworde* Clericus super furto & latrocinio indictatus eorum Justiciariis nostris ultimo itinerantibus in Com. predicto, & per eosdem Justic. ad requisitionem venerabilis patris *W. Eborum* Archiepiscopi, eidem Archiepiscopo — &c. liberatus — &c. Teste Rege apud *Westm.* 3. die *Julii.* *Pro Willielmo Barne de Scafestword.*

**R**EX Thesaurario & Baronibus suis de Scaccario salutem. Cum nuper mandaverimus *Willielmo de Redham* Vicecomiti nostro *Norff.* quod terras & tenementa, bona & catalla *Johannis de Redham*, qui super diversis transgressionibus indictatus fuerat, & postmodum ad requisitionem venerabilis patris *W. Norwicensis* Episcopi, juxta privilegium Clericale eidem Episcopo liberatus, &c. de gratia nostra speciali, ac vocatione prefatum Vicecomitem de decem Marcis ad quas bona & catalla predicti *Johannis* capta in manum nostram appreciata fuerunt oneraveritis ad Scaccarium predictum; vobis mandamus, quod eundem Vicecomitem de dictis decem Marcis exonerari faciatis. Teste meipso apud *Kenington* 5. die *Maii.* Anno Regni nostri nono. *Claus. 9 E. 1. m. 8. Pro Willielmo de Redham.*

**R**EX Vicecomiti *Somers.* salutem. Cum *Willielmus de Corunden* Clericus retentus super latrocinio & aliis transgressionibus coram Justiciariis nostris nuper itinerantibus in Com. predicto, & per eosdem Justiciarios ad requisitionem venerabilis patris *R. Bathoniensis* & *Wellensis* Episcopi eidem Episcopo, &c. liberatus, &c. ut supra. Teste Rege apud *Coleford* 7. die *Febr.* *Claus. 9 E. 1. m. 10. Pro Willielmo de Corunden Clerico.*

All these Clerks in one Circuit were indicted of these several Felonies, and demanded acquitted by their Ordinaries Certificates upon their *\*feigned or favourable purgations*; whereby they escaped Justice, and the King lost their forfeitures. *See Hobards Reports, f. 188, 189, 190.*

The King having seized some Lands into his hands upon the Statute of *Mortmain* newly made, respited their seizure by this Writ till the next Parliament, being a new case, and the first I have observed after this Statute made.

**M**andatum est *Ballivis de Basingestok*, quod terras illas & tenementa cum pertinentiis in *Basingestok*, quæ nuper ceperunt in manum Regis, pro eo quod *Magister Perus* de *Abindon* de terris illis et tenementis *Magistrum* et fratres *Hospitales Sancti Johannis* de *Basingestok* contra Statutum Regis nuper editum de hujusmodi terris et tenementis in manum mortuam non ponendis, eidem *Magistro* & fratribus replegiari faciant usque ad proximum Parliamentum Regis post festum *Sancti Michaelis proxima futurum*, ut tunc inde fiat quod Rex de consilio suo duxerit ordinandum. Teste Rege apud *Westm.* 18 die *Maii.* *Claus. 9 E. 1. m. 8. De Magistro & fratribus Hospitalis Sancti Johannis de Basingestok.*



*An. 9 E. 1.* The Bishop of *Chichester* endeavouring to compell one of the Kings Clerks to reside upon his Benefice, against the Kings ancient prerogative; he thereupon issued this Prohibition to him.

*Claus. 9 E. 1. m. 4. dorso.*  
Ne clerici Regis compellantur ad residentiam faciendam vel ad ordines suscipiendos. &c. See Fitz. Nat. Brev. f. 44. G.

**R**EX *Episcopo Cicestrensi salutem.* Cum Clerici nostri ad ordines suscipiendos, vel ad faciendam in suis Beneficiis residentiam personalem dum nostris immozantur obsequiis compelli, aut alias super eisdem molestari vel inquietari non debeant, Nosque et progenitores nostri Reges Angliæ hujusmodi libertate seu privilegio pro clericis nostris, a tempore quo non extat memoria, semper hactenus usi fuerimus, quod nec ipsi Clerici nostri vel progenitorum nostrorum predictorum aliquibus retroactis temporibus super hujusmodi compelli, vel alias super Beneficiis suis molestari vel inquietari consueverint. Nobis mandamus firmiter inhibentes, ne dilectum Clericum nostrum Magistrum Galfridum de Aspraille in Diocesi vestra beneficiatum, qui per preceptum nostrum nostris iugiter intendit obsequiis, dum eisdem obsequiis immozatur super hujusmodi compellatis, aut alias super Beneficiis suis inquietatis seu molestetis: Et sequetur quod de fructibus aut bonis beneficiorum suorum hujusmodi occasione fieri feceritis, sine dilatione restitui faciatis. *Teste Rege apud Westm. primo die Julii, anno nono.*

The King this year sent Letters and Addresses to these Roman Cardinals and Officers concerning his affairs in the Court of Rome.

*Cl. 9 E. 1. dorso.*  
*2. In cedula.*

*Fratrī Latino Episcopo Hostiensi, Sedis Apostolicæ Cardinali.*  
*Fratrī Bientiviegne Episcopo Albanensi, Sedis Apostolicæ Cardinali.*  
*Domino Ordonio Episcopo Tusculano, Sacrosanctæ Romanæ Ecclesiæ Cardinali.*  
*Domino Jacobo de Sabello Sanctæ Mariæ in Cosmedin. Diacono Cardinali.*  
*Domino Aubere titulo Sanctæ Prædix, Presbytero Cardinali.*  
*Fratrī Jeronimo titulo Sanctæ Potencianæ, Presbytero Cardinali.*  
*Domino Willielmo titulo Sancti Marci, Presbytero Cardinali.*  
*Domino Girardo titulo Basilicæ 3. Apostolorum, Presbytero Cardinali.*  
*Domino Gonfrido Sancti Georgii ad velum aureum, Diacono Cardinali.*  
*Domino Matthæo titulo Sanctæ Mariæ in Porticu, Diacono Cardinali.*  
*Domino Jacobo de Columpna Sanctæ Mariæ in via lata, Diacono Cardinali.*  
*Domino Jordano Sancti Eustachii, Diacono Cardinali.*  
*Petro de Petris grossi Vicæcancellario Sacrosanctæ Romanæ Ecclesiæ.*  
*Johanni Gaitaino Notario Domini Papa.*  
*Magistro Ricardo Notario Domini Papa.*  
*Magistro Bernardo de Neapoli Notario Domini Papa.*  
*Magistro Benedicto de Agnan Notario Domini Papa.*

What arrears of a pension the King ordered to be paid this year to one of the Roman Cardinals, this Record will inform us.

*Liberate 9 E. 1. m. 5. Pro D. J. Sanctæ Mariæ in Cosmedyn. Diacono Cardinali.*

**R**EX *eisdem salutem.* Liberate de Thesauro nostro venerabili patri J. Sanctæ Mariæ in Cosmedyn. Diacono Cardinali, quinquaginta marcas de terminis Sancti Michaelis anno Regni nostri octavo, & Paschæ anno regni nostri nono, pro annuo feodo suo quinquaginta Marcarum, quod ei concessimus percipiendum ad Decretarium nostrum, nisi pecuniam illam ei prius liberaveritis per aliud breve nostrum. *Teste Rege apud Westm. xxviii. die Julii.*

*\*Here Tom. 1. p. 759, 760, 761. & Tom. 2. p. 228.*  
*Carta R. 1. m. 2. Pro Monialibus de Ambresbir.*

This year King Edward recited and confirmed the antient Charter of King John to the Nuns of Ambresbir, wherein their incontinency\* heretofore is thus again recorded to posterity.

**R**EX *Archiepiscopis, &c. salutem.* Inspeximus Cartam quam Dominus Johannes quondam Rex Angliæ avus noster fecit in hac verba. Johannes Dei gratia Rex Angliæ, &c. Sciatis Moniales de Ambresbir. circiter triginta, propter vitæ turpitudinem et ordinis sui dissolutionem et infamiam quæ divulgabatur publice, mandato Domini Papæ Alexandri, voluntate etiam Domini Regis H. patris nostri

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stri, consilio quoque et providencia Richardi Cantuariensis Archiepiscopi, Apostoli-  
ca sedis Legati, et Joscelini Sarum, et Bartholomæi Exoniensis, et Rogeri Wynto-  
mensis, et G. Londoniensis; et aliorum plurimorum Episcoporum, et Magnatum,  
et Baronum nostrorum a Monasterio suo fuisse amotas, et in aliis Monasteriis col-  
locatas, & Moniales Fontis Ebraldi ad serviendum Deo introductas, &c.

The Clergy of the Province of *Yorke* having granted a Disme to the King, he  
issued this Writ to the Bishop of *Karlsle* for the due and speedy collection thereof  
within his Diocese.

**R**EX venerabili in Christo Patri R. &c. Karleolensi Episcopo salutem. De bene-  
volencia & fidelitate vestra fiduciam gerentes specialem, paternitatem vestram  
affectuose requirimus & rogamus, quatinus decimam nobis concessam in Diocesi be-  
stra a Clero Diocesis illius colligi et adunari faciatis, juxta formam concessionis  
nobis inde factæ in aliis Diocessibus Eboracensis Provincie. Ita quod de pecunia  
proveniente de Decima illa in Episcopatu vestro prædicto nobis ad mandatum no-  
strum possitis respondere. Et taliter vos habeatis in hac parte, quod diligenciam ve-  
stram merito debeamus commendare, & vobis exinde gratias referre speciales. Teste,  
&c. apud Wodestok 18. die Aprilis, Anno regni nostri nono.

Fines 9 E. 1.  
m. 14. De  
Decima col-  
ligenda & adu-  
nanda.

The Pope having granted an Indulgence to the Freers of the Hospital of St.  
*James*, once a year to collect Almes in all Churches, the King to promote this work,  
issued this Patent to Archbishops, Bishops and others, to protect and assist them  
therein, and apprehend all false Collectors thereof, not appointed by them.

**R**EX Archiepiscopis, Episcopis, &c. salutem. Cum Dominus Papa dilectis  
nobis in Christo Magistro & Fratribus Hospitalis Sancti Jacobi de Alto passu  
Lincolniensis Diocesis duxerit indulgendum, quod semel in anno recipiantur in Ec-  
clesiis ad colligendas eleemosynas, Propter quod ipsi ad loca diversa pro colligen-  
dis eleemosynis accedunt, Nos eosdem Fratres, & eorum attornatos, in protectione  
& defensionem nostram specialem suscepimus, vobis Ballivis nostris præcipi-  
entes, quod si quid eis per quoscunque Clericos vel Laicos satisfactum fuerit, id  
eis sine dilatione faciatis emendari. Vos etiam Prelatos rogamus, quatinus cum  
iisdem Fratres, aut eorum attornati, ad loca vestra pro hujusmodi eleemosynis colli-  
gendis accesserint, benigne in Ecclesiis vestris recipientes, eosdem ipsos in Eccle-  
siis vestris admonere populum, et eleemosynas libere quærere permittatis, et  
eisdem Fratribus vel eorum nunciis ad hujusmodi eleemosynas in vestris Dioc-  
esibus per ipsos deputatis colligendas literas vestras convocationis liberaliter con-  
cedere velitis. Ita quod à Deo meritum, à nobis grates reportare debeatis spe-  
ciales. Et quia intelleximus, quod quidam malivoli advocantes se per Magistros  
& Fratres Hospitalis prædicti eleemosynas colligunt & recipiunt nomine ipsorum,  
licet ad hoc per ipsos potestatem non habeant, nos hujusmodi maliciam reprimere  
volentes, vobis Ballivis nostris præcipimus, quod ipsos malivolos cum per vos  
transitum fecerint prout rationabiliter faciendum arrestari faciatis, donec aliud  
inde præceperimus, vel ipsi de hujusmodi malicia competentes emendas fecerint,  
prout alias in casu consimili fieri consuevit. In cujus, &c. Teste Rege apud Winton.  
12 die Octobris.

Pat. 9 E. 1. m.  
5. Intus. De  
Magistro &  
Fratribus Ho-  
spitalis Sancti  
Jacobi de Alto  
passu.

The King to advance Learning, and for the good of the Church, Priesthood and  
Commonwealth, gave his Royal assent for translating the Freers of the Hospital  
of St. *Johns* in *Cambridge*, into a Colledge of Scholars, after the pattern and rules  
of *Merton* Colledge in *Oxford*, by this memorable Patent.

**R**EX omnibus ad quos, &c. salutem. Rex inclytus *Hebreæ* Gentis quem  
omnipotens ultra capacitatem comprehensionis intellectus humani præroga-  
tiva sapientia cultus insignivit, promisso sibi à Domino munere quod optaret, cir-  
cumspectè considerans sapientiam terrenis rebus singulis prævalere, ipsam expetere,  
prudenter attendens, quod illam omnia bona pariter subsequuntur. Quapropter  
dedit Regiam Excellentiam exemplis optimis informatam, libenter assensum  
impartiri

Pat. 9 E. 1. m.  
18. Intus. De  
Scholaribus in  
Hospitali San-  
cti Johannis  
Cantabr. loco  
Fratrum secu-  
larium subro-  
gandis.



*An. 9 E. 1.* impartiri ad facta favorabiliter prosequenda per quæ viri fiant pro utilitate Reipublicæ sapientes, quorum prudentia regimini Regni et Sacerdotii probe consulatur, et in his agitatione subit doctrina sapientiæ singiter amplietur. Nos igitur attendentes venerabilem patrem *Hugonem Eliensem* Episcopum proposito laudabili concepisce, quod loco Fratrum secularium in Hospitali suo Sancti *Johannis Cantabr.* Scholares studiosi subrogentur, qui secundum regulam Scholarum Oxon. qui de Merton. cognominantur, in Universitate Cantabrigiæ per omnia conbersentur: Perpendentes ex hujusmodi studio per eminentiam sapientiæ posse Reipublicæ multa commoda provenire, præfata subrogationi, mutationi seu translationi ex causa superscripta faciendæ, nostrum Regium præbemus assensum. Nolentes per hoc, quod eleemosyna pauperum ad dictum Hospitalē confluentium, quæ a Sanctis Patribus Episcopis *Eliensis* Ecclesiæ est antiquitus constituta in aliquo defraudetur. In cujus, &c. Teste Rege apud *Burgum* 24 die *Decembris*.

The King this year granted these protections to two of his *Irish* Bishops, residing in *England* by his license from their Bishopricks, without any care of their peoples souls.

*Pat. 9 E. 1. m. 7.* De Protectionibus.

**C**onsimilem protectionem habet *S. Waterfordensis* Episcopus in *Hibernia*, qui de licentia Regis moratur in Anglia per biennium duraturam, cum clausula volumus, &c. Teste, &c.

*N. Darenfis* Episcopus, qui de licentia Regis moratur in Anglia, habet literas de protectione in *Hibernia*, simplices sine clausula quamdiu Regi placuerit duraturas, Teste ut supra.

He likewise had this Patent to make Attornies in all Courts in *Ireland*, though none to supply his Pulpits.

*Pat. 9 E. 1. m. 7.*

**R**EX omnibus Ballivis, &c. *Hibernia*, salutem. Sciatis quod venerabilis *N. Darenfis* Episcopus, qui de licentia Regis moratur in regno *Anglia*, attornavit coram nobis loco suo *Philippum Shynnon*, & *Johannem* filium *Ada*, ad lucrandum vel perdendum in omnibus placitis & querelis, motis vel movendis, pro ipso Episcopo vel contra ipsum, in quibuscunque Curis *Hibernia*. Et ad instantiam ejusdem Episcopi concessimus, quod prædicti *Philippus* & *Johannes*, vel alter ipsorum, quem præsentem esse contigerit loco ipsius Episcopi facere possint vel possit, attornatos vel attornatum quem voluerint vel voluerit in Cancellaria nostra *Hibernia*, ad omnia prædicta placita & querelas, prosequend. & defendend. & ad lucrandum vel perdendum in eisdem, sicut prædictum est. In cujus, &c. per triennium duratur. cum hac clausula, præsentibus, &c. Teste ut supra.

\* *Ibid. m. 19.* intur.

The like Patent to make Attornies in *Ireland* was granted to \* *David* Archbishop of *Cassall*, qui de licentia nostra moram facit in Anglia, per biennium duraturam. Teste Rege apud *Westm.* 25 die *Maii*, & duplicatur.

This Archbishop to supply his occasions, entred into several Recognisances this year to the Bishops of *Coventry* and *Lichfield*, and of *Bath*, two wealthy Prelates, and great Usurers, thus recorded.

*Claus. 9 E. 1. m. 2. dorso.* Pro *Coventrensi* & *Lichfeldensi* Episcopo.

**D**avid *Cassalensis* Archiepiscopus recognovit se debere *R. Coventrensi* & *Lichfeldensi* Episcopo Centum *marcas*, solvendas eidem in festo Nativitatis Sancti *Johannis Baptiste* proximo futuro. Et nisi fecerit concessit, quod dicta pecunia levetur de terris et catallis suis in *Hibernia*. Et ad dictam pecuniam dicto termino solvendam, invenit plegium *Johannem de Kirkeby*, qui similiter recognovit & concessit, quod nisi prædictus Archiepiscopus solvat dictam pecuniam ad terminum prædictum, quod pecunia illa levetur de terris & catallis suis in *Com. Lycestria*, & alibi.

*Ibid. m. 2. dorso.* Pro *Cassalensi* Archiepiscopo.

**D**avid *Cassalensis* Archiepiscopus recognovit se debere *R. Bathoniensi* & *Wellensi* Episcopo Ducentas *marcas*, unde solver unam medietatem in festo Sancti *Michaelis* anno, &c. decimo, & aliam medietatem in festo *Pascha* proximo sequenti.

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quenti. Et nisi fecerit concessit, quod dicta pecunia levetur de terris et catallis suis in Hibernia, & alibi. (Such Recognisances in the Chancery of England, then obliging both Lands and Chattels in Ireland.) An. 9 E. 1.

Et præfatus Bathoniensis & Wellensis Episcopus recognovit pro prædicto Archiepiscopo se debere R. Coventrensi & Lichfeldensi Episcopo, prædictas Ducentas Marcas solvendas ad terminos supradictos; & concessit, quod nisi idem Archiepiscopus pecuniam illam dicto Coventrensi & Lichfeldensi Episcopo solverit ad eisdem terminos, quod prædicta pecunia de terris & catallis ipsius Episcopi Bathon. levetur.

The King likewise granted a *Conge de slier* to elect a new Bishop, and a Patent to restore the Temporalties to another Bishop elect in Ireland, as these Records attest.

**P**etrus Capellanus Canonicus Imelacensis nuncios Regi mortem R. nuper Episcopi ejusdem loci, habet literas de licentia eligendi directas Decano & Capitulo Imelacensi. In cujus, &c. Teste Rege apud Leds 8 die Augusti. Pat. 9 E. 1. m. 8. intus. Pro licentia eligendi.

**R**EX dilecto & fideli suo Roberto de Ufford Justic. Hibernia, salutem. Cum electioni nuper factæ in Ecclesia Cathedrali Clonenfi, de discreto viro Gilberto Decano Clonenfi Ecclesie in Episcopum ejusdem loci, Regium assensum adhibuerimus et favorem: Nos attendentes, quod prædictus Electus circum prosecutionem electionis prædictæ multum laboraret, si ea occasione ad nostram præsentiam accederet, & volentes suis laboribus & expensis parcere in hac parte; vobis mandamus, quod si contingat Electum prædictum in Episcopum loci prædicti canonicè confirmari, tunc recepto ab ipso Electo nomine nostro, fidelitate in casu isto debita, Temporalia dicti Episcopatus eidem liberetis; acceptis tamen prius literis patentibus sigillo suo, necnon et sigillo Capituli sui consignatis, quod hæc gratia nostra quam eidem Electo ad præsens ex mera liberalitate nostra concessimus, nobis vel hæredibus nostris non cedat in præjudicium vel exheredationem, seu trahatur in consuetudinem vel consequentiam temporibus futuris. Teste Rege apud Copford 27 die Julii, anno, &c. nono; & duplicantur. Pat. 9 E. 1. m. 10. intus. Pro electo Clonenfi in Hibernia.

The like Patent verbatim, *mutatis mutandis*, issued to \* Robert de Ufford, of his Royal assent, electioni nuper factæ in Ecclesia Finebren. de discreto viro Carolo Decano ejusdem Ecclesie, in Episcopum ejusdem loci; and for taking his Homage, and restoring his Temporalties, &c. Teste Rege apud Windefor. 8 die Septembr. Pat. 9 E. 1. m. 7. intus.

Pope Nicholas the 3. decessing Anno 1280. and Pope \* Martin the 4. succeeding him, he in the first year of his Papacy sent two Freers into England to the King, intending to export or return out of England, by his Agents and Foreign Merchants, the 6. years Dismes therein collected and retained for ayd of the Holy Land, granted in the General Council of Lions, and convert them to his own private coffers, or other uses; King Edward upon notice thereof, to reserve the monies for his Brothers expedition to the Holy Land, and supply the present exigencies for defence of the Kingdom, issued this memorable Writ, to prohibit any Merchants or others, under pain of losse of life and member, and all their Goods and Chattels, to export or convey the said Dismes, or any part thereof, out of the Realm, and to imprison all such who did the contrary, to the Popes great disappointment. An. 10 E. 1. Mat. Westm. An. 1280. p. 368. Placina, Balrus, Onuphrius, Laertius Cherubinus, in Martino 4.

**R**EX dilecto consanguineo & fideli suo Edmundo Comiti Cornubie, salutem. Quia quibusdam certis de causis volumus, quod Decima sex annorum nuper a Clero regni nostri in subsidium Terræ Sanctæ concessa, et jam in eodem regno collecta, ad præsens extra idem regnum deferatur. Vobis mandamus, quod ventre faciatis coram vobis omnes Mercatores London. tam de Societatibus quam alios; et eisdem insungatis, et sub periculo amissionis vite et membrorum, et omnium bonorum suorum quæ possident in regno nostro firmiter inhibeatis, ex parte nostra, ne pecuniam de dicta Decima proventientem nullo modo deferant aut deferri faciant seu permittant extra regnum. Et si quos Mercatores aut alios pecuniam Claus. 10 E. 1. m. 4. intus. De Decima extra regnum non deferendi.



An. 10 E. 1. *cuniam de dicta Decima provenientem extra dictum regnum deferre volentes inveniri contigerit, tunc ipsos una cum dicta pecunia arrestari, et salvo custodiri faciatis, donec aliud inde a nobis habueritis in mandatis. Teste Rege apud Hertlebir. 24 die Maii.*

Et mandatum est Majori & Vicecomitibus London. quod inhibeant, &c. Et si quos pecuniam de dicta Decima provenientem extra dictum regnum deferre volentes inveniri contigerit, tunc ipsos arrestari faciant, &c. ut supra.

Item mandatum est Stephano de Pincestre custodi Quinque Portuum, quod in eisdem Portibus explozari faciat, si qui ibidem fuerint qui huiusmodi pecuniam extra dictum regnum deferre voluerint. Et si quis talis inveniri contigerit, eum arrestari et salvo custodiri faciat, &c. Teste ut supra.

What Letters these two Freers brought from this Pope Martin to the King, and their contents, how he received them, and what answer he returned by his own Messengers sent to the Pope concerning the Croysado and general expedition to the Holy Land, this Epistle of the King in answer to the Popes will inform us.

Clasf. 10 E. 1.  
m. 5. dorso.  
Littera directæ  
Papæ super  
Cruce assu-  
menda.

**S**anctissimo in Christo Patri & Domino, Domino M. divina providentia Sacrosanctæ Romanæ ac Universalis Ecclesiæ Summo Pontifici; Edwardus, &c. cum omni reverentia & honore pedum oscula beatorum. Venientes ad presentiam nostram Fratres Garnerius & Ramerius de Florenc. Ordinis Prædicatorum, nobis tunc agentibus versus partes externas regni nostri, Sacrosanctæ Paternitatis vestræ litteras super assumendo salutiferæ Crucis signo, et de consilio nostro de termino passagii generalis et idoneo ab hoc tempore exprimendo, nobis ex parte vestra præsentarunt. Quas non tam lata manu, quam animo prompto recipientes, & ad eas audiendas & intelligendas depositis seorsum ceteris & diversis curis nostris, tota devotione convertimus mentem nostram. Et ex eorundem concepto tenore, quasi cuiusdam nobis lætitiæ roze perfusi, tanto facti sumus amplius consolati, quanto clementiam Apostolicam et Sanctam Romanam Ecclesiam matrem nostram, erga personam nostram quam semper debitam reperiet specialioris prærogativa dilectionis et intimioris affectionis visceribus affectam esse evidentioribus indicis tenor docuit eandem, pro quarum quidem missione gratuita ad pedes Apostolicæ Sanctitatis cum omni humilitate probolbitur, et eidem quantacumque scimus et possumus, non indigne perfolvimus laudum præconia, et sicut deboti filii debota adjicimus munera gratiarum. Ipsos quoque Fratres nuncios vestros quos in eleganti expositione & declaratione commissi sibi nuncii adeo providos & discretos invenimus, quod animum Regium eorum induciva persuasio nimirum confortavit, Regia mansuetudo multimode commendavit, & extollendam ipsorum prudentiam in negotio ipso vehementer acceptavit. Et licet iidem Fratres instanter petierint à nobis quod responsum eis fieri faceremus antiquam versus terram Scotiæ gressus suos dirigerent, pro quo libenter expectasse, vel ad nos a partibus Scotiæ rediisse voluerint; Nos tamen responsum nostrum per nostros vobis fieri volentes ad vestram sanctam præsentiam mittimus nuncios nostros quibus quoad negotium illud aperuimus lucide mentem nostram; & qui certum responsum nostrum vestra pietatis auribus intimabunt. Conserve vos diu Dominus Ecclesia sancta sua. Dat. apud Cestriam 10 die Junii.

The sum of his Embassy and Message to the Pope was, that his Brother the Earl of Cornwall might receive all the monies collected in England for ayd of the Holy Land towards his expedition, whom he intended speedily to send thither, since himself could not yet go in person; to which the Pope at present deferred to give any answer, pressing the King himself to go thither in person, as the Popes Epistle to the King in answer thereunto, hereafter cited, informs us.

The King to ingratiate himself and his Messengers with this New Pope, (whom he had exasperated by stopping the exportation of, and seising the 6. years Dimes) gave order for the payment of the 8. years arrears of the annual Pension, so oft demanded; which having satisfied by several payments, his Agents thereupon required an Acquittance from Pope Martin the 4. who thereupon sent him this discharge, both entered on the Dorset of the Clause Roll of this year.

MARTINUS

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

**M**ARTINUS Episcopus Servus servorum Dei, charissimo in Christo filio Edwardo Regi Angliæ illustri, salutem & Apostolicam benedictionem. Et parte tua fuit propositum coram nobis, ut cum de annuo censu Mille Marcarum Argentii, in quo Ecclesiæ Romanæ teneris pro octennio jam transacto in festo beati Michaelis de mense Septembris tunc currente Anno Domini 1277. terminato, ipsi Romanæ Ecclesiæ fuerit pro parte tua per diversas solutiones integre satisfactum, de satisfactione huiusmodi a sede Apostolica opportunas quietationis literas affectas, petebatur a nobis ut providere tibi in hac parte paterna diligentia curaremus. Nos igitur petitioni tue utpote iustæ benignius annuentes, præsentium tenore fateamur de Censu huiusmodi pro præfato octennio fore præfatæ Romanæ Ecclesiæ satisfactum. Ad tuam tuorumque hæredum cautelam et futuram memoriam præsentibus tibi literas concedentes. Dat. apud Urbem veterem 3. Non. Februarii, Pontificatus nostri Anno primo.

An. 10 E. 1.

Claus. 10 E. 1.  
m. 4. dorso.  
Literæ Papales  
de annuo cen-  
su Mille Mar-  
carum.

Moreover Gifredus de Vezano the Popes Nuncio in England, by his special direction gave and sealed another Instrument in England concerning this money, enrolled with the Popes precedent acquittance.

**U**niversis presentes literas inspecturis Gifredus de Vezano Canonicus Camera-censis Camera Domini Papæ Clericus, Apostolicæ Sedis in Anglia Nuncius salutem in Domino. Noveritis nos literas Apostolicas vera Bulla et integro filo bullatas recepisse in hac verba.

Claus. 10 E. 1.  
m. 4. dorso

**M**ARTINUS Episcopus Servus servorum Dei, Gifredo Camera nostra Clerico salutem, & Apostolicam Benedictionem. Cum super solutione Annui Censui mille marcarum sterlingorum, in quo Charissimus in Christo filius noster Rex Angliæ illustris protriennio præterito, et etiam pro instanti anno in proximo terminando nobis et Ecclesiæ Romanæ teneretur, tibi nostro et ipsius Romanæ Ecclesiæ nomine faciendâ sub certa forma eundem Regem per nostras literas requiramus. Nos de disorcionis tua industria plenariâ confidentes, faciendi eidem Regi, nostro et Ecclesiæ præfatæ nomine refutationem plenariam, de huiusmodi Censu quatuor annorum, postquam de illo tibi nostro et ipsius Ecclesiæ nomine fuerit integre satisfactum, plenam tibi auctoritate præsentium concedimus facultatem. Dat. apud Urbem Veterem 12 Kal. Septembris, Pontificatus nostri Anno primo. Cumque Reverendissimus Princeps Dominus Edwardus Rex Angliæ illustris nomine Sanctissimi patris Domini Martini Summi Pontificis et Romanæ Ecclesiæ pro annuo censu mille Marcarum, in quo idem Rex Summo Pontifici et Ecclesiæ Romanæ teneretur, quatuor milia Marcarum sterlingorum per manus Barontini, Walteri, Richardi Gaudicionis, & Henrici de Podio, de Societate Richardorum de Luka, pro quatuor annis in præmissis Literis Apostolicis comprehensis et terminatis in festo Sancti Michaelis proximo præterito, Currente Anno Domini 1281. persolverit, et recognoscimus et constetamur de ipsis quatuor millibus Marcarum nobis esse præmisso nomine, a dicto Domino Rege per manus dictorum Barontini Richardi et Henrici pro supradictis quatuor annis integre satisfactum. Nos concessisse nobis per easdem literas Apostolicas facultate facimus eidem Domino Regi nomine nostri Summi Pontificis et Romanæ Ecclesiæ refutationem plenariam de huiusmodi Censu prædictorum quatuor annorum, de quibus præfatæ literæ Apostolicæ faciunt mentionem, et qui in dicto festo Sancti Michaelis proximo præterito terminati fuisse noscuntur. In quorum omnium testimonium has literas patentes fecimus, et sigillo nostro munivimus. Et venerabiles patres Domini Godefridus Wygorn. & Willielmus Norwicen. Episcopi, ac Magister Ardicio Primicerius Mediolan. Domini Papæ Capellanus & in Angliæ Nuncius, qui dictas literas Apostolicas viderunt, et recognitioni, ac confessioni, necnon refutationi præmissis interfuerunt sua sigilla præsentibus apponi fecerunt ad maioris roboris firmitatem. Dat. London. 6 Idus Novembris, Anno Domini supradicto.

Et memorandum quod ista dua Litera præcedentes liberata fuerunt Thomæ de Gunneis apud Cestriam die Sabbati prox. ante festum Apostolorum Petri & Pauli, Anno, &c. decimo, per munus Johannis de Langeton in Garderoba Regis Custodiendæ.

Pope



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 1.*

An. 10 E. 1. Pope Martin this year sent this Bull to King Edward the 1. to require his favour to, and protection of the Monks of the Order of *Cluny*, whose piety he highly extolled,

In Turre  
London.

**M**ARTINUS Episcopus Servus servorum Dei, Charissimo in Christo Filio Regi Anglia Illustri, salutem & Apostolicam benedictionem. Libenter Excellentia Regia illa suggerimus quae salutis praevalent, famam ampliant, statum prosperitate communiunt & conservant. Haec, fili charissime, non est dubium, et pietatis operibus provenire; inter quae non est minimum estimandum Religiosos favorabiliter prosequi, praesertim propulsando eorum injurias, et ipsos in suis iuribus defendendo. Quanta vero inter Religiones ceteras *Cluniacensis* Ordo claritate resplendeat, tua Sublimitas non ignorat, propter quod eundem Ordinem Serenitati Regiae, ut id tibi cedat ad salutis praemium eique ad tutaminis proveniat commodum, redemptoris omnium cuius Ordo ipse, obsequiis deputatis intuitu commendamus. Regalem Celatitudinem obsecrantes in Domino, quatenus eundem Ordinem ac professores ipsius ob divinam reverentiam, et Apostolicae sedis ac nostram habens in charitatis visceribus commendatos ipsos in suis opportunitatibus Regii favoris auxilio prosequaris, ut exinde praeter humanae laudis praerogium retributionis aeternae consequaris augmentum. Dat. apud Urbem viteram Kal. Februarii, Pontificatus nostri Anno secundo.

Sir John Lovetot Knight (most likely by the Kings connivance, encouragement) apprehended and imprisoned the *Prætor* and *Treasurer* of the Church of *Lincoln*, for presuming to examine Witnesses in a cause referred to them by the Pope, upon an Appeal and Complaint of the Dean of *Stafford* the Popes Chaplain, touching the Archbishop of *Torkes* refusal to admit him to the Church of *Adelingsflet* to which he was presented by the Countesse of *Gloucester*, the right Patron thereof as was pretended; and suppressing the depositions taken in the cause, which were to be returned by them to the Pope, to the high contempt of his Papal authority, and forcing the Dean to flee out of the Realm and desert the prosecution of his suit, Pope Martin thereupon issued this Bull to the Prior of *Tonbridge*, to cite Sir John to appear in person before him to answer this high contempt by a certain day within two moneths, (which Bull I found in the *White Tower*) worthy observation, wherein these proceedings are recorded.

In Turre  
London.

**M**ARTINUS Episcopus Servus servorum Dei, dilecto filio Priori de *Tonebrigge*, *Rossen*, *Dioec.* salutem, & Apostolicam benedictionem. Gravem recepimus dilecti filii Bogonis de *Clara Decani Ecclesia de Stafford*, *Coventren*, *Dioec.* Capellani nostri querelam; quod cum dudum in causa, qua inter ipsum & bona memoria Walterum Archiepiscopum *Eboracen.* super eo, quod idem Archiepiscopus dictam Bogonem ad vacantem Ecclesiam de *Adelingsflet Eboracen.* *Dioec.* (ad quam idem Bogo à dilecta in Christo filia nobili muliere Comitissa *Gloucestriz* uxore patrona ipsius Ecclesia fuerat canonicè presentatus) admittere contra iustitiam denegaverat; betteratur ad sedem Apostolicam delata legitime post diversos auditores a sede ipsa in causa deputatos, (eadem lite coram eorum aliquo legitime contestata) demum receptio & examinatio testium à dicto Capellano nostro producendorum ad causam praefatam pertinentium, dilectis filiis Decano, *Præcentori* & *Thesaurario Ecclesiae Lincolnien.* de assensu procuratorum utriusque partis in forma solita, per literas sedis eiusdem commissæ fuissent; tandem Johannes Lovetot *Miles Londonen.* *Dioec.* intanta temeritatis excessum prorupit, quod Decani, *Præcentoris*, et *Thesaurarii* jurisdictionem, immo potius Apostolicam in hac parte satagens nequiter impedire, *Præcentorem* et *Thesaurarium* prælibatos pro eo, quod ad receptionem et examinationem quorundam de huiusmodi testibus (dicto Decano *Lincolnien.* se super hoc excusante) processerant, et processum super hoc per eos habitum, quem ob timorem illius nondum persequerant, transmittendum ad sedem Apostolicam sigillis propriis consignarunt, per *Willelmum de Saham Clericum*, *Johannem de Vallibus*, et *Rogerum dictum Loveday Milites* illarum partium, ausu sacrilego capi fecit, et carcerali custodia aliquandiu detineri; sicque dictus Capellanus noster propter hoc simili terrore perterritus, fuit exire totum regnum Angliae, ac desistere saltem ad tempus a prosecutione.

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secutione causæ hujusmodi, non sine gravi prædictæ Sedis injuria et offensa Justitiæ manifesta, coactus. Quare pro parte ipsius humiliter petebat à nobis, ut prohibere super hoc paterna sollicitudine curaremus. Re igitur tantæ præsumptionis excessus sic remaneat impunitus, aliis in similibus malignari delectantibus transeat in perniciosum exemplum, Nos eum conniventibus oculis pertransire nolentes, discretioni tuæ per apostolica scripta mandamus, quatenus si per ea, quæ ad te fama vel alio modo jam pervenerunt, vel de novo pervenient, aut per non solemnem indaginem sed per fidelem pervenerunt, de prædictis seu prædictorum excessum consideratis circumstantiis tibi secundum Deum videbitur, prædictum Johannem coram nobis personaliter ob præmissa fore citandum, memoratum Johannem ex parte nostra peremptorie citare procures, ut infra duos menses post citationem suam compareat personaliter coram nobis super præmissis et ea contingentibus, recepturus pro meritis et facturus alias quod Justitia sua debet. Diem vero Citationis per te faciendæ, ac formam, et quicquid de prædictis duxeris faciendum, per tuas literas harum seriem continentes nobis fideliter intimare procures. Dat. apud Urbem veterem 11 Kal. Junii, Pontificatus nostri anno secundo.

Nota.

What the Prior did thereupon I finde not in History or Record, such Citations out of the Realm, being against the privileges of the King and Subjects, and little done upon them.

The same year (as <sup>a</sup> Matthew Westminster, <sup>b</sup> Thomas Walsingham, and <sup>c</sup> others stori- a Flores Hist. Anno 1281. p. 371. b Hist. Angl. An. 1283 p. 10. c Polvd. Virgilus Hist. Angl. 1 r. p. 329. General History of Spaine, p. 411. 412, 419, 420. 421.

ry) Petrus Rex Arragoniæ vindicans Regnum Siciliæ (which Popes claimed as the Churches and St. Peters patrimony) jure hereditario uxoris suæ, subito cum navigio Regnum Siciliæ ingressus, Carolum Regem expulit de eodem (whom the Pope had intruded into it) die Ascensionis Domini, de suis ex insperato multis millibus interfecit; (or as others, circiter vespere Gallos omnes ad unum interfecerunt; unde adagium Uesper Siculus.) Rex Arragonum prædicta Regna Apuliæ, Calabriæ & Siciliæ pro suis heredibus jure hereditario vendicavit, eo quod filiam Manfredi de prædictis regnis per Romanam Ecclesiam spoliati, duxerat in uxorem. Carolus in Franciam fugiens, à Rege Nepote suo pro recuperando regno subsidium impetravit. Papa vero Martinus in Petrum prædictum, et omnes ei fidentes, vel ipsum Regem appellantes, excommunicationis tulit sententiam, regno Arragoniæ eum priuans, et confirmans illud Carolo filio Regis Francorum. Petrus vero de Arragonia, missis à Regno Siciliæ nunciis, petiuit, ut quadraginta tantum militibus ad plana Burdegaliæ secum tot tantum habente milites, dimicationis veniat ad diem certum, sub certa pena se ad hoc obligandum, tamen Carolus modo se simili obligavit, ut cui in hoc conspectu cessisset victoria, ille sine contradictione regno Siciliæ potiretur. Non obstantibus igitur inhibitionibus Apostolicis, conduxerunt præfati Reges, quod pro jure utrorumque ducenti milites dimicarent in planitie juxta Burdegaliæ, duorum partibus assignantes; Quo die adveniente evanuit conductum prædictorum, quia Rex Carolus cum centum millibus occurrit Regi Arragonum, cum centum tantum militibus venienti: Trusting more to his Army, then to the Popes or Church of Romes Title, Benediction; or excommunication; then little valued, and much contemned by his adversary King Peter. The Pope upon this occasion, when St. Peters sword would not prevail against Peter, sent this Bull to King Edward the 1. (the original whereof I found in the White Tower, and there rescued with sundry others from oblivion) lamenting these Warrs between these Princes, and likewise between <sup>d</sup> Alphonso King of Castile, his Sonnes and Nobles, (whereof he and his prædecessors were the original authors) and craving his assistance to pacifie the differences between them, for the preservation of the Churches Liberties, and preventing the losse of souls, as being most able to effect it.

**MARTINUS** Episcopus Servus servorum Dei, Charissimo in Christo filio Regi Angliæ illustri salutem, & Apostolicam benedictionem. Insurgens fre- In Turre London. don. mitus tempestatis quæ Castella ac Legionis, Tolletti, Gallecia, Silicia, Corduba, Murcia atque Gebennæ regna concutit, fratrem in fratrem provocat, filios armat in patrem, subditos in Dominum erigit, vastitati bona, stragi corpora & animas, quod amarius deploramus dispendio salutis exponit, in nostram noticiam diversarum literarum, & famæ præviæ nunciatione deductas, ubi primum auribus nostris insonuit horrorem ingessit, auditui paternum amaricavit animum, & in eo multæ com- passionis

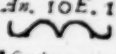


*An. 10 E. 1.* passionis spiritum excitavit. Quis enim absque amaricatione recenscat inter tanta sibi necessitate conjunctos jura sanguinis violari? Quis animo non amaro consideret filios ante diem non tam in patrios annos inquirere; quam finem illorum iniquis aggressibus maturare? Patrem commotum etiam filialis persecutionis injuria in natos arma gerere, ac in eos cogi saltem per defensionis remedium deservire? Quis amare non ferat germanos odium se imperere mutuis, & maxime beneficiorum liberalitate præventum in benefactorem insurgere? illius non solum humiliationem, sed sicut fert gravis infamia, dejectionem extremam querere, apertisque conatibus procurare? Quis non horret subditorum audaciam fidelitatis scedere violato eretam in Dominum, et ad subversionem Regalis solii aspirare? (And have not many Popes not only not abhorred, but encouraged, yea enjoined it, and this Pope himself in the case of King Peter?) Habet enim communis famæ relatio; quod dilecti filii, Nobiles viri, *Sanctissimi* aliiq; charissimi in Christo filii nostri *A. Regis Castella*, ac *Legionis* illustris nati, *Emanuel Germanus*, necnon subditi Regis ejusdem in eum subito insurgentes, et aspirantes ad totalem exheredationem ipsius, officiales quos idem Rex instituerat in suis regnis et terris penitus amovere, instituere alios, et omnia sibi regalia jura subtrahere præsumpserint, eundemque Regem nullum Dominum, nullamque potestatem in prædictis suis regnis et terris habere permittant. Venerabiles quoque fratres nostri Archiepiscopi, Episcopi, et dilecti filii *Cleti Abbates et Priores*, et universi et singuli Ecclesiarum *Prelati*, ac *Prior Hospitalis Jerosolimitan*, et *Magistri Templi Sancti*, *Jacobi Calatranen*, et *Alcanturæ Militiarum*, ac *Capitula et Conventus*, necnon *Nobiles viri Comites, Barones*, et alii tam *Clerici* quam *Laici* per eadem regna constituti, vel eorum aliqui dicuntur fidelitatis debitum quo ipsi Regi tenentur, violasse. (And have not Popes themselves frequently done the like, and stirred up Archbishops, Bishops, Abbots, &c. to do the same against sundry Christian Emperors and Kings?) Hæc dum paterno pensamus affectu, licet tam ad oppressum quam ad opprimentes compassione multimodè moveamur in dicto Rege, tanquam in per dilecto Ecclesiæ filio, tam gravis oppressionis opprobrium, in opprimentibus vero propriæ salutis obvius abominantes excessus: eidem tamen Regi tanto singulariori caritate compatimur quanto specialius ei vulgaris afflittæ opinio, eumque communitèr prædicat nimis temerarie, nimis inique grabari. Cum itaque ad remedium in his si consonent facta relatiis, celeriter adhibendum propter vitanda præcipue animarum pericula, intensis desideriis intendamus recurrendum, deliberavimus ad excessum, qui super regnum hominum dominatur, in \*cujus manu sunt omnium potestates & jura regnorum, & apud ipsum humilibus supplicationibus insistendum, ut benignius eisdem Regem, natos, Germanum ipsius regna eadem, incolas respiciat, eorundem ab illis dissensiones amoveat, dissidentium corda in concordia unitate conciliet, eis tranquillitatem tribuat, ipsosque in illius soliditate consolidet, & confirmet, thronum regalem corroboret, qui sic utiliter præsit ut prosit, ejus regimen sic regat ut dirigat, & cedat subditis ad salutem perpetuam quietem et pacem; Nobisque ipse ejus providentia in sui dispositione non fallitur, modos & vias aperiat per quos hæc ut (in votis gerimus) efficaciter promovere possimus. Quia vero non minoris est meriti contra insidias antiqui hostis exurgere, ne à devotione Dei & universalis Ecclesiæ populos Christianos avertat quam insistere convertendis, Serenitatem Regiam exhortamur, quatenus pensatis prudenter quam sit perniciosum exemplum quod in prædictis regnis nostritur contigisse, ac clementer attendens quantum Regiam magnitudinem deceat Regi prædicto in tantæ perplexitatis articulo efficaci adesse præsidio, ad prosperum & tranquillum ipsius & regnorum & eorundem statum, prout honori tuo congruere ac alias expedire putaveris, magnitudinem tuæ provisionis apponas. Ita quod per tuæ studii providentiæ salutaris, Ecclesiastica Libertas, quæ occasione hujusmodi discordiæ in illis partibus infringi posset, illa servetur, præfatis regnis pax & tranquillitas, ut desideramus, adveniat, animarum pericula evitantur, ac tibi exinde laudis titulus apud homines, & meritorum accrescat cumulus apud Deum. Dat. apud *Urbem veterem* v. Idus *Augusti*, Pontificatus nostri anno tertio.

\* Therefore not in Popes, by his own resolution, who yet presumed to dispose of the kingdoms of Sicily, Aragon, &c. others.

\* Hist. Angliz Anno 1282. viz. 10 E. 1. (as \* Thomas Walsingham stories) Cantuariensis Archiepiscopus profectus in Snowdoniam, Principem Walliz (against the King's will,

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as he protested) & Germanum suum faceret ad pacem reducere; sed frustratus An. 10 E. 1. regressus ad Angliam, Excommunicationis in ipsos sententiam fulminavit.  Whereof \* Sir Henry Spelman out of Pechams own Register renders us this particular account.

Processus Domini Johannis Dei gratia Cantuariensis Archiepiscopi, habitus in partibus Wallie.

Isti sunt Articuli intimati Domino L. Principi Wallie, & populo ejusdem loci, ex parte Domini Archiepiscopi supradicti.

Primo, quia propter salutem eorum spirituales & temporales ad partes istas venimus, quos semper dileximus usque modo, sicut plures eorum noverunt.

Secundo, quia venimus contra Domini Regis voluntatem, cui etiam adventas noster dicitur plurimum displicere.

Tertio, quia rogamus eos, & supplicamus eis pro sanguine Jesu Christi, quatenus venire velint ad unitatem cum gente Anglorum, & ad pacem Domini Regis, quam eis intendimus, quanto melius poterimus procurare.

Quarto, volumus eos scire, quod in his partibus Domini non poterimus remanere.

Quinto, volumus eos attendere, quod post recessum nostrum non invenient forsitan aliquem, qui ita velit sua amplecti negotia promovenda, qui vellemus, si placeret Altissimo, vitam nostram temporalem ipsorum pacem honestam & stabilem perpetuo procurasse.

Sexto, quia si nostras partes spreverint & labores, statim intendimus eorum perturbationem scribere Summo Pontifici, et Curie Romanæ propter peccata mortalia, quæ multiplicanter occasione discordie omni die.

Septimo, noverint quod nisi citius ad pacem venerint, aggravabitur eis Bellum, quod non poterunt sustinere, quia crescit Regia potentia omni die.

Octavo, noverint quod regnum Angliæ est sub speciali protectione Sedis Apostolicæ, et quod Romana Curia plus inter regna cetera diligere consuevit.

Nono, quod eadem Curia nullo modo volet permittere statum regni Angliæ vacillare, quod sibi specialibus obsequiis est devotum.

Decimo, amarissime plangimus hoc, quod dicitur, Wallenses crudeliores existere Saracenis; quia cum Saraceni capiunt Christianos, eos servant pecuniâ redimendos; quos Wallenses captos dicuntur illico jugulare, quia solo sanguine delectentur; immo quod est deterius, quos permittunt redimi, tradunt, ut dicuntur, jugulandos.

Undecimo, quod cum consueverunt, Deum & personas Ecclesiasticas revereri, a devotione hujusmodi videntur multipliciter recessisse, qui in tempore sanctissimo in reditionem injuriam moverunt seditionem, homicidia perpetrantes, in quo eos nullus poterit excusare.

Duodecimo, petimus, ut tanquam veri Christiani ad cor redeant penitentes, quia captam discordiam non possent diu continuare, etiamsi jurassent.

Tertiodecimo, petimus, ut nobis significant, quibus modis velint & valeant turbationem pacis Regiæ, lesionem Reipublicæ, & alia mala emendare.

Quartodecimo, ut significant nobis, qualiter valeat ipsa concordia stabiliri; frustra enim pax firmari videbitur, qua tam assidue violatur.

Quintodecimo, ut si dicunt leges suas vel fœdera ex pacto inita non servari, ut significant qua sint illa.

Sextodecimo, noverint, quod etiam posito quod eis derogatum fuisset, quod noscimus nullo modo licebat eis, quia essent Judices in causa sua, taliter Majestatem Regiam impugnare.

Septimodecimo, quod nisi modo pax fiat, procedatur contra eos forsitan ex decretis militum Sacerdotis et populi convocati.

Responsiones Lewelini Principis ad Articulos supradictos.

Reverendissimo Patri in Domino J. Dei gratia Cantuar. Archiepiscopo, totius Angliæ Primati, suus humilis & devotus filius L. Princeps Wallie, Dominus Snaudonix, salutem & filialem dilectionem, cum omnimoda reverentia, subjectione, & honore. Sancta Paternitati vestra pro labore vobis quasi intolerabile, quem assumpsistis ad presens; pro dilectione, quam erga nos & nostram nationem geritis, omni qua possumus devotione re-



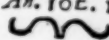
**W** An. 10 E. 1. gratiantes vobis assurgimus; & eò amplius, quod contra Domini Regis voluntatem venistis, prout nobis intimastis. Caterum quod nos rogastis, ut ad pacem Domini Regis veniamus; scire debet vestra sanctitas, quod ad hoc prompti sumus, dummodo idem Dominus Rex pacem debitam & veram nobis & nostris velit observare. Ad hac licet gauderemus de mora vestra facienda in Wallia, tamen per nos non eritis impediti, quin pax fiat quantum in nobis est, quamoptamus per vestram industriam magis quam alicujus alterius roborari; & speramus, nec per Dei gratiam erit opportunum propter nostram pertinaciam aliquid scribere Domino Papæ; nec vestras paternas preces ac graves labores spernemus, sed eas amplectimur omni cordis affectu, ut tenemur; nec erit opus quod Dominus Rex aggravet contra nos manum, cum prompti sumus sibi obedire, juribus nostris & legibus nobis, ut pramittatur, reservatis. Et licet regnum Angliæ sit Curia Romanæ specialiter subiectum et dilectum, tamen cum Dominus Papa, necnon et Curia Romana audierint quanta nobis per Anglicos mala sunt illata, videlicet, quod pax prius formata non sit nobis servata nec ——— deinde Ecclesiæ harum debastationes, combustiones, et Ecclesiasticarum interfectiones, Sacerdotum videlicet et Inchozorum, et Inchozarum, et aliarum Religiosarum personarum passim mulierum et infantium fugientium ubera, et in ——— postiarum combustiones etiam Hospitalium et aliarum Domozum Religiosarum, homicidio in Cimiteriis, Ecclesiis, et super Altaria, et alioz sacrilegiorum et flagitiorum auditu, etiam horribilium auditu Paganorum, sicut expressius eadem in aliis rotulis conscripta vobis transmittamus inspicienda. Speramus imprimis, quod vestra pia & sancta Paternitas clementer nobis compatietur, necnon & Curia supradicta: nec per nos Regnum Angliæ vacillabit, dum ut pramissum est pax debita nobis fiat & servetur. Qui vero sanguinis effusione delictantur, manifestum est ex factis; nam Anglici hactenus nulli sexui vel aetati, seu langore pepercerunt, nulli Ecclesiæ vel loco sacro detulerunt, qualia vel consimilia ——— non fecerunt. Super eo autem ——— unus redemptus fuit ——— multum dolemus, nec occisorem manutinemus, sed in sylvis uti latro vagatur. De eo vero quod inceperunt ——— aliqui in tempore indebitum illud ignoravimus ——— sanctum; & tamen ipsi asserunt, quod in eo tempore hoc fecissent mores & captiones eis imminere, nec audebant in domibus residere, nec nisi armati incedere, & sibi ——— tali tempore id fecerunt. De eis vero quæ fecimus contra Dominum, ut veri Christiani per Dei gratiam penitebimus, nec erit ex parte nostra quod Bellum continuetur, dum finis indempnes, ut debemus, ne tamen exheredemur & passim occidamur, oportet nos defendere, ut valamus. Cum vero injuria & dampna hinc inde considerentur & ponderentur, parati sumus emendare pro viribus quæ ex parte nostra sunt commissa, dum de prædictis injuriis & dampnis nobis factis & aliis emenda nobis fiat. Et ad pacem firmandam & stabilendam similiter sumus prompti debitis modis, quia tamen Regales Carta & pacta inita nobis non servantur, sicut nec hucusque sunt observata, non potest pax stabiliri, nec quia nova exactiones & inaudita contra nos & nostros omni die adveniuntur, vobis autem transmissa in rotulis dampna illata & fœdera nisi quod secundum factum pacis ——— factam. Quod vero guerravimus, quia necessitas nos cogebat, nam nos & omnes Wallenses eramus adeo oppressi & subpeditati & spoliati, & in servitutem redacti per Regales Justiciarios & Ballivos contra formam pacis & omnem justitiam amplius quam si Saraceni essemus vel Judæi (sicut credimus, et sæpe denuntiabimus Domino Regi) nec aliquam emendam habere potuimus, sed semper mittebantur Justiciarii & Ballivi feroces & crudeliores, & cum illi erant saturati per suas injustas exactiones, alii de novo mittebantur ad populum excoriantum, in tantum quod populus mallebat mori quam vivere; hac oportet militiam ampliorem convocare, vel contra nos moveri ——— dum nobis fiat pax & servetur modis debitis, ut superius est expressum; nec debetis, Sancta Pater, omnibus verbis credere nostrorum Adversariorum, sicut enim nos factis oppresserunt & opprimunt, ita & verbis diffamant vobis impotentes ——— volunt, ipsi enim sæpe vobis sunt presentes, & nos absentes, nisi opprimentes, nos oppressi & ——— fidem eis in omnibus non exhibeatis, sed ista potius examinetis. Valeat Sanctitas vestra ad regimen Ecclesiæ per tempora longa.

\* Antiq Ecclef.  
Brk. p. 198.

\* Matthew Parker addes hereto; Johannes in Cambriam, ut sedaret tumultum, Rege ipso (ut asseruit) infecto, secessit. Hoc bellum à Leolino Griffini filio Walliæ Principe, frater suo David instigante, necnon ariolis quibusdam Cambrensibus, quæ Principi suarunt jamjam fere ut Bruti diademate (prout Merlinus quondam vaticina-

na'nt

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natus est) insigniretur, totamque Britannia Insulam solum regeret, susceptum est. An. 10 E. 1.  Et si Leolinus ejusque frater David scriptis ad Johannem Cant. cum in Cambriam venisset literis, affirmant se arma sumere, quod contra iura fœdera Regii Justiciarii & Ballivi Cambros injuriis non tolerandis toties affecissent, ut mori & in asie perire malint, quam vitam in servitute atque tyrannide molestam ducere. Itaque cum Johannes de pace concilianda in Snowdonia, Cambria provincia, diu sed frustra tractavisset, in Angliam rediit, Excommunicationisque sententiam Oxonii (ut in Bonifacio ante diximus) in pacis Regia excommunicatione latam contra Leolinum & Davidem eorumque milites promulgavit. Sed antequam in Cambriam pedem intulisset, veritus ne vi retineretur, nec redire facile cum vellet posset, R. Burnell Bathoniensem Episcopum, quem (ut ante diximus) Cantuarienses Monachi in Archiepiscopum postularunt, Vicarium suum & Administratorem sua provincia generalem constituit. Et ut Cambros aliquo merito devinceret, multos ex ea provincia Clericos indoctos egentes atque peregrinos novo superstitionis modo instituto, in Angliam misit. Codices enim Evangeliorum ornatè & curiosè in membranis ligatos singulis dedit, his qui inscitia literarum pronunciare aliquid ex illis non poterant, ut saltem quarundam instar reliquiarum manibus gestarent populoque ostenderent, precepit. Tum literas ad multos dedit, in quibus rogavit, ut hos Cambrenses Clericos Evangelium non ore proferentes, sed digitis bajulantes reciperent, & ad elemosynas recipiendas circumire permitterent. Illi itaque Codices Evangelii scripti circumducentes, eos insano & amenti sine doctrina vulgo non sine admiratione & stupore idioma suo Evangelion, Evangelion clamantes, ostendebant. Qua superstitione Angliæ delusa plebs, ignaros & ignotos homines multis donis affecit.

This Excommunication denounced by the Archbishop against the Rebellious Welsh and their Complices who disturbed the peace of the Realm, I finde was made by the Kings Sovereign Ecclesiastical power, and Patent sent to the Archbishop, and likewise to the Archbishops of York and Dublin for that end, thus recorded to posterity.

REX Archiepiscopo Cantuariensi totius Angliæ Primati, salutem. Cum nonnulli malefactores Wallenses & alii complices & fautores sui, tranquillitati & paci regni nostri invidentes, turbationem quandam in terra nostra Wallia suscitantes pariter & moventes, ibidem depredationes, homicidia, incendia, & alia enormia quamplurima perpetrarint, contra pacem nostram, & de die in diem callidis machinationibus studeant nobis & hominibus fidei nostræ adherentibus majora damna & pericula pro viribus perpetrare. Nos maliciam & rebellionem hujusmodi malefactorum, quos in Canonem latæ sententiæ ipsos facti incidisse (constat) volentes reprimi ut tenemur, paternitatem vestram quam in punitione hujusmodi malefactorum per Claves Ecclesiasticas faciendâ esse nobis plurimum circumspectam, assidue requirimus et rogamus, ad maliciam et rebellionem ipsorum celeriter reprimendam, si placet, curam et sollicitudinem prout omnes prædecessores vestri fecerunt retrolapsis temporibus, favorabiliter adhibentes; Universis et singulis Suffraganeis vestris de his, nostri intuitu, secundum quod vestra discretio tranquillitati et paci incolarum regni nostri magis expedire viderit in mandatis, ut ipsi omnes hujusmodi perturbatores pacis, et eorum conspiratores, complices et fautores, ac omnes assensum, consensum, consilium vel auxilium clam vel palam eisdem præbentes in præmissis, per singulas Dioceses suas publice et solemniter denunciari faciant Excommunicatos: Speramus enim quod rebellio et malitia ipsorum, mediante subamine Gladii Spiritus sancti, qui in hujusmodi casu subare divino scitur brachiumulare, facilius reprimetur. Teste Rege apud Devisi 28 die Martii, anno, &c. decimo.

Consimiles literæ diriguntur Archiepiscopis Ebor. & Dublin. Teste ut supra.

The King likewise to preserve the Peace of the Realm, and furnish himself with monies to subdue the Rebellious \* Welshmen, summoned all the Prelates, Nobles and others who held of him by Knights Service, to assist him with their Horse and Armes against the Welshmen; and writ to the Bishop of Ely to secure the Peace of that Isle during his absence in Wales, and gave Commission to swear all the Inhabitants thereof to keep his Peace; and to all the Archbishops and Bishops to hasten the collection

\* See Mat. Westm. & Walsingham Anno 1282. Henry de Knyghton de Event. Angliæ l. 3. c. 1. Mar. Parker Antiq. Eccles. Brit. p. 199. Polydor Virgil Angl. Hist. l. 17. p. 323, 324. Holinshed, Graf-ton, Speed, Stow, Daniel, in 10 Edw. 1.



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*An. 10 E. 1.* collection and payment of the Quindisme then granted to him by them for that War, as *Romulus Wallia Anno 10 E. 1.* thus at large records.

Rot. Wallie  
10 E. 1. m. 7.  
dorlo.

**R**EX Venerabili in Christo Patri *J. eadem gratia Archiepiscopo Cantuar.* totius *Anglia* Primate, salutem. Quia *Wallenses* malefactores, & complices, ac fautores sui Rebelles nostri, paci & tranquillitati regni nostri invidentes, nuper quosdam de fidelibus nostris subito & seditiose interfecerunt, & quosdam ceperunt, & in prisiona detinent, & guerram in terra nostra *Wallia* commoverunt; ac depredationes, homicidia, incendia, & alia enormia per plurima contra pacem nostram in partibus illis nequiter perpetrarunt, ac terras nostras & fidelium nostrorum ibidem de die in diem invadunt, & dampna gravia perpetrare non formidant, per quod jam exercitum nostrum summoneri fecimus, quod sit apud *Rechelan.* die Dominica crastino in festo *Petri* ad vincula proximo futuram, ad malitiam & rebellionem dictorum malefactorum & complicum suorum reprimendam. Vobis mandamus, quod dictis die et loco habeatis serbicum vestrum nobis debitum paratum ad proficiscend. nobiscum exinde in expeditionem nostram contra predictos *Wallenses* malefactores et complices suos Rebelles nostros. Et hoc nullo modo omitatis. Teste Rege apud *Wygorn.* 20 die *Maii.*

Sub eadem forma mandatum est Archiepiscopo *Ebor. R. Dunelm.* Episcopo, *R. Carleol. J. Rossen. R. London. R. Coudoir. & Lichf. G. Lincoln. R. Cicestr. R. Sarum. R. Bathon. & Wellen. P. Exon. W. Landaven. T. Hereford. G. Wigorn. W. Norwic. H. Elien. H. Mentuen. & Assaven.*

Sub eadem forma mandatum est subscriptis Abbatibus, quod habeant, &c. viz. Abbat de *Thorneye.* Abbat Sancti *Augustini Cantuar.* Abbat Sancti *Albani.* Abbat Sancti *Edmundi.* Abbat *Wesimon.* Abbat de *Cercetes.* Abbat *Glaston.* Abbat de *Hyda Winton.* Abbat de *Abboteshyr.* Abbat de *Winchcombe.* Abbat de *Shereburn.* Abbat de *Perfhe.* Abbat de *Evesham.* Abbat Sancti *Benedicti de Hulm.* Abbat Sancti *Petri de Glouc.* Abbat de *Malmesbyr.* Abbat de *Michelney.* Abbat de *Abbandan.* Abbat de *Corn.* Prior de *Coventr.* Abbatiss de *Wilton.* Abbatiss Sancte *Maria Winton.* Abbatiss *Shafton.* Abbatiss de *Berking.*

I pretermitt the summons to the Temporal Lords, Knights, and others.

Rot. Wallie  
10 E. 1. m. 9.  
De Insula Eli-  
ens. munienda,  
&c.

**R**EX omnibus Ballivis, &c. Cum ob regni nostri securitatem mandaverimus venerabili Patri *H. Elien.* Episcopo, quod Insulam de *Ely* muniri & salvo custodiri faciat, ne nostri æmuli & malivoli (quicunque fuerint) Insulam illam ingrediantur clam aut potenter, ad pacem nostram in aliquo perturbendam; ob hoc expediat ut de ipsis, qui infra libertatem dicti Episcopi moram faciunt, securitas habeatur de pace nostra in eisdem partibus plenius observanda: Dedimus potestatem dilecto nobis *Hugoni de Cressingham,* recipere Sacramentum omnium illorum, qui infra dictam libertatem commorantur, de eo, quod in omnibus diligenter et fideliter se habebunt in his quæ ad conservationem pacis nostræ in Insula predicta pertinent. Et ideo vobis mandamus, quod eidem *Hugoni* in hiis, quæ ad hujusmodi Sacramentum recipiendum pertinent, intendentes sitis & respondentes. In cujus, &c. duratur, usque ad Quindenam Sancti *Michaelis* proximo futuram, nisi aliud interim duxerimus inde ordinandam. Teste Rege apud *Glouc.* primo die *Maii.*

\* Tho. Wal-  
singham Ypo-  
digm. Neustr.  
An. 1281. p. 70  
Mat. Westm.  
p. 370.  
Clauſ. 10 E. 1.  
m. 7. dorlo.  
De Quintade-  
cima colligen-  
da.

\* His diebus Clerici & populus primo Quintam Decimam, & postmodum Trice-  
mam bonorum suorum Regi Angliæ concesserunt, to conquer the *Welsh-men*; here-  
upon the King issued these Writs to the Archbishop of *Canterbury* and others for  
the speedy collection thereof, and to Sheriffs to assist them therein.

**R**EX venerabili in Christo patri *J. Cantuar.* Archiepiscopo, totius *Anglia* Pri-  
mati, salutem. Quia volumus quod Quintamdecimam nobis concessam de bo-  
nis Clerici in provinciâ vestrâ colligatur, nos de circumspectione & gratitudine ve-  
stra confidentes; Paternitatem vestram requirimus et regamus, quatinus provi-  
deri facias de aliquibus viris fidelibus & discretis, qui Quintamdecimam illam in ve-  
stra Diocesi ad opus nostrum colligere, adunare, & in tuto loco deponere possint  
custodiendam, donec aliud inde præceperimus. Ita quod Nos in proximo Parlia-  
mento nostro de summa Quintadecimæ illius in dicta vestra Diocesi nos distinctè &  
aperiè

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aperte reddere possitis certiores. Mandamus autem Vicecomiti nostro *Cantuar. An. 10 E. 1.* per breve nostrum (quod vobis mittimus consignatum, & cujus Transcriptum vobis mittimus presentibus interclusum) quod si aliquos Quintadecimam illam solvere nolentes, vel ad hoc difficiles se reddentes, inveniri contigerit, tunc vobis ad Quintadecimam illam in dicta Diocesi levandam, auxiliatus sit et consulens iuxta tenorem brevis ejusdem, quod ei, si necesse fuerit & expedire videritis, transmittetis, & prout vos habere curetis in hac parte, quod nobis exinde grates referre teneamur. Teste Rege apud *Cirencestr.* 27. die *Januarii*.

Consimiles literæ diriguntur singulis Episcopis per totam provinciam ejusdem Archiepiscopi. Teste ut supra.

Et mandatum est singulis Vicecomitibus singularum Diocesum Archiepiscopus prædicti, quod eisdem Episcopis ad præmissa facienda, prout iidem Episcopi eis scire faciant ex parte Regis, si necesse fuerit, consulentes sint et auxilantes. Teste Rege ut supra.

After which the King marching with his Army towards *Wales*, issued other Writs to the Bishops and Collectors, to carry the Quindism to several places.

**R**EX venerabili in Christo Patri *P. Exon.* Episcopo salutem. Cum nuper vos rogaverimus, quod de aliquibus hominibus vestris, de quibus consideretis, qui pecuniam proveniente de quintadecima nobis à Clero concessa in vestro Diocesi prædicta, una cum collectoribus ejusdem Quintadecimæ, vel deputandis ab eis conducerent usque *London.* liberandam ibidem Societati Mercatorum nostrorum de *Luk*, sicut *Elyas Tolosan.* Clericus noster, quem ad vos ea occasione specialiter transmisi- mus, vos rogaret ex parte nostra; & jam intellexerimus, quod pecunia illa (licet ut credimus sit collecta) usque *London.* nondum transmissa est, de quo quamplurimum admiramur; Paternitatem vestram requirimus et rogamus, quatenus dictam pecuniam & arreragia ejusdem sine ulteriori dilatione per aliquos de hominibus vestris, una cum collectoribus prædictis quibus similiter super hoc scripsimus, vel saltem per unum ex eis usque *London.* conduci facias per visum & testimonium dicti Clerici nostri, quem ad vos ob hoc mittimus iterato, Mercatoribus prædictis ibidem liberandam, ut prædictum est. Et hoc sicut de vobis confidimus nullo modo omittatis. Mandavimus autem Collectoribus prædictis, quod pecuniam illam sumptibus nostris & per visum ejusdem Clerici, ibidem faciant cariari. Teste Rege apud *Rotheland.* xviii die *Octobris*.

Consimiles literæ diriguntur *J. Cantuar.* Archiepiscopo, vel ejus Offic. *R. Batbon.* & *Willel.* Episcopo, vel ejus Offic. *R. London* Episcopo, *R. Sarum* Episcopo, *J. Ross.* Episcopo.

**R**EX Collectoribus Quintadecimæ in Archiepiscopatu *Cantuar.* salutem. Memi- *Ibidem.* nimus nos alias vos rogasse, quod Quintadecimam nobis à Clero concessam in Archiepiscopatu prædicto colligi & adunari, & usque *London.* sumptibus nostris cariari faceretis, ibidem liberandam Societati Mercatorum nostrorum de *Luk*, per visum & testimonium *Elyas Tolosan.* Clerici nostri, quem ad vos ea occasione specialiter transmisimus illa vice. Verum quia pecuniam illam *London.* (ut prædictum est) nondum cariari fecistis, (de quo miramur) prædictum Clericum nostrum ad vos iterato duximus transmittendum. Nos rogantes, sicut alias rogavimus, quod omnia arreragia ejusdem Quintadecimæ sine ulteriori dilatione *London.* cariari faciat in formâ prædictâ, prout dictus Clericus noster vobis scire fac. ex parte nostra. Et hoc nullo modo omittatis. Rogamus autem loci Diocesanum, quod vobis ad hoc salvum & securum Conductum habere faciat, & quod hoc sicut de eo confidimus non omittat. Mandavimus etiam Mercatoribus nostris prædictis, quod literas suas patentes vobis fieri faciant summam receptionis dictæ pecuniæ testificantes. Teste Rege ut supra.

Consimiles literæ diriguntur Collectoribus Quintadecimæ in Episcopatibus prædictis.

**R**EX Episcopo *Cicestr.* salutem. Pluries vos rogasse meminimus, quod totam *Ibidem.* pecuniam proveniente de Quintadecima in Diocesi vestra per Collectores vestros



*An. 10 E. 1.* vestros ejusdem Quintadecimæ usque *London.* carari faceretis, ibidem *Bonromeno* & sociis suis Mercatoribus de *Luk.* liberandam, & quod conductum eisdem Collectoribus habere faceretis, prout dilectus Clericus noster *Elyas Tolefan.* quem tunc ea occasione ad vos misimus, vobis diceret ex parte nostra. Et quia Collectores prædicti quasdam excusationes minus sufficientes prætendentes, pecuniam illam usque locum prædictum carari distulerunt, in nostri dampnum manifestum; Paternitatem vestram iteratò attentè requirimus et rogamus, quatenus Collectoribus prædictis præcipiatis, quod pecuniam illam sumptibus nostris usque *London.* duci faciant cum omni festinatione, prout præfatus Clericus eis dicit ex parte nostra, ita quod dampnum inde ulterius non incurramus. Teste Rege ut supra.

Ibidem.

**R**EX Magistro *Rogero de la Grave* & sociis suis Collectoribus Quintadecimæ in Episcopatu *Cicestren.* salutem. Cum pluries vos rogaverimus, quod totam pecuniam proveniente de Quintadecima in Episcopatu prædicto sine dilatione colligi, & usque *London.* deferri faceretis, Societati Mercatorum nostrorum de *Luk.* ibidem liberandam, prout dilectus Clericus noster *Elyas Tolefan.* vobis scire faceret ex parte nostra; & vos quasdam Excusationes minus sufficientes prætendentes pecuniam illam usque locum prædictum carari facere distuleritis in nostri dampnum manifestum; de quo miramur & movemur. Vos iteratò requirimus et rogamus, quod totam pecuniam prædictam cum omni festinatione, qua fieri poterit, & arreragia ejusdem usque locum prædictum sumptibus nostris deferri faciatis, sicut prædictum est, & prout venerabilis pater *S. Cicestren.* Episcopus (cui super hoc scripsimus) & præfatus Clericus noster vobis scire fac. ex parte nostra. Et hoc nullatenus omittatis, sicut diligitis nostrum commodum & honorem. Mandavimus autem Mercatoribus nostris prædictis, quod literas suas parentes vobis fieri faciant, summam receptionis prædictæ pecuniæ testificantes. Teste Rege ut supra.

Ibidem.

**R**EX *R. Bathon. & Wellen.* Episcopo, salutem. Cum nuper vos rogaverimus quod provideri faceretis de aliquibus vestris fidelibus & discretis, qui Quintadecimam nobis concessant a Clero in vestra Diocesi ad opus nostrum colligere & adunare, ac in tuto loco deponere possent custodiendam, donec aliud inde præceperimus, & jam ad quædam negotia nostra instantia expediendâ pecunia plurimum indigeamus; Paternitatem vestram affectuosè requirimus et rogamus, quatenus Collectoribus ad hoc deputatis a vobis per literas vestras sine dilatione præcipiendo dare velitis in mandatis, quod totam pecuniam proveniente de Quintadecimâ vestræ Diocesis, quæ jam collecta est ibidem, sub omni festinatione transmitti faciant usque *Malmesbury,* prout eisdem Collectoribus similiter mandamus, ibidem deponendam per visum & testimonium dilecti Clerici nostri Magistri *Henrici Huse,* quem ad dictam Diocesin ea occasione specialiter duximus transmittendum. Paternitatem vestram insuper requirimus et rogamus, quatenus provideri faciatis de aliquibus de hominibus vestris, de quibus confiditis, qui pecuniam illam una cum ipsis Collectoribus vel deputandis ab eis, & cum prædicto Clerico nostro usque *Malmesbury* salvo & secure conducere, & ibidem disponere possint (ut prædictum est) prout dilectus Clericus noster (cui credatis, si placet, in præmissis) vos rogabit ex parte nostra. Et hoc, sicut de vobis specialiter confidimus, nullatenus omittatis. Teste Rege apud *Glouc.* secundo die *Maii,* & fuerunt Claus.

Consimiles literæ diriguntur de verbo ad verbum Episcopis *Exon. & Sarum.* de Quintadecima Episcopatum illorum ad eundem locum sub testimonio ejusdem Clerici, ibidem deponendâ.

Et quia Rex ad quædam negotia sua instantia expedienda pecunia plurimum indiget ad præsens, Rex rogat Collectores prædictorum Episcopatum, quod totam pecuniam proveniente de Quintadecima Episcopatum illorum per eos collectam, sub omni festinatione transmitti faciant sumptibus Regis usque *Malmesbury,* ibidem deponendam & custodiendam, per visum & testimonium prædicti Clerici Regis quem Rex ad præfatos Episcopos & Collectores prædictos ea occasione specialiter duxerit transmittendam, & cui in præmissis adhibeant plenam fidem; & ea faciant, quæ eis inde dicit ex parte Regis. Et Rex rogavit præfatos Episcopos, quod de aliquibus hominibus suis, de quibus confidunt, provideri faciant, qui pecuniam illam una cum Collectoribus vel cum deputandis ab eis, & cum præfato Clerico Regis, usque *Malmesbury*

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*Malmesbury* salvo & securè conducere, & ibidem deponere possint custodiendam; prout idem Clericus præfato Episcopo & Collectoribus dicit ex parte Regis. Et Rex injunxit eidem Clerico, quod cum Collectores pecuniam illam sic deponi fecerint, literas ipsius patentes Collectoribus habere fac. summam pecuniæ sic depositæ testificantes. Et fuerunt patentes. An. 10 E. 1.

Consimiles literæ diriguntur Archiepiscopo *Cantuarien.* Episcopis *Reffen. Cicerstr. & London.* de præcipiendo Collectoribus Quintadecimæ eorundem Episcopatum, quod mittant Quintadecimam jam collectam in Episcopatibus illis usque *London.* per visum & testimonium *Nicholai de Clare*, quem Rex ad Episcopatus illos ea occasione specialiter transmittit, societati Mercatorum de *Luk* ibidem liberandam; & quod Quintadecimam illam ibidem conduci faciant, ut supra. Teste ut supra.

\*Mandatum est etiam (ut supra) Collectoribus Quintadecimæ in Episcopatibus illis, quod Quintadecimam illam per visum, &c. prædicti *Nicholai* usque *London.* transmittant, societate prædictorum Mercatorum liberandam; & quod iidem Mercatores literas suas patentes eisdem Collectoribus habere faciant, summam ejusdem liberationis testificantes. Teste ut supra. \* Rot. Walliz  
10 E. 1. m. 8.

Consimiles literæ (ut supra) diriguntur Episcopis *Normie. & Elien.* de præcipiendo Collectoribus Quintadecimam in Episcopatibus illis, quod Quintadecimam illam per visum, &c. *Thoma de Wynndham* usque *London.* transmittant, societati Mercatorum prædictorum liberandam; & quod iidem Mercatores literas suas patentes eisdem Collectoribus habere faciant, summam ejusdem liberationis testificantes. Teste ut supra.

Mandatum est etiam (ut supra) Collectoribus Quintadecimæ in Episcopatibus illis, quod Quintadecimam illam per visum, &c. præfati *Thoma* usque *London.* transmittant, societati prædictorum Mercatorum liberandam; & quod iidem Mercatores literas suas patentes eisdem Collectoribus habere faciant, summam ejusdem liberationis testificantes. Teste ut supra.

Eodem modo scribitur Archiepiscopo *Eborum.* Episcopo *Karl.* & Episcopo *Dunelm.* vel ejus vices gerenti, per unum breve, ut supra. Et Collectoribus Quintadecimæ in Archiepiscopatu & Episcopatibus prædictis, de mittendo Quintadecimam Episcopatum illorum usque Castrum *Nottingham.* Constabul. Castrum prædicti liberandam per visum, &c. *Willielmi de Beverlaco*; quem Rex, &c. ad Archiepiscopatum & Episcopatus illos ea occasione, &c. per ordinationem Magistri *Henrici de Newark.*

Et mandatum est *Richardo de Charrum*, quod Quintadecimam Episcopatus *Dunelm.* per homines Episcopi conduci facere, &c. usque *Nottingham.* &c. ut supra; & Constabulario Castrum prædicti quod eam recipiat. Teste ut supra.

Eodem modo scribitur *Lincolniensi* Episcopo per unum breve, ut supra, & Collectoribus Episcopatus illius per aliud breve, ut supra, de mittendo Quintadecimam Episcopatus illius usque *Lichfeld.* Thesaurario *Lich.* liberandam per visum Magistri *Ade de Botindon*; quem Rex, &c. ut supra, & custodiendam donec Rex inde aliud præceperit.

Eodem modo scribitur *Coventren. & Lichfeld.* Episcopo per unum breve, & Collectoribus per aliud breve, ut supra, de Quintadecima ejusdem Episcopatus mittenda usque *Gestriam*, ibidem in Garderoba Regis liberanda; Teste ut supra.

Eodem modo scribitur Episcopo *Wigorn.* per unum breve, & Collectoribus, &c. per aliud breve, ut supra, de mittendo Quintadecimam Episcopatus illius usque *Wigorn.* in Garderoba Regis ibidem liberandam. Teste ut supra.

Eodem modo scribitur Episcopo *Meneven.* per unum breve, & Collectoribus, &c. per aliud breve, ut supra, de mittendo Quintadecimam Episcopatus illius usque *Kermerdin.* ibidem in tuto loco deponendam, donec Rex aliud inde præceperit. Teste ut supra.

Eodem modo scribitur *Landaven.* Episcopo per unum breve, & Collectoribus, &c. per aliud breve, ut supra, de mittendo Quintadecimam Episcopatus illius usque *Kermerdin.* ibidem in tuto loco deponendam, donec Rex aliud inde mandaverit. Teste ut supra.

Eodem modo scribitur *Hereford.* Episcopo, vel ejus locum tenenti, per unum breve, & Collectoribus, &c. per aliud breve, ut supra, de mittendo Quintadecimam Episcopatus illius usque *Wigorniam* in Garderoba Regis ibidem liberandam. Teste ut supra.



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*An. 10 E. 1.* Et memorandum, quod ad Episcopatus *Wigorn. Meneven. Landaven. & Hereford.* non mittebatur aliquis Clericus per cujus visum Quintadecima Episcopatum illorum mitti debuit.

Eodem modo ut in prima forma scribitur Magistro *Ada Hales*, custodi spiritualitatis Episcopatus *Winton.* sede vacante, per unum breve, & Collectoribus, &c. per aliud breve, ut supra, de mittendo Quintadecimam Episcopatus illius usque *London.* Mercatoribus de societate de *Luk.* liberandam, per visum & testimonium *Johannis de Arundell & Vicecomitis Suhr.* & quod iidem Mercatores literas suas patentes eisdem Collectoribus habere faciant, summam ejusdem liberationis testificantes. Teste ut supra.

Omnes prædicti Clerici habeat literas Regis de conductu, durat, ad festum Sancti *Michaelis*; videlicet, quilibet eorum per se.

The King likewise writ to several rich Abbots to borrow several sums of money upon this occasion, which they out of courtesie promised to lend him.

*Rot. Walliz  
10 E. 1. m. 9.  
dorfo.*

**M**ittatur pro *Ducentis Marcis* ad Abbates de *Nensom* & Abbatem de *Lavinden.* quod eas mittant usque *Wigorn.* in Quindena Sanctæ *Trinitatis*, vel ubicunque fuerint, quæ sunt in custodia eorundem Abbatum, quas promiserunt et Curialitate.

The King notwithstanding his great want of Corne, Viſuals, and Carriages for himself and his Army during this War, yet granted these Protections from Purveyance to sundry Religious Houses, according to the Statute of *Westm. 1. cap. 1.*

*Rot. Walliz  
10 E. 1. m. 8.  
Pro Priorissa  
de Westwode,  
ne blada capi-  
antur, &c.*

**R**EX omnibus Ballivis, Clericis, & Ministris suis ad quos, &c. salutem. Licet nos Magnates & ceteri fideles nostri, nobiscum in exercitu nostro *Wales* exillentes, Bladis, Viſualibus, & Cariagio non modicum ad exercitum prædictum indigeamus. Nolumus tamen quod aliquod de bladis seu rebus aliis dilectæ nobis in Christo Priorissæ de *Westwode*, ordinis *Fontis Ebrandi*, quibuscunque seu etiam Cariagium aliquod ad opus nostrum vel alicujus alterius ab ipsa capiatur contra voluntatem suam. Et ideo vobis mandamus, quod de bladis aut aliis bonis & catallis ipsius Priorissæ, aut etiam Cariagium aliquod ab ipsa ad opus nostrum vel alterius, sicut prædictum est, sine licentia & voluntate sua, nullatenus capiatis. In cujus, &c. duratur. usque ad festum Nativitatis Domini proximo futurum. Teste Rege apud *Wigorn.* 21 die *Maii*.

Consimiles literæ, ut supra verbatim, pro Abbate & Conventu de *Cumbe*; Teste Rege apud *Hertebir.* 24 die *Maii*.

The Abbot of *St. Werburgæ* having furnished the King in his expedition to *Wales* with Men and Carriages, the King granted him this Patent for his future indemnity, that it should not infringe his Charters and Privileges for time to come.

*Pat. 10 E. 1.  
m. 9. Pro Ab-  
bate S. Were-  
burgæ Cestr.*

**R**EX omnibus ad quos, &c. salutem. Licet dilectus nobis in Christo Abbas Sanctæ *Werburgæ Cestræ* de hominibus, equis, & cærectis suis ad diversa negotia nostra in præsentī expeditione nostra *Wall.* facienda, nobis liberaliter subvenerit. Nolumus etiam, quod liberalitas hujusmodi ad consequentiam vel consuetudinem per nos vel Hæredes aut Ballivos nostros in posterum trahi possit, vel quod occasione dictæ subventionis gratuitæ præfato Abbati vel successoribus aut hominibus suis præjudicium futuris temporibus aliquatenus generetur. In cujus, &c. Teste Rege apud *Cestr.* 26 die *Junii*.

The King in pursuance and observation of the Statute of *Westm. 1. cap. 1.* made for the ease and benefit of the Clergy, and Religious Houses, issued this Writ to and for the Abbot of *Gerevedon*, upon his complaint and motion for it.

*Pat. 10 E. 1.  
m. 9. Pro  
Abbate de  
Gerevedon.*

**R**EX omnibus, &c. salutem. Cum in primo generali Parlamento nostro post Coronationem nostram in crastino Octab. Pasch. anno regni nostri tertio, de voluntate nostra, & Consiliariorum nostrorum consilio, & de consensu Communitatis

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nitatis regni nostri ibidem convocatorum, ad honorem Dei, et utilitatem Ecclesiarum suarum sanctarum, et meliorationem dicti regni nostri ordinaverimus et statuerimus, quod nullus veniat manducare, hospitari, vel jacere in domo Religionis, qua non sit de sua advocacione ad cultum domus, nisi prius rogatus fuerit & requisitus a Domino domus, prater Vicecomites, qui venire poterunt cum quinque vel sex equis tantum; ita tamen quod non gravent Religiosos suis crebris adventibus vel pernoctationibus in Domibus vel Maneriis eorundem, &c. as in the forecited Statute of 3 E. 1. c. 1. recited at large. Præcipimus insuper postmodum, quod nullus Religiosus nec alius pro debito Regio, nec aliterius, per animalia, qua terram suam excolunt, nec per oves suas distringatur, dum restrictio alterius rei sufficiens debito vel demanda possit inveniri, excepto imparcamento animalium, quando ea in dampno alieno contingerit inveniri secundum consuetudinem & legem terra. Et quod restrictiones nimie sive superflue minime fiant, sed secundum bonum valorem per estimationem rationabilem ad quantitatem debiti vel demanda: Vobis inhibemus, ne contra tenorem dictorum Statutorum nostrorum domum de Gerewedon Cisterciensis ordinis molestetis in aliquo indebita vel grabetis. Nolumus autem, quod Abbates ejusdem loci qui pro tempore fuerint, contra tenorem eorundem Statutorum in aliquo venire præsumant. In cujus, &c. Teste Rege apud Cestr. 22 die Junii.

An. 10 E. 1.

He likewise confirmed the antient Liberties of the Prioreffe and Nuns of *Chester*, and discharged one of their Churches from payment of the Quindisme then granted in Parliament, by these Patents.

**R**EX Justiciario suo *Cestria*, salutem. Cum dilectis nobis in Christo Priorissæ & Moniales *Cestria* per Chartas prædecessorum nostrorum diversas libertates & jura habere clament; Nos nolentes libertatibus vel juribus suis hujusmodi aliquatenus derogari: Vobis mandamus, quod Priorissam ipsam & Moniales in libertatibus & juribus suis omnimodis, quibus per Chartas prædictas rationabiliter usæ sunt, manuteneatis, protegetis, & defendatis; non inferentes eis, vel inferri permittentes injuriam vel molestiam aliquam, contra tenorem Chartarum prædictarum, In cujus, &c. Teste Rege apud Cestr. 21 die Junii.

Pat. 10 E. 1.  
m. 9. Pro  
Priorissa &  
Monialibus  
Cestr.

**R**EX omnibus, &c. salutem. Sciatis, quod pardonavimus dilectis nobis in Christo Priorissæ *Cestria*, et ejusdem loci Monialibus, Quintamdecimam ipsas ratione Ecclesiarum suarum de *Overy* contingentem. In cujus, &c. Teste Rege apud *Rahelan*, 27 die Julii.

Ibid. m. 8.  
Pro Moniali-  
bus Cestrie.

Some Regrators and Officers of the King hindring the Freers Minors to buy Victuals in the Town or Countie of *Stafford* for their necessary sustenance, (during the expedition in *Wales*) the King upon their complaint issued this Precept for their relief therein.

**R**EX omnibus, &c. salutem. Cum quidam Regratorum in Villa & Comitatu *Stafford*, se per quosdam ministros nostros advocantes, dilectos nobis in Christo Fratres Minores *Stafford*, de die in diem malitiose impediunt, quo minus victualia cotidiana, cum indigerint ad opus suum per Procuratores & alios amicos suos ibidem emere possint; & quandoque empta à manibus eorum extrahant, sicut ex ipsorum Fratrum gravi querela accepimus: Nos eorundem Fratrum indempnitati in hac parte provideri, & malitiz hujusmodi obviari cupientes, dedimus licentiam eisdem Fratribus emendi sibi victualia per Procuratores & alios amicos suos, quotiens necesse fuerit, in partibus prædictis, sine impedimento nostro, vel ministroz nostrorum, aut aliorum quorumcumque. Et ideo vobis mandamus, quod eisdem Fratribus, seu eorum Procuratoribus, aut aliis amicis suis, contra hujusmodi concessionem nostram non inferatis vel inferri permittatis injuriam, &c. Et si quid, &c. In cujus, &c. per unum annum duratur. Teste Rege apud *Westm.* 13 die Junii.

Pat. 10 E. 1.  
m. 10. Pro  
Fratribus Mi-  
noribus Staff.

The King this year seised the Temporalities of the Bishop of *London*, for a Trespass against him, notwithstanding his Rocher, as this Writ informs us.



An. 10 E. 1.

Pat. 10 E. 1.  
m. 10 De  
terris Episcopi  
London. cap.  
in manum Re-  
gis.

**R**EX omnibus Ballivis, &c. salutem. Sciatis quod assignavimus dilectum & fidelem nostrum *Philippum de Wileby*, ad omnes terras & tenementa Episcopi *London. cap. in manum nostram, et inde faciend. prout ei injunximus occasione cu-* *susdam transgressionis enormis nobis per ipsum Episcopum factam.* In cujus, &c. Teste Rege apud *Dynbegh* 30 die *Octobris*.

*Thomas de Cantilupo* Bishop of *Hereford* having businesse to *Rome*, procured this license and protection from the King during his journey thither.

Pat. 10 E. 1.  
m. 18 De  
Protectione.

**T**homas *Hereford*, Episcopus, qui de licentia Regis profecturus est ad *Curiam Romanam*, habet literas Regis de protectione patentes, duraturas usque ad festum Sancti *Michaelis* proximo futuro, & ab eodem festo usque ad unum annum proximo sequentem completum, cum hac claus. Volumus etiam, &c. Present. &c. Teste Rege apud *Shireburne* 17 die *Februarii*.

\* Mat. Westm.  
An. 1287. p.  
374.\* Hist. Anglie  
p. 11. Godwins  
Catalogue, p.  
376. Jo. Balzus  
Scriptor. Brit.  
Cent. 4. c. 64.

The cause of this Bishops going to the *Roman Court*, was to defend the Rights and Customs of his Church against the Archbishop of *Canterburies* Usurpations, who dyed in his way thither; \* *Thomas de Cantilupo*, qui pro causa Ecclesie suae, ut dicitur, quam contra fratrem *Johannem de Peckham*, de ordine *Fraternitatis Minorum* Archiepiscopum *Cantuariensem*, defendere proponebat, in partibus obiit transmarinis, cujus ossa in Ecclesia supradicta fuerunt tradita sepulture. *Robert Kilwardby* the last Archbishop of *Canterbury*, formerly his Confessor, as \* *Walsingham* stories, publicly averred, in commendatione ejus nullus ipsam mortalis criminis unquam sensit contagium. Quantique meriti fuit apud Deum crebrescentium ad sepulchrum ejus miracula cum gloria, indubitata fide demonstravit; ita quod infra breve temporis spacium centum & sexaginta miracula pro illo fieri Deus voluit; for which he was canonized a *Roman Saint*, which shews his opposer Archbishop *Peckham* was none. Post quem ad Ecclesiam *Herefordensem* electus & consecratus est (by the Kings license and assent) *Magister Richardus de Swynefeld*, sacra Theologia doctor, vir juvenis in verbis, & egregius predicator.

Upon the rydings of his death, the King seised and committed not only his Temporalities, but Goods and Chattels; yet upon his Executors putting in security to satisfy all Debts due by him to the King, his Goods and Chattels were restored to them to perform his Will, as these two Records assure us.

Fines 10 E. 1.  
m. 5. De E-  
piscopatu He-  
reford. com-  
misso.

**R**EX commisit *Waltero de Rudmerlegh* Episcopatum *Hereford*, cum pertinentiis, vacantem per mortem *Magistri Thoma de Cantilupo* nuper Episcopi ejusdem loci, & in manu Regis existentem, custodiendum quamdiu Rex placuerit: Ita quod de Exitibus inde provenientibus a die mortis prefati Episcopi, Regi respondeat ad Scaccarium Regis. Teste Rege apud *Rochel*. 8 die *Octobris*.

Ibid. m. 4.  
Pro Executo-  
ribus Testa-  
menti Here-  
ford. Episcopi.

**M**andatum est *Waltero de Rudmerlegh* custodi Episcopatus *Hereford*, quod accepta sufficiente securitate a *Magistro Willielmo de Monte forti* & Coexecutoribus suis Testamenti *Th. Hereforden*, Episcopi nuper defuncti, de omnibus debitis in quibus Regi tenebatur ad Scaccarium Regis Regi reddendis, eidem *Magistro Willielmo* & Coexecutoribus suis predictis, de omnibus bonis & catallis, quae fuerunt predicti Episcopi die quo obiit, & quae occasione mortis ejusdem captae sunt in manum Regis; & sunt in custodia dicti *Walteri*, plenam administrationem habere fac. ad executionem Testamenti dicti defuncti inde faciendam. Teste Rege apud *Dynbegh* 24 die *Octobris*.

\* Hist. Anglie  
An. 1283. p.  
11. Godwins  
Catalogue of  
Bishops, p.  
178.

The Bishoprick of *Winton* being void by the death of *Nicholas de Ely*, the Monks by the Kings license elected *Richard Moore* for their Bishop; but the Pope (who about this time began to bestow most Bishopricks by his Provisions on whom he pleased) hoc anno cassato electo *Wintoniensi Richardo de Mora*, ex dono *Curie Romanae*, (as \* *Thomas Walsingham* informs us) *Magister Johannes de Pontissa* in ejusdem Ecclesie Episcopum consecratur. The King notwithstanding this Papal Usurpation, at his request was content to restore the Temporalities to him, so as he bought

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bought all the corn and stock of the Bishoprick which the King had seised into his hands, at their full price, as these Records inform us. *An. 10 E. 1.*

**R**EX Militibus, liberis hominibus, & omnibus aliis tenentibus de Episcopatu *Winton.* salutem. Sciatis, quod cum Dominus Papa Episcopatum prædictum venerabili patri Magistro Johanni de Pontoys contulerit, sicut per literas patentes ipsius Domini Papæ nobis inde directas plenius intelleximus: Nos collationem illam acceptantes cepimus fidelitatem ipsius Johannis, et Temporalia Episcopatus prædicti reddidimus eidem. Et ideo vobis mandamus, quod eidem Johanni tanquam Episcopo & Domino vestro in omnibus quæ ad Episcopatum prædictum pertinent, intendentes sitis & respondentes. In cujus, &c. Teste Rege apud *Rochelan.* 11 die *Augusti.* *Pat. 10 E. 1. m. 6. De Temporalibus Episcopatus Winton restit.*

**M**andatum est *Willielmo de Sancta Clara & Willielmo de Hamelton* Custodibus Episcopus *Winton.* quod omnia blada & fructus ad Episcopatum prædictum pertinentes, qui sunt in manu Regis, & in Custodia prædictorum *Willielmi & Willielmi,* una cum *Affris* & alio instauro Regis, quod est de emptione Regis ibidem; facta inde legali appæctatione venerabili patri *J. nunc Wynton.* Episcopo vendant pro justo precio, et prout ad opus Regis magis viderint expedire. Ita quod Regi inde possit respondere. Teste Rege apud *Rochelan.* 11 die *Aprilis.* *Fines An. 10 E. 1. m. 8. De Bladis Episcopo Winton vendend.*

**M**andatum est *Willielmo de Sancto Clare, & Willielmo de Hamelton,* quod totum instaurum de *Bidentibus, Bobus, Affris,* et aliud instaur. pertinens ad Episcopatum *Winton.* quod receperunt tempore quo Rex custodiam Episcopatus prædicti eis commisit, venerabili Patri *J. nunc Episcopo Winton.* liberent, prout alias in consimili fieri consueverit. Teste Rege apud *Rochelan.* undecimo die *Augusti.* *Pro Episcopo Winton de instaur.*

How the King now and then during the vacancy of Bishopricks disposed of some of their stocks to others, this Writ will inform us.

**M**andatum est *Willielmo de Sancto Claro, & W. de Hamelton.* Custodibus Episcopatus *Winton.* quod in Chacea Episcopatus *Winton,* videlicet in Bosco de *Longwode,* & in aliis Boscis in Chacea illa habere fac. charissimæ Consorti Regis, *Alienora* Regina *Anglia* viginti & quatuor Capriolos vivos ad Forestam de *la Longe For.* inde instaurand. de dono Regis. Teste Rege apud *Westm.* 25. die *Novembris.* *Claus. 10 E. 1. m. 8. Pro Capriol. datis.*

The Archbishop of *Canterburies* Auditors, Official, and Dean of the Arches, as well as their Lord, usurping new Jurisdictiones over his Suffragan Bishops, and others within their Diocesse in cases of Appeals, to their great vexation, upon grievous complaints made thereof, the Archbishop this year did thereupon make and publish an Ordinance intituled, *Ordinatio super querelis & appellationibus Officialis Cantuariensis per subditos fratres, & Suffraganeos illatis:* running in these words.

**U**niversis presentem paginam inspecturis, Frater Johannes permissione divina, &c. Cum nuper clamosa plurimorum insinuatio nobis verisimiliter retulisset, Suffraganeis nostris et subditis eorum, quædam nostris temporibus præter conscientiam nostram, tam per Auditores Curie nostræ, quam per Officialem nostrum Cantuariensem, necnon et Decanum de Arcubus Londini, dicti Officialis Commissarii fuisse illatagrabamina, quæ prædecessorum nostrorum temporibus non fuerunt, quorum tenemur & volumus vestigiis inherere: Nos & nova refecare volentes, & vetera quantum secundum Deum possumus temperare, propæce venerabilium Fratrum Coepiscoporum nostrorum, eorundemque subditorum quiete, quod cupimus intimis precordiis consolari; Mandavimus discretis viris, venerabili fratri Domino *W. Norwicensi* Episcopo, Magistro *R. Archidiacono Cantuariensi,* *G. de S. Leofardo* Thesaurario Ciceslrix, *A. de Hales,* *R. de Brandon* Canonico Londini, in consuetudinibus & juri-bus Cantuariensis Ecclesie, longi temporis experientia eruditis, ut ipsi de prædictis diligenter inquirerent, & nos circa ipsa fideliter informarent. Quorum consilio, aliorumque prudentum indagine premuniti, volumus & decrevimus, dicta grabamina in certis

\* Ex vet. Codice MS. in Registro Principali D. Archiep. Cant. nuncupato Peckham, f. 145. b. Spelmani Concil. Tom. 2. p. 346.



An. 10 E. 1. *tis articulis respondere, & ordinationem nostram in perpetuam memoriam commendare.*

Imprimis igitur volumus & ordinamus, quod Officialis noster Cantuariensis, ad querelas subditorum Fratrum, & Suffraganeorum nostrorum de cetero non rescribat, præterquam in casibus specialibus, videlicet in casu negligentia, & in audiendis ratiociniis, ab executoribus decedentium in provincia Cantuariensi habentium Redditi, Maneria, Possessiones, & bona in diversis Diocesis nostra provincia memorata; necnon & in aliis casibus, qui tam de jure quam de consuetudine, nostris & prædecessorum nostrorum temporibus, eidem sunt permixti pariter & concessi, & si de facto in aliis rescripserint, & de hoc coram ipso excipiantur, hujusmodi exceptio sine difficultate qualibet admittatur.

Volumus insuper & ordinamus, quod idem Officialis ad Appellationes à subditis Fratrum & Suffraganeorum nostrorum directè ad Curiam Cantuariensem omisso medio interpositas de cetero non rescribat. Et si de facto rescripserit, ac de hoc coram ipso aut suo quovis Commissario excipiantur; cum de hujusmodi exceptione & ipsius effectu competenter constiterit, de eadem appellationis causa, ulterius se nullatenus intromittant. Hoc etiam temperamentum in favorem Fratrum & Coepiscoporum nostrorum, ac Cleri & populi provincia Cantuariensis quietem, præmissis annexentes, quod ad querelas subditorum Fratrum nostrorum prædictorum, sine conscientia nostra specialiter & expressa, & absque causa rationabili nomine nostro de cetero nullatenus rescribatur. Nos vero hoc jure nostro sic moderatè absque cujuslibet præjudicio uti intendimus, ut in nullo a prædecessorum nostrorum vestigiis discrepemus.

Sanè si contingat aliquem Fratrum nostrorum fructus Ecclesia Clerici subditi sui ex causa Canonica vel consuetà sequestrare, & post hujusmodi sequestrum eà occasione ad sedem Apostolicam, et nostram Curiam pro tutione ab eodem Fratre, ex parte hujusmodi Clerici appellatur, tanquam in Curia nostra pro eodem in tuitorio negotio pronuncietur, hujusmodi sequestrum tanquam eandem Appellationem præcedens, hujusmodi tutionis obtentu finaliter nullatenus volumus relaxari. Ceterum si contingat alicui in Curia nostra litiganti, per nostrum Officialem aut Commissarium, nostros vel suos absolutiois ad cautelam beneficium impetiri, si absolutiois hujusmodi publicatio petatur ab eodem, cum publicatio conformis esse debeat absolutiois, ne per simplicem absolutiois publicationem se gerat pro simpliciter absoluto, & ab aliis absolutus finaliter reputetur; volumus & ordinamus, quod in literis super hujusmodi absolutiois publicatione in posterum obtinendis, verba illa ad cautelam expressius inserantur. Si autem necesse fuerit aliqua prædictis adjicere vel detrabere, vel ipsorum aliqua declarare, parati sumus in prima congregatione Fratrum, eis in hiis, & in aliis condescendere, quantum possumus, salva Ecclesie nostrae libertate. Per hanc autem ordinationem nostram non intendimus successoribus nostris, seu Ecclesie nostrae in aliquo derogare. In cuius rei testimonium Sigillum nostrum presentibus duximus apponendum, Valete. Data apud Mortelake 7. Kalendarum Maii, Anno Domini 1282. Consecrationis nostra quarto: Omitting the stile and date of the Kings reign.

How well some Bishops loved Venison and hunting in those dayes, and that the Kings license by word of mouth only was no sufficient warrant to free them from Fines before the Justices of the Forest for killing the Kings Dear, (for which I find them frequently fined in the *Fine, Patent, and Clause Rolls* of this King) this Record will inform us.

Pat. 10 E. 1.  
m. 8. Pro Episcopo Meneven.

*Quia Rex praecepit ortens Th. Episcopo Meneven. quod in proximo transitu suo per Forestam Regis de Shirewode, in eadem foresta caperet quatuor damos ad opus suum de dono Regis; mandatum est Justitiariis Regis proximo Itineraturis ad placita Foresta in Comitatu Notting. quod praefatum Episcopum pro quatuor damis prædictis quos cepit in Autumpno proximo præterito non occasionent aut molestant, ac ipsum inde quietum esse faciant. Teste Rege apud Wygorn. 25 die Decembris.*

What Clerks arrested and convicted for robbery and murder were delivered this year to make their purgations before their Ordinaries, who demanded, and then usually acquitted them, these Writs for restitution of their goods, upon Certificates of their purgation, will inform us.

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**C**UM Ricardus de Brocton Clericus super latrocinii coram Justiciariis Regis ultimo Itinerantibus in Comitatu North. ind.atus, & per eosdem Justiciarios ad requisitionem venerabilis Patris R. Coventr. & Litchf. Episcopi eidem Episcopo iuxta privilegium Clericale (prout moris est) liberatus, innocentiam suam super hujusmodi Latrocinii coram prefato Episcopo legitime purgavit; sicut idem Episcopus per literas suas patentes Regi significavit. Mandatum est Vicecomiti de N. quod omnia bona & Catalla ipsius Ricardi quæ capta in manum Regis occasione prædicta sine dilatione restitui faciat eidem de gratia Regis speciali. Teste Rege apud Rochel. 12. die Julii.

Consimiles literæ habet Nicholaus de Gessich. Clericus nuper de homicidio coram Justiciariis Regis ad hoc deputatis in Comitatu Hereford. retatus, & per eosdem Justiciarios ad requisitionem venerabilis Patris J. Cantuariensis Arch. episcopo, eidem Archiepiscopo, iuxta privilegium Clericale (prout moris est) liberatus, quæ innocentiam suam super hujusmodi crimine coram eodem Archiepiscopo legitime purgaverit, sicut idem Archiepiscopus per literas suas Patentes Regi significavit, &c. Teste Rege apud Rochel. 27. die Julii.

Ibid. Pro Nicho de Gessich.

Peter de Valeys being promoted to the Church of St. Peter in the Port of Gernsey by the Popes provision, and put into actual possession thereof by his Agents, being forcibly ejected and driven from it by Guillerinus a Clerke by Lay-force, who claimed it under the Patron; the King upon his Petition granted him a safe Conduct by Sea and Land, and issued this Writ to his Lieutenant and Officers of the Isles to restore him to the possession thereof, that so the Church and cure now neglected, might be duly served.

**R**EX dilecto & fideli suo Otoni de Grandisonio & ejus locum tenentibus in Insulis de Gernel. & Geref. & aliis salutem. Monstravit Petrus de Valeys Presbyter, quod cum eidem de Ecclesia Sancti Petri in Portu Gernereio vacante, & spectante ad presentationem de Hedumull. auctoritate Apostolica provisorium fuisset, ac per Executores Sedis Apostolicæ sibi datos, possessionem ipsius Ecclesiæ canonice sit adeptus; & Magister Guillerinus de Sancto Remigio Clericus, qui ad eandem Ecclesiam per eundem Patronum se presentatum asserit, eundem Presbyterum et suos per potentiam vestram multipliciter impedit et perturbat, ac propter Pinas et Possessas ejusdem Magistri Guillerini tenentis Ballivam in dictis Insulis, non est ausus ad dictam Ecclesiam accedere nec ibidem residere; propter quod idem Presbyter indebite vexatur per plurimum, et eadem Ecclesia obsequio debito defraudatur. Quare petit, quod Impedimentum hujusmodi Laicale amoveri, & securum sibi & suis in dictis Insulis tam in terra quam in mari conductum præberi, necnon & attemptata, et bona ipsius Ecclesiæ occupata et indebite devalutata, per eandem potentiam in præjudicium ipsius Presbyteri, in statum pristinum et debitum reduci faciamus; Unde cum sit equitatis consonum, ut qui Ballivas seu loca nostra tenent, quos ad Justitiam exercendam & tenendam loco nostri ponimus ad injurias faciend. presumant extendere manus; vobis præcipiendo mandamus, quatenus eundem Presbyterum et suos per potestatem Laicale non permittatis indebite molestari; & eisdem securum in prædictis Insulis tam in mari quam in terra faciatis haberi conductum, & attemptata & occupata indebite, in præjudicium ejusdem Presbyteri per eandem potentiam in statum pristinum et debitum mediante Justitia reducat, ut in eadem Ecclesia possit (prout juris est) deservire, et etiam curam sibi commissam gerere, ut tenetur. Quod autem precipimus, nullatenus infringere presumatis; ne ab eodem Presbytero super hoc ad nos clamor reveniat iteratus. Teste Rege apud Westm. xxiv. die Novembris.

Pat. 10 E. 1. m. 12. De Insulis de Gernel. & Geref.

The Abbot and Covent of Messenden. being greatly impoverished and indebted by reason of the murrain and rot of their Horses, Sheep, and other losses, the King upon their petition granted them this protection.

Pat. 10 E. 1. m. 21. Pro Abbate & Conventu de Messenden.

**R**EX omnibus, &c. salutem. Cum dilecti nobis in Christo Abbas & Conventus de Messenden. per morinam ovium & Equorum suorum, & aliis incommodis multimodis vexentur.



*An. 10 E. 1.* multimodis, quibus ut certo intelleximus supra modum prægravantur, adeo depauperentur & deprimantur, quod terræ suæ pro magna parte jacent incultæ, & blada sua in eisdem vehementer defecerunt; & insuper iidem Abbas & Conventus Mercatoribus & aliis Creditoribus suis diversis in multimodis debitis teneantur, ad quorum solutionem & Domus suæ relevationem Facultates ejusdem domus per magnum temporis spatium sufficere non possent absque dispersione Canonicorum Domus illius, vel feodaliū sacrarum dilapidatione seu fortè Domus ejusdem subversione totali, quod nollemus. Nos imbecillitati status ipsorum compatientes, ne hujusmodi discriminis aut depressionis periculum ipsius videatur imminere Domum illam cum terris, redditibus, & omnibus possessionibus ac rebus aliis ad eandem Domum pertinentibus, cepimus in protectionem & defensionem nostram specialem, &c. as in former Protectionis. *In cujus, &c. per Quadriennium duratur. Teste Rege apud Westm. 27 die Novembrii.*

The King by his Prerogative conferred the Deanary of *Salop*, by this Patent.

*Pat. 10 E. 1. m. 17. De Decanatu beate Marie Salop. dato.*

**R**EX omnibus, &c. salutem. Sciatis quod dedimus & concessimus dilecto Clerico nostro *Nicholao de Aras* Decanatum beate *Mariae Salop*, cum pertinentiis, vacantem per resignationem dilecti nobis in Christo *Willielmi de Dovoria* nuper Decani ejusdem loci, et ad nostram donationem spectantem, habend. & tenend. eidem *Nicholao* ad totam vitam suam, eodem modo quo prædictus *Willielmus* Decanatum tenuit supradictum. In cujus, &c. Teste Rege apud *Shireburn*. 18 die Februarii.

The Countess of *Albemarle* damnsifying, suing the Abbot and Covent of *Querrata*, against the Kings Protection granted to them, he thereupon issued this *Writ*.

*Pat. 10 E. 1. m. 3. Pro Abbate & Conventu de Querrata.*

**R**EX dilecto & fideli suo *Willielmo de Braib.* salutem. Cum nos nuper occasione quarundam discordiarum inter *Isab. de Fortibus* Comitissam *Albemarl.* & Abbatem & Conventum de *Querrata* subortarum, super quibus placitum penderet coram nobis per breve nostrum inter eos, suscepimus in protectionem & defensionem nostram ipsos Abbatem & Conventum, homines, terras, res, redditus, & omnes possessiones suas, inhibentes omnibus & singulis, ne quis eis injuriam, molestiam, dampnam inferret aut gravamen. Ac eadem Comitissa nihilominus prædictis Abbati & Conventui dampna gravissima, contra protectionem nostram prædictam, et contra pacem nostram inferre non desistat, ut accepimus: Nos ipsorum Abbatis & Conventus quieti in hac parte providere volentes; Vobis mandamus, quod ad Abbatiam prædictam personaliter accedentes, eam in manum nostram capiatis & salvo custodiat, donec prædictum placitum inter ipsos terminetur, & aliud a nobis super receperitis in mandatis; salvo dictæ Comitissæ hoc, quod tenet ibidem per assensum prædictorum Abbatis et Conventus, ut dicitur. In cujus, &c. Teste Rege apud *Dymby* 27 die Octobris.

What Ecclesiastical Jurisdiction the King exercised this year in *Ireland*, in granting licenses to elect, approving and confirming Bishops, Abbots, Abbesses, these Records inform us.

*Pat. 10 E. 1. m. 8. De licentia eligendi.*

**M**agistri *Hamo de Weyford* & *Philippus de Graibrok* nunciantes Regi mortem *Hugonis de Langeport* nuper Episcopi *Fern.* in *Hibernia*, habent literas Regis de licentia eligendi. Teste Rege apud *Rechel.* 8 die Julii.

*Ibid. m. 3. De Temporalibus restit. Hibern.*

**R**EX dilecto Clerico suo Magistro *Johanni de Sannford* Escaetori *Hibernie*, salutem. Cum venerabilis pater *J. Dublin.* Archiepiscopus electionem nuper factam in Ecclesia Cathedrali *Fern.* de dilecto nobis in Christo Magistro *Richardo de Norht.* in Episcopum ejusdem loci, (cui Regium assensum prius adhibuimus et favorem, confirmaverit) sicut per literas patentes ipsius Archiepiscopi nobis inde directas, accepimus. Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, et Temporalia ejusdem Episcopatus (prout moris est) restitimus eidem. Et ideo vobis mandamus, quod eidem Electo Temporalia ejusdem Episcopatus libereitis. In cujus, &c. Teste Rege apud *Rechel.* 13 die Octobris.

R E X

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**R**EX venerabili in Christo Patri *D. Cassalen.* Archiepiscopo, salutem. Sciatis quod electioni nuper factæ in Ecclesia Cathedrali *Laen.* de dilecto R. in Christo Magistro *Mauritio Chigan* Præcentore ejusdem Ecclesiæ, in Episcopum ejusdem loci, Regium assensum adhibuimus: Et hoc vobis significamus, ut quod vestrum est in hac parte exequamini. In cujus, &c. Teste Rege apud *Cirent.* 4 die Febr.

An. 10 E. 1.  
Par. 10 E. 1.  
m. 18.  
De assensu adhib. electioni.

**R**EX Militibus, liberis hominibus, & omnibus aliis tenentibus de Episcopatu *Laen.* salutem. Cum venerabilis patet *D. Cassalen.* Archiepiscopus electionem nuper factam in Ecclesia Cathedrali *Laen.* de *Mauritio* Præcentore ejusdem Ecclesiæ in Episcopum loci illius, cui Regium assensum prius adhibuimus et favorem, confirmaverit, sicut per literas ipsius Archiepiscopi patentes nobis inde directas accepimus: Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, et Temporalia prædicti Episcopatus (prout moris est) restituimus eidem. Et ideo vobis mandamus, quod eidem *Mauritio* tanquam Episcopo & Domino vestro prædicto in omnibus quæ ad Episcopatum illum pertinent, intendentes sitis & respondentes. In cujus, &c. Teste ut supra.

Pat. 10 E. 1.  
m. 17.  
De Temporal. restituendis Hibern.

**R**EX venerabili in Christo Patri *S. Waterford.* Episcopo, Justiciario suo *Hibern.* salutem. Cum Prior & Conventus Abbatiz Apostolorum *Petri & Pauli* de *Rehrg.* ordinis Sancti *Augustini, Anferren.* Dioc. per literas patentes Capituli sui nobis significaverint, quod Ecclesia sua prædicta per cessionem Fratris *Johannis* nuper Abbatis ejusdem loci, pastoris est solatio destituta; supplicantes nobis (prout moris est) quod licentiam aliam sibi eligendi in Abbatem eisdem concedere dignaremur, &c. Nos eorundem Prioris & Conventus laboribus & expensis in hac parte parcere volentes ista vice, concessimus eis de gratia nostra speciali, & vobis dedimus potestatem, &c. Receptis prius ab ipso Electo literis patentibus sigillo suo, necnon et sigillo prædicti Capituli consignatis, quod hæc gratia nostra quam eidem Electo ad præsens ex mera liberalitate nostra concessimus, nobis vel hæredibus nostris non cedat in præjudicium vel exheredationem, vel trahatur in consequentiam temporibus futuris. In cujus, &c. Teste Rege apud *Rochelan.* 14 die Novembrii.

Pat. 10 E. 1.  
m. 2. De Temporal. restit. Hibern.

**E**dwardus, &c. venerabili in Christo patri *S. eadem gratia Waterford.* Episcopo, Justiciario suo *Hibernia.* salutem. Cum Priorissa & Moniales Ecclesiæ Sanctæ *Mariae de Clovenard.* in *Hibernia.* nobis per literas Capituli sui patentes significaverunt, quod Ecclesia sua prædicta per mortem *Agnæ* nuper Abbatisse suæ, pastoris est solatio destituta; petentes a nobis (sicut moris est) licentiam aliam sibi eligendi in Abbatissam; & nos precibus earundem Monialium in hac parte favorabiliter inclinati, licentiam illam eis durissime concedendam: Mandantes ipsis, &c. Nos earundem Priorissæ & Monialium laboribus & expensis in hac parte parcere volentes ista vice, concessimus eis de gratia nostra speciali, & vobis dedimus potestatem, quod facta electione prædicta de futura Abbatissa, &c. Receptis tamen prius literis suis patentibus sigillo suo, necnon et sigillo Capituli prædicti consignatis, quod hæc gratia nostra quam eidem Electæ ad præsens ex mera liberalitate nostra concessimus, nobis vel hæredibus nostris non cedat in præjudicium vel exheredationem, seu trahatur in consuetudinem vel consequentiam temporibus futuris. In cujus, &c. Teste Rege apud *Wigorn.* 16 die Maii.

Ibid. m. 13.  
De Temporal. restituend.

The like License, Patent, Clauses of grace and proviso *verbatim*, issued this year to the Chief Justice for another Abbess in *Ireland*, m. 6. Teste Rege apud *Rochelan.* 15 die Augusti.

By which it is apparent, That although the King out of special grace did sometimes dispence with the Rights of his Crown in the electing and confirming of Bishops, Abbots and Abbesses in *Ireland*, without his previous license to elect, or by his Chief Justice his approbation and confirmation of them, in his name and stead, yet it was with a special proviso, testified by Charters under their respective seals, that it should not turn to the prejudice or disinheritance of him or his Heirs, nor be drawn into custome or consequence for the future, which they were then prone to do upon all occasions, as well as Popes and our *English* Prelates, as future presidents will demonstrate.





## BOOK V. CHAP. III.

*Comprising several Evidences out of our Records and Histories, of King Edward the 1. his Sovereign Ecclesiastical Jurisdiction over all Persons, Causes, and chief management of all Ecclesiastical affairs in England, Ireland, Scotland, and his other Dominions; with Popes, Bishops various Encroachments thereon, and his, his Parliaments, Councils, Judges Oppositions, Prohibitions against them; together with the most considerable Negotiations between Him, and the Popes, Cardinals, Court of Rome; and the successions of Bishops in England, Ireland, and Popes in Rome, from the beginning of the 11 to the end of the 20 year of his Reign.*

\* Herep. 177,  
178.

**K**ing Edward the 1. having the year before by \* *special Writs*, prohibited all Foreign Merchants to transport or return any monies to the Pope, collected and laid up in several Monasteries by the Popes Collectors in *England* for the 6. years Dismes granted in the Council of *Lions*, towards the relief of the Holy Land; (to secure it from transportation, for the publick good of the Realm, and right use for which it was given, that so his Brother Earl *Edmund* might be furnished therewith to ayd the Holy Land with a considerable force) issued Writs to Sheriffs and others, to view and secure that money, which they did in sundry places, breaking up the locks, trunks, closets where it was deposited, and taking it into their own custody. The Priors of *Ely* and *Norwich* fearing, obeying the Pope and his Collectors more then the King or his Officers, peremptorily refused to permit them to view or secure the monies laid up in their Monasteries; for which high contempt the King issued these memorable Writs, to summon them with some of their discreetest Monks to appear before him, wherever he should be in *England* or *Wales*, to answer these affronts, and receive condign punishment for the same.

Claus. 11 E. 1.  
m. 7. dorso.  
De Decima.

**R**EX Priori *Elensi*, salutem. *Wallensibus* subdolis Ecclesie Sancte Dei nostri, & regni *Anglie* intimis, pacem & tranquillitatem ejusdem regni & Ecclesie novis & callidis machinationibus nitentibus impugnare, onereque defensionis Ecclesie et Reipublice in nobis assumpto, nos qui periculis in hoc imminenti- bus obviare tenemur, attendentes, quod si per malefactores & pacis nostrae pertur- batores de deposito pecunie provenientis de Decima regni nostri in subsidium Terrae Sanctae concessa, et in diversis locis collecta et deposita, nobis in remotis agentibus subtrahatio fieret non sperata, manifeste cederet in retardacionem nego- cii dictae Terrae; propter hoc, & propter alias causas quas subticemus ad praesens, assignavimus Vic. nostrum *Cant. & Andr. de Ely* ad supervidendum pecuniam pro- venientem de eadem Decima in Ecclesia vestra depositam, et ad ordinandum de salva ejus custodia et securitate: Mandantes vobis pluries, quod ipsos *Wic. et Andr.* vel eorum alterum, dictum depositum superbiere permitteretis, et inde sicut praedictum est ordinare: verum vos mandati Regis contemptores in despectum Regis dignitatis, et praefati depositi, et nostri et totius regni periculum, nuncios nostros praedictos erequi quod ipsi per nos injunctum fuerat in hac parte, minime permis- istis. Solentes igitur tam grandem despectum nobis factum, tantumque praefati Terrae Sanctae ac nostrae exheredationis periculum sub dissimulatione tran- sere:

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ſce: Vobis mandamus, quod vos assumptis vobiscum tribus de discretioribus Regis  
ligiosis domus vestre in crastino instantis festi Sancti Petri ad vincula priorimo  
ſatur. ubicunque tunc fueritis in Anglia vel in Wallia, conspectui nostro presentemini  
tatis, nobis de despectu huiusmodi responduri, et penam pro transgressionibus nobis  
ſatis secundum demerita recepturi. Teste Rege apud Aberconwey in Snaudon.  
15 die Junii.

An. 11 E. 1.

Conſimiles literæ diriguntur Priori de Norwico. Teste ut supra.

The Pope being informed by his Agents of the Kings stopping and seising of these  
Dismes, was very cordially affected and discontented therewith; whereupon he writ  
and sent a very angry threatening Letter to the King, requiring him to restore all the  
monies thus seised within one months space, notwithstanding all his excuses and  
pretences in his Letter to him, which he reputed frivolous; which if he neglected  
or refused to do, he would rigorously proceed against him and his Realm by way  
of Excommunication and Interdict; and withall sent another Letter to John Peckam  
his devoted creature, (whom he had lately advanced to the Archbishoprick of Can-  
terbury) to resort personally to the King, upon his canonical obedience, and to in-  
duce him by all means to restore or repose the intire money without difficulty, re-  
citing therein the contents of his Letter to the King; which the Archbishop most  
diligently and peremptorily executed, as his own Epistle and account thereof to  
Pope Martin, enrolled in his Register, (worthy special observation) inform us;  
thus related by Matthew Parker.

\* Diximus ante in Roberto Kylwarby Papa Gregorio 10. concessum in Lugdunensi  
Concilio Decimale subsidium ad recuperandam Terram Sanctam. Hanc Decimam in  
Anglia Edwardus primus collegit. Papa id agre tulit, ab alia quam à se aut à suis  
Collectoribus hanc pecuniam perceptam fuisse. Itaque ut constare omnibus possit, qua do-  
minatione ac potentia non modo in Clerum sed in Reges ipsos Romanus Pontifex  
elatus sit, et quibus obsequiis ipsos Episcopos sibi arcabit, ut sua mandata in ipsos  
Reges peragerent, ex unius literis hic insertis, a Papa ad hunc Johannem scriptis,  
quibus imperat, ut Regem moneat sub Interdicti poena, (cujus atrocitatem Anglia,  
Johanne Rege regnante, ante ſenſerat) a dictæ pecuniæ restitutione vel solutione  
(infra unius mensis ſpacium) non cessaret. Quod mandatum Johannes celeriter & ex  
prescripto, Papale impertum magis quam Regale metuens, exequutus est.

\* Antiqu. Ec-  
cles. Bk. p.  
100.

Literæ directæ Domini Papæ & Cardinalibus, Anno Dom. 1283.  
Edwardi primi 11.

Sanctissimo Patri ac Domino Martino Dei gratia Sacrosanctæ Romanæ ac Univerſalis  
Ecclesiæ Summo Pontifici, Frater Johannes permissione divina Sacerdos f. 66.  
Cantuar. inuitus, cum omni reverentia & honore pedum oscula beatorum. Sanctitatis  
vostre literas 12 Kal. Novembris recepi London. sub forma inferius annotata.

Martinus Episcopus Servus servorum Dei, venerabili Fratri Archiepiscopo  
Cantuariensi, salutem & Apostolicam benedictionem. Intellecto nuper, quod cha-  
rissimus in Christo filius noster Edwardus Rex Angliæ illustris, pecuniam Decimæ  
in regno Angliæ per Lugdunense Concilium Terræ Sanctæ concessæ subsidio, quæ  
per collectores a sede Apostolica deputatos, in sacris et tutis locis deposita, sub fide  
sacrique custodia servabatur, de locis ipsis, sigillis scripque violenter extractis, qui-  
bus loca eadem firmabantur, motu proprio, pecuniæ vastatæ custodientibus ren-  
tentibus et inbitis totaliter amoveri, et ad certum locum pro suæ voluntatis libito,  
non absque magna divini Majestatis offensa, multoque sedis Apostolicæ con-  
temptu, ac ejusdem terræ gravi dispendio, fecerat asportari; mirati sumus et  
turbati, cum sine nostra et ipsius sedis licentiâ speciali attemptare talia minime  
debuisset. Unde nos præfato Regi nostras sub certa forma dirigimus literas inter  
alia continentes, ut ipse diligenti meditatione considerans, quantum in hoc suum  
offenderit Creatorem, cujus in hac parte negotium agitur, quantum Romanam  
Ecclesiam perturbaret, quantumbe læserit famam suam, pecuniam ipsam in locis  
de quibus extitit de mandato Domini Regis amota, faciat sublata difficultate  
qualibet, excusationibus seu rationibus in literis Regis, nobis super hoc transmissis,  
typicis nequaquam obstantibus, quas omnino ſcrivolas duximus reputandas, cum

Qq 2

integritate



*An. 11 E. 1.* integritate restitui seu reponi, alterius a similibus abstinendo, ac etiam Ecclesiasticas ac alias quascunque personas, penes quas prædicta pecunia est deposita, vel eam deponi contigerit per Apostolicam sedem, pro terræ iam dictæ commodis disponendam, per se vel per alium seu alios nullis impetendo molestiis, nullis vexationibus perturbando, illam in hoc efficaciam et sollicitudinem impensuram, ut debitæ restitutionis celeritas asportationis indebitæ ausum redimat, et sedis prædictæ gratia, quam libenter ad alios debitos extendimus, circa eam non timore rito augeatur. Nec ipsum latere volumus, quod quantumcunque personam ejus sinceris affectibus prosequamur, Regique libenter desideramus honori, nequaquam pati poterimus, cum non sit deferendum homini plquam Deo, quin super hoc; si opus extiterit, aliud remedium apponamus. Volumus igitur et fraternitati tuæ per Apostolica scripta in virtute obedientiæ districtè præcipiendo mandamus, quatenus ad eundem Regem te personaliter conferens, ipsum iuxta datam tibi a Deo prudentiam, ex parte nostra diligenter moneas et inducas, ut infra unius mensis spatium post monitionem tuam, prædictam pecuniam in locis eisdem, iuxta literarum ipsarum tenorem, cum integritate restitui faciat seu reponi, aperte prædicans eisdem, quod cum tantum et tam grabe dictæ Terræ Sanctæ dispendium volumus, acuti nec debemus, aliquatenus sustinere, nisi huiusmodi monitioni parere curaverit, tam contra eum quam terram suam, prout qualitas facti exigerit, et expedire viderimus, procedamus. Et quia huiusmodi negotium potissime incidet cordi nostro, volumus ut de monitione tua, & ipsius Regis responsione, ac aliis quæ super hoc egeris cum eodem, confici facias duo publica similia instrumenta, quæ nobis per latorem præsentium mittere non postonas. Nichilominus significatur nobis plenarie quicquid super præmissis duxeris faciendum, ut per te super his informari plenius et instructi, tutius et efficacius in hac parte procedere valeamus. Dat. apud Urbem Veterem 3 Non. Julii, Pontificatus nostri anno tertio. (What this Archbishop did in obedience thereunto, he thus certified the Pope.) Hinc igitur Sanctitatis vestre mandato vires et vota subiectis reberenter, requisito in illo Rege prædicto repertoque in finibus Walliæ, post literas vestras eidem directas, quas ipsius intelli manibus, literas etiam vestre beatitudinis mihi missas coram ipso et Magnatibus suis tunc præsentibus expressè vulgariter et aperte, tandemque expressè auctoritate mandati Regem ipsum monui super tribus.

Primo, ut pecuniam Decimæ suis iussionibus asportatam faceret integraliter infra mensem ad prædicta loca custodiæ repositari, tanta devotionis promptitudine, quæ posset asportationis maculam expiare.

Secundo, ut de cætero talibus ausibus penitus abstinere; adiungens, quod licet ipsam Apostolica clementia in charissimorum illorum numero complectatur, si tamen ipsum contingeret in talibus offensionibus de cætero inveniari, non posse eam nec velle virogam ei correctionis subtrahere, ne parcendo homini obsequiis iniuriis quas non corrigeret, assentiret.

Tertio, ne custodibus vel depositariis pecuniæ memoratæ aliquid huius occasione molestiæ vel gravaminis irrogaret. Quibus silenter ac reverenter auditis, tandem cum suis deliberatione præhabita, ad ubi propolita sic respondit:

Ad primum, inquires, quoniam non fuisset necessarium pro hac causa Summum Pontificem nobis suas literas destinasse, nec Archiepiscopum ad Regiam accessisse præsentiam, cum pene duobus elapsis mensibus pecuniam prædictam iusserimus restitui cum effectu.

Ad secundum subiungens, quod nihil indebitum intendebat de cætero contra Ecclesiam attemptare.

Ad tertium, miramur asserens, quare ad illos custodes iubemur specialiter innocentiam custodire, cum nostri sit propositi immobilis conceptio, sicut & debitum Regiæ dignitatis nullum ledere pro viribus innocentem. (A very milde and sober answer, to these insolent Papal and Pontifical demands; After which he subjoyns,) Denique iuxta mandati vestri beneplacitum (Pater Sancte) feci fieri publica Instrumenta, præcepta vestra reberenter et diligenter, acuti potui, in omnibus executas. Ad hac noveris vestra providentia Sanctitatis, quod licet communiter fidedignis testimoniis astruatur, quod prædicta pecunia sit iuxta iussionem Regiam suis custodiis restituta, huius tamen prædicta veritas scire non poterit, nisi per illos qui ipsius noverunt pondus, numerum, et mensuram. Custodiat Dominus incolumitatem vestram Ecclesia sua

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*sancta per tempora longiora. Scriptum penultima die Novembris.* These Letters attest how much more obedient this Arch-prelate was to the Pope, his creator, then to his Sovereign Lord King Edward: *An. 11 E. 1.*

The King having the year before invaded the Principality of *Wales*, and almost totally subdued it, though with some loss, by advice of his Prelates, Nobles, and Commons, for the future peace and security of the Realm from their frequent Rebellions and Incurfions, resolved totally to subdue them with a puissant Army; for which purpose standing in need of new and great supplies of Moneys, he by his Regal Authority issued out several special Writs to the Archbishops of *Canterbury* and *Tork*, and the Bishops within their Provinces, to hasten on the payment of the Quindisme they had granted him the year before, wherein the Archbishop was very negligent, though over-zealous to promote the Kings restitution of the Dismes collected for the *Holy Land* to the Pope, which after its restitution, he was enforced to borrow upon Security, and make use of against the *Welsh Rebels*. After which he sent forth other Writs to them, and likewise to the Abbots, Deans, Chapters, Clergy and Commonalty within their respective Provinces to meet together at severall times and places, to advise with such Persons as himself intrusted, to grant him a liberal Ayde and Supply of Moneys to accomplish this necessary and usefull Design at once; thus recorded to posterity in the Rolls of this year, remaining in the *Tower of London*.

**R**EX *Cantuariensis* Archiepiscopo totius *Anglia* Primati salutem. Quia petunt ad diversa negotia nostra expedienda ad præstans plurimum indigemus, paternam vestram affectuose rogamus, quatinus Collectores Quintadecimæ in Diocesi vestra qui circa pecuniam provenientem de Provincia illa colligendam plurimum ut accepimus sunt remisit, efficaciter moneatis, et eis specialiter injungatis, ut ipsi tamen pecuniam proventum de eadem Quintadecima de primo termino, anni tercii concessionis ejusdem transacto, quam arreragia ejusdem de primo anno & secundo, sub omni festinatione levare et societati Mercatorum nostrorum de *Luk*, per visum dilecti Clerici nostri *Elias Tholosan*, quem ad Collectores ipsos ea occasione specialiter transmittimus, & prout ipse *Elias* eis scire faciet ex parte Regis liberari faciatis sine mora. Ita quod pro defectu levacionis pecunie prædictæ dampnum minime incurramus. Teste Rege apud *Rothelan*, secundo die *Marci*.

Rot. Wallir,  
11 E. 1. m. 4.  
dorfo.

De Quinta-  
decima levanda.

Consimiles literæ dirigantur ꝑ. Episcopo *Roffensi*, *R. Londinensi*, *S. Cyclesiensi*, *R. Sarisburiensi*, *R. Bathoniensi* & *Wellensi*, & *P. Exoniensi* Episcopis. Teste ut supra.

**R**EX venerabili in Christo Patri ꝑ. eadem gratia *Cantuariensi* Archiepiscopo totius *Anglia* Primati salutem. Quia *Lewellinus* filius *Griffini* & *Walenses* complices sui, inimici & rebelles nostri, tociens temporibus nostris & Progenitorum nostrorum Regum *Anglia* pacem Regni turbant, & rebellionem suam & maliciam jam resumptam continuare non desinunt animo indurato, propter quod negotium quod ad ipsorum versuciam reprimendam jam incipimus de consilio Prælatorum Procerum et Magnatum Regni nostri, necnon et tocius Communicatis ejusdem ad præstans proponimus ad nostram et tocius Regni pacem et tranquillitatem perpetuam Domino concedente finaliter terminare. Commodius etiam & decencius esse perpendimus, quod nos & incolæ terræ nostræ ad ipsius maliciam totaliter destruendam pro communi utilitate laboribus & expensis fatigemur hac vice, licet onus difficile videatur, quam hujusmodi turbatione per *Walenses* ipsos nunc habita pro voluntate sua futuris temporibus cruciari, prout tempore nostro et Progenitorum nostrorum contigit manifeste. Vobis mandamus rogantes quatinus Suffraganeos vestros etiam Abbates, Priores ac alios singulos domibus religiosis præfectos, necnon et Procuratores Decanorum et Capitulorum Ecclesiarum Collegiarum vestræ et Suffraganeorum vestrorum Diocessum venire faciatis coram nobis apud *Northampt.* in octabis Sancti *Hilarii*, vel coram fidelibus nostris quos ad hoc duxerimus deputandos, et hos eisdem die et loco interstitis, ad audiendum et faciendum ea quæ pro Republica vobis et sibi ostendi super his faciemus, et ad præstandum nobis consilium et jubamen, præsertim cum vestra sicut aliorum interfit, per quod

Rot. Wallir,  
11 E. 1. m. 4.  
nu. 2. dorfo.  
De Subsidio  
petendo in ex-  
ercitu Regis  
Wallir.



*An. 11 E. 1.* quod negotium jam inceptum ad laudem et honorem Dei, et magnificenciam nostram sane ac totius Regni nostri et populi pacem et tranquillitatem perpetuam valeamus hac vice, ut intendimus, feliciter consummare. Teste Rege apud Rothelan, 24 die Novembrii.

Consistit illis literis & de eadem data diriguntur Archiepiscopo Eborum, quod Suffraganeos, &c. venire faciat coram Rege apud Eborum in Octabis prædictis vel coram fidelibus Regis, quos, &c.

What an insolent undutifull Answer this Arch-Prelate gave when they assembled in Parliament and Convocation at Northampton to this just and necessary request of the King, to promote the publick peace and felicity of the Church and Realm, who was so zealous to obey the Popes Commands, in demanding present restitution of the Dismes collected for the Holy Land, which he had seized, and might with more justice, reason make use of to supply his present pressing necessities, than suffer the Pope and his Agents to convert them to their own private uses,

\* Antiqu. Eccles. Brit. p. 200.

\* See here, p. 264, to 268.

Matthew Parker thus relates: \* In hoc Parlamento Johannes Cantuariensis Archiepiscopus, cum Rex a Clero Decimam Proventus Ecclesiasticorum ad sumptus in Cambria factos recuperandos toto proximo triennio sibi solbi petisset, bicissim petiit, (in a very insolent manner) ut jura et privilegia vetera pro Ecclesiastica immunitate a Britannorum, Saxorum et Dacorum Regibus antiquitus tributa, quæ in S. Edwardi et Canuti Regum legibus descripta, a Willielmo Normanno approbata, ab Henrico primo in controversiam vocata, sed ab Henrico secundo rejecta et posthabita fuere, jam tandem auctoritate Regia, omniumque in eo Parlamento consensu firmarentur. Cujus rei deliberatio, Decima jam concessa, (much against the Archbishops mind) in aliud tempus dilata est. Notwithstanding the King to ingratiate himself with him, In hoc Parlamento Aymarus quidam de Monteforti Clericus, quem Rex Cambrensis belli reum suspicabatur, & carceribus incluserat, intercedente Cantuariensi Archiepiscopo cum suis Suffraganeis, simulque fide jubente ne quid, detrimenti ab eo Republicæ inferatur, liberatus est. Is Romam se ad Papam contulit, et abjecto Papæ auctoritate Clericatu, se addidit infansu militie. Paulo enim postquam se armis enseque cinxisset, nullo gesto aut suscepto obiit.

The King after this Parliament and Convocation held at Northampton, issued these Writs to the Archbishop of York, the Bishop of Durham, and the Abbots, Priors, Deans, Clergy and Archdeacons within their respective Provinces, Diocesses, and Counties beyond Trent, to meet together and grant him a competent ayd of money for this affair.

De Subsidio petendo a Clero Provincie Eboracensis.

**R**EX venerabilibus in Christo Patribus, Episcopis, Abbatibus, Prioribus, Decanis, Capitulis Ecclesiarum Cathedralium, et Collegiatarum de provincia Eborum, et eorum Procuratoribus ac toti Communitati Cleri Provincie ejusdem, Militibus, liberis hominibus, communitatibus & omnibus aliis de singulis Comitatus ultra Trentam apud Eborum in instantibus Octabis Sancti Hillarii conventuris salutem. Cum nos occasione presentis expeditionis nostre Wallie ad maliciam & rebellionem Wallensium inimicorum nostrorum reprimendam, & ad perpetuam pacem Regni nostri faciendam, ad quam toto corde intendimus, subsidio fidei nostrorum Regni nostri opus habeamus ad presens, Nos de benevolencia venerabilis Patris W. Eborum, Archiepiscopi Anglie Primatis, & de circumspectione dilecti Clerici & Secretarii nostri Antonii Beki Archidiaconi Dunelmensis fiduciam gerentes specialem, ejusdem Archiepiscopo & Antonio tenore presentium plenam damus potestatem petendi et procurandi nomine nostro, iuxta formam per nos eis inde traditam et, injunctam, subsidium ad opus nostrum a fidelibus nostris singulorum Episcopatum et Comitatum Regni nostri ultra Trentam. Et ideo vobis mandamus rogantes, quod eisdem Archiepiscopo & Antonio in hac parte firmam fidem adhibentes ea quæ circa præmissa vobis dicent, modis omnibus expleatis prout ipsi vobis scire facient ex parte nostra. In cujus, &c. Teste Rege apud Rothelan. primo die Februarii.

Rot. Wallie, 11 E. 1. m. 4. De potestate data petendi & procurandi Subsidium Regi in expeditione Regis Wallie.

**R**EX venerabili in Christo Patri R. Dunelmensi Episcopo, & Abbatibus, Prioribus, Decanis, Capitulis infra Episcopatum Dunelmensem consistentibus,

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bus, ac Militibus, liberis hominibus, communitatibus Burgorum & Villarum ejusdem Episcopatus salutem. Cum nos occasione, &c. (as before.) Subsidio fidelium nostrorum Regni nostri opus habeamus ad præsens. Nos de fidelitate & industria dilectorum & fidelium nostrorum *Thoma de Maudevill*, & Magistrum *Henrici de Newerk*, Archidiaconi *Richemund* fiduciam gerentes specialem, eisdem *Thoma* & *Henrico* tenore præsencium plenam damus potestatem petendi et recipiendi nomine nostro subsidium ad opus nostrum, tam a Clero quam a populo Episcopatus prædicti in forma per nos sibi tradita et injuncta. Et ideo vobis mandamus rogantes, quod eisdem *Thoma* & *Henrico* in hac parte firmam fidem adhibeatis, & ea expleatis quæ vobis dicent de præmissis prout ipsi vobis scire facient ex parte nostra. Et hoc sicut de benivolencia confidimus nullatenus omittatis. In cujus, &c. Teste Rege apud *Rothelam*. 6 die *Januarii*.

Et mandatum est eisdem *Thoma* & Magistro *Henrico de Newerk*, quod cum Rex mittat prædictum *Antonium* ad partes boriales pro quibusdam arduis & specialibus negociis Regis ibidem expediendis in forma sibi tradita per Regem & injuncta, eidem *Antonio* firmam fidem adhibeant, & ea faciant quæ ipse eis dicet ex parte Regis. Teste ut supra.

Et mandatum est Episcopo & Priori *Danelmi*, quod cum Rex mittat eisdem *Thomam* & Magistrum *Henricum* ad Episcopatum prædictum pro subsidio petendo nomine Regis, & ad opus Regis in præsentī expeditione Regis *Wallie* procurando in forma eis per Regem tradita & injuncta, eisdem *Thoma* & *Henrico* ad hujusmodi subsidium ad opus Regis perquirendum in partibus illis consulentes et auxiliantes sint, et eis firmam fidem adhibeant in hac parte, et ea faciant et expediant amodo Regis quæ eis ex parte Regis dicent in præmissis. Teste ut supra.

After which he sent forth other Writs to the like effect to the Bishops, Abbots, Priors, Deans, Clergy of the Province of *Canterbury*, thus entred on Record :

**R**EX venerabilibus Patribus, Episcopis, Abbatibus, Prioribus, Decanis, Capitulis Ecclesiarum Cathedralium et Collegiatarum de Provincia Cantuariensi et eorum Procuratoribus, ac toti Communitati Cleri Provincie ejusdem ad instantes tres septimanas *Pasche* London. conventuris salutem. Dilectos & fideles nostros *Edmundum* Comitem *Cornubie*, Abbatem *Westm.* Thesaurarium nostrum, & *Johannem de Kirkeby* Archidiaconum *Conventrensem* pro negocio nostro vobis per ipsos nuper apud *Northampton* ex parte nostra exposito prosequendo ad vos duximus destinandos, vos effectuosè rogantes quatinus prædictis Comiti, Abbati, & *Johanni* vel duobus ipsorum quos præsentēs esse contigerit, in hiis quæ vobis circa præmissa ex parte nostra referent viva voce adhibeatis firmam fidem. In cujus, &c. apud *Aberconwey* in *Shandon* 18 die *Aprilis*.

Rot. Wallie;  
11 E. 1. m. 2.  
De Subsidio a  
Clero peten-  
do.

Consimiles literas habent prædicti Comes, Abbas & Archidiaconus directas *7. Cantuariensi* Archiepiscopo totius *Anglie* Primati, & Episcopis Provincie *Cantuariensi* ad instantes tres septimanas, &c. Conventuris ut supra. Teste ut supra.

The King proceeding in his Wars against the *Welsh*, notwithstanding the want of Victuals and Carriages for himself and his Army in *Wales*, granted this special Protection against purveyance to the Abbot and Covent of *Cumbremere* : grounded on the Statute of *Westm.* 1. c. 1.

**R**EX omnibus Ballivis, &c. Licet nos & Magnates, & ceteri fideles nostri in exercitu nostro *Wallie* existentes, bladis, victualibus & cariagio ad exercitum nostrum prædictum non modicum indigiamus; Nolumus tamen quod aliquid de bladis, victualibus, seu rebus aliis dilectorum nobis in Christo Abbatibus & Conventibus de *Cumbremere*, quæ ad sustentationem suam et domus suæ minime sufficiunt, ut accepimus, vel cariagium aliquod ad opus nostrum vel alterius cujuscumque ab ipsis contra voluntatem suam, occasione instantis exercitus nostri *Wallie* capiatur. Et ideo vobis mandamus, quod de bladis, victualibus, aut aliis rebus ipsorum Abbatibus & Conventus, aut eciam Cariagium aliquod ab ipsis ad opus nostrum vel alterius cujuscumque, sicut prædictum est, contra voluntatem ipsorum Abbatibus et Conventus nullatenus capiatur. In cujus, &c. Teste Rege apud *Rothel.* 19 die *Febr.* duraturus usque ad Festum Sancti *Michaelis* proximo futurum.

Rot. Wallie;  
11 E. 1. m. 3.  
Pro Abbate, &  
Conventu de  
*Cumbremere*.

\* Translata



*An. 11 E. I.*  
*\* Walsingham*  
*Hist. Anglie*  
*Anno 1184.*  
*p. 12.*

*\* Translata est hoc tempore Abbatia de Aberton (Aberconwey) per Regem*  
*(by his inherent Royal authority, without the Popes or Bishops concurrence)*  
*ad locum alium, & constructum est in loco quo Abbatia fuerat forte Castrum, ad*  
*irruptiones Wallenses compescendas. Et Rex in Comitatu Cestrie aliam Abbatiam*  
*Monachorum fecit Cisterciensium, quam multis ditatus pradiis, Vallem Regalem*  
*voluit appellari.*

\* Walsingham  
Hist. Anglie  
Anno 1184.  
p. 12.

\* Here p. 299,  
300.

The Kings Embassadors sent to the Pope the year before, to excuse his own personal voyage to the Holy Land, by reason of his Wars with the *Rebellious Welshmen*, and troubles by the *French*, and to desire that the monies collected for the Holy Land might be conferred on his Brother Earl *Edmund*, who was ready and resolved speedily to repair thither in his stead, arriving at *Rome*, and imparting their Embassy to the Pope and his Cardinals; they utterly refused to grant his petition, pressing him to restore the monies seized in a milder manner than \* before, and to repair personally to the Holy Land as they expected, for the glory of God, and his own honour; as this second Epistle of Pope *Martin* to him more fully relates.

Claus 11 E. 1.  
m. 7. dorso.  
Bulla directa  
Regi super  
Decima.

MARTINUS Episcopus, &c. Charissimo in Christo filio Edwardo Regi Angliæ illustri, salutem & Apostolicam benedictionem. Charitatis facienda sinceritas quum personam Regiam tuamque domum solitam claris atque devotionis et fidei titulis insignitam, Apostolica sedes quasi mater affectuosa prosequitur instanter, animum nostrum pulsas mentemque sollicita, ut circa te veluti filium per dilectum interni luminis aciem dirigentes, de tuæ salutis profectionibus et bonorum augmento Regii seculo cogitemus. Sane dilecti filii Magistri Robertus Decanus Ebor. & Johannes dilecti Clarel Capellanus noster, Regia magnitudinis nuncios quæ affectione multa recepimus, nuper ad nostram presentiam venientes, & presentantes nobis literas Regiæ quas portarunt, ex parte tua cum instantia suppliciter petierunt, ut Decimam Regni tui Terræ Sanctæ subsidio deputatam, dilecto filio Nobili viro Edmundo Campaniæ & Britannici Comiti fratri tuo, cum ei certis causis, prout Puncionum ipsorum patet scit assensio, non intendas generalis passagii tempore a sede Apostolica statuendo ad partes accedere transmarinas, benigne concedere curaremus; cum idem Comes, sicut asseritur, sit paratus in terra memorata succursum prædicto tempore proficisci. Porro, fili charissime, petitionis huiusmodi serie intellecta, seram lætitiæ nostris et ejusdem sedis minime referabit affectibus, quinimo ut veritas non negetur et rem gestam pandat eloquium, dictæ petitionis oblatio nostrum et ipsius sedis perturbabit auditum, amaricabit animum, et petitoris intima quasi quodam non levi dolore concutit; non quia Decimæ prælibatæ concessio pro eodem Comite extulit postulata, cum nostrum ob sua multiplicis probitatis dictum tempore prosecutioni negotii dictæ terræ cunctis adesse subsidibus afferedemus; set quoniam Romana Ecclesia mater tua inbilitis percepit auribus, quod in prædicto trans fretare passagio nullatenus disponebas; cum illa \* plene consideret, speque non modica duceretur, ut cum solitæ devotionis et fidei zelo succensus, de Crucis assumptione vrbis præsignires, et tacens dolore cordis intrinsecus ac animatus ad ejus injurias ulciscendas, quæ hic fugiter in terra prædicta (prout olim præfens inibi didicisti) ab insidellum neptaribus assibus inferuntur in promptitudine spiritus charitatis ardore ac plenitudine voluntatis ad partes illas prædictas adbeniente passagio, quasi laudabilis præcursoris officium erequens consolares. Nosti etenim, immo propriis oculis dicta terra calamitates universas aspexisti, sensisti tribulationem, ejus incendia diraque palpasti vulnera, quæ sibi non sine Christiana gentis opprobrio secessa manum infligere non veretur. Reuera si sollicita consideratione multiplicium donati carismatum quibus te pravenisse conspicitur celestis munificentia largitoris, cum in te prout læti referimus strenuitatis vigor, discretionis virtus, magnitudo prudentia & potentia magnitudo clarescant, ut diversarum habundantiam facultatum, quibus inter ceteros orbis terræ Principes præmunitus agnosceris, silentio relinquamus: Deceret utique magnitudinem Regiam, ut se promptam & facilem divinis obsequiis exhiberet, si etiam grande acutulumque miraculum quod circa te dudum in prædictis partibus existentem, si qui facit mirabilia magna solus benigna operatione complevit omnimodum, latiferas inimici hominis assidui tuam perdere animam satagentis insidias, quamvis gravibus confossus vul-

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neribus, evasisti, divina virtute reservatus ad vitam, diligenti meditatione pensares, pa- An. 11 E. 1.  
 aliquat. nus non deberes, ut dictam Decimam per cuiusvis alterius ministerium conve-  
 tingeres in servitium Jesu Christi, sed dignum prius & conveniens proculdubio vosee-  
 rentur, ut negligentia qualibet eminus relegata, salubre onus huiusmodi subiens id per te  
 ipsum viriliter duceres exequendum, debita servitutis spiritum solvendo Dominus Deo tuo,  
 qui ut te redimeret & de venantium laqueo liberaret, Crucis subire patibulum non expavit.  
 Regalem itaque Celsitudinem attente durimus exorandam, quatinus non miteris  
 tuaque serenitas moleste non ferat, & petitionem eandem, quamvis libenter in his  
 quæ pro tempore postulas vobis Regis annuamus, exaudire distulimus; tuam in hac  
 parte salutem tuamque sollicitè considerantes honorem, ac etiam commoditatem  
 subiecti quam in persona tua petitionis ipsius exauditis vacuasset, tibi super huius-  
 modi conservare negotio cantius intendentes. Consilimus etenim & speramus in  
 Domino, cuius negotium agitur, quod cum in manu Dei Regum corda consistant, ip-  
 soque illa quo, & quando, ac prout vult potenter inclinet; tu divina virtutis operante po-  
 tentia conceptum propositum successu temporis commutabis, in fervore spiritus prefatum  
 prosequendo negotium, ad cuius assumptionem te in presentiarum (si relativis veritas  
 fauceat) non disponis. Nimirum magne tibi laudis praconium proculdubio vendicabis,  
 multumve commodis propriae salutis adicies, si quod sensibus Regis ex affectu sine-  
 rissimo suademus, curabis efficaciter adimplere. Consideramus etiam exaudi-  
 tionem huiusmodi differentes, quod cum passagii (utpote nondum constituti) necessi-  
 tas non urgeret, neque status mundi qualitas ad statuendum illud in proximo com-  
 moditatem temporis repromittat, nonnullis obis provincitis (prout intellexisse  
 te credimus) turbationibus validis hoste humani generis procurante concussis,  
 nullum poterat ex praemissa relatione dispendium exoriri. Quod si forte praefato  
 passagii tempore te nolle (quod absit) transire contigerit, (de quo poterit  
 Ecclesia non dolere) tunc tam circa praefatum Comitem, quam etiam Magnates  
 et Nobiles regni tui taliter de Decima disponere curabis supradicta, quod ad lau-  
 dem Dei et Terræ Sanctæ commodum, et honoris Regis cedat augmentum.  
 Dat. apud Urbem Veterem 6 Idus Januarii, Pontificatus nostri anno secundo.

The King this year to preserve the Rights of his Crown, and Priviledges of his  
 Free-Chappels, against the Popes Usurpations by Provisions, and his own Prelates,  
 and their Officials, Archdeacons Visitations, Procurations, and usurped Jurisdic-  
 tions over them, constituted two special Proctors, one in England, and another in  
 the Court of Rome, for this very end, as these two Patents evidence.

REX omnibus Ballivis suis ad quos, &c. salutem. In omnibus causis & nego-  
 tiis liberas Capellas nostras in regno Anglia, constitutas ubicunque & coram  
 quibuscunque personis contingentibus, dilectum nostrum Magistrum Radulphum de  
 Merlame nostrum Procuratorem facimus, constituimus, & etiam ordinamus: Dantes  
 eidem potestatem specialem nomine nostro agendi, defendendi, ac etiam prose-  
 cuendi, iura et libertates nostras in Capellis praedictis, et earum pertinent. tam  
 in rebus quam in personis, prout iuri et honestati Regis videbitur convenire.  
 Appellandi, etiam appellationes prosequendi, et omnia alia et singula faciendi quæ  
 ad conservationem et tuitionem iurium et libertatum huiusmodi pertinere nos-  
 runt. Ratum & firmum habituri quicquid dictus Radulphus quibuscunque diebus  
 & locis nomine nostro in praemissis omnibus & singulis duxerit faciendum. Hæc  
 omnibus quorum interest tenore presentium intimamus. In cujus, &c. per trienni-  
 um duratur. Teste Rege apud Overton, 28 die Septembris.

Pat. 11 E. 1.  
 m. 3. intus.  
 De Procura-  
 tore facto pro  
 liberis Capel-  
 lis Regis.

UNIVERSIS, &c. Edwardus, &c. salutem. Noveritis, quod nos facimus con-  
 stituimus, et ordinamus verum et legitimum Procuratorem nostrum in Curia  
 Romana, et in audientia Domini Papæ, dilectum Clericum nostrum Magistrum  
 Stephanum de Sancto Georgio exhibitorum presentium, ad impetrandum nomine  
 nostro literas Apostolicas gratiam vel iustitiam continentes, contradicendum  
 literis quibuscunque impetratis, seu etiam impetrandis, Iudices eligendum, recu-  
 sandum, et in eos conveniendum, nos defendendum; Et si nec esse fuerit appellan-  
 dum, et appellationem prosequendum. Dantes eidem potestatem, & speciale man-  
 datum alium Procuratorem loco sui ad praedicta substituendi, et omnia alia & singu-  
 la

Pat. 11 E. 1.  
 m. 4. intus.  
 De Procura-  
 tore constituto  
 in Curia Ro-  
 mana.



**Ar. 11 E. 1.** **W** la in præmissis faciendi quæ verus Procurator facere potest & debet, & nosmet possemus facere si præsentem essemus. Et promittentes sub hypotheca rerum nostrarum nos ratum habituri & firmum quicquid per eundem Procuratorem vel sub. firmitum ab eo factum fuerit in præmissis. In cujus rei testimonium has literas nostras patentes fieri fecimus sigillo nostro munitas. Dat. apud *Alton Burnell* 20 die *Octobris*, Anno regni nostri 11. Anno vero *Gratiz* 1283.

The King to ingratiate himself with the Clergy and Religious persons this year, issued these Writs for the payment of Tithes of Assarts, and Venison within his Forests.

**Claus. 11 E. 1.**  
m. 4. Pro  
Johanne de  
London. de  
Decimis per-  
cipiend. &c.

**Q**uia Rex concessit *Johanni de London.* Personæ Ecclesiæ de *Nova Terra Decimas* præsti de *Whytemede*, una cum omnibus Decimis nobilium *Claustrorum* et *Assartorum Regis factorum* et faciendorum infra *Forestam Regis de Dene*, mandatum est *Constabulario Castri Regis de Sancto Brianello*, quod eundem *Johannem* Decimas illas percipere et habere permittat, salvo jure consuetudinis. Teste Rege apud *Alton Burnell* primo die *Octobris*.

**Claus. 11 E. 1.**  
m. 9 Pro  
Abbate Cestr.  
de Decima ve-  
nationis.

**M**andatum est custodi *Forestæ Regis de la Mare*, quod faciat habere *Abbati Sanctæ Werburgæ Cestr.* Decimam venationis quæ nunc capitur in *Foresta Regis prædicta* per præceptum Regis, sicut Decimam illam habere debet et solet temporibus retroactis. Teste Rege apud *Rothelam*. 28 die *Decembris*.

I find this account and acquittance this year for the arrears of the Quindisme granted by the Clergy to the King, in the Diocess of *Lincoln*.

**Pat. 11 E. 1.**  
m. 6. Pro  
Episcopo Lin-  
colniensi de  
denariis *Quin-*  
*taxdecimæ* li-  
beratis.

**R**EX omnibus, &c. salutem. Sciatis quod venerabilis pater *Oliverius Lincoln-*ensis Episcopus die Dominica proxima ante festum Apostolorum *Simonis & Juda* anno regni nostri undecimo, solvit per præceptum nostrum *Magistro Ada de Botindon* quingentas viginti et duas libras, quatuordecim solidos, et quinque denarios, in partem solutionis arreariorum *Quintadecimæ* nobis à Clero concessæ in Episcopatu prædicto. De quibus quidem quingentis viginti & duabus libris, quatuordecim solidis, & quinque denariis, ipsum Episcopum tenore præsentium quietamus. In cujus, &c. Teste Rege apud *Alton Burnell* 13 die *Octobris*.

What Clerks imprisoned and convicted of theft and robbery, were delivered by the Justices Itinerant to their Ordinaries, and restored to their Goods upon their purgations before them this year, this Record will inform us.

**Claus. 11 E. 1.**  
m. 3. Pro  
Gervasio de  
Clifton.

**R**EX Thesaur. & Baronibus de Scaccario, salutem. Cum dilectus & fidelis no-ster *Gervasius de Clifton* Vic. noster *Not. & Derb.* liberaverit per breve nostrum *Willielmo Barn de Skesteworth* Clerico, qui de furto et latrocinio coram Justic. nostris ultimo Itinerantibus apud *Noting.* redactus, innocentiam suam juxta privileg. Clericale coram *Domino Archiepiscopo Ebor.* inde purgavit, Triginta & sex solidos & octo denarios de dono nostro. Et etiam cum idem Vic. per aliud breve nostrum liberaverit *Richardo de Bronston* Clerico, qui de latrocinio coram Justic. nostris ultimo Itinerantibus apud *Derby* indictatus, innocentiam suam juxta privileg. prædictum coram *R. Covent. & Lich. Episcopo* purgavit, Tresdecim libras & duos denarios de dono nostro, sicut per literas ipsorum *Willielmi & Richardi* quas idem *Gervasius* inde habet nobis constat; Vobis mandamus, quod inspectis eisdem literis patentibus ipsum *Gervasium* Vic. de prædicta pecunia præfatis *Willielmo & Richardo* per præceptum nostrum sic liberata, prout justum fuerit exonerari faciatis. Teste Rege apud *Alton Burnell* 5 die *Octobris*.

**Liberate 11 E.**  
1. m. 5. Pro  
Domino M.  
Sanctæ Mariæ  
in Porticu  
Diac Cardin.

The King to facilitate his affairs in the Court of *Rome*, gave this Warrant for payment of the arrears of an Annuity he had granted to one of the Cardinals.

**R**EX Thesaur. & Camerar. suis, salutem. Liberate de Thesauro nostro *Uberto Dosgy & Abrahâno Gerardi* Mercatoribus *Florentinis* de societate *Palicum & Rambertinorum*,

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*Rambertinorum*, sexaginta *Parcas* per manus suas liberandas venerabili Patri *Domino Matthæo Sanctæ Mariæ in Porticu Diacono Cardinali*, de termino *Paralis* Domini anno Regni nostri undecimo, de annuo feodo suo sexaginta *Parcarum* quod ei concessimus percipiendum ad *Scaccarium nostrum*. Nisi pecuniam illam ei prius liberaveritis per aliud breve nostrum. Recipientes ab eisdem Mercatoribus literas suas patentes receptionem dictæ pecuniæ testificantes. Teste Rege apud *Brumburgh* secundo die *Sept.* Canc. mand. de *Brumburgh*.

The Bishoprick of *Durham* becoming void by the death of *Robert de Insula*, the King granted the custody of the Temporalty thereof by this Patent.

**R**EX omnibus, &c. salutem. Sciatis, quod commisimus dilectis & fidelibus nostris *Guischaro de Charron*, & *Malcolmo de Harlegh* Episcopatum *Dunelmensem*, cum Castris & omnibus aliis pertinentibus suis, custodiendum quamdiu nobis placuerit. Ita quod de exitibus inde provenientibus nobis respondeant ad *Scaccarium nostrum*. In cujus, &c. Teste Rege apud *Aberconwey* in *Suandon*, 13 die *Junii*.

Pat. 11 E. 1.  
16. & Fines  
11 E. 1. m. 13.  
De Episcopatu  
Dunelmensi  
commisso.

These Guardians payed into the *Kings Wardrobe* out of the Rents and Profits thereof this year to the King's use 1303 l. 6 s. 8 d. as this Writ of Acquittance assures us.

**R**EX omnibus, &c. salutem. Sciatis, quod dilecti & fideles nostri *Gwycharum de Charron*, & *Malcolmus de Harlegh*, nuper Custodes nostri Episcopatus *Dunelmensis* sede vacante, liberaverunt in Garderoba nostra die Sabbati proxima post Festum Nativitatis Beatæ *Mariæ Virginis* anno Regni nostri undecimo, dilecto Clerico nostro Magistro *Willielmo de Ludo* Custodi ejusdem Garderobæ ad opus nostrum per manus *Richardi de Bischopesdon* de exitibus Episcopatus prædicti mille trescentas triginta et tres libras, sex solidos, et octo denarios: de quibus quidem mille trescentis triginta et tribus libris, sex solidis, & octo denariis præfatos *Gwycharum de Charron*, & *Malcolmum*, tenore præfentium quietamus. In cujus, &c. Teste Rege apud *Malesfield* 12 die *Sept.* per Billam.

Pat. 11 E. 1.  
m. 11. Pro  
Gwycharo  
de Charron.  
& Malcolmo  
de Harlegh.

After which *Anthony Bek* being \*elected Bishop by the King's License, and confirmed and consecrated Bishop thereof by *Wyckwane* Archbishop of *York* in *Saint Peters Church of York*, the King, Queen, and most of the Nobles of *England* being present, the King issued these Writs for the restitution of his Temporalities, and the Stock thereon, which he bought of the King.

\* See Thomas  
Stubbs *Actus  
Pontif. Ebor.  
col. 17. 17.  
17. 18.*

**R**EX electioni nuper celebratæ in Ecclesia Conventuali de *Dunelm.* de discreto viro *Antonio Bek*, Archidiacono ibidem in Episcopum ejusdem loci Regium assensum adhibuit et favorem. Et hoc significatum est Domino Archiepiscopo *Eborum Angliae* Primati, ut quod suum est in hac parte exequatur. In cujus, &c. Teste Rege apud *Cestriam* 28 die *Augusti*, per ipsum Regem.

Pat. 11 E. 1.  
m. 13. De  
assensu electioni  
adhibito.

**R**EX dilectis & fidelibus suis *Guischaro de Charron*, & *Malcolmo de Harlegh* salutem. Cum venerabilis Pater *Eborum* Archiepiscopus *Angliae* Primas electionem nuper celebratam in Ecclesia Conventuali *Dunelmensi* de discreto viro *Antonio Bek* Archidiacono *Dunelmensi* in Episcopum ejusdem loci, cui prius Regium assensum adhibuimus et favorem confirmaverit, sicut per Literas Parentes ipsius Archiepiscopi nobis inde directas accepimus: Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, & Temporalia Episcopatus prædicti prout moris est restituimus eidem. Et ideo vobis mandamus quod eidem *Antonio* Temporalia Episcopatus prædicti sine dilatione deliberetis, sicut prædictum est. In cujus, &c. Teste Rege apud *Stanlagh* 4 die *Septemb.*

Pat. 11 E. 1.  
m. 1. De  
Temporalibus  
Episcopatus  
Dunelmensis  
restituendis.

Et mandatum est Militibus, &c.

**R**EX dilectis & fidelibus suis *Guischaro de Charron* & *Malcolmo de Harlegh* nuper Custodibus suis Episcopatus *Dunelmensis* sede vacante salutem. Cum cepimus fidelitatem dilecti & fidelis nostri *Anthon. Bek*, *Dunelmensis* Electi, & eidem

Fines 11 E. 1.  
m. 7. Pro  
Antonio Bek  
Electo Dunelmensi.



K. Edward I. *An Exact History of Popes Intollerable Usurpations, B.5. ch.3.*

**An. 11 E. I.** Temporalia Episcopatus illius restituerimus, vobis mandamus quod blada, boves, & alia averia ac totum instaurum quæ ab Execut. Testamenti *Dunelmensis* Episcopi nuper defuncti ad opus nostrum emittis, dicto Electo per idem precium quo ea recepistis liberetis. Ita quod vobis ad opus nostrum respondeat de precio supradicto vel executor. prædictis, si nondum inde responderetis eidem. Salvis nobis misis quas fieri fecimus pro waynagio & collectione fructuum aliquorum ibidem. Teste Rege apud *Macleffend*, 10 die Septembris.

\* Godwins Catalogue, p. 377.

*Richard Swinefeld* being \* elected and confirmed Bishop of *Hereford* by the Kings license and assent, he issued this Writ to restore his Temporalities.

Pat. 11 E. I. m. 13. De Temporalibus Episcopatus Hereford. restituendis.

**R**EX dilecto Clerico suo *Waltero de Rudmarl*. Custodi suo Episcopatus *Herefordensis* salutem. Cum venerabilis Pater *J. Cantuariensis* Archiepiscopus electionem nuper factam in Ecclesia Cathedrali *Herefordia* de Magistro *Ricardo de Swinefeld* Canonico ejusdem Ecclesie in Episcopum ejusdem loci, cui Regium assensum prius adhibuimus et favorem, confirmaverit, sicut per Literas Patentes prædicti Archiepiscopi accepimus; Nos confirmationem illam acceptantes cepimus fidelitatem ipsius Electi, & Temporalia ejusdem Episcopatus restituimus eidem; Et ideo vobis mandamus, quod eidem Electo Temporalia ejusdem Episcopatus liberetis in forma prædicta. In cujus, &c. Teste Rege apud *Rothelan*. 8 die *Januarii*. Et mandatum est Militibus, &c.

\* Antiq. Britan. Ecclesie, pag. 200, 202, 203, 204.

\* *John Peckham* Archbishop of *Canterbury* to fill his empty Purse, and extend his Archiepiscopal authority beyond his Predecessors, resolved thereupon to visit all his Province more accurately, and punish offenders more severely than in former times, to prevent all obstructions by Appeals to *Rome*, *Visitacionem hanc suscepimus, prospiciendum sibi maxime putavit, ut Papæ ne ab eo turbaretur, in quibuscunque mandatis obsequeretur.* Whereupon having obeyed his Commands to the King in admonishing him to restore the Dismes he had seized for relief of the *Holy Land*, he proceeded in his Visitation. In visitatione autem, quam peractis Papæ mandatis, exorsus est, primum Judæos in perpetuum exilium acturus scripsit Episcopo *Londonensi*, ut eorum omnes Synagogas everfas et demolitas solo adæquaret; (an high usurpation upon the Kings Prerogative.) Quod decretum paulo post, Rege procurante, mitigatum est, ac Judæis permissum utrum Templum in publico aliquo Civitatis loco, in quo suos ritus, amputata tamen Cereemoniarum multitudine, celebrarent. In hac Visitatione Crimina et Excessus permultorum Clericorum atque Laicorum acriter castigavit. Primum, quia plura Beneficia retinendi licentia in Anglia impune contra jura permissa Clericis fuit, eam non ab infamis modo sed a summis sumpto supplicio eradicavit; (a very commendable Action worthy imitation.) Nam *Richard. More* sacre Theologie Professore, Episcopum *Winton.* electum, necnon *Johannem Kirkbey* Capellanum Regis, ad *Lichfeldensem* Episcopatum etiam Electum, quia in Beneficiis plurales ante fuerant, confirmare noluit, sed rejecit. Quorum utrique, cum ad Papam appellassent, appellationes longo tempore prosecuti, eas tandem ratio deserere, et judicata a *Johanne* contra se Sententia stare inibiti coacti sunt; (a memorable President, wherein the Pope only aimed at his own Grandure and Ends, usurping a power to dispose of these Bishopricks upon this pretext, by his own Provision, to those who would give most for them.) In hujus autem locum *Johan. Pontifarius* ab ipso Papa *Wintoniensis* Episcopus creatus est, qui *Wintonienses* Monachos gravissime infestavit, et Episcopatus jura atque prædia mirum in modum ex Monachorum spoliis auxit, ut ex illius Ecclesie monumentis apparet. Cumque hos in jure vicisset, inferiores Clericos, qui plura Beneficia simul tenebant, aggressus est. Quos omnes, uno Beneficio contentos esse compulsi, (according to his \* Constitutions made in the Council of *Lambeth*.) In quo proposito stetit durior, quod Romæ Cardinales quidam (ut ex ejus literis intelligi possit) eum coram Papa accusassent, quod hunc Anglicani Cleri excessum mirius tolerasset. Quam iniquam Criminationem ut vitaret, plurales non modo Beneficiis amovit, sed hujusmodi maledictis, Filios Belial, Contemptores Canonum, Usurpatores, et Beneficiozum Sacrilegos appellat. Rec minus in Plurales quam in Absentes, et non residentes acris Juxta fuit, a primis et elatis.

\* Archiv. f. 142 Nota.

\* Here, p. 261, 262. See Godwins Catalogue of Bishops, p. 77, 78.

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elatisimis exorsus; (a commendable Action, worthy his Successors imitation.) Episcopus Lichfeld. \* peregrinum et Anglicanæ linguæ ignarum, ideoque extra suam Diocæsim commozantem edito publicato manuit, ut sub amotionis pœna ad Episcopatum rediret, ibique resideret. Cumque jam venisset, eum acerrime increpavit, quod etiam ideomaris infens, pascere suæ Diocæsis gregem verbi prædicatione nequisset, præsentia tamen sua Eleemosinis et liberalitate alere debuisset. Cumque Collegium *Wolverhampton* in *Lichfeldensi* Diocæsi, cujus jus Patronatus ad *Cantuar.* Ecclesiam olim spectabat, visitare voluisset, jure & privilegio exemptionis, quam vendicabant, à Canonis vetitus & exclusus est. Cujus rei controversia cum *Romæ* delata penderet, *Johan. Theodosium* de *Camilla* litem hanc *Romæ* prosequentem, duabus *Ætæ* in quibus non residebat spoliabit. Hoc tempore causa quædam inter Archiepiscopum *Eboracensem* & *Dunelmenses* Monachos controversa ad Archiepiscopum *Cantuariensem* per tuitoriam appellationem deducta est. Archiepiscopus autem aliis impedita negotiis causam *Priori de Southwerk*, Decano de *Archubus*, & Canonico cuidam Ecclesiæ *Pauline* delegavit; quibus etiam mandavit, ut in tuitoris eventum de causa principali cognoscerent. Similisque inter *Dunelmensem* Episcopum & *Eboracensem* Archiepiscopum controversia, Archidiacono *Cantuariensi* appellationis tuitoria jure commissa est, in qua Archid. *Cantuar.* de eâ lite cognoscenti data est, *Eboracensem* Archiepiscopum suumque Officiale inhibendo à gerenda in *Dunelmensis* Episcopi præjudicium quacunq; jurisdictione comprimendi potestas. Adulteria et stupra non minozi seberitare vindicabit, cum *Cicestrensem* Diocæsim distraret *Rogerum Ham* Presbyterum fornicarium ad triennalem penitentiam jurejurando adegit; quod tempozis in jejuniis, orationibus, et longinquis ad *Romam*, *Coloniæ*, et *Compostellam* peregrinationibus contereret, *Beneficiorum* suorum redditibus sibi prohibitis, et in pauperum utilis sequestratis. \* In *Saraburiensis* etiam Parochiæ visitatione, compertum fuit *Osbertum Giffard* Militem, *Moniales* duas ex *Wintoniensi* Cœnobio abduxisse; quem *Cantuariensis* Archiepiscopus excommunicatione primo percussit; deinde sub his duris conditionibus relaxabit; Primo, ne in tota reliqua deinceps vita ullum Monialium Cœnobium ingrederetur, aut Monialis cujusquam consortio uteretur. Deinde ut tribus diebus Dominicis in Ecclesia Parochiali *Wilton* exutus bestibus, virgiserberaretur. Tandemque postea penam tam in foro quam in Ecclesia Parochiali de *Shaftesbury* publice subiret. Ad hæc multozum mensum jejunium et injunctum est. Præterea omnibus militaribus insignibus detractis præbatus, nec calcearia deaurata, nec gladium, nec cellam militarem, aut deauratas Phaleras habiturus. Ad extremum ut nec vestes coloratas sed tantummodo de roseto, cum agnitis pellibus belovinis, nec utatur Camisia posteaquam fuerat castigatus per tres annos, ad ordinem suum militarem non rediret antequam tres continuos annos in *Terra Sancta* eregisset. Ante omnia, ut *Moniales* ad Cœnobium simili pœna multandas restituere atque remitti curaret. Hæc omnia se jurejurando facturum spondit; jejuniorum nihilominus ab Episcopopo *Saresbiriensi* illi præscribendo modo. (An high Usurpation on Knights and Lay-Subjects privileges.) Nec minorem in reprimendis jurisdictionem suam contemnentes seberitatem *Petrus* quidam de *Sancto Marco* Decanus de *Archubus* exercuisse fertur, qui *Herefordensis* Episcopi Officiale suis monitis non parentem, primo 10, deinde aucta et perseverante Contumacia, 40 Marcis; (which he had no legal power to impose) tanquam Rebellem et potestatis suæ contemptorem, multabit; necnon Episcopum ipsum *Herefordensem*, quod Officialis suæ partes audacius tueretur, excommunicabit, ejus Capellam Interdicto Ecclesiastico suppositur; (a very high Papal Exorbitancy.) Hoc etiam tempore lis quædam inter *Lincolniensem* Episcopum & Universitatem *Oxon.* aliquot annis de Jurisdictione Episcopi in Scholares Universitatis agitata est. De qua *Johannis Cantuariensis* cum Scholarium tum causam vacillare, nec jure stare posse intellexerat, Scholaribus rescriptis; Si in jure contenderent, vinci eos ac superari necesse esse, præsertim cum his quibus niterentur privilegia à Jurisdictione Episcopali jure communi stabilita, eximi nequaquam potuissent. Ipseque perlustrata reliqua Provincia *Oxoniensem* Academiam jure Metropolitico visitaturus adiit. In qua Visitatione quasdam Philosophicas opiniones, quos errores & à *Roberto Kilmarby* ante reprehensos docuit, tanquam hæreses et à fide Christiana abhorrentes è suggestu latine refellit. (What these opinions were you may read in Sir Henry Spelmans Councils, Tom. 2.

Ap. 1: E. 1.  
\* See Godwins Catalogue, p. 260.

\* See Godwins Catalogue of Bishops, p. 777.



An. 11 E. 1. p. 347, 348. ) Inter hās una erat, in homine esse tantummodo formam unam. Quam Frater *Johannes* non concoxit, ne colligeretur inde, corpus Christi non fuisse unum numero vivum & mortuum, nec sanctorum corpora eadem tota vel secundum partes in orbe existere vel in urbe; sed alia quaedam quæ non pepererunt matres, sed de novo peperit phantasia; (the first President of this kinde, to adjudge and declare new Heresies in a Visitation, without a Synod or Council.) Sed istæ Hereses philosophicæ ab *Oxonienſium* Scholis in Prædicatorum & fratrum turbis profecti & disseminati fuerunt. Inter quos *Richardus Knapwell* Doctor Ordinis Prædicatorum octo opiniones contra *Johannis Peckham* assertiones defendit. Hunc itaque *Johannes Peckham* ad suum tribunal vocavit, eoque non accedente, eum suasque opiniones cum suo Clero damnabit. Sed \* *Hugo de Mancrovia* ejus Ordinis Provincialis intercessit, & *Cant.* restitit. Allegabitque, neminem in subditiis fratres præter solum Papam potestatem habere. Itaque appellatione interposita superſedit negotia *Cantuarienſis*, atque contulit. Nec quicquam deinceps in hominulum fratrem valuit ejus auctoritas, qui in Regem et Episcopos omnia poterat. Idem acutus frater & Theologus, cum è sacris Scripturis probare vellet, non esse permissum Clericis duo Beneficia Ecclesiastica retinere, protulit hanc ex Evangelio sententiam; *Qui habet duas tunicas, unam tribuat non habenti; & qui habet escas similiter.* *Richardus* ille frater inter alia quæ de nugis Philosophicis scripsit, adidit unum de formarum vitate libellum, ut omnibus liquido constare posset, eum nullis *Cantuarienſis* minis deterritum in sententia sua perseverasse. His in Provincia visitanda gestis, scriptis ad plerisque Suffraganeorum literis, ne se, suos Officiales et tribunalia muneribus, (quæ cum insigni Prelatorum opprobrio dñi nepharie percipi in visitatione intellexerat) deinceps inquirari permitterent, admonuit; quod si suæ monitioni non parerent, se admissa deinceps in muneribus percipiendis scelera severius animadversurum. In literis etiam ad *Ordinum* Cardinalem *Tusculanum* Episcopum scriptis, queritur de quodam, quem Remigem, suam navem atque Puppim subversurum, nominat, qui muneribus moderi, ac duas pelbes aureas plenas slorensis accepisse ait. Idem ad *Romanæ Curie* Vicecancellarium scribit, comperisse se fuisse in Anglia multa privilegia per fallarios fabricata. Sed commoti Suffraganei, quod non modo tam crebris visitationibus, sed etiam quotidiana jurisdictione partes suas in eorum Diocæſibus tam sæpe interponeret, querelam 25. Articulis comprehensam in eum proponebant. Cuius querelæ tunc et eventum, cum in seipsos recidisse intellexerant, (by reason of his extraordinary favour with the Pope, his creator) ea omnia luctari amplius cum *Petropolitano* noluerunt. Inter hos Suffraganeos *Londinenſis* tum Episcopus gravare tulit quendam *Henricum de Stokes* suæ *London.* Diocæſis Rectorem, de Beneficiorum pluralitate eorum Decano de *Arcubus* in ius vocatum fuisse. Qua de re scripsit *Johanni Peckham* se id non laturum, sed nisi desistat tam in hac quam in aliis causis de suis Clericis subtiliter cognoscere, se appellationis ad Curiam *Romanam* sacram Anchozæ petitionem. Cui *Johannes* stupuisse se, scribit, de illa minaci & præjudiciali pagina. Sane, inquit, duo per nos vobis illata fuisse gravamina causamini: Primo, quod *Henricum Stokes* de pluralitate Beneficiorum ad nostrum evocavimus examen: Secundo, quod ipsum per Decanum de *Arcubus* citari fecimus; adjungentes, quod subditus Suffraganei *Petropolitano* non subest, quasi velitis jura *Cantuar.* Ecclesiæ, quæ tueri et defendere juraſtis ad amplius *Petropolitani* limites coardare. Decani autem de *Arcubus* processibus consuetis parare obicem nullatenus præsumatis: Pro certo scituri, quod jura Ecclesiæ *Cantuar.* partim scripta, partim a doctoribus authenticis notata, partim pacifice obtenta longo provincie usu intendimus contra omne hominum genus quantum poterimus constanti animo defendere. Thus did this Papal Arch-prelate, presuming on the Popes favour, domineer in this his Visitation over his whole Province, and subjugate it to his arbitrary power, which none of his predecessors attempted, much lesse effected till then. Having visited England, \* *Archiepiscopus* per *Cestriam transiens*, Anno 1284. venit *Walliam*, ad reſormandum statum Ecclesiæ. In this Visitation (as I conceive) he made and published a Decree, what Ornaments of Churches the Parishioners should provide and pay for, and what the Priests or Encumbents; wherein you may observe how many Popish unnecessary superfluities he imposed on the people, without and against the Law or their assents,

\* Henry de Knyghton de Event. Angl. l. 3. c. 12. col. 2465. Spelmani Concil. Tom. 1. p. 346.

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to their great unnecessary expence. \* Statuta fratris Johannis Peckham Cantuariensis Archiepiscopi, ad doctrinam presentium & memoriam futurorum. Cum plurimique altercatio inter Rectores Ecclesiarum in provincia Cantuariensi constitutos, eorumque Parochianos, super variis ornamentis rebusque Ecclesiasticis, quæ, & quanta, & quomodo ad Rectores pertineant infra scripta, quæ autem ad eorum Parochianos; & sic licetatum plerumque tenas pro doctrina quæ sequitur, ut docti existant Parochiani in singulis subsequentibus certiores; sciunt, intelligant, & observent taliter universi, quod Calix, Missale, Vestimentum ipsius Ecclesiæ principale, viz. Casula, Albamenda, Amictus, Manipulum, Zona, cum duabus Tuellis, Crux processionalis, alia Crux minor pro mortuis, Feretrum, Thuribulum, Lucerna, cum Cinctu nabalo, Velum quadagesimale, Manuales, Uerilla, Campanæ, Vas ad aquam benedictam, cum sale et pane, Disculatorium pacis, Cereum Pascale, cum Candelabro, Campanæ in Campanili et cordæ, Fontes cum securis earundem, Reparatio navis Ecclesiæ interius et exterius, tam in Altaribus quam in Imaginibus; Fenestraque vitæ, cum Clausuris Cimiteriorum, ad ipsos Parochianos pertinent omnia supradicta. Cetera autem omnia, tam in reparatione Cancelli, quam Ornamenta huiusmodi, interius et exterius, secundum diversas ordinationes & constitutiones approbatas, debent a locorum Rectoribus seu Vicariis reparari.

William Wickwane Archbishop of York, taking more care to provide for the stocking and improving of the Mannors and Temporalities of the Archbishoprick, for the benefit of his successors, then for feeding of the peoples souls, having stocked his Demesns with Oxen, Horses, Sheep to manure and improve them, to perpetuate them to his successors, made this Ordinance by the Dean and Chapter of York and the Kings consent, which the King confirmed at Ailou Burnell, by his Royal Charter and Authority.

**R**EX Archiepiscopis, &c. salutem. Insuper scriptum quod venerabilis pater Willielmus Eborum Archiepiscopus Angliæ Primas, fecit in hac verba. Ad perpetuam memoriam subscriptorum in Dei nomine Amen. Dominus ac Redemptor altissimus qui omnia rite composuit & recto ordine stabilivit suos nonnunquam temporaliter tangit, ut quos intrinseca meditatio ad pias occupationes non allicit casus excitet exterior, qui contingit, quod penes eos qui ad successionem hæreditatis Dominicæ hiis diebus vocantur, præcipue est pensandum si statui viduarum Ecclesiarum prospicere considerent, & perplexos superiorum Prælatorum ingressus examinent intimius ad easdem. En nunquid Prælati nostri temporis nudam successionem scilicet in Ecclesiarum temporalibus nudi post fuscum adeunt, & nonne dum sola gleba pro cultura necessariis destituta, relinquitur prolixioribus quasi mendicando temporibus curam gerunt. Hoc siquidem innocentium oculi perhibent, & cotidiana revolutio in talibus evidencius manifestat, ex quibus plerumque accidit, quod spirituale meritum quod eminencius in Prælato requiritur, in temporale commercium laxius est conversum. Ea propter nos Willielmus permissione divina Eborum Archiepiscopus Angliæ Primas, præfatis pie tacti oppressio- nibus & angustis quas tam apud prædecessores nostros didicimus, quam in nobismet ipsis re ipsa sensimus in ingressu, pro salute animarum nostrarum, et animarum hereditarii Principis Domini Edwardi Dei gratia Regis Angliæ illustris, & Domine Alianora confortis suæ, necnon pro animabus bonæ memoriæ Domini Walteri de Grey prædecessoris nostri, & Domini Willielmi de Rotherfeld quondam Decani Ebor, ac ad successorum relevamen perpetuum, & Ebor. Ecclesiæ, cui disponente Domino præstitum consolationem proficuum in futurum, intentis nifibus circa ista dies duximus occupati. Accedente igitur speciali consensu et licentia Domini Edwardi Regis Angliæ prædicti, ac Decani & Capituli nostri Ebor. voluntate unanimi occurrente, sic ordinando censuimus providendum; videlicet, quod quingenti & duo boves per majus centum, & quinquaginta quatuor equi ad agriculturam omnium Dominiarum terrarum ad Archiepiscopatum Ebor. necessarii, quos boves & equos una cum mille bidentibus, videlicet, quingentis mulionibus & quingentis ovibus matricibus Archiepiscopis Ebor. nobis canonice successuris, & Ecclesiæ nostræ Ebor. in hiis scriptis donamus, assignamus, de bonis nostris liberaliter conferimus & legamus, tam vacante sede Ebor. quam etiam ipsa plena in eodem numero integro quem superius expressimus, cum prædictis

An. 11 E. 1.

\* Spelmanni Concil. Tom. 2. p. 343. See Guil. Lindewode l. 3. Tit. De Ecclesiis ædificandis, l. 181, 182, 183.

Rot. Chart.

Anno 10 E. 1.

num. 8.

De Ordinatione facta de instauro in Archiepiscopatu Ebor. imperpetuum remanendo.



*An. 11 E. 1.* prædictis mille bidentibus in maneris ad Archiepiscopatum Ebor. pertinentibus, ut inferius statim distinguitur, salvi ad usum & commodum maneriarum perpetuis temporibus conserventur. Remaneant scilicet in Balliva de Chirchedon apud Chirchedon duo equi carectarii cum carecta, & triginta & sex boves, cum quatuor carrucis & atillis. Item apud Norton octodecim boves, cum duabus carrucis & atillis. Item apud Sardington novem boves, cum una carecta & atillis. Item apud Cerny & Cumpston viginti & septem boves, cum tribus carrucis & atillis, & duo equi carectarii cum carecta. Item apud Otingdon duo equi carectarii cum carecta, & viginti & septem boves, cum tribus carrucis & atillis. Item remaneant in Balliva Suwell apud Suwell duo equi carectarii cum carecta, & triginta & sex boves, cum quatuor carrucis & atillis. Item apud Ascham quatuor equi carectarii, cum carectis duabus, & triginta & sex boves, cum quatuor carrucis & atillis. Item apud Seroby duo equi carectarii, cum una carecta, & octodecim boves, cum duabus carrucis & atillis. Item remaneant in Balliva de Shireburn apud Shireburn quatuor equi carectarii, cum duabus carectis, & quadraginta & quinque boves, cum quinque carrucis & atillis. Item apud Swychemund octodecim boves, cum duabus carrucis & atillis. Item apud Cavode viginti & septem boves, cum tribus carrucis & atillis, & octo boves, cum duobus plaustris. Item apud Grangiam Ebor. duo carectarii, cum una carecta, & viginti & septem boves, cum tribus carrucis & atillis. Item remaneant in Balliva de Wilton apud Wilton viginti & septem boves, cum tribus carrucis & atillis, & duo equi carectarii, cum una carecta. Item apud Wetwang. octo equi, cum duabus carrucis & atillis. Item remaneant in Balliva de Beverlaco apud Beverlaco quatuor equi carectarii, cum duabus carectis, & viginti & septem boves, cum tribus carrucis & atillis. Item apud Burton quatuor equi carectarii, cum duabus carectis, & triginta & sex boves, cum quatuor carrucis & atillis. Item apud Skyeby quatuor carectarii, cum duabus carectis, & viginti & septem boves, cum tribus carrucis & atillis. Item apud Patingreton octodecim boves, cum duabus carrucis & atillis. Item remaneant in Balliva Ripon apud Ripon decem equi carectarii, cum quinque carectis, & quaterviginti & novemdecim boves, cum undecim carrucis & atillis. Item apud Otteley duo equi carectarii, cum una carecta, & octodecim boves, cum duabus carrucis & atillis. Item remaneant in Balliva de Hextildesham apud Hextildesham octodecim boves, cum duabus carrucis & atillis. Item remaneant apud Patingreton quingentæ oves matrices, & apud Wilton quingenti multones de mille bidentibus antedictis. Qui quidem boves, equi & bidentes post decessum nostrum ad custodiam Domini Regis transeant, ipsique utatur Dominus Rex in lectis prædictis quacumque Ebor. fuerit sedes vacans, et eos adeo bonos sicut eos recepit, et in eodem numero integre restituat nostro proximo successori. Idem autem successor noster suis temporibus hiis utatur, & cum obierit vel cesserit illos in adeo bono statu quo eos recepit, Domino Regi dimittat in numero integro antedicto, et Rex similiter proximo successori, et sic deinceps. Ita quod nos, nec Dominus Rex, nec Custodes, per ipsum seu per heredes suos deputandi sede vacante quancumque, nec aliquis successor noster prædictos equos, boves, bidentes, vel aliquem singularem bovem, equum, vel bidentem possit vendere seu de hiis in testamento disponere, vel quocumque modo alienare vel occidere, seu qualitercumque subtrahere quominus prædictus numerus bovum, equorum et bidentium, salvis semper et integer remaneat ut superius est expressum, si si caput aliquod subtractum fuerit aliquo modo præmissorum is sub quo subtractum fuerit, statim subroget egrè bonum. Cum vero aliqua capita vel caput aliquod prædictorum bonum, equorum, vel bidentium casualiter vel alio modo interire contigerit, is sub cuius custodia casus seu dampnum evenerit, Dominus Rex scilicet si suo tempore, Archiepiscopus quidem quilibet si suo tempore, aliud adeo bonum et competens caput subroget loco sui. Ordinamus etiam de prædicti Domini Regis licentia et consensu, Capitulo nostro unanimiter annuente, quod Custodes quicumque fuerint Archiepiscopatus per Reges in vacationibus Eborum Ecclesia deputandi, per suum corporale iuramentum coram Regibus ipsis singulis vicibus præstandum, ad præmissorum observacionem recitatis coram eis prædictis articulis specialiter obligentur. Et Archiepiscopi nobis successuri, tam in admittione temporalium a Regibus quam introizatione sua Eborum, omnia superius ordinata servare solempniter et publice reprobant. Quæ omnia præmissa per nos ordinata & provisæ utinam provide & distincta de Rege in Regem, & de Archiepiscopo in Archiepiscopum sub obestatione divina vindicta

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in die districti iudicii, ubi sanctissimus ille Apostolorum Princeps \*Petrus claviger athenus patronus noster, de cuius honore agitur contravenientes in facie accusabit, imperpetuum fideliter observentur. In pramissorum vero fidem & testimonium sigillum nostrum apponimus huic scripto. Dat. apud Novum locum in Scirewod. 9 Kal. Octobr. Anno gratia M. CC. octogesimo tercio, & Pontificatus nostri anno quinto. Nos autem ordinationem predictam ratam habentes et gratam, eam pro nobis et hered. nostris quantum in nobis est concedimus et confirmamus, sicut scriptum predictum rationabiliter testatur. Hiis testibus venerabili patre R. Bichon, & Wellen. Episcopo Cancellario nostro, Edwardo fratre nostro, Gilberto de Clare Com. Glouc. & Heref. Henr. de Licy Com. Linc. Rogero le Bigot Com. Norff. & Mareschallo Angliæ, Johanne de Warren. Com. Surr. Johanne de Vesey, Oxtone de Grandisfona, Roberto fil. Johannis, Ricardo de Bosco, Eustach. de Hacche, & alios. Datum per manum nostram apud Acton Burnell sexto die Octobris.

An. 11 E. 1.

The Archbishop of York St. Peters Vicar & successor as well as the Pope: See Tom. 1. p. 32, 33.

<sup>a</sup> William Thorne (a Monk of Canterbury) informs us, that Anno 1283. Nicholas Abbot of St. Augustines Canterbury, ut confratres sui commodius possent vacare orationi & contemplationi, & ut in diversis libris quandoque studendi operam darent, ordinavit & statuit de consensu (Conventus) unanimi ad supradicta melius & uberius custodienda, ut de divinis Officiis, qua scilicet de regula nostra substantia non existant aliquantulum moderantur, abbreviating their long Divine Service in sundry particulars formerly used, upon this account, quod divinum officium morosius & devotius ab omnibus sustentetur, & etiam in reliquo tempore in studiis & bonis occupationibus diligentius quisque se occuparet: For which he was so far from blame, that this Historian gives this Encomium of him; De precedentibus non recolo me per eorum actus in regimine vidisse illum excellentem, nec vero in subsequentibus, surrexisse sibi coequales. After which he being troubled in conscience about the unusual way of his election and confirmation at Rome, (as <sup>b</sup> elected Abbot in forma compromissi by the Thier and 5. Monks more, per speciale mandatum Prioris & Conventus, qui hanc electionem secundum formam compromissi suum praeberent consensum, not by the whole Convent assembled together, as in the usual form.) Iste sic actis, volens idem N. suam electionem celeriter expedire, habito processu electionis, litterisque Regis ac Magnatum simul optentis, apostolico conspectui se presentavit: Processu in Curia diligenter examinata die S. Ambrosii confirmatus, Sancto die Paschæ ab Episcopo Portuensi Cardinali de mandato Papæ Nicholai Romæ benedictus est, (no doubt for a great reward then given, which troubled his conscience.) Upon this account above 10. years after, he procured the Kings license to repair to Pope Martin, where, without the Kings privy, and against his Prerogative, he resigned his Abby to the Pope, who by his Bulls (without the Kings royal assent, or Monks election) constituted Thomas de Wyndone Abbot; for which high usurpation on the Kings prerogative, the Temporalities of the Abbey were seized and detained in the Kings hands, till he paid a fine of 400 Marks for this contempt, besides the mean profits amounting to 300 l. thus related by the same Monkish Historian. <sup>c</sup> Nicholaus de Spina pastor hujus Ecclesie per decem annos, & de sequenti per quatuor vel quinque septimanas regem sibi commissam strenuissime rexisset, et ea quæ prius in Romana Curia, ob zelum tamen Domus suæ ibidem fecerat, mente revolvens, quia vir erat strictæ conscientie, videns seipsum pro hujusmodi causa in conscientia fore læsum, nec ulterius Pastozale officium posse sibi de cætero iusto titulo competere; ipse petita licentia a Rege et obtenta, (eodem autem Rege causam sui transitus minime cognoscente) transfretabit; ipsoque coram Summo Pontifice conscientiam suam demonstrante, et eodem Pontifice super hujusmodi offensa cum eodem Nicholao libenter voluisse dispensasse, tamen ipse omnibus sepositis continue cessionem suam cum maxima instantia procurabit. Tandem die Pancratii Martyris Dominus Apostolicus Martinus Papa 4. suam cessionem admisit. Qua admissa, idem Papa fratrem Thomam de Wyndone tunc tertium Priorem Sancti Augustini Cant. in Anglia existentem præfecit in Abbatem apud Urbem veterem, Anno Pontificatus sui tertio. Injunctis vero eidem Papa eidem N. in sua cessione, ut nominaret sibi personam magis habilem Monasterii cui præsidebat. Ille vero prædictum Thomam denominavit esse virum prudentem, moribus, scientia, & atate multipliciter decoratum, in temporalibus & spiritualibus

a Chronica, c. 17. Sect. 7. col. 1935, &c.

b Chron. W. Thorne, c. 28. col.

c Chron. W. Thorne, c. 28. col. 1937, 1938, 1939.



**An. 11 E. 1.** alibus circumspēctum. Et quia idem Papa notitiam illius persona temporibus retroactū memorialiter habebat, eidem denominationi libenter annuit & consensit: Egressi sunt ergo Bullæ Papales, et in Octabis Apostolorum Petri et Pauli, eidem Thomæ exhiberant præsentatæ, quæ fuerunt lectæ statim eodem die, præsentibus Comite Cornubiæ, Stephano de Penecester, tunc Constabulario Doveriæ, Pagistro Johanne de Lacy, & multis aliis; & statim idem Dominus Thomas, sic creatus in Abbatem, (of which he made no conscience, though against the Kings prerogative, and privilege of the Abbey) arripuit iter versus Regem, ad ostendendum illi Bullam Apostolicam; quem invenit apud Snouden apud Karnarvan 29 die Junii, qui Bullam cum dicto Abbate benigne admisit. Et prædictus Dominus Thomas Abbas eidem Regi totum processum cessionis prædicti N. & etiam sua creationis ore tenus expressit. Istis sic habitis benedictus est Londoniæ die Sancti Ambrosii de mandato Domini Papæ ab Archiepiscopo Dublinensi. Notwithstanding, upon better consideration, Cum vero fama laborasset sic de supradicta cessione, venit Cæcætor Regis die Pativitatæ Sancti Johannis Baptistæ, et Abbatiam in manus Domini Regis tenuit, et eam tenuit tanquam Cæcætor usque diem Mercurii proxime sequentem: quo die venit P. Huntingfeld Vicecomes Cantix, & prædictam Abbatiam custodiendam recepit per tale Breve.

**Pat. 11 E. 1.**  
**m. 7.**

**Edwardus, &c.** Cum Abbas Sancti Augustini Cant. Abbatiam ejusdem loci in manum Domini Papæ resignaverit, ut accepimus, tibi præcipimus, quod Abbatiam prædictam cum pertinentiis in manum nostram capias, & salvo custodiri facias, donec aliud inde tibi præceperimus, ita quod de Critibus ejusdem nobis respondere possis a tempore resignationis prædictæ; Inquirens diligenter de tempore quo vacare incepit.

Et idem P. istam Abbatiam sic habuit custodiendam usque xx. diem Julii, quo die Dominus Rex per Bebe suum tradidit Dominis Johanni de Bouene, & N. de Ryngelton dictam Abbatiam ad custodiendam. Qui eam custodiebant usque ad diem Sanctæ Fidis Virginis, qua die Thomas de Fynden Abbas, fecit finem cum Domino Rege apud Acton Bournel, in Parlamento, pro eo quod sic fuerat creatus in Abbatem, licentia Domini Regis minime petita, pro 400 marcis; de quibus Rex remisit 100 ad instantiam Domini Episcopi Bitoniæ nunc Cancellarii Regis. Et sic liberata fuit eidem Thomæ Abbatia sua per litteram Domini Regis patentem; Cujus tenor talis est.

**Pat. 11 E. 1.**  
**m. 8.**

**Edwardus, &c.** Militibus, liberis hominibus, & omnibus aliis Tenentibus de Abbatia Sancti Augustini Cant. salutem. Scitis, quod cum Summus Pontifex per cessionem Nicholai nuper Abbatis dictæ Abbatix qui eam in manum suam resignavit, de persona Thomæ de Fydenæ, Monachi dicti Monasterii tunc in Anglia existentis eidem Monasterio providerit, et ipsum præfecit in Abbatem, sicut per litteras suas patentes nobis significavit: Nos eidem Thomæ Abbati Temporalia ejusdem Abbatix, cum Juribus, Libertatibus, et omnibus aliis ad eandem pertinentibus, sicut prædecessores ejus tenuerunt, reddidimus. Et ideo vobis mandamus, quod eidem Thomæ Abbati tanquam Domino vestro in omnibus, quæ ad Abbatiam illam pertinent, intendentes suis & respondentes.

Et sciendum est, quod Dominus Rex liberavit Abbatiam prædicto Domino Thomæ Abbati, salvis sibi Critibus Temporalium, a die Sancti Pancratii, quo die Abbatia capit vacare, usque diem Sanctæ Fidis Virginis, quo die liberata fuerit Abbatia prædicto Abbati apud Acton Burnell, ut supra notatur, expensis Abbatis & Conventus & eorum familia necessariis per idem tempus deductis; de quo tempore prædicti Abbas & Custodes, una cum Petro de Huntingfeld Vicecomiti Cantix responderunt, videlicet de Tallagio assesso per idem tempus per diversa maneria xli l. xvi s. viii d. de Placitis & perquisitis omnium Curiarum xxx l. vi s. vi d. ob. Et de redditu assiso & forinseco lxxx l. xs. viii d. Et de venditione Bladi & Reditu in quibusdam Maneriis, præter sustentationem Monachorum & eorum familia liiii l. xiii s. ob. Et de omnibus aliis Exitibus & Consuetudinibus per idem tempus de diversis parcellis lxxxx l. xii s. iv d. Et est totalis Summa CCC l.

How ill the King resented this Innovation and usurpation of the Pope, and what care he took to prevent it for the future, by advice of his Council, before he would restore this Abbot (made by the Popes provision, without his royal assent, or due election)

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election) to the Temporalities, after his Fire for this contempt, this Record more fully informs us then this partial Monkish Historian.

An. 11 E. 1.

**R**EX omnibus, &c. salutem. Cum Nicolaus nuper Abbas S. Augustini Cantuariensis, cui licentiam dedimus peregre proficiscendi ad Sanctum Benedictum in Monte Cassino, ad Curiam Romanam accedendo, Abbatia sua dicta in presentia Summi Pontificis, nobis inconsultis, cesserit; per quod idem Summus Pontifex de persona dilecti nobis in Christo Thomae de Fyndon Monachi dicti Monasterii, tunc in Anglia existentis, eidem Abbatia providit, vacatione dictae Abbatiae nobis minime nunciata, nec petita vel optenta per Priorem et Conventum ejusdem Monasterii a nobis, prout moris est, licentia eligendi sibi alium in Abbatem, nec etiam assensu Regio, prout ad Coronam et Dignitatem nostram pertinet, requisito; quod in exheredationis nostrae periculum (quod absit) de facili redundaret. Nos audito rumore de Vacatione praedicta, ne ex facto huiusmodi periculum exheredationis posset in posterum in casu consimili nobis et haeredibus nostris imminere, Abbatiam illam in manum nostram cepimus, et Custodes nostros deputavimus ad ipsam Abbatiam custodiendam. Ita quod de Exitibus inde provenientibus nobis responderent ad Saccharium nostrum, et per finem Quadringenta Marcarum, quem idem Thomas Abbas dicti Monasterii nobiscum fecit; de quibus Centum Marcas eidem pardonavimus ad instantiam venerabilis Patris R. Bachon. et Wellen. Episcopi Cancellarii nostri; et remisimus et pardonavimus praedictis Thomae Abbati & Conventui transgressionem nobis factam in hac parte; salva nobis et haeredibus nostris in omnibus Regia dignitate, ut Prior et Conventus Abbatiae praedictae, qui pro tempore erunt, in singulis vacationibus futuris ejusdem Abbatiae, vacationes illas nobis nuncient, et eligendi licentiam petant, necnon et Regium assensum requirant: Et salva nobis et haeredibus nostris custodia dictae Abbatiae, et perceptionem Exituum temporalium ejusdem in vacationibus praedictis, prout fieri debet et consuevit temporibus retroactis. In cujus, &c. Teste Rege apud Aton Burnel 7. die Octobris.

Pat. 11 E. 1.  
m. 8 Pro Ab-  
bate S. Aug.  
Cantuar.

Nota.

After which, the King issued this Special Writ to restore the Temporalities of the Abby to this intruded Abbot, reserving the mean profits thereof to himself.

**R**EX dilectis & fidelibus suis Johanni de Bourne, & Nicholao de Ryngelton, Custodibus Abbatiae Sancti Augustini Cantuariensis, salutem. Cum Summus Pontifex per cessionem Nicholai nuper Abbatis dictae Abbatiae, eam in manum suam resignantis, de persona Thomae de Fydone Monachi dicti Monasterii, tunc in Anglia existentis, eidem Monasterio provididerit, et ipsum praefecerit in Abbatem, sicut per literas suas patentes nobis significaverit; Nos eidem Thoma Abbati Abbatiam illam cum pertinentiis, in forma per nos et Consilium nostrum probita, reddidimus. Et ideo vobis mandamus, quod eidem Thoma Abbati Temporalia ejusdem Abbatiae, cum Juribus, Libertatibus & omnibus ad eam pertinentibus, sicut praedecessores ejus tenuerunt, restituatis, Salvis nobis Exitibus Temporalium dictae Abbatiae, a die Sancti Pancratii Martyris in Maio, (quo die cepit vacare) usque ad diem Sanctae Fidis Virginis. Expensis Abbatis et Conventus, et eorum necessariae familiae per idem tempus duntaxat deductis, sicut vobis per literas nostras demandavimus. In cujus, &c. Teste Rege apud Aton Burnell. 8. die Octobris.

Et mandatum est Militibus, Liberis hominibus, & omnibus aliis Tenentibus de Abbacia Sancti Augustini Cantuar. quod eidem Thoma Abbati tanquam Domino suo in omnibus quae ad Abbatiam pertinent intendentes sint, &c. In cujus, &c. Teste ut supra.

This Abbey of St. Augustines becomming greatly impoverished and indebted by this Abbots voyage to, and great bribes, gifts in the Court of Rome; the King issued this Writ to the Tenants thereof for an ayde, to relieve and defray the debts thereof.

**R**EX Militibus, Liberis hominibus, & omnibus aliis Tenentibus de Abbacia Sancti Augustini Cantuar. salutem. Cum Abbacia praedicta per adversitates quam-

Pat. 11 E. 1.  
m. 6. Pro Ab-  
bate & Con-  
ventu S. Aug.  
Cantuar.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

*An. 11 E. 1.* quamplurimas in tantum sit oppressa & ære alieno onerata, quod nisi Domui illi vestro suffragio mediante subbeniatur, Monachos Deo famulantes ibidem aut mendicare, vel in dispersionem mitti ex necessitate oportebit in brevi, ut accepimus. Nos statum Domus supradictæ piè compatiens, et pro relebatione ejusdem Domus sollicitudinem gerentes, affectuosè requirimus & rogamus quatinus Abbati & Conventui loci supradicti competens Subsidium ad Domus suæ relebationem et suorum atquietacionem debitorum liberaliter impendere velit et benigne, ut inde vobis teneamur ad grates, ac in agendis vestris merito gratiam a nobis reportare debeatis et favorem. In cujus, &c. Teste Rege apud *Alton Burnell*. xxii. die *Octobris*.

What transactions passed between the King and his *French* Bishops this year in *Gascoigne*, concerning the settling of differences between them, these Records will inform us.

Rot. Vascon.  
11 E. 1. m. 3.

**R**EX omnibus, &c. salutem. Sciatis quod nos dilectis & fidelibus nostris *Johanni de Greillaco* Militi Senescallo nostro *Vasconia*, & Magistris *Boneto* de Sancto *Quintino*, & *Reymundo de Ferrariis*, vel duobus ipsorum quos præsentem esse contigerit, damus & concedimus plenam & liberam potestatem & speciale mandatum componendi, concordandi, pacificandi, ordinandi, & etiam compromittendi altè & bassè, cum pœna vel sine pœna, sub forma de qua sibi videbitur expedire, pro nobis & hæredibus nostris cum venerabili patre *Amaneno* Dei gratia Archiepiscopo *Auxitan*, super advocacione temporalitatis suæ et Archiepiscopatus sui. Promittentes nos ratum habituros & gratum quicquid per dictos procuratores & attornatos nostros, vel duos ipsorum quos præsentem esse contigerit, super præmissis & singulis præmissorum simul vel divisim concedendo, remittendo, declarando, permutando, vel alias fuerit compositum, ordinatum, concordatum, seu ab assumendis & eligendis, arbitris vel arbitratoribus dictum, pronunciatum, vel etiam arbitratum. In cujus, &c. Dat. apud *Aberconwey* in *Snandon*. xxv. die *Aprilis*.

Depotestate  
data compo-  
nendi, &c. cum  
Episcopo &  
Capitulo *Vas-*  
*aten*.

**R**EX omnibus, &c. salutem. Sciatis quod nos dilectis & fidelibus nostris *Johanni de Greillaco*, &c. (Verbatim as before.) Damus & concedimus plenam & liberam potestatem & speciale mandatum componendi, &c. pro nobis & hæredibus nostris cum venerabili patre Episcopo, & discretis viris Capitulo *Vasaten*, super omnibus & singulis controversiis & quæstionibus hæreditariis, & aliis quibuscunque quæ sunt, & esse possunt inter nos & gentes *Vasconia* ex parte una, & præfatos Episcopum et Capitulum *Vasaten*. ex altera. Promittentes, &c. In cujus, &c. Dat. ut supra.

What Jurisdiction over Ecclesiastical Persons, affairs and Elections the King this year exercised in *Ireland*, these Records will inform us.

Pat. 11 E. 1.  
m. 13. De  
Protectione.

**J.** Archiepiscopus *Armachanus*, qui de licentia Regis p̄fecturus est ad partes *transmarinas*, habet literas Regis de protectione, cum clausula, Volumus, &c. præsentibus, &c. per unum annum duraturis. Teste Rege apud *Alberfron*. secundo die *Augusti*.

Ibidem.  
Pro Ecclesia  
*Armachana* in  
*Hibern*.

**R**EX omnibus, &c. salutem. Sciatis quod concessionem quam venerabilis pater *N.* Archiepiscopus *Armachanus* de consensu Capituli sui fecit, ad fabricam Ecclesiæ *Armachana*, de quodam annuo redditu viginti marcarum usque ad terminum viginti annorum percipiendarum de Villa sua de *Termenfestym*, & tenemento suo in eadem Villa, ratam habemus et acceptam, salvo jure quod ad nos inde pertinet tempore vacacionis Archiepiscopatus prædicti. In cujus, &c. Teste Rege apud *Alberfron*. 3 die *Augusti*.

Pat. 11 E. 1.  
m. 19. De  
assensu electio-  
ni adhibito.

**R**EX electioni nuper factæ in Ecclesia Conventuali de *Dymlek*, de fratre *Nicholao* Celerario ejusdem Domus in Abbatem ejusdem loci, Regium assensum adhibuit et favorem. Et hoc significatum est Domino *N.* Archiepiscopo *Armachano*.

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*machano Hibernia* Primati, ut quod suum est in hac parte exequatur. In cujus, &c. *An. 11 E. 1.*  
Teste Rege apud *Bangor*. 11 die *Julii*.

**R**EX *S. Waterfordensis* Episcopo, Justiciario *Hibernia*, salutem. Cum electioni nuper factæ in Ecclesia Conventuali de *Dymlek*, de fratre *Nicholas* Celario ejusdem Domus in Abbatem ejusdem loci, Regium assensum adhibuerimus et *saporem*: Nos considerantes quod idem Electus circa prosecutionem electionis prædictæ multum laboraret, si ea occasione ad nostram præsentiam accederet, & volentes suis laboribus & expensis parcere in hac parte, vobis mandamus, quod si coningeret Electum prædictum in Abbatem loci prædicti canonicè confirmari; tunc recepta ab ipso Electo fidelitate in causa ista nobis debita, Temporalia Abbatis prædictæ eidem prout moris est liberetis. Receptis prius ab ipso Electo literis suis patentibus sigillo suo, et sigillo Capituli Ecclesiæ prædictæ consignatis, quod hac gratia nostra quam eidem Electo ad præsens ex mera liberalitate nostra fecimus, nobis vel heredibus nostris non cedat in præjudicium vel exheredationem, seu trahatur in consuetudinem vel consequentiam temporibus futuris. In cujus, &c. Teste ut supra.

Ibidem.  
De Temporalibus Abbatis de *Dymlek* in *Hibernia* restituendis.

**R**EX Justiciario suo *Hibernia* qui pro tempore fuerit, vel ejus locum tenenti, salutem. Cum dudum ad instantiam karissimæ consortis nostræ *Alianora* Regina Angliæ, promiserimus *Ricardo de Geyton* Clerico, quod eidem de Ecclesiastico beneficio curarem in *Hibernia* providere, & Justiciariis nostris partem illarum qui pro tempore fuerint pluries mandaverimus, quod dicto *Ricardo* vice nostra de hujusmodi beneficio præbiderent, nec dum ipse ex promissione & mandatis nostris prædictis promotionem illam fuerit assecutus, volentes promissionem nostram prædictam quamcunque facultatem habuerimus effectui mancipari: Vobis mandamus, quod præfato *Ricardo* de aliquo Ecclesiastico beneficio Præbendali, vel alio usque ad balorem *Seraginta Librarum*, quod in partibus illis proximo vacare contigerit, et ad donationem nostram spectare faciatis nostro nomine præbideri, et præ ceteris omnibus id conferri. In cujus, &c. Teste Rege apud *Aberconwey* in *Snaudon*. 15 die *Junii*.

Pat. 11 E. 1.  
m. 16. Pro *Ricardo* de *Geyton* Clerico.

**R**EX electioni nuper celebratæ in Ecclesia *Enagunensi* in *Hibernia* de discreto viro Magistro *Johanne de Ufford* in Episcopum ejusdem loci, Regium assensum adhibuit et *saporem*. Et hoc omnibus quorum interest significatum est per presentes. In cujus, &c. Teste Rege apud *Aberconwey* in *Snaudon*. 16 die *Marci*.

Ibid. m. 21.  
De assensu electioni adhibita.

<sup>a</sup> *Matthew Westminster* stories, that this year in *Alemannia* apparuit *Fredericus* quondam Imperator Romanus, secundum opiniones diversas *sophisticus*, sive (ut alii sentiunt) verus: Antea namque secundum quosdam per 32. annos mortuus dicebatur. Secundum vero relationem ipsius, per tempus prædictum mundo incognitus latuit in habitu peregrini. Nunc se Imperatorem ostendit, argumento visibili & indicii manifestis, Imperialem vendicans dignitatem. *Fredericus* itaque dum Imperio fungeretur, et Ecclesiæ adversaretur Romanæ, per ipsam præbatur Imperiali nomine et honore, per universalem Ecclesiam Excommunicationis vinculo innodatus, per Papam *Innocentium quartum*, in Concilio *Lugdunensi*. Post ejus dejectionem, in regno *Alemannia* per electionem regnabant tres Comites successive, scilicet, *Gulielmus Hollandiæ*, *Richardus Cornubiæ*, & *Rodolphus*, qui in ista apparitione *Frederici*, possessioni regni *Alemannia* incumberebat, vocationem suam ad Diadema Imperii expectando. Inopinatum illud phantasma apperens in *Alemannia* *Fredericus*, igne combustus periit hoc anno. In imitation of the Emperor *Frederick*; double Excommunication and deprivation by Pope *Gregory 9.* & *Innocent 4.* this year, *Petrus Aragonum* per Papam (*Martinum 4.*) sententia majoris Excommunicationis ligabatur, præcipiebaturque sub pena prædicta, ne quis eum scilenter et prudenter Regem audeat nominare; pro eo, quod inconsulta Romana Ecclesia, Regnum invasit *Siciliæ*. But notwithstanding this Excommunication, recesso Carolo Rege in *Apuliam*, Siculi contra eum *Neopolim* cum viginti septem galeis ventris armatis. Adversus quos *Carolus filius Regis Caroli tunc Princeps Achaie* egressus est cum magna galearum multitudine ad pugnandum; obtinentibus victoriam hostibus, *Carolus* captus est cum multis aliis, & ad Civitatem *Messanam* deductus.

<sup>a</sup> *Mat. Westm.* p. 372. Anno 1284. *Alberti Crantzi Saxoniæ*, l. 8. c. 24. p. 224. *Abbas Ulpergensis Paraleipom.* p. 340. 341. See here Tom. 2. p. 409, to 415, 519, to 550, 644, to 664, 754, 756.

<sup>c</sup> *Walsingham Hist. Angl.* p. 12, 13.



*An. 12 E. 1. d. ductus captivus.* Soon after, out of grief for this defeat, *mortuus est Carolus Rex Siciliae, cuius regni & filiorum tutela* Papa Martinus Robertum Comitem Atrabatensem constituit, largitus eidem pro hac re pecunie magnam summam. The next year (Anno 1285.) at this Popes instigation, *de terra Francia egrediens Rex Philippus cum innumerabili exercitu bellatorum, Arragoniam properavit, illam propius suo Imperio subjugare, juxta donationem Papæ Martino filio suo Carolo. Ad quam veniens regionem, quadam Castra & Villas, fretus auxilio Summi Pontificis obtinuit, qui contra Petrum, quondam Principem terræ illius nomine Regis præbatam, Legatum transmisit ibidem.* Hic dicitur Petrus Toler, occidit permittit tam Ecclesiasticas quam seculares personas quæ sententiam Ecclesiasticam multoties repetitam nullatenus formidabant. King Edward the 1. at the request of the Abbot of St. Denys in France, endeavoured all he could to compose these Wars and differences between these Kings and Peter, for the better relief of the Holy Land, and the common good and peace of the Christian Church and Christianity; but his Nuncios sent for that end were rejected by the Popes Legate, as this Letter of his to the Abbot informs us.

Previa Regis  
Anno 12 E. 1.  
nu. 571.

**R**EX Abbati Sancti Dionysii in Francia, salutem. Super dissensione inter Dominum vestrum Regem Francia, & Dominum Regem Sicilia, ex una parte, & Petrum Drapensem & fautores suos ex altera exorta, ac Regni Sicilia per eundem P. occupatione facta, dolemus novit altissimus vehementer, & si ad causam dissensionum inter ipsos pacificandam & sedandam opem operam & consilium impendere possemus utique gauderemus. Et hoc ob amorem quem erga Reges gerimus et gerere debemus memoratos, et etiam pro statu Terræ Sanctæ et Regnum prædictorum, ac insuper Christianitatis commodo universæ; Et super eo quod proprio motu vestro usque præter dicti Domini vestri Regis conscientiam nos ad hoc excitare voluistis, vestræ benevolentie quantum possumus gratiamur, discretionem vestram in hoc specialiter commendantes. Et quia nuncii nostri quos nuper in Vasconiam destinavimus, circa hoc de mandato nostro laborare volentes per Sacrosanctam Romanæ Ecclesiæ Legatum, ibidem in hac paciebantur repulsam, sicut vos credimus non latere, circumspeditionem vestram affectuosè requirimus & rogamus, quatinus vos qui Deum et pacem diligitis & cernitis, quanta bona ex huiusmodi pacis reformatione poterunt provenire, nobis consilium & avisamentum vestrum significare velitis, cujusmodi consilium & diligentiam apponere poterimus in præmissis. Nos enim ad honorem Dei, et Ecclesiæ sue Sanctæ, et commodum et tranquillitatem partium prædictarum, ac etiam totius Christianitatis, consilium quantum poterimus libenti animo apponemus. Dat. apud Ebor. 12 die Januarii, anno regni nostri duodecimo.

These pious Christian endeavours of the King for peace, being insolently rejected by the Popes Legate, the issue of the War this year (which he fomented) was so tragical to all parties, that Peter of Aragon died of a wound received in battel with the French, King Philip and Pope Martin both died of sickness, about the same time the French were likewise expelled Portugal, and Alphonso (Peters son) succeeded his father, notwithstanding the Popes Excommunications and deprivation, which then were not formidable, but contemptible even in Sicily, Aragon, Italy, and Rome it self.

*An. 12 E. 1.*

King Edward in the 12. year of his reign, to keep a good correspondence with the Pope, his Cardinals, Notaries, and other Officers in the Court of Rome, to promote his own affairs and designs, upon receipt of Pope Martins Bull and Acquittance, issued these ensuing Warrants for the payment of two years arrears of 1000 Marks for England and Ireland, granted by King John, then due and demanded by the Pope; as likewise for payment of several arrears of Pensions he had granted to Cardinals and others, as these Writs in the *Liberate Roll* of that year assure us.

Liberate 12 E. 1.  
1. m. 3. Pro  
cenar. Papæ  
liberand.

**R**EX Thesaurariis & Camerariis suis, salutem. Liberate de Thesauro nostro inter termino Sancti Michaelis proximo futuro, Magistro Giffredo de Sancto Verano Clerico Domini Papæ; duo millia Marcarum, quæ a retro sunt eidem pro duobus annis transactis; videlicet, annis regni nostri decimo, et undecimo, de anno

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anno centi mille Marcarum, quem eidem Domino Papæ debemus; & recipiatis à præfato Magistro Giffredo literas suas patentes, solutionem dictæ pecuniæ testificantes, et Bullam Domini Papæ, quam vobis super hoc exhibebit; et eandem Bullam una cum literis patentibus prædictis, et etiam Bullam quam dictus Dominus Papa nobis pro pecuniâ prædictâ transmissit, et quam vobis misimus, penes vos sub salva custodia referbetis. Teste Rege apud Carnarvan. 7 die Julii.

**R**EX Thesaurar. & Camerar. suis, salutem. Liberate de Thesauo nostro *Baruncino* & sociis suis Mercatoribus nostris de *Luk*, sexaginta Marcas, per manus suas liberandas venerabili patri Domino Mattheo Sanctæ Mariæ in Porticu Diacono Cardinali, de termino Natalis Domini anno regni nostri duodecimo, de annuo feodo suo sexaginta Marcarum, quod ei concessimus percipiend. ad Scaccarium nostrum. Nisi pecunia illa sibi prius fuerit liberata per aliud breve nostrum. Et recipiatis à præfatis Mercatoribus literas suas patentes receptionem dictæ pecuniæ testificantes. Teste Rege apud Carnarvan. 22 die Octobris.

**R**EX eidem salutem. Liberate de Thesauo nostro eidem *Baruncino* & sociis prædictis Quinquaginta Marcas, per manus suas liberandas venerabili patri Domino Jacobo Sanctæ Mariæ in Cosmedyn. Diacono Cardinali, de terminis Paschæ et Sancti Michaelis anni regni nostri duodecimi, de annuo feodo suo Quinquaginta Marcarum, quod ei concessimus percipiend. ad Scaccarium nostrum. Nisi, &c. Et recipiatis, &c. ut supra. Teste ut supra.

**R**EX eidem salutem. Liberate de Thesauo nostro eidem *Baruncino* & sociis suis prædictis Viginti Marcas, per manus suas liberandas dilecto Clerico nostro Magistro Angelo Domini Papæ Notario, de terminis Paschæ et Sancti Michaelis anni regni nostri duodecimi, de annuo feodo suo Viginti Marcarum, quod de nobis percipit ad Scaccarium nostrum. Nisi, &c. Et recipiatis, &c. Teste ut supra.

Moreover the King writ and sent these ensuing Letters to these and other Cardinals and Officers of the *Roman* Court, partly to excuse his not writing particularly to them by his Messengers, and his seising the Dismes collected for the Holy Land, and likewise to thank them for their former pains, care, and desiring their future diligence in promoting his affairs, as these Writs assure us, which I rescued out of the Rubbish in the *White Tower*.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, venerabili viro Clerico & amico suo dilecto B. de Neapoli Domini Papæ Notario, salutem & dilectionem sinceram. Querelam licet occultam quam missæ nobis per dilectum Clericum nostrum Magistrum Gresham de Sancto Georgio vestræ literæ continebant, ex eo videlicet, quod nobissime per nuncios nostros non fuit amicus antiquus nostris literis visitatus, intelleximus diligenter, illud in excusationis nostræ subsidium rescribentes, quod firmiter credebamus nos vobis scripsisse per nuncios memoratos, licet per oblivionem fuerit prætermittam; unde oblivioni amicus imputet, quod literatozæ non erit visitatus, & firmiter teneat, quod de cætero Regis visitabitur literis sicut ille quem puro corde diligimus, et a quo grata servicia recepisse recolimus, et recipere in futurum speramus quotiens nuncios ad Romanam Curiam mittere nos continget; super statu vero nostro præfatus Clericus noster vos certificare poterit viva voce. Valete. Dat. apud Montem alium in Wallia 5 die Octobris, anno regni nostri duodecimo.

Brevia Regis  
sub privato sigillo Anno 12  
E. 1.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, venerandæ discretionis viro amico suo dilecto Magistro Petro de Petrisgrossis Sanctæ Romanæ Ecclesiæ Vicecancellario, salutem & sinceræ dilectionis affectum. Cum sit ex insinuatione venerabilis patris Domini H. Tituli Laurentii in Lucina Presbyteri Cardinalis, & ex relatione dilecti Clerici nostri Stephani de Sancto Georgio nuper intelleximus super renovatione & registratione literarum Apostolicarum negotia nostra continentium, vos exhibueritis ad requisitionem ipsorum

Brevia Regis  
Anno 12 E. 1.



*An. 12 E. 1.* contemplatione nostri promptos, sabozabiles et benignos: Nos id gratum habentes quamplurimum et acceptum, discretioni vestre gratiarum referimus uberrimas actiones, rogantes attentius quatinus negotia nostra cum tractantur in Curia, habere velitis semper nostri amoris intuitu sabozabiliter et utiliter commendata. Et si quæ per nos fieri poterunt, quæ honorem vestrum respiciant, ea libenti animo faciemus cum a vobis fuerimus requisiti. Valete. Dat. apud *Hopam* in *Wallia* 4 die *Octobris*, anno regni nostri duodecimo.

Brevia Regis  
Anno 12 E. 1.

**V**enerabili in Christo Patri amico suo charissimo Domino *M. Dei gratia Sanctæ Mariæ in Porticu Diacono Cardinali, Edwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ*, salutem, cum sinceræ dilectionis affectu. Literas vestras quas nobis per dilectum Clericum nostrum Magistrum de Sancto *Georgio* transmissis gratanter nos noveritis recepisse, ac per eas intellexisse tenorem ipsarum, ac rumores Curie quorum dictus Clericus nobis recolat viva voce. De missione vero amicabili literarum ipsarum, vobis gratiarum referimus uberrimas actiones, Paternitatem vestram affectuose rogantes, quod tam de vestro quam de præfata Curie statu, una cum rumoribus ipsarum partium nos velitis quotiens vobis assuerit Punctuorum oporunitas reddere certiores. Licet autem ut scripsistis, petitiones nostræ ad plenum non fuerint exaudite, id tamen æquanimiter sustinemus, sperantes, quod processu temporis plenius expedientur vestro consueti auxilio mediante, ob quod obtinendum cum requisiti fueritis, sollicite si placet, et amabiliter vigiletis. Placidus sane occurrit & gratus auditui nostro, articulus quem misistis, videlicet, quod credebatis quod Decima regni nostri et terrarum nostrarum ne alienata fuerit, nec distracta, nec aliquibus obligata, licet de societate in societatem prædictæ Decimæ depositum commutetur, et nos vobiscum credimus illud idem, vobis attente regravantes de saboze quo alios nuncios nostros fultis nostri gratia prosecuti, quambis benevolentia vestra super hoc modicitatis possibilitatem allegetur. Cæterum super status nostri continentia præfatus Clericus vos certificare poterit viva voce. Valete. Dat. apud *Montem altum* 5 die *Octobris*, anno regni nostri duodecimo.

Ibidem.

**E***dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ*, venerabili viro amico & Clerico suo dilecto Domino *Percivallo de Lovania Domini Pape Capellano, Canonico Eboracensi*, salutem, et sinceræ dilectionis affectum. Literas vestras gratanter recepimus, quæ nobis per dilectum Clericum nostrum Magistrum *Stephanum* de Sancto *Georgio* transmissis, quarum tenorem & rumores regionum ipsarum quos idem Clericus noster ex parte vestra nobis viva voce retulit intelleximus diligenter, de missione literarum ipsarum & certificatione prædictorum rumorum, gratiarum vobis referentes uberrimas actiones, et rogantes quatinus tam de statu vestro, quam de rumoribus ipsarum partium nos velitis crebris literarum missionibus reddere certiores. De eo vero quod nobis per eundem Clericum intimastis, videlicet, quod vos in Clericum nostrum apud *Alisium* ab olim recepimus, respondemus, quod receptionem illam ratificamus, et de nobis vos in Clericum nostrum admittimus. Ita quod ubicumque fueritis, Clericus noster sitis, et de beneficio sabozis nostri sicut noster Clericus gendeatis. Causam tamen quam vobis super hoc literas nostras patentes non concessimus, & etiam continentiam status nostri, præfatus Clericus noster vobis exponere poterit oraculo vivæ vocis. De falcone autem quem ad opus nostrum facitis custodire, vobis regraviamur ex corde, & affectaremus libenter quos vos essetis & nullus alius falconarius in portando, ut tam de ipso quam de vestris falconibus mutuis possemus solaciis recreari. Dat. apud *Montem altum* in *Wallia* 5 die *Octobris*, anno regni nostri duodecimo.

Ibidem.

**S**uo *W. de Hamelton*, salutem. Faciatis fieri quandam literam supplicatorem nomine Domini Regis Magistro *Hugoni de Evesham* Sedis Apostolicæ Cardinali, pro *Alano de Thorne-ton* Domini Regis Clerico, pro negotiis ipsius *Alani* quæ in Curia *Romana* habet expedienda, &c. Dat. apud Sanctum *Asaphum* septimo die *Octobris*.

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The King out of his affection to the Abbey, Abbot, and Covent of *Wistminster*, An. 12 E. 1. issued this Writ to the Treasurer and Barons of the Exchequer, to inquire of all their Liberties, and of all Liberties belonging to any exempt Abbot, and to certify him thereof in the next Parliament, that to he might therein grant them such further Liberties as he and his Council should deem convenient by his Sovereign Authority, which Abbey he honoured, loved before other Abbies.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, The- Brevia Regis, An. 12 E. 1.  
saurario & Baronibus suis de Scaccario salutem. Cum propter benivolentiam & affectionem specialem quam progenitores nostri Reges Angliæ erga Abbatiam Sancti Petri Westmonasterii, & Abbates & Monachos Deo ibidem deservientes habuerunt, & quam nos erga eosdem habemus, ob multas causas qua nos ad hoc movere debent, velimus ut Abbatia illa, et maxime vacationum temporibus adeo libera sit sicut aliqua Abbatia regni nostri exempta sicut ipsa est; Vobis mandamus, quod tam per scrutinium rotulorum Scaccarii nostri predicti, quam aliis modis quibus melius & evidencius scire poteritis, diligenter inquiratis ejusmodi & quibus libertatibus Abbatia illa exempta, aliis Abbatibus de regno nostro in libertatibus & libertatum juribus præminentiores & magis liberam fore decreveritis, ac Abbates Abbatie ejusdem quacumque fuerint gaudeant & utantur; & nos super eo quod per hujusmodi rotulorum scrutinium, aut alio modo per vos inveniri contigerit, in proximo Parlamento nostro reddatis certiores, ut cum tunc super præmissis plenius certiorati fuerimus, præfatis Abbati & Conventui Westmonasterii, et Ecclesiæ suæ ibidem, libertates quas sibi expedire viderimus concedamus, et faciamus ratificari, prout id. de Consilio nostro tunc duxerimus providendum, cum ipsam præcipue inter alias honozare et diligere teneamur rationibus supradictis.

He likewise ratified their election of a New Abbot approved by the Pope, and restored his Temporalities,

**R**EX dilecto & fideli suo Malcolmo de Harleye Custodi Abbatia Westmonasterii, Pax. 12 E. 1. m. 9.  
salutem. Cum sanctissimus in Christo Pater Martinus Dei providentia sacrosancta Romanæ ac universalis Ecclesiæ Summus Pontifex, Electionem nuper factam in Ecclesia Sancti Petri Westmonasterii de fratre Waltero de Wenlock Monacho Westmonasteriensi in Abbatem ejusdem loci, cui prius Regium addidimus assensum et favorem, confirmaverit; sicut per literas ipsius Domini Papæ bullatas nobis constat; cepimus fidelitatem ipsius Abbatis, et ei Temporalia ejusdem Abbatie restituimus. Et ideo vobis mandamus, quod eidem Abbati Temporalia hujusmodi sine dilatione restituantis. Teste Rege apud Baladonthlyn. 20 die Junii. De Temporalibus Abbatie Westm. restituentis.

Two Executors being excommunicated this year by the Bishop of London, were taken upon a *significavit*, by a Writ of *Capias Excommunicatum* by the Sheriffs of London, and imprisoned in Newgate, yet released by them before satisfaction given to the Church, upon a false suggestion, and a Writ de *Cautione admittenda*; the King upon the Bishops complaint writ to the Bishop to certify him of the truth thereof.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, venerabili in Christo patri R. eadem gratia Londoniensi Episcopo salutem. Sanè nuper ad denunciationem vestram Vicecomitibus nostris London. mandaverimus, quod Ricardum de la Knolle, & Robertum de Montibus, tanquam excommunicatos et claves Ecclesiæ contempnentes, per corpora sua, secundum consuetudinem Angliæ Justiciarios, donec Sanctæ Ecclesiæ tam de contemptu quam de injuria ei illata ab eis esset satisfactum; et iidem Excommunicati ea occasione aliquandiu in prisona nostra de Newgate ob hoc detenti; et postea, ut dicitur, inde deliberati fuerint; Nos super modo deliberacionis prædictæ quibusdam de causis certiorari volentes, Vobis mandamus, sicut aliàs mandavimus, quod id quod per vos in hac parte actum fuerit distinctè & apertè nobis significetis, remittentes nobis hoc Breve. Teste meipso apud Blidam 21 die Januarii, Anno Regni nostri undecimo. Brevia Regis An. 12 E. 1. n. 265.

Whereupon the Bishop made this Certificate to the King.

**E**xcellentissimo Domino suo Edwardo, Dei gratia Regi Angliæ, Domino Hiberniæ, & Duci Aquitaniæ; R. eadem miseratione Londoniensi Ecclesiæ Minister



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 3.*

*An. 12 E. 1.* Her humilis, salutem in Domino, cum omni reberentia et bonoge. Noverit Dominatio vestra, quod postquam ad denunciationem nostram, *Ricardum de la Knolle, & Robertum de Montibus*, Executores Testamenti Magistri *Ricardi de Stanes* tamquam Excommunicatos et claves Ecclesie contempnentes, per Vicecomites *London.* Justiciari per corpora sua preceperitis, donec Ecclesie Sancte tam de contemptu quam de injuria ei illata ab eis satisfactum fuisset, ad suggestionem dictorum *Ricardi & Roberti* prefatis Vicecomitibus *London.* breve vestrum mandastis, ut ad nos in personis propriis accedentes, nos ex parte vestra monerent & inducerent efficaciter, quod accepta ab ipsis *Ricardo & Roberto* \* cautione idonea de parendo mandatis Ecclesie in forma Juris, quam nos suggererunt respuisse, licet frequenter oblatam, ipsos absolveremus et mandaremus a carcere liberari, & si hoc in presentia dictorum Vicecomitum facere nollemus, tunc ipsi Vicecomites dictos *Ricardum* et *Robertum* a prisona liberarent, si ea occasione & non alia in ea fuissent detenti. Licet autem dicti Vicecomites non per se, sed per manum cujusdam Clerici nobis breve predictum ostendissent, nos Officiali nostri statim literas nostras direximus, continentes, quod recepta cautione idonea de parendo mandatis Ecclesie super hiis pro quibus excommunicati fuerunt, ipsos absolveret, et a carcere faceret liberari, sed has nostras literas prefatus Clericus Vic. recipiens, ipsos Officiali nostro nullatenus assignavit, sicut ab eodem Officiali est testatum, nichilominus tamen audivimus, quod predicti *Ricardus & Robertus* sunt a carcere liberati nulla satisfactione Ecclesie prestita, per quos tamen et qualiter hanc liberatio processerit ignoramus. Bene semper valeat Excellencia vestra per tempora longiora. Dat. apud *Blaketun.* 15. Kal. Martii, anno Domini 1283.

Dorfo. Excellentissimo Principi Domino E. Dei gratia Regi Anglie illustri.

\* See Regist.  
pars 2. f. 67.  
Fitzh. Nat.  
Brev. f. 64. B.

The King upon this Certificate, issued this \* new Writ to the said Sheriffs for their caption and reimprisonment, and likewise to bring them before him at a certain day, to answer this abuse.

Brevia Regis,  
num. 198.

*Edwardus* Dei gratia Rex Anglie, Dominus Hibernie, & Dux Aquitania, Vicecomitibus *London.* salutem. Cum nuper ad denunciationem venerabilis patris *R. London* Episcopi vobis preceperimus, quod *Ricardum de la Knolle, & Robertum de Montibus* Excommunicatos et claves Ecclesie contempnentes per corpora sua justiciaretis, secundum consuetudinem Anglie; donec Sancte Ecclesie tam de contemptu quam de injuria ei illata ab eis esset satisfactum, et iidem excommunicati aliquandiu in prisona nostra de *Newgate* ob hoc detenti fuissent, et postmodum nulla omnino inde facta satisfactione, aut prestita cautione, ut moris est, de parendo juri, per *Walterum le Blunt, & Anketinum de Betevill* tunc Vicecomites *London.* a prisona predicta deliberati sunt, in liberationem libertatis Ecclesiasticae, et nostri contemptum manifestum; sicut ex ipsius Episcopi querela accepimus, super quo nec immerito miramur & movemur: Vobis precipimus firmiter injungentes, quod predictos excommunicatos, nisi modo legitimo a predicta prisona deliberati fuerint qua detinebantur occasione predicta, iterato capi, et per corpora sua justiciari faciatis, juxta formam prioris mandati nostri vobis inde directi. Et nichilominus venire faciatis coram nobis prefatos *Walterum & Anketinum* in Crastino Sancti *Laurentii* ubicumque tunc fuerimus in Regno nostro, ad faciendum & recipiendum quod justum fuerit in premissis, & habeatis ibi hoc breve. Teste meo apud *Karnarvan.* 6 die Julii. Anno regni nostri duodecimo.

\* See Regist.  
f. 68. Fitzh.  
N. B. f. 64. E.

The Archbishop of *Canterbury* having excommunicated and interdicted some of the Tenants belonging to the Abbey of *Fiscam* in *England*, over whom he had no ordinary or delegated Jurisdiction; the Abbot thereupon appealed to *Rome* against him, and likewise to the King against this oppression, desiring his favour that \* no proceffe might issue out of his Court against them, and that he might constitute Attornies in this case, since he could not come into *England* without great damage to his house.

Brev. Regis,  
An. 12 E. 1.  
num. 341.

Excellentissimo Principi Domino *Edwardo* Dei miseratione Regi Anglorum illustri, Domino *Hibernie*, ac Duci *Aquitania*; *Ricardus* ejusdem permissione Abbas

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

Abbas Monasterii *Fiscannensis* suus humilis Monachus & devotus, pro ipsoque licet indignus apud Deum cum suis fratribus orator assiduus, salutem in eo qui regna dat coelestia, & regere feliciter dat terrena. Ad hac Deus vestram Regalem celsitudinem preesse voluit super terris, ut oppressorum iniuste gravamina vestra misericordie per aequitatis semitam retraherentur. Cum itaque Reverendus pater Dominus *Cantuariensis* Archiepiscopus in Ballivum nostrum *Fiscannensem*, & nostros homines in vestro regno *Angliae* commorantes, Suspensionis et Excommunicationis sententias de facto protulerit, cum nullam in eisdem Jurisdictionem habeat ordinariam vel etiam delegatam, nosque in Romana Curia, ad quam ex praedictis gravaminibus durimus appellandum, appellationem nostram modo debito prosequamur, parati in ipsa appellationis causa procedere ut ordo erigit rationis, vestra Regali celsitudini supplicamus tota cordis et animi puritate, ut nullam captionem sive coercionem quancunque contra nostros praedictos Ballivum et homines a vestra Curia sustineat emanare; Vos attentè & humiliter exorantes, quatinus Attornatos quos per nostras parentes litteras Attornatos nostros in *Anglia* constituimus generales, caritatis intuitu admittere dignemini ac velitis, cum simus tot diversis ad praesens nostri Monasterii negotiis impediti, quod ad partes vestras non possemus accedere absque dicti nostri Monasterii laesione multiplici & iuctura. Valeat in perpetuum vestra Regalis excellencia in Domino feliciter per tempora longiora. Which the King assented to, as appears by the Patent Roll of this year.

An. 12 E. 1.

The Abbess of *Tarente* having paid her Subsidy with the *Cistercians*, the King issued this Writ in her behalf, and for allowing the Charters of Liberties granted to that Monastery in the Exchequer.

SUO, *Hugoni de Kendal* salutem, Manderis Vicecomitibus & taxatoribus & Collectoribus *Tricesimae* in Comitibus quos lator praesentium vobis dicet quatinus demandam quam faciunt Abbatisse de *Tarente*, quae cum *Cisterciensibus* Subsidium fecit Domino nostro Regi sicut dicit, ponant in respectum usque ad proximum Parliamentum; Scribatis etiam Thesaurario & Baronibus de Scaccario, quod allocari faciant eidem Abbatisse cartas libertatum quas vendicat, et Abbatisam ipsam libertatibus illis gaudere permittant, juxta tenorem priorum mandatorum quae super hoc receperunt. Dat. apud *Badenlyn* 14 die Junii.

Brevia Regis  
An. 12 E. 1.  
num. 342.

The King having made use of some of the Oxen, Lambs, and Sheep belonging to the Bishoprick of *Wynton*, and some of them dying of the murrain during the vacancy, upon the restoring of the Temporalities and residue of the Stock to the succeeding Bishop, made this allowance to him in money of the Stock thus wanting; as this Record informs us.

Edwardus Dei gratia Rex *Angliae*, Dominus *Hyberniae*, & Duci *Aquitaniae*, Thef. & Baronibus suis de Scaccario salutem. Mandamus vobis, quod dilectos & fideles nostros *Willielmo de Hamelton*, & *Willielm. de Sancto Claro*, nuper Custodes nostros Episcopatus *Winton*, tunc vacantis, & in manu nostra existentis, exoneretis in Compoto suo dicti Episcopatus de sexaginta et quatuor libris, novem solidis, et quatuor denariis, quos venerabili patri J. nunc *Wynton*. Episcopo liberaverunt pro defectu Centum et undecim boum, et octingenti et biginti et quatuor agnorum praefato Episcopo liberatorum, pro defectu tam bidentum quam agnorum de instauro ad praedictum Episcopatum pertinente, quod ipsi tempore vacationis praedictae nomine nostro receperunt, et quod praefato Episcopo tempore quo temporalia ejusdem Episcopatus eidem Episcopo restitui debuerant, et unde per moxnam dicto tempore vacationis super hoc contingente, et alio modo coram vobis offensus deficiebat, usque ad summam praedictarum sexaginta et quatuor librarum, novem solidorum, et quatuor denariorum, sicut in praedicto Compoto coram vobis reddito plenius continetur: De quibus quidem sexaginta & quatuor libris, novem solidis, & quatuor denariis praefato Episcopo sic solutis litteras patentes praefati Episcopi penes se habent, & coram vobis ostendere sunt parati. Teste meipso apud *Rochelan*. 13 die Junii. Anno Regni nostri duodecimo.

Claus. 12 E. 1.  
m. 5. in Ce-  
dula.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

*An. 12 E. 1.* Guido formerly Prior of *Montacute* was this year imprisoned in the Tower of *London* for certain offences against the King, as this Writ to bail him assures us.

*Clauſ. 12 E. 1. m. 2. Pro Prior e de Monte Acuto, de pon. per manucapt*  
**R**EX *Ranulpho de Acre* Custodi Turris nostræ *London*. salutem. Mandamus vobis, quod si *Guido* quondam Prior de *Monte acuto*, captus et detentus in prisona nostra Turris prædictæ pro quibusdam Transgressionibus sibi impositis, invenerit vobis sufficientes Manuceptores, qui eum manucapiant breve coram nobis à die Sancti *Michaelis* in quindecim dies, ubicunque tunc fuerimus in *Anglia* ad standum recto de hiis quæ nos, seu alii contra ipsum loqui soluerimus; tunc ipsum *Guidonem* ab eadem prisona per manucaptionem prædictam interim replegiari faciat. Teste Rege apud *Cestriam* 15 die *Sept.*

\* See Fitzh. N. B. f. 65. & Excommen- gement, 11, 17, 20, 24. Cooks i. In- ſtit. f. 134. a.

The Archbishop of *York* going to *Rome* by the Kings license, about the affaires of his Church, the King out of special grace by his Royal prerogative granted him, that Writs should issue out of his Chancery against those his Vicar General should excommunicate within his Diocese in his absence beyond the Seas, upon his Vicars certificate, by this Patent, whose \* certificate else had not been good in *Law*.

*Pat. 12 E. 1. m. 6. Pro Archiep. Ebor. de Excommu- nicatis justic.*

**R**EX omnibus, &c. salutem. Scitis, quod de gratia nostra speciali concessimus venerabili patri *W. Eborum* Archiepiscopo, *Anglia* Primati, pro negotiis Ecclesiæ suæ prædictæ ad Curiam *Romanam* de licentia nostra proficiscenti, quod ad denunciationem illius, quem idem Archiepiscopus loco sui ad vices suas in spiritualibus gerendas constituerit, excommunicatos suæ Diocesis per *Bzebia* de *Can-* cellaria nostra, secundum regni nostri consuetudinem, iustiticiari faciemus, præfato Archiepiscopo existente in partibus prædictis. Teste Rege apud *Aber.* 24. die *Augusti*.

The King this year constituted a special Proctor for 3. years by this Patent to defend the Rights and Liberties of his Free Chappels and Crown, against all Papal and Episcopal invaders and opposers of them.

*Pat. 12 E. 1. m. 3. De Procurator. fac. pro liberis Capellis Regis.*

**R**EX omnibus Ballivis suis ad quos, &c. salutem. In omnibus causis et negotiis liberas Capellas nostras in regno nostro *Angliæ* constitutis, ubicunque et coram quibuscunque personis contingentibus, dilectum nostrum Magistrum *Radulphum de Merlawe* nostrum Procuratorem facimus, constituimus, ac etiam ordinamus. Dantes eidem potestatem specialem nomine nostro agendi, defendendi, ac etiam prosequendi Jura et Libertates nostras in Capellis prædictis et earum pertinentiis, tam in rebus quam in personis, prout juri et honestati Regiæ videbitur convenire; appellandi etiam, appellationes prosequendi, et omnia alia et singula faciendi, quæ ad conservationem et tuitionem nostram et libertatum hujusmodi pertinere noscuntur: Ratum & firmum habituri quicquid dictus *Radulphus* quibuscunque diebus & locis nomine nostro in præmissis omnibus & singulis duxerit faciendum; hæc omnibus quorum interest, tenore præsentium intimamus. In cuius, &c. per triennium duratur. Teste Rege apud *Overton*, 28. die *Septembris*.

*Godwins Catalogue of Bishops, p. 278, 279. Tho. Walsingham, Hist. Angl. p. 13.*

The Bishoprick of *Salisbury* becoming void by the death of *Robert de Wykehampton*, (whose election was confirmed by the Prior and Covent of *Canterbury* during the vacancy of the Archbishoprick) the Bishops of the Province reputing it an injury that the Prior and Covent should confirm him, which they were perswaded belonged to themselves, not only refused to consecrate him as Elect, but appealed against his confirmation (the Papacy being then likewise void) unto the Colledge of Cardinals, where after 3. or 4. years costly contention, judgement was given for the Elect, and he thereupon consecrated; the King gave his Royal assent to *Walter Stamel* elected to succeed him; as the license to elect, and Writs for restitution of the Temporalities, *Pat. 12 E. 1. m. 11.* Teste Rege, &c. 24. die *Maii*, inform us.

The King seising the Advowsons of several Churches in *Wales*, as forfeited by their Patrons rebellions against him, by his Sovereign Ecclesiastical authority gave them

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them to the Bishop of St. Davids, with power to appropriate them to his Church of St. Davids & Lelandeken, (Lancaden) and make, or annex them to Prebendaries there.

**R**EX Archiepiscopis, &c. salutem. Sciatis nos concessisse & hac Carta nostra confirmasse, pro salute anime nostre, & animarum antecessorum & heredum nostrorum venerabili patri Th. Meneven. Episcopo Advocaciones Ecclesiarum de Kairank, Lanlanfred, Trefeglos, Hennenen, Killen, Trefilan, Landaranks, Landebyen, Sullen, Abereranneth, Gogof, Lanluchaern, Kellan, Lanpeder, Lankethan, Kairann, Medney, Rostyen, Ledrod, Lan Riscud, Lampadarn, Odyn, Lankeby, Bethus, Bledrus, Lanwenank, Lanveyr, Ollwyn, Glaenporch, Aberporch, Lantessilian, Lannyna, Lanarch, Lannerthaeron, Betus, Bydenith, Estrad, & Lan Eyoks in Goeria cum pertinentiis; quarum advocaciones ad manum nostram per forsaturam Patronorum Ecclesiarum predictarum debuerunt. Habend. & tenend. predicto Episcopo & successoribus suis imperpetuum. Ita videlicet quod idem Episcopus & successores sui Ecclesias illas appropriare possint Ecclesiis Meneven. & Lakadeken, et de eisdem Ecclesiis Prebendas facere, vel eas annexere Prebendis in eisdem Ecclesiis prius ordinatis, et eas conferre prout sibi et successoribus suis magis viderint expedire; (who could not do it without the Kings royal license and authority.) Quare volumus, &c. quod predictus Episcopus & successores sui habeant & teneant Advocaciones Ecclesiarum predictarum imperpetuum. Ita videlicet, &c. sicut predictum est. Hiis testibus venerabili patre B. Bathon. & Wellen. Episcopo, Tho. de Clare, Johanne de Vescy, Roberto de Tybetot, Radulpho de Hengham, Waltero de Wymburne, Bogone de Knouill. Johanne de Monte alto, Galtero de Pycheford, & aliis. Dat. per manum nostram apud Baladenlyn. 10 die Junii.

Claus. 11 E. 1.  
m. 4. n. 25.  
Pro Episcopo  
Meneven. de  
advocatione  
Ecclesiarum,  
&c.

The Bishop of St. Davids hereupon by his Charter, with consent and approbation of the King, and his Dean and Chapter, made and erected a New Collegiate Church of Canons in *Lan Cadem in Wales*, constituted several Canons and Prebendaries therein, annexing and appropriating the forecited Churches thereunto, the Patronages whereof were granted him by the King, who set his Seal to the Bishops Charter, and ratified it with his own Charter to make it valid in Law.

**R**EX omnibus, &c. salutem. Inspecimus literas Patentes venerabilis patris Th. Meneven. Episcopi in hac verba. In nomine Sanctæ Trinitatis, & individue Unitatis, Patris ingeniti, & Filii unigeniti, & Spiritus Paracliti, universis sanctæ Matris Ecclesiæ filiis pateat per presentes, quod nos Th. permissione divina Meneven. Ecclesiæ Minister humilis & indignus, ad aciem mentis & memoriæ jugiter reducentes, & jugi revolutione, deliberatione provida ponderantes, quanta provenit salus & soliditas ex unanimi & unito consortio stabilitati Collegii, quod prætextu multiplicati fulciminis inexpugnabile & indeficiens remanebit. Cum inconvincibilis optentu merito habeatur venerantius & reverentius apud omnes, quod hiis diebus vix evenit in Ecclesiis singularum personarum, zelum considerationis nostræ ad animarum proficuum, & ad venustatem floridam, qua nostra Dioc. perpetuo sub memoria nostri vigeat & vitescat, Redemptoris nostri confidentia roborati, piè duximus convertend. In hoc etiam avidè acimus cor nostrum & effundimus viscerabiliter vota nostra, ut loca de *Estratelly*, loca quidem hætenus lamentatus, (interitus & excidii) convertantur in loca lætitiæ Spiritualis, & obsequii Redemptoris, Tuti etiam refugii & securitatis patriæ undique adjacentis, ubi quamplures de Dei & Domini nostri Regis fidelibus vitam & victualia per insidantium molimina, ignominiose ante hæc tempora & miserè perdidierunt. Noverint igitur omnes & singuli, quod nos ad honorem Dei et incrementum cultus Christi et fidei Christianæ, de assensu devotissimi et illustris Regis nostri Edwardi, de consensu et unanimi consilio Capituli nostri Meneven. ac etiam de Lancadani, nostræ Dioc. nostrique patronatus, & in situ soli nostri collocatam, absque cujusque hominis & Juris injuria, deinceps, pro salute anime memorati Domini nostri Regis, Regum etiam Angliæ præteritorum pariter & succedentium, nostra insuper ac prædecessorum, & omnium fidelium defunctorum, Collegiatam facimus et fore decernimus, in honore & parrocinio S. Mauricii sociorumque ejus, & beati Thomæ Martyris Domini Christi, & quicquid solemnitas celebris Collegii appetit & deposcit, illud auctoritate Dei

Pat. 11 E. 1.  
m. 9. Pro Episcopo Meneven de Ecclesiæ collegiand.



An. 12 E. 1. ac Dominica potestatis & Diocesana potentia plenè, perferendè & piè transfundimus ab hac hora: Volentes, & decreto provido statuentes, quod Canonici, Seculares, & Vicarii eorundem sub certitudine & numero viginti unius Canoniorum; quem numerum certum & fixum facimus, ab hoc die in nocturnis & divinis officiis, ad usum & ad instar nostræ Meneven. Ecclesiæ sub habitu Canonico — Deo dignè deserviant & devotè. Similes tisdem Canonicis Meneven, in omnibus aliis præterquam in amiciis, quas in honore beati Mauriti sociorumque ejus, & ad memoriam fidelium defunctorum, qui letaliter vulnerati, & more bidentium jugulati, capitis amputati, vitam misere perdidērunt, quas purpureas ordinamus rubere nimio non notandas. Penulas autem hujusmodi amuciarum caprinas esse volumus vel agrinas, ne præ tonitate superba vel notabili, id quod in signum & suffragium humili proposito instituimus, mortuorum devotioni, sprete deformiter & neglecta decidat, quod absit, aliasve vilescat. Qui Canonici per nos & successores nostros creari disponimus, & in priorum decessibus vel cessationibus providos pariter recreandos. Volumus etiam, quod proventus Ecclesiæ de *Lan Cadane* memoratæ, inter Canonicos ibidem residentes & officis divinis continuè insistentes pro æqualibus portionibus dividantur; Præcentorum in eadem tertia parte reservata, quem continue in eadem volumus residere. Quod si pauciores Canonici, quam septem, in eadem fuerint residentes, duarum partium proventus ad fabricam Ecclesiæ memoratæ convertantur, vel cum Ecclesiæ perfecta, libris, palliis, indumentis, & aliis Ecclesiæ necessariis fuerit decorata, dicti proventus in usum pauperum Vicariorum ibidem Deo fervientium convertantur, prout nos & nostri successores melius duxerimus ordinandum. Et nos & nostri successores Stallum habentes in Choro, & locum in Capitulo Ecclesiæ antedictæ, correctiones, visitationes, et ordinationes, prout in Ecclesiâ nostrâ Meneven. hactenus facere consuevimus, in eadem impuisterum faciemus. Ecclesias autem Parochiales subscriptas eidem celebri Collegio, quod jam pro parte (benedictus Deus) in personis providis inchoavimus, ad perpetuum illius loci sustentimen in Præbendis conferimus, et caritative tanquam Patronus et Episcopus assignabimus. Volumus igitur & decernimus, quod septem Canonicis, quos in gradu sacerdotali per se vel Vicarios ibidem Deo disponimus deservire, ad instar & exemplum Ecclesiæ nostræ Meneven. Ecclesiæ de *Lanteglen*, de *Langelan*, de *Lando* & *Lanoylan*, de *Lan Erwath*, de *la Sanfred*, de *Lan Ochull*, & *Lan Lannennarll*, & *Lan venit*, ex nunc de consensu earundem, sine tamen præjudicio ipsorum, in obventionibus & fructibus suis dum vivunt, & regunt, perpetuo remaneant præbendatæ. Ita quod septem canonicis, quos in officio *Diaconali* per se vel vicarios suos modo prædicto ibidem esse pariter ordinamus, Ecclesiæ de Sancto *Germano*, de *Royl*, de *Lampder*, de *Monchref*, de *Landegge*, de *Capng*, & de *Blainledrad*, in Præbendis cedant singulis seperatim. Disponimus etiam, quod septem Canonicis, quos in Officio Subdiaconali per se vel Vicarios suos simili modo ibidem deservire præcipimus, Ecclesiæ de *Tralkan*, de *Lan Canten*, de *Lan bister*, de *Lan Gammarch*, de *Lan Archemen*, de *Lan Tiffyllan*, & de *Nant Ewenellen*, in Præbendis seperatas perpetuo perseverent. Volumus etiam, & tenore præsentium ordinamus, quod nos & successores nostri ad Augmentum Cultus Divini sex marcas annuas ad sustentationem cuiusdam Vicarii, qui in dicta Ecclesiâ locum teneat Subdiaconi, annis singulis conferamus, quousque per nos vel successores nostros eidem usque ad summam memoratam in terris & annuis redditibus provifum fuerit competenter. Ordinamus etiam decernentes, quod in eadem Ecclesiâ sint quinque Clerici inferioris gradus, quorum duo sint *Cereferarii*, duo *Tribularii*, & quintus in processione *Crucem deferat* ordinatè; In minoribus Officiis ibidem nihilominus, cum opus fuerit, ministrantes. Quibus ad sui sustentationem quinquaginta Solidos annuos assignamus, inter eos pro æqualibus portionibus dividendos; quousque eidem major portio vel consimilis per nos vel successores nostros de dicta Ecclesiâ de *Lan Cadano* vel alibi fuerit assignata. Assignamus autem in instanti ad Canonicorum habitacula habitandi procinctum singulis competentem, donec hujusmodi habitacula & clausuram Collegii certius in singulos ordinemus. Decernimus insuper & ordinamus, quod quilibet Canonicus habeat post sui creationem suam ibidem *Vicarium perpetuum* honestæ & approbatæ vitæ personaliter et continue residentem, & ad instar Ecclesiæ nostræ Meneven, deservientem in singulis sub habitu ejusdem Collegii prænotato. Ita quod sine causa notabili & iusta non amoveantur à Vicariis hujusmodi à quocunque.

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que. Numerum quoque Canonorum prædictorum ad præsens (ut evidentior sit status eorundem Vicariorum quos habebunt) partitur & dividimus in tres partes; Quarum prima, septem Canonici deserviant ipsi Collegio per se vel Vicarios in ordine Sacerdotali, & quilibet Vicarius hujusmodi gradus Sacerdotalis quadraginta solidos in pecunia numerata percipiet pro stipendiis annuatim: Secunda pars, Canonorum septem deserviet in ordine *Diaconali* per se vel Vicarios competentes; & quilibet Vicarius istius ordinis duas marcas in pecunia numerata recipiet pro stipendiis annuatim: Tertia pars, septem Canonorum in ordine *Subdiaconali* per se vel Vicarios, sicut expedit, deservient competentes. Et quilibet Vicarius istius gradus viginti solidos in pecunia numerata à Domino suo habebit & percipiet annuatim. Ordinamus etiam & decernimus, quod talis sit statio servitorum, scilicet, quod in prima parte Occidentali ipsius Chori versus navem Ecclesiæ à dextris & à sinistris stent in supremo gradu utrobique Canonici Presbyteralis ordinis, & non alii. Item in ultima parte Orientali ipsius Chori versus Altare, stent Canonici utrobique Diaconalis ordinis, & non alii. Item in medio ipsius Chori hinc inde stent Canonici Subdiaconalis ordinis, & etiam Vicarii Sacerdotes. In secundo vero gradu subter stent Vicarii Diaconi & Subdiaconi, & custodes Altaris, & Allocentur gradatim quilibet juxta gradum suum. Item in tertia forma Pueros & Quæritas præcipimus collocari. Super augmentatione vero & diminutione Præbendarum & Vicariorum hujusmodi, quatenus excreverint & corruerint facultates correptiones & interpretationes omnium præmissorum, secundum quod commodius viderimus expedire, nobis & successoribus nostris plenè præsentibus reservamus. Nolumus autem set omnino prohibemus, quod isti sic instituti Canonici in Ecclesia nostra *Meneven*, quicquam ratione Electionis, ingressus, tractatus, vel consilii, aut alterius juris vel usus habeant vel vendicent quoquo modo, set in præmissis omnibus jura Episcopalia & Archidiaconalia, ac nostræ Cathedralis Ecclesiæ *Meneven*, manere volumus immutata. In præmissis autem Ordinationis testimonium et perpetuam firmitatem, sigillum illustri Regis et Domini nostri Edwardi, et Capituli nostri *Meneven*, una cum nostro, præsentis Decreto et Scripturæ apponi procurabimus et appendi. Dat. & act. apud *Makesfeld* in crastino Nativitatis beatæ Virginis Anno Domini 1283. & anno regni Regis Edwardi undecimo. Hiis testibus, J. Dei gratia *Winton. R. Bathon. & Wellen. A. Dunelm. W. Norwic. & O. Lincoln.* Episcopis; *H. Lancast. J. Surrey. W. Warwic. H. Heref. & Essex.* Comitibus. Nos autem Ordinationem præfati Episcopi juxta tenorem prædictarum literarum suarum ratam habentes et gratam, eam pro nobis et hæredibus nostris, quantum in nobis est, concedimus et confirmamus, sicut literæ prædictæ rationabiliter testantur. In cujus, &c. Teste Rege apud *Badadenlyn*. 10 die Junii.

The Prior of *Charity* sending *Robert* a Prior to visit the Houses in *England* of his Order, the King granted this safe conduct and protection to him and his fellow Freers in their return thence.

**R**EX omnibus Ballivis, &c. salutem. Sciatis quod cum dilectus nobis in Christo Prior de *Caritate*, fratrem *Robertum* Priorem de *Colongis* ejusdem Ordinis, ad visitandas Domos Ordinis sui sibi subjectas infra Regnum nostrum, et ad corrigendam subditorum excessus per suas literas deputasset; & idem frater *Robertus* completo jam visitationis officio, cum aliquibus fratribus suis ad propria duxerit remeare: Nos ipsum in saluum & securum conductum nostrum suscepimus, & vobis omnibus & singulis firmiter injungendo mandamus, quod cum ipse cum fratribus suis prædictis per vos transitum fecerit redeundo, non inferatis ei vel sequacibus suis, in personis aut rebus, injuriam, molestiam, &c. set eisdem potius transeundo opem & consilium præbeatis, cum ab eis super hoc fueritis requisiti. In cujus, &c. duratur, usque ad festum *Nativ. Domini* prox. futur.

Pat. 12 E. 1.  
m. 4. Pro  
Priore de *Colongis* de conductu.

The Church of *Tuam* in *Ireland* during its vacancy, being oppressed for want of the Kings protection, the Dean and Chapter thereof made this petition to the Chancellor to promote their complaints to the King and Council, for their relief therein.

Reverendo



An. 12 E. 1.  
Brevia Regis  
Anno 12 E. 1.

**R**everendo Patri in Christo ac Domino suo, Domino *Roberto Burnel* Dei gratia Episcopo *Batoniensi*, Cancellario Domini nostri Domini *Edwardi* Regis *Anglie*, Domini *Hybernæ*, Ducis *Aquitaniæ*, sui devoti licet pauperes Decanus & Capitulum *Tuamen*, salutem, reverentiam & honorem, cum orationibus, suffragiis devotarum. Quia vestram Paternitatem per Dei gratiam credimus videre & intelligere, querelas et supplicationes nostras teris Dominum Regem pro defectu tuitionis Ecclesie nostræ *Tuamen* tempore presentis sue vacationis, propter quod easdem serie istarum literarum vobis ad præsens non significamus: veruntamen cum de prædictis videritis & intellexeritis, vestræ Pontificalis dignitatis piam misericordiam & solitam benignitatem in Deo requirimus & exoramus, quatinus caritatis intuitu Deum habentes præ oculis, sicut consuevistis auxilium, consilium vestrum pariter & favorem in negociis & agendis ejusdem Ecclesie *Tuamen* coram Domino suo, Consilio & vobis impetrandis, cum effectu præbere velitis. Tantum propter Deum inde facientes, quod eadem Ecclesia cum suis in orationibus assiduis vobis imperpetuum sit affecta. Valeat reverenda vestra Paternitas semper in Christo Jhesu.

What Ecclesiastical preferments the King by his Royal Prerogative conferred in *Ireland*, and gave his Royal assent to this year, these Records inform us.

Pat. 12 E. 1.  
m. 12. De  
licentia eligendi  
Hibern.

**R**EX dilectis sibi in Christo Priori & Conventui Ecclesie Cathedralis Sanctæ *Trinitatis Dublin*, salutem. Accedens ad nos frater *Johannes de Sanford* Concanonicus vester, cum literis patentibus Capituli vestri, nobis humiliter ex parte vestra supplicavit, ut cum Ecclesia vestra per mortem fratris *Johannis de Derlington* nuper Archiepiscopi *Dublin*, Pastoris solatio sit destituta, alium vobis eligendi in Patrem et Pastorem licentiam concedere dignaremur: Nos igitur precibus vestris in hac parte favorabiliter inclinati, licentiam illam vobis duppimus concedendam; Mandantes, quod talem vobis assumatis in Patrem & Pastorem, qui Deo devotus, regimini Ecclesie vestre necessarius, nobisque et regno nostro, ac terræ nostræ *Hibernia* utilis et fidelis erisat. In cujus, &c. Teste Rege apud *Karnarvan*, 5 die *Maii*.

Consimiles literas habent Prior & Conventus de *Albodesbiry* de electione Abbatis.

The Prior and Covent electing *John Sanford* Archbishop of *Dublin*, the King assenting thereto, sent this Certificate to the Pope, for his confirmation and consecration, according to the use and Usurpation in that age.

Pat. 12 E. 1.  
m. 7. De  
assensu electioni  
adhibend.  
Hibern.

**R**EX electioni nuper celebratæ in Conventuali Ecclesia Sanctæ *Trinitatis Dublin*, de discreto viro Magistro *Johanne de Sanford* Decano Ecclesie Sancti *Patricii* ejusdem Civitatis in Archiepiscopum loci illius, Regium assensum adhibuit et favorem. Et hoc significatum est Domino Pape, ut quod suum est in hac parte erequi dignetur cum favore. In cujus, &c. Teste Rege apud *Karnarvan*, 20 die *Julii*.

The King also issued these two *Concedesiers* for the election of two other Bishops in *Ireland*, their Sees being then vacant by Bishops deaths.

Pat. 12 E. 1.  
m. 14. De  
licentia eligendi.

**R**EX Decano & Capitulo Ecclesie *Clonensis*, salutem. Accedens ad nos *Mauritium* filius *Mauritii* Clericus, cum literis patentibus Capituli vestri, nobis ex parte vestra humiliter supplicantes, quod cum Ecclesia vestra prædicta per mortem fratris *Alani* nuper Episcopi ejusdem loci, Pastoris solatio sit destituta, alium vobis eligendi in Episcopum et Pastorem licentiam concedere dignaremur. Nos, &c. Teste Rege apud *Roch*, 8 die *Martii*.

Pat. 12 E. 1.  
m. 19. De  
licentia eligendi.

**R**EX dilectis sibi in Christo Decano & Capitulo *Duaren*, Ecclesie, salutem. Accedens ad nos Magister *Nicholaus de Canagh* Concanonicus vester, cum literis patentibus Capituli vestri, nobis ex parte vestra humiliter supplicavit, quod cum Ecclesia vestra prædicta per mortem (bonæ memoriæ) *Mauritii* nuper Episcopi ejusdem loci, Pastoris sit solatio destituta, alium vobis eligendi in Episcopum et

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et Pastorem licentiam concedere dignaremur. Nos, &c. Teste Rege apud *An. 12 E. 1. Sanctam Oswaldum* 16 die *Januarii*.

Moreover he presented to these Benefices and Prebendaries in *Ireland* by his Prerogative, by reason of the vacancy of the Archbishoprick of *Dublin*.

**B** *Artholomus* de *S. Noto* habet literas Regis de Præsentatione ad Ecclesiam de *Kilfernick*, vacantem per mortem *Eudonis* nuper Præcentoris Ecclesie Sancti *Patricii Dublin*. & Personæ ejusdem Ecclesie de *Kilfernick*, et ad donationem Regis spectantem, ratione Archiepiscopatus *Dublin*. vacantis, et in manu Regis existentis. Et diriguntur literæ custodi Spiritualitatis Archiepiscopatus prædicti. Teste Rege apud *Baladenlyn*. 22 die *Junii*. Pat. 12 E. 1. m. 9. De Præsentatione.

**R**EX dilectis sibi in Christo Decano & Capitulo Sancti *Patricii Dublin*. salutem. Sciatis quod dedimus & concessimus dilecto Clerico nostro Magistro *Thoma de Sedington* Thesaurariam quam Magister *Willielmus de Monemuth* nuper defunctus habuit in Ecclesia prædicta, vacantem per mortem ejusdem *Willielmi*, et ad donationem nostram spectantem, ratione Archiepiscopatus *Dublin*. vacantis, et in manu nostra existentis. Et ideo vobis mandamus, quod eidem *Thoma* stallum in Choro & locum in Capitulo (prout moris est) assignetis. In cujus, &c. Teste Rege apud *Karnarvan*. 20 die *Julii*. Ibid. m. 8. De Thesauraria Ecclesie Sancti *Patricii Dublin*. data.

**R**EX venerabili in Christo patri *S. Waterforden*. Episcopo, Justiciario *Hibernie*, salutem. Cum dederimus et concessimus dilecto Clerico nostro *Waltero de Wimburn*. Præcentoriam una cum Præbenda, & aliis appendiciis singulis habend. sicut *Eudo* de Sancto *Edmundo* jam defunctus, eam plenius tenuit in vita sua in Ecclesia Sancti *Patricii Dublin*. Cathedrali. Vobis mandamus, quod si quid de Præcentoria & Præbenda, seu appendiciis prædictis annexum, post mortem præfati *Eudonis*, per breve aliquod de sigillo nostro *Hibernie*, seu alio modo quocunque alienatum, distractum, seu per quemcunque occupatum fuerit, prædictis Præcentoria et Præbenda reintegrari et restitui fac. Teste Rege apud *Cestr*. 14 die *Septembris*. Claus. 12 E. 1. m. 2. Pro *Waltero de Wimburn*.

**R**EX dilectis sibi in Christo Capitulo Sancti *Patricii Dublin*. salutem. Sciatis quod dedimus & concessimus dilecto Clerico nostro *Jacobo de Ispannia*, Nepoti charissimæ consortis nostræ *Alianora* Regine *Anglie*, Præbendam illam, cum pertinentiis in Ecclesia Sancti *Patricii Dublin*. quam venerabilis pater Electus *Sacrum* nuper habuit in Ecclesia prædicta, vacantem et ad donationem nostram spectantem, ratione Archiepiscopatus *Dublin*. vacantis, et in manu nostra existentis. Et ideo vobis mandamus, quod eidem *Jacobo* stallum in Choro & locum in Capitulo (prout moris est) assignetis. In cujus, &c. Teste Rege apud *Karnarvan*. 22 die *Octobris*. Pat. 12 E. 1. m. 2. De Præbenda data.

By which Record it is apparent, 1. That by the very election of a Prebend in *Ireland* to be a Bishop in *England*, the Prebendary in Law became void. 2ly. That the King then presented thereunto, not by reason of his promoting him to a Bishoprick, but by reason of the vacancy of the Archbishoprick of *Dublin* then in his hands, to which the Patronage of the Prebendary appertained.

King *Edward* the 1. having totally subdued the *Welsh*, in the 13. year of his reign, \* *pridie Kalendas Maii post Walliam subjugatam ad Westmonasterium veniens*, præcedentibus Archiepiscopo Cantuariensi, & Suffraganeis suis Episcopis vestitus, cum turmis Nobilium & Religiosorum, & popularium comitivis, portionem Dominica Crucis non modicam, ornatum auro & argento & lapidibus pretiosis, quam de *Wallia* secum tulit, ad Westmonasterium cum solenni processione & concentu advexit, where he summoned a Parliament after the Feast of *Easter*, wherein he made sundry excellent Laws for the redresse of many oppressions of the people, and defaults and defects of the Laws; whereof *Matthew Westminster* renders us this brief account. His temporibus convocatis potentioribus terra sua apud *Westm*. condidit Rex *Statuta*, Uu qus An. 13 E. 1. \* *Wallingham Hist. Anglie* An. 1286. p. 13. Ypodigma Nustrie. p. 71. Mat. Westm. p. 373.



*An. 13 E. 1. qua Westmonasterii secunda dicuntur, inter quæ Infractio nem Ecclesiasticorum Iudicium defalcabit. Et quia prius continebat, ne Religioſæ perſonæ in ſecularibus poſſeſſionibus creſcerent, nunc ſtatuit, ut prius habita non minoſcerent, vel decreſcerent.*

In this Parliament, to prevent all Suits in Ecclesiastical Courts for Advowſons of Churches, and to give Patrons better and speedier remedies to recover their Advowſons, againſt uſurpers, in the Kings Temporal Courts, then formerly they had, the King, Lords and Commons enacted this Law.

\* Westm. 1. cap. 5. Statutes at large, & Cooks 1 Inſtit. p. 353. 354.

\* Cap. 5. Whereas for Advowſons of Churches there be but three originall Writts; that is to ſay, one *Writt of Right*, and two of *Poſſeſſion*, which be *Darraine Preſentment*, and *Quare Impedit*; and hitherto it hath beene uſed in the *Realme*, that when any havinge noe right to preſent, had preſented to any Church, whoſe Clerk was admitted; he, that was very Patron, could not recover his Advowſon, but onely by a *Writt of Right*, which ſhould be tryed by *Batayle*, or by *Great Affiſe*; whereby Heires within age, either by fraude, or elſe by negligence of their *Gardi-ans*; and Heires, both of right and meane Eſtate, either by negligence, or elſe by fraude of *Tennants by the Courtſie*, *Tennants in Dower*, or otherwiſe for terme of Life, or for Years, or in Fee Taile, were many times diſinherited of their Advowſons, or at the leaſt (which was the better for them) were driven to their *Writt of Right*; in which caſe they were hitherto without remedie: It is provided, that ſuch Preſentments ſhall not bee ſo prejudiciall to the right Heires, or to them unto whom ſuch Advowſons ought to revert after the death of other perſons. For as often as any havinge no right doth preſent, duringe the time that ſuch Heires are in Ward, or duringe the Eſtates of *Tennants in Dower*, by the *Courtſie*, or otherwiſe for terme of Life, or of Years, or in Taile, at the next avoidance when the Heir is come to full age, or when after the death of the Tennants before named, the Advowſon ſhall revert to the Heir being of full age, hee ſhall have ſuch *Action and Receipt by Writt of Advowſon poſſeſſorie*, as his laſt Anceſtor ſhould have had at the laſt avoidance, happening in his time, being of full age before his death, or before the *Demise* was made for terme of Life, or in Fee Taile, as before is ſaid. The ſame ſhall bee obſerved in Preſentments made unto Churches, being of the Inheritance of Women, what time they ſhall bee under the power of their Husbands, which muſt bee ayded by this Eſtate, by the remedie aforeſaid. Alſo Religious men, as *Bishops*, *Archdeacons*, *Perſons of Churches*, and other ſpirituall men, ſhall bee ayded by this Eſtate, in caſe any havinge noe right do preſent unto Churches belonging to *Prelacies*, ſpirituall Dignities, *Perſonages*, or to Houſes of Religion, what time ſuch Houſes, *Prelacies*, ſpirituall Dignities, or *Perſonages* bee vacant. Neither ſhall this Act bee ſo largely underſtanden, that ſuch perſons for whoſe remedie this Statute was ordeyned, ſhall have the recovery aforeſaid, ſurmyſing that *Gardynes of Heires*, *Tennants in Taile*, by the *Courtſie*, *Tennants in Dower*, for terme of Life, or for Years, or Husbands which have ſainly deſerded *Pleas* moved by them or againſt them, becauſe the Judgements given againſt them in the \* *Kings Courts*, ſhould not bee annulled by this Statute, the Judgement ſhall ſtand in his force, untill it bee reverſed in the Court of the King, as erroneous, if errour bee found, or by *Writ of Warreine Preſentment*, or by enqueſt in *Quare Impedit*, if it bee paſſed, by *Attaint*, or be annulled by *Certification*, which ſhall bee freely granted. And from henceforth one forme of *Pleading* ſhall bee obſerved amongſt Juſtices in *Writts of Darraine Preſentment*, and *Quare Impedit*; ſo that where the Defendaunt alledged *plenary* in the Church of his own Preſentation, the Plea ſhall not fall by reaſon of that *plenary*, ſo that the *Writ* bee purchaſed within ſix moneths, though he cannot recover his Preſentation within the ſix moneths. And ſometimes where a *Fyne* is levied betweene many claiming one Advowſon, and inrolled before the Juſtices in the rolle or fine in this forme, That one ſhall preſent the firſt time, and at the next Advowſon another, and the third time another, and ſo of many in caſe there bee many. And when one hath preſented for his tourne according to the forme of their agreement, and *fyne*, and at the next avoidance, hee to whome the ſecond Preſentation belongeth, is diſturbd by any that was partie to the ſaid fine, or in his ſtead; It is provided, that from henceforth he that is ſo diſturbd, ſhall have no need to ſue a *Quare Impedit*, but ſhall reſort to the *Roll* or *Fine*. And if the ſaid concord or agreement bee found

\* Which had ſole Jurisdiction and conſuſance of Advowſons by the Common Law.

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found in the *Rolls* or *Fine*, then the Sherriffe shall bee commanded, that hee give knowledge unto the *Distourber*, that hee bee ready at some short day, conteyning the space of *fifteen dayes*, or *three weekes*, (as the place happeneth to be neare or farre) for to shew if hee can alledge any thing, wherefore the partie that is distourbed, ought not to present. And if hee come not, or peradventure doth come, and can alledge nothing to barre the partie of his Presentation, by any deed made or written since the fine was made or inrolled, *hee shall recover his Presentation, with his dammages*. And where it chanceth, that after the death of the Auncellor of him that presented his Clerk to a Church, the same Advowson is assigned in *Dower* to any Woman, or to *Tennant by the Courtesie*, which doe present, and after the death of such Tennants, the verie Heire is distourbed to present, when the Church is void; It is provided; that from henceforth it shall bee in the election of the partie distourbed, whether he will sue a Writt of *Quare Impedit*, or of *Darvaine Presentment*. The same shall bee observed in Advowsons demised for *terme of Life*, or *Yeares*, or in *Fee Taile*. And from henceforth in Writts of *Quare Impedit*, and *Darvaine Presentment*, dammages shall be awarded, that is to wit of the time of six moneths past, so that the Bishop do present, and the very Patrone loseth his Presentation for that time, *dammages shall bee awarded for two yeares value of the Church*. And if the six moneths be not passed, and the presentment be deraigned within the said time, *then dammages shall bee awarded to the halfe yeares value of the Church*. And if the distourber have not whereof hee may recompence dammages, in case where the Bishop presenteth by lapse of time, *hee shall bee punished by two yeares imprisonment*. And if the Advowson be deraigned within the halfe yeare, yet the distourber shall bee punished by the imprisonment of halfe a yeare. And from henceforth Writts shall bee graunted for *Chappells, Prebends, Vicarages, Hospitalls, Abbies, Priories*, and other *Howses* which bee of the Advowsons of other men, that have not beene used to be graunted before. And when the Person of any Church is distourbed to demande *Tythes* in the next Parish by a *Writt of Indicavit*, that Patron of the Person soe distourbed, shall have a *Writt* to demande the Advowson of the *Tythes*, being in demands; and when it is deraigned, then shall the Plea passe in the Court Christian, as farre forth as it is deraigned in the Kings Court. When an Advowson descendeth unto *Parceners*, though one present twice, and usurpeth upon his Coheire, yet he that was negligent shall not bee cleerly barred, but another time shall have his tourne to present, when it falleth.

Ar. 13 E. 1

\* See Statiam, Fitzherberts & Brooks Abridgements, Natura Brevium, & the Register, Tit. Assise de Darvaine Presentment, & Quare Impedit; Cooks 2 Inst. p. 363, 364.  
See Glanvil l. 4. c. 13, Britton l. 5 f. 402. Britton f. 260. Register of Writs, f. 37, 36.

What benefit this Act gave to Patrons, and what additions it made to the Common Law, the words of the Act, together with Statiam, Brooke, Fitzherbert, Hughes in their Abridgements of the Law, Natura Brevium, and Ash, Titles Assise de Darvaine Presentment, Droit de Advowson, Indicavit, Quare Impedit, and Sir Edward Cooke in his Commentary on it, Institutes 2. p. 353, to 366. will at large inform you: Only I shall observe three particulars from it.

First, That although Pope Alexander 3. the Council of Lateran under him, and our Bishops endeavoured to deprive the King and his Temporal Courts of holding Plea of Advowsons of Churches, and the right of Patrons to present to them, (as I have elsewhere observed) yet our Kings and Nobles would never assent thereto, but preserved their antient Right and Jurisdiction vested in them by the Common Laws of England, which they further ratified by this Statute.

2ly. That although this Pope and Council of Lateran (not of Lions, as Britton mistakes) confined Patrons when Churches or Prebendaries became void, *quod infra sex menses personis, quae digne administrare valeant, conferantur*; whereas Britton, Fleta, and our other Law Books inform us, ante Concilium Lateranense nullum curriebat tempus contra presentantes; the Bishop providing only a Clerk to serve the Cure till the Patron presented or collated to it, but having no power or right to present thereto himself by way of lapse; yet this Councils Canons did never oblige the Kings of England, who by their Prerogatives were obliged to no time, but might and did present or collate to Bishopricks, Churches, Abbies, Prebendaries, and other Benefices presentative or donative, to which they had right, whenever they pleased; nor did this binde other Patrons & Subjects of this Realm, till established as a Law by consent of the King in Parliament; yea the six moneths, (as the Council) or half year (as this Act stiles it) shall be accounted six full Kalendar moneths, amounting to

a Here Tom. 1. p. 763, 764, 810, 811.  
b Cap. 92. f. 225. a.  
c Surus Concil. Tom. 3. Pars 1. cap. 6. p. 628. See Here Tom. 1. p. 806. Gratian Dist. 63.  
d Lib. 4. c. 6. sect. 5. f. 247. a.  
e Lib. 5. c. 14. sect. 6. p. 321.  
f Cooks 2 Inst. p. 361.  
g See here Tom. 1. p. 806. Tom. 2. p. 481, 482, 563.

Uu 2

half



*An. 13 E. 1.* half one year, not *six months* consisting of 28. *days*, as was adjudged by all the Judges of England in \* *Catesbyes* case, and others therein recited.

\* *Cooks & Re-*  
*port, f. 62. &*  
*2 Instit. p. 361.*  
*Crook. 2 Rep.*  
*p. 141. Practon*  
*l. 5. c. 5. sect. 7.*  
*Rot. Pat. 27*  
*E. 3. pars 1. m.*  
*18. a memo-*  
*rable Record*  
*in this point.*  
*† 2 Instit. p.*  
*365.*  
*2 Chron. Jo-*  
*han. Bromton,*  
*col. 914, 919,*  
*930. W. Lam-*  
*bards Archai-*  
*on, f. 119.*  
*Abrah. Whe-*  
*locus, p. 122.*

3ly. That the right of Tithes, by the Common Law was originally and antiently triable only at the Common Law in the Kings Temporal Courts, not in the Ecclesiastical by the Canon Law, who had no Jurisdiction to hold plea of Tithes issuing out of Freeholds, no more then of rents, before the right of them was determined in the Kings Court by a Writ of *Indicavit*; which Writ (as † *Sir Edward Cook* observes) is against the Canonical Sanction, and yet hath been ever obeyed; for all foreign Sanctions or Canons against the Law of the Realm are of no force, and binde not here.

Next, whereas King *Cnut* the *Dane* after his return from *Rome* into *England* in a Parliamentary Council at *Wynton*, in *Sancto Natali Domini*, (printed in the \* *Chronicle of Bromton*, Mr. *William Lambard*, and Mr. *Abraham Whelock*, cap. 96, 97. in the *Latin*, but 67, & 68. in the *Saxon* Edition) for the ease of his people enacted this Law, *De intestato mortuis. Hac est alligatio quam omni populo meo providere volo, in quibus nimis omnino fuerant aggravati. Si quis ex hac vita decedat sine distributione rerum suarum, (or, as Lambard and Whelock better translate it, fuerit ab intestato mortuus) vel per incustodiam, vel per mortem improbitam, non insurpet sibi Dominus ejus de pecunia sua, (nisi quantum ad justam relevationem pertinet, quæ Anglicè vocatur Hereget) sed sit secundum discretionem ejus, (or, judicii suo, not of the Bishop or Ordinary) ipsa pecunia recte distributa, uxori, parentibus, et propinquis, unicuique secundum modum, qui ad eum pertinet, & sint relevationes ita minutæ sicut modus est.* Which Law was afterwards ratified by *Edward* the

b See here, p.  
141, 142.

*Confessor, William the Conqueror, & Hen. 1.* whereby it is apparent, 1. That before this Law, the Lord of every person dying intestate, usually claimed all his money and goods to himself. 2ly. That this Law confined every Lord to seise and retain no more of his Tenants money or goods, then would satisfy the relief, rent, or heriot due to him at his death. 3ly. That all the rest of his goods were to be rightly distributed between his wife, children, kinred, to each of them according to his proportion, as the Lord (not Bishop or Ordinary) should adjudge or direct. 4ly. That the Writ *De Rationabili parte bonorum* in case of Intestates, is not grounded upon the particular custom of some Counties, Boroughs or Cities, as is commonly mistaken, but on a general Law of the Land, namely on this Law of King *Cnut*, ratified both by the *Confessor, Conqueror, Henry* the 1. *Magna Charta*, c. 18. and on the Common Law of the Realm, as *Bracton* l. 2. c. 26. f. 60, 61. *Hornes Mirror of Justice*, c. 5. sect. 2. p. 213. *Fleta* l. 2. c. 57. *Fitzherbert* in his *Natura Brevium*, f. 122. b. assure us, and the ancient Writs in *Glanvil*, l. 12. c. 20. *Secundum consuetudinem terræ nostræ*, directly resolve, against the mistaken Clause in the Writs in the *Register*, f. 122. *secundum consuetudinem in Comitatu prædicto* (Berks) hactenus usitatum; and *Sir Edward Cookes* error grounded thereon, 2 *Instit.* p. 33. That this Writ doth not lie without a particular Custom. 5ly. That the Bishop or Ordinary before, or after this Law, had no legal authority by it, or any other Statute before this Parliament to make any distribution of the intestates goods, either to his wife, children or kinred, much lesse to any pious uses for the good of his Soul; not once mentioned, nor intimated in this or any other of his or his predecessors Lawes. Yet they usurped by degrees to themselves, either by pretext of a Clause in King *Richard* the 1. his Charter, or \* King *Johns Great Charter*, (omitted in that of King *Henry* the 3. and *Edward* the 1.) or by a pretended Ordinance of the King and Lords, suggested in *Ottobons*, and Archbishop *Stratfords* Constitutions; or by Archbishop *Boniface* his Constitutions in the Council of *Lambeth*, (though protested, appealed against by King *Henry* the 3. as grievances, against the rights of his Crown, the Lawes, Customes of the Realm, as I have formerly evidenced) a power to seise, dispose, and distribute to pious uses the goods and chattels of intestate persons; or rather in imitation of Pope *Innocent* the 4. who by a new unheard-of Papal Statute and Constitution (Anno Dom. 1246.) claimed to himself and his successors the disposal of the goods and chattels of all persons dying intestate, especially Clergymen, seising upon them by his Emisaries; non sine Principum injuria et jactura, ut omnia eorum bona Papalis Charybdis deglutiret, et in gremio suavaritæ amplectaretur, non sine nota manifestæ cupiditatis, as \* *Mat. Westminster*, *Matth.*

c See here, p.  
13, 14, 15,  
90, 91, 92,  
138, to 143.

d *Tom. 2 p.*  
893, 909, 983,  
990, 991.

e *Flores Hist.*  
p. 206. *Hist.*  
*Angl.* p. 649  
651, 652. Here  
*Tom. 2 p. 664.*  
671, 672, 692.

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Matth. Paris, and others story of him, *Quidcum audisset Dominus Rex (H. 3) An. 13 E. 1.* detestans Romanæ Curie argumentum, ac multiplicem et multiformem avaritiam, hoc fieri prohibuit, compertens illud in damnum regni et suum redundare prejudicium; (claiming a Regal interest in, and Jurisdiction over them;) which Statute and Constitution the Cardinals not long after enforced this Pope to revoke, by reason of the general scandal it gave in divers Climates; yet Pope Martin the 4th. revived it by his practise near this time, in claiming the goods and chattels of Robert Kylwardby, Archbishop of Canterbury, dying intestate at Rome, under pretext of distributing them to the poor, and pious uses, which our Bishops did thereupon likewise imitate in England, to the prejudice of Intestates Wives, Children, Lords, Creditors to whom they were obliged or indebted; Hereupon, to rectifie this usurpation and abuse, the King, Lords and Commons in this Parliament enacted this Law, ch. 19.

*Cum post mortem alicujus decedentes intestati, & obligati aliquibus in debito, bona deveniant ad Ordinarium disponenda, obligetur de cætero Ordinarius ad respondendum de debitis quatenus bona defuncti sufficiunt; eodem modo quo executores respondere timentur, si Testamentum fecissent.* West 2 c. 19.

§ Sir Edward Cooke, in his Commentary on this Statute affirms; *This Act was made in affirmance of the Common Law; That the Ordinary is the person whom the Law appointeth to take charge of the Administration of the goods and chattels of the party that dyeth intestate, or quasi intestatus; and justly did the Law in this case appoint the Ordinary, for the Law presumed, that he that had the care of his soul in his life-time, would after his death have care of his temporal goods and chattels to see them well disposed and administered.* But under his favour, I conceive it most evident, that the Common Law of England never intrusted the Bishop or Ordinary (much lesse their Vicars Generals, Chancellors, Commissaries, Officials, Surrogates) with the general disposition, administration, or Judicature of all intestates temporal goods, debts, chattels after their deaths, of which they had, yea ought to have no care, disposition, jurisdiction, administration during their lives, being inconsistent with, incongruous to their spiritual function, which is only the cure of souls, not of mens worldly estates, as I have elsewhere evidenced; and the forecited Lawes of King Cnut, Edward the Confessor, the Charter of King Henry the 1. and Magna Charta, which divide the goods and chattels of Intestates between their wives, children, if they have any, or the next of kin, and leave them to their administration and distribution, or else to the Kings, Lords of whom they held, not to the Bishop or Ordinaries; Which being the ancient Common & Statute Law of England, this his assertion must be a clear mistake, contrary to his own and our other Judges Resolutions in *Hensloes* case: So that the end of this Statute (as I apprehend) was only to subject Ordinaries who seized goods or Chattels of persons dying intestate by their usurped Jurisdiction, (under this forged, false Popish pretext, of distributing them to pious uses for the good of their souls, to lessen their torments, and rescue them out of purgatory) and make them as farre forth liable to satisfie the Intestates Bonds and Debts, as his Executors then were, had he made any; but not to give them any new legal authoritie or Jurisdiction over Intestates goods and chattels, which they had not before by the Common, or any other precedent Statute Law.

Moreover, to prevent the frustrating of the Statutes against *Mortmain* by religious and other Ecclesiastical persons, through defaults, collusion, or erecting Crosses on Lands, this new Law was then likewise enacted.

\* When religious men and other Ecclesiastical persons do implead any, and the person impleaded makes default, whereby he ought to lose the Land, forasmuch as the Justices have thought hitherto, that if the party impleaded make default by collusion, that where the Demandant by occasion of the Statute could not obtain seisin of the Land by way of Gift or other alienation, he shall now by reason of default, and so the Statute is defrauded: It is ordained by our Sovereign Lord the King in this case, that after the default made, it shall be inquired by the Countrey, whether the Demandant had right in the thing demanded, or no? and if it be found that the Demandant had right, the Judgement shall passe with him, and he shall recover seisin; and if he hath no right, the Land shall accrete to the next Lord of the Fee, if he demand it within a year from the time of the Inquest taken. And if he do not demand it within a year, it shall accrete to the next Lord

f Ant. qu. Eccl. Brit. p. 198. See here, p. 216.

g 2 Institutes, p. 397.

h See Here, p. 138, 139, 140. i Here, p. 13, 14, 141, 142.

k 6 Reports, f. 37, 38. 2 Institutes, p. 488.



*An. 13 E. 1.* Lord above, if he do demande it within half a year. And so every Lord after the next Lord, immediately shall have the space of half a year for to demand it successively, untill it come to the King, to whom at length, throught default of other Lords, the Land shall accrete: And to challenge the Jurors of the Inquest every of the Chief Lords of the Fees shall be admitted; and likewise for the King they that will shall challenge. And after the Judgement given, the Land shall remain in the Kings hands, untill it be decreed by the Demaundant or some other Chief Lord; and the Sherriffe shall be charged to answer therefore at the Exchequer.

*Cap. 33.* Forasmuch as many Tenants set up, or cause to be set up Crosses in their Lands in prejudice of their Lords, to the intent their Tenants should defend themselves against the Chief Lords of the Fee, by the priviledge of Templars and Hospitallers; It is ordeyned, that such Lands shall be forfeit to the Chief Lords, or the King, in the same manner as is provided for Lands aliened in Poymayne.

For the true meaning and scope of which two Statutes, I shall referr you to *Statham, Brooke and Fitzherbert* their Abridgements, Title *Collusion*; and *Cookes 2 Institutes*, p. 428, to 433.

To prevent the Whoredom & Ravishment of Nuns they enacted, c. 34. *Qui Monialem à domo sua abducit, sicut Monialis consentiat, purtatur per prisonam trium annorum, & satisfaciatur domui à qua abducta fuerat competenter, et nihilominus rebitur ad voluntatem Regis*; all temporal penalties for what the Clergie deemed an Ecclesiastical offence; whence the Writ upon this Statute by a Prioress for taking away a Nun, recites, \* *per quod divinum servitium in Ecclesia ipsius Priorisse multipliciter substractum fuit & diminutum.*

*Register, f. 74. b. & 107. b.* Moreover to prevent the Alienation of Lands given to Monasteries by the King, his Ancestors, or others to religious uses, or services, by Abbots, Priors and Wardens for their own private lutchre, or advancement, to purchase great preferments from the Pope, or to enrich their kinned, whores, or bastard children, against the Founders and Donors intent, to the discontinuing or ceasing the divine services or uses for which they were originally given, they provided new temporal remedies, no waies pleasing to the Abbots or Monks.

*Cap. 41.* Our Sovereign Lord the King hath ordeined, that if Abbots, Priours, Keepers of Hospitals, and other Religious Houses, founded by Him or by his Progenitors, do from henceforth aliene the Lands given to their houses by him, or by his Progenitors; the Land shall be taken into the Kings hands, and holden at his will; and the Purchaser shall lose his recovery as well of the Lands, as of the Money that he paid. And if the House were founded by an Earle, Baron, or other persons, for the Lands so aliened, he, from whom, or from whose Ancestor the Land so alienated was given, shall have such a Writ to recover the Lands in Demean. *Præcipe tali Abbati quod iussit, &c. reddat G. F. tale tenementum, quod eidem domui collatum fuit in liberam Elcemosinam per prædictum G. vel antecessores suos, & quod ad prædictum G. reverti debet, per alienationem, quam prædictus Abbas fecit de prædicto Tenemento, contra formam Collationis prædictæ, ut dicit.* In like manner for Lands given for the maintenance of a Chauntry, or of a light in a Church or Chappell, or other Alms to be maintained, if the Land given be aliened. But if the Land so given for a Chauntry, Light, Sultenance of poor people, or other Almes to be maintained or done, be not aliened, but such Alms shall be withdrawn by the space of two years, an action shall lye for the Donor or his heir to demande the Land so given in Demean, as it is ordeined in the Statute of Gloucester (c. 4.) for Lands leased, to do or so render the fourth part of the value of the Land, or more.

One chief design in making this Law, was to prevent Abbots and Priors giving, or leasing the Lands of their Churches to their Whores, Concubines and Bastard children; a common practise among these unchast Votaries, as well as with Popes, Cardinals, and Popish Bishops.

By virtue of this Act, *Hil. 38 E. 3. rot. 14. coram Rege*, it was found by Inquisition, that \* *Thomas de Pipe* Abbot of *Stonely* in *Warwickshire*, (a lusty Stallion) of the foundation of *Henry the 2.* had alienated divers parts of the Mannor of *Stonely*, and other Lands for life, *Isabellæ de Beneshare Concubinae dictæ Abbatis, et Johanni filio eorundem Abbatis et Isabellæ primogenito: habendam & tenendam ad terminum vite eorundem Isabellæ & Johannis*; And other lands to other persons, absque

\* See *Iohn Balehis Act* of English votaries; *Olaus Ecclesie*, cap. 19. to 24. *Alvarus Pelagius de Planctu Ecclesie*, l. 2. Art. 5, 7, 9, 19, 20, 23, 24, to 28. *Nicholaus de Clemangis de Corrupto Ecclesie statu*; & *Claudius Espencæus de Continentia*, lib. 4. s. 22. E. 1. c. 20. & 29. \* *Cookes 2 Institutes* p. 458.

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abique aliquo reddendo inde annuatim, vel p<sup>er</sup> manibus inde ab eisdem percepto, sed tamen modo ad opus et proficuum ipsius Abbat<sup>is</sup>; et maxime pro sustentatione et inventione p<sup>re</sup>dictorum Isabellæ et puerorum eorundem Abbatis et Isabellæ, qui excedunt numerum Monachorum suorum missas celebrantium, si forte deponeretur de statu suo. And this was held an alienation within the meaning of Act.

They likewise settled what fees Abbots, Priors, Archbishops and Bishops should pay to the Kings Marshal and Chamberlain when they made their homage and fealty to the King for their Baronies held of him by Barony, and not in Frankalmoin.

Concerning the Kings Marshalls of Fee, the said Marshalls shall take of Abbots and Priours holding an whole Barony, when they make Homage or Fealty for their Baronies one Palfric, or the price. And this shall also be observed amongst Archbishops and Bishops. Of such as hold but a part of a Barony, whether they be Religious or Secular, he shall take according to the Portion of the part of the Barony that they hold. Of Religious men that hold in free Almes, and not by a Barony or part of a Barony, the Marshall from henceforth shall demand nothing. And our Sovereigne Lord the King hath granted, that by this Estatute a Marshall of Fee shall not be barred hereafter to demand more, if he can shew that he hath right unto more. The Kings Chamberlains from henceforth shall have of Archbishops, Bishops, Abbots, Priours, and other persons Spiritual, of Earls and Barons holding an entire Barony, a reasonable fine, when they do their Homage.

By this it is apparent, that Archbishops, Bishops, Abbots, and Priors, then did, and ought to do both Homage and Fealty to the King as their Sovereign Lord, for their Baronies, as well as Temporal Lords, at leastwise after their election, and before their consecration, if not after it; as is evident by Glanvil, l. 9. c. 1, 2. Bracton, f. 78. E. Britton, c. 68. Fleta, l. 3. c. 16. Littleton, §. 86. and other evidences I have elsewhere cited at large, notwithstanding all Popish Canons and Decrees against it.

The Templars and Hospitallers, and Conservators of their Priviledges by Bulls from Popes usurping upon the Kings Prerogative and Subjects Liberties, by illegal Citations into their Courts, for matters belonging to the Kings Courts; they then enacted this Law against such their Usurpations.

Be it prohibited from henceforth to Hospitallers and Templars, that hereafter they bring no man in Plea before the Keepers of their Priviledges, for any matter, the knowledge whereof belongeth to the Kings Court; which if they doe, first they shall p<sup>ay</sup> Damages to the party grieved, and be grievously punished unto the King. The King also prohibiteth to the Keepers of such Priviledges, that from henceforth they graunt no Citations at the instance of Hospitallers, Templars, or other persons privileged, before it be expressed upon what matter the Citation ought to be made. And if the Keepers do see that a Citation is required upon any matter, the knowledge whereof belongeth to the Kings Court, the Keepers shall neither make nor knowe the Citation. And if the Keepers doe otherwise, they shall p<sup>ay</sup> Damages to the party grieved, and nevertheless shall be grievously punished by the King. And forasmuch as such persons privileged depute Keepers, Superiours, Chaunters, Sextons, which be Religious men, and which have nothing to satisfie the Parties grieved, nor the King, which be more bold to offend the Kings Dignity, then their Superiours, to whom punishment may be assigned by their Temporalities; Let the Prelates of such Obedients therefore beware from henceforth, that they doe not suffer their Ordinaries to assume to themselves any Jurisdiction in prejudice of the King and his Crown; and if they do, their Superiours shall answer for their fact, as if they had been conbait upon their proper Act. And by parity of Law and Equity, Archbishops, Bishops, and other Ordinaries ought to answer for the usurpations, extravagances, excommunications, oppressions of their Vicars, Archdeacons, Chancellors, Commissaries, Surrogates, and other inferior officers, who commonly are more bold to usurp upon the Kings Crown, Dignity, Courts, and more vex, oppress, grieve his Subjects, then their Superiours, as the experience of all ages; evidence, to raise a fortune or family by unlawful gain, though they go to Hell in conclusion, and intail a curse upon their posterity.

This

As. 13 E. 1.

Ibid. Cap. 41.

\*The first Part of a Brief Register of Parliamentary Writs, p. 195, to 208.

Ibid. cap. 43.



An. 13 E. 1.  
a 1 Institutes,  
p. 487. b.

This Year in this Parliament, as <sup>a</sup> Sir Edward Coke, and some of our ordinary printed Statute Books report, *Circumspecte agatis*, was made and published, thus recorded in William Lindwode his *Provinciale*, l. 2. *De Foro Competenti* f. 70. printed *Antwerpia*, Anno 1525. 20 die Decembris: in Richard Tottles *Magna Charta*, Londini 1556. f. 89. and other Statute Books since.

**R**EX talibus Judicibus salutem. Circumspecte agatis de negotiis tangentibus Episcopum Norwicensem, & ejus Clerum; non puniendo eos si placitum tenuerint in Curia Christianitatis de his quæ sunt mere spiritualia; videlicet, de correctionibus quæ Prelati faciunt pro mortali peccato; viz. pro fornicatione, adulterio, et hujusmodi: pro quibus aliquando infligitur pœna corporalis, aliquando pecuniaria, maxime si convictus fuerit de hujusmodi liber homo. Item, si Prelatus puniat pro Cimiterio non clauso, Ecclesia discoperta, vel non decenter ornata; in quibus casibus alia pœna non possit infligi quam pecuniaria. Item, si Rector petat versus parochianos Oblationes vel Decimas debitas vel consuetas, vel si Rector agat contra Rectorem de decimis majoribus, vel minoribus, dummodo non petatur quarta pars valoris Ecclesiæ. Item, si Rector petat Portuarium in paribus ubi mortuarium dari consuevit. Item, si Prelatus alicujus Ecclesiæ, vel advocatus petat a rectore Pensionem sibi debitam: omnes hujusmodi petitiones sunt faciendæ in foro Ecclesiastico. De violenta manuum injectione in Clericum, et in causa Diffamationis concessum fuit alias, quod placitum inde teneatur in Curia Christianitatis, cum non petatur pecunia, sed agatur ad correctionem peccati, et similiter pro fidei latione. In omnibus prædictis casibus habet Juxta Ecclesiasticus cognoscere Regia prohibitione non obstante.

\* The first  
Lawbook, case  
that mentions  
it.

Whether *Articuli Cleri* be a Statute or Act of Parliament or not, and when, where, or by whom made, there have been different, yea contrary opinions amongst Lawyers: \*Mich. 19 E. 3. *Fitzh. Jurisdiction* 28. *Grene* a Counsellor pleaded it as a Statute, in a Writ of *Annuity* brought by the Bishop of Winchester against the Archbishop of Sarum, which *Annuity* he and his predecessors claimed by prescription against the Archdeacon and his predecessors; comparing it, to the case of an *Annuity* between the *Parson* and *Vicar*, and between the *Patron* and *Parson*, which ought to be brought in Court Christian, *q̄ per Prohibition la Court illoquin ne surcess*, et ceo doet le Statut de *Circumspecte agatis*. To which *Hillary* (then a Judge) replied; ceo nest pas estatut neufable; and *Willoughby* (then Chief Justice of the Kings Bench) thus seconded, *Non, les Prelats ceo fieront mesme: & in tous deux les cases que vous avez mysse, cest Court sur Title de prescription voit le constre: par que respondes, & ceo suit per agard*. So as these two learned Judges then resolved it to be no Statute or Act of Parliament, but a Writ or Constitution made by the Prelates themselves. Yet notwithstanding afterwards in the Yearbooks of 10 H. 4. f. 1. b. *Fitzherbert* *Pramunire* 13. in a case concerning a *Mortuary*, *Chyre* a Pleader, after him *Constable*, Anno 12 H. 7. f. 23. a. and *Plowden* in *Pless* case, An. 4 E. 6. fol. 36. b. stile it, *Le Statute de Circumspecte agatis*. Sir Edward Coke in his 4 Report, f. 20 b. in his 6 Report, f. 67 a. *William Geoffries* case, Mich. 31 & 32 Eliz. & 7 Report, f. 44. stiles it, *Le Statute et Act de Circumspecte agatis*. An. 13 E. 1. Yea in his 2. Instit. p. 487, &c. he not only stiles, but prints comments on it as a Statute made An. 13 E. 1. and positively avers, that this is an Act of Parliament, and a Writ devised in the Parliament of Westm. 2. Anno 13 E. 1. which is proved not only by our Books, (forecited, quoted in his Margin) but by an Act of Parliament, to wit, 2 & 3 E. 6. ch. 13. which calls *Articuli Cleri*, and *Circumspecte agatis*, Statutes, in the last proviso but one; whence he concludes in his Commentary thereon. \* This Act is (as here it appeareth) a Statute, and enacted An. 13 E. 1. though some have said, that this was no Statute, but made by the Prelates themselves. Besides the Statutes at large printed at London, An. 1564. most other Statutes at large since, with *Rastalls* and others *Abridgements* of Statutes, call it, *The Statute of Circumspecte agatis*, 13 E. 1. Only Richard Tottle his *Magna Charta*, printed London 1556. f. 89. terms it *Circumspecte agatis*, Edit. An. 13 E. 1. without stiling it, a Statute.

\* See his Preface to his  
*Provinciale*.

William Lindwode our greatest English Canonist, An. 1423. being the first year of

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of King Henry the 6. inserted this *Circumspecte agatis* into his *Provincial Constitutions* of our Archbishops and Prelates, *Provincialis lib. 2. Tit. De foro Competenti, f. 70.* and made a large glosse thereon; where he writes, *Istud e. Circumspecte, non est Constitutio provincialis, sed emanabit a Decreto Dom. Regis, (not Act of Parliament) quomodo viz. Justiciarii sui missi in Diocesi Norwyc. ad aliqua ibidem ex parte Regis facienda & inquirenda, se quo ad Clerum ejusdem Diocesis abstinerent ab infra scriptis, dimittentes ea foro Ecclesiastico, et Ecclesie judicio terminanda et decidenda. Et nota, quod in hoc e. recitantur in specie 13. casus, sive articuli, in quibus cognitio mere pertinet ad Judicem Ecclesiasticum.* And on the words *Norwycensem Episcopum*; he thus glosseth. *Rex et misit certos Justiciarios suos ad procedendum sub certa forma contra Episcopum Norwycensem, et alios de Clero sibi adherentes, quibus postea Rex scripsit, ut hic habetur.* So as *Lyndewode* (who first glossed upon this Text and Writ) never styled nor esteemed it a Statute or Act of Parliament, but only a private Writ issued by the King to his Justices sent into the Diocese of *Norwich*, to inquire for the King of the abuses and encroachments of this Bishop and his Clergy upon his prerogative and the peoples Liberties, procured by this Bishop and his Clergy after their mission thither. But what King it was who thus sent this Writ, or when, or where it was made or dated, he determines not, being not mentioned in the Writ it self, nor any Copies of it (all without date) the first whereof I finde printed being that in *Lyndewode* his *Provinciale*, Antwerpiae impressum, Anno 1525. 25 die Decembris, summa cura atque diligentia Christophori Eudovien.

An. 13 E. 1.

To satisfy my self and others, whether this was a real Statute or Act of Parliament, and when, where, or by whom first made, I have made the diligentest search and enquiry I could after it and its original, both in our Records and Histories, and am clear of opinion after all my inquiries, That it is no real Act of Parliament, nor made in the 13. year of King Edward 1. in the Parliament at *Westminster*, nor in any other Parliament or year of this King Edward his reign; that it was only a Writ grounded on *Articuli Cleri* Anno 9 E. 2. made by, or issued upon the Bishop of *Norwich* his request, after *Articuli Cleri*; as these following Reasons perswade me.

First, It is not once mentioned nor recorded in the *Statute Roll* of the Acts of Parliament made in the 13. and all other years of the reign of King Edward the 1. remaining in the Tower of *London* nor in any *Patent, Clause, Charter, Fine*, or other Roll or Record of this King reign, (which I have twice diligently perused) nor in the Records of King Edward 1. in his *Majesties Exchequer*; where doubtless it would have been enrolled, as well as all other Acts, Statutes, Ordinances, and Writs of importance made in his reign, being of so grand concernment to his Prerogative, Courts of Law, the Prelates Jurisdiction, and Subjects Liberties.

2ly. It is not so much as mentioned by, nor registred in the antient parchment Manuscript of the Statutes of King Henry 3. Edward 1. and beginning of Edward 2. his reign, in *Lincolns Inne* Library, written (as the hand perswades me) in the reign of King Edward the 2.

3ly. The first time it was urged in any Court of Justice as a Statute, was \* *Mich. 19 E. 3.* and then the Judges (who best knew its original) affirmed and resolved it to be no Statute, but only a Writ formed in the Kings Name, by the Bishops themselves, to the prejudice of the Kings Crown and Courts, to enlarge their own Jurisdiction.

\* Fitzh. Jurisdiction 28.  
See here p. 336.

4ly. Thereupon about 6. years after, in the 3d. Parliament held in the 25. year of King Edward 3. at *Westminster*, Friday the Feast of St. Hilary, the Bishops and Clergy in their Petitions to the King, did neither stile, nor presse the observation thereof as a Charter, Statute, or Ordinance of Parliament, but under the Name of a bare \* *Ordinance of Circumspecte agatis*, as some then called it: Their Petition, and the Kings answer thereto, is thus recorded in the Parliament Roll. † *Item, qil bons plese granter qe l'ordinnance qe lun appelle Circumspecte agatis, le quel est bien tenuz en plusieurs pointz, qe touchent conissance de vostre place, et vostre profit, soit assibien et entierment tenue en touz pointz touchant Seinte Eglise.* To which the King gave this answer: *Item quant ou quint point, soit bene l'ordinnance qe home appelle Circumspecte agatis, et en quel point elle n'est mie tenue, et qe sur ces reason en soit faite.* From which Petition and answer thereunto, I shall observe:

\* See the Abridgement of the Records in the Tower, p. 81. which mis-translates it a Statute.  
† Rot. Parl. An. 25 E. 3. m. 62.



*An. 13 E. 1.* serve : 1. That in that *Circumspectis agatis* mentioned in this their Petition, there were many points which concerned the confusion of the Kings Court, and the Kings profit, which were well observed, as there are in *Articuli Cleri*; but in that now printed under this Title, there is nothing contained of this nature; wherefore it seems to be meant only of *Articuli Cleri*, not of this forecited Writ, grounded on the Ecclesiastical branches of it. 2ly. That if meant of it, yet the Bishops and Clergy themselves did not then call it a *Statute* or *Ordinance of Parliament* in their Petition, nor the Kings Judges, Officers esteem or observe it as such, in any points that concerned Holy Church. 3ly. That the Bishops and Clergy themselves did in their Petitions in this Parliament, distinguish, yea sever it from those Charters, Statutes, Ordinances granted and confirmed to them in Parliaments by the King and his Royal Predecessors, insisted on in their first Petition, in these words; nu. 58. *Que le Roy de sa benigence, (would vouchsafe) a eux grantier & confermer totes les libertes, privileges et droitz, grantez et donez per luy et les noble progeniteurs avant ses heures a Sainte Eglise per leur Chartres, Estatuz, et autres Ordynances ent faitz; niment le Chartre nadgares a eux grant, &c. (viz. 14 E. 3. Stat. 3. c. 2.) par le Roy en son Parlement tenuz a Westm. le merchedy en un quaresme lan de son regne Dengleterre quatozysme, et de France pimer, et que vous Justices les alloient come reason est, et ils ne saont; commander a vostre Chancellor, qe briefs soient grantiez a chescun qe les demandra selonc la forme, et tenour des dits grants, Ordynances et Estatuz.* Which the King then absolutely granted and confirmed to them; giving likewise a particular answer, *Quant au point touchant L'ordynance nadgares fait en Parlement*, in the 14. year of his reign. Since then they mentioned not this Ordinance of *Circumspectis agatis* in their first petition, amongst the other Charters, Statutes and Ordinances made and granted to them in Parliament; nor alledge in their second Petition, wherein they mention it, that it was made in Parliament, nor in what Parliament, as they did the Charter, Ordinance made by the King in the Parliament held at *Westminster Anno 14 E. 3. (c. 2.)* concerning his presentation to Advowsons in others rights, (the place, day, year whereof they particularly expressed) yea prayed no Writs to be made upon it by the Chancellor to those who demanded them, as they did upon the Charter, Statutes and Ordinances made in Parliament, it seems clear to me they did not repute it an *Act*, or *Parliament Ordinance*. 4ly. The King in his answer thereto, not calling it an *Ordinance made in Parliament*, as he did that in their first Petition, but only *L'ordynance qe home appelle, Circumspectis agatis*; giving no present answer to it, as to the rest, but that it should be viewed and considered, in what point it was not observed; and that thereupon reason should be done: These are convincing Arguments to me, that it was no real *Act* nor Ordinance of Parliament, but a meer Writ made and procured by the Bishop of *Norwich* out of Parliament, during the Judges absence in their Circuits, without advising with them, as the Judges resolved and declared in open Court *Anno 19 E. 3.* not above six years before this Petition for its future observation.

5ly. Neither *Matthew Westminster*, nor *Thomas Walsingham*, *William Thorne*, *Ranulphus Cestrensis*, *Henry de Knyghton*, nor any other of our Monkish or Prelatical Historians, living in or nearest the time when this supposed Statute was made, make any mention thereof in their Histories or Annals, as no doubt they would have done, were there any such then enacted, being so advantageous to the Clergy, and much enlarging their Ecclesiastical Jurisdiction.

6ly. The whole frame thereof, with its direction only to particular Judges, in this particular case of the Bishop and Clergy of *Norwich*, unanswerably demonstrates it to be only a private Writ framed in the Kings name, or issued by him to his Justices, as *Lindewode* acknowledgeth; not a Statute, or general Writ framed by the King, Lords and Commons in Parliament, to be from thenceforth universally observed in all Diocesses, and in all Temporal Courts, Circuits by his Judges.

7ly. Had it been made and issued in the Parliament of *Westminster 2. An. 13 E. 1.* as *Sir Edward Coke* affirms, no doubt it would have been added to, or inserted amongst the other Acts, Statutes, and general Writs therein framed and provided, cap. 5, 10, 19, 23, 24, 25, 26, 31, 35, 45, 46, 48. or at least some intimation would therein been made thereof; but in neither of all these Acts, or other new Writs

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Writs framed in that Parliament, is there any mention or intimation of this, or other like Inhibition to the Kings Justices, in any one of, much lesse in all the 13. causes therein contained; therefore not probable to be made in that Parliament or year: The rather, because in the *Patent Roll* of 13 E. 1. nu. 9, 13. I finde a special license of alienation in Mortmain, & also a pardon for an escape of a Clerk convict, granted to the Bishop of *Norwich*, but no other Writ or Patent besides concerning him, in that or any other Roll of that year; which no doubt would have recorded this Writ of *Circumspecte agatis* for him in *perpetuam rei memoriam*, had there then been any such issued, being of greater concernment to the King and Bishop, then his license of *Mortmain*, or pardon for an Escape.

Sly. All the particulars therein mentioned, are enumerated, contained in *Articuli Cleri*, presented by the Bishops and Clergy to King Edward 2. in his \* *Parliament* of An. 5, 8, & 9 E. 2. Artic. 1, 2, 3, 4, 5. wherein they make not the least mention of this Statute or Writ of *Circumspecte agatis*; which no doubt they would have particularly named upon that occasion, and desired its observance, confirmation and explanation, had it been formerly enacted, published as a *Statute*, or *Ordinance made in Parliament*; and not petitioned only for an *Explanation* of the Kings *Answers to their own new Petitions* in 9 E. 2. and his two preceding Parliaments, with out once naming this *Circumspecte agatis* in the reign of his Father King Edward 1.

gly. There are some observable clauses in this Writ, which evidence it rather to be made by the Bishops, then the King or his Council, and that not in 13 E. 1. but after *Articuli Cleri* Anno 9 E. 2.

As First, These general clauses; *De his qua sunt merè spiritualia, viz. de correctionibus quæ Prælati faciunt pro mortali peccato; viz. pro fornicatione, adulterio, et homicidio*: Which affirm, That all mortal sins, especially fornication, adultery, and the like, are merely spiritual in their own nature, therefore properly punishable only in the Bishops Spiritual Courts, by their Spiritual Laws and penalties: When as God himself and St. Paul expressly resolve, they are merely fleshly, or carnal, directly contrary to spiritual things, Gal. 5. 16, to 25. *Walk in the spirit, and ye shall not fulfill the lusts of the flesh; for the flesh lusteth against the spirit, and the spirit against the flesh; and these are contrary one to the other. Now the works of the flesh are manifest, which are these; adultery, fornication, uncleanness, lasciviousness, idolatry, witchcraft, hatred, variance, seditions, heresies, envyings, murders, drunkenness, revellings, and such like.* How then adultery, fornication, uncleanness, lasciviousness, or idolatry, heresy should be merely spiritual, any more then witchcraft, sedition, murder, drunkenness, and other mortal sin, here and elsewhere conjoyned by the Apostle as merely carnal, yea contrary to that which is spiritual, I cannot discern. The rather, because by the expresse Laws and Institutions of God himself, adultery, fornication, idolatry, blasphemy, heresy, as well as murder and sedition, were to be punished by the Civil Magistrates and People, with death and other temporal punishments, not by the High-Priests, or Bishops in their Consistories, as is evident by Gen. 34. 25, 26, 31. C. 38. 24, 25. Levit. 20. 10, to 22. 13, to 30. C. 24. 11, to 17. Dent. 13. 1, to 17. 2 Kings 10. 18, to 29. Zech. 13. 2, 3. John 8. 4, 5. Yea the Gospel it self resolves, that Kings and Civil Magistrates (not Bishops or Priests) are Gods Ministers, to whom he hath committed the Sword, to execute wrath and vengeance upon all them that do evil; Rom. 13. 1, to 7. 1 Pet. 2. 13, 14. Hence adultery, whore dom and fornication, by the Laws of King Alfred, Canute, and other our ancient Kings, were punished by the Civil Judges, Magistrates, and in Court Leets, with temporal punishments, and pecuniary fines, as they were antiently amongst the Germans, and other Heathen Nations, and only Excommunicated, not by the Bishop, but by the \* whole Church and Congregation for the scandal given to them, without imposing any corporal or pecuniary punishments. Hence our King Henry the 3. issued sundry Writs of Prohibition to Grosthead Bishop of Lincoln, the Bishop of Worcester, and their Officers, prohibiting them to make any Inquiries upon Oath of the incontinency or manners of Noblemen or others, in their Courts or Visitations; as an innovation not formerly used, against his Crown and Dignity, tending to the great scandal, defamation and vexation of his Subjects. Therefore it is improbable King Edward the 1. would make, issue out any such Law or Writ as this, to authorize their Jurisdiction and proceedings in such cases, against his Fathers

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\* Cooks 2 In-  
stit p. 618,  
619, 620.

a Rom. 1. 26,  
to 31. 1 Cor.  
6. 9, 10. 1 Tim.  
1. 9, 10.  
b Aluredi Le-  
ges, Lex 12,  
13. Lat. 10, 21.  
Canuti Leges,  
Lex 75, to 81.  
Chron Joan-  
nis Bromton,  
col. 813, 928.  
Spelmani  
Concil. Tom.  
1. p. 195, 234,  
367, 369, 373,  
376, 557, 558.  
Leges H. 1. c.  
12, 34. Ed-  
mundi Leges  
c. 4. Fleta l. 1.  
c. 47. Cooks  
2 Instit. p.  
488. Spelmani  
Glossarium  
Tit. Adulteri-  
um.  
\* 1 Cor. 5. 4,  
5, 12, 13. 2  
Cor. 2. 6, to  
11.  
c See Here  
Tom. 2. p. 199,  
704. 705, 706.  
& Tom. 3. p.  
78, to 83.



An. 13 E. 1.  
d Provincial  
1. 2. f. 70. a  
De mortali  
peccato.

e See Alvarus  
Pelagius de  
Planctu Eccle-  
siae, l. 2. Artic.  
3. to 18. Clau-  
dus Elpencæus  
de Continen-  
tia, l. 4. c. 11. l.  
5. c. 7. 8. l. 7. c.  
7. to 14. &  
Com in Tit. 1.  
Nicholaus de  
Clemangiis de  
Corrupto Ec-  
clesiæ statu, c.  
23, 24. Onus  
Ecclesiæ, c. 21.  
22, 23. Cor-  
nelius Agrip-  
de Van. Scien-  
tarum, c. 63.  
John Bale his  
Acts of English  
Votaries.

\* See Here  
Tom. 3. p. 80.  
f See Spelman-  
ni Concilia  
Tom. 2. p.  
192, 209, 241,  
299, 365.

\* See Here  
Tom. 3. p.  
344, 345.

g See Spelman-  
ni Glossarium  
Tit. Mortuari-  
um; & Con-  
cil. Tom. 2.  
p. 133, 390,  
391, 433, 453.  
Vid. 10 H. 4.  
f. 1. 2 H. 5. f.  
10. Fitzh. Ju-  
risdiction 38.  
22 H. 8. c. 6.  
Cooks 2 Ind.  
stit. p. 491,  
600, 619.

Prohibitions. Besides, *William Lindwode* himself in his Glosse upon this Writ, acknowledgeth this clause to be too general and indefinite, and therefore thus limits it, *Non intelligas de omni peccato mortali, sed de tali cuius punitio de sui natura spectat ad forum Ecclesiasticum: nam si ratione cuiuslibet peccati mortalis cognosceret Ecclesia, ne periret temporalis gloriæ jurisdictione, cum tunc esset dare causam cum ratione peccati possit deferri ad Ecclesiam.* Therefore it is improbable this wise King, his Council, Judges, Parliament should be so *uncircumspect*, as to insert this general ambiguous clause into this Writ, much lesse into an Act of Parliament, so destructive to the Kings Temporal Sword, Courts, and Jurisdiction. The only reasons why Bishops and Clergymen then reputed *adultery, fornication*, and such like *carnal sins*, to be *meer spiritual things and offences*, were these two: First, Because spiritual persons in that age (by reason of prohibitions of Priests marriage) were more guilty of them then Laymen, as their own *Canons*, *Writers* attest: Wherefore they voted them by their Canons to be *meerly spiritual*, thereby to engrosse the consueance and punishment of them to themselves, to exempt themselves from any punishments for them by Temporal Judges, concealing or conniving at these sins in those of their own order, which they seldom punished, the better to palliate and conceal their *uncleanesse* from the Laity. 2ly. Because they were sins for the most part against their pretended new *Sacrament of Marriage*, and the consueance of all causes relating to this *Sacrament* must be *spiritual*, and belong to them, to whom alone this *Sacrament* was then *unlawfull*, *incompatible* by their own Canons, so far as to null their very *Sacrament of Orders* if they *wedded*, diametrically repugnant to *Christs* and his *Apostles Doctrine*, *Mat. 19. 3, to 15. 1 Cor. 7. 9, &c. 1 Tim. 3. 2, 4, 11. c. 4. 3. Tit. 1. 5, 6. Hebr. 13. 4.*

Secondly, *William Lindwode* under this large word *huiusmodi*, in his Glosse thereon hooks in: not only *stuprum, incestus, & alia quæ sub peccato luxuria continentur; sed etiam alia crimina quæ sunt tractanda & punienda in foro Ecclesiastico, viz. sacrilegium, crimen usurarium, hæresis, symonia, perjurium, inspectatores uigilum, consultores mathematicorum, phantasiæ angures, aruspices, & ebriosi.* Therefore it is most probable the Bishops and their Canonists, not the King, his Council or Judges, inserted these general indefinite clauses into this Writ, to enlarge their own Jurisdiction to the utmost extent upon all occasions, to the prejudice of the Kings Prerogative, and his Temporal Courts.

Thirdly, This clause, *Si Prælati puniat pro Cimiterio non clauso, &c.* was an Innovation not long before first introduced and inquired of by \* *Grosbead* Bishop of *Lincoln* in his Visitation Articles, against which King *Henry 3.* issued Writs of Prohibition, *Anno 1220.* After which it was prescribed by *Alexander* Bishop of *Conventry* *Anno 1237.* by *Walter de Cantilupo* *Anno 1240.* by *Walter* Bishop of *Durham* *Anno 1255.* and more particularly by *Peter Quivil* Bishop of *Exeter* *Anno 1287.* the 15. of *Edward 1.* But the enforcing of it on the Parishioners against their wills, by pecuniary mulcts imposed in Ecclesiastical Courts, was a thing not heard of before this *Circumspecte agatis*; the Bishops, Deans and Chapters themselves being enforced to purchase special Licenses and Charters from the King, to enclose and immure their own Church-yards belonging to their Cathedrals at their proper costs, as the \* *Patents* purchased by them this year from the King for enclosing the Church-yards of the Cathedrals of *Pauls, York, Lincoln, Exeter, Wells,* and others, assure us: Therefore they could not then legally prescribe or enforce it on the Parishioners by their own Ecclesiastical Jurisdiction.

Fourthly, This clause, *Si Rector petat Mortuarium in partibus ubi Mortuarium dari consuevit*, Mortuaries being then but newly broached, encroached by their own *Constitutions*, against the antient Law, Custom of the Realm, to the peoples great oppression, and prejudice of Landlords in their *Heriots*; it is not probable the King or Parliament would prohibit his Justices from punishing or restraining this usurpation, oppression, Innovation by *Mortuaries*, not grown into a Custom till long after 13 E. 1. as is evident by *Articuli Cleri* An. 9 E. 2. cap. 1. till which *Prohibitions* were usually granted by the Kings Judges in cases of *Mortuaries*, as *Lindwode* Provinc. l. 1. *De Consuetudine*, f. 14, 15. acknowledgeth, & 10 H. 4. f. 1, 2. *Fitzh. Præmunire* 13. intimate.

Fifthly, This last clause, *De violenta manuum iniectione in Clericum, & in causa Diffama-*

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*Diffamations*, concessum fuit alias, quod placitum inde teneatur in Curia Christi-  
anitas, makes it clear to me, that this *Writ de Circumspelle agatis* was made after  
*Articuli Cleri*, when all the things therein contained, were specially complained of,  
and these two particulars of *laying violent hands on Clerks*, and *Diffamations*, expressly  
granted, as *Artic. Cleri* c. 1, 3, 4. resolve; being never granted for ought appears  
by Record or History, in any Parliament before: Therefore this concession must  
relate to it, and by necessary consequence *Circumspelle agatis* must be made after it,  
not in 13 E. 1. at least 30 years before *Articuli Cleri*.

10ly. The Statute of 2 & 3 E. 6. c. 13. of *Tithes*, mentions *Circumspelle agatis*  
as succeeding and puny to *Westminster 2.* and *Articuli Cleri*, both therein ranged  
before it: Therefore not made in the Parliament of 13 E. 1.

11ly. *Prohibitio formata de Statuto Articuli Cleri*, (printed in *Totles Magna  
Charta*, pars 2. f. 70.) thus directed, to the Prelates, Archdeacons, Officials, and  
other Ecclesiastical Officers within the Bishoprick of *Norwich*, seems to me a preg-  
nant Argument, that *Circumspelle agatis* (directed to the Justices on behalf  
of the self-same persons within the same Diocese) was made after it, by way of  
exposition and explanation of some general clauses therein, mentioned to be against  
the Kings Crown and Dignity.

Edwardus, &c. *Prelatis, Archidiaconis, Officialibus, & aliis Ministris Eccl-*  
*fasticis per Diocesin Norwic. constitutis, salutem.* Cum cognitio placitorum  
super feodalibus et libertatibus feodalium, distractionibus, officiis ministrorum,  
executionibus contra pacem nostram factis, felonum \* negationibus, consuetudinibus  
secularibus, attachmentis, vi laica, malefactoribus relictis, roberitis, arre-  
stionibus, maneritis, advocacionibus Ecclesiarum, conventionibus, sufficientibus  
Assis, iuratis, recognitionibus Laicum secundum contingentibus, ac rebus aliis  
de causis pecuniarum, et de aliis catallis et debitis, si non de Testamento vel  
Patrimonio, ad Coronam et dignitatem nostram pertineant eodem regno, de  
consuetudine ejusdem regni approbata et hactenus observata. Et Proceres seu  
Magnates, et alii de eodem regno, temporibus predecessorum nostrorum Regum  
Anglie, seu nostro auctoritate aliquis non consueverunt, contra consuetudinem  
illam super huiusmodi rebus, in causa trahi vel compelli ad comparandum coram  
quocunque Iudice Ecclesiastico. Nosque et progenitores nostri ex consuetudine  
predicta pro nobis et aliis de ipso regno usi fuimus, semper libertatibus huius-  
modi tanquam pertinentibus ad Regiam dignitatem nostram. Ac vos et ministri  
vestri de communitate Com. nostrorum Norff. & Suff. qui pro huiusmodi rebus  
per dies pro voluntatibus vestris trahitis in placitis coram vobis in Curia Chri-  
stianitatis, sicut ex relatu sibi dignorum pro certo accepimus. Vobis prohibemus,  
ne placitum illud teneatis in Curia Christianitatis, maxime cum huiusmodi placita  
ad Nos et non ad alium pertineant in eodem regno. Ac nos super his et aliis,  
quorum cognitio ad Nos pertinet, parati sumus quibuscunque per Nos et Minis-  
tros nostros in Curia nostra plenam et celerem iustitiam exhibere. Mandamus  
autem dilecto & fideli nostro R. & Vic. nostro Com. predictorum, quod premissa vobis  
et aliis in partibus illis, et talia consimilia in preiudicium dignitatis nostre Regie  
acceptantibus firmiter inhibeant ex parte nostra. Et quod si qui vestri huiusmodi  
placita teneant, vel si quis ea sequantur coram vobis in Curia Christianitatis con-  
tra Prohibitionem nostram predictam, dictus Vicecomes vos et alios huiusmodi  
placita tenentes, vel sequentes, ponant per vobis et saluos plegios quod sitis vel  
sint coram Iustitiariis nostris apud Westm. ad certam diem, ad respondendum  
coram eis super premissa, et ad faciendum ulterius, quod hactenus in huiusmodi  
casibus et consimilibus fieri consuevit. Et quod non permittant, quod aliqui  
Laici in Balliva sua in aliquibus locis condendant ad aliquas recognitiones, \* per  
sacramenta sua facere, nisi in causis Patrimonialibus et Testamentariis. Et ne  
super huiusmodi feodis, debitis et catallis, et coram vobis et aliis Iudicibus  
Ecclesiasticis in preiudicium Jurisdictionis nostre Regie, ad Coronam et dig-  
nitatem nostram spectantibus subire presumant. Et quod quid vos in hac parte  
de his feceritis, reddatis nos ad plenum certiores. In cuius rei testimonium, &c.  
Teste, &c.

An. 13 E. 1.

Cooks & Instit.  
P. 600.  
Negotio-  
nibus.

\* See Here  
Tom. 1. p. 699,  
704, 705, 706,  
874, 907.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 3

An. 13 E. 1.  
h 2 Instit. p.  
600, 601.

\* See Here  
Tom. 2. p.  
890, 10913,  
983, 990, 991.

i Toties Magna  
Charta & Sta-  
tutes at large,  
Cooks 4 In-  
stit. p. 107,  
112.  
k Statutes at  
large, Cooks  
2 Instit. p. 593.

l 2 Instit. p.  
506, 532.

a Mat Westm.  
An. 1: 86 p  
374 Tho.  
Walsingham,  
Hist. Angliz,  
p. 14.  
b Bracton, l. 5.  
c 20. f. 411 b.  
Littleton lect.  
200. Cooks  
1 Instit. f. 149.  
\* Mat Westm.  
An. 1281. p.  
373. Walsing-  
ham, Hist.  
Angl. p. 13.  
See Onuphri-  
us, Platina.  
Falrus, Laer-  
tius Cherubi-  
nus in his life.

<sup>h</sup> Sir Edward Cooke in his second *Institutes* on *Articuli Cleri* An. 9 E. 2. affirms, that this *Prohibitio formata de Statuto Articuli Cleri*, was made in the time of King Edward the 1. about the beginning of his reign, against the Canons of Archbishop Boniface. But I find no such Writ as this in any Records during his reign, and the Articles, Constitutions of Archbishop Boniface and his Clergy being presently \* rejected, opposed and appealed against by King Henry the 3. as prejudicial to his Crown, and grievances to him and his Realm, and so never put in execution till Archbishop Straiford revived them, Anno 1242. I clearly conceive this Prohibition was framed upon *Articuli Cleri*, to which the King gave answers in the Parliament of 9 E. 2. which Articles the Bishop of Norwich, his Archdeacons and Officials exceeding, the Judges thereupon by vertue of this clause, & *aliis quorum cognitio ad Nos pertinet*, restrained them to proceed in some things they conceived the King had granted them in his Answers to their Articles Anno 9 E. 2. whereupon they made or procured this Writ of *Circumspecte agatis*, to restrain the Judges excesses therein.

Finally, The filing *Circumspecte agatis* a Statute, in our Statutes at large and Law-books, is no convincing evidence that it is a real Statute, there being very frequent mistakes in the publishers of our Statutes at large, and in Sir Edward Cooke, in filing several Writs of the King alone to his Barons or Justices, Statutes, and printing them as such; witness <sup>i</sup> *Statutum novum de Scaccario, aliter dictum Statutum de Roteland*. 24 die Maii, Anno 10 E. 1. there being no Parliament held in that place or year, nor such a Statute in the Statute Rolls, it being only a Writ of the Kings to his Barons, and so recorded in *Claus. An. 12 E. 1. m. 7. dorso*. <sup>k</sup> *Statutum de Militibus*, Anno 1 E. 2. no Parliamentary Statute, but the Kings own Writ, as Sir Edward Cooke acknowledgeth; with sundry others of this nature. Yea his and others mistakes in the true times of making sundry real Statutes, as of the Statute *de Judaiis*, made Anno 3 E. 1. as *Claus. 4 E. 1. m. 8. 11. Pat. 5 E. 1. m. 13. Mat. Westm.* Anno 1275. p. 62. *Graftons Chronicle*, p. 163, 164. *Stows Chronicle*, p. 200. *Survey of London*, p. 289. the First Part of my short Demurrer to the Jews long discontinued Remitter into England, p. 35, to 42. & Part 2. p. 60, to 70. 77. irrefragably evidence; which yet <sup>l</sup> Sir Edward Cooke confidently avers to be made in the Parliament of 18 E. 1. the Statute *De Tallagio non concedendo*, made Anno 25 E. 1. as Thomas Walsingham Hist. Angl. p. 37, 38, 41. & *Typodigma Nensiria* p. 84, 85. truly informs us, not Anno 34 E. 1. as Sir Edward and most others mistake; may easily induce us to believe, that he and others who call *Circumspecte agatis* a Statute, made in Parliament Anno 13 E. 1. were mistaken in both, for the premised reasons; Wherefore the printed Edition of the Statutes at large, London 1577. placeth *Circumspecte agatis* under the Head of, *Statutes unknown when or by whom they were made*. All which I humbly submit to the serious consideration of the Sages and Students of the Common Law, to rectifie those great encroachments on, and prejudices to the Kings prerogative, Courts, and Common Law, which the erroneous asserting of *Circumspecte agatis* to be a Statute and Act of Parliament made Anno 13 E. 1. have introduced, for want of Lawyers diligent *circumspection* in examining the truth thereof by our Records and Histories of those times.

This year <sup>a</sup> *generosa virago* Alienora Regina Angliz, mater Regis, (preta pompa seculi, apud Ambresberiam, die Translationis Sancti Thomæ Cantuariensis, habitum religionis, diu desideratum suscepit, dote sua in regno Angliz sibi perpetuo possidenda, per summum Pontificem confirmata, notwithstanding her profession; <sup>b</sup> against not only Popish Canons of the Church, but the Lawes and Customs of the Realm, which Popes for money, and their own advantage, would easily dispense with upon any occasion, even against the very essential constitutions of their Religious Orders, Vows, Oathes of poverty, to renounce the world, with all things in it, when they entred into Religion. Cum semel quis se religioni contulerit, renunciat omnibus quæ seculi sunt; being contradicted and dispensed with in this Queens case.

\* Pope Martin the 4. deceasing, and Honorius the 4. succeeding him, cui primum ac manuum fere officium abstulerat aetrea aegritudo, unde sedendo in sella ad hoc artificiose facta, missarum solennia celebravit. This Pope in the first year of his Papacie, upon

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upon the Petition of *John Gifford* and *Margaret Nevill*, delegated authoritie to the Bishop of *Hereford*, to inquire, whether there were such consanguinitie between them as might hinder their marriage, as some had maliciously suggested to their parents, who would not assent thereto till therein satisfied; And if he found upon inquiry they might lawfully marrie, then to license them freely to do it by his Apostolical authoritie, or if there were any impediment, yet to authorise them to marrie, if he deemed it convenient; which Bull I found in the *White Tower Chappel*.

An. 13 E. 1.

**H**onorius Episcopus, Servus servorum Dei, venerabili fratri Episcopo Heref. In Tutte salutem, & Apostolicam benedictionem. Dilectum filium Nobilem vir Johannes Giffard Dominus de Clifford, & dilecta in Christo filia nobilis mulier Margareta de Novavilla tua Dioc. sua nobis petitione monstravunt, quod cum inter eos de contrahendo invicem matrimonio ageretur, quidam eorum amuli dicta malicia parentibus minus veraciter suggererunt, quod iidem nobiles quarto sunt consanguinitatis gradu conjuncti; & licet nullus appareat, qui gradus hujusmodi consanguinitatis distinguere noverit, aut de ipsa dicere sufficienti certitudine veritatem, ipsi tamen propter hoc hujusmodi matrimonium contrahere, contradicentibus prefatis parentibus, distulerunt. Quare nobis dicti Nobiles humiliter supplicarunt, ut cum ex hujusmodi matrimonio in partibus illis pacis & quietis commoda proventura sperentur, prohibere super hoc de benig-nitate apostolica dignaremur: Nos itaque de circumspectione tua plenam in Domino fiduciam obtinentes, & considerantes quod tibi potest promptius & plenius innotescere veritas super istis, Fraternitati tue presentium tenore committimus et mandamus, quatenus inquirens super consanguinitate prefata diligentius veritatem, si tibi de ipsa constare non possit, Nobilibus memoratis inter se matrimonium libere contrahendi licentiam auctoritate nostra concedas. Si vero de ipsius impedimento confiteris, & rationabilem & sufficientem causam subesse compereris, propter quam hujusmodi matrimonium jure contrahend. secundum Deum extimes expedire, super quos tuam conscientiam oneramus cum Nobilibus saperis, ut inter se matrimonium libere contrahere impedimento non obstante predicto, et in sic contracto licite remanere valeant, eadem auctoritate dispenses. Dat. Romae apud Sanctam Sabinam 2 Idus Martii. Pontificatus nostri anno primo.

*Almericus de Montefort* citing the Kings brother *Edmund* Earl of *LANCASTER* out of the Realm by a Citation from the Pope, against the ancient Rights and Liberties of the King and kingdom, to the prejudice and disinherison of the Crown, and people of *England*; the King thereupon sent this Letter to a *Roman* Cardinal to inform the Pope of this injury, to move him to dismiss the cause, and to remit it to his own examination and Judicature, being alwaies readie to do right to *Almericus* and all other his Subjects, who complained to him of any injuries.

**R**EX, &c. venerabili in Christo Patri H. eadem gratia titulo Sancti *Laurentii* in *Lucina* Presbytero Cardinali salutem, & sinceræ dilectionis semper augmentum. Cum cognitiones placitorum super feodalibus et libertatibus feodalium, dotibus, et causis pecuniariis ad nos et Coenam seu Dignitatem nostram pertineant in eodem regno de consuetudine ejusdem Regni hactenus observata, et Procures seu Magnates, aut alii, de eodem Regno ullis temporibus predecessorum nostrorum Regum Angliæ, seu nostro auctoritate alicujus non consueverunt contra consuetudinem illam super hujusmodi rebus in causam trahi vel compelli ad comparandum coram quocunque Iudice extra idem Regnum. Nosque et iidem progenitores nostri ex consuetudine predicta a Summis Pontificibus semper hactenus approbata sine reclamacione vel impedimento alicujus pro nobis et aliis de ipso Regno semper ussumus libertate hujusmodi, tanquam pertinente ad Regiam dignitatem; Ac *Almericus de Montefortii*, sicut pro certo intelleximus, dilectum fratrem nostrum *Edmundum* Comitem *Lancastriæ* auctoritate Literarum Papalium super hujusmodi rebus trahere nitatur in Causam extra idem Regnum, in nostri juris et dignitatis Regiæ, et totius Communitatis Regni nostri prejudicium manifestum; Nos de consueta benevolentia vestra specialiter confidentes, Paternitatem vestram attentè requirimus & rogamus affectione qua possumus ampliori, quatinus erga Sum-

Claus. 13 E. 1.  
m. 12. dorso.  
Pro *Edmundo*  
fratre nostro.

mun



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 3.

An. 13 E. 1. *W* mum Pontificem instare velitis cum effectu, ut ipse id quod per dictum Almaricum contra dictum fratrem nostrum, seu alios de dicto Regno, in derogationem Regie dignitatis, ab ipsa Curia sic impetratum est, velit favorabiliter rebocare cognitionem, inde ad examen nostrum, si placet, benivole remittendo: maxime cum semper parati simus procuratori ejusdem Almerici, si de dicto fratre nostro, aut aliis de dicto regno nostro nomine ipsius Almarici conqueri voluerit infra idem Regnum, secundum Legem et Consuetudinem ejusdem, plenam et celerem justitiam exhibere. Dat. apud Bristol 28 die Decembris.

Gilbert Earl of Gloucester being divorced by sentence from his Contract of marriage with Alice his Wife at her prosecution, or left to marry her if he pleased, he was notwithstanding content to grant her several Manors and Lands for her honourable maintenance, by this agreement made between them entred on record; to which sundry Bishops, Nobles and others subscribed as Witnesses.

Claus. 13 E. 1.  
m. 9. A. 10.  
De quadam  
Conventione  
facta inter Co-  
mitem Glouc.  
& Aert &  
Aliciam de  
Marchia.

*H*EC est Conventio facta inter Nobilem virum Gilbertum de Clare Comitem Glovernia & Herif. ex parte una, & Dominam Aliciam de Marchia ex altera, videlicet, Quod cum in causa Divoctii dudum mota & agitata inter dictam Aliciam de Marchia Aetricem, & Judicium procurantem, ac divoxtium fieri petentem, ex parte una, & dictum Dominum Gilbertum defendentem ex altera, sit pro dicta Alicia lata sententia diffinitiva, & predictus Gilbertus per eandem sententiam a vinculo contractus Patrimonialis inter ipsum Gilbertum, et dictam Aliciam de facto habitus sit absolutus penitus et liberatus, sibi ei nubendi auctoritate Ecclesie sit libera concessa facultas. Ipsi tamen Dominæ Nobilitatem generis, dictus Dominus Gilbertus considerans, ac nolens, quod occasione defectus sustentationis honeste sibi materia contristandi tribuatur: ex sua mera liberalitate, eidem Dominæ Alicie quoddam biserit Manerium de Taxstede eodem modo quo nunc tenet, una cum magno Parco, Maneria de Welles & Warham eodem modo quo nunc tenet, una cum octo libratibus, undecim solidatis, & octo denariis in redditu, superplusag. operibus & perquisitis de visu Franciplegii, excepto wreko maris, Manerium de Wynton sicut modo tenet, Buresford & Speinhom Londe sicut modo tenet, Dummodo dicta Alicia dictam sententiam et ipsius effectum ratam habuerit, aut in honoris dicti Domini Gilberti, seu commodi dispendium vel grabamen, verbo aut facto, clam vel patam, per se aut alium quicumque perseveranter non attemptaverit. Ita eisdem Maneriis & terris utendo & fruendo dicta Alicia ad suam sustentationem ut præmissum est, quod ad aliquod alienationis, impignoracionis, enormis devastacionis aut destructionis genus non attingat vel referatur. Si vero dicta Alicia contra præmissa seu aliquod præmissorum venerit, venire procuraverit, vel contravenire volentes non impedierit cum effectu, aut in fata decesserit, liceat dicto Domino Gilberto & hæredibus suis ipsius Dominæ Alicie aut cujusque reclamacione non obstante, dictam concessionem revocare, ac dictas terras, possessiones & Maneria libere ingredi & pacifice possidere. Præmissa vero Maneria, possessiones, terras & tenementa, & alia supranominata predictus Gilbertus & hæredes sui predictæ Alicie warrantizabunt, quoad vixerit sub modo, forma, & conditionibus supradictis. In cujus rei testimonium tam dictus Gilbertus quam dicta Alicia huic præsentis scripto in modum Cirographi confecto alternatim diviso sigilla sua mutuo apposuerunt. Hiis testibus, Domino Roberto Burnell Bathon. & Wellen. Episcopo, tunc illustris Regis Anglia Cancellario, Domino Antonino Bek Dunelmensi Episcopo, Domino Johanne de Sancto Johanne, Domino Radulpho de Hingham, tunc Domino Johanne Robertus de Waleys Milite, Magistris Richardo & Wilhelmo de Clifford. Dat. Lond. 17 Kal. Junii, Anno Regni Regis Edwardi Tertio decimo.

This year the King for the honor of God and of the Church, by his Letters Patents licensed the Dean and Chapters of Pauls, York, and Lincolne, to inclose the Churchyards of their Cathedral Churches with Walls and Gates, and to shut up their Gates every night, to prevent the incursions of Theeves, and other Malefactors, who committed sundry bloody murders and fornications too therein, and in the lanes, houses adjoining to them, provided alwayes, that the Gates should stand open from morning to night, for all persons to passe through them without any

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any impediment; the consecration and inclosing of these Churchyards then, proceeding from the Kings grace, not secluding free passage through them in the day time, as some have since pretended.

*An. 13 E. 1.*

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod cum per nocturnos incur-  
sus latronum & aliorum Malefactorum per vicos & venellas in procinctu Ci-  
miterii Cathedralis Ecclesie Sancti Pauli London. et in Cimiterio illo multotiens  
de nocte vagantium, homicidia, fornicationes, et alia mala pluries hactenus fuerint  
perpetrata, et formidetur quod adhuc consimilia vel majora pericula per hujusme-  
di incursum in vicis et venellis, et Cimiterio ac procinctu predictis poterunt eve-  
nire, nisi contra pericula illa remedium apponatur. Nos ad honorem Dei et dictae  
Ecclesie, ac Sanctorum quorum corpora requiescunt in eadem; necnon ad securi-  
tatem et quietem Canonicozum et Ministrorum predictae Ecclesie et suorum ibi-  
dem residentium, concessimus pro nobis et heredibus nostris, quantum in nobis  
est, Decano et Capitulo Ecclesie predictae, quod Cimiterium illud et procinctum  
muro lapideo circumquaque includere, et sic inclusa sibi et successoribus suis tenere  
possint, sine occasione et impedimento nostri et heredum nostrorum in perpetuum.  
Ita tamen quod portas & posternas faciant in locis necessariis & competentibus ibi-  
dem; Et quod portae illae & posternae singulis diebus apertae sint ab aurore diei usque  
ad noctem; Ita quod omnes et singuli ibidem transire volentes pro voluntate sua  
et sine impedimento predictorum Decani et Capituli et successorum suorum, seu mi-  
nistrorum ejusdem Ecclesie quorumcunque, liberum ingressum habeant per portas  
et posternas supradictas, et ita quod portae illae et posternae de nocte claudantur, et  
in aurore diei aperiantur sicut predictum est. In cujus, &c. Teste Rege apud  
Westm. 10 die Junii.

*Pat. 13 E. 1.  
m. 15. intus.  
Pro Decano  
& Capitulo  
Sancti Pauli  
London. de  
Cimiterio  
claudendo, &c.*

The like Patents verbatim, or with very little variation; were granted to the  
Dean and Chapter of *Torke*, *Pat. 13 E. 1. m. 21. intus. Teste Rege apud Westm.*  
*18. die Maii.* And *m. 22. intus*, to the Dean and Chapter of *Lincoln*, *ad instantiam*  
*venerabilis patris Oliveri Episcopi Lincoln. Teste Rege apud Westm. 8 die Maii.*

What Pensions the King paid this year to the Popes Notaries, to promote his  
affairs in the Court of *Rome*, these Records inform us.

**R**EX Thesaur. & Camerariis salutem. Liberate de Thesauo nostro dilecto Cle-  
rico nostro Magistro Angelo Domini Papae Notario decem Marcas, de ter-  
mino Paschae Anno Regni nostri 13. de annuo feodo suo viginti Marcarum quod de  
nobis percipit ad Scaccarium nostrum. Teste Rege apud Westm. 28 die Maii.

*Liberate 13 E.  
1. m. 5. intus.  
Pro Magistro  
Angelo Dom.  
Papae Notario.*

**R**EX eidem salutem. Liberate de Thesauo nostro eidem Angelo Triginta  
Marc. de termino Sancti Michaelis Anno regni nostri nono, et viginti Marc.  
de terminis Pasch. & Sancti Michaelis Anno Regni nostri decimo, de annuo feodo  
suo viginti Marc. quod de nobis percipit ad Scaccarium nostrum. Teste ut supra.

*Ibid. m. 5.*

**R**EX Thesaurario & Camerariis suis salutem. Liberate de Thesauo nostro  
dilecto Clerico nostro Magistro Angelo Domini Papae Notario, viginti Mar-  
cas, de terminis Paschae et Sancti Michaelis, Anno Regni nostri duodecimo, quae ei  
aretre sunt de annuo feodo suo viginti Marcarum, quod de nobis percipit ad Scacca-  
rium nostrum. Teste Rege apud *Bellum locum* Regis 18 die Novembris.

*Ibid. 13 E. 1.  
Pro Magistro  
Angelo D.  
Papae Notario.*

**R**EX Thesaurario & Camerariis suis salutem. Liberate de Thesauo nostro di-  
lecto Clerico nostro Magistro Bernardo de Neapoli Domini Papae Notario  
tercies viginti Marcas, viz. quadraginta Marcas de termino Sancti Michaelis an-  
no Regni nostri duodecimo, et quater viginti Marcas de terminis Paschae & Sancti  
Michaelis anno Regni nostri terdecimo, quae ei aretre sunt de annuo feodo suo  
quater viginti Marcarum quas de nobis percipit ad Scaccarium nostrum. Teste  
Rege apud *Swyneston*, 4. die Novembris.

*Ibid. Pro  
Magistro Ber-  
nardo de Nea-  
poli Domini  
Papae Notario.*



A. 13 E. 1.

Ibidem. m. 3.

**R**EX Thesaurario & Camerariis suis salutem. Liberate de Thesauro nostro *Jacobus Barbazon* & sociis suis Mercatoribus de Societate *Bartholomaei Mark de Seen*. viginti *Parcas*, per manus suas liberandas dilecto Clerico nostro *Pagistro Angelo*, Domini *Papae* *Rotario*, de terminis *Pascha* & Sancti *Michaelis* Anno Regni nostri undecimo, de annuo feodo suo *Triginta* *Parcarum*, quod de nobis percipit ad *Scaccarium* nostrum. Et recipiatis a praefatis Mercatoribus literas suas patentes receptionem dictae pecuniae testificantes. Teste Rege apud *Westm.* primo die *Julii*.

*Walter de Wenlock* Prior elect of *Westminster* by the Kings License went to the Court of *Rome* the year before for his own and his Churches affairs, with no lesse then 30. men of his own household; the Customs of whose passage and of others the King allowed by this Writ.

Liberate 13 E.  
v. m. 4. Pro  
Johanne de  
Burne

**R**EX Baronibus suis de *Scaccario* salutem. Allocate *Johanni de Burne* nuper Custodi Portus nostri *Doveria* in compoto suo ad *Scaccarium* praedictum quinque solidos, pro custuma passagii dilecti nobis in Christo fratris *Walteri de Wenlok*, tunc *Electi Westm.* et triginta hominum de propria familia ipsius *Electi* secum transfretancium ad *Curiam Romanam*, pro negotiis suis et Ecclesiae suae praedictae, anno Regni nostri duodecimo, &c. Et viginti & quatuor solidos pro custuma passagii vene. avilis patris *S. Gadicensis* Episcopi, ad partes remotas pro negotiis Domini *A.* quondam Regis *Castilla* sororii nostri transfretantis, cum quadraginta et septem hominibus de familia sua, et sexdecim equis, videlicet pro passagio praedicti Episcopi & hominum suorum octo solidos, & pro passagio praedictorum equorum sexdecim solidos anno praedicto. Et duos solidos pro custuma passagii duorum fratrum Minorum de *Pistavia*, in veniendo ad nos a partibus transmarinas praedictis, cum quatuor hominibus suis anno praedicto; Nisi, &c. Et recipiatis ab eo brevia nostra de praepo, per quae praemissa fecit. Teste Rege apud *Westm.* 16 die *Junii*. Such was the excessive Pomp, Train, State of Abbots, Bishops and Monks in that age.

It being found by Inquisition that the Dean and Chapter of *Sarum*, (great lovers of venison) by Charters from the Kings progenitors had the Tithes of all Venison of the King taken within the Forest of *Clarendon* granted them, which they formerly received; the King issued this Writ for their future reception thereof, though due onely by special grant, not Law.

Claus. 13 E. 1.  
m. 5. Pro De-  
cano & Capi-  
tulo *Sarum* de  
Decima vena-  
tionis, &c.

**R**EX Ballivo suo de *Clarendon* salutem. Cum compertum est per inquisitionem quam per dilectos & fideles nostros *Robertum* filium *Johannis* Senescallum Hospicii nostri, & Magistrum *Thomam de Sudinton* fecimus, quod dilecti nobis in Christo Decanus & Capitulum Cathedralis Ecclesiae beatae *Mariae Sarum* habere debent et solent *Decimam* totius venacionis captae in foresta nostra de *Clarendon*. et concessione progenitorum nostrorum Regum Angliae, quorum cartas et confirmationes earum iidem Decanus et Capitulum eorum dictis fidelibus nostris ostenderunt; Vobis mandamus, quod eisdem Decano et Capitulo *Decimam* totius venacionis capiendae de cetero in foresta nostra praedicta quotiens eam ibidem capi contigerit habere faciatis juxta tenorem cartarum praedictarum. Teste Rege apud *Lindhurst* 30 die *Augusti*.

What Clerks this year imprisoned and indicted for manslaughter and felony, were demanded, made their purgations before the Ordinary, and thereupon had Writs of Restitution of their goods awarded, this Writ will acquaint us.

Claus. 13 E. 1.  
m. 8. Pro  
Ralpho de  
Arnhale

**C**UM *Robertus atte Bek* de *Kirmington* Clericus nuper super homicidio, *Robertus* de *Newcomene* de *Leycesby* Clericus, super receptamento ejusdem felonis filii, & *Willielmus de Frisbon*. Clericus, super sinistra suspitione furri et roberiz, & eam Justiciariis Regis nuper Itinerantibus in Comitatu *Lincolniensi* indictati, & ad requisitionem venerabilis patris *O. Lincolniensis* Episcopi per eosdem Justiciari-

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or eidem Episcopo juxta privilegium Clericale, prout moris est liberati, innocentiam suam super hujusmodi criminibus coram eodem Episcopo legitime purgaverint, prout idem Episcopus per literas suas patentes Regi significavit, per quod, &c. Restitution of their seised goods was awarded as in former Writs. *Teste Rege apud Westm. duodecimo die Julii.* *An. 13 E. 1.*

Some of the Bishop of *Londons* men and tenants being condemned, and flying for Felony; the King issued this Writ to restore the Bishop to their goods and chattels seised for the King, granted to and confirmed by his predecessors Charters and usage to the Bishops, in prejudice of the Crown.

**M**andatum est Thesaurario & Baronibus de Scaccario, quod habere faciant venerabili patri *R. London.* Episcopo, catalla hominum suorum damnatorum et fugitivorum de Episcopatu illo, prout ipse & predecessores sui Episcopi *London.* catalla illa, juxta tenorem Cartarum progenitorum nostrorum Regum *Anglia,* quas idem Episcopus inde habet, semper hactenus habuerunt. *Teste Rege apud Westm. 8. die Maii.* *Claus. 13 E. 1. m. 10. Pro Episcopo London.*

The King having totally subdued the *Welsh,* and cut off the head of that Serpent which had so frequently poisoned; infested the peace of the Realm and Church of *England,* involving him in great Debts, needing new supplies of money to discharge them, and settle the state thereof in peace for the future; sent this elegant Writ to the Archbishop, requesting a voluntarie Aide from the Clergy of the *Welsh,* part of their goods to be given him for these ends for 2. years.

**R**EX Venerabili in Christo Patri J. eadem gratia Cantuariensi Archiepiscopo, totius Angliæ Primati salutem. Satis memoriter retinetis qualiter progenitores nostri Reges Angliæ in partibus Walliæ multa remedia temporalia & localia multociens adhibentes, guerras & turbaciones diversas aliquandiu sedaverunt, & nichilominus anhelante in herba, putruerunt cicatrices vulnerum insistorum, qua nisi alligata fuissent usque ad totius regni nostri præcordia letaliter penetrassent; super quibus altissimus non solum remedium mitigationis adhibuit, sed putridum caput rescavit, venenum funditus extinxit, & morbum illum à tanto tempore induratum exquisitè curavit, pacem nobis & vobis ac toti regno nostro superrime concedens inconcussam: circa quarum sedationem debitorum multitudinem quasi infinitam tunc contraximus importune, & insuper data nobis victoriâ de rebellibus nostris terra illius, illa necessitas urgentissima dirigendi, firmandi & confirmandi statum partium illarum, qui tanto tempore dictis progenitoribus nostris, & nobis et Ecclesiæ Sanctæ, ac toti Regno nostro contrarius exitus & Rebellis, nos induxit ut Clerum regni nostri interpellaremus cum effectu, quod ipsi nobis Subsidium facerent gratiose, qui precibus nostris favozabiliter annuens in hac parte, vicessimam bonorum suorum Ecclesiasticorum biennalem ad exonerationem debitorum nostrorum concessit liberaliter et benigne, de qua vobis et ipsi plurimum regramur. Et quia primus annus concessionis illius in festo Sancti Martini proterito jam transactus existit, paternitatem vestram affectuose requirimus et rogamus, quatinus pecuniam proventientem de eodem Clero de termino Sancti Martini ut prædictum est transacto, ernunc colligere, et usque Novum Templum London. ad crastinum Clausi Paschæ deferri faciatis, quibusdam fidelibus nostris, & illis à quibus mutuum recepimus ex causa prædicta in præsentia Thesaurarii & Baronum nostrorum de Scaccario liberandam, super quibus dilecto Clerico nostro Henrico de Ledis præsentium portitori adhibere velitis plenam fidem, qui una cum hiis quos ad hoc duxeritis deputandos, dictum negotium de precepto nostro exequetur & expediri, ac fieri procurabit, secundum quod ei plenius injunximus viva voce. Et quid super hiis facere decreveritis, prædictos Thesaurarium & Barones nostros certificetis in instanti media quadragesima, quibus mandavimus, quod de negotio isto & omnibus circumstantiis ejusdem, vobis cum hiis quos ad hoc duxeritis deputandos & Clericis nostris ad hoc assignatis se intromittant, & videant & provideant quod omnia modo debito & honesto fiant, & manum per mandata nostra ad hoc diligenter apponant, prout melius ad opus nostrum viderint expedire. *Teste Rege apud Cantuariam 28 die Januarii.* *Ibid. m. 11. dorso. De Vicefima colligenda,*



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An. 13 E. 1. *Consimiles litera diriguntur Episcopis Rossensi & Cicestrensi, quod prefato Henr. credant quem Rex assignavit ad dictum negocium exequendum ibidem, &c. n. supra.*

*Consimiles litera diriguntur, &c. to the other Bishops there named.*

The Bishop of *Wynton* seising the monies, Jewels, and other goods of a Clerk beneficed within the Diocesse of *Bath* and *Wells*, who feloniously slew himself within the Priorie of *Taunton*, claiming them to belong to him as Lord of the Manor, though the telon had no Lands nor Tenements within the Manor or Liberty of *Taunton*; the King upon the Bishop of *Bath* and *Wells* complaint, issued this Writ to the Bishop of *Winton*, to deliver the goods to the Bishop of *Bath* and *Wells* his Diocesan, to be disposed of as the King should ordain, who it seems had best title to them.

Cl. 13 E. 1.  
m. 10. dorf.  
Pro Bathoni-  
nensi & Wel-  
lensi Episcopo.

**R**EX venerabili in Christo patri ? eadem gratia *Wintoniensi* Episcopo salutem. Querimoniam venerabilis patris *R. Bathoniensis & Wellensis* Episcopi Cancellarii nostri accepimus, continentem, quod vos ratione Libertatis *Wintoniensi* de *Taunton* infra Episcopatum *Bathoniensem* existentis, per quam catalla dampnatorum et felonum ad vos ibidem asseritis pertinere, denarios, jocalia et cetera bona *Willielmi de Wygeton*, Clerici suæ Diocesis, et in eadem beneficiati, qui se ipsum infra Prioratum de *Taunton* felonice interfecit, in manum vestram cepistis, et ea detinetis, quo minus prefatus Episcopus *Bathoniensis* de bonis predictis possit, juxta Diocesani officium prout ad ipsum pertinet, ordinare: Et quia captio predicta æqua non fuerit, nec esse potuit, nisi prefatus *Willielmus* terras seu tenementa infra libertatem vestram predictam tenuerit die felonie predictæ sic perpetratæ; Vobis mandamus, quod si predictus *Willielmus* terras vel tenementa die predicta non habuerit infra libertatem predictam, tunc denarios, jocalia et cetera bona predicta sic in manum vestram capta prefato Diocesano liberetis, ad disponendum de eisdem, prout de Consilio nostro inde extitit ordinatam. Teste Rege apud *Langeley* 25 die Aprilis.

The Archbishoprick of *York* becomming void by the death of *William Wickwane* Archbishop thereof, the King applied the profits thereof during the vacancie, towards the building of Castles in *Wales*, to secure it, as this Patent informs us.

Pat. 13 E. 1.  
m. 5. De Ar-  
chiepiscopatu  
Eborum com-  
misso.

**R**EX commisit *Ottoni de Grandisone* Archiepiscopatum *Ebor.* vacantem, & in manu Regis existentem, custodiendum quamdiu Regi placuerit; Ita quod exitus inde provenientes in constructionem operationum Castrozum Regis Wallie, prout Rex ei injunxit, poni faciat et expendat; et ita quod *Malcolmus de Harlegh*, quem idem *Otto* coram Rege ad custodiam illam sub ipso habendam deputavit, de exitibus illis pro predicto *Ottoni* Regi respondeat ad Scaccarium Regis. In cujus &c. Teste Rege apud *Wynton*. 15 die Septembris.

Et mandatum est Militibus, &c. quod, &c. intendentes sint, &c. Teste ut supra.

The Treasurership of the Church of *York* being then also void, the King granted it by this Patent to *Bogo de Clare*.

Ibid. m. 5. De  
Thesauraria  
Eborum data.

**R**EX dilectis sibi in Christo Decano & Capitulo Ecclesiæ beati *Petri Eborum* salutem. Scitis, quod caritatis intuitu, dedimus & concessimus dilecto Clerico nostro *Bogoni de Clare* Thesaurariam *Eboracensis* Ecclesiæ, vacantem, & ad nostram donationem spectantem, ratione Eborum Archiepiscopatus vacantis, et in manu nostra existentis. Et ideo vobis mandamus, quod eidem *Bogoni* stallum in Choro & locum in Capitulo, ratione dignitatis predictæ, prout moris est assignetis. Teste Rege apud *Wynton*. 15 die Septembris.

Soon after the King upon the Petition of the Dean and Chapter, granted them this license to elect another Archbishop.

REX

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Ad. 13 E. 1.

Pat. 13 E. 1.  
m. 4. De li-  
cencia eligen-  
di.

**R**EX dilectis sibi in Christo Decano & Capitulo Ecclesie beati Petri Eborum salutem. Accedentes ad nos Magister Thomas Archid. Clyveland, & Thomas de Hedon Concanonicus vester, cum literis patentibus Capituli vestri nobis ex parte vestra humiliter supplicarunt, quod cum Ecclesia vestra predicta per mortem bonæ memoriæ Willielmi nuper Archiepiscopi ejusdem loci, pastoris sit solatio destituta, alium vobis eligendi in Archiepiscopum & pastorem licenciam concedere dignemur. Nos igitur precibus vestris in hac parte favorabiliter inclinati, licenciam illam vobis duximus concedendam; Mandantes quod talem vobis eligatis in Archiepiscopum & pastorem, qui Deo devotus, regimini Ecclesie vestre necessarius, nobisque & Regno nostro utilis & fidelis existat. In cujus, &c. Teste Rege apud Wynton. 22. die Septembris.

By vertue of which license, they elected John de Romeyn Archbishop, to which the King giving his royal assent, he made this Certificate thereof to the Pope, who had then usurped a Jurisdiction to confirm and approve of the elections of all Archbishops, or reject them at his pleasure, obliging them to come to Rome for their Palls or consecrations; which they purchased at very dear rates: as I have elsewhere evidenced.

\* See Here,  
Tom. 1 p. 153,  
to 160.

**D**omino Papæ Rex salutem. Sciatis, quod electioni nuper celebratæ in Cathedrali Ecclesia Eborum, de discreto viro Magistro Johanne le Romeyne Canonico Ecclesie illius, in Archiepiscopum ejusdem loci, Regium assensum adhibuimus et favorem. Et hoc Sanctitati vestre tenore presentium significamus, ut quod vestrum est in hac parte erequi dignemini cum favore. In cujus, &c. Teste Rege apud Bellum locum Regis 15 die Novembris. Et duplicatur.

Ibid. m. 1.  
De assensu electioni adhibito

This elect Archbishop repairing to Rome with this Certificate, quarto Idus Februarii proximo sequente, à Papa Honorio quarto in Curia Romana consecratus est, as Thomas Stubbs relates.

\* Actus Pontif.  
Ebor. col.  
17 17. God-  
wins Cata-  
logue, p. 470.

The Subprior and Covent of Luffeld having by the Kings license elected a Prior which he approved, and the Bishop of Lincoln nulling his election, they thereupon elected a new Prior, without petitioning for or obtaining a new License from the King, or gaining his Royal assent thereto, against his Crown and Dignitie, for which the King seized their Temporalities, till out of special grace he committed them to them till the next Parliament, to consider what he should do therein, reserving the issues thereof to himself, as this Record assures us.

**R**EX dilecto Clerico suo Henr. de Bray Escaetori suo citra Trentam salutem. Cum vacante Prioratu de Luffeld, per cessionem fratris Ada nuper Prioris ejusdem loci, Supprior & Conventus ejusdem Domus, petita a nobis, prout moris est, licencia sibi eligendi in Priorem, fratrem Willielmum de Brackele Monachum ejusdem Domus in Priorem loci illius sibi elegerint, et ipsum Electum nobis presentaverint, nosque electioni illi assensum Regium adhibentes, mandaverimus venerabili patri O. Lincolnensi Episcopo, quod id quod suum fuit in hac parte exequeretur. Ac idem Episcopus electionem illam cassaverit, & post cassacionem illam prefatum Adam non petita vel optenta a nobis, ad supplicationem dictorum Supprioris et Conventus, prout moris est, iterata licencia eligendi, sibi alium in Priorem, nec etiam assensu Regio prout ad Coronam et dignitatem nostram pertinet, requisito, prefecerit in Priorem Domus predictæ, quod in nostræ exheredacionis periculum de facili redundare posset; Nos statui Domus predictæ compacientes, et dictis Suppriori et Monachis gratiam in hac parte facere volentes specialem; Vobis mandamus, quod temporalia Prioratus predicti, quæ occasione vacationis predictæ in manu nostra existunt, prefato Ada committatis. Tenenda usque ad proximum Parliamentum nostrum post Pascha proximum futurum. Ita quod de exitibus inde provenientibus nobis tunc respondeat, et ulterius faciat quod de Consilio nostro in premissis duxerimus ordinandum. Teste Rege apud Lodes secundo die Februarii.

Fines 13 E. 1.  
m. 16. Pro  
Prioratu de  
Luffeld com-  
misso.

The



*An Exact History of Popes intollerable Usurpations, B. 5. ch. 3.*

*An. 13 E. 1.* The King this year granted this acquittance to the Dean of *Hereford*, for 2. Bulls and other Letters of Pope *Clement* deposited with him, which the King received from him.

*Rot. 13 E. 1.*  
*m. 2. Pro Jo*  
*hanne de Aqua*  
*blanca Decano*  
*Hereford.*

**R**EX omnibus ad quos, &c. salutem. Noveritis nos recepisse à dilecto nobis in Christo *Johanne de Aqua blanca Decano Hereford.* duas literas felicias recordationis Domini *Clementis Papæ* Bullas suas Bullatas, et quasdam alias literas ejusdem dum Legationis officio in Regno *Anglia* fungebatur, quas quidem literas idem Decanus in deposito habuit penes ipsum, & ipsum inde tenore presentium quietamus. In cujus, &c. Teste Rege apud *Swaineston* quinto die *Novembris*,

The King by his Charter granted this Libertie among others, to the Burgeses of *Bere in Wales*, dying testate or intestate.

*Rot. Wallie,*  
*An. 13 E. 1.*  
*m. 2. De Bur-*  
*gesibus de*  
*Bere de liber-*  
*tatibus & secen-*  
*cessis.*

**R**EX Archiepiscopis, &c. salutem. Sciatis quod volumus & concedimus pro nobis & hæredibus nostris, quod Villa nostra de *Bere* de cætero liber Burgis sit, & homines nostri ejusdem Villæ liberi sint Burgeses, &c. Concedimus etiam pro nobis & hæredibus nostris ejusdem Burgesibus libertates subscriptas, videlicet, quod nullus *Wicecom. &c.* Et etiam, quod si iidem Burgeses aut eorum aliqui infra terram aut potestatem nostram testati decesserint vel intestati, Nos vel hæredes nostri bona ipsorum confiscari non faciemus, quin eorum hæredes ea integre habeant quatenus dicta catalla dictorum defunctorum fuisse constiterit, dum tamen de dictis hæreditibus noticia aut fides sufficienter habeatur. Hiis testibus venerabili patre *R. Bathoniensi & Wellensi* Episcopo, Cancellario nostro, &c. Dat. per manum nostram apud *Kardigan*, 22. die *Novembris*.

By which Charter, and some others with the like clause, I conceive it apparent; 1. That Bishops and Ordinaries at this time had no Jurisdiction at all to grant administration, or dispose of the goods and chattels of Intestate persons in *Wales*, and that their next heirs and kinred ought to enjoy and dispose of them by this new Charter, according to the premised Laws grants of \* *K. Cnut, Edward the Confessor, William the Conqueror*, and *Henry the 1.* of which this new Grant of the King was but a confirmation. 2ly. That the † former Kings and Princes of *Wales* did likewise claim the goods and chattels of persons there dying intestate as forfeited and appertaining unto them, as our Kings of *England* antiently did, which this new Charter exempted them from, but gave not their Regal power to the Bishop or Ordinary, to dispose of them at their pleasure to pious uses.

King *Edward* being this year in *Gascoigne*, the Prior of *Grandemont* complaining to him of the Rebellion, disobedience, abuses, rapines, wandrings, and bearing arms of divers Freers under his Jurisdiction, to the great scandal of Religion, and desiring his aide to punish and reform them; the King thereupon, as constituted by God for the defence of Religion and the Church of God, especially within his own Dominions, issued this memorable Writ to his Steward of *Gascoigne* for their apprehension, and correction.

*Rot. Vasconia*  
*An. 13 E. 1.*  
*m. 1. Pro*  
*Priori Gran-*  
*dimontensi.*

**R**EX Senescallo suo *Vasconia* salutem. Ex parte Religiosi viri — Prioris *Grandimontensis* nobis ex titit supplicatum, quod cum quidam fratres Ordinis sui *Grandimontensis* tanquam inobedientes filii a religionis semita recedentes, eidem Priori inobedientes et rebelles existant, Domosque suas suæ jurisdictioni et districtui nostro existentes, contra voluntatem et ordinationem ejusdem Prioris tenere et dispensare nitantur, bona eorum diripientes et in præbos usus consumentes, atque omni Religionis honestate contempta, per terram nostram cum armis vagantes, rapinas et violencias multas eidem Priori et fratribus sibi obedientibus, ac etiam pluribus aliis inferant impudenter, et multo majora et enormia conentur committere, in Religionis scandalum et Ecclesiæ obprobrium sempiternum, nisi per potestatem nostram eorum rebellionem et maliciam obbiatur: Nos super hoc apponere remedium curavimus, præsertim cum antecessoribus nostris Regibus *Arglie* prædictus ordo quadam prærogativa dilectus, donis & elemosinis prout idem Prior recognoscit, dotatus fuerit & ditatus; Merum quia nos ad defensionem

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honorem totius Religionis et Ecclesiæ, et specialiter in potestate nostra existentium *An. 13 E. 1.*  
et regimine nobis commisso recognoscimus nos constrictos, et dignum est ut quos  
timor Dei a malo non rebocat, pœna saltem coherceat temporalis; Vobis & omni-  
bus Ballivis nostris in Ducatu *Aquitania* constitutis tenore præsentium injungimus  
& mandamus, ut si quos tales arma portantes cum habitu vel sine habitu, vel bo-  
na earundem Domozum surripientes, et contra ordinacionem Ordinis, et man-  
datum seu voluntatem ejusdem Prioris irreverenter asportantes, vel de hoc vobis  
ad instantiam ejusdem Prioris constare poterit, in Jurisdictione nostra capiatis, seu  
capi faciatis, eosdem prædicto Priori restituendos, ut secundum dicta et statuta Or-  
dinis per ejusdem Prioris circumspectam providenciam, juxta delictorum suorum  
merita puniantur. In cujus, &c. Dat. apud *Meleburn*. 7. die *Augusti*.

In the same Roll, m. 2, 3. The Prior and Covent of *Medicino*, of the Order  
of *Clunie*, by a long instrument, made an exchange with the King, and admitted him  
into a Copartnership with them in all the Lands of the Priorie, *ad pariaium*,  
*pariatem*, & *communione* *Justicia* & *Jurisdictionis*, alto & basso, meri et mixti  
imperiti quam habuit in villa de *Medicino* & ejus districtu, being unable by their  
own power, propter inobedientiam, potentiam & proterviam suorum subditorum, *Ju-*  
*isdictionem* & *Justitiam* quam habebant in villa de *Medicino*, & ejus pertinentiis  
exercere, nec jura, nec deveria sua ab eorum subditis percipere, nec etiam optinere, nec  
decenter punire maleficia, delicta, & crimina qua in dicta villa & ejus pertinentiis  
contingebat frequenter evenire, nec passis dampna & violenter oppressis facere justitia  
complementum. That so the King by his Royal power might reform all those  
abuses they could not redresse by their own; which he assented to, specialiter ad  
tranquillitatem Prioratus consulere & salubriter providere, ut circa regularem observan-  
ciam cui ex voto & obligatione sui ordinis obnoxii tementur, possent attentius attendere  
et vacare, et Domino Ihesu Christo liberius famulari.

How the King by his Ecclesiastical Prerogative then disposed of Benefices, Ad-  
vowsons of Bishopricks and Prebends in *Vascoigne* as well as *England*, these Records  
will inform us.

**R**EX dilecto & fideli suo *Johanni de Greyllj Senescallo Vasconia & Agenensis* sa-  
lutem. Cum sicut intelleximus in terra nostra *Vascon. & Agenensis* aliquarum  
Ecclesiarum collatio seu præsentatio ad nos pertinere noscatur, vobis committimus  
& mandamus, quatinus cum dicta beneficia vel aliquod ipsorum vacare contingeret,  
vos ad ipsa personas idoneas per vos vel per alium præsentetis, vel eadem confera-  
tis, prout ad nos noveritis pertinere. In cujus rei testimonium has literas nostras  
feri fecimus patentes. Dat. apud *Westm.* 17. die *Junii*. Anno Regni nostri ter-  
ciodecimo.

*Rot. Vasc. An.*  
*13 E. 1. De Be-*  
*neficiis conse-*  
*rendis, &c.*

**R**EX omnibus ad quos præsentis literæ pervenerint, salutem. Sciatis quod nos  
dilecto & fideli nostro *Johanni de Greyliaco Militi Senescallo Vasconia, &*  
*Magistro Bouetto de Sancto Quintino, Johanni de Forgotis, Reymundo de Ferariis, &*  
*Bernardo Fabri Clericis nostris, vel tribus seu duobus ipsorum cum eodem Senef-*  
*callo plenam potestatem & speciale mandatum concedimus tractandi et ordinandi*  
*pro nobis et nomine nostro cum venerabili patre A. eadem gratia Archiepiscopo*  
*Luxitano, & Capitulo seu Conventu suo super advocacione temporalitatis dicti*  
*Archiepiscopi sive Archiepiscopatus per ipsum de nobis tenendam, seu permutacione,*  
*de terris, feodis, possessionibus, & aliis quibuscumque juribus nostris facienda, pro-*  
*ut utilitati nostræ viderint expedire. Ratum habituri & gratum quicquid per eos-*  
*dem Senescallum & Clericos nostros, seu tres vel duos ipsorum cum ipso Senef-*  
*callo, tractatum, compositum, permutatum fuerit vel etiam ordinatum, & ordina-*  
*cionem seu compositionem per ipsos factas ut dictum est, compleri faciemus & ser-*  
*vare. In cujus, &c. Teste ut supra. Dat. apud Westm. 13 die Junii.*

*Rot. Vasc.*  
*13 E. 1. m. 10.*  
*De potestate*  
*data tractandi*  
*& ordinandi*  
*super advoca-*  
*cionem tem-*  
*poralitatis Ar-*  
*chiepiscopatus*  
*Luxitani, &c.*

*Dorso Rot.*  
*Vasconie 13*  
*E. 1. Pontini*  
*Pro Magistro*  
*Nicholao de*  
*Castello,*

**E**dwardus, &c. & *Alienara, &c.* Consors sua, dilecto Clerico suo Magistro *Ni-*  
*cholao de Castello dicto de Astrebato salutem. Præbendam quam habuit Engel-*  
*ramus Dominus quondam Canonicus Ecclesiæ Sancti Wulfranni Abbatis Vill. in*  
*eadem*



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An. 13 E. 1. eadem Ecclesia vacantem, et ad nostram donacionem spectantem, cum totius juris sui plenitudine vobis conferimus, & de ea caritatis intuitu providemus. In cujus, &c. Dat. apud Westm. 3 die Maii, Anno &c. 13.

Et mandatum est Decano & Capitulo Ecclesie Sancti Wulfranni Abbatis Villa, quod dictum Magistrum Nicholaum recipientes in Canonicum, & in fratrem Ecclesie sue prae dictae, ipsum vel procuratorem ejus suo nomine in temporalem possessionem praedictae praebendae, cum totius juris sui plenitudine inducant, Nullum in choro et locum in Capitulo, prout moris est, assignantes eidem. Adhibitis sollempnitatibus aliis in talibus consuetis. Dat ut supra.

What Sovereign Ecclesiastical Jurisdiction, and punishments for encroachments thereon the King this year exercised in Ireland, especially against Nicholas Archbishop of Ardmach, who seizing the Temporalities of the Bishoprick of Drummore during the vacancie, in derogation of the Kings prerogative, for which he was amerced twenty Marks by the Justices of the Kings Bench in Ireland: (the moitie whereof the King upon his submission pardoned, out of his special grace; but ordered him to pay all the residue) these Records attest.

Claus. An. 13  
E. 1. m. 2.  
Hibernia. Pro  
Archiepiscopo  
Ardmachano.

**R**EX Thesaurario & Baronibus de Scaccario suo Dublin. salutem. Scitis, quod de gratia nostra speciali pardonabimus Venerabili patri Nicholao Ardmacano amerciamantum illud in quo nuper incidit coram Justic. de Banco nostro Dublin. pro occupatione temporalium Episcopatus Drummoris, quam idem Archiepiscopus super nos fecisse dicebatur tempore ultimae vacationis Episcopatus ejusdem, et nobis injuste detentorum, prout coram eisdem Justiciariis fuit adjudicatum. Et ideo vobis mandamus, quod ipsum Archiepiscopum de praedicto amerciamento quod ab eo occasione praedicta exigitis, quietum esse faciatis. Teste Rege apud Wynton. 4. die Octobris.

Ibidem. Pro  
eodem Archi-  
episcopo.

**R**EX Thesaurario & Baronibus de Scaccario suo Dublin. salutem. Scitis, quod de illis viginti marcis in quibus venerabilis pater Nicholaus Archiepiscopus Ardmacanus nuper coram Justiciariis nostris de Banco Dublin. pro exitibus Temporalium Episcopatus Drummoris in ultima vacatione ejusdem nobis per ipsum injuste detentis extitit condemnatus, pardonabimus eidem Archiepiscopo decem marcas, ita quod aliae decem marcae nobis ad idem Scaccarium plenarie solvantur. Et ideo vobis mandamus, quod ipsum Archiepiscopum de praedictis decem marci quietum esse faciatis. Teste ut supra.

Cl. 13 E. 1.  
dorso m. 5.  
De Statutis li-  
beratis.

**M**emorandum quod die Veneris in festo Exaltationis Sanctae Crucis, Anno, &c. 13. apud Wynton. liberata fuerunt Rogero Bretun Clerico, venerabilis patris W. Waterfordensis Episcopi tunc Justiciarii Hiberniae quaedam Statuta per Regem et Consilium suum edita et probata, videlicet Statuta Westm. (1) statim post Coronationem Regis edita, & Statuta Gloucestriae, & Statuta pro Mercatoribus facta, ac Statuta Westm. (2) in Parlamento Regis Paschae anno praedicto provisae & factae, in Hiberniam deferenda, et ibidem proclamanda et observanda. These Statutes then made in the Parliaments of England, obliging both the Prelates and Clergie of Ireland in Church affairs, as well as the Nobles and Commons in Temporal matters.

Pat. 13 E. 1.  
m. 19. De  
licencia eli-  
gendi.

**M**andatum est Justiciario Hiberniae, quod Insulam illam qua fuit Roberti le Poher juxta Watreford. liberet venerabili patri W. Middenfi Episcopo, (to augment his Bishoprick) tenendam quamdiu Regi placuerit juxta extensam per ipsum inde factam, vel si necesse fuerit faciendam. Teste Rege apud Neubury, 9. die Januarii.

Cl. 13 E. 1.  
m. 12. Pro  
Episcopo  
Midden.

**O**do Magrawy nuncios Regi vacationem Ecclesiae Elfinensis, habet literas Regis de licentia eligendi.

Et memorandum, quod prius elegerunt et obiit Cletus ante confirmationem suam, et propter hoc petierunt modo licentiam eligendi. Thereupon electing a new.

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**R**EX postulacioni seu electioni nuper factæ in Ecclesia Cathedrali Elphin. de Fra-  
tre Gelano Abbate Sanctæ Trinitatis de Lochle in Episcopum Ecclesiæ prædi-  
cæ, Megium assensum adhibuit et favorem. Et hoc significatum est Custodi Spi-  
ritualitatis Archiepiscopus Tuamensis sede vacante. In cuius, &c. Teste Rege  
apud Wynton. 5 die Octobris.

An. 13 E. 1.  
Pat. 13 E. 1.  
m. 4. Hibern.  
De assensu po-  
stulacioni seu  
electioni ad-  
hibito.

**R**EX dilecto Clerico suo *Nicholao de Clero* custodi suo Archiepiscopus *Dublin.*  
sede vacante, salutem. Cum Sanctissimus in Christo pater *Honorius Dei*  
providentia Sacrosanctæ Romanæ ac Universalis Ecclesiæ Summus Pontifex,  
electionem nuper celebratam de discreto viro Magistro *Johanne de Saunford*, nuper  
Decani Ecclesiæ Sancti *Patricii Dublin.* in Archiepiscopum loci illius, confirmave-  
rit, sicut per literas ipsius Summi Pontificis patentes nobis constat, cepimus fidelita-  
tem ipsius Archiepiscopi, et Temporalia Archiepiscopatus prædicti, prout moris est,  
restituimus eidem. Et ideo vobis mandamus, quod eidem Archiepiscopo Tempora-  
lia Archiepiscopatus prædicti, cum pertin. restituatis in forma prædicta. In cuius,  
&c. Teste Rege apud *Wolvermire* 6 die Augusti.

Ibid. m. 8.  
De Tempora-  
libus Archie-  
piscopus  
Dublin. resti-  
tutis.

Et mandatum est Militibus, &c. Teste ut supra.

**R**EX venerabili in Christo patri *S.* eadem gratia *Watrefordensi* Episcopo, Justi-  
ciario suo *Hiberniæ*, vel ejus locum tenenti, salutem. Cum dilecti nobis in  
Christo Prior & Conventus Sanctorum *Petri & Johannis de Clonard.* nobis per li-  
teras suas patentes significaverint, quod Ecclesia sua prædicta per mortem bonæ  
memoriæ fratris *Elyæ* nuper Abbatis ejusdem loci, pastoris est solatio destituta,  
supplices nobis, prout moris est, quod licentiam sibi alium eligendi in Abba-  
tem ejusdem concedere dignaremur. Ac nos precibus eorundem, &c. Nos eorun-  
dem Prioris & Conventus laboribus & expensis in hac parte parcere volentes, ista  
vice concessimus eis de gratia nostra speciali, & vobis dedimus potestatem, &c.  
Acceptis prius ab ipso Electo literis suis patentibus sigillo suo, necnon et sigillo  
Capituli sui consignatis, quod hæc gratia nostra quam eidem Electo ad præsens ex-  
mera liberalitate nostra concessimus, nobis vel hæredibus nostris non cedat in  
præjudicium vel expredationem, seu trahetur in consequentiam temporibus futu-  
ris. In cuius, &c. Teste Rege apud *Kerdig.* 16 die Decembris.

Ibid. m. 13.  
De assensu ad-  
hibito electo-  
ni, & Tempora-  
libus restitu-  
endis.

**R**EX dilecto Clerico suo Magistro *Johanni de Beverle* Cancellario Scaccarii nostri  
*Dublin.* salutem. Idoneam personam ad Ecclesiam de *Lexmedy Midenis*  
Diocesis, cum eam vacare & ad nostram donationem ratione vacationis Episcopa-  
tus ejusdem spectare contigerit, præsentandi vice et auctoritate nostra tenore præ-  
sentium liberam vobis concedimus potestatem. In cuius, &c. Teste Rege apud  
*Westm.* primo die Julii. Et duplicatur.

Ibid. m. 10.  
De potestate  
data præsen-  
tandi ad Ec-  
clesiam de  
*Lexmedy.*

*Stephen Bishop of Waterford*, an ambitious Prelate, ( who totally neglected his  
Episcopal office, and plunged himself over head and ears in worldly affairs ) being  
formerly Treasurer, was this year made Chief Justice of *Ireland*, for which he pro-  
cured a Pension out of the Exchequer there of 500 l. a year during his continuance  
in that employment, as this Patent assures us.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod concessimus venerabili  
patri *S. Watrefordensi* Episcopo, Justiciario nostro *Hiberniæ*, quingentas libras  
Angulæ annis, à die Dominica proxima ante festum Apostolorum *Philippi & Jacobi*  
anno regni nostri terdecimo, quamdiu fuerit Justiciarius noster, ibidem ad Scac-  
carium nostrum *Dublin.* percipiendas, unam videlicet medietatem ad Scaccarium no-  
strum Sancti *Michaelis*, & aliam medietatem ad Scaccarium nostrum *Pasche*, pro ex-  
pensis suis in officio prædicto. Ita tamen quod si turbacio, quod absit, in prædicta  
terra emergerit, per quod Castra nostra munire, & circa defensionem terræ nostræ  
propriæ ibidem sumptus apponere necessario oportebit, tunc volumus quod aliquis  
Baro vel Clericus de quo fiducia habeatur, per Thesaurarium & Barones nostros de  
eodem Scaccario deputetur, ad pecuniam nostram in eodem Scaccario recipiendam, &  
in munitione & defensione hujusmodi ponendam & expendendam, per visum &  
testimonium

Pat. 13 E. 1.  
m. 5. Hibern.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

*An. 13 E. 1.* testimonium prædicti Justiciarii, prout de consilio prædictorum Thesaurarii & Baronum ad opus nostrum melius & securius fuerit faciendum. In cujus, &c. Teste Rege apud *Wolvermere* 6 die *Augusti*.

The like Patent to him, almost *verbatim*, is entred in the *Liberate Roll* of this year, 13 E. 1. m. 3. *Teste Rege apud Ambresbury* 15 die *Augusti*.

What an ill account of these his Stewardships this secular Bishop gave to the King in the Parliament at *Westminster*, who out of his grace pardoned the arrears due to him upon his account, this Record ascertains us.

Pat. 13 E. 1.  
m. 7. Pro  
Episcopo *Warrfordensi*.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod cum venerabilis pater *Samuelus Warrfordensis* Episcopus, nobis teneretur in magna summa pecunie de arretragis compoti sui quem reddidit ad *Scaccarium nostrum apud Westm.* in Parlamento nostro post Pascha anno regni nostri terdecimo, de toto tempore quo fuerat *Justiciarius* noster & *Thesaurarius* noster in *Hibernia*: Nos attendentes sumptus immensos quos circa munitionem Castrorum nostrorum in *Hibernia*, & circa guerras ibidem sedandas, & circa alia diversa negotia nostra apposuit. Consi- demantes etiam amissionem quorundam victualium & rerum quæ pro sustentatione exercitus nostri in *Walia* ad partes easdem de *Hibernia* dudum misit, de quibus forsan secundum rigorem recti compoti & aliquorum judicium non haberet (allocat) præfato Episcopo: ipsius aliunde pensatis meritis, totam pecuniam prædictam, et omnia arretragia illa, de gratia nostra speciali pardonabimus, et ipsum inde tenore præsentium quietamus. Ita tamen quod si aliqui in posterum à nobis aliquid petierint, de quo idem Episcopus exoneratus existit in compoto suo prædicto, ipse nos inde acquietare debeat versus eos. Volumus etiam, quod si inveniatur quod dictus Episcopus de aliquo se non oneraverit in compoto prædicto, unde onerare se debuisse, de eodem nichilominus se onerare & exonerare possit imposterum, & nobis inde respondere sine calumpnia qualicumque. In cujus, &c. Teste Rege apud *Wolvermere* 6 die *Augusti*.

*An. 14 E. 1.*

*Anno 14 E. 1. John le Romeyne* being accused before the Kings Justices for suing the Prior of *Huntingdon* in the Spiritual Court, against the Kings Prohibition issued to him, and departing the Court without the Judges license, obliged himself, and all his Ecclesiastical and Temporal livings, goods, to stand to the Kings will and pleasure therein, and give such satisfaction to the Prior of *Huntingdon*, as the Kings Court should award in the premises; which Recognisance the King commanded to be enrolled, for perpetual memory thereof.

Claus. 14 E. 1.  
m. 2. dorso.  
De quadam  
obligatione  
facta Regi per  
J. le Romeyn,  
de eo quod ve-  
nit contra Pro-  
hibitionem  
Regiam, &c.

**U**Niversis Sanctæ matris Ecclesiæ filiis ad quos præsens scriptum pervenerit, *J. le Romeyne* Canonicus *Ebor.* salutem in Domino sempiternam. Noverit universitas vestra, quod cum magnificus Princeps Dominus *Edwardus* Dei gratia Rex *Angliæ* illustris, me *Johannem* in Curia sua calumpniatus fuisset, super eo quod venisse debueram contra Prohibitionem Regiam a sua magnificentia mihi missam, et de eo quod coram inde Justic. suis Itinerantibus apud *Norht.* occasionatus sine eorum licentia, ut dicitur, tunc recessi. Ego prædictus *Johannes* super præmissis omnibus suæ voluntati et gratiæ plene et totaliter me submissi, obligando me & omnia bona mea Ecclesiastica & mundana, quæ nunc habeo, & in posterum habuero, per præsentis meas literas patentes gratum suum inde facere et in omnibus adimplere. Ac Priori de *Huntingdon*, pro quo dicta prohibitio mihi transmissa fuerat, super hoc satisfacere, quatenus in Curia prædicti Domini Regis continet contigerit me præmissis, seu eorum aliquo deliquisse. In cujus rei testimonium sigillum meum apposui huic scripto. Dat. apud *Belham locum* Regis, quinto Kal. *Decembris*, Anno Domini 1285. Rex præcepit istud scriptum rotolari ad perpetuam rei memoriam.

\* Tho Stubs  
Actus Pontif.  
Eboric col.  
1727 God-  
wins Catalogue  
of Bishops, p.  
470.

This \* *John le Romeyne*, born in *Rome*, being soon after elected, confirmed and consecrated Archbishop of *York* by Pope *Honorius*, the King issued this Patent and Writ to restore his Temporalities to him.

REX

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

**R**EX dilecto Clerico suo *Malculmo de Harle* custodi Archiepiscopus Ebor. sede vacante, salutem. Cum Sanctissimus Pater Dominus Honorius Summus Pontifex electionem nuper in Ecclesia Cathedrali Ebor. de discreto viro Magistro Johanne le Romeyn in Archiepiscopum loci ejusdem factam, cui Regum assensum prius adhibuimus et favorem, confirmaverit, prout per literas patentes ipsius Summi Pontificis accepimus: Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Archiepiscopi, et Temporalia ejusdem Archiepiscopatus, prout moris est, restituis eadem. Et ideo vobis mandamus, quod eidem Johanni Temporalia Archiepiscopatus predicti cum pertin. liberetis, sicut predictum est. In cujus, &c. Teste Rege apud *Langeley*, 12 die Aprilis. Et mandatum est Militibus, &c. In cujus, &c. Teste ut supra.

An. 14 E. 1.  
Pat. 14 E. 1.  
m. 18. De  
Temporalibus  
Archiepisco-  
patus Ebor. re-  
stituis.

*John Peckham* Archbishop of *Canterbury* having \*formerly prohibited by his Pontifical Edicts all persons within his Province to lodge, or sell Victuals to, or converse with *William Wickwane* Archbishop of *Tork*, or his Servants, when sent for by the King upon his publick affairs, under pain of Excommunication, because he carried his Crosse before him within his Province, to his prejudice as he conceived; the King upon *John le Romeyne* his successors arrival in *England* from *Rome*, (where he was consecrated) enjoined them by his supreme authority to sell him, his family and attendants Victuals, and all other necessities they wanted for the future, in all places where they passed, notwithstanding the Archbishops Inhibitions, by these two Patent Writs.

\* See here p.  
235, 236.

**R**EX omnibus ad quos, &c. salutem. Cum inter venerabiles patres *J. Cantuar.* & *J. Ebor.* Archiepiscopos contentions materia sit suborta, vel credatur futuris temporibus suboriri, ac Dominus Archiepiscopus Ebor. jam in Anglia ad nos de nostra licentia accessurus, victualibus et aliis necessariis pro se et familia sua indigeat sicut constat, vobis mandamus firmiter insungentes, quod eidem Archiepiscopo Ebor. et familiae suae, et comitibus suae, cum ipsos per partes vestras transire facere contigerit; victualia et alia necessaria quibus indignerint venditione exponatis eis super hujusmodi necessariis, occasione contentions predictae nihil penitus subtrahentes. In cujus, &c. duratur, usque ad festum *Ascensionis* Domini prox. futurum. Teste Rege apud *Wood*, 15 die *Marci*.

Pat. 14 E. 1.  
m. 19. intus.  
Pro Archiepif-  
copo Ebor. &c  
Familia suae.

**R**EX omnibus ad quos, &c. salutem. Cum inter venerabiles patres *J. Cantuar.* & *J. Ebor.* Archiepiscopos contentions materia sit suborta, vel credatur futuris temporibus suboriri, &c. (just as in the former, but) Teste Rege apud *Mercell* 30 die *Marci*.

Ibid. m. 19.

The Abbot and Covent of *Begeham* having by fraud and force intruded themselves into the Church of *Halesham*, and forcibly thrust out the Rector thereof, against the sentence of the Archbishop of *Canterbury* in his Ecclesiastical Court for his restitution; for which they were excommunicated and aggravated by the Archbishop, whose Excommunications and Mandates they not only contemned, but blasphemed and derided, persisting in their force and sacrilege; the Archbishop thereupon made this Certificate thereof to the King, humbly imploring his Royal ayd and authority to remove the force, reduce them to obedience, and put the Rector in quiet possession thereof, lest the Judgement of the Church should come into contempt in his dayes.

**E**xcellentissimo Principi Domino Edwardo Dei gratia Regi Angliae illustri, Domino Hiberniae, & Duci Aquitaniae, Frater Johannes permissione divina Cantuar. Ecclesia minister humilis, totius Angliae Primas, salutem, cum omni reberentia et honore. Licet dudum Ecclesia de *Halesham* ejectis ab ea, Abbate de *Begeham*, et fraudis suae complicitibus qui inauditis dolis se intruserant in eandem, suo Rectori ab antiquo Magistro Roberto de Blechington fuerit, per decretum Curiae nostrae sententialiter restitutus, & ipse fuerit in possessione pacifica ejusdem Rectoriae quam virtute decreti hujusmodi annis plurimis sicut arationes patria non ignorat: Dissi tamen

Brevia Regis  
in Tur. Lond.  
Anno 14 E. 1.



*An. 14 E. 1.* *Abbas & Conventus* resumptis fraudibus suæ prædictæ moliminibus, bi et armis expulso prædicto Rectore se in ipsam, Dei timore postposito, furtim et sacrilege intruserunt contra decretum et sententias nostræ Curie antedictæ: Et licet sint excommunicati et aggravati quantum potestas Cantuariensis Ecclesiæ se extendit; ipsi tamen nostras sententias inauditis blasphemis subsannantes, in suo sacrilegio perseverant, non curantes quid damni in suis incurrant conscientis; cum tamen lucro sacrilego, Archidia sua valeant instaurare, \* falsæ religionis et veræ pporitis titulum defendentes, et manu armata Ecclesiæ detinent prophanatam, in totius enervationem, quantum in ipsis est, Ecclesiasticæ disciplinæ. *Uti igitur quod laudabiliter & canonicè factum est in forma iustitiæ effectui debito valeat mancipari,* spaciati Regi supplicamus humiliter et devote, quatenus ad compescendam tantam præsumptionem malitiæ, vim, et potestatem laicalem, his secundum regni consuetudinem ab eadem Ecclesiæ subeat amoveri, et memoratum Robertum in eisdem possessionem pacificam reduci, et reduci auctoritate Regia protegi et defendi: Ut quod minus valet coherere sanctæ matris Ecclesiæ in hac parte, pro Dei et Ecclesiæ suæ reverentia Regia suppleat magnitudo, ne nostris temporibus iudicium Ecclesiæ veniat in contemptum. *Valeat reverenda Majestas Regia semper in Christo & Virgine gloriosa. Dat. apud Obithmalling 7 Idus Martii, Anno Domini 1287.*

What the King did upon this Certificate I finde not, but from thence I shall observe: 1. That this proud Archprelate, who so much opposed the Kings Regal and Ecclesiastical authority in other forementioned particulars, was here enforced humbly to implore the ayd and assistance thereof, to support his own Archiepiscopal Decrees, censures, and make them effectual in their execution. 2ly. That his Ecclesiastical censures and authority were both extraordinarily contemned, reproached, yea derided by this Abbot, Covent, and other Religious persons, notwithstanding his grandeur, and high favour in the Court of Rome. 3ly. That Abbots and Monks in that age, made no conscience by force or fraude to invade and detain the Churches of other Clergymen, to fill their own purses, (being true hypocrites, and of a false Religion) by the verdict of this Archprelate, who was and writ himself a Freer.

The King about the same time, at the prayer of Robert Burnell Bishop of Bath and Wells, granted the Bishop this special license to inclose the Churchyard of the Cathedral Church in Wells, with a wall, battlements and gates, for the honour of God, the honesty of the Church, and of the corps of the Saints therein resting, and the peace, security of the Canons and Ministers inhabiting therein, so as it should stand open for passengers all the day time, and be shut up only in the night.

Pat. 14 E. 1.  
m 19. intus.  
Pro Bathon.  
& Wellen E-  
piscopo de Ci-  
miterio Wel-  
len claud. &c.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod ad honorem Dei, et honestatem Ecclesiæ Cathedralis Wellen. ac Sanctorum quorum corpora requiescunt in eadem, necnon ad securitatem et quietem Canonicorum et Monachorum prædictæ Ecclesiæ, et suorum ibidem residentium, concessimus pro nobis & heredibus nostris venerabili patri Roberto Bathon. & Wellen. Episcopo, quod ipse Cimiterium Ecclesiæ prædictæ, et procinctum domorum Canonicorum prædictorum infra Civitatem suam Wellen. muro lapideis circumquaque includere, et murum illum kernellare, et procinctum illum sic inclusum eisdem Episcopo et successoribus suis ad suam et dictorum Canonicorum securitatem maiorem tenere possit, sine occasione vel impedimento nostri et heredum nostrorum, Justit. et aliorum Monachorum nostrorum quorumcunque imperpetuum. Ita quod in stratis & locis aliis necessariis & competentibus ibidem, portas & posternas fieri, & stratas quas ipsum in procinctu illo includere contigerit ad proprius et commodius, quod pro transeuntibus fieri poterit liberti faciat, et ita quod portæ illæ et posternæ singulis diebus ab aurora diei usque ad noctem sint apertæ pro utilitate transeuntium per portas et posternas supradictas. Ita etiam quod portæ illæ & posternæ de nocte claudantur, & in aurora diei aperiantur, sicut prædictum est. In cujus, &c. Teste Rege apud Woodstock, 15 die Martii.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

The like license he then granted to the Bishop, Dean and Chapter of *St. Peters An. 14 E. 1.* Church in *Exeter*, to inclose their Churchyard with a wall, gates and posterns, differing only in this observable Prologue.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod cum per nocturnos incur-  
sus latronum, & aliorum malefactorum per vicos & venellos in procinctu  
Cimiterii Cathedralis Ecclesie Sancti Petri Exon. et in Cimiterio illo multociens  
de nocte vagantium, homicidia, fornicationes, et alia mala pluries hactenus fue-  
rint perpetrata, et fornicatores quod adhuc consimilia vel maiora pericula per hu-  
iusmodi incursum in vicis et venellis, et Cimiterio, ac procinctu predictis poterant  
evenire, nisi contra pericula illa remedium apponatur. Nos ad honorem Dei,  
& dictae Ecclesiae, &c. as in the former. Teste Rege apud Exon. primo die  
Januarii. Et duplicatur.

Pat. 14 E. 1.  
m. 24. inus.  
Pro Episcopo,  
& Decano &  
Capitulo Exon  
Cimiterio in-  
cludendo, &c.

The \* occasion of this Patent, and inclosing this Churchyard of *Exeter*, was the  
slughter of Walter Lichlade the first Chaunter thereof, as he came from the *Mattins*  
then said soon after midnight; upon which occasion the King came thither, and kept his  
Christmas there, and gave order to inclose the Churchyard, building certain gates therein,  
by a composition made between the Bishop and Citizens.

\* Godwins Ca-  
talogue of Bi-  
shops, p. 325,  
327.

This year, (1287.) \* Papa Honorius quartus moritur, cui succedit (An. 1288.  
25 Mai. Westminster) Nicholaus quartus, natione Romanus, de ordine Fratrum Mi-  
norum. Hic solum (ut dicitur) Fratrum ejusdem ordinis multa privatim sta-  
tuit, quae faciunt non solum superbiere Episcopos, sed etiam Infantem; as *Thomas*  
*Walsingham* stories of him and them.

\* Th. Walsing-  
ham Hist. An-  
gliae, p. 14.  
Mar. Westm.  
p. 374, 376.  
Platina, Onu-  
phrius, Barnes,  
Balzus, Op-  
meerus, and  
others in Ni-  
cholas 4.

The Abbot of *St. Peters of Salop* alienating a Messuage and Tenement in *Mere*,  
of the Kings antient Demesne, given to it by his Ancestors to finde a Monk and  
Priest to celebrate Divine Service in a Chappel within that Mannor, immediately  
after the Statute of *Westm. 2. cap. 41.* the King thereupon issued this Writ to the  
Sheriff of *Stafford*, to seise it into his hands.

**R**EX Vic. *Staff.* salutem. Cum de comuni consilio regni nostri statuerimus,  
quod si Abbates, Priores, custodes Hospitalium, & aliarum domorum Religiosa-  
rum fundatarum a nobis vel a progenitoribus nostris, alienaverint de cetero ten. domibus  
ipsis a nobis vel a progenitoribus nostris collata, ten. illa in manum nostram capiantur,  
& ad voluntatem nostram teneantur, & emptor amittat suum recuperare tam de ten.  
quam de pecunia quam solverit pro eisdem; ac Abbas Sancti Petri *Salop.* unum Mesua-  
gium, & unam carucatam terrae cum pertin. in manerio de *Mere*, quod est de anti-  
quo Dominico coronae nostrae, quae idem Abbas & praedecessores sui ex collacione  
& confirmacione progenitorum nostrorum Regum *Angliae*, a tempore quo non  
extat memoria habuerunt, ad inveniendum unum Monachum de Abbacia praedicta,  
& unum Clericum ad celebrandum divina in Capella de *Wudchuse* in praedicto ma-  
nerio de *Mere*, *Wilhelmo de Merton*, post publicacionem statuti praedicti, sine li-  
centia et voluntate nostra vendiderit et alienaverit, ut pro certo intelleximus:  
Tibi praecipimus, quod si ita est, tunc Mesuagium illud et terram sine dilacione ca-  
pias in manum nostram, et ea salvo custodias donec aliud inde preceperimus.  
Ita quod de exitibus inde provenientibus nobis respondeas ad Scaccarium nostrum  
juxta formam statuti nostri praedicti. Teste *Edmundo* Comite *Cornubiae* consanguineo  
nostro apud *Westm. 6 die Julii.*

Fines 14 E. 1.  
m. 7. De  
Mesuagio ca-  
piend in ma-  
num Regis.  
Westm. 2. 15  
E. 1. c. 41.

The first seisure I have observed after this Statute.

A Clerk flying to a Church for Sanctuary, for a robbery by him committed, and  
there being ready to abjure the Realm, without making his purgation; the Bishop  
conceiving it to be against the Liberty of the Church, petitioned the Earl of *Corn-  
wall* (then *Custos* of the Realm in the Kings absence) that he might be delivered  
to him or his Official to keep, and make his purgation; which the Coroner was  
commanded to do after 40 dayes, and if he made not his purgation by a day pre-  
fixed, then he was to be restored to the Church, and make his abjuration.

R E X



An. 14 E. 1.

Clauſ. 14 B. 1.  
m. 3. iatus.  
Pro Episcopo  
Lincoln. de  
quodam Capel-  
lano qui fugit  
ad Eccleſiam,  
&c.

**R**EX custodi placitorum coronæ suæ in Hundredo de *Welle-Wapentak*, salutem. Supplicavit nobis venerabilis pater *Oliverum Lincoln*. Episcopus, quod cum quidam *Richardus de Scardeburgh* Capellanus, pro latrocinio quod patravit fegerit ad Eccleſiam de *Marion* in Episcopatu prædicto, et ibidem in præiudicium libertatis Ecclesiasticæ, paratum esse se dicat Regnum nostrum absurrare, prædictum Capellanus eidem Episcopo tanquam Diocesano suo iuxta libertatem Ecclesiasticam pertractandum, absque prædicta abſurratione faciendæ liberari faciamus. Et quia ex consuetudine Regni nostri nullus pro transgressionem suam fugiens ad Eccleſiam in eadem Ecclesia ultra quadraginta dies sub protectione nostra morari debet. Tibi præcipimus, quod si prædictus Capellanus in Ecclesia prædicta moram fecerit per quadraginta dies, tunc ipsum prædicto Episcopo vel Commissario suo liberos custodiendum usque ad Quindenam Sancti Michaelis proximo futuram. Ita quod habita tunc inde discussione coram Consilio nostro, iuxta considerationem ejusdem Consilii, reducatur idem Capellanus ad Eccleſiam prædictam, prædictam abſurrationem in præsentia tua facturum, si iuxta considerationem illam fuerit faciendæ. Teste *Edmundo Comite Cornub.* consanguineo Regis apud *Westm.* 5 die Julii.

I finde this memorable Inquisition returned the year before, but filed after, not only concerning the bounds, but Tithes and Oblations of the Parish of *Braye*, part of which Tithes the King had sequestered.

Clauſ. 14 E. 1.  
m. 5. dorſo.  
De quadam  
Inquisitione  
capta de buni-  
dis parochiæ  
de *Str. ye.* &c  
Decimis &c  
oblacionibus  
&c.

**I**nquisitione capta coram *R. Fulcon.* assignato apud *Elyngton* juxta *Braye* die Veneris in festo Sanctæ *Margaretæ* Virginis, anno regni Regis *Edwardi* tercio-decimo, per sacramentum *Bartholomei de Erle*, *Roberti de Hulle*, *Roberti de Wantham*, *Gilberti Maddok*, *Johannis de Henesend*, *Godefridi de Henesend*, *Johannis de Sanyngeshull*, *Rogeri le Crau*, *Rogeri del Wich*, *Roberti Beneys*, *Roberti de la Chaumbre*, & *Edmundi de Littelſend*, ad hoc juratos, & de consensu parcium electos: Qui dicunt super sacramentum suum, quod parochia de *Braye* incipit apud *Eodelſpote*, & sic se extendit usque ad domum *Walteri de la Hame*, qui est de parochia de *Wyndes*, & à domo ejusdem *Walteri*, usque ad *Elyſtr.* quæ est bunda versus austrum, & ab illo loco usque *Heithewe*, quæ est bunda versus occidentem; & sic usque ad quendam locum in quo stetit quoddam quercus quæ fuit bunda juxta *Bradembregg*; & sic ab illo loco usque *Cruckesend*, quæ vocabatur *Vachbery* Regum Angliæ, & nesciunt si sit de parochia prædicta, vel non, set semper de antiqua cultura solverunt Ecclesiæ de *Braye* Decimas, de nova cultura solverunt Decimas suas de aliqua parte ad eandem Eccleſiam, et de alia parte solverunt Decimas aliquo tempore Ecclesiæ *Sarr.* de nobis; et de quadam parte Dominus Rex sequeſtrabit Decimas. Præterea dicunt, quod de *Cruckesend* extendit parochia prædicta usque la *Fayrhok*, quæ est bunda parochiæ prædictæ; & de la *Fayrhok* usque *Wolveſye*, quæ est de parochia de *Wantham* Abbatis; & sic de *Wolveſye* usque ad *Maydenhithe*: Et quæſiti à *Abbatibus Cyrenceſtr.* qui pro tempore fuerunt, ceperunt aliquas Decimas extra bundas prædictas, dicunt, quod non, nisi tantummodo sicut supra dictum est. Et quia nondum fuit plenè declaratum, utrum *Cruckesend* esset bunda parochiæ de *Braye*, nec ne; Dictum fuit eisdem Juratoribus, quod se plenius inde cerciorarent. Ita quod ad certum diem eis præfigendum ipsum *Robertum* cerciorarent, ita quod omnes Juratores venerint coram eodem *Roberto* apud *Cruckesend* die Lunæ proxima post festum Exaltationis Sanctæ Crucis, præter *Robertum de Wantham* qui mortuus est, & *Robertum Beneys* qui infirmabatur; ita quod partes in dictum eorum consenserunt. Et dicunt super sacramentum suum, quod *Cruckesend* fuit quondam vaccaria Domini Regis, & est in le *Fryth*; & quod homines de *Cruckesend* fecerunt Ecclesiæ de *Braye*, & adhuc faciunt, exceptis duabus culturis, omnes Decimas et oblaciones inde provenientes, set intelligunt si *Cruckesend* nunc primo redigeretur in culturam quod Ecclesia de *Braye* nichil inde caperet. Quæſiti qua ratione, dicunt, quod *Cruckesend* est in le *Fryth*, & le *Fryth* nichil pertinet ad *Braye*: Dicunt etiam, quod per ducentos annos & amplius, perceperunt *Mediores Ecclesiæ de Braye*, oblaciones et omnimodas Decimas inde provenientes. Præterea dicunt, quod omnes terræ contentæ in cedula præsentibus interclusa redactæ fuerunt in culturam citra quadraginta annos nunc proximo elapsos.

Et

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Et memorandum, quod ista Inquisicio quam cito irrotulata fuit, liberata fuit per *Ar. 14 E. 1.*  
manum *J. de Langston* die Martis in vigilia Apostolorum *Philippi & Jacobi*, Anno,  
&c. 14. Magistro *H. de Branceston* tunc Decano *Sarr. & Henr. de Esse* Canoni-  
co ejusdem Ecclesie cum brevi originali.

\* *John de Kirkeby* Dean of *Worcester*, formerly elected Bishop of *Chester*, but his election made void by *John Peckham* Archbishop of *Canterbury* for holding many several Ecclesiastical preferments; for that a man of so good conscience as a Bishop ought to be, would rather content himself with a little Living, then cumber himself with so many charges; was notwithstanding this year by the Kings *Conseil* elected Bishop of *Ely*, in which being confirmed by the Kings Royal assent, and approved by the same Archbishop (notwithstanding his former pluralities,) the King issued out Writs in usual form for the restitution of his Temporalities, to the Guardians of the Temporalities and Bishops Tenants, entred at large in the *Patent Roll*, 14 E. 1. m. 4. *Teste Com. Cornubie apud Westm. 7 die Septembris*.

\* See Godwits  
Catalogue of  
Bishops, p. 210.  
*Nat.*

The Pope deputed *Giffredus de Vexano* his Clerk and Nuncio to execute the business of the *Cross*, and of the *Disme* granted for the aid of the *Holy Land*, which the King had formerly seized and secured; the King issued this Patent of assistance for him and his agents in this affair to Sheriffs, and all other his Officers and Subjects.

**R**EX Vicecomitibus & omnibus Ballivis & fidelibus suis ad quos presentes littere pervenerint salutem. Cum dilectus nobis Magister Giffredus de Vezano ad negotium Crucis, et Decimæ in subsidium Terræ Sanctæ concessæ exequendum sit deputatus; Nos negotium illud favore benivolo prosequi cupientes, vobis mandamus, quodeidem Magistro Giffredo & suis in his quæ negotium tangunt memoratum, auxiliantes sitis & consulentes quociens opus fuerit, & ab ipso vel suis fueritis requisiti. In ejuſ, &c. Teste Rege apud Cantuariam 10. die Maii. Et habet inde quinque paria litterarum.

The King having occasion to borrow and make use of this money for the urgent affairs of the Kingdom, it was divided into several summes, and deposited in several hands, by the Nuncioes assent, order, at the Kings special request, some unto forein Popish Merchants, other summs unto several Abbots, Priors, and their Covents, other summes into the hands of the *Templars* and *Hospitaliers*, who all entred into several Obligations and Recognisances together with the King (enrolled in Chancerie) to repay all these monies to the Church of *Rome*, Popes Nuncio or his Deputies, within two moneths space, when ever required to do it, under several penalties, forfeitures, hard conditions, subjection to Excommunications, Interdicts of Popes or their Nuncioes, and renunciations of all legal advantages, or losses by any casualties, as the Recognitions and Obligations themselves, very observable, will more fully evidence.

**N**overint universi presentes literas inspecturi, quod nos Edwardus Dei gratia Rex Angliz, Dominus Hiberniz, & Dux Aquitannie recognoscimus & confirmamus, quod Magister Giffredus de Vezano Canonicus Cameracensis Camera Domini Papae, Clericus, Apostolicæ sedis Runcius, et executor negotiorum Terræ Sanctæ, super Decima et aliis in Regno nostro a dicta sede deputatus, ad preces et requisitionem nostras deposuit nomine Ecclesiæ Romanæ et Terræ Sanctæ, octo milia librarum bonorum Sterlingorum, de petunta Decimæ concessæ ipsius Terræ Sanctæ subsidio in ipso Regno collecta, penes Ricardum Guydionis, Henricum de Podio, & Raynerum Guydionis, & Matthæum Rugepeil, Civis et Mercatores Lucanos de societate Ricardorum de Luca, recipientes pro se à dicta societate & singulis sociis suis dictæ societatis: Et ipsi Mercatores obligando se & singulos socios suos & dictam societatem, promiserunt dictum depositum libere, plene et integre solvere et restituere apud Novum Templum London. ipsi Giffredo, vel alio certo præfatz sedis Runcio, infra duos menses postquam a prædicta sede vel eodem Giffredo, seu alio ejusdem sedis certo nuncio, ipsi vel aliquis eorum, seu alii vel alius de dicta societate fuerint requisiti. Et nos ad maiorem Romanæ Ecclesiæ et ipsius Terræ Sanctæ securitatem

Pat. 14 E. 1.  
m. 11.  
De Decima.



*An. 14 E. 1.* civitatem super deposito manucapimus pro dictis Mercatoribus et eorum sociis ac societate, quod promissionem et obligationem eorum fideliter et plenarie observabunt. Et promittimus bona fide, quod in defectu eorum plenam et integram solutionem totius pecunie supradictae apud dictum Templum, eidem Mercatoribus, vel eorum sociis seu societate non conventis, vel bonis eorum etiam non excussis, infra unum mensem postquam requisiti fuerimus, praedictis Giffredo vel alii certo dictae sedis nuncio libere faciemus. Et ad hoc nos et omnia bona nostra, et haeredes et successores nostros ipsi Giffredo recipienti nomine Romanae Ecclesiae ac Terrae Sanctae specialiter obligamus. *In cuius, &c. Teste Rege apud Cantuariam 9. die Maii.*

*Pat. 14 E. 1.  
m. 11.  
De Decima.*

\* Blanks were  
left for their  
names.

**N**overint universi praesentes literas inspecturi, quod nos Edwardus Dei gratia Rex Angliae, Dominus Hiberniae, & Dux Aquitaniae recognoscimus & confitemur, quod Magister Giffredus de Vezano Canonici Cameracensis Domini Papae Clericus, Apostolicae sedis nuncius, et executor negotiorum Terrae Sanctae a dicta sede in Regno nostro, super Decima ipsius Terrae Sanctae concessa subsidio, et aliis deputatus, de consilio nostro et ad preces et requisitionem nostras, deposuit nomine Romanae Ecclesiae et Terrae Sanctae, de pecunia ipsius Decimae in dicto Regno collectae, sex milia octingentas triginta tres libras sex solidos et octo denarios bonorum sterlingorum, penes infra scriptos Religiosos, secundum et particulas infra scriptas, videlicet penes Abbatem & Conventum Sancti Albani mille marcas, \*penes ... Abbatem & Conventum Sancti Edmundi mille marcas, penes ... Priorem & Conventum de Merton quingentas libras, penes ... Abbatem & Conventum Sancti Augustini Cantuariensis quingentas marcas, penes ... Abbatem & Conventum de Rameseya mille libras, penes ... Abbatem & Conventum de Thorneia quingentas marcas, penes ... Abbatem & Conventum de Oseneve juxta Oxon. quingentas libras, penes ... Abbatem & Conventum de Croiland quingentas libras, penes ... Abbatem & Conventum de Burgo Sancti Petri quingentas libras, penes ... Abbatem & Conventum Habindon mille marcas, penes Priorem & Conventum Elyensem quingentas libras, & penes ... Abbatem & Conventum Westm. juxta London. mille marcas: & singulorum praedictorum Monasteriorum Religiosi per suas patentes literas quantitates & particulas supradictas, prout pro singulis huiusmodi Monasteriis praedicantur, se recepisse et habere in deposito recognoverunt, et promiserunt obligando se et successores suos et eorum bona intra duos menses postquam requisiti fuerint, libere, plene et integre solvere et restituere dicto Giffredo, vel alii certo praefatae sedis nuncio apud Novum Templum suis periculis et expensis. Et nos ad maiorem Ecclesiae Romanae ac Terrae Sanctae securitatem pro dictis Religiosis manucapimus, quod ipsi omnes et singuli promissiones et obligationes eorum, prout in eorum continetur literis fideliter et plenarie observabunt. Et promittimus bona fide, dicto Giffredo nomine Romanae Ecclesiae ac Terrae Sanctae recipienti, quod in defectu eorumdem Religiosorum vel aliquorum ipsorum, praemissas quantitates vel singulas earum in quibus defectus fuerit, infra unum mensem postquam requisiti fuerimus, plenarie et libere persolvemus apud dictum Templum eidem Giffredo, vel alio certo praefatae sedis nuncio, praefatis Religiosis non conventis, vel bonis eorum etiam non excussis. Et ad haec nos et omnia bona nostra, et haeredes et successores nostros specialiter obligamus. Renunciando omnibus privilegiis, consuetudinibus, et statutis, quibus contra praedicta modo aliquo defendere nos possemus. *In cuius, &c. Teste ut supra.*

Ibidem.

**N**overint universi praesentes literas inspecturi, quod nos Edwardus Dei gratia Rex Angliae, Dominus Hiberniae, & Dux Aquitaniae, recognoscimus et confitemur, quod Magister Giffredus de Vezano, &c. as before. de consilio nostro et ad requisitionem nostram deposuit penes Religiosos viros fratrem Willielmum Priorem Hospitalis Sancti Johannis Jerusalem. in Anglia, & Praepositorem & Thesaurarium Domus dicti Hospitalis de Clerknewell London. quingue mil. marc. bonorum sterlingorum de pecunia Decimae Terrae Sanctae subsidio deputato in Regno nostro collectae: Et ipsi Religiosi promiserunt dictam pecuniam solvere, reddere, et restituere plene et libere ipsi Magistro Giffredo, vel alii certo Apostolicae sedis nuncio infra unum mensem postquam ipsi vel eorum aliquis fuerint requisiti, sicut cum literis patentibus

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parentibus sigillatis sigillis eorum et sigillo Prioratus Angliæ cum barba et bulla plumbea Magistri generalis dicti Hospitalis plenius continetur; Et nos pro securitate Romanæ Ecclesiæ ac Terræ Sanctæ mancipamus pro ipsius Religiosis, quod ipsi promissionem et obligationem suas plenarie observabunt. *In cujus, &c. Teste ut supra.*

**R**EX omnibus ad quos præsens scriptum pervenerit salutem. Vidimus depositum mille marcarum in Abbacia Sancti Edmundi existentium, de pecunia Decimarum a Clero regni nostri Angliæ in subsidium Terræ Sanctæ nuper concessa. Vidimus etiam literas Abbatis & Conventus ejusdem loci obligatorias Magistro Giffredo de Vezano Camera Domini Papæ Clerico, Apostolicæ sedis nuncio, et executori negotiorum Terræ Sanctæ super Decima et aliis in dicta sede in Anglia deputato super ejusdem depositi receptione confectas in hæc verba. Noverint universi præsentis literas inspecturi, quod nos Abbas & Conventus Sancti Edmundi de plano recognoscimus et confitemur nos recepisse, et habere in deposito nomine Romanæ Ecclesiæ et Terræ Sanctæ a venerabili viro Magistro Giffredo de Vezano Camera Domini Papæ Clerico, Apostolicæ sedis nuncio, et executori negotiorum Terræ Sanctæ super Decima et aliis a dicta sede in Anglia deputato de pecunia ipsius Terræ Sanctæ concessa, subsidio quæ collecta fuit in Regno Angliæ mille marcas bonorum noborum, et legalium sterlingorum, cui deposito nos voluntarie obtulimus pro nostris et Monasterii nostri utilitatibus. Et promittimus per fidem nostram ac juramentum, nos depositum ipsum plene et integre reddere, solvere et assignare dicto Magistro Giffredo, seu alii certo dictæ Apostolicæ sedis nuncio apud Novum Templum London. infra duos menses postquam nos vel aliquis nostrum a dicto Magistro Giffredo, seu alio certo dictæ sedis nuncio fuerimus requisiti, de qua requisitione credatur simplici verbo dicti Magistri Giffredi, seu alterius hujusmodi certi nunci; suscipientes in nos casus et periculi furti, rapinæ, incendii, et vis majoris, et omnes alios casus, et omnia alia pericula qui et eorum quomodolibet evenire possent. Et subicientes nos jurisdictioni dicti Magistri Giffredi, et cujuscunque alterius certi dictæ sedis nunci, ut per excommunicationis in personas, et interdicti in Ecclesiâ nostram sententias, sine aliqua monitione compellere nos possint et possit, ad plenam restitutionem depositi supradicti. Renunciando omni Juri Canonico et Civili tacito et expresse competenti et competituro, et omnibus privilegiis et indulgentiis impetratis et impetrandis, ac etiam Regiis prohibitionibus quibus contra præmissa, vel aliquod præmissorum contrariare vel contravenire possemus. Obligando nos et omnia bona nostra, et Monasterii nostri ac successores nostros Romanæ Ecclesiæ et Terræ Sanctæ. Et ut in præmissis plenius securitas habeatur, sponte promittimus et vobemus, dare pro Subsidio Terræ Sanctæ quinquaginta libras pro singulis mensibus, quibus post requisitionem prædictam defecerimus in præmissis. In quorum omnium testimonium has literas nostras sigillo nostro communi fecimus consignari. Acta & data in Capitulo Monasterii nostri in Crastino Pascha, Anno Domini 1286. Et quia pro quibusdam arduis & specialibus negociis nostris & regnum nostrum Angliæ contingentibus, quæ de novo emerferunt, pecunia quamprimum indignimus pro eisdem negociis nostris felicius expediendis, a præfatis Abbate et Conventu mutuo mille marcas recepimus antedictas, obligantes nos, hæredes et successores nostros dictis Abbati et Conventui, ac successoribus suis sub omnimodis condicionibus et pœnis in forma obligationis suæ superius annotata contentis, ad plenam et integram ejusdem pecuniæ solutionem seu constitutionem infra duos menses faciendam, postquam nos ab ejusdem Abbate et Conventu, vel a dicto Magistro Giffredo, seu alio certo dictæ sedis nuncio super hoc fuerimus requisiti. Promittimus etiam bona fide pro nobis hæreditibus et successoribus nostris, quod ipsos Abbatem et Conventum, successores suos, ac Monasterium penes Dominum Papam, præfatum Magistrum Giffredum, et alium quemcunque certum dictæ sedis nuncium, in omnibus casibus et periculis quæ ratione dicti mutui eisdem quoquo modo possent evenire, illatos conserabimus et indempnes. *In cujus, &c. Teste Rege apud Westm. 25 die Aprilis.*

*Consimiles literæ fiebant de deposito mille marcarum in Abbacia Westm. de verbo ad verbum, ut supra.*

*Consimiles literæ de deposito quingentarum librarum in Priore de Ely de verbo ad verbum*



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*An. 14 E. 1. verbum ut supra, excepta data litera facta pradiſto Giffredo, qua est Act. &c. in crastino Annunciationis Dominicæ Anno Domini pradiſto. In cuius, &c.*

*Conſimiles litera fiebant de deposito quingentarum librarum in Abbacia de Burgo Sancti Petri de verbo ad verbum ut supra, cum eadem data litera facta dicto Giffredo, Act. &c. ut supra, die martis in Crastino Annunc. Dominicæ Anno Domini pradiſto. In cuius, &c. Teste ut supra.*

*Conſimiles litera fiebant de deposito quingentarum librarum in Abbacia de Croyland, de verbo ad verbum ut supra. Entred at large Ibid. m. 17. Cedula.*

*Conſimiles litera fiebant de deposito trescentarum Marcarum in Abbacia de Certesye, de verbo ad verbum ut supra, excepta datâ, &c.*

*Conſimiles litera fiebant de deposito quingentarum marcarum in Abbacia de Thorneye de verbo ad verbum ut supra, excepta datâ, &c.*

*Conſimiles litera fiebant de deposito mille librarum in Abbacia de Rameſeye de verbo ad verbum ut supra, excepta data ejusdem litera, qua est, &c. ut supra. die Martis in Crastino Annunciationis Dominicæ, Anno Domini pradiſto.*

*Conſimiles litera fiebant de deposito quingentarum librarum in Prioratu de Merton, de verbo ad verbum ut supra, excepta datâ, &c.*

*Conſimiles litera fiebant de deposito mille marcarum in Abbacia de Abindon, excepta data litera pradiſta, qua est Act. ut supra, die Sabbati proxima post festum Pasche, Anno Domini pradiſto. In cuius, &c. Teste ut supra.*

*Conſimiles litera fiebant de deposito quingentarum librarum in Abbacia de Oſeneya, &c. ut supra, excepta data dicta litera, &c. die Veneris proxima post festum Pasche Anno Domini pradiſto. In cuius, &c. Teste ut supra.*

To such strange, unreasonable shifts, obligations, penalties and forfeitures was the King put, to obtain the use of these Dismes for the pressing publick occasions of himself and his Realm, collected from his own Clergie and Subjects, through his favour, by the Pope and his Nuncio, (to whom he and all these Abbots and persons premised must be obliged to repay it upon 2. moneths notice.)

The King this year granted this Protection for the relief and preservation of the Abbot and Convent of *Messenden*, varying somewhat from others in the recital and grounds thereof.

Pat. 14 E. 1.  
m. 12. P<sup>to</sup>  
Abbate &  
Conventu de  
Messenden, de  
domo suo  
commissa.

**R**EX omnibus ad quos, &c. salutem. Cum dilecti nobis in Christo Abbas & Conventus de *Messenden*. per morinam obium et equorum suorum, et aliis incommodis multimodis, quibus ut pro certo intelleximus super modum pregravantur, adeo depauperentur et deprimantur, quod terræ suæ pro magna parte jacent incultæ, et blada sua in eisdem vehementer defecerunt, et insuper iidem Abbas et Conventus Mercatoribus et aliis Creditoribus suis diversis in multimodis debitis teneretur, ad quorum solutionem & Domus suæ relevacionem, facultates ejusdem Domus per magnum temporis spacium sufficere non possent, absque dispersione Canonicoz Domus illius, vel feodaliuz suozum dilapidacione seu forte Domus ejusdem subberſione totali, quod nollemus: Nos imbecillitati status ipsorum compatientes, he hujusmodi discriminis aut deſſionis periculum videatur imminere, Domum illam cum terris, redditibus, & omnibus possessionibus ac rebus aliis ad eandem Domum pertinentibus cepimus in protectionem et defensionem nostram specialem, &c. 35 in other protections forecited. Teste Rege apud *Westm.* 30. die Aprilis.

The King likewise as Supream Ordinarie and Patron of the Abbey of *Radyng* and Religious houses thereunto belonging, appointed *Ralph Breton* his Clerk to supervise the state of all their Debts, goods, issues, profits, Tenures of all their Manors and Lands, and to satisfy all their Debts out of them, and to convert them to no other use, except the necessary sustenance and support of the Monasteries, and almes due out of them.

Pat. 14 E. 1.  
m. 12. Cedula.

**E**dwardus Dei gracia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*. Omnibus ad quos presentes literæ pervenerint salutem. Cum nuper ad Abbatem de *Radyng*. relevacionem & debitorum ejusdem exonerationem, dilectum Clericum nostrum

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nostrum Radulphum de Brocton, ad supervidendum statum omnium bonorum et reddituum singulorum Abbacie predictae, et Manerii de Leominstre, et aliorum Maneriorum et reddituum ad dictam Abbaciam spectantium quoquo modo, et ad omnia debita dictae Abbacie loci predicti de exitibus predictis arquietanda; Ita quod exitus illi non in alios usus convertantur; Salvis tamen predictis Abbati et Monachis, & familiae necessarii in predictis Abbacia & Manerio commorantibus necessariis, & oneribus eleemosinarum debitis & honestis, assignaverimus Custodem; Et ne praetextu alicujus ordinationis super porcionibus Monachos predictae Abbacie contingentibus, aut aliquibus aliis ab antiquo seu de novo factae debitorum Abbacie predictae exoneratio, seu ejusdem relevacio quoquo modo impediatur seu retardetur, Volumus, quod dictus Clericus noster contradictione et ordinatione Coventus, aut alicujus alterius non obstantibus reseratis per eundem Clericum nostrum, de consilio & voluntate Abbatis, tam in portionibus Monachorum quam in familia, & penitus in supervenientibus expensis superfluis, tam in dicta Abbacia quam in Manerio de Leominstre, ac aliis maneriis omnibus ad dictam Abbaciam quoquo modo spectantibus, ad sustentacionem Monachorum, & familiae necessaria tantum & honesta, de consilio Abbatis antedicti provideat, ordinet & disponat; salvis tamen eleemosinarum oneribus debitis & honestis. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Ledes quarto die Maii, Anno Regni nostri quartodecimo.

An. 14 E. 1.

**E**dwardus Dei gratia, &c. Vic. Hereford. & omnibus Ballivis & fidelibus suis de eodem Comitatu salutem. Cum ad exoneracionem debitorum in quibus dilecti nobis in Christo Abbas & Conventus de Radyng, tam ratione Abbacie suae quam manerii de Leominstre diversis creditoribus tenentur, ad loci ejusdem & omnium maneriorum suorum tam de Leominstre quam aliorum relevacionem, dilectum Clericum nostrum Radulphum de Brocton assignaverimus Custodem, ut per eundem exitus omnium maneriorum in exoneracionem debitorum, & non in usus alios convertantur; salvis tamen Monachis & familiae tam in dicta Abbacia quam in manerio de Leominstre, ac aliis maneriis suis commorantibus necessariis, & oneribus eleemosinarum & aliorum debitis & honestis: Vobis mandamus, quod eidem Radulpho in hiis quae custodiam illam contingunt, quociens necesse fuerit & ab ipso super hoc fueritis requisiti, consulentes sitis & auxiliantes, nullatenus ei molestiam, quin ordinet quod exoneracioni dictae Domus viderit expedire, inferri permittentes. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Ledes quarto die Maii, ut supra. Eodem modo, &c.

Ibidem.

The King out of his special favour to the Scholars of the University of Oxford, granted their Chancellor Jurisdiction to hold plea of all personal actions and contracts between the Scholars and his Jews, and to imprison, or excommunicate them, as well as others, by warrants sent to the Sheriff, or Constable of the Castle of Oxford, by this Patent.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod concessimus dilectis nobis Magistris & Scholaribus Universitatis Oxon. quod suus Cancellarius qui pro tempore fuerit de actionibus personalibus et quibuscunque contractibus initis et in eundis inter ipsos Magistros et Scholares, et eorum quemlibet et Judaeos nostros ibidem libere possit recognoscere, et in ipsos Judaeos quos super hujusmodi actionibus et contractibus combinari contigerit eorum ipso censuram Ecclesiasticam si necesse fuerit exercere; Ita quod cum Judaeus aliquis super aliqua lacione alicui Scholari Universitatis predictae contra pacem nostram illata, vel etiam inferenda eorum Cancellario memorato fuerit legitima probacione convictus; Volumus et concedimus per praesentes, quod idem malefactor per Vicecomitem nostrum Oxon. vel Constab. Castri nostri ibidem, statim ad denunciacionem praefati Cancellarii capiatur, et salvo custodiatur in nostra prisona, donec de lacione hujusmodi lacio fuerit satisfactum, prout eisdem Magistris et Scholaribus de lacionibus ibidem per Laicos sibi factis per cartas progenitorum nostrorum Regum Angliae plenius est concessum. In cujus, &c. quamdiu nobis placuerit duraturas. Teste Rege apud Wism. 28. die Aprilis. A pregnant Evidence that the King is the original fountain of

Pat. 14 E. 1.  
m. 15. Pro  
Magistris &  
Scholaribus U.  
niversitati  
Oxon.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

*An. 14 E. 1.* of all \* Ecclesiastical Jurisdiction and Censures as well as Temporal, and could then enable the Vicechancellor (though a Lay-man) to exercise and inflict the same by his Patents.  
 \* See 37 H. 8. c. 17.

There arising not long after some Controversies between the Scholars of the University of Oxford and their Servants, and the Mayor and Townsmen, to the disturbance of the peace; the King to preserve the peace of the University, issues this Commission to hear and determine them.

*Pat. 14 E. 1. m. 7. dorso. Pro Cancellario & Scholaribus Universitatis Oxoniæ, de transgr. aud. & terminandis.*

**R**EX dilectis & fidelibus suis *Nicholao de Stapelton, Henrico de Shotbruke, & Elze de Sutton* salutem. Cum dissensiones, discordiæ, & controversiæ diversæ inter Cancellarium & Scholares *Universitatis Oxon.* ex parte una, & Majorem, Ballivos, & probos homines Villæ nostræ prædictæ ex altera, & similiter inter eosdem Scholares & eorum servientes, super transgressionibus hinc inde postquam iter versus partes transmarinas jam arripuimus factis, ut dicitur, sunt subortæ, in læssionem pacis nostræ manifestam: Nos dissensiones, discordias, controversias & transgressionibus prædictas cum celeritate qua convenit sedari, & de transgressionibus taliter perpetratis emendas volentes fieri competentes, assignabimus vos ad inquirendum per Sacramentum Militum & aliorum proborum & legalium hominum, tam de Villa *Oxon.* & suburbio ejusdem neutri parti suspectorum, quam de partibus adjacentibus, per quos, &c. super dissensionibus, discordiis, controversiis & transgressionibus prædictis, & aliis circumstantiis præmissa contingentibus plenam veritatem, & ad dissensiones, discordias, controversias & transgressionibus illas audiend. & terminand. secundum legem et consuetudinem Regni nostri. Et ideo vobis mandamus, quod ad certos, &c. convocatis coram vobis partibus quarum interest, dissensiones, discordias, controversias & transgressionibus prædictas audiat & terminetis ibidem in forma prædicta, facturi, &c. Salvis, &c. Mandavimus enim Vicecomiti nostro *Oxon.* quod ad certos, &c. venire faciat, &c. per quos, &c. melius sciri poterit & inquire. In cujus, &c. Teste *Edmundo Comite Cornubie* Con sanguineo nostro, apud *Westm.* 28 die Junii.

The Pope by his Bulls having granted authoritie to the Master and Freers of the Hospital of St. James in the Diocesse of *Luca*, once every year to collect Almes in all Churches; the King to promote this Act of Charitie to these Mendicants, granted them this Patent to protect, assist them therein, and to arrest all false malicious Collectors of these Alms.

*Pat. 14 E. 1. m. 11. Pro Attorn. Magistris & fratrum Hospitalis S. Jacobi de Alto passu.*

**R**EX Archiepiscopis, Episcopis, Abbatibus, Prioribus, & omnibus Ballivis & aliis Christi fidelibus in *Anglia, Hybernia & Wallia*, ad quos præsentis literæ pervenerint salutem. Cum Dominus Papa dilectis nobis in Christo Magistro & Fratribus Hospitalis Sancti Jacobi de Alto passu *Lucanensis* Diocesis duxerit indulgendum, quod semel in anno recipiantur in Ecclesiis ad colligendas elemosinas, propter quod ipsi ad loca diversa pro elemosinis colligendis accedunt. Nos dilectum nobis in Christo fratrem *Johannem de Camera* generalem Attornatum Magistris & fratrum prædictorum, & alios attornatos quos sibi substituere voluerit, suscepimus in protectionem et defensionem nostram specialem. Vobis Ballivis nostris præcipientes, quod si quid eis per quoscumque Clericos vel Laicos forisfactum fuerit, id eis sine dilacione faciat emendari. Nos etiam Prelatos rogamus, quatinus cum idem frater *Johannes* aut alii prædicti Hospitalis attornati per ipsum fratrem substituti, ad loca vestra pro hujusmodi elemosinis colligendis accesserint, benigne in Ecclesiis vestris recipientes eosdem, ipsos in eisdem Ecclesiis vestris admovere populum, et elemosinas libere querere permittatis, et eisdem *Johanni* et aliis attornatis ad hujusmodi elemosinas in vestris Diocessibus sic deputatis colligendas literas vestras convocatorias liberaliter concedere velit. Ita quod a Deo meritum, et a nobis grates reportare debeatis speciales. Et quia intelleximus quod quidam malivoli advocantes se per Magistrum & fratres Hospitalis prædicti elemosinas colligunt & recipiunt nomine ipsorum, licet per ipsos ad hoc potestatem non habeant, nos hujusmodi maliciam reprimere cupientes, vobis Ballivis nostris præcipientes.

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cipimus, quod ipsos malibolos cum per vos transirum fecerint, prout rationabiliter fuerit faciendum \* arrestari faciatis, donec aliud inde præceperimus, seu ipsi malivoli de hujusmodi malicia competentes emendas fecerint, prout alias in casu consimili fieri consuevit. In cujus, &c. per biennium duraturas. Teste Rege apud Cantuariam 9 die Maii

An. 14 E. 1.  
\* False and counterient Collectors of Alms were frequent, and punished with imprisonment & restitution of what they collected in that age.

The Abbot and Covent of *Hyde* being indebted in an annual summe to the Dean and Chapter of *Sarum*, the King granted them this license to alienate the advousons of two Churches to them, notwithstanding the Statute of *Mortmain*, to discharge this Debt, and for them to appropriate those Churches if they pleased.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod cum dilecti nobis in Christo Abbas & Conventus de *Hyda Winton*, quorum domus ex progenitorum nostrorum quondam Regum *Anglia* elemosynis est fundata, Decano & Capitulo *Sarum* in viginti libris annuis ratione cuiusdam contractus inter præfatos Abbatem & Conventum, & eosdem Decanum & Capitulum dudum initi teneantur, per quorum quidem viginti librarum annuarum solucionem status dictæ Domus plurimum est depressus; Nos eis in hoc, ut tenemur, subvenire volentes, concedimus pro nobis & hæredibus nostris, quod dicti Abbas et Conventus Ecclesias de *Colingburn* & *Pevesey* patronatus eorundem infra Episcopatum *Sarum* annatas, dare et assignare possint venerabili patri Episcopo *Sarum*, & præfatis Decano & Capitulo, & eorum successoribus, vel ipsas Ecclesias ordinacioni diaconum Episcopum, Decani et Capituli submittere. Et quod ipsi de eisdem Ecclesiis libere ordinare, valeant ad releuamen eiusdem oneris, et aliorum onerum incumbenciarum domui prædictæ, prout secundum Deum utilitati dictæ domus de *Hyda* viderint expedire. Et præfatis Episcopo, & Decano & Capitulo insuper concessimus, quod ipsi de prædictis Ecclesiis ordinare possint in forma prædicta. Nolentes quod idem Abbas & Conventus, seu præfati Episcopus, & Decanus & Capitulum ratione statuti nostri de terris & ten. ad manum mortuam non ponendis, per nos vel hæredes nostros occasionentur in aliquo vel grauentur. In cujus, &c. Teste Rege apud *Langeley* 12 die Aprilis.

Pat. 14 E. 1.  
m. 18. Pro Abbate & Conventu de *Hyda Winton* quod dare possint Episcopo *Sarum* & Capitulo ibidem, Ecclesias de *Colingburn* & *Pevesey*, &c.

The King and his Royal Progenitors having for a long time till that present, used to seise all the corn, sheep, oxen, horses, cattle, silver vessels, jewels, books, treasures, and other goods and chattles of the Abbots of *Westminster*, after their deaths, by reason of the vacancy, to their own uses, and retain them as their own, to the great prejudice of the Church and succeeding Abbots, the King thereupon out of his great respect to St. *Peter*, and the reasons expressed in the Patent, granted to *Walter* the present Abbot and Covent, and their successors, that they should from thenceforth be as free as any other Church in the Realm, by his predecessors Charters; and that neither he, his Heirs nor Ministers, should seise or retain any of them to their own use, but only for the benefit of the Church and succeeding Abbot, saving his right to the profits of the Temporalities during the vacancy, as this Patent manifests.

**R**EX omnibus ad quos, &c. salutem. Cum nos et progenitores nostri dudum Reges *Anglia*, post mortem Abbatum Ecclesiarum Sancti Petri *Westm.* ratione vacationis eiusdem Ecclesiarum, ad blada in grangis, oves et boves, equos et alia animalia, equitaturam, vasa argentea, focalia, libros, thesaurum, et ad alia bona Abbatum mortuorum manum apponere, et ea quasi nostra tenere hucusque consueverimus, in grave dampnum Ecclesiarum prædictarum & Abbatum futurorum: Nos ob reuerentiam beati Petri, spiritualis patroni Ecclesiarum prædictarum, et Sancti Edwardi Regis, & pro salute animæ Domini H. Regis patris nostri, & liberorum nostrorum quorum corpora in Ecclesia prædicta requiescunt, necnon & pro salute animæ nostræ, & animarum matris & consortis nostræ, & progenitorum & hæredum nostrorum, volentes, quod Ecclesia prædicta sit adeo libera, acut aliqua Ecclesia regni nostri, *Waltero* nunc Abbati et Conventui eiusdem loci, et successoribus suis concedimus, quod quocumque prædictam Ecclesiam per mortem, vel alio modo vacare contigerit, nos vel hæredes nostri, aut alii ministri nostri, ad huiusmodi

Pat. 14 E. 1.  
m. 22. Pro Abbate & Conventu *Westm.*

\* To which this Charter &c. grant availed nothing in reality.



*An. 14 E. 1.* modi blada, oves, boves, animalia, equitaturam, vasa, focalia, libros, thesaurum, vel alia bona Abbatum dictæ Ecclesiæ mortuorum manum non apponemus, nec ea capi faciemus convertenda in usus nostros, sed ea omnia convertantur et cedant in utilitatem Ecclesiæ prædictæ, et futuri Abbatis ejusdem. Salvis tamen nobis et heredibus nostris eritibus provenientibus depositione assignata Abbatibus ibidem tempore vacationis Abbatie prædictæ, percipiend. eodem modo quo nos eos in vacationibus altiarum Abbatiarum et Prioratuum capere consuevimus et debemus. In cujus, &c. Teste Rege apud Westm. 18 die Februarii. Et duplicatur.

By this Patent I conceive it evident, 1. That our Kings by their antient Prerogative had the disposal of all the Goods, Chattels, Jewels, Plate, Books of Abbots and Religious persons who dyed intestate, in point of Law, ( being disabled to make Wills, or devise them ) which were of their foundations, or held their Lands from and under them; and so of all their other Tenants dying intestate, ( as I have formerly evidenced out of Glauvil, and King Henry the 1. his Charter. ) 2ly. That our Kings divested themselves of this Right and Prerogative, only by special Charters of grace made to Abbots and Monasteries. 3ly. That Bishops and other Ordinaries had no Jurisdiction of, or disposing power over the Chattels or Goods of intestate Abbots, much lesse of Laymen.

*Sanctius de Pynea* ( a Foreigner ) Prebend in the Church of *Suthwell*, being promoted and made Bishop of *Tripoli*, the Church thereby becoming void, the King conferred it on *Bonetto de S. Quintin*, ( another Alien ) by reason of the Temporalities of the Archbishoprick of *York* in his hands: It being then the received Law and Custom of the Realm, That the promoting of any Foreigner, who had a Prebendary or Benefice in *England*, by the Pope or any other Foreign Printe to a Foreign Bishoprick, made his Livings in *England* void in Law, so as the King and other Patrons might present thereto, as this Record resolves.

*Pat. 14 E. 1. m. 21. De Præbenda data*

**R**EX caritatis intuitu dedit & concessit Magistro *Bonetto de Sancto Quintino* Clerico suo, Præbendam illam cum pertin. quam *Sanctius de Pynea* nuper habuit in Ecclesia *Suthwellensi*, vacantem per promotionem ipsius Sanctii in Episcopum *Tripolitanum*, et ad donationem Regis spectantem, ratione Archiepiscopatus *Eborum* vacantis, et in manu Regis existentis. Et mandatum est Capitulo *Suthwellensi*, quod eidem Magistro *Bonetto* ratione Præbendæ prædictæ, stallum in Choro et locum in Capitulo, prout moris est, assignet. In cujus, &c. Teste Rege apud Westm. 28 die Februarii.

*Theobald de Verdun* Constable of *Ireland*, constituted the Bishop of *Bath* and *Wills*, then Chancellor, his Attorney, to present to all his Churches in *England* which should fall void during his absence in *Ireland*; the first of this nature I have observed to be enrolled and exemplified by the King.

*Pat. 14 E. 1. m. 9. Pro Bathoniensi & Wellensi Episcopo, de Ecclesiis conferendis, &c.*

**R**EX omnibus ad quos, &c. salutem. Inspecimus literas patentes sigillo dilecti & fidelis nostri *Theobaldi de Verdun* signatas, quas idem *Theobaldus* fecit venerabili patri *Roberto Bathoniensi & Wellensi* Episcopo, Cancellario nostro, in hac verba: *Universis Sanctæ matris Ecclesiæ filiis presentes literas inspecturus vel auditurus*, *Theobaldus de Verdun Constabularius Hiberniæ*, salutem in Domino. *Novoritia me loco meo constituisse venerabilem in Christo patrem Robertum permissione divina Bathoniensem & Wellensem Episcopum, ad conferendum omnes Ecclesias ad meam donationem spectantes, quoquo jure infra regnum Regis Angliæ, cum eas de jure vel de facto vacare contigerit, quamdiu moram in partibus Hiberniæ me attrahere contingat. Ratum habens & gratum quicquid idem Episcopus nigrino meo in premissis duxerit faciendam. In cujus rei testimonium has literas meas eidem Episcopo feci patentes. Dat. apud Cestriam die Sabbati proxima post festum Exaltationis Sanctæ Crucis, Anno Domini 1284. In cujus, &c. Teste Rege apud Westm. 25 die Maii.*

What licenses for, and Royal assents to the Elections of Bishops, Abbots, Abbeses, and restitution of their Temporalities; and what Ecclesiastical Benefices the King this year conferred in *Ireland*, these following Records inform us.

*Petrus*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

**P**etrus Obxangill Capellanus, nuncios Regi mortem bonæ memoriæ Dyomisii nuper Episcopi Akadensis, habet literas Regis Decano & Capitulo Akadensi de licentia eligendi. Teste Rege apud Westm. 29 die Aprilis.

An. 14 E. 1.  
Pat. 14 E. 1.  
m. 14. De  
licentia eligen-  
di.

**R**EX venerabili in Christo patri S. eadem gratia Watrefordensi Episcopo, Justic. suo Hibern. salutem. Cum dilecti nobis in Christo Decanus & Capitulum Akadense nobis per literas suas patentes significaverunt, quod Ecclesia sua prædicta per mortem Dyomisii nuper Episcopi ejusdem loci, pastoris est solatio destituta, supplicantes nobis, prout moris est, quod licentiam sibi altum eligendi in Episcopum eisdem concedere dignaremur: Ac nos precibus eorundem Decani & Capituli in hac parte favourabiliter inclinati, licentiam illam eis duxerimus concedendam. Mandantes ipsis, &c. Receptis prius ab ipso Electo literis suis patentibus sigillo suo, necnon & sigillo Capituli sui consignatis, quod hæc gratia nostra quam eidem Electo ad præsens et mera liberalitate nostra concessimus, nobis vel heredibus nostris non cederet in præjudicium vel exheredationem, seu trahetur in consequentiam temporibus futuris. In cujus, &c. Teste ut supra.

Ibidem.  
De Temporalibus restitutis.

**W**alterus de Arder Canonici Ecclesiæ Cathedralis Arrefertensis nuncios Regi mortem bonæ memoriæ Johannis nuper Episcopi ejusdem loci, habet literas Regis Decano & Capitulo Ecclesiæ prædictæ de licentia eligendi. Teste Edmundo Comite Cornubie Consanguineo Regis apud 28. die Junii.

Pat. 14 E. 1.  
m. 8. De li-  
cencia eligen-  
di.

**F**rater Willielmus Canonici Domus beatæ Mariæ de Trum, nuncios Regi mortem Felicie nuper Abbatis Domus beatæ Mariæ de Clomardie, habet literas Regis Priorissæ & Monialibus Abbatis prædictæ de licencia eligendi. Teste Edmundo Comite Cornubie Consanguineo Regis apud Westm. 25 die Maii.

Pat. 14 E. 1.  
m. 9. De li-  
cencia eligen-  
di.

**R**EX venerabili in Christo patri S. eadem gratia Watrefordensi Episcopo Justic. ciario suo Hibernie salutem. Cum dilecti nobis in Christo Priorissa & Moniales Domus beatæ Mariæ de Clomardie nobis per literas suas patentes significaverint, quod Ecclesia sua prædicta per mortem Felicie nuper Abbatis ejusdem loci, pastoris est solacio destituta; supplicantes nobis, prout moris est, quod licentiam sibi altum eligendi in Abbatissam eisdem concedere dignaremur, ac nos precibus earundem Priorissæ & Monialium in hac parte favorabiliter inclinati, licentiam illam eis duxerimus concedendam; Mandantes, &c. Receptis prius, &c. verbatim ac that pro Episcopo Akadensi. Teste Edmundo Comite Cornubie Consanguineo Regis apud Westm. 25 die Maii.

Pat. 14 E. 1.  
m. 9. Hibern.  
de temporalibus restitutis.

On the 12. of May in the year of our Lord 1287. (the 15. of King Edward the 1.) <sup>a</sup> Peter Quivil Bishop of Exeter, a greater Canonist then Divine, held a Diocesan Synod at Exeter, wherein he presumed (by the Archbishops example) to make and publish no lesse then 55. Canons and Constitutions, sundry of them very prejudicial to the Kings prerogative, and to the properties and Liberties of Lay-Subjects, lately printed at large in Sir Henry Spelman's Councils.

An. 15 E. 1.  
a Spelmanni  
Concil. Tom.  
2. p. 350, &c.

I shall begin with Cap. 30. Ne Clericus Clericum coram seculari Judice conveniat. Cum nec volens nec invitatus Clericus valeat Laicum constituere Judicem, invidemus, Ne Clericus Clericum super re spirituali, aut quacunque actione personalis sibi competente, vel suis, trahat in causam correctionis coram Judice seculari. Alioquin ille qui hoc facere attentaverit, causam perdere declaramus. Et quamquam non suo nomine sed alieno advenitum examen Clericum trahi procuravit, nihilominus cum qui taliter in fraudem legis committit, prædictis poenis decrevimus involutum. Si quis vero Laicus Clericum cujuscunque gradus duxerit esse pulsandum, coram Ecclesiastico Judice eas proponat quas habere existimat occasiones. Qui vero hujus ordinis violator extiterit, si Clericus fuerit, gravi subiacet ultioni; Si vero Laicus puniatur (ut violatores Ecclesiasticæ liberatis, ac si in generalem excommunicationis sententiam (qua violatores hujusmodi inmodantur) incidisse publice denuntiatur. Si quis vero Laicus Clericum ad forum pertrahitulare, super actione maxime personali, et Judex secularis Clericum coram se compellat respon-  
dere

Ibid. p. 371.



*An. 14 E. 1.* bere, vel quia non respondit ipsum grabare propter hoc presumat; tam ipsum Indicem quam taliter pertrahentem, auctoritate presentis Synodi sacrosanctæ, Excommunicationis ac specialis Interdicti sententias et generales, cæteraque remedia Ecclesiastica contra eosdem fore procedendum, nihilominus decernentes, donec grabamen huiusmodi revocaverit, et Clerico in hoc læso satisfecerit compellantur.

By which Canon this Bishop and his Clergy endeavoured, 1. To deprive the King with his Temporal Courts and Judges of their ancient undoubted Jurisdiction of all personal Actions between Clergymen themselves and their Servants, and likewise between any Laymen or Clergymen, and to appropriate or engross them wholly unto their Ecclesiastical Courts & Judicatures. 2ly. They most insolently encroached not only upon the privileges and Liberties of Clergymen, in restraining them to sue or complain before any Lay Judge for personal Actions or Trespases by any Clerks or Laymen, under penalties, but especially on all Laymen and Judges, by subjecting both of them to their special, general Excommunications and Interdicts, (as violators forsooth of the Churches Liberties) in case they presumed to sue or prosecute any Clergyman of what degree soever for any personal action or cause before any of the Kings or other Lay-Judges, or to punish any Clerks for their contempts for refusing to answer before them in such actions. A very high and daring presumption and usurpation worthy observation.

Not much unlike to this is their other Constitution, in relation to debts and distresses of Clergy men, cap. 41, & 42. worthy observation.

*Ibid. p. 381, 382.*

Cap. 41. Ne Clerici distractioni fori, vel obligent se seculari, vel in Parcibus vel Vivariis Magnatum furtum committant. *Annis singulis & diebus, mundus iste nequam, labi plus solito corripitur peccatorum, & tanto ardentius conatur inventum, quanto quis sibi congregat cumulum delictorum. Ecce enim rabies inaudita, quorundam insurgunt filii in parentes, et ipsos nituntur subjacere servituti, per quos sunt ad vitam perpetuam regenerati, et servitute diabolica liberati; quod apertius (patet) in Laicis, qui Clerum et Ecclesiæ Libertates nituntur subicere suæ ditioni, quoque temerariam audaciam refecare tenemur, potius quam sobere. Prohibemus igitur, sub pena Excommunicationis, ne Clerici, maxime Beneficiati, pro debito proprio vel alieno, distractioni se obligent Iudicis secularis, cuius obligationis præteritum Laici de facto, quanquam de jure non valeant, Clericos ad Iudicia secularia pertrahant. Et sicut per Clericorum contractus nolumus quod amplius id contingat; sic multo magis detestamur, si propter eorum delicto id debeat evenire. Unde districte inhibemus, ne quisquam Clericorum in Foresta Domini Regis, vel Parcibus aliorum cujuscunque, aut Warrenæ, furtum committere venationis, vel in stagnis, piscariis vel vivariis quorumcunque, furtum presumat committere. Si quis autem Clericorum contra has Prohibitiones nostras venire presumpserit, siquidem in contractu, ipsum a divinis in æternum volumus manere suspensum: si in delicto, ipso facto, vinculum Excommunicationis incurrat: & postea si monitus à Prælato suo pro gravi culpa, ad ipsius Prælati arbitrium satisfacere non curaverit; tunc si beneficiatus fuerit, ipsum a Beneficio suo decrevimus fore præbandum. Si vero beneficiatus non existat, ab executione ordinum per quinquennium suspendatur. Dicit etenim ratio, ut in quibus major reperitur culpa, in ipsos gravior exerccatur vindicta.*

*Ibid. p. 382.*

Cap. 42. De forma liberandi Bona Clericorum à Laicis malè capta & retenta. Bona mobilia et immobilia Clericorum, sicut ipsorum personas sub protectione Ecclesiastica consistere sanctorum patrum decreta sanxerunt, ut neque Laicis de ipsis statuendi seu disponendi quicquam Ecclesiæ respiciat commodum ulla sit permessa facultas: sed quicquid fecerunt in hac parte, firmum et stabile esse non poterit, donec ab Ecclesiâ fuerit approbatum. Quanto minus sit eis licitum, bona Clericorum capiendi et detinendi, nemo est qui ambiget sanæ mentis. Cum igitur Clericorum seu aliarum personarum quacunque bona a Ballivis Magnatum, seu aliis quibuscunque capi et detineri contigerit, ab injuria propria, quod absque latione Ecclesiasticæ libertatis posse fieri non videtur, ad eorum liberationem taliter procedi statimur et mandamus; ut per loci Archidiaconum vel Officialem ipsius, vel alium quem ipse assignaverit, moneantur ipsorum bonorum detentores primo, secundo, & tertio, sub testimonio trium vel quatuor Clericorum, vel saltem Laicorum, si Clericorum copia

capia non habeatur, per quos monitiones possint probari, si de ipsis in dubium alias *An. 15 E. 1.* revocetur, quod bona ipsa Clericis, à quibus sunt ablata, restituant indulate, & si reddiderint, Clericos ipsos sibi fore obnoxios, quod compareant in proximo loci Capitulo adversus eos, prosecuturi actionem. Quem quidem terminum ipsis Clericis assignari precipimus, ut querelantibus respondeant in forma juris. Si vero factis monitionibus Detentores bona ipsa restituere per biduum detrectaverint, extunc qui illud moluit, in scriptis excommunicet detinentes, cum suis complicitibus et fautoribus, qui si latam in ipsos sententiam ad hæc aliud biduum bona ipsa restituere præposuerint, locum in quo taliter bona detinentur, Ecclesiastico interdico supponat. Et si nec robur, nec satigatio huiusmodi adhuc sufficeat ad tantam obstinatorum malitiam compescendam, contra eorum complices et fautores per Inquisitiones legitimas et sequentes Excommunicationis sententias censuras Ecclesiasticas modis omnibus precipimus aggravari. Deinde hiis remediis attemptatis, (nisi ad deliberationem proficiant) sustineamus patienter ut Ecclesia non habeat quid ultra faciat, quod hiis cuius bona detenti sunt, jus suum coram seculari Iudice prosequatur. Hanc formam volumus observari, nisi Clericus Laicum feodum possideat, ratione cuius bona sua Laico feodo capi contigerit; Nam quantum ad ipsum feodum pertinet, Clerici secularibus obnoxii sunt legibus.

Ad hæc, quoniam ut ait beatus Gregorius, Culpam vehementer me committere assimo, scia, qua pro timore omnipotentis Dei sunt suggerenda, noluero. Et aliter, cum increpare delinquentes non vult, eos proculdubio tacendo Pastor occidit: Ut igitur valeamus cum Apostolo dicere & clamare, Mundæ sunt manus meæ à sanguine ovium nostrorum; Dilere et impunitam versutiam quorundam Laicorum, maxime Ballivorum Magnatum (quæ) nostra conscientia minime nos permittit. Ipsi etenim frequentis querela didicimus, in tantam furoris audaciam modernis temporibus inciderunt, in quo magis contumelias, damna, et opprobria personis Ecclesiasticis et rebus eorum intulerunt, eo magis congaudent, et id potissime gloriuntur; Hæc miseri infelices & in tenebris ambulantes. Nonne Deus pater noster est qui vos creavit? Ecclesieque mater, quæ vos regenerabit? Nonne in Canone Cantum reperitur, Qui abstulit patri aut matri, & dicit, quia hoc peccatum non est, homicidii particeps est? Ergo qui pecunias Ecclesie rapit, aufert, et defraudat, Homicida est. Nonne mirabili insania esse cognoscitur; Si filium patrem, discipulum Magistrum sibi subjungere conetur, et iniquis obligationibus illum sui pœna subicere, a quo credit non solum in terra, sed etiam in cœlis sese ligari posse et solvi? Quapropter in virtute sanctæ Trinitatis firmiter inhibemus, ne quisquam Laicorum Clericum cujuscunque conditionis vel ordinis capere vel incarcerare præsumat, aut aliter in eum injicere manus temere aut violenter, cum scriptum sit, Nolite tangere Christos meos, & in Prophetis meis nolite malignari; Quod de Prelatis Ecclesiarum et Clericis intelligimus esse dictum, (A grosse mistake, being spoken only of Abraham, Isaac, Jacob, their wives and families, neither of which were Prelates or Priests by order, but Laymen, as is evident by Psal. 105. 10. to 16. 2 Chron. 16. 10. to 23. Gen. 12. 10 to 20. Gen. 20. 3. to 18. c. 26. 28, 29. Gen. 34. 30. c. 35. 3, 5. compared together) nisi pro ipsius Clerici captione (velut excommunicati) scripsimus; sed pro crimine homicidii, aut consimili enormi delicto, capiendus fuerit, tanquam violator pacis Domini Regis Regni. Quod si quis Clericum aliter capere, detinere, et incarcerare præsumperit, aut in eum manus injicere violentas, ipsum, candelis accensis, pulsatis Campanis, in singulis Ecclesiis Archidiaconatus, in quo huiusmodi sacrilegus conderatur, excommunicatum a Canone tam diu publice nuntiari, donec hanc injuriam pacis satisfecerit competenter, precipimus, et cum nostrarum testimonio literarum ad Sedem Apostolicam venerit, absolvendus.

Item, quidam Laici proprios terminos excedentes, inter sacrum Sanctuarium et propædium minime distinguentes; solummodo quod sacrum est a manibus Pontificum consecratum, sanctuarium appellant, dum Ecclesiam et ipsius Cimiterium Sanctuarium tantum mendaciter asseverant; Quorum ne dum civilis verumetiam Canonica sanctio liquiddo contradicit, dum inquit, Nulli licet ignorare, omne quod à Domino consecratum, sive fuerit homo, sive animal, sive ager, vel quicquid fuerit, semel consecratur, sanctum sanctorum erit Domino, & ad jus pertinet Sacerdotum. Propter quod inexcusabilis erit omnis, qui a Domino et Ecclesia, cui competunt, aufert, vastat, inhabitat, et eripit, usque ad emendationem, Ecclesieque satisfactio-



*An. 15 F. 1.* nem, vel Sacrilegus iudicetur; et si emendare noluerit, excommunicetur. De-  
 pellenda est etenim illius usurpationis contumelia, ne prædia usibus cætarum di-  
 cata, a quibusdam irrudentibus vezentur. Quod si quis præsumperit, ut sacrilegus  
 iudicetur. *Hinc est quod omnes illos, qui nolum Clericorum personas, sed res eo-  
 rum mobiles, seu se mobentes intra Ecclesiam vel ipsius Cimiterium, aut in agro  
 ad Ecclesiam pertinente, vel alibi, absque rationabili causa, rapiunt, capiunt, et  
 abducunt, ipsa inbitis quorum bona sunt; nisi celeri restitutione sibi prospexerint;*  
 ut inimicos Dei et Ecclesiæ, ac sacrilegos excommunicamus, et a sanctæ matris  
 Ecclesiæ liminibus sequestramus; necnon ad bonorum liberationem ipsorum proce-  
 di præcipimus juxta formam superius traditam, quandocunque pro eo quod Clerici  
 aut Laicali causam spirituales, ut puta violenta manuum iniectione in Clericum  
 (nisi ad correctionem rebus præmissis) vel matrimonium contrahendo, Decimis, Ob-  
 lationibus, Portuariis, latione fidei vel juramenti, et cæteris hujusmodi, de jure  
 vel consuetudine ad forum Ecclesiasticum pertinent, in foro Ecclesiastico fuerint  
 persecuti, ipsos ad forum traserint seculare; necnon et Juxes secularis, qui eos ob  
 hoc gravare præsumperit, nisi post trinam admonitionem a gravamine desisterit  
 inferendo, et satisfecerit de illata injuria, consimili Excommunicationis sententia  
 innodamus; firmiter præcipientes, ut rei judicæ exceptionem Judices seculares  
 admittant. *Rei dico cujus cognitio ad Ecclesiasticum pertinet Judicem: et Ec-  
 clesiastici Judices similiter, cum de re judicata per Judicem secularem excipitur,  
 admittere non postponant.*

By these two last Constitutions, they endeavoured to protect and exempt the  
 bonds, contracts, persons, goods of all Clergymen, (unless only in Criminal and  
 capital causes) Churches, Churchyards from the Kings secular Courts, Judges,  
 Officers, and expose all Lay persons, Officers, Judges to their Ecclesiastical Ex-  
 communications and Interdicts, who should presume to sue, arrest, or question  
 them, as murderers, invaders of their Mother Churches priviledges, and sacrile-  
 gious persons.

I shall in the next passe to their Decree *De Testamentis*, cap. 30.

a *ibid.* p. 387,  
 389.  
 b *Here*, cap.  
 13. Cooks  
 2 *Inst.* f. 118.  
 b.

*Statuimus ut nullus cujuscunque status aut conditionis existat* (which includes the  
 King, as well as Lords, and Commons) *Clericum vel Laicum, liberum vel servum,*  
 (which extendsto *Villaines*, as well as Servants) *de bonis quæ possidet tempore mortis,*  
*libere testare impediat quoquo modo, sub pena excommunicationis, quam impedi-*  
*entes decrevimus incurrere ipso facto, cum quantum ad ea quæ tunc possidet, liber*  
*quilibet censetur, sicut de hujus regni consuetudine hactenus est observatum. Quando-*  
*cunque igitur sano vel ægro, libero vel servo, suum placebit condere Testamentum, sta-*  
*tuimus; ut pro Rectore, Vicario, vel Capellano Ecclesiæ parochialis confestim*  
*transmittat, ut in ipsorum præsentia & duorum vel plurium fide dignorum de omnibus*  
*bonis suis mobilibus portionem suam contingentibus, disponat pro animæ suæ salute*  
*sicut sibi placebit, et melius crediderit expedire, uxoris & filiorum, si quis habu-*  
*rit, portionibus per omnia salvæ, &c. In fine autem cujuslibet Testamenti, hæc clan-*  
*sulam adjici volumus generalem: Cætera omnia bona mea, sive in rebus, sive in*  
*manibus fuerint debitorum in hoc testamento non expressa, volo ut pro animæ*  
*meæ salute, per manus Creditorum meorum in pios usus distribuantur; & quod*  
*Creditoribus meis per manus eorundem similiter sit satisfactum. Si qui vero Laicum*  
*decesserint intestati; de bonis eorum, per locorum Ordinationes, taliter præcipimus*  
*ordinari, ut pro animæ defuncti in pios usus totaliter erogentur.*

By which new Constitution this Bishop and others Ordinaries then endeavoured  
 to usurp, 1. A new Jurisdiction to prescribe the form of all Testaments, and who  
 should be witnesses to them, and to assign all goods, Chattels not particularly be-  
 queathed in Testaments, to *pious uses*, viz. to erect Chantries, Monasteries, hire  
 Priests, Monks to chaunt Masses for their Souls, to rescue them out of their imagi-  
 nary purgatory fire, to enrich themselves thereby; 2ly. A Jurisdiction to dispose  
 of all goods of Laymen dying intestate, to such *pious uses* as they should appoint,  
 against Christs own præsidet, and the ancient Lawes and usage of this Realm  
 forfeited. 3ly. An authority to enable *Villains* to make Wills and Testaments,  
 when as by the *Lawes and Custome* of the Realm, *no Villain could dispose of his*  
*goods by will, without his Lords special license;* Nor any Prelate or Abbot of the  
 kingdome, demise or dispose of the Corn, stock, goods on the temporalities of his  
 Bishoprick or Monastery, without the Kings special license. More.

c *Here*, p. 14,  
 15, 91, 92.  
 138, to 141.  
 d *Feta*, l. 3. c.  
 57. Littleton  
 Sect 177, 192.  
 Cooks 2 *Inst.*  
 f. 118,  
 124.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Moreover, their Constitution concerning *Mortuaries*, (a new incroachment then much oppugned) is very considerable. \*Cap. 52. *De Mortuariis*. *Mortu-  
rarium prestationem ex eo intelleximus salubriter sumpsisse initium, quod Decimis ma-  
joribus & minoribus, ac ceteris juribus Parochialibus per ignorantiam non solutis, la-  
sis Ecclesiis prastarentur, ne talis oblivio procedens ex incuria non solventis, posset saltem,  
per hoc, apud districtum Judicem excusari. Et quanquam ista provisio esset aequaliter  
fructuosa omnibus Christianis; quidam tamen, vel causam huiusmodi prastationis  
ignozantes; vel (quod deterius est) de salute propria non curantes, ipsam mira-  
biliter subtraherint, suam miseriam in posteros transmittentes: quâ se nituntur  
modernis temporibus excusare, quod nec ipsi nec maiores eorum, hanc prastationem  
ullo tempore agnoverint. O excusatio misera & infelix, quâ dum sit in peccatis,  
suos ducit ad interitum excusantes. Unde sunt & alii, qui anima suâ salutis provide  
conscientes, velut deboti Ecclesiæ filii prastationem ipsam agnoscunt, sicut maiores  
eorum hactenus cognoverunt: Sicque contigit, quod in una parochia solbi secundum  
melius aberiam pro defunctis, et in alia, penitus denegari. Ut igitur à palca  
triticum separemus: statendo præcipimus, ut in parochia, in qua talis solutio fieri  
consuevit, nullus ab ea se valeat excusare; sed in eadem fiat prastatio unisformis,  
cum eadem non debeat cum universo iure censi. Parochianos aliarum Parochia-  
rum monemus & hortamur in Domino, ut spiritum assumentes consilii sanioris, tam  
salubrem prastationem agnoscant de cætero, et de ea satisfacere studeant sicut  
ceteri in futurum. Videntur namque rabie nephanda moveri, qui male detentis  
Deo et Ecclesiæ satisfacere tunc non curant, quando quod debetur sibi nequiant  
amplius retinere: sed ipsius subibunt iudicium, cui in hac parte iudicium intole-  
runt. In Parochiis vero in quibus secundum melius aberiam dari hactenus consue-  
vit, suboligandi, donandi, assignandi & in alios usus, decedentibus omnibus inter-  
dicimus facultatem. In Circitores, seu alios quoscunque detentores (nisi le-  
gitime moniti, satisfecerint Deo et Ecclesiæ de eodem) Excommunicationis  
sententiam præcipimus promulgari. Thus did these Prelates and Clergymen, by  
their own Canons and Constitutions, against the Laws and Custom of the Land,  
and Subjects Liberties, without consent of King or Parliament, upon frivolous;  
avaritious pretences, enforce the payment of *Mortuaries* by degrees upon all men,  
to the prejudice of the Lords of Mannors in their Heriots, and of the Executors,  
Wives, Children of deceased persons.*

I pretermitt their Cap. 5. *De Penitentia*. Cap. 9. *De Ecclesiis, Capellis, & Oratoriis  
construendis & reparandis*. Cap. 12. *De Ecclesiarum ornamentis & eorum custodia*.  
Cap. 13. *Ne in Ecclesiis vel Cimiteriis earum mercato vel placita secularia teneantur*.  
(which no more profaned them then their Ecclesiastical Courts, or Thieves and  
Murderers flying to, and residing in them as Sanctuaries, to protect themselves  
against publick Justice;) which they specially provide for Cap. 15. *De Immunitate  
Ecclesiarum personis, & rebus earum*. Cap. 27. *Ne Clerici de bonis Ecclesiasticis in solo  
edificent laicali*. Cap. 42. *De Visitationibus Archidiaconorum & Procuracionibus, &  
non visitando*. Cap. 53. *De Decimis*, wherein are several clauses intrenching upon  
the Kings Prerogative, or Subjects Liberties. They conclude their Constitutions  
Cap. 55. *De sententiis Excommunicationum*, with the general sentences and Anathe-  
maes of Excommunication, made by Stephen Archbishop of Canterbury in the Coun-  
cil of Oxford, and of Osibon the Popes Legate in the Council of London; decreeing,  
\* *Hæc Excommunicationum sententias, sic proinde vulgatas, necnon et nostras quas* \*Ibid. p. 394.  
*supra criminosos talimus et rebelles, prima Dominica in Adventu Domini, Dominica* 395.  
*in Septuagesima, & Dominica proxima ante festum beati Petri ad Vincula intra*  
*Missarum solennia, cum major aderit Cleri & Populi multitudo, candelis accensis,*  
*pulsatis campanis, in singulis Ecclesiis parochialibus nostræ Diocesis per locorum*  
*Presbyteros, et per Decanum Christianitatis Exoniæ in prædicto festo beati Petri*  
*Cathedralis Ecclesiæ Exoniæ præcipimus solemniter publicari; to terrifie and sub-*  
*ject the people to their illegal encroaching Constitutions and Censures.*

As this Bishop and Synod thus invaded the Kings Prerogative and Subjects  
Liberties, by these precedent Constitutions, so they thus advanced the Supre-  
macy and Authority of the Church and Popes of Rome, in point of consecrating  
Reliques, canonizing Saints, and granting Absolutions for some offences peculiarly  
reserved to Popes and Prelates.



An. 15 E. 1.

\* Ibid. p. 396.

\* *fapius errasse,*  
had been truer.

† Wh' ch cano-  
niz'd, adored  
false Saints,  
Reliques,  
taught forged  
Miracles, pra-  
ctised Idolatry,  
Synony, Bribe-  
ry, Fraud, Ra-  
pine, Covetous-  
ness, Rebellion,  
Treason, dis-  
pensations with  
sacred Oaths;  
and yet erred  
not in these.

\* Ibid. p. 401,  
402.

† Ad literam  
nihil hodie com-  
muniter faciunt  
Praelati nisi  
propter munera  
& retributiones  
data vel danda;  
Alvarius Pella-  
gius de Plinatu  
Ecclesiarum, l. 2.  
Artic. 5. f. 91.  
Pro pecuniis  
consecrant &  
ordinant; pro  
pecuniis omnia  
conferunt Sa-  
cramenta; Sa-  
cramenta e-  
munt, Sacra-  
menta vendunt:  
Nihil accipitur  
gratis, nihil da-  
tur gratis, Ibid.  
Artic. 9. f. 109.  
Vix credo, max-  
ime in Hispa-  
nia, quod de  
centum Episco-  
pis sit unus, qui  
non sit Simonia-  
cus in ordinibus  
& beneficiis  
conferendis, lb.  
Artic. 20. f. 122.

a Mat Westm.  
p. 375, 376.  
Platina, Onu-  
phrius, Stella,  
Crespin. Ba-  
laus, Laertius  
Cherubinus in  
Nicholaus 4.

\* Cap. 48. *De Reliquiis & veneratione Sanctorum.* Nonnunquam per malos, sicut per bonos, miracula facta, Sanctorum sacra commemorat Ecclesia; Idcirco ad Sacra-  
santam Romanam Ecclesiam, quæ per Dei omnipotentis gratiam, auctoritate  
Apostoli & traditionis, nunquam errasse probatur a tramite. In hoc igitur est re-  
currendum, et expectandum ipsius Decretum, ne quis hoc approbando, quod ipse re-  
probat, a Catholicis Hæreticus comprobetur. Idcirco in Concilio generali providi-  
mimus esse prohibitum, Ne quis Reliquias de novo inventas, publice venerari præ-  
sumat, nisi a Romano Pontifice prius fuerint approbatæ. Quam prohibitionem  
inviolatam ab omnibus præcipimus custodiri: Statuentes, ut nullus Sanctorum  
Reliquias venales exponat; sed nec lapides, fontes, arbores, ligna, vestes, aut  
res quasunque alias ut sanctas propter fœlta documenta aliquantulum veneretur,  
cum illud hæreticam sapere præbilitatem Apostolica declarat sententia; et  
nulli licere docetur aliud, vel sentire, quam Romanam Ecclesiam matrem om-  
nium Ecclesiarum sequi viderit et tenere. Si qui autem contra hoc venire præ-  
sumpserit, nisi moniti suum deponant errorem, tanquam hæreticos censemus graditer  
puniendo.

In their *Modus exigendi Confessiones*, (wherein they totally expunged the  
Second Commandment against the making and worshipping of Images, whereof  
they were then most notoriously guilty) they thus informed their Priests and  
Lay-people, what offences were then specially reserved to the Popes and Bishops ab-  
solutions, to whose persons, Courts they must resort for them, to their vast expence  
and vexation. \* *Quia tamen quadam sunt peccata propter quæ debet simplex Sacerdos,*  
*ad Papam vel Episcopum mittere penitentem; ea præsentis tractatus auctor duximus*  
*inferenda: ut auditis talibus mittat Sacerdos penitentem ad Episcopum vel ejus Pen-*  
*itentiarium, ut ipse, audito penitente, discernat, utrum ad Episcopum absolutio per-*  
*tineat, vel ad Papam debeat ipsum destinare. Sunt autem hi ad Papam mit-*  
*tendi ad absolutionem suscipiendam; scilicet, Percussores Clericorum vel Reli-*  
*giosorum, sive Clericorum, sive Laicorum, vel Religiosorum, dum tamen sint in*  
*Collegiis. Item, Incendiarii qui domos incendunt; Violatores Ecclesiarum, Sori-*  
*legii & Damonibus immolantes; & etiam aliud quam Deum adorantes. Item, com-*  
*municantes scienter et pruden-ter cum Excommunicatis a Papa, et etiam ab*  
*Episcopo. Item, falsarii Literarum Domini Papæ, et etiam procurantes falsi-*  
*tatem ab alio fieri, et scienter et pruden-ter falsis literis utentes: (of which there*  
*were then many.) Item, falsi testes. Item, supponens partum; id est, faciens ali-*  
*enum partum suum, ut alii exhaerentur. Item, partum suum necans, vel per injuriam*  
*suffocans. Item, tonsores monachos. Item, impediens legem Domini Papæ: (whose*  
*Antimonarchical Canon Laws must not be opposed, or contradicted.) Item, proditor;*  
*Domini sui, vel regni, vel alterius. Item, sectans hæreses, id est, hæreticos; scilicet,*  
*qui fovet hæreticos. Item, Symoniacus; scilicet, qui emit vel dat aliquod, ut*  
*habeat aliquid spirituale, vel qui vendit spirituale, vel etiam spirituali an-*  
*nerum; vel etiam qui procurat aliud dare, ut ipse vel alius habeat aliquod spi-*  
*rituale, sicut beneficium Ecclesiasticum, vel etiam Ordines. (And were not*  
*† Popes, Cardinals, Bishops, Priests most guilty of this sinne, in that, and in prece-*  
*ding and succeeding ages?) Item, raptos rerum sacrarum. Item, Scismaticus,*  
*id est, recedens ab Ecclesia Romana. Item, Invasores possessionum Ecclesiasti-*  
*carum. Item, adiutores Saracenorum in armis, vel aliis prohibitis. Item, Usurarius.*  
*Item, Jurex qui facit statuta contra libertatem Ecclesiarum, vel qui sobet talibus:*  
*(by granting Prohibitions to restrain their Usurpations.) Item, qui suspensus*  
*divina celebravit. Item, qui enormia contra naturam committunt circa luxuriam:*  
*(as Popes and Cardinals usually did.) Et si forte non possit peccator induci, quod*  
*hujusmodi Episcopo vel ejus Penitentiario (confiteatur) adeat Episcopum Sacerdos;*  
*& expositos crimine, recipiat ab Episcopo potestatem absolventi penitentem. Hii qui-*  
*dem, sicut dictum est, mittendi sunt ad Episcopum, ut ipse, quos absolvere poterit,*  
*absolvat; quos vero absolvere non poterit, ad Papam mittat Episcopus absol-*  
*vendos; to fill his and his Officers purses, the principal reason of the reservation*  
*of all Absolutions in these cases to himself.*

This year (1288.) 15 die mensis Februarii, (after the death of Pope Hono-  
rius the 4th.) Frater Hieronimus, de ordine Fratrum Minorum, sed Presbyter Car-  
dinalis, in Summum Pontificem consecratur, & Nicholaus quartus vocatur; whereon  
Mat.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward I.

*Mat. Westminster* thus descants; *Frater Hieronimus* *Opinoz*, est mundi modo *Primum*. *Per idem tempus* *Alfonfus Rex Aragoniz* missis ad *Curiam Romanam* nunciis, reconciliari petebat *Ecclesiaz*, de *hīs quæ per Patrem suum (King Peter)* facta fuerant se excusans.

The Archdeacon of *Richmond* sustaining some damage by this Pope *Honorius* his appropriation of the Church of *Kircham* to the Abby of *Valle Royal*, at the Kings instance, he thereupon by his Letters Patents authorized and commanded the Abbot and Convent by a certain day, to purchase the Patronage of a Church within the Archdeaconry, of one hundred Marks or more by the year, and to annex it to the Archdeaconry in perpetuity; which they covenanted to do, and that in the mean time the Archdeacon should enjoy an annual pension from the Abbot, as this Record attests.

**D**ominus Rex volens prospicere indemnitati Archid. *Richmond*. & Archidiaconorum ejusdem loci qui pro tempore fuerint, pro eo quod ex appropriatione *Ecclesiaz de Kircham* Archidiaconatus prædicti facta viris Religiosis Abbati & Conventui de *Valle Regali* ordinis *Cisterie*. *Lichfeld*. Diocesis, per Sanctissimum Papam Dominum *Honorium* quartum, ad instantiam Domini Regis memorati, præfatus Archidiaconus & sui successores, dampnum & injuriam incurrere poterunt in futurum, ordinabit et præcepit, quod Religiosus vir Abbas prædictus, pro se & Conventu suo citra festum Sancti *Michaelis* proximo sequens jus patronatus alicujus *Ecclesiaz valentis centum marcas et plus*, infra Archidiaconatum prædictum emeret, & Magistrum *Henricum de Newerk* ejusdem loci Archidiaconum, vel suum successorem, si de eo interim humanitus contingerit, nomine suo et sui Archidiaconatus, et successorum suorum in eodem Archidiaconatu seoffaret, prædicto Archidiaconatui perpetuis temporibus annexenda; unde apud *Burdegalam* octavo die *Januarii* anno regni Regis *Edwardi* 15. *Johannes* Abbas de *Valle Regali* in præsentia venerabilis patris Domini R. Dei gratia *Bathoniensis & Willensis* Episcopi, Domini Regis Cancellarii, personaliter constitutus, gratis, & de licentia Domini Regis recognovit pro se & suo Conventu, quod citra prædictum festum Sancti *Michaelis*, de jure patronatus unius *Ecclesiaz* infra Archidiaconatum prædictum, valentis centum marcas et plus, prædictum Archidiaconum & successores suos infeodabit, sibi & præfato Archidiaconatui perpetuis temporibus annexenda. Quod si non fecerit, vult & recognovit, quod in prænotato festo Sancti *Michaelis*, memorato Archidiacono solvet apud *Eborum* viginti marcas nomine annuæ pensionis eidem Archidiacono & successoribus suis singulis annis in eisdem terminis & loco perpetuis temporibus exsolvendas, quousque de jure patronatus alicujus *Ecclesiaz* valentis centum marcas et plus, infra Archidiaconatum prædictum ipsum Archidiaconum & suos successores seoffaverit, prout superius est expressum. Concessit etiam pro se & suo Conventu, quod ad prædictam annuam pensionem singulis annis prædicto Archidiacono et suis successoribus, prout dictum est, suis terminis & loco fideliter exsolvendam, per omnia bona illius Monasterii possit distringi, &c.

*Henry de Branceston* being elected and confirmed Bishop of *Sarum* by the Kings and Archbishops assent, had a Writ to restore his Temporalities in usual form this year.

**R**EX dilecto suo *Malculmo de Harle*, custodi Episcopatus *Sarum*, sede vacante, salutem. Cum, &c. Et ideo vobis mandamus, quod eidem Electo Temporalia Episcopatus prædicti cum pertin. sine dilatione liberetis, sicut prædictum est. In cujus, &c. Teste *Edmundo Comite Cornubie* consanguineo Regis apud *Westm.* 13 die *Marci*.

The King having conquered *Wales*, in the 15. year of his reign granted and confirmed to the Bishop of *Bangor* and his successors, all the rights, liberties, possessions and customs they had formerly used and enjoyed; who claiming the third part of the Tithes of all the Kings Demesnes, Mills, and Mines of Lead in *Englesend*, the King issued this Writ for his enjoyment of those Tithes at present, so as he should be responsible to the King for them, if they were not justly due.

REX

An. 15 E. 1.  
b Tho. Walsingham Hist. Angl. p. 14.  
Ypodigma Nustr. p. 72.

Chart. Pat. & Claus. An. 15 E. 1. m. 2. dorf. Pro Archidiacono Richmond.

P. 15 E. 1. m. 12. De Temporalibus restitutis.



An. 15 E. 1.

Rot. Wallie

An. 14 E. 1.

ulque 22. m. 9.

**R**EX dilecto & fideli suo *Regin. de Grey*, Justic. suo *Cestr.* salutem. Cum dudum concesserimus, quantum in nobis est, venerabili patri *A. Bangorensi* Episcopo, & successoribus, quod ipsi utantur et gaudeant pacifice et quiete eisdem iuribus, libertatibus, possessionibus et consuetudinibus diu optentis, quibus idem Episcopus et predecessores sui Episcopi dicti loci nati et gabi fuerunt temporibus retroactis; ac idem Episcopus clamat habere debere tertiam partem Decimarum Dominicorum nostrorum, et Polendinorum nostrorum in Englesend, et tertiam partem Decimarum *Spiner* nostrarum de plumbo ibidem; asserens se & predecessores suos predictos inde in plena & pacifica possessione retroactis temporibus exiisse, prout per quandam inquisitionem coram vobis inde captam evidenter apparet. Vobis mandamus, quod prefatum Episcopum tertiam partem Decimarum predictarum percipere et habere permittatis, iuxta concessionem nostram predictam, et tenorem inquisitionis predictae; & prout idem Episcopus & predecessores sui predicti eam retroactis temporibus percipere & habere consueverunt, donec aliud inde praeceperimus. Ita tamen, quod idem Episcopus nobis inde respondeat, si nos de iure debeat pertinere. Teste *Edmundo* Comite *Cornubie* consanguineo Regis apud *Westm.* 16 die Decembris.

What *Concedesiers*, and Royal assents to Elections to Ecclesiastical dignities and places relating to *Ireland*, the King this year granted, these Records instruct us.

Pat. 15 E. 1.  
m. 9. De licentia eligendi.

**P**Rior & Conventus de Insula ordinis Sancti *Augustini Lismorensis* Diocesis in *Hibernia*, nunciantes Regi per fratrem *Gilbertum de Insula* Concanonicum suum cessionem fratris *Petri de Insula* nuper Abbatis sui, habent literas Regis de licentia eligendi. Teste *Edmundo* Comite, &c. apud *Westm.* 6 die Junii.

Pat. 15 E. 1.  
m. 6. Pro Priorissa & Monialibus Abbacie de Pe lo Portu beate Marie.

\* Enrolled by it self in the same membrane.

**R**EX Justiciario suo *Hibern.* salutem. Cum dilectis nobis in Christo Priorissa & Moniales Abbacie de *Bello Portu* beate *Maria* prope *Waterford* *Ossorinis* Diocesis, nobis per literas suas patentes significaverint, quod Ecclesia sua predicta per mortem *Desiderata le Pober*, nuper Abbatisse ejusdem loci, pastoris est solatio destituta, supplicantes nobis prout moris est, quod licentiam sibi eligendi in Abbatisam eisdem concedere dignaremur; ac nos precibus earundem Priorissae & Monialium in hac parte favorabiliter inclinati, licentiam illam eis duxerimus concedendam: Mandantes, &c. Nos earundem Priorissae & Monialium laboribus & expensis in hac parte parere volentes ista vice, concessimus eis de gratia nostra specialis, & vobis dedimus potestatem, quod facta electione de futura Abbatisa, sicut predictum est, eidem Abbatisse assensum Regium vice nostra praebeatis, significantes, &c. (as in others forecited.) Receptis prius ab ipsa Electa literis suis patentibus sigillo suo, necnon et sigillo Capituli sui consignatis, quod hanc gratiam nostram quam eidem Electae ad praesens ex mera liberalitate nostra concessimus, nobis vel heredibus nostris non cedat in praesudicium vel exheredationem, seu trahatur in consequentiam temporibus futuris. In cujus, &c. Teste *Edmundo*, &c. apud *Westm.* 26 die Junii.

Pat. 15 E. 1.  
m. 11. Pro Priore & Conventu de Kenles.

**R**EX Justiciario suo *Hibernia*, salutem. Cum dilecti nobis in Christo Prior & Conventus Monasterii Sanctae *Maria* de *Kenles* in *Midia*, de licentia nostra prout moris est, dilectum nobis in Christo fratrem *Angelicum* Concanonicum suum in Abbatem suum elegerint, cui Regium assensum prius adhibuimus et favorem: Nos eorundem Prioris & Conventus laboribus & expensis in hac parte parere volentes ista vice, volumus & vobis damus potestatem, &c. (as in the former.) Receptis tamen prius ab ipso Electo literis suis patentibus sigillo suo, necnon et sigillo Capituli sui consignatis, quod hanc gratiam nostram quam eidem Electo ad praesens ex mera liberalitate nostra concessimus, nobis vel heredibus nostris non cedat in praesudicium vel exheredationem, seu trahatur in consequentiam temporibus futuris. In cujus, &c. Teste *Edmundo* Comite *Cornubie* consanguineo Regis apud *Westm.* 6 die Maii.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

King Edward the 1, in the 16 year of his reign going into *Aragon*, in *Bierna Oloracensi Civitate Reges Angliæ & Aragoniæ conveniunt super liberatione Caroli Principis Salternæ cognati Regis Angliæ, tractatum diligentem habentes, qui conditionaliter fuit liberatus sub hac forma; viz. quod data Regi Arragoniæ certa summa pecunie, ipse Carolus a Domino Papa pacem Arragonensibus impetraret, quam si infra terminum limitatum impetrare non posset, rediret ad carcerem. Quibus conditionibus juramento firmatis, Carolus tradere debebat tres filios & alios milites nobiles quadraginta, pro quibus quousque venirent, Rex Angliæ liberationem Caroli accelerans, nobiles viros qui secum erant obsides tradidit, & pecuniam usque ad triginta millia librarum persolvit; pro cuius detentione Rex Arragonum vinculis ligabatur & communicationis. Sed in hac convocatione Regum duorum, per Legatum ad hoc specialiter destinatum absolutionis gratiam meruit obtinere. Prince Charles being thus released by our King Edwards procurement, most perfidiously by the (Popes encouragement) in vigilia S. Johannis Baptistæ decem millia Francorum militum aliorumque virorum fortium, quibus præsuit Comes Atrabicensis, cum navibus & galeis Siciliam ingredi nitebatur, sed dicti Regis Arragonum satellites in piratis pro magna parte dictam multitudinem submerserunt, quosdam vero vivos ceperunt, & eos in carceribus recluserunt: After which Charles himself, instead of performing his Oath and Covenant, a juramento suo execranda et detestabili auctoritate Nicolai quarti Papæ postea absolutus, regnum Siciliæ contra fidem et religionem invasit atque tenuit. Which Walsingham thus relates; Carolus Princeps Achaix, (An. 1291.) Romam veniens, per Papam Nicholaum a juramento Regi Arragoniæ præstito absolbitur, et in Regum Siciliæ coronatur. Such countenancers, fomenters of grossest perjuries, and breaches of Solemn Leagues, Covenants, were these Antichristian holy Fathers of Rome in that age, worthy to be had in perpetual execration.*

King Edward after this release of his Cozen Charles returning from *Aragon* into *Gascoigne* apud *Blankleforth* in *Valconia* juxta *Burdegalem*, post convalescentiam de gravi infirmitate, Cruce-signatur, cum copiosa hominum multitudine, et Christianorum exercitus Capitaneus est effectus per Legatum Romanæ Curie ad hoc missum; Porque Judæos omnes tanquam Crucis hostes expulit de *Walsconia*, et aliis terris suis uniberis quas in Regno Franciæ possidebat; and soon after banished them out of *England*; but was hindered from his voyage to the Holy Land by his wars with the *French*, *Welsh*, and *Scots*.

What arrears of annual Pensions the King issued to the Popes Cardinals and Notaries this year, to promote his affairs, these Records relate,

**R**EX Thesaur. & Camerariis suis. Liberate de Thesauo nostro venerabili patri Domino *Matthao Sanctæ Mariæ in Porticu Cardinali* Centum et quinquaginta marcas, videlicet sexaginta marcas de terminis *Pasche* & Sancti *Michaelis* anno Regni nostri quartodecimo, & triginta marcas de terminis *Pasche* & Sancti *Michaelis* anno Regni nostri quintodecimo, & triginta marcas de terminis *Pasche* anno Regni nostri sextodecimo, de annuo feodo suo sexaginta marcarum quod ei concessimus percipiendum ad *Scaccarium nostrum*. Teste Comite ut supra. Per breve de Privato Sigillo.

Liberate 16 E. 1. m. 2. Pro D. Marthæo S. Mariæ in Porticu Cardinali.

**R**EX Thesaurario & Camerariis suis salutem. Liberate de Thesauo nostro dilecto Clerico nostro Magistro *Berardo de Neapoli Domini Papæ Notario* sexies viginti marcas, videlicet quadraginta marcas de terminis Sancti *Michaelis* anno Regni nostri quartodecimo; & quater viginti marcas de terminis *Pasche* & Sancti *Michaelis* anno Regni nostri quintodecimo, quæ et arretro sunt de annuo feodo suo quater viginti marcarum, quod de nobis percipit ad *Scaccarium nostrum*. Teste *Edmundo, &c.* apud *Westm.* 25 die *Octobris*.

Ibidem. m. 2. Pro Magistro Berardo de Neapoli Domini Papæ Notario.

What Account the King had of the Subsidie granted him by the Clergie in the Province of *Canterbury*, and within *Lincolne* Diocese, this Record will inform us.

**R**EX omnibus ad quos, &c. salutem. Inspeimus literas patentes dilecti nobis in Christo Magistri *Radulphi de Ivingho* Cancellarij Ecclesiæ Sancti *Pauli London.*

Pat. 16 E. 1. m. prima. Pro Episcopo Lincolniensi de Vicefima.

An. 16 E. 1.

a Tho. Walsingham Hist.

Angl. Anno

1289. p. 15.

Ypodigma

Nestle p. 72.

Mat Westm.

P 370. 375.

b Mat. West.

p. 375. Polyd.

Virgil Hist.

Angl 17. p.

326 Walsing-

ham Hist. p.

15 Mauth.

Parker Antiq.

Ecclef. Brit. p.

106.

c Mat. Westm

p. 374. 375.

376. Walsing-

ham Hist.

p. 15. Henr.

de Knyghton,

de Eventibus

Angl. 13. c. 1,

2. col. 2466,

2468.



*An. 16 E. 1.* *don.* ad audiendum & recipiendum compotum Collectorum Vicefime nobis à Clero totius provincie *Cantuariensis* concessa assignati in hæc verba. Omnibus Christi fidelibus ad quos præsentis literæ pervenerint *Radulphus de Ivingho* Cancellarius Ecclesie Sancti Pauli London. ad audiendum & recipiendum compotum Collectorum Vicefime Domino Edwardo Regi Angliæ illustri à Clero totius provincie Cantuariensis per biennium concessa deputatus, salutem in Domino. Sciatis quod venerabilis pater Dominus *Oliverus Lincolnensis* Episcopus qui in se assumpserat onus collectionis Vicefime biennalis prædicto Domino Regi in Episcopatu *Lincolniensi* à Clero concessa, die Martis in crastino Sanctæ *Luca* Evangelistæ anno regni Regis prædicti sextodecimo, per Dominum *Willielmum de Stiketon* Clericum suum ad hoc per ipsum Episcopum assignatum nobis reddi fecit plenariè compotum finalem de tota prædicta Vicefima biennali Episcopatus prædicti, per quem quidem compotum comperimus expressè summam totius Vicefime prædictæ se extendere ad mille quadringentas quaterbiginti decem et novem libras, novem denarios et quadrantem, & non ultra; excepta Vicefima contingente præbendas Ecclesie *Lincolniensis*, et Ecclesias ab antiquo ad communiam Canonicoz eisdem Ecclesiæ spectantes, de quibus præbendis et Ecclesiis quo ad lebacionem et collectionem Vicefime earundem dictum Dominum Episcopum exonerabimus, pro eo quod Capitulum *Lincolniens.* de vicefima ipsum contingente nobis per se respondebit ad plenum. De summa quidem præscripta constat nobis manifestè prædictum Dom. Episcopum solvisse Domino nostro Regi prædicto ante tempus computationis superscriptæ mille quadringentas tres libras, decem novem et solidos octo denarios et obolum, per unam literam acquietancie sub sigillo Domini Regis, & sex paria literarum acquietancie sub sigillo Magistri *Thoma de Brodesfete* Rectoris Ecclesie de *Tollesbir.* London. Diocesis ad recipiendum Vicefima totius provincie *Cantuariensis* specialiter à Domino nostro Rege prædicto deputati, quas literas omnes & singulas tam Domini Regis quam Magistri *Thoma* prædicti ex traditione & liberatione prædicti Domini *Willielmi* penes nos recepimus & habemus. Allocavimus etiam præfato Domino Episcopo, tam pro Ecclesiis exemptorum quam ex aliis rationibus diversis coram nobis in prædicto compoto per *Willielmum* prædictum propositis, sicut apparet per particulas in serie compoti superscripti, quaterviginti & octo libras sexdecim solidos quatuor denarios obolum & quadrantem. Post præscriptas verò soluciones & allocantias ac compotum finalem Vicefime auditum recepimus à præfato Domino Episcopo per manus antedicti *Willielmi* nomina quorundam Rectorum qui Vicefima Ecclesiarum suarum nondum ad plenum solverant, nobis liberata pro sex libris quatuor solidis & octo denariis, de quibus sex libris quatuor solidis & octo denariis levandis & prædicto Domino Regi solvendis nosmetipsos oneravimus, sæpeditum Episcopum exinde penitus exonerando. Et sic eundem Dominum Episcopum à tota collectione prædictæ Vicefime suæ Diocesis & omnibus suis circumstantiis totaliter quietamus, & erga prædictum Dominum Regem & omnes alios tenore præsentium quietabimus in æternum. In cuius rei testimonium hanc nostram literam fieri fecimus patentem sigillo nostro majori consignatam. Dat. *London.* die Martis in crastino Sancti *Luca* Evangelistæ, Anno Domini 1288. & Anno Domini Regis prædicti superscripto. Nos igitur præmissa acceptantes eundem Episcopum inde quantum in nobis est tenore præsentium quietamus. In cuius, &c. Teste *Edmundo* Comite *Cornubie* Consanguineo Regis apud *Westm.* 8. die *Novembris.*

Ibidem. Pro eodem Quintadecima.

**R**EX omnibus ad quos, &c. salutem. Inspecimus literas patentes dilecti nobis Magistri *Radulphi de Ivingho* Cancellarii Ecclesie Sancti Pauli London. ad audiendum & recipiendum compotum Collectorum Quintadecime nobis à Clero totius provincie *Cantuariensis* concessa assignati in hæc verba. Omnibus Christi fidelibus ad quos præsentis literæ pervenerint, *Radulphus de Ivingho* Cancellarius Ecclesie Sancti Pauli, &c. ad audiendum & recipiendum compotum Collectorum Quintadecime Domino Edwardo Regi Angliæ illustri à Clero totius provincie *Cantuariensis* per triennium concessa deputatus, salutem in Domino. Sciatis quod venerabilis pater Dominus *O. Lincolnensis* Episcopus onus collectionis Quintadecime triennalis prædicto Domino Regi in Episcopatu *Lincolniensi* à Clero concessa, die Veneris proxima post festum Sancti *Dionysii* Martyris, anno regni Regis

sexto.

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textodecimo, per Dominum *Willielmum de Sticketon* Clericum summa ad hoc per ipsum Episcopum assignatum, nobis reddi fecit plenarie compotum finalem de tota prædicta Quintadecima triennali Episcopatus prædicti. Per quem compotum compertimus expresse summam totius prædictæ Quintadecimæ se extendere ad duo millia nongentas, quaterviginti decem et octo libras, decem et octo denarios et obolum et non ultra, excepta Quintadecima contingente præbendas Ecclesiæ *Lincolniensis* et Ecclesiæ ab antiquo ad communam Canonicoꝝ ejusdem Ecclesiæ spectantes. De quibus Præbendis & Ecclesiis quoad levacionem & collectionem Quintadecimæ eandem, dictum Dominum Episcopum exoneravimus, pro eo quod Capitulum *Lincolniense* de Quintadecima ipsum contingente nobis per se respondebit ad plenum. De summa quidem præscripta constat nobis manifestè prædictum Dominum Episcopum solvisse Domino nostro Regi prædicto ante tempus computationis supradictæ duo millia octingentas undecim libras duos solidos et novem denarios per septem paria literarum acquietancie sub sigillo Domini Regis, & tria paria literarum acquietancie sub sigillo nostro quo specialiter pro arreragiis Quintadecimæ utimur & utebamur, quas literas omnes & singulas tam Domini Regis quam nostras ex traditione & liberatione prædicti Domini *Willielmi* penes nos recepimus & habemus. Allocavimus etiam præfato Domino Episcopo tam pro Ecclesiis emptorum quam ex aliis rationibus diversis coram nobis in prædicto compoto per *Willielmum* prædictum propositis, sicut per particulas in serie compoti supradicti Centum sexaginta decem libras & octo denarios & obolum. Post præscriptas verò solutiones & allocancias ac compotum finalem Quintadecimæ auditum, recepimus à præfato Domino Episcopo per manus antedicti *Willielmi* in pecunia numerata, octo libras, quatuordecim solidos, & quatuor denarios obolum & quadrantem. Recepimus etiam per manus ejusdem *Willielmi* in quibusdam nominibus quorundam Rectorum qui Quintam Decimam Ecclesiarum suarum nondum ad plenum solvebant, nobis liberavit octo libras, duos solidos, decem denarios & quadrantem. De quibus octo libris, duobus solidis, decem denariis & quadrante levandis, & prædicto Domino Regi solvendis nosmetipsos oneravimus, sæpeditum Episcopum exinde penitus exonerandi, & sic eundem Dominum Episcopum de tota collectione prædictæ Quintadecimæ suæ Diocesis in omnibus suis circumstantiis totaliter quietamus, & erga prædictum Dominum Regem & omnes alios tenore præsentium quietabimus in æternum. In cujus rei testimonium hanc nostram literam fieri fecimus patentem sigillo nostro majore consignatam. Dat. *Londini* die Martis in Crastino Sancti *Luca* Evangelistæ, Anno Domini 1288. & Domini Regis prædicti anno supradicto. Nos igitur præmissa acceptantes, eundem Episcopum inde quantum in nobis est tenore præsentium quietamus. In cujus, &c. Teste, &c. ut supra. A good president both for Accounts and acquittances in such cases.

This year *Gilbert. de Sancto Leofardo* (commended by \* *Mat. Westminster* and *Godwin* in his Catalogue of Bishops) was elected, and confirmed Bishop of *Chichester* by the Kings royal assent, as this Writ for restoring his Temporalities assures us.

\* Anno 1305, p. 456. Godwins Catal. p. 387.

**R**EX dilecto Clerico suo *Malculmo de Harle* Custodi Episcopatus *Cicestrensis* sede vacante salutem. Cum venerabilis pater *J. Cantuariensis* Archiepiscopus totius *Angliæ* Primas electionem nuper celebratam in Cathedrali Ecclesiæ *Cicestria* de discreto viro Magistro *Gilberto de Sancto Leofardo* Theaurario ejusdem Ecclesiæ in Episcopum loci, cui prius Regium assensum adhibuimus et favorem, confirmaverit, sicut per literas patentes ipsius Archiepiscopi nobis inde directas accepimus; Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, & temporalia Episcopatus prædicti, prout moris est, restituimus eidem. Et ideo vobis mandamus, quod eidem Electo temporalia Episcopatus prædicti cum pertinentiis suis dilacione liberetis, sicut prædictum est. In cujus, &c. Teste *Edmundo* apud *Westm.* 24 die Junii.

Pat. 16 E. 1. m. 10. De Temporalibus restitutis.

Et mandatum est Militibus, &c. In cujus, &c. Teste ut supra.

The King granted this Protection to the Abbot and Covent of *Ryevall*, upon these grounds therein expressed.

Ccc

REX



An. 16 E. 1.

Pat. 16 E. 1.  
m. 14. Pro  
Abbate &  
Conventu de  
Ryevall, de  
custodia do-  
mus sue.

**R**EX omnibus ad quos, &c. salutem. Cum dilecti nobis in Christo Abbas & Conventus de Ryevall. per morinam obium et equorum suorum, et aliis incommodis multimodis, quibus ut pro certo intelleximus super modum preagravabantur, adeo depauperentur et deprimantur, quod terræ suæ pro magna parte sarent incultæ, et blada sua in eisdem vehementer defecerunt, et insuper eidem Abbas et Conventus Mercatoribus et aliis Creditoribus suis diversis in multimodis debitis teneretur, ad quorum solutionem & Domus suæ relevacionem, facultates ejusdem Domus per magnum temporis spacium sufficere non possent, absque dispersione Canonicoz Domus illius, vel feodaliuz suozum dilapidacione seu forte Domus ejusdem subberfione totali, quod nollemus: Nos imbecillitati status ipsorum compatiens, &c. (as in former protections of this kind.) Teste Comite &c. apud Westm. 28. die Aprilis.

a Chronica  
W. Thorne,  
cap. 29. col.  
1951, 1952,  
1973.

Anno Dom. 1289. there hapned this Controversie between Archbishop Peckham and the Abbots and Monks of St. Augustines Canterbury, upon this occasion: *¶ Cum Dominus Edwardus de partibus Vasconie in Angliam venisset, & apud Sanctum Augustinum hospitatus, cum Regina, filiis suis, & multis aliis in vigilia Assumptionis, qua tunc Dominica erat, Johannem Peckham Cantuariensem Archiepiscopum fecit invitari, ut in festo die Assumptionis secum in loco illo comederet. Quo festo plures & majores Regni qui ad Regem convenerunt, interfuerunt. Quo audito, Abbas et Conventus metuentes sibi et suæ exemptioni preiudicium generari, si Archiepiscopus veniret cum Cruce erecta, instabant multum apud Dominum Regem et suum Consilium, ne permitteret Archiepiscopum sic venire cum Cruce in libertatum suarum lationem sui que Monasterii preiudicium et grabamen: set Rege adhuc volente ut Archiepiscopus veniret, & Archiepiscopo volente, nisi Cruce preavia et erecta, precepit Rex Cancellario, quod faceret Abbati & Conventui habere literas Archiepiscopi meliores quas sciret, & etiam literas Regis, quod huiusmodi ingressus Archiepiscopi, seu Crucis delatio, eis non posset vel suis libertatibus in aliquo preiudicare. Unde dicti Abbas & Conventus non valentes resistere, nec audentes contradicere Regis voluntati, ne ejusdem offensam seu grabatissimam lationem incurrerent, ob maiorem timorem huius periculi annuerunt in hoc fieri beneplacitum Regis, ut intraret cum Cruce Archiepiscopus; habitus tamen prius protestationum literis ab eodem de talio statu suo; set habita maxima altercatione super forma huiusmodi inter partem Archiepiscopi & Abbatis. Petierunt interea Clerici Domini Archiepiscopi vice sua, ut sibi exhiberentur privilegia inspicienda, quibus se pars Abbatia defendebat, quod Archiepiscopus non intraret. Quod etiam Dominus Eliensis Episcopus & regni Cancellarius cum instantia requirebat. Ad quod pars Abbatis multis rationibus respondebat, se non teneri de jure nec velle facere, maxime Clericis Archiepiscopi illa vice. Ipsi tamen Episcopo quedam privilegia ut amico, et ob reverentiam Domini Regis in suo Capitulo monstraverunt. Et sic partibus ab invicem recedentibus, advenit Dominus Bathoniensis Episcopus & Regis Cancellarius, viditque privilegia prius exhibita Episcopo Eliensi. Quibus visis & auditis, satis eisdem Episcopo constabat evidenter, quare Archiepiscopus ingredi non debebat. Et cum neutra pars vellet in unam formam literarum aliquatenus consentire, dictus Dominus Bathoniensis missus ad hoc specialiter per Regem ut in formam aliquam concordarent, quedam pauca verba de Clericorum Regis consilio apposita fierent illi forma literarum quam praeordinaverat pars Abbatis: Et illis literis pars Abbatis causa majoris visitandi periculi pro beneplacito regis stare consensit: quæ talis est.*

Universis Christi fidelibus ad quos presentes literæ pervenerint, frater Johannes permissione divina Cantuariensis Ecclesie Minister humilis, totius Anglia Primas, salutem & pacem in Domino sempiternam. Noverit universitas vestra, quod cum nos specialiter invitati à Christianissimo Domino nostro Domino Edwardo Rege Anglia illustri, ut cum eo essemus in prandio die festi Assumptionis gloriosæ Virginis Maria Anno Domini 1289. ad ipsius instantiam et rogatum Abbatem Monasterii Sancti Augustini Cantuar. ad Romanam Ecclesiam nullo medio pertinentis, in quo Dominus Rex prædictus cum suis Primoribus tunc solempniter festivabat Cruce preavia intramus. Confitemur et recognoscimus de plano, quod per hoc non intendimus nec volumus Abbati et Conventui loci ejusdem aliquod preiudicium generare,

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generare, nec per hoc eorum privilegii aut iuribus nunc vel in posterum in aliquo derogare, nec nobis adquirere possessionis aliquid jurisdictionis aut iuris. In cujus rei testimonium sigillum nostrum presentibus est appensum, die, festo, & anno predicto.

Set eas sigillare pars Archiepiscopi recusabit omnino. Venerunt iterum ad Abbatem ex parte Archiepiscopi Archidiaconus Cantuariensis, Magister Lucas Cancellarius Archiepiscopi, & Magister Reginaldus de Brandon, simul cum Magistro Willielmo de Haleberghe, & Domino Johanne de Lewes, & dixerunt Archiepiscopi nomine huiusmodi nuncium Abbati. Salutat vos Dominus noster Archiepiscopus; & quia ut scitis Dominus Rex invitavit eum, ut comedat secum hodie in hac domo, rogat vos quatinus permittatis, ut possit venire cum decencia status sui et sine prejudicio statui vestri, quia non curat prejudicare in aliquo aut contravenire libertatibus vestris, & hoc si placet velitis sic concedere, aut versus Dominum Regem tantum facere et poturare, quatinus Rex nostrum Dominum habeat excusatum quod huc non veniat, set ut bene de Regis licentia possit in domo propria remanere. Deliberante vero Abbate super hiis cum suo consilio & respondente, quod voluit, licet invitatus, ut oportuit in forma preacta sicut antedixerat preceptis Regis obedire. Et statim missi ab Archiepiscopo recesserunt. Cumque hac postmodum essent relata Domino Regi per Cancellarium suum predictum, deliberato consilio mandavit Rex per ipsum Cancellarium Archiepiscopo, ne veniret, set ad cultum Regis ipso die extra in proprio hospitio remaneret. Ex quo Archiepiscopus multum offensus, aliquaque verba comminatio contra partem Abbatis ut dicebatur proferens, remansit sic extra in hospitio proprio, et perrexit in crastino extra villam. Et post pauca temporis intervallo Archidiaconus & Commissarius Cantuarienses auctoritate cujusdam mandati dicti Archiepiscopi eis & Magistro Aselino directi, Abbatem apud Scure existentem monuerunt, ut privilegia exhiberet proxima die iudicia in Ecclesia Sancti Gregorii Cant. juxta formam dicti mandati, illis diem & locum ad hoc eis dicti nunciis assignantes; Cujus mandati tenor, is registratus at large in <sup>b</sup> William Thorne his Chronica: the substance whereof was; Privilegia sedis Apostolica seu jura alia & munimenta si qua habent inspicienda exhibeant & ostendant, per qua Ecclesias quas in propriis usus maxime de novo in Civitate & Diocesi Cantuariæ habere dicuntur, tanquam appropriatas sibi valeant retinere, pensionesque percipere de diversis Ecclesiis, & decimarum portiones vel precium earundem infra limites diversarum parochiarum nostre diocesis qua propriis suis reguntur Rectoribus, &c. Item, quod absurdus est, gravior & multo detestabilis, ingressum nostrum personalem erecta Cruce præbia infra septa sui Monasterii corpora sanctorum Archiepiscoporum Cantuariensium predecessorum in eodem Monasterio quiescentium, visitandi causa seu peregrinandi ibidem prout ad alios communiter moris est, verbumque Dei inibi Clero & populo proponendo, quamquam sine prejudicio ipsius Monasterii Monachorumque ac privilegiorum eorumdem si qua habeant hoc facere voluerimus, & protestati saepe fuerimus, &c. Abbas vero Archiepiscopum suum non esse Iudicem proponens, nec se teneri suo obtemperare mandato, statim ex huiusmodi grabaminibus bisba voce sedem Apostolicum appellabit: dictique Archidiaconus & Commissarius consulerunt Abbatem ut ipse sano consilio iterum sub via pacifica plenius responderet. Abbas hoc annuit; sending first a Letter, and then resorting personally to the Archbishop at Lambeth; where Salvagius the Abbots Clerk spake thus to the Archbishop; Domine pater reverende, Dominus Abbas qui hic est, non venit huc coram vobis ut ad iudicem, figuraque iudicii, set ut homo pacis, & tranquillitatem & pacem vestra conscientia multum affectans, ostendere vobis coram Clericis vestris qua per ipsum fuerunt ostendenda. After which, Dominus Abbas ex quorundam peritorum consilio rationes Archiepiscopi articulis correspondentes in scripturam provida deliberatione redigere mandavit; the two last whereof I shall only recite. De invitatione (Archiepiscopi) ad missas celebrandas, quia in diebus solemnibus uti habet pallio & aliis insigniis Archiepiscopaliis, quibus non nisi in Ecclesiis sibi commissis et subiectis uti debet: unde in Ecclesia Sancti Augustini missas celebrare non debet cum a sua jurisdictione constaret exemptam. De absolutione Monachorum, &c. quia non habet potestatem in eos, nec eos potest absolbere, nec ligare ad predicandum populo, &c. quia plus hoc conbentit facere in propria Ecclesia, quam non sua. Ad ultimum, super Crucis delatione (the grand Controversie) hoc bidetur esse jurisdictionis et subjectionis indicium; unde nos exemp-

b Col. 1951;  
1952.

Ibid Col.

1956.



*An. 16 E. 1.* ti in lectum nostrum sibi non subiectum cum huiusmodi insigniis ipsum sane admittere falso statu nostro non possumus, licet protestationem fecerit; quam quidem protestationem quasi contrario facto suo sublatam, tamen propter exemplum populi nostris immunitatibus sufficere nullatenus reputamus. *Istis responsionibus coram Archiepiscopo propositis, & quodammodo per easdem satisfactus, a citationibus manum retraxit, et Abbas quantum ad ipsum dimissus est in pace, die comparationis eidem nullatenus assignato.*

From this contest between this proud Archbishop and Abbot about carrying up his Crosse, I shall observe; 1. The just punishment of God upon him for communicating all who should entertain or sell any victuals to the Archbishop of Yorke or his followers for carrying up his Crosse before him within his province some few years before, when specially sent for by the King about the publike affairs of the kingdom, now retaliated with this Abbots opposing the bearing up his own Crosse before him in the Monastery of St. *Augustines* even within his own Metropolis and See of *Canterbury*, when specially sent for thither to dine with the King, 2ly. His pride and obstinacie, in refusing to subscribe such a Letter as the King directed to reconcile this difference and preserve the Abbots privileges, or to repair to the King without his Crosse born up before him; together with his spleen and malice against the Abbot and Covent for not admitting him to carry up his Crosse within their Monasterie. 3ly. The strange abuse he and other our Archbishops made in that age of that they stiled and reputed the very Crosse of Christ; which as it was an emblem of our *Saviours* lowest humiliation; by whose Crosse St. Paul affirmed, *the world was crucified unto him, and he unto the world*; and likewise a *means of Christian love, peace, unity*; yet our *Enciferian* Archbishops made, reputed it a badge, ensigne of their Metropolitane Jurisdiction, Authority, Pomp, State, causing it to be carried up in pomp before them for that end, as an emblem of their Antichristian pride and ambition; yea made it, and its carrying up before them, a cause of frequent, hot contentions, schismes: witnesse the *manifest, high contests* between the Archbishops of *Canterbury, Yorke*, and the Abbots of St. *Augustines* about crosse-bearing, to the great disturbance of the Church, State, King, Counsil, and the reproach, scandal of Christianitie, as well as Archiepiscopacie: So farr were they from imitating the doctrine or example of our *Saviour*, or St. Paul in this particular.

e Phil. 2. 8.  
f Gal. 6. 14.  
\* Ephes. 2. 13,  
14, 15, 16.  
Col. 1. 20.  
c. 2. 14.

† See Mr. Lambards Perambulation of Kent, p. 81, to 87.

The same year, there fell out this suit between this proud Archbishop of *Canterbury*, his Officers, and this Abbot of St. *Augustines*, concerning Almes and Tithes, which occasioned Excommunications and Appeals to *Rome* about their privileges and exemptions; thus registred by *William Thorne*.

g Chronica W. Thorne, col. 1956, 1957, 1958.

*Anno Domini supradicto habitus est processus contra Rectorem de Waldwarfare. Qui Rector tam in capitalis Archidiaconi quam alibi querelam deponens contra fratrem Martinum tunc elemosinarium istius Ecclesie super occupatione quarundam Decimarum de quibusdam Hamleltis, viz. Mendetre, Eltsle, Westwold & Essele provenientium, ipsum elemosinarium asserentem distas Decimas & omnia iura parochialia inhabitatoribus distorum locorum, ac precipue omnes oblationes & obventiones ad Ecclesiam de Norborne qualitercunque provenientes ad ipsum elemosinarium & vicarium ejusdem taliter simul cum cantaria spectare debere, & quod si spectant & spectabant ab antiquo pacifice, publice, & notorie, nec dimisisset in pace, obtenta fuit quadam litera conservatoria Decano de Sandewico directam; per quam precipiebat eidem, & in virtute obedientie mandavit, quatenus dictum Stephanum Rectorem supradictum moneret legitime, & efficaciter induceret, ut de omnibus premissis ablatis, sapienter religiosis plene satisfaceret infra mensem, inhibens eidem ne in eos vel eorum Ecclesias de cetero plus attemptet. Quod si monitionibus & inhibitionibus suis parere contempserit, ipso facto ab officio et beneficio idem conservato suspendit, mandans eidem Decano, quod ipsum in singulis Ecclesiis decanatus sui singulis diebus Dominicis et festibus, quousque condigne super illis satisfecerit, suspensum faceret nunciari. Sed executione ejusdem litera ad tempus dilata, idem Rector pendente dilacione procuraverat ab Archidiacono quandam literam in forma communi contra omnes parochianos suos ad solvendum sibi ea qua ab eis Elemosinaris exigebat. Et tunc auctoritate predicta conservatoria ipse S. Rector publice diebus festis in vicinis ibi Ecclesiis ab officio et beneficio fuit denunciatus suspensus. Et ipse se divinis immiscuit nihilominus sic ligatus. Interim*

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terim autem impetrata fuit alia conservatoria eidem Decano directa, cujus tenor An. 16 F. 1. talis est.

Abbas Ecclesie Sancte Crucis de Waltham, &c. Cum vos alias ad mandatum nostrum, immo verius Apostolicum, Stephanum Rectorem de Waltham monueritis & induxeritis, ut dictis Abbati & Conventui Sancti Augustini super majoribus & minoribus Decimis ac alijs juribus parochialibus ipsos religiosos & eorum Ecclesiam de Nordburne spectantibus & per ipsum Rectorem ablatis & invasis plenarie satisfaceret infra mensem à die consecutionis mandati nostri, et quia monitionibus et inhibitionibus premissis parere contempserit, ipsam denunciaveritis esse suspensum. Et quia crescente contumacia crescere debet & poena, vobis in virtute obedientie qua sedi Apostolicæ tenemini, et sub poena coercionis canonice firmiter injungimus et mandamus, quatinus singulis diebus Dominicis et festivis in singulis Ecclesiis Decanatus vestri inter Missarum solemnitas publicetis adhuc et habundanti, quod Rector ille de ablatis satisfaciatur sub poena Excommunicationis majoris quam in hac parte si non paruerit exnunc ut extunc in eundem Rectorem proferimus in his scriptis. Vobisque injungimus et mandamus, ut post lapsum mensis ipsius ipsum Rectorem cum solemnitate premissa nisi satisfecerit pulsatis campanis, candelis accensis sic Excommunicatum esse denunciatis, et denunciari faciatis. (Such was their animosity, violence, abuse of the Spiritual Sword against each other.)

Ipsi sic habitis, idem Rector pro tuitione Curie Cantuariensis sedem Apostolicam appellabit, procurans ab officiali Curie Cantuariæ scribi et mandari eidem Decano et sibi inhibendo, ne pendente in Curia Cantuariensi hujusmodi tuitionis appellationis negotio quicquam in prejudicium Rectoris appellantis attemptare faceret quominus haberet liberam appellationis suæ prosecutionem; & etiam citaret Abbatem & Conventum Sancti Augustini & Vicarium de N. quod comparerent coram ipso seu Commissario in Ecclesia beate Mariæ de Arcubus in dicto tuitionis negotio facturos et recepturos quod postulaverit ordo iuris. Die adveniente & Rectore predicto per Procuratorem in Consistorio de Arcubus comparente, & non parte Abbatis, post proclamationem, proposuit Magister Salvagius Clericus Abbatis, non ut procurator sed ut amicus, quod dictus Abbas et Conventus cum suis ita sunt exempti quod non debebant nec volebant ibi vel alibi coram eis super aliquo respondere, nec etiam super his privilegia sua exhibere. Interim autem impetrata fuit alia littera ab Abbate S. Edmundi conservatore inhibitoria, ne officialis Cantuariensis et Decanus de Arcubus eidem Rectori de Waltham tuitionis beneficium conferrent, aut partem Abbatis contra sua privilegia in aliquo gravarent, set ipsos secundum libertatis et exemptionis suæ erigentiam ab omni iudiciali examine libere dimitterent, cum nullo iure vel consuetudine possent in eos jurisdictionem aliquam seu potestatis exercitum absque sedis Apostolicæ speciali mandato et expresse ad eos directo aliquatenus vendicare, quorum privilegiorum contravenientes sine dubio per multa Romanorum Pontificum privilegia Excommunicationi asseruit ipso facto subiacere. Whereupon at last they submitted themselves to Arbitrators to end this hot contest, suspensions and Anathemas of one another about their Priviledges.

What licenses to elect Bishops, Abbots, Priors, Abbesses, and Royal assents to Elections made in Ireland, and restitution of Temporalities thereupon, issued from the King this year, these Records attest.

**M**aurinus le Dokne sacrista Ecclesie de Cloven, nuncios Regi cessionem venerabilis patris Gilberti nuper electi in Episcopum & Pastorem Ecclesie illius, habet literas Regis Decano & Capitulo ejusdem Ecclesie de licentia eligendi. Teste Edmundo, &c. apud Westm. 12 die Julii.

Pat. 16 E. 1.  
m. 10. De licentia eligendi.

**R**EX Justiciario suo Hibern. vel ejus locum tenenti, salutem. Cum dilecti nobis in Christo Decanus & Capitulum Ardfertin. nobis per literas suas patentes significaverint, quod Ecclesia sua predicta per mortem Nicolai nuper Episcopi ejusdem loci, pastoris est solatio destituta, supplicantes nobis prout moris est, quod licentiam sibi aliam eligendi in Episcopum eidem concedere dignaremur: Nos, &c. (as in other licenses and Royal assents) Teste Edmundo, &c. apud Westm. 10 die Augusti.

Ibid. m. 10.  
De assensu electioni adhibito, & Temporalibus restitutionis, &c.

Frater



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

An. 16 E. 1.

Ibidem.

**F**Rater *Johannes* Canonicus Ecclesie Sancti *Petri* de *Clonard*, nuncians Regi re-  
signationem *Borgonilda* nuper electe in Abbatissam domus Monialium de *Clonard*, habet literas Regis Priorissae & Conventui Monialium ejusdem loci de licentia eligendi. Teste ut supra.

Pat. 16 E. 1.  
m. 4. De  
assensu electio-  
ni adhibito.

**R**EX electioni nuper factae in Ecclesia Conventuali de *Clonard*, de *Borgenilda* Moniali ejusdem domus in Abbatissam illius loci, Regium assensum adhibuit et favorem; & hoc significatum est *Th. Midenfis* Episcopo, ut quod suum est in hac parte prosequatur. Teste *Edmundo*, &c. apud *Westm.* 16 die *Octobris*.

Ibidem. De  
Temporalibus  
restitutis.

**R**EX venerabili in Christo patri *J. Dublin.* Archiepiscopo tenenti locum Justiciarii in *Hibernia*, salutem. Cum dilectae nobis in Christo Priorissae & Moniales Abbatissae de *Clonard*, *Midenfis* Diocesis, de licentia nostra, prout moris est, dilectam nobis in Christo *Borgenildam* Monialem ejusdem domus in Abbatissam suam elegerint, cui Regium assensum prius adhibuimus et favorem: Nos earundem Priorissae & Monialium laboribus & expensis in hac parte parcere volentes ista vice, volumus & vobis damus potestatem, &c. Receptis tamen prius ab eadem *Clede* literis suis patentibus sigillo suo, necnon et sigillo Capituli sui consignatis, quod hac gratia nostra quam eidem *Clede* ad praesens ex mera liberalitate nostra concessimus, nobis vel haeredibus nostris non cedat in praesudicium seu exheredationem, vel trahatur in consequentiam temporibus futuris. In cujus, &c. Teste *Edmundo*, &c. apud *Westm.* 16 die *Octobris*.

Pat. 16 E. 1.  
m. 4. De li-  
centia eligendi.

**P**rior & Conventus domus beatae *Maria* de *Nonan* *Midenfis* Diocesis, nunciantes Regi resignationem fratris *Ricardi* nuper Abbatis ejusdem loci, per fratrem *Robertum* Concanonicum suum, habent literas Regis de licentia eligendi. Teste ut supra.

Ibidem. De  
assensu electio-  
ni adhibito. &  
Temporalibus  
restitutis.

**R**EX venerabili in Christo patri *J. eadem gratia Dublin.* Archiepiscopo tenenti locum Justiciarii in *Hibernia*, salutem. Cum dilecti nobis in Christo Prior & Conventus domus beatae *Maria* de *Nonan* *Midenfis* Diocesis, nobis per literas suas patentes significaverint, quod Ecclesia sua praedicta per resignationem fratris *Ricardi* nuper Abbatis ejusdem loci, pastoris est solatio destituta, supplicantes nobis prout moris est, quod licentiam sibi eligendi in Abbatem eis concedere dignaremur; ac nos precibus eorundem Prioris & Conventus in hac parte inclinati, licentiam illam eis duxerimus concedendam: Mandantes ipsis, &c. Receptis prius ab eodem *Clede* literis suis patentibus sigillo suo, necnon et sigillo Capituli sui consignatis, quod hac gratia nostra quam eidem *Clede* ad praesens ex mera liberalitate nostra concessimus, nobis vel haeredibus nostris non cedat in praesudicium vel exheredationem, seu trahatur in consequentiam temporibus futuris. Teste *Edmundo*, &c. apud *Westm.* 7 die *Novembris*.

Pat. 16 E. 1.  
m. 11. De  
assensu electio-  
ni adhibito, &  
Temporalibus  
restitutis, &c.

**R**EX Justiciario suo *Hibern.* vel ejus locum tenenti, salutem. Cum dilecti nobis in Christo Prior & Conventus domus beatae *Maria* de *Dinleck*, nobis per literas suas patentes significaverint, quod Ecclesia sua praedicta per cessionem fratris *Nicholai* nuper Abbatis ejusdem loci, pastoris est solatio destituta, supplicantes nobis prout moris est, quod licentiam sibi altum eligendi in Abbatem eidem concedere dignaremur: Nos, &c. Teste *Comite*, &c. apud *Westm.* 20 die *Julii*.

Pat. 16 E. 1.  
m. 15. De li-  
centia eligendi.

**N**icholaus filius *Ricardi* Capellanus, & *Ricardus de Kemseys*, nunciantes Regi mortem *Isolda de la Hida* nuper Abbatissae domus beatae *Maria* de *Hoges* juxta *Dublin*, habent literas Regis Priorissae & Monialibus ejusdem domus de licentia eligendi. Teste *Comite*, &c. apud *Westm.* 15 die *Aprilis*.

An. 17 E. 1.

Ibidem.

The next year the King gave his Royal assent to these Elections, and Confirmations of Bishops in *Ireland*, and restitution of their Temporalities,

R E X

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**L** *Aurencius* Canonicus Ecclesie *Cassalensis*, nuncians Regi mortem *D.* quondam Archiepiscopi ejusdem loci, habet literas Regis Decano & Capitulo ejusdem Ecclesie *Cassalensis* de licentia eligendi. Teste Rege apud *Reylegh* 4 die *Sept.* An. 17 E. 1.  
Pat. 17 E. 1.  
m. 8.

**N** *icholaus* filius *Ricardi* Præcentor Ecclesie *Ossoriensis*, nuncians Regi mortem bonæ memoriæ *R.* quondam Episcopi ejusdem loci, habet literas Regis de rectas Decano & Capitulo Ecclesie prædictæ de licentia eligendi. Teste Rege apud *Reylegh* 5 die *Sept.* Ibidem.  
De licentia eligendi.

**R**EX electioni nuper factæ in Ecclesia Cathedrali Sancti *Kannici Kilkenny* de Magistro *Michaeli de Exon.* Canonico ejusdem Ecclesie, in Episcopum ejusdem loci, Regium assensum adhibuit et favorem. Et hoc significatum est *J. Dublinensi* Archiepiscopo, ut quod suum est in hac parte exequatur. In cujus, &c. Teste Rege apud *Clarendon.* 2 die *Novembris.* Pat. 17 E. 1.  
m. 5. De assensu electi-  
ni adhibito.

**R**EX *Justic.* suo *Hibern.* vel ejus locum tenenti, salutem. Cum nos electioni nuper factæ in Ecclesia Cathedrali Sancti *Kannici Kilkenny.* Regium assensum adhibuerimus et favorem, & velimus eidem Electo propter bonum & laudabile testimonium, quod de ipso perhibetur coram nobis gratiam facere ubertorem in hac parte, ut suis parcamus laboribus & expensis, vobis mandamus, quod electione illa canonicè confirmata, et capta nomine nostro ab eodem Electo fidelitate nobis debita, ut est moris, Temporalia Episcopatus ejusdem sibi liberari faciat. Receptis tamen prius ab eodem Electo literis patentibus sigillo suo, necnon sigillo Capituli sui signatis, quod hæc nostra gratia nobis vel hæredibus nostris non cedet in præjudicium, nec trahetur in consequentiam in futurum. In cujus, &c. Teste ut supra. Ibidem. De Temporalibus restitutis.

The King likewise by his Prerogative restored Lands he had seized in *Ireland*, given to a Nunnery there, against the Statute of *Mortmain*, and confirmed them to it, by this Patent.

**R**EX omnibus, &c. Licet de communi consilio regni nostri providerimus, quod non liceat viris Religiosis seu aliis ingredi feodum alienius, ita quod ad Mortuam manum deveniat, sine licentia nostra & capitalis Domini de quo res illa immediate tenetur; volentes tamen dilectis nobis in Christo Priorissæ & Monialibus de *Taghmonlingbeg.* in *Hibernia*, gratiam facere specialem concessimus eis, quantum in nobis est, quod quaterviginti acras terræ cum pertin. in *Armagrenan.* quas sibi adquisiverunt de *Ricardo* filio *Rogeri*, & quas occasione statuti nostri prædicti capi fecimus in manum nostram, tenere possint & habere sibi & successoribus suis imperpetuum, juxta formam feofamenti eis per prædictum *Ricardum* inde facti, salvo jure cuiuslibet. Nolentes quod eadem Priorissa & Moniales, seu prædictus *Ricardus*, per nos vel hæredes nostros occasione statuti prædicti inde occasionentur in aliquo seu graventur. Salvis tamen capitalibus Dominis feodi illius serviciis inde debitis & consuetis. In cujus, &c. Teste Rege apud *Windsor.* vicesimo die *Octobris.* Pat. 17 E. 1.  
m. 6. Pro Priorissa & Monialibus de Taghmonlingbeg. in Hibern.

Most other Religious Houses by money or friends purchased the like restitutions, pardons, or dispensations for Lands purchased by, or given to them in *Mortmain* in that age.

The King according to custom seising all the Goods, Chattels, and likewise the Vessels and Church Ornaments of the Archbishop of *Tuam* in *Ireland*, for debts due unto him at his death, ordered the Ornaments of his Chappel to be restored by this Writ, to adorn the Church of *Tuam*, and that in the Kings name as his free gift.

Clauf. 17 E. 1.  
m. 4. intus.

**L**icet Rex prout ex consuetudine ad ipsum in casu consimili pertinente, omnia bona et catalla, simul cum vasillis et ceteris ornamentis Ecclesie quæ fuerunt *Stephani* nuper *Tuamensis* Archiepiscopi defuncti, capi fecerit in manum suam occasione debitorum in quibus idem Archiepiscopus Regi ad decarium suum *Dublin.* tenebatur die quo obiit; Rex nichilominus velit, ob Dei reverentiam, et animæ dicti defuncti salutem, ipsam Ecclesiam *Tuamensem* ornamentis Capellæ ipsius Pro Decano & Capitulo Ecclesie Tuamensis, de ornamentis ejusdem Ecclesie per Regem datis.



*An. 17 E. 1.* ipſus Archiepiſcopi ad rei memoriam decozari. Mandatum eſt Theſaur. & Baronibus de Scaccario *Dublin.* quod huiusmodi ornamenta ratione prædicta per ipſos Theſaur. & Barones in manum Regis capta, *Deano et Capitulo ejuſdem Eccleſiæ* liberent, vice et nomine Regis eidem Eccleſiæ remanentibus in futurum. Teſte meipſo apud *Ledes*, 22 die *Auguſti*.

The King having given his liſenſe and Royal aſſent to the elected Archbiſhop of *Tuam* in *Ireland*, he thereupon went to *Rome* to Pope *Nicholas* the 4th. for his confirmation and conſecration; where although he was unanimouſly elected, yet to avoid the long delays there uſed to examine ſuch Elections, he reſigned the right of his Election into the Popes hands; who thereupon conferred the Archbiſhoprick upon him by his own Proviſion and gift, ſending this Bull to the King to certify him thereof, and to deſire his Royal favour to reſtore the Goods and Temporalities of the Archbiſhoprick to him, the Original whereof I reſcued out of the Rubbiſh in the *White Tower Chapple*.

**N**ICHOLAUS Episcopus servus servorum Dei, charissimo in Christo filio Regi Anglorum illustri, salutem & Apostolicam benedictionem. Divina gratia Paſſatis acquiritur, si pſinitis eius et hſis præceptis, qui Pontificali dignitate sunt prædicti, pro ipſius reverentia condignus honoz impenditur, et ſaboz neceſſarias exhibetur. Sane tanto plenius per huiusmodi charitatis opora, te Regi regni gratum concedet inveniri, quanto ipſe de ſua benignitatis affluencia te in Dominum multis pſe eſſe voluit, et grandem bonozum coſtam tuis pedibus ſubjugabit. Dum ſiquidem Tuamen. Eccleſia per obitum bona memoria Scephani Archiepiſcopi Tuamen. paſtoris ſolatio deſtituta, dilecti filii Capitulum ipſius Eccleſiæ ad traſtandum de futuri ſubſtitutione Prælati (pſe moris eſt) inſimul convenerunt, ac per viam compromiſſi in huiusmodi negotio procedentes, dilecti filii Johanni Majori & Conſordi Magoneum Archidiaconi, Johanni de Alatro Præcentori, Nicholao de Hyndeberg Theſaurario, Thomæ de Watford Cancellario, Alano de Wellis, & Nicholao de Guarcin. Canonici Eccleſiæ ſupradictæ, providendi ea vice eidem Eccleſiæ de paſtori conſeſſerunt liberam poſſeſſionem. Qui auctoritate conſeſſionis huiusmodi dilectum filium W. Eleſtum Tuamen. tunc Rectorem Eccleſiæ de Athnorwy Tuamen. Dioc. in Tuamen. Archiepiſcopum concorditer elegerunt; dictuſque Willielmus electioni huiusmodi ſe ſacta conſenſit. Ac demum ſuper huiusmodi electionis negotio de ipſo ſacta perſonaliter ad Apoſtolicam ſedem accedens, ne præſata Eccleſia ſub vſurpationis ex-  
 præſtatione, quæ quandeque in negotioſorum examinatione emergit, vſurpationis incommoda vſurpationis ſentiret; omne ſus, quod ſibi ex electione huiusmodi competeſcit, ſponte et libere in noſtris manibus reſignavit. Poſ itaque huiusmodi reſignatione recepta, de opinatione ipſius Eccleſiæ ſollicite cogitantes; ac talem eidem Eccleſiæ cupientes præſeſſe Pontificem, per quem poſſet ſalubriter gubernari, ad perſonam dicti Willielmi direxiſſimus oculos mentis noſtræ, cui de literarum ſcientia, morum maturitate, prudentia ſpiritualium, temporalium providentia, & generis nobilitate laudabile teſtimonium perhibetur, ipſamque Willielmum de fratrum noſtroſum conſilio Eccleſiæ prædictæ præſeſſimus in Archiepiſcopum et Paſtoſem: Firmam ſpem fiduciamque tenentes, quod eidem Eccleſiæ per ſua diligentia ſtudium præſervabitur à vſurpationis & ſpiritualibus, & temporalibus proficiet incrementis. Rogamus itaque excellen-  
 tiam Regiam et hortamur attente, quatenus eundem Eleſtum pro noſtra et Apoſtolicæ ſedis reverentia, circa recuperationem bonozum et ſurſum ejuſdem Eccleſiæ, ſabozis Regis præſeſſo proſequaris; ut ipſe tua Ceſtudinis ſultus auxilio, in com-  
 miſſa ſibi cura Paſtoralis officii poſſit Deo propicio proſperari: Ac tibi exinde à Deo perennis vite præmiiſum, & à nobis condigna proveniat alio gratiarum. Dat. Romæ apud Sanctam Mariam majorem 6 Non. Maii, Pontificatus noſtri anno ſecundo.

\* A new Papal device, by delays at Rome to enforce Archbiſhops lawfully elected, to reſign their elections into his hands, that ſo they might receive them from their hands & authority by Papal Proviſions dearly purchaſed.

*Pa. 17 E. 1.*  
*m. 6 intus.*  
*De Temporalibus reſtитуendis.*

Upon receipt whereof, the King receiving his Oath of Fealty, as he was duly elected, and one to whom he had formerly given his Royal aſſent, not as preferred by the Popes new Proviſion, iſſued this Writ to reſtore the Temporalities.

**R**EX venerabili patri J. eadem gratia *Dublin.* Archiepiſcopo, Juſticiario ſuo *Hiberniæ*, vel Eſcaetori ſuo ibidem, ſalutem. Cum Summus Pontifex dilectum

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dilectam nobis in Christo *Willielmum* Rectorem Ecclesie de *Athnornwy*, electam in Archiepiscopum Ecclesie *Tuamenfis*, cui prius Regiam assensum adhibuimus et fa-  
 horem, ejusdem Ecclesie prefecerit in Archiepiscopum & Pastorem, sicut per litteras  
 dicti Summi Pontificis Bullas acceptimus: Nos prefectionem illam accep-  
 tantes, cepimus fidelitatem ejusdem *Willielmi*, & Temporalia Archiepiscopatus  
 predicti, prout moris est, restituius eidem. Et ideo vobis mandamus, quod eidem  
*Willielmo* Temporalia Archiepiscopatus predicti liberetis, sicut predictum est. In  
 cujus, &c. Teste Rege apud *Burgum* 29 die *Septembris*. An. 17 E. 1.

I likewise found in the White Tower Chappel, this Original ensuing Bull of Pope  
*Nicholas* to the King, certifying him of his confirmation of the Election of the Abbot  
 of *Waltham*, and consecration of him with his own hands, and thereupon imploring  
 the Kings favour and assistance to him, in a submissive stile.

**N**ICHOLAUS Episcopus Servus servorum Dei, charissimo in Christo filio Regi  
 Angliz illustri, salutem & Apostolicam benedictionem. Ad fovendum in cha-  
 ritatis visceribus Ecclesiarum *Pzalatos*, eos precipue qui Pontificali dignitate  
 preminent; eo te officialibus nostris precibus invitamus, quo in bonorum ope-  
 rum executione Celsitudinis Regalis affectum extimamus magis promptum ac  
 facilem invenire; maxime cum apud Deum, cujus Pralati hujusmodi sunt Ministri,  
 retributionis eterna premium, & apud homines laudis preconium acquiratur. Sane du-  
 dam Monasterium Sancte Crucis de *Waltham* ad Romanam Ecclesiam nullo medio  
 pertinentis, ordinis Sancti Augustini London. Dioc. Abbatis regimine destitutum, di-  
 lecti filii Prior & Conventus ipsius Monasterii vocatis omnibus qui voluerunt, debue-  
 rant & poterant commodè interesse, die ad eligendum prefixa (ut moris est) conveni-  
 entes in unum pro futuri substitutione Abbatis, ac per viam deliberantes procedere com-  
 promissi, in dilectos filios fratres Robertum tunc Canonicum, Henricum de Templo,  
*Baldrunum*, Henricum, Richardum, Jacobum & Johannem Canonicos ipsius Mona-  
 sterii unanimiter & concorditer compromittere convenerunt, concessa eis providendi ea  
 vice per electionem Canonicam vel postulationem concordem ipsi Monasterio de Abbate,  
 plena & libera potestate; promittentes, quod illum in suum & dicti Monasterii Abbatem  
 recipiant, quem iidem compromissarii de gremio ipsius Monasterii vel de seipsis eligere  
 procurarent, sicque postmodum iidem compromissarii secedentes in partem hujusmodi com-  
 promissi diligenter forma servata, suisque votis diligenter discussis, sex ex seipsis qui  
 erant numero septem in eundem fratrem Robertum unanimiter & concorditer consense-  
 runt. Et tandem dictus frater Henricus suo ac eorundem compromissariorum suorum  
 nomine, & de consensu singulorum de dicto Conventu & unanimi voluntate eundem fra-  
 trem Robertum in ejusdem Monasterii Abbatem elegit. Sicque postmodum idem fra-  
 ter Robertus ad eorundem Prioris & Conventus instantiam, electioni hujusmodi de se  
 facta transiit. Verum quia postmodum presentato nobis hujusmodi electionis decreto,  
 electionem ipsam quam per venerabilem fratrem B. Episcopum Portuens. & dilectos  
 filios nostros H. Tituli Sancte Sabine Presbyterum, & Petrum Sancti Eustachii Diaconum  
 Cardinales, diligenter examinari fecimus, invenimus de eodem fratre Roberto  
 nupote persona idonea Canonice celebratam, illam de predictorum & aliorum fratrum no-  
 strorum consilio confirmabimus, ipsamque in ejusdem Monasterii Abbatem prefe-  
 cturus et Pastorem, et subsequenter munus benedictionis de nostris manibus sibi  
 durimus impendendum. Cum itaque fili charissime ut virtutis opus, Ecclesias et  
 personas Ecclesiasticas, preestim Pontificali prebitas dignitate, benigno labore  
 prosequi, ac eas verbis et operibus pro Regis æterni gloria venerari: Serenitatem  
 Regiam rogamus et hortamur attente, quatenus eundem Abbatem & Monasterium  
 sibi commissum, pro nostra et Apostolicæ sedis reberentia habeas propensius com-  
 mendatos. Ita quoque idem Abbas tuo saltus auxilio, in commissæ sibi cura pastoralis  
 officii possit Deo propitio prosperari, ac tibi exinde à Deo perennis vita premium, et a  
 nobis condigna proveniat actio gratiarum. Dat. Reate 3 Kal. Octobris, Pontifi-  
 catus nostri anno secundo.

The Abbot of *Westminster* loving flesh and Venison, better then prayer, fish, and  
 fasting, procured this grant and Writ from the King to him and his successors, for 8.  
 Bucks every year to be taken in the Forest of *Winlesore*, and brought to *Westminster*.



*An. 17 E. 1.* by the Constable of *Wyndesore* Castle, at the Kings cost, and there offered before the High Altar every year, as a sacrifice to the Abbot (rather then to God) for the salvation of the Kings, his Ancestors and Heirs souls, by feasting the Abbots and Monks bodies, which little conduced thereunto.

*Claus. 17 E. 1. m. 4. intus. Pro Abbate Westm. de octo damis annuis sibi per Regem concessis, &c.*

**R**EX dilecto & fideli suo *Gulfrido de Pychford* Constabulario Castri sui de *Wyndeshore*, salutem. Quia per Chartam nostram pro salute animarum nostrarum, et animarum antecessorum et heredum nostrorum, dedimus & concessimus, & Charta predicta confirmavimus Deo et Sancto Petro, et Abbati *Westm.* et successoribus suis imperpetuum, octo damos singulis annis capiendos in Foresta nostra de *Wyndeshore*, ad cultum nostrum & heredum nostrorum, per manum Constabularii de *Wyndeshore* quicunque pro tempore fuerit Constabularius, deferendos per eundem Constabularium usque *Westm.* in Vigilia Sancti Petri ad Vincula. Ita quod hi qui dictam venacionem illuc deferent, singulis annis facient duas menpas ante magnum Altare Sancti Petri *Westm.* Vobis mandamus, quod predicto Abbati octo damos in predicta Foresta capi et usque *Westm.* deferri, et duas menpas ante magnum Altare fieri faciat de anno presentis, secundum tenorem Chartae predictae, si eos nondum habuerit per aliud breve nostrum. Teste meipso apud *Ledes* 22 die Augusti.

After which he procured the like Writts every year.

The Abbot of *Cluny* in *France*, and some others, having a purpose to impose and exact a Tax from all the Monasteries of his Order in *England*, without the Kings consent, to the diminution of their Almshouses, Divine Services, and prejudice of them and their Founders, the King thereupon issued this Writ, prohibiting them to pay any Tax or Contribution to the Abbot, or any other, under pain of seizing all their Temporalities, till they received his further special command therein.

*Pat. 17 E. 1. m. 8. Pro Prioribus & ceteris Religiosis Cluniacensis in Anglia.*

**R**EX universis & singulis Prioribus & aliis Religiosis ordinis *Cluniacensis* in Anglia ad quos, &c. salutem. Quia ex relatu accepimus jam quorundam, quod quidam tallagia et contributiones a vobis exigunt, seu erigere et habere proponunt hiis diebus, quae si a vobis per exactiones huiusmodi praestarentur, manifeste redundarent in diminutionem elemosinarum a progenitoribus nostris Regibus Angli. ac aliis fidelibus regni nostri, de quarum fundacione domus vestra in Anglia existunt constitutarum, necnon et subtractionem divinarum obsequiorum ac depauperationem domorum earundem manifestam, quod sustinere nolumus, sicut nec debemus: vobis mandamus firmiter inhibentes, ne tallagia vel contributiones quasconque Abbat *Cluniacensis*, vel alicui alii aliquatenus praestatis, donec a nobis super hoc aliud habueritis specialiter in mandatis. Et hoc sicut omnibus quae de nobis tenetis in regno nostro pacifice gaudere volueritis nullatenus omittatis. In cujus, &c. Teste Rege apud *la Neylaunde* 15 die Sept.

\* Page 279.

\* *Francis Godwin* in his *Catalogue of Bishops* observes, that from the year 1284. the See of *Salisbury* had 5. Bishops within the space of 5. years, whereof *William Comer* (as he styles him) was the 4. but his name was *William de Corner*, as this Writ for restoring his Temporalities, together with the Patent of the Kings Royal assent to his election, assure us.

*Pat. 17 E. 1. m. 20. & 21. De Temporalibus restitutis.*

**R**EX dilecto Clerico suo *Malcolmo de Harley*, salutem. Cum venerabilis pater *J. Cantuariensis* Archiepiscopus totius Angliae Primas, electionem nuper celebratam in Ecclesia Cathedrali *Sarum*, de discreto viro Magistro *Willielmo de Corner* in Episcopum ejusdem loci, cui prius Regium assensum adhibuimus et fauorem, confirmaverit, sicut per literas patentes ipsius Archiepiscopi nobis inde directas accepimus. Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, & Temporalia Episcopatus predicti, prout moris est, restitui eisdem. Et ideo vobis mandamus, quod eidem Electo Temporalia Episcopatus predicti cum pertin. liberetis, sicut praedictum est. In cujus, &c. Teste *Edmundo*, &c. apud *Westm.* 26 die Febr.

Et mandatum est Militibus, &c. In cujus, &c. Teste ut supra.

What

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

What account the King received of the Vintisme and Quindisme granted him by the Clergy from the Diocesse of *Bath* and *Wells*, for 5. years past, according to the Taxation of *Norwich*, this Record will inform us.

An. 17 E.<sup>1</sup>

Pat. 17 E. 1.  
m. 21. Pro  
Episcopo ba-  
thon & Wel-  
len. & Col-  
lectoribus Vi-  
cesimæ &  
Quintadeci-  
mæ in eodem  
Episcopatu.

**R**EX omnibus ad quos, &c. salutem. Inspecimus literas patentes dilecti nobis Magistri *Radulphi de Ivingho* Cancellarii Ecclesiæ Sancti *Pauli London.* ad audiendum & recipiendum compotum de Quintadecima nobis per triennium, & Vice-simæ per biennium à Clero *Cantuariensis* provincie concessis, à quibuscunque earundem Quintadecimæ & Vice-simæ Collectoribus in eadem provincia ex speciali mandato nostro deputati, in hæc verba. Memorandum, quod undecimo Kal. *Febr.* anno gratiæ 1288. comparuit *Willielmus de Bathon*, Vicarius *Wellensis*, ex præcepto discreti viri Magistri *Radulphi de Wikhams*, venerabilis patris Domini *R. Dei gratia Bathon. & Wellen.* Episcopi, tunc extra regnum agentis Vicarii, coram nobis Magistro de *Ivingho* Cancellar. Ecclesiæ Sancti *Pauli London.* ad audiendum & recipiendum compotum de Quintadecima Domino *Edwardo* Dei gratia illustri Regi *Angliæ* per triennium, & Vice-simæ per biennium à Clero *Cantuariensis* provincie concessis, à quibuscunque earundem Quintadecimæ & Vice-simæ Collectoribus in eadem provincia, ex speciali mandato dicti Domini Regis deputato, & ad faciendum omnia quæ dicti negotii qualitas requirit, prout in literis dicti Domini Regis nobis super hoc directis plenius continetur, in hospicio nostro *London.* præfato Magistro *Radulpho de Wikhams* eisdem die & loco personaliter præsentem, & reddidit compotum finalem de Quintadecima & Vice-simæ supradictis Episcopatum *Bathon. & Wellen.* per quinquennium contingentibus pro dicto Domino Episcopo, & omnibus earundem Quintadecimæ & Vice-simæ Collectoribus in dicto Episcopatu per idem tempus deputatis. Et est summa æstimationis beneficiorum dicti Episcopatus per triennium, secundum taxationem *Norwic.* 9363 l. 5 s. 6 d. summa Quintadecimæ ejusdem æstimationis per triennium 624 l. 4 s. 4 d. ob. summa æstimationis beneficiorum dicti Episcopatus per biennium 6242 l. 3 s. 4 d. summa Vice-simæ ejusdem æstimationis per biennium 312 l. 2 s. 6 d. summa totalis Quintadecimæ et Vice-simæ 936 l. 6 s. 10 d. de quibus idem *Willielmus* computat in liberationibus factis diversis Mercatoribus ad opus Domini Regis ad mandatum ipsius, & ad Scaccarium & Garderobam suam per prædictos dictos Dominum Episcopum & Collectores, prout patet per literas dicti Domini Regis de mandato, & per literas dictorum Mercatorum de recepta, scilicet, per quindecim literas quas penes nos retinuimus super compotum & per receptam nostram 793 l. 10 d. ob. In acquietanciis Collectorum de beneficiis suis & allocationibus factis, ut patet per particulas quas penes nos habemus, 56 l. 14 s. 5 d. ob. q. In expensis circa prædictam pecuniam levandam 63 l. 6 s. 4 d. Summa totalis liberationis, acquietanciarum & allocationum ac expensarum 913 l. 1 s. 8 d. q. Et sic sunt in arreragiis 23 l. 5 s. 1 d. ob. q. Quæ quidem arreragia prædicti Magistri *Radulphi de Wikhams* & *Willielmus de Bathon*, solvi fecerunt in tempore ad opus Domini Regis *Ricardo* Guidicionis Mercatori *Lucan*, de societate *Ricardorum* per manus Domini *Willielmi de Holecote* Capellani dicti Domini Episcopi, prout patet per literas prædicti *Ricardi* quas penes nos una cum aliis acquietanciis retinuimus supradictis: Unde nos *Radulphus de Ivingho* supradictus auctoritate qua fungimur in hac parte pronunciamus prædictos Dominum *R. Dei gratia Bathon. & Wellen.* Episcopum, & omnes Collectores prædictos quietos esse omnino & in nullo teneri de tota Quintadecima et Vice-simæ dictam Episcopatum, per prædictos quinque annos contingente. Promittentes bona fide nos, omnes & singulas personas quas dictæ literæ acquietanciarum quas penes nos retinuimus ratione solutionis dictorum Quintadecimæ & Vice-simæ contingunt, erga Dominum Regem prædictum & quoscunque alios super retencione hujusmodi indemnes conservaturos. Damus etiam & committimus auctoritate prædicta prædicto *Willielmo de Bathon*, plenam potestatem faciendi literas acquietanciarum singulis personis à quibus recepit literas memoratas, quas habemus super receptis. Ita quod præfens litera penes eum resideat in warrantum. In cujus rei testimonium sigillum nostrum præsentibus est appensum. Dat. *London.* die & anno supradictis. Nos præmissa acceptantes, præfatos Episcopum et Collectores, quantum in nobis est, inde quietamus per præfentes. In cujus, &c. Teste *Edmundo*, &c. apud *Westm.* 23 die *Januarii*.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

*An. 17 E. 1.* The King having conquered *Wales*, out of his Royal authoritie and special grace confirmed all the ancient rights, Liberties, possessions and customs of the Church of *Assaph* to the present Bishop and his successors, which they formerly used and enjoyed, and that he might freely make his Testament, by these Writs.

Rot. Wallie  
17 E. 1. pars  
2. m. 10. Pro  
Episcopo Assa-  
vensi.

**R**EX omnibus ad quos, &c. salutem. Volentes venerabili patri *Ariano* Episcopo de Sancto *Assapho* optentu dilectionis quam erga personam suam gerimus gratiam facere specialem, concessimus quantum in nobis est, pro nobis & heredibus nostris eidem Episcopo & successoribus suis Ecclesie predictae, quod ipsi de cetero utantur et gaudeant pacifice et quiete eisdem iuribus, libertatibus, et possessionibus et consuetudinibus diu optentis, quibus idem Episcopus et predecessores sui Episcopi ejusdem loci usi et gabi fuerant temporibus retroactis. In cujus, &c. Teste Rege apud *Rothelan.* 9. die *Novembris*. Anno regni nostro quinto.

**R**EX omnibus ad quos, &c. salutem. Volentes venerabili patri *A.* Episcopo de Sancto *Assapho* gratiam facere specialem, concessimus et pro nobis et heredibus nostris, quod ipse cum sibi libuerit libere possit suum condere testamentum, Mandantes vobis omnibus & singulis & firmiter injungentes, quod executores testamenti ejusdem Episcopi cum ipsum contigerit expirare, minime impediant quominus testamentum hujusmodi debitae executioni valeant demandare iuxta ordinacionem Episcopi supradicti. In cujus, &c. Teste Rege apud *Burd.* 17 die *Maii*.

The King by his Sovereign authoritie, to prevent the hindrance of Gods Service, and preserve the rights of the Churches in *Gascoigne* against all violations by his Subjects and Souldiers, issued this Writ to his Seneschal and other Officers there, to compell all Clerks and other persons who violated their priviledges, upon the Bishops and his Officials complaints, to yield due obedience to them, by distraining their goods and imprisoning their persons.

Rot. Vascon.  
17 E. 1. pars  
2. m. 13. Pro  
Episcopo Vasatensi.

**R**EX dilectis & fidelibus suis Senescallo *Vascon.* & omnibus Bajulis, Praepositis in Diocesi *Vasaten.* & alibi constitutis, ad quos, &c. salutem. Volentes reparationi divini cultus et subditorum periculis, quae ex violacionibus Ecclesiarum frequenter accidunt obviare, ac venerabili in Christo patri Karissimo nostro *Hugoni* Dei gracia Episcopo *Vasatensi* favorem nos in suis honestis petitionibus exhibere, vobis firmiter injungendo mandamus, quatinus si qui vel quis ex vestris subditis Ecclesiam vel Cimiterium in Civitate vel Diocesi *Vasaten.* ausu temerario praesumpserit violare. et ad iussum vel monicionem ejusdem Episcopi vel Officialis sui reconciliacionem suis sumptibus contempserit vel distulerit efficaciter procurare, ad ipsius Episcopi vel suorum requisicionem violatores hujusmodi per captionem bonorum suorum vel aliter, prout videritis expedire, cum de praemissis vobis clare constiterit ad procurandum cum effectu reconciliacionem, et satisfaciendum dampnum et injuriam passis, prout vobis suberint et iussum fuerit sine diffugio compellatis. Mandamus vobis etiam, quatinus si quem vel quos Clericos Clericalem tonsuram et habitum deferentes in Civitate vel Diocesi *Vasaten.* capere vos contingat, illos vel illum restituantis vel mittatis restituendos praefato Episcopo, vel mandato suo iuxta demerita puniendos, nisi rationabile quid obstat: non inferentes vel inferri permittentes eisdem aliquam lesionem; super hiis autem unus vestrum alium non expectet. Dat. apud *Condum.* 4. die *Maii*.

He likewise granted this Protection to the Bishop and his Servants;

*Ibidem.*

**R**EX dilectis & fidelibus suis Senescallo *Vascon.* & omnibus aliis Bajulis, Praepositis in Diocesi *Vasaten.* & alibi constitutis, ad quos praesentes literae pervenerint salutem. Venerabilem in Christo patrem carissimum nostrum *Hugonem* Dei gracia *Vasatensem* Episcopum, volentes gratiae specialis prosequi benivolentia et favore; vobis firmiter injungendo mandamus, quatinus eidem Episcopo, servitoribus et nunciis suis Clericis et Laicis, in personis, bonis et iuribus eorundem nullum grabamen aut molestiam inferatis, seu permittatis inferri, set in hiis potestatis

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

gatis et defendatis, eosdem Molestatores si qui fuerint ad ipsius Episcopi vel suo- *An. 17 E. 1.*  
rum requisitionem sic debite compescentes, & quod forisfactum fuerit celeriter em-  
mendari facientes, quod prefatus Episcopus vel sui ex hoc mandato nostro voti-  
um commodum, prout rationabile fuerit consequatur, & pro defectu protectio-  
nis quem super hoc quod absit intervenerit, in vobis punire intendimus, ad nos  
redire vel mittere non cogantur, super hiis autem unus vestrum alium non expectet.  
Dat. Condrum. in Festo Inventionis Sancte Crucis, Anno, &c.

King Edward the 1. having by his Prerogative royal a right to collate to the  
prebendarie of *Nassington* in the Church of *Lincoln*, during the vacancie of the  
Bishoprick; which the Pope intended to conferre on some other by Provision;  
the King thereupon issued this memorable Prohibition to the Bishop, setting forth  
the ancient Right and Prerogative of the Crown alwaies used, and allowed by  
Popes themselves, to present to, and conferr all Præbendaries and other dignities  
belonging to Bishopricks during their vacancie; inhibiting him by pretext of any  
Letters whatsoever directed or to be directed to him, to act, constitute, ordain, or  
attempt any thing touching that Prebendary or any other, to the prejudice of  
him or his Royal Dignitie without his privitie, under pain of seising his Ba-  
ronie.

**R**EX venerabili in Christo Patri O. eadem gratia *Lincoln*. Episcopo salutem. *Claus. 17 E. 1. m. 7. dorso.*  
Dignitas Regia et Coronæ *Anglia*, ac Regni consuetudo sic sunt semper, et *Ne Episcopis*  
sic hactenus habuerunt, ut observentur in eis, quod ab antiquo usitatum, et a sum- *Lincoln. ali-*  
mis Pontificibus perpetuo est concessum, ac a tempore quo non extat memoria, eo *quid temptet*  
quod sola *Anglia* consuetudine utitur et non jure scripto, absque interruptione tem- *in Prebenda*  
poris approbatum. Ne igitur in prabenda de *Nassington* in *Lincoln*. Ecclesia, quæ de *de Nassington*  
Coronæ et patronatu nostro existit, exhereditatio Coronæ et Regiæ interbeniat ma- *quod Regi*  
nifeste, præsertim cum vacante sede Episcopatus *Lincoln*. præbendæ illius, sicut *damnosum vel*  
omnium aliarum tam dignitatum quam præbendarum ejusdem Ecclesiæ collatio *præjudiciale*  
ad nos pleno jure dinoscitur pertinere. Vobis mandamus firmiter inhibentes, ne *esse poterit,*  
prætextu literarum quarumcunque vobis directarum, seu dirigendarum in posterum *&c.*  
in prædicta præbenda vel alia ad nos ratione Baronis vestri in prædicta *Lincol-*  
niensi Ecclesia quaquam pertinente, quod nobis seu dignitati Regiæ dampnosum *nienſi*  
vel præjudiciale esse poterit ordinando; vel instituendo, de nobis inconsultis at-  
temptare aliquatenus præsumatis, per quod ad Baroniam illam ob vestri de-  
meritum manum apponere debeamus. Teste *Edmundo*, &c. apud *Westm.* 15 die  
*Marcii*.

The King this year sent two special Messengers to *Rome* to the Pope and Cardi-  
nals with these Letters of Credence, to dispatch some weighty affaires wherewith  
they were intrusted, to be communicated to them by word of mouth, not specified in  
the Letters.

**S**anctissimo Patri in Christo ac Domino Reverendo, Domino *Nicholao* Dei gra- *Rot. V. 17 E. 1. pars*  
tia Sacrosanctæ *Romane* & universalis Ecclesiæ Summo Pontifici; *Edwardus*, *2. memb. 11.*  
&c. devota pedum oscula Beatorum, cum omni reverentia & honore. Dilectos  
Consiliarios & fideles nostros Nobilem virum *Othonem de Grandissono* Militem, ac  
Religiosum & discretum virum fratrem *Gulielmum de Hothum* de Ordine Prædica-  
torum, pro quibusdam negotiis nostris ad Sanctitatis vestre præsentiam destinan-  
tes, paternitatem vestram humiliter imploramus, quatinus præfatos Nuncios  
nostros solita benignitate recipere, et eisdem vel eorum alteri super omnibus  
et singulis quæ vobis ex parte nostra viva vocis oraculo duxerint vel duxerit ex-  
ponenda, indubitabilem fidem et firmam credentiam adhibere velit, veluti nobis  
ipsis. Ac ea quæ vice nostra petierint, ad gratiam exauditionis admittere et pro-  
sequi gratiose. Vitam prosperam & longævam annuat vobis Deus ad regimen Ec-  
clesiæ sue sanctæ & pacem totius populi Christiani. Dat. apud *Laverdak* 8 die  
*Maii*, Anno Dom. 1289.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch.3.*

An. 17 E. 1. He likewise sent particular Letters of Recommendation and Credence to the respective Cardinals, whose names are thus enrolled.

Ibid. Episcopi  
Cardinales.

Venerabili in Christo Patri Amico suo Karissimo Domino *Latino*, Dei gratia *Officium*, & *Velletrum*. Episcopo, Sacrosanctæ *Romana* Ecclesiæ Cardinali; *Edwardus* eadem gratia, &c. salutem, cum incremento continuo gloriæ & honoris. Dilectis Consiliariis & fidelibus nostris Nobili viro *Ottoni de Grandissimo*, & Religioso viro & discreto fratri *Guillelmo de Hothum* de Ordine Prædicatorum, quos pro quibusdam negotiis nostris ad Dominum Summum Pontificem et ejus Curiam destinamus quædam commisimus vobis hinc vobis oraculo referenda. Paternitatem vestram rogantes, quatinus præfatis Punctis nostris vel eorum alteri super omnibus quæ nobis ex parte nostra dixerint exponenda, fidem belitis indubiam adhibere. Dat. apud *Laverdam* 8 die *Maii*, Anno Regni nostri 17.

Consimiles literæ diriguntur singulis Cardinalibus de Curia *Romana*, videlicet Domino *Bernardo* Dei gratia Episcopo *Penestrino*, Sacrosanctæ *Romana* Ecclesiæ Cardinali.

Domino *Bentevenge* Dei gratia *Alban*. Episcopo, &c.

Domino *Johanni* Dei gratia Episcopo *Tusculano*, &c.

Domino *Bernardo* Dei gratia Episcopo *Portuen*.

Domino *Gerardo* Dei gratia Episcopo *Sabin*.

Pope *Nicholas* the 4. being settled in his Pontifical Chair, taking into his consideration that King *Edward* the 1. was 5. years in arrear to the Church of *Rome* for the annual pension of 1000 Marks granted by King *John*, notwithstanding Pope *Honorius* his predecessors Bulls and *Nuncios* sent to him to demand and receive it, thereupon in the first year of his Papacie sent this Bull unto him, requesting in an humble manner the payment thereof to his Clerk and Nuncio *Giffredo* then in *England*, thus entred on Record.

Claus. 17 E. 1.  
m. 4. De quâ  
dam Litera  
missa Regiper  
Dom. Papam  
de quodam  
Censu annuo  
mille marca-  
rum, &c.

*Nicholas* Episcopus Servus servorum Dei, Charissimo in Christo filio Regi *Angliæ* illustri salutem & Apostolicam benedictionem. Honoris tui fili charissime, decere credimus, ac tui et Regni tui profectibus expedire, ut quod iuste debes sacrosanctæ *Romana* Ecclesiæ Patri tuæ, sic promptus exsolvas, quod gratiam acquiras ex debito, et commendari mereatur Celsitudo Regia ex affectu. Cum igitur Censu annuus mille *Parcarum* sterlingorum a te, sicut nostri, eidem *Romana* Ecclesiæ debeatur, ac felicitis recordationis *Honorius* Papa 4. prædecessor noster, super solutione ipsius Censu de tribus annis debiti facienda a te, sub certa forma tibi direxerit scripta sua, et nondum Cameræ sedis Apostolicæ de dicto Censu pro eisdem tribus annis satisfactum existat. Serenitatem Regiam requirimus et rogamus attente, per Apostolica tibi scripta mandantes, quatinus Censum ipsum pro eisdem tribus annis jam præteritis, et etiam pro duobus sequentibus, terminandis in proximo futuro festo beati *Michaelis*, dilecto filio Magistro *Giffredo* Cameræ nostræ Clerico in *Angliæ* commoranti, has tibi literas præsentanti, nostro et Ecclesiæ prædictæ nomine facias integre et liberaliter assignari: Ita quod nos id gratum habentes, Magnificentiam tuam possimus exinde merito commendare. Dat. *Roma* apud Sanctum *Petrum* 4. Kalend. *Maii*, Pont. nostri Anno primo.

Et memorandum, quod die Veneris proxima post festum *Assumptionis* beatæ *Mariæ* anno Regni, &c. decimo septimo apud *Ledes*, liberata fuit ista Bulla Magistro *Willielmo de Luda* tunc Custode Garderobæ Domini Regis, in eadem Garderoba custodienda.

The King hereupon to ingratiate himself with the new Pope, the better to promote his cosen *Charles* to the Realm of *Sicily*, whom he had enlarged out of prison, and expedite his own affairs in the Court of *Rome*, concerning a dispensation for his Sonne to marrie the heir of the Crown of *Scotland*, and other business touching *Gascoigne* and *France*, (for which he had then sent special Embassadors to *Rome* with Letters both to the Pope and Cardinals;) issued this Writ for the payment of these 5. years arrears accordingly, recorded in the *Liberate Roll* of this year,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

**R**EX Thesaur. & Camerariis suis salutem. *Liberate de thesauro nostro Magistro Giffredo de Vezano, Domini Papæ Clerico quinque millia Marcarum per manus suas eidem Domino Papæ liberand. de Annis Regni nostri 12, 13, 14, 15, et 16. videlicet, de quolibet Anno mille Marcas, quem idem Dominus Papa percipit ad thesaurarium nostrum. Et recipiatis ab eodem Magistro Giffredo sufficientem quietanciam de pecunia supradicta. Teste Rege apud Ledes 18 die Augusti.*

An. 17 E. 1.

Liberate 17  
E. 1. m. 2. intus  
De Denariis  
Dom. Papæ  
liberandis.

This is the last payment I finde made by King Edward the 1. of this annual pension during his reign, to which he made so many \* former long demurrers and delays of payment.

The Pope upon receipt hereof was so well pleased, that he granted a dispensation to the Kings Son Prince Edward to marry with the heir of the Crown of Scotland, thereby to unite these two Crowns, Kingdoms, and prevent the long bloody Wars between them, though within the prohibited degrees of Consanguinitie, thus enrolled in the Patent Roll of Anno 17 E. 1.

\* See here, p.  
148, 159, 278,  
279.

**N**ICHOLAUS Episcopus Servus servorum Dei, dilecto filio Nobili viro Edwardo nato charissimi in Christo filii nostri Edwardi Regis Angliæ illustris, salutem & apostolicam benedictionem. Petitis nos exhibita continebat, quod propter consanguinitatem Angliæ Scotiæque Regnorum diversa scandala, rancores, & odia inter ipsa Regna & eorum Reges hæcenus sunt exorta, ex quibus nonnulla rerum & corporum contigisse pericula dinoscuntur, sicque cum clara memoria A. Rex Scotiæ sit viam universæ Caritatis ingressus proprio masculino genere non extante, & dilecta in nobis Christo filia Margareta nata charissimi in Christo filii nostri Erici Norwegiæ Regis illustris, neptis prædicti Regis Scotiæ Regno ipsi Scotiæ Regi succedat verisimiliter dubitatur, quod si forsitan Regnum ipsum ad manus alterius ex ipsius Margarete contrahendo conjugio proveniret, de facili possent huiusmodi scandala, rancores & odia pullulare, ac provenire ex ipsis pericula graviora, unde ad huiusmodi periculis obviandum, ac ad sedandum & obliviscendum scandala, rancores, & odia supradicta, & ad procurandum & nutriendum vera pacis & dilectionis commoda inter prædicta regna & incolas eorundem, de jure cum prædicta Margareta matrimonialiter copulari. Sed quia tertio consanguinitatis gradu quo tu et eadem Margareta, nata ex quadam Margareta consanguinea tua præfati Norweg. Regis uxore, vobis attinetis ad invicem prohibente, id non potest perducere legitime ad effectum, Apostolicæ sedis licentiam super hoc humiliter implozasti; Nos itaque in prædictis regnis et ubique locorum Deo et Romanæ Ecclesiæ devotorum, pacem et concordiam affectantes, et intendentes ad id studia ruz possumus adhibere; Sperantes quoque quod ex huiusmodi matrimonio si fiet memoratis Regnis, odiorum tenebris inde propulsis, prosperitatum quæ plurimum, dante Domino incrementa proveniant. Considerantes etiam, quod si prædictum Regem patrem tuum, iuxta sui voti præfagia, contingat in Terræ sanctæ subsidium proficisci, posset ipsi Regi suoque Regno et tibi, et per consequens præfate Terræ Sanctæ negotio, si alii prædicta Margareta nuberet, depertire. Pensantes insuper, quod nulla ex huiusmodi provenire debere scandala verisimiliter cogitantur.

His & aliis dignis considerationibus subsistentibus excitati, tuis supplicationibus annuentes, tecum et cum Margareta præfata ut impedimento consanguinitatis huiusmodi non obstante matrimonium invicem legitime contrahere, ac in contracto licite remanere possitis, auctoritate Apostolica de speciali gratia dispensamus; prolem suscipiendam ex te ac dicta Margareta ex huiusmodi matrimonio nunciantes ex nunc legitimam, de Apostolica plenitudine potestatis. Nulli ergo omnino hominum liceat hanc paginam nostræ dispensationis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare præsumpserit, indignationem Omnipotentis Dei, et Beatorum Petri & Pauli Apostolorum ejus, se noverit incursum. Dat. Romæ apud Sanctam Mariam majorem 16 Kal. Decembris, Pontificatus nostri Anno secundæ.

King Edward upon the receipt of this Dispensation, sent these ensuing Letters and Proxies to Ericus King of Norway, and likewise to the Guardians of the Realm of



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3*

of Scotland, to consummate this marriage, upon these following Articles and Agreements; which, because not extant (to my remembrance) in any History, I shall transcribe out of the Records in the Tower.

Pat. 17 E. 1.  
m. 4. Ced.

**M**agnifico Principi & amico suo Karissimo Domino *Erico*, Dei gratia Regi *Normagie* illustri, *Edwardus* Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, salutem, & prosperis semper successibus habundare. Cum ex liberali benignitate Sedis Apostolicæ sufficiens et plena nobis dispensatio de filio nostro *Edwardo*, & *Margareta* filia vestra Regina *Scotia* matrimonialiter adinbitem copulandis, non obstante consanguinitatis gradu, quo sibi adinbitem attinere noscuntur, per sanctissimum patrem nostrum Dominum *Nicholaum* ejusdem Sedis ac universalis Ecclesiæ summum Pontificem, rite et inspirante gratia Salvatoris sit concessa, et realiter jam optenta; ad quod utique Custodes, Magnates, Prælati, ac tota communitas prædicti Regni *Scotia*, unanimi et expresse voluntate suam præbuerant jam consentum; id quod vobis, ut confidimus, propter utriusque regni *Anglia* & *Scotia* secundam prosperitatem & mutuam utilitatem placidum & acceptum esse, verisimiliter attendamus; vestram Serenitatem Regiam requirimus & rogamus attentè, quatenus ad tam felicem dictæ dispensationis & copulæ conjugalis effectum prosequendum finaliter & complendum, prædictæ Dominæ *Margareta* filia ad partes nostras *Anglicanas* adventum curetis adeo tempestivè maturare, ut obnixius obstringamur. Grave siquidem gereremus, si nostra hinc inde vota in hoc aliquantulum discrepant, aut saltem protelare faceretur, quod in hac parte Regiam Celsitudinem non deceret. Valeat & vigeat feliciter Regia Majestas vestra, & prosperis semper floreat incrementis. Dat. apud *Ambrisbury* 15 Kal. Maii, Anno Regni nostri decimo octavo.

Ibidem.

**E**idem Regi, *Edwardus* Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, salutem, & prosperis semper successibus habundare. Ad frequentem & votivam instantiam venerabilis patris Domini *Antonii* Dei gratia *Dunelm.* Episcopi vestram de Regno *Scotia* utilitatem affectantis, & vehementer prosequentis, quam utique nos in hoc & in aliis appetimus sceleriter prosperari, damus, concedimus & committimus eidem Episcopo plenam & specialem potestatem & auctoritatem plenariam, vobiscum per se, vel per suos Procuratores aut nuncios speciales, tractandi, conferendi, ordinandi Juramento, scriptis vel obligacionibus, suo & nostro nomine, si necesse fuerit affirmandi negotia, vos & nos filium nostrum & filiam vestram contingentia, secundum quod magis viderint expedire. Ratum habentes & firmum quicquid per prædictum patrem *Dunelm.* Episcopum, vel Nuncios aut Procuratores suos, vel eorum aliquos, ad hoc specialiter deputatos factum, ordinatum vel affirmatum fuerit suo & nostro nomine in præmissis. In cujus, &c. Sigillum nostrum fecimus præsentibus appendi. Dat. apud *Wodestok* 10<sup>o</sup> die April. Anno, &c. eodem.

Et memorand. quod istæ duæ literæ, licet sint de data in eis contenta, irrotulata fuerunt hic, eo quod tangunt factum *Norwag.* & nichilominus ista ultima litera irrotulata est in Rotulo Patentium de Anno xvii. mense April.

Ibid m. 3.

**O**mibus has literas visuris vel audituris, *Edwardus*, &c. salutem. Noveritis nos literas Custodum regni *Scotia* communi Sigillo Regni ejusdem signatas, non cancellatas, non abollitas, nec in aliqua sui parte vitiatas, in forma quæ sequitur, inspexisse. Excellentissimo Principi Domino *Edwardo* Dei gratia Regi *Anglia* Illustri, Domino *Hibernia*, & Duci *Aquitania*, Custodes Regni *Scotia* per Communitatem ejusdem Regni, salutem, & continuum semper gloria & honoris incrementum. Notum vobis facimus per præsentem, quod cum ad preces & instantiam vestram ad præsentiam vestram venerabiles in Christo patres *W. & R.* permissione divina Sancti *Andree* & *Glasgwen.* Episcopos, Nobiles viros *Robertum* de *Brus* patrem, Dominum *Wall. Anand.* & *Johannem Comyn* destinemus pro quibusdam rebus seu negotiis, vobis per quosdam solemnes Nuncios Domini Regis *Norwag.* illustres, suggestis, sicut per literas vestras nuper nobis missas didicimus; damus & concedimus prædictis destinatis potestatem & mandatum tractandi cum dictis nunciis *Norwag.* coram vobis, super rebus seu negotiis vobis expensis per eosdem, & ea quæ erunt in vestra præsentia ab utraque

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

que parte concorditer ordinata, affirmandi. Salvis tamen in omnibus & singulis & per *An. 17 E. 1.*  
omnia Libertate & Honore Regni Scotiæ; Ratum & gratum habituri quicquid per præ-  
dictos destinatos in vestra præsentia tractatum fuerit & affirmatum; dummodo ex hoc  
Regno Scotiæ & ejus incolis nullum imp'ferum præjudicium generetur. In cujus rei  
testimonium, hæc literas patentes Sigillo regimini regni Scotiæ deputato fecimus sigillari.  
Dat. apud Monasterium de Melros tertio die Octobris, Anno Gratia, 1289. In cu-  
jus, &c.

Memorand. quod ista Litera sigillata liberata fuit in Ecclesia beatæ Mariæ Sarum  
septimo die Novembr. Anno, &c. decimo septimo, per manum venerabilis patris  
R. Bathon. & Wellen. Episcopi Cancellar. Regis, Nunciis Regis Norwag. Et litera  
originalis unâ cum litera subsequente, eodem die, in eadem Ecclesia, liberata fuit  
per manus ejusdem Cancellarii Domino Episcopo Dunelm. in præsentia venerabilis  
patris Domini Wigorn. Episcopi, & Domini W. de Valen. & J. de Warennæ Com.  
Sarr. per manum ejusdem Episcopi Dunelm. in Garderoba Regis liberand.

**O**mnibus has literas visuris vel auditoris, *Edwardus, &c.* salutem. Noveritis *Pat. 17 E. 1.*  
nos literas Serenissimi Principis Ericii, eadem gratia Regis Norwag. illustris *m. 3.*  
Sigillo suo signatas, non cancellatas, non abolitas, nec in aliqua sui parte vitiatas, in  
forma quæ sequitur, inspexisse. Excellentissimo & Magnifico Principi, affini &  
amico suo Karissimo, Domino Edwardo Dei gratia Regi Angliæ, Domino Hiberniæ,  
& Duci Aquitanniæ, Ericius eadem gratia Rex Norwag. salutem, & sincera dile-  
ctionis constantiam, cum honoris & Gloria perpetuis incrementis. Noverit vestra  
Majestas Regia, quod nos dilectos ac fideles nostros, Tirricium de Campis Ludi Baro-  
nem, Petrum Algothi quondam Regni Suet. Cancellar. Thorwaldi de Shetland, &  
Guthorinum de Olleya, Milites, Aatores præsentium, facimus, constituimus & ordi-  
namus nostros veros & legitimos Procuratores & Nuncios speciales, ad tractandum &  
conferendum cum Serenitate vestra, super quibusdam negotiis, nos & filiam nostram  
Karissimam Margaretam Consanguineam vestram, Dominam ac Reginam Scotiæ ac ip-  
sum Regnum suum Scotiæ tangentibus: Dantes & concedentes eisdem nunciis & procu-  
ratoribus nostris auctoritatem plenariam & mandatum speciale ad stabilienda prædicta  
negotia & ad omnia alia facienda, sine quibus prædicta negotia expedire non possint, pro-  
ut nobis & filia nostra supradicta melius credere viderint ad commodum & honorem. Ita  
tamen quod si omnes hiis expediendis interesse nequiverint, tres vel duo ex ipsis nichilo-  
minus in negotiis procedant supradictis. Ratum habituri & gratum, quicquid per di-  
ctos nuncios & procuratores nostros, seu ipsorum tres vel duos factum fuerit & ordina-  
tum in præmissis seu quolibet præmissorum. In cujus rei testimonium præsens procurato-  
rium sigilli nostri appensione duximus roborandum. Dat. apud Civitatem Bergenf.  
Kal. April. anno regni nostri Decimo. In cujus rei testimonium, has literas nostras  
fieri fecimus patentes. Teste meipso apud Clarendon. 6. die Novembr. Anno Regni  
nostri decimo septimo.

**R**EX Prælati, Magnatibus, ac toti Communitati Regni Scotiæ, salutem & dilecti- *Pat. 17 E. 3.*  
onem sinceram. Quia negotia, quæ contingunt Karissimam Consanguineam *m. 3. 4.*  
nostram, Margaretam Dominam & Reginam Regni ejusdem, ad honorem Dei &  
tranquillitatem totius Communitatis ejusdem Regni, ac commodum & profectum ip-  
sius Consanguineæ nostræ prædictæ bene & fideliter prosperari, totis desideriis per-  
optamus; Vos requirimus & rogamus attentè, quatinus Custodibus ad regimen  
dicti Regni nomine prædictæ nostræ Consanguineæ deputatis, taliter intendentes fi-  
tis & obediētes, quod nos & Domina vestra antedicta possumus & debeamus fide-  
litatem vestram habere meritò commendatam. Proponimus siquidem statim post in-  
stans Parliamentum nostrum London. ad partes vestras Scotiæ, aliquos de nostro  
Consilio destinare; per quos ac etiam per ipsius Terræ Custodes de statu ejusdem  
Regni, quem appetimus tranquillum & pacificum semper esse, certificati erimus,  
Deo dante. Dat. apud Clarendon. ut supra. Et sunt Clausæ.

**R**EX omnibus ad quos, &c. salutem. Sciatis nos concessisse venerabilibus pa- *Ibidem.*  
tribus, Willielmo Dei gratia Sancti Andrea, & Roberto Glasgwen. Episcopis, ac  
Nobilibus viris, Roberto de Bruys, Domino Wal. de Anant. & Johanni Comyn, qui  
ad nos ex parte Custodum Regni Scotiæ nuper venerunt in nuncium; & Terrico de  
Campis



*An. 17 E. I.* *Campis Ludi*, *Petro Algoti*, & *Guithorno de Asscheye*, Nunciis & Procuratoribus egregii Principis Domini *Erici* Regis *Norweg.* quod si Domina *Margareta* nata Regis ejusdem, nostraque nepta, Domina Regina & hæres *Scotia*, in partibus *Anglia* veniat, ab omni contractu *Maritagii* & *Sponsalium* libera & quieta, nos ipsam domesticellam ita liberam & quietam ab omni contractu *Matrimonii* & *Sponsalium* probis hominibus Regni *Scotia* ad eorum requisitionem liberabimus, quam citò terra *Scotia* prædicta securata fuerit & in pace. Ita quod ipsa Domina securè venire valeat in eandem, & inibi commodè commorari; sub tali tamen modo, quod prædicti probi homines Regni *Scotia* antequam præfatam recipiant Domnam, sufficientem ponant securitatem & bonam nobis & Regi *Norweg.* supradicto, quod ipsam Domnam nullatenus maritabunt, nisi de consensu nostro, et Regis *Norweg.* supradicti, & hæredum succedentium nobis Regi *Anglia*, si de nobis interim contingat humaniter, vel in remotas partes à nostro regno prædicto contingeret nos transferre. In quibus casibus hæredes nostros, ac hæredum nostrorum & Regni Custodes in nostri absentia obligamus ad præmissa servanda, quæ promissimus bona fide. In cujus rei testimonium, &c. Teste Rege apud *Clarendon* 6 die *Novembr.*

Et sunt duplicata & similiter liberata per manum venerabilis patris *R. Bathon*, & *Willen.* Episcopi Cancellar. Regis apud *Sarum* 8. die *Novembris*, *Willielmo de Bliburg.* per manum suam liberand. Unam videlicet nunciis Regis *Norweg.* & aliam nunciis Custodum *Scotia*.

Ibidem.

CUM egregius Princeps *Eryk*, Rex *Norweye*, & Domina *Margareta* nata Regis ejusdem, Domina Regina & hæres regni *Scotia*, requisivissent per suos lolempnes nuncios, Dominum videlicet *Terricum de Campis Ludi*, *Petrum Algoti*, & *Guithorinum de Aseleja*, magnificum Principem Dominum *Edwardum* Dei gratia illustrum Regem *Anglia*, quod ipse opem apponeret & consilium, qualiter prædictæ Reginæ neptæ suæ obediretur, ut Domina Regina, et Hæres Regni *Scotia* supradicti, et quod ipsa inde ordinare possit pariter et gaudere, prout alius faciunt Reges regnis, præfatus Dominus *Anglia* Rex illustris, pro bono pacis dicti regni *Scotia*, & reformatione status suæ neptæ, jam dictæ, Custodibus regni *Scotia* literas suas misit, quod Custodes ipsi mitterent personas nominatas & certas, qui potestatem haberent tractandi formam aliquam pro se & aliis, ad emendationem dicti regni *Scotia*, & reformatione status Reginæ jam dictæ. Idem quoque Custodes ad requisitionem hujusmodi Domini Regis *Anglia* prælibati, miserunt, juxta effectum requisitionis ejusdem, venerabiles in Christo patres Sancti *Andrea* & de *Glasgoun.* Episcopos, & nobiles viros Dominos *Robertum de Brus*, Dom. *Val. de Anant*, & *Johannem de Comyn*, ad tractandum prout superius est jam dictum; qui apud *Saresbur.* venientes, ad mensem Sancti *Michaelis* prox. nunc elapsam, ad quem locum prædictus Dominus Rex *Anglia* honorabiles in Christo patres Dominos *Godfridum Wygorn.* & *Antonium Dunelmensem* Episcopos, ac egregios viros, Dominos *Guillelm. de Valenc.* *Pembrok.* & *Johannem de Garcum* Com. pro tractatu prædicto transmissit, qui similiter venientes ibidem ad tractand. ex parte ipsius Regis *Anglia* cum nunciis *Norweye*, & nominatis *Scotorum* supradictis, post disceptationes inter eos varias & tractatus, in formam tandem talem pariter concordarunt, videlicet, Quod præfata Domina Regina & Hæres in Regnum veniat *Anglia* aut *Scotia* citra festum Omnium Sanctorum proximo jam futurum, ab omni contractu *Maritagii* & *Sponsalium* libera & quieta, & hoc præfati Nuncii *Norweye*, quantum in ipsis est bona fide promiserant, se Procuratores futuros & curatores citra terminum jam prædictum, nisi Regina rationabile & allocabile *Essonium* habeat in hac parte. Promisit insuper bona fide jam dictus Rex *Anglia*, quod si præfata Domina ab omni contractu *Maritagii* & *Sponsalium*, in manum suam aut custodiam libera veniat & quieta; & quando Regnum *Scotia* securatum bene fuerit & in pace, ita quod Domina ipsa securè venire valeat, & in eam commorari, ipsumque Regem *Anglia* per gentem Regni *Scotia* requiri contingeret, idem Rex *Anglia* eandem Domnam in Regnum *Scotia* mittet, ita liberam & quietam à contractibus, de quibus superius est locutum; sicut recepit eandem. Ita tamen quod bona gens *Scotia*, antequam ipsam Domnam recipiant, sufficientem faciant securitatem & bonam Regi *Anglia* prænotato, quod prædictam Domnam, nisi per ordinationem ipsius, voluntatem et consilium, ac per assensum Domini Regis *Norweye* Patris ipsius Domina nullatenus maritabunt. *Prænotati*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

minati vero *Missi* Scotiæ promiserunt similiter bona fide pro se & aliis Regni Scotiæ, *An. 17 E. 1.*  
 quod ipsi asscuerant terram Scotiæ antequam dicta Domina veniat in eandem, &  
 quod Securitatem sibi faciant, quod inibi ut in Regnum suum secure venire poterit,  
 et pro sua voluntatis libito commorari, prout ipsius terræ vera Domina, Regina,  
 et hæres, quodque de præmissis omnes securitates præstabunt, quæ rationabiles  
 fuerint, et quas dicti *Puncti* Norweye ipsos facere posse dicent. Quod si forsan  
 de Custodibus aut Ministris aliquis vel aliqui dicti Regni Scotiæ ipsis de Norweya vel  
 Regina prædicta inutilis, vel inutiles suspiciosus aut suspiciosi existerit vel existerint,  
 totiens Ministri & Custodes amoveantur huiusmodi, quotiens opus erit, & meliores  
 alii de Regno Scotiæ loco ponantur eorum, secundum considerationem & providentiam pro-  
 borum hominum terrarum Scotiæ & Norweyæ, & illorum insuper quos ad hoc præli-  
 batum Rex Angliæ duxerit destinandos. Si autem illi de Scotiâ & de Norwegiâ in  
 hac parte concordare non possint, mediantibus ope & consilio gentium Regis Angliæ su-  
 prædicti, tunc res ex illa parte se teneat, cui gentes ipsius Regis Angliæ Consilium con-  
 cordaverint. Et hoc nedum sit attendendum in expressis superius, sed & in omnibus dis-  
 ceptionibus, qua inter eos in dicto Regno Scotiæ resultabunt, ejusdem Regni statum  
 & reformationem contingentibus quocummodo. Placet enim partibus, quod dicti Regni  
 Scotiæ status huiusmodi Angli. & Norweye Regibus reportetur. Item concordant  
 partes prædictæ, quod ad mediam Quadragesimam proximo jam futuram erit gens  
 Scotiæ apud Rokesburgh. & in circuitu loci ejusdem, gens verò quam transmittet  
 Rex Angliæ ad requisitionem illorum de Scotiâ & Norweyâ in partibus de Warks,  
 & de Karhin. eodem die erit. Ad quem diem promiserunt illi de Scotia bona fide de  
 affirmanda præmissis omnibus & complendis, tam de Securitatibus, quam cunctis aliis  
 supràscriptis, qua contingunt emendationem Regni Scotiæ memorati: & hoc in illorum  
 præsentia, quos præfatus Rex Angliæ ad dictos diem transmittet & loca, ut videre  
 possint prædicta firmiter adimpleri. Et in testimonium præscriptorum præfati procura-  
 tores Regis Norweye & *Missi* de Scotia huic scripto cirographato in tres pecias, qua-  
 rum dua in Gallico penes Regem Angliæ & illos de Scotia, & tertia in Latinum tran-  
 sata, penes Procuratores Norweyæ resident, sua apposuerunt sigilla. Et ad requi-  
 sitionem Procuratorum Norweyæ & nominatorum Scotiæ prædictorum præfati Domini  
 Wygorn. & Dunelmen. Episcopi, ac de Pembrok. & de Garen. Comites supra-  
 scripti sua similiter præsentibus apposuerunt sigilla in testimonium præmissorum. Dat.  
 apud Salesbury Dominica in Festo Sancti Leonardi, Anno Dom. 1289.

King Edward likewise to perfect the Marriage between his Son Prince Edward *An. 18 E. 1.*  
 and Margaret Queen of Scots, with the general approbation of the Keepers, Nobles  
 and Natives of that Realm, granted and ratified to the Nobles and people of  
 Scotland these ensuing Articles, agreed on by special Commissioners sent on both  
 sides, and approved by him by Letters under his Great Seal, which he took an  
 Oath to observe, under the penalty of forfeiting One Hundred Thousand Pounds  
 to the Church of Rome towards the Holy Wars, and subjecting himself to the Popes  
 Excommunication, and his Kingdom to an Interdict, in case of violation or non-  
 performance, as this Patent (enrolled both in *Latin* and *French*) attests. I shall  
 only recite the *Latin*, whereof the *French* is but a Counterpart.

Universis ad quorum notitiam præsentis literæ pervenerint. *Edwardus Dei*  
 gratia Rex Angliæ, &c. salutem in Domino. Cum nos nuper ad partes *Pat. 18 E. 1.*  
 Scotia destinasset venerabiles patres in Christo *Antonium Dunelmensem & Radul-*  
*phum Karloliensem* eadem gratia Episcopos, & Nobiles viros *Johannem Garena &*  
*Henricum Lincoln.* Comites, *Willielmum de Vesey* Militem, & Magistrum *Henricum*  
*de Newerk* Decanum Ecclesiæ *Ebor.* nostros solempnes Nuncios & Procuratores,  
 qui nostro nomine aliqua annuissent & concessissent Custodibus, Episcopis, Abba-  
 tibus, Comitibus, Baronibus, ac toti Communitati ejusdem regni Scotia, si per eos  
 sic concessa nobis & nostro consilio placuissent; ac prædicti Nobiles & tota Com-  
 munitas regni Scotia prædicti, ob hoc & alia negotia misissent ad nos venerabilem  
 patrem *Robertum Dei gratia Glasgouensem* Episcopum, & Nobilem virum Dominum  
*Johannem Comyn* Custodes regni Scotia, ac venerabilem patrem *Alanum* eadem  
 gratia *Cathaniensem* Episcopum, suos solempnes Nuncios & Procuratores: Nos  
 super prædictis per nostros Nuncios concessis informati & consulti, considerantes  
 E e e 2 etiam



An. 18 E.

etiam & ponderantes amorem & affectionem quam gens prædicti regni Scotia habet ad nos, & filium nostrum & heredem Edwardum, concessionem & factum prædictorum Nunciorum nostrorum ratum habemus & firmum, prout de verbo ad verbum est infra scriptum sub tali tenore. *Universis ad quos presentes littere pervenerint, Antonius Dunelmensis, & Radulphus Karliolensis Dei gratia Episcopi, Johannes de Garenna, & Henricus de Lincoln. Comites, Willielmus de Vescy Miles, & Henricus de Neuwerk Decanus Ecclesie Ebor. Procuratores speciales & Nuncii temporales magnifici Principis Domini Edwardi Dei gratia Regis Angliæ illustris, salutem.* Cum inter cetera, quæ contingunt negotiorum & tractatum habitum inter Excellentissimum Principem Dominum nostrum supradictum ex parte una, & venerabiles patres Custodes & ceteros Episcopos, Abbates, & totum Clerum, Nobiles viros, Comites & Barones, totamque Communitatem regni Scotia ex altera, super Matrimonio contrahendo inter Dominum Edwardum filium & heredem prædicti Domini nostri Regis, & Dominam Margaretam natam egregii Principis Domini Erixi Regis Norwagiæ, ejusdem regni Scotia Hereditariam & Reginam; à nobis esset petendum ex parte eorundem Custodum, Prælatorum, Nobilium, & Communitatis ipsius regni Scotia, quod pro Domino nostro prædicto et hæredibus suis, eis concederemus et firmaremus iura, leges, libertates, et consuetudines dicti regni Scotia, tam Ecclesiasticas quam Seculares, hactenus nitas et optentas: Nos habita consideratione diligenti ad pacem & tranquillitatem utriusque regni, & mutuam dilectionem habitantium in eisdem, cunctis temporibus remansuram, concedimus nomine et vice Domini nostri prædicti et hæredum suorum, quod iura, leges, libertates, et consuetudines ejusdem regni Scotia, in omnibus, et per omnia per totum ipsum regnum et ejus Marchiam integre et inviolabiliter perpetuis temporibus observentur: Salvo jure dicti Domini nostri et alterius cuiuslibet, quod sibi vel alicuiusque super hiis quæ consistunt in Marchia vel alibi ante præsentis Concessionis tempora competit vel competere iusto modo poterit in futurum. Volentes & concedentes expresse nomine dicti Domini nostri, hæredum suorum & nostro, quod deficientibus prædictis Edwardo & Margareta, vel eorum altero absque libris extantibus, in omni casu & eventu, in quo ad proximiores hæredes regnum prædictum debeat de jure reverti, integre, libere, absolute, absque ulla subjectione revertatur et restituatur eisdem, si forsitan ad manus antedicti Domini nostri Regis vel hæredum suorum, ipsum regnum Scotia aliquo casu contingerit debent. Ita quod ratione præsentis facti Domini nostri Regi vel hæredibus suis, aut alicui alii nichil accrescat aliquatenus vel decrescat. Similis vero fiat restitutio per prædictum Dominum nostrum Regem vel hæredes suos de corpore prædictæ Domine Margaretæ, si in eventum reversionis huiusmodi, in ipsius vel hæredum suorum fuerit potestate, secundum formam ordinationis & conventionis factæ super hoc apud Sarum. Concedimus insuper & promittimus bona fide, Domini nostri prædicti nomine & hæredum suorum, quod quando prædicta Margareta Domina & Regina Scotia maritabitur charissimo nato & hæredi ejusdem Domini nostri Edwardo, dotabitur vel habebit in \* donationem propter nuptias de ceteris terris in regno Angliæ prout decet congruè statum suum, unde ipsa Regina & amici sui contenti rationabiliter esse poterunt & debebant. Promittentes nichilominus vice & nomine prædicti Domini nostri Regis & hæredum suorum, quod regnum Scotia remaneat \* sepe ratum et divisum et liberum in se, sine subjectione a regno Angliæ per suas rectas, divisas et Marchias, sicut a retro hactenus extitit observatum: Salvo jure dicti Domini nostri & alterius cuiuslibet, quod sibi vel alicuiusque super hiis, quæ consistunt in Marchia vel alibi, ante præsentis Concessionis tempora competit, vel competere iusto modo poterit in futurum. Set quod Castra & Fortalicia de novo in Marchiam non firmentur, non sumus in hoc consulti, quod dicto Domino nostro Regi et suis talem imponere mus servitutem, ubi antecessores et homines sui usi sunt hactenus firmare Castra, Fortalicia, et Domos in terris suis, sicut fecerunt sui progenitores, quia alias majori subicerentur servituti, quam illi de regno Scotia vel aliqui antecessorum suorum. Ad hac expresse concedimus pro eodem Domino nostro & hæredibus nris, quod Capitula Ecclesiarum Cathedralium, Collegiarum et Conventualium, quæ proprias habent electiones, non compellantur exire regnum ipsum Scotia ad petendum licentiam eligendi, vel præsentandi suos Electos, vel abbatem Regi Scotia facere seu Sacramentum. Et quod nullus teneas in Capite de prædicto Rege Scotia compellatur exire regnum pro homagio, fidelitate, seu sine pro relevio faciendi. Illud idem viduis & miserabilibus personis in petendis & habendis

\* dotationem.

\* As now it doth.

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

habendus dotibus & quarenda iustitia succedentes. Set in regno ipso aliquis ex parte An. 18 E. 1.  
dicti Domini nostri Regis nomine Domina Margarette ipsius regni Regina, & Domini  
Edwardi filii & heredis Domini nostri predicti, deputetur ad iam dicta recipienda &  
eorum nomine facienda: Salvo homagio quod in personali Regis presentia fieri oportebit,  
set fidelitate facta habeat seisinam terre sue sine dilacione per breve de Capella. Nec  
quod aliquis de regno Scotie pro contractu inito vel delicto commisso in eodem regno, vel  
in aliquo casu teneatur respondere extra idem regnum, contra leges et consuetudines  
eiusdem regni, sicut hactenus exitit rationabiliter observatum. Et quod sigillum  
regni quod nunc currit, post mortem Regis teneatur & currat, quousque Regina predicta  
veniet in regnum suum, et fecerit Deo et Ecclesie, ac Communitati ipsius regni  
in loco ad hoc specialiter deputato, quod fuerit faciendum, secundum leges et con-  
suetudines dicti regni. Et quod tunc fiat nobis sigillam de consuetu archiepiscopi & cir-  
cumscriptio nomine Reg. Scotie tantum, penes Cancellarium eiusdem regni, qui pro  
tempore fuerit, remansurum. Volentes quod habeant Cancellarium de regno, & in regno  
Scotie residentem ad officium Cancellar. exequendum. Et idem concedimus de Came-  
rario, Clerico de Rotulis Capelle Domini Regis, Justiciariis, & aliis eiusdem regni  
Ministris; & quod nulla litera seu commune vel gratiam continens specialem, de dicta  
Cancellaria transeat, nisi secundum solitum & debitum cursum Capelle Regis & regni  
Scotie predictorum. Reliqua vero Carta privilegia & alia munimenta, qua tangunt  
regalem dignitatem & regnum Scotie, in tuto loco ponantur, sub firma custodia infra  
regnum Scotie, & sub sigillis maiorum de regno, & per visum eorum, donec predicta  
Domina venerit in regnum suum, & p. olem habuerit superstitem, & predicta munimenta  
ac privilegia in suis iuribus integraliter custodiantur. Et similiter quod nulla fiat sub-  
jectio, alienatio, vel obligatio rerum ad regalem dignitatem regni Scotie pertinentium,  
donec predicta Domina & Regina in regnum suum venerit, & p. olem superstitem habue-  
rit, ac superius est expressum. Promittentes firmiter & concedentes, quod nos &  
heredes, Comitum, Baronum, & Nobilium qui pro tempore erunt in custodia & muni-  
tagio Domini Regis Scotie post mortem antecessorum suorum, per predictum Regem  
nullatenus dispergantur. Nec quod Parlamentum teneatur extra Regnum et  
Marchiam Scotie super hiis que contingunt ipsi Regnum vel Marchiam, seu  
statum inhabitantium ipsi Regnum. Nec etiam tallagia, auxilia, exercitus,  
vel malitiosa exigantur a predicto Regno, aut imponantur gentibus eiusdem  
Regni, nisi pro communibus Regni negotiis expediendis, et in casibus in quibus  
Reges Scotie talia petere consueverunt. Ad que omnia supradicta integre et  
fideliter observanda, predictus Dominus noster Rex faciet in animam suam iurari.  
Et Prelati ac Magnates Anglie infra scripti, videlicet, Cantuar. & Ebor. Archi-  
episcopi, ac Winton. Lincoln. Dunelm. & Carlhol. Episcopi, necnon Nobiles viri  
Domini Edmundus Domini nostri Regis Germanus, & Cornub. Penebroch. Glo-  
verniz, Warennar, Lincoln. Norff. & Suff. & Oxon. Comites, fideliter procurabunt  
premissa firmiter observari. Et si Rex egerit extra regnum, quod locum suum tenens  
vel tenentes in eius absentia, vel heres ipsius Domini Regis legitima etatis existens, aut  
eiusdem heredis custos seu custodes, dum fuerit minoris etatis, quilibet in suo casu pre-  
stabit super premissis consimile Sacramentum. Promittimus etiam, quod predictus  
Dominus noster Rex pro se & heredibus suis obligabit se ad restitutionem dicti regni  
faciendam in casibus supradictis, sub pena Centum Millium Librarum Sterlingo-  
rum, solvendarum Ecclesie Romane in subsidium Terre Sancte. Et preter  
hec quod Dominus Papa dictum Dominum nostrum Regem et heredes suos  
possit per sententias excommunicationis in personas, et Interdicti in regnum et  
terras eorundem, tam ad regni predicti restitutionem, quam ad pene solutionem,  
si commissa fuerit, coercere; principali obligatione nihilominus in suo robore  
duratura. Concedimus insuper & promittimus nomine Domini nostri Regis predicti,  
quod idem Dominus noster presentem Obligationem propriis sumptibus & pro viribus  
faciet infra annum a tempore Sponsalium inter predictos Edwardum & Margaretam  
contractorum articulatum per Summum Pontificem confirmari, et infra idem  
tempus Communitati regi Scotie liberari; quod si infra annum predictum id facere  
non poterit, illud, quam citius potuerit, fieri impetrabit, ita quod illud perficiatur: Et  
si hoc non faciat suo tempore, quod heredes sui ad id faciendum bona fide teneantur.  
Protestamur etiam in hiis scriptis, quod omnia premissa taliter intelligantur, quod iuri  
antus regni vel alterius ratione presentis facti, nichil decrescat aliquantulum vel  
aurescat:



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 3.

An. 18 E. 1. accrescat: Nec alicui Regum regnoꝝ pꝛædictoꝝ, quin libere habeant statum suum. In quorum omnium & singulorum pꝛæmissorum testimonium & evidenciam pleniorē, sigilla nostra pꝛæsentibus duximus apponenda. Dat. apud Brigh. die Martis proxima ante festum beate Margarete Virginis, videlicet, 15 Kal. Augusti Anno Domini 1290. Et ad maiorem huiusmodi ratificationis & confirmationis nostre ac omnium pꝛædictorum auctoritatem & evidens testimonium, has literas nostras fieri fecimus patent. s. sigillo nostro Regio consignatas. Dat. Norht. 28 die Aug.

The King after this appointed the Bishop of *Durham*, to be this Queen *Margaret* and his Sonne Prince *Edwards* Lieutenant in *Scotland*, for the preservation of the Peace and Government thereof, by this Patent.

Pat. 18 E. 1.  
m. 9.

**R**EX venerabilibus Patribus *Willielmo Sancti Andree*, & *Roberto Glasnen*, eadem gratia Episcopis, ac nobilibus viris *Johanni Comyn*, & *Jacobo Senescallo*, Custodibus Regni *Scotia*, cæterisque Episcopis, Abbatibus, Prioribus, totique Clero, Comitibus, Baronibus, ac toti Communitati Regni ejusdem salutem, Cum ad Leges et Consuetudines Regni *Scotia* observandas et Sacramenti pꝛæstiti debito teneamur: Nos de probata fidelitate, & nota industria per dilecti nostri venerabilis patris Domini *Antonii* Dei gratia *Dunelmensis* Episcopi plenissime confidentes, ad pacem, tranquillitatem & profectum totius Regni *Scotia*, ac etiam ad supportationem oneris cæteris ipsius Regni *Scotia* incumbētis, eundem Episcopum ad hos mittimus, et tenore pꝛæsentium assignamus, ad tenendum in eodem Regno locum charissimæ nostræ Dominæ *Margareta* filix magnifici Principis Domini *Erici* Dei gratia Regis *Norwagie* illustris, Dominæ et Reginæ nostræ, ac charissimi nati nostri *Edwardi*, et ad iustificandum et ratificandum Regnum pꝛædictum, una cum cæteris ipsius Custodibus, de consilio Pꝛælatorum & Magnatum ejusdem Regni, secundum leges et consuetudines, inibi hætenus observatas. Quare universitatem vestram attentius requirimus & rogamus, quatinus ob honorem nostrum, Dominæ vestræ & nati nostri, eundem Episcopum ad pꝛæmissa benignè & curialiter admittentes, sitis intendentes & obedientes eidem in his omnibus quæ ad gubernationem & statum ipsius Regni pacificum requiruntur. In cujus, &c. Dat. Norht. 28 die Aug.

At which time he and his Sonne likewise constituted Proctors to treat with the King of *Norway* in his and his Sonne *Edwards* name, concerning his Sonnes marriage and espousals with his daughter *Margaret* Queen of *Scotland*, as these Records inform us.

Pat. 18 E. 1.  
m. 9. Ibidem.

**U**niversis sanctæ matris Ecclesiæ filiis, ad quos pꝛæsentēs literæ pervenerint, *Edwardus* natus & hæres Serenissimi Principis Domini *Edwardi* Dei gratia Regis *Anglia*, Domini *Hybernie*, & Ducis *Aquitania*, salutem æternam in Domino. Ad contrahendum nomine nostro Matrimonium cum nobili Domicella Domina *Margaretâ*, filiâ egregii Principis Domini *Erici* Regis *Norwagie*. Regni *Scotia* Dominæ & Reginæ, & etiam omnia alia facienda, quæ ad pꝛædictum contractum pertinent, aut pertinere poterunt quoquo modo, Illustri Principe Domino *E.* Dei gratia Rege *Anglia* Patre nostro pꝛædicto ad hoc assensum & auctoritatem pꝛæstante, nobilem virum Dominum *Johannem* Comitem *Garrenum*, Procuratorem nostrum ordinamus, facimus, & constituimus per pꝛæsentēs: Ratum & gratum habituri quicquid idem *Johannes* nomine nostro fecerit in pꝛæmissis. In cujus rei testimonium & pꝛæstitæ auctoritatis evidenciam, inclytus genitor noster pꝛædictus pꝛæsentēs literas suo & nostro nomine sigilli sui munimine roboravit. Dat. ut supra.

Consimilis litera facta est Domino *A. Dunelmensi* Episcopo, &c. Dat. ut supra.

Item consimilis litera facta est Magistro *Henrico de Newerk* Decano *Eborum*. Dat. ut supra.

Item consimiles tres literæ factæ sunt eisdem de Sponsalibus, quæ sic incipiunt post sub-salutationem: Ad contrahenda nomine nostro Sponsalia cum nobili, &c. Dat. ut supra.

Universis

An. 18 E. 1.

Ibidem

UNIVERSIS sanctæ matris Ecclesiæ filiis, ad quos præsentis literæ pervenerint, *Edwardus* Dei gratia Rex Angliæ, &c. salutem. Noverit universitas vestra, quod nos tenore præsentium ordinamus, facimus, & constituimus dilectos nostros, venerabilem Patrem Dominum *Antonium* eadem gratia *Dunelm.* Episcopum, & nobilem virum *Johannem* Comitem *Warren.* & Magistrum *Henricum de Newerk* Decanum Ecclesiæ *Eborum*, nostros nuncios solemnes, & Procuratores legitimos, ad tractandum cum egregio Principe Domino *Erico* Rege *Norweg.* aut ipsius nunciis seu procuratoribus ad hoc deputatis, super Sponsalibus seu Matrimonio contrahendis vel contrahendo inter *E.* natum nostrum charissimum & hæredem ex una parte, & Dominam *Margaretam* filiam ejusdem Principis *Norwegiæ*, Dominam & Regiam *Scotiæ* ex altera; Dantes eisdem omnibus, aut duobus eorum potestatem plenariam & speciale mandatum, tractatus illos nomine nostro iniendi, prosequendi, firmandi & perficiendi; & nos ad omnia, quæ inter eos & prædictum Principem vel ejus Nuncios seu Procuratores convenerint, specialiter obligandi, in animam nostram (si necesse fuerit) jurandi quodlibet genus liciti Sacramenti; & omnia alia faciendi, quæ ad expeditionem & finalem completionem negotii memorati necessariò aut utiliter requirentur, & quæ nos ipsi in premissis præsentialiter faceremus. Ratum & gratum habentes & habituri, sub ypoteca rerum nostrarum, quicquid ipsi Procuratores nostri aut eorum duo, quos præsentis esse contigerit in præmissis, nomine nostro duxerint faciendum. In cujus, &c. Dat. *Norht.* 29 die *Augusti*, Anno regni nostri, &c. 18.

After which followes another Procuration in the same words, only with the addition of *Robert* Bishop of *Glasgo* to the forenamed, with the same *Teste*; and likewise this ensuing Procuration.

UNIVERSIS sanctæ matris Ecclesiæ filiis, ad quos præsentis literæ pervenerint, *Edwardus* Dei gratia Rex Angliæ, &c. salutem. Noverit universitas vestra, quod nos tenore præsentium ordinamus, facimus, & constituimus dilectos nostros venerabilem patrem *Antonium* Dei gratia *Dunelm.* Episcopum, *Johannem de Garvenna* Comitem, & Magistrum *Henricum de Neuwerk* Decanum Ecclesiæ *Ebor.* Nuncios speciales & Procuratores legitimos charissimi nati & hæredis nostri *Edwardi*, cujus tutelam gerimus, ad contrahendum nomine suo Sponsalia vel Matrimonium cum nobili Domicella Domina *Margareta* filia egregii Principis Domini *Erici* Regis *Norwegiæ*, regni *Scotiæ* Domina & Regina; & etiam ad omnia alia facienda, quæ ad prædictum contractum pertinent aut pertinere poterunt quoquo modo. Ratum & gratum habentes & habituri, sub ypoteca rerum nostrarum, quicquid prædicti Procuratores & Nuncii, aut eorum duo, quos præsentis esse contigerit, in præmissis, nostro & prædicti nati nostri nomine duxerint faciendum. In cujus, &c. Dat. ut supra. Et dupl.

To facilitate this Marriage, the Bishop of *Durham* at the Kings request obliged himself to pay 400 *l.* by the year to certain persons in *Norway*, to discharge which annuity the King granted him several Mannors amounting to a greater value, by this Patent.

REX omnibus ad quos, &c. salutem. Cum venerabilis pater *A. Dunelmensis* Episcopus ad requisitionem nostram obligaverit se quibusdam personis de regno *Norweg.* in Quadringentis libris eisdem personis singulis annis solvendis, quousque Domina *Margareta* filia egregii Principis *Erici* Regis *Norwegiæ* illustris, & Domina & Regina *Scotiæ* quindecim annorum plene compleverit ætatem: Nos in recompensationem illarum Quadringentarum librarum annuarum, assignavimus præfato Episcopo Maneria subscripta, viz. Manerium nostrum de *Werk*, &c. with sundry other Mannors, Lands and Tenements therein specified. Pat. 18 E. 1. m. 8.

What security the King demanded, and the *Scots* condescended unto, for surrendering the Forts and Castles in *Scotland* to the Queen and his Son, upon her arrival there or in *England*, this Record attests.

A



An. 18 E. 1.

Par. 18 E. 1.  
m. 8.

**A** Touz ceus qi ceste leltre verrunt ou orrunt, *Robert* par la grace de Deu Evesqe de *Glasgen*, & *Johan Comyn* Gardeyns du Reaume de *Escoce*, e *Alayn* per meime la grace de Deu Evesqe de *Chatens*, solempnes Messages & Procururs des autres Gardeyns, & des Evesques, Abbés, Priors, Countes & Baruns, e de tote la Commune de *Escoce*, saluz en Deu. Come les honorables Peres en Deu *Annoyne de Dureme*, & *Rauf de Cardoyl* par la grace de Deu Evesques, e les Nobles homes *Johan de Garenne* & *Henry de Nichole* Countes, Sire *Guilliane de Vesey*, e Mestre *Henry de Newerk* Deen del Eglise de *Everwyk*, especiaux Procururs & solempnes Messages le noble Prince Sire *Edward* par la grace de Deu Roy de *Engleterre*, pur acons perils & suspecions qe il auoient entendu, nus eussent de par meimes le Roy de *Engleterre* demaunde la garde des Chasties & de Fortelesces du Reaume de *Escoce*, & de cele demaunde departir ne voleynt saunz Counseillier lou Seigneur le Roy avaunt dit. Nus sur ceo e autres choses venimes a la presence meimes le Roy de *Engleterre* avaunt dit. Qui seur celes choses conseil e deliberation euwe, a nostre requeste nous graunta cele chose delaer, deques ala venue nostre Dame, qe serra a la touz Seinz prochein avenir, ou devaunt si Dieu plest. Pur la quele chose nus Procururs & Messages avaunt diz, ouek aucuns des Gardeyns des Chasteus de *Escoce*, cest asaver Sire *Guilliams de Seint Cler*, *Patrick de Graham*, e *Johan de Soules*, qe illoqe vindrent oue nous, en noun des avaunt diz Gardeyns, Evesques, Abbés, Priors, Countes & Baruns, e tote la Commune du Reaume de *Escoce*, grauntons, volons, & fermement promettons, qe quel hore qe la Dame veigne en *Engleterre* ou en *Escoce*, quite & deliure de tot mariage, estre celui, qe nus auons otrie; Nus icels Chasteus e Fortelesces rendrons & ferons rendre a lavandite nostre Dame, e a noble Ber Sire *Edward* fiz al avant dit Roy de *Engleterre*, E de cel hore enauant les obeirons ensemble, come a Seigneur e Dame en ceste chose & totes autres qe al avaunt dit Reaume apendent, de cel hore, qe il ferront venuz en *Escoce*, e averont fer per eus ou per autres dedenz le Reaume serement de quel qe il seient en lu duw, solom les leys e les costomes de la terre de *Escoce*, ne a nul autre mariage ne assentirons, ne a autre Seigneur ne obeirons, taunt qil viueront, si il ne soit par le assent e la volente le Roy de *Engleterre*, e Sire *Edward* son fiz. E si la Dame ne veigne en *Engleterre* ou en *Escoce* entre cy e la touz seinz prochein avenir, nus volons e promettons par nus & pur touz les autres du Reaume de *Escoce*, qe touz les Gardeyns des Chasteus e de Fortelesces de meimes le Reaume seient adonqe obligez per serement e par escrit, de garder e de sauber i ceus Chasteus et Fortelesces al oes e en noun nostre Dame anant dite, e Sire *Edward* fiz e heyr le anant dit Roy de *Engleterre*. E si nul des Gardeyns des Chasteus e de Fortelesces seyt ou seient renablement suspecenous a eus ou a nous, il ferrount remuwe taunt de foiz come mestier serra per commun counseil du Roy de *Engleterre*, e de bone gent de *Escoce*, e as autres du Reaume nient suspecenous, souz bone seurte bailleu. Memes la chose grauntons, otrions & promettons des Gardeyns e des autres Ministres du Reaume.

But the sickness and death of this Queen in her voyage towards Scotland and England, put a period to all the premised Procurations, Patents, Articles, frustrated this much desired marriage between Prince Edward and her, and raised new Questions between the Competitors for the Crown, which of them was next Heir thereunto; who all referred the final decision thereof to King Edward, as Supreme Lord of Scotland, as I shall more at large relate in due place in succeeding years.

\* Hist. Angl.  
p. 16.

\* *Thomas Walsingham* stories, Anno 1290. Circa hoc tempus iubente Papa Nicholao taxatz sunt Ecclesie Anglicane secundum verum valorum (to raise his Dismes and Exactions higher) et tunc cessabit taxatio Norwicensis per Innocentium quartum prius factum: who had raised them likewise in his time.

\* Mat Westm.  
p. 186. Chron.  
Wil. Thorne,  
col. 1958.

Anno 1292. (18 E. 1.) in a third Parliament held at Westminster, \* Data est Domino Regi a Clericis & Laicis in subsidium, Quindena omnium temporalium & spiritualium totius Anglie circa festum Sancti Andreze Apostoli; unde Quindena concernens Abbatiam Sancti Augustini de bonis eorum mobilibus secundum veram taxationem eorundem in omnibus maneriis suis 137 l. 15 s. 11 d. q. so great was their

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

their wealth in that age. In this Parliament, cap. 3. there was this Proviso added *Ar. 18 E. 1.* to the Statute of *Quia emptores terrarum*, to prevent alienations in Mortmain: *Et sciendum est, quod per predictas venditiones seu emptiones terrarum seu tenementarum, sunt partis alterius earundem, nullo modo possunt terræ seu tenementa illa in parte, vel in toto ad manum mortuam devenire, arte vel ingenio contra formam statuti dudum super hoc editi: (viz. de Religiosis, Anno 7 E. 1.)* enrolled in the Statute Rolls of King Edw. 1. in the Tower, printed in all our Statutes at large, in *Raistrals Abridgements*, Tir. *Mortmain*, and *Cooks 2 Institutes* p. 504. How much the covetous Monks and Clergy in that age were troubled at, and grieved with this Statute against *Mortmain*, will appear by this censure of, and exclamation against it by \**William Thorne* a Monk of *Canterbury*. Anno Domini 1293. *Edwardus Rex amplexum Sanctæ Ecclesiæ instigatione circumventus, statuit & consilio Procerum suorum ordinavit, Quod nullus Religiosus aliqua tenementa emere vel vendere, vel ex dono alicujus aliquid percipere, aut alio qualicumque modo, arte vel ingenio quicquam acquirere; & si secus a quoquam Religioso fuerit attemptatum, liceret Domino Regi illud sic acquisitum, emptum vel datum per escaetorem suum ingredi, & in perpetuum tenere in feodo & hæreditate. Ven, heu, probo dolo! quomodo non solum perit tunc liberalitas illa Deo grata, qua deboti Reges, Proceres, ceterique fideles pro magno desiderio habuerant Religiosos fundare, prædia et possessiones in honorem Dei liberalissime conferre, et ipsos tueri: Verum extunc opere hujus charitatis palam tabescente, et unoquoque manum suam a talibus beneficiis retrahente, non solum possunt Religiosi quicquam nobis acquirere, quin etiam nec antiquis suis possessionibus propter oppressionem laicorum, ne dicam magnatum, prospere ut laici gaudere; sed his nobilissimis temporibus sapientes hujus seculi horum prosperitati invidentes, sive que fraudi consulentes, universos Religiosos ne sic oblata acceptarent, et quod nequius est, sibi quicquam appropriarent, per decretum et sententiam iudicium, ut dictum est, coartarunt; et sic de eis veraciter posset dici, quod egressa fuit iniquitas a sententiis iudicibus qui Aliam Israel, puta Ecclesiam, nequiter condemnaverunt.*

King Edward having remained beyond the Seas 3 years, 2 months, and 15 days, returning thence into England, in August Anno gratiæ 1289. postea per Angliam transiens, suos Justiciarios & Ministros, qui in sua absentia muneribus extorati, indicta perverterunt, et in aliis errabant secundum quantitatem transgressionum punxit; as <sup>a</sup> *Matthew Westminster* stories: Which <sup>b</sup> *Thomas Walsingham* thus expresseth: *Rex auditis quæremoniis eorum Anglicanum, qui de Regiis Ministris volebant conqueri, Justiciarios fere omnes de falsitate deprehensos a suo officio deposuit, ipsos iuxta sua demerita gravi multans pœna.* <sup>c</sup> *Henry de Kynghton* thus more particularly relates it; *Cumque Rex moram traxisset in Vasconia tribus annis, Nunciatum est ei, quod majores regni Angliæ oppresserant & forisfecerunt de terris suis, ut thesaurum ab eis erigerent: unde debites placentes in Banco Regis corruperant falsos Justiciarios regni, scilicet, Thomam de Weland, Adam de Stretton, Richardum de Boyland, et alios. Unde Rex in adventu suo sui Anglicani fuit avariatus et occupatus, Thomas de Weland exulabat de Anglia et ibit in Franciam.* <sup>d</sup> *Fabian* in his Chronicle, Anno 1289. and *William Caxton* story, *That they being found guilty of such trespasses and causes as they were accused of, some of them were outlawed, and lost such goods as they had, and the other punished by long imprisonment.* <sup>e</sup> *Ralph Holinshed*, *Graffon*, <sup>f</sup> *Speed*, *Stow*, & *Daniel*, in their Chronicles, Histories and Annals, Anno 1289. out of the Chronicle of *Dunster*, inform us, *That in a Parliament then assembled the Judges upon due examination and proofe of their Extortions, were fined to pay to the King these sums following: Sir Ralph Hengham Chief Justice of the higher Bench 7000 marks, Sir John Lovetot Justice of the lower Bench 3000 marks, Sir William Bromton Justice 6000 marks, Sir Solomon Rochester Chief Justice of Assises 4000 marks, Sir Richard Boyland 4000 marks, Sir Thomas Sodington 2000 marks, Sir Walter Hopton 2000 marks, (these three last were Justices Itinerant) Sir William Saham 3000 marks, Robert Lothbury Master of the Rolls 1000 marks, Roger Leycester 1000 marks, Henry Bray Escheator and Judge for the Jews 1000 marks; but Sir Adam Stratton Chief Baron of the Exchequer was fined in 34000 marks, and Thomas Wayland Chief Justice*

\* *Chronica*,  
col. 1961.

<sup>a</sup> *Flores Hist.*  
p. 376.  
<sup>b</sup> *Hist. Angl.*  
p. 15. Ypo-  
digma Neustr.  
p. 72.  
<sup>c</sup> *De Eventib.*  
*Angl.* l. 3. c. 1.  
col. 2466.

<sup>d</sup> Part 7. f. 132.

<sup>e</sup> *Chronicle*,  
p. 284, 285.  
<sup>f</sup> *History of*  
*England*, p.  
651.  
<sup>g</sup> *Collection*  
of the History  
of Eng'and,  
London 1634.  
P. 189.



K. Edward I. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 3.

*An. 18 E. 1.* Justice (found the greatest delinquent, and of the greatest substance) had all his Goods, Chattels, Jewels and Corn seized and confiscated to the King; which were it but equal to that of Sir Adam Stratton, these Fines brought to the Kings coffers above one hundred thousand marks, which at the rate as money goes now amounts to above four hundred thousand marks: A mighty treasure to be gotten out of the hands of so few men; which how they could amasse in those dayes, when litigations and Law had not spread it self into those infinite wratchings of contention as since it hath, may seem strange even to our greater getting times. To prevent such corruption for the future, the King at that time<sup>b</sup> caused all his Justices to swear, That from thenceforth they would take no pension, fee or gift of any man, except only a breakfast, or the like present. O divine and still necessary severity, only able to break the pernicious combination of men, that under the profession of Law and offices of Justice, make merchandize of honour, justice, law and conscience, which cannot in the end but bring forth ruine and confusion. So these Historians: who were all mistaken (as I conceive) in the case of Thomas Weyland, indicted of Felony, (not Bribery, unless then reputed Felony) who abjuring the Realm, his Lands were thereupon seized by the King and chief Lords of whom he held, as is undeniable by the Fine Roll of Anno 18 E. 1. m. 5, 7, 17. Claus. 18 E. 1. m. 7. and also by *Placita Parliamenti apud Asherugg in crastino Epiphaniæ*, *An. 19 E. 1. nu. 1.* where Margery wife of Thomas Weyland, and Richard his son, being joint-tenants with him of the Mannor of Sobber for life, the remainder to the heirs of the body of Richard, by a fine levied in the 6. year of the King, (which they pleaded) petitioned to be restored to the possession thereof, then seized into the Kings hands, quoad annum & vastum, quos Dominus Rex in eodem Manerio habet, & clamavit per forisfacturam dicti Thomæ, qui feloniam fecit, pro qua regnum Regis abjuravit. Whereas the Mannor was not held of the King, but of the Earl of Gloucester, & idem Comes post abjuracionem illam Domino Regi satisfecit pro anno & vasti ejusdem Manerii, eo quod idem Thomas illud de eo tenuit; nec de consuetudine regni debeat Dominus Rex annum & vastum alicujus ten. per forisfacturam alicujus haberi, nisi de liberis tenementis que idem forisfactor tenuit in feodo, &c.

Soon after, Anno 1290. (18 E. 1.) the King out of his piety and zeal to Christian Religion, in the same Parliament by a publike Act banished all the Jewes out of England, and confiscated all their Houses and Lands, for their infidelitie, blasphemie, crucifying of Christian children, in contempt of Christ crucified, and clipping of his coin: which<sup>a</sup> *Matthew Westminster* thus relates. Circa hos dies, scilicet 31 Augusti, Judæorum exasperans multitudo, que per diversas urbes & castra fortia habitabat per retroacta tempora confidenter, iusta est cum uxoribus et parvulis suis, una cum bonis suis mobilibus, ab Anglia cedere circa festum Omnium Sanctorum, quod eis pro termino ponebatur, quem sub pena suspendii transgredi non est ausa, quorum numerus erat (ut credebatur) 16 M. DXI. Exierat autem tale Edictum a laudabili Rege Anglorum in partibus Aquitanniæ, a qua omnes Judæi pariter exulabant.

<sup>b</sup> *Thomas Walsingham* writes, Rex eodem anno Judæos omnes expellens de Anglia, datus expensis in Gallias, bona eorum reliqua confiscavit. <sup>c</sup> *Thomas Stubbs* thus backs them, Anno 1290. in Christiano Animarum exulati fuerunt Judæi regno Angliæ, et hoc eodem die per totam Angliam. <sup>d</sup> *Polydor Virgil*, adds; Concilium Londini ad Westmonasterium habetur, in quo impunitis agitata est ejectio Judæorum, quorum erat per omnem Angliam ingens multitudo, quod sic oves ab hædis segregarentur. Itaque publico Edicto, iustum est, ut ultra paucos dies omnes abirent cum bonis. Illi iustis Concilii patentes, alii alio discesserunt. Ita profuga gens de Anglia in perpetuum erit miseræ semper aliquo terrarum peritura, usque eo dum denique deleatur. <sup>e</sup> *Henry de Knyghton* subjoynes, Cumque (Rex) fecisset voluntatem suam iusticiariis, statim cum movebat una alia causa, de moneta quam inveniebat viliter tonsa & corrupta in præjudicium coronæ, & ad grave dampnum populi, per infidelitatem & maliciam Judæorum, sicut fuit inquisitum & inventum: Et fecit stabili unum Parliamentum in quo combicti sunt Judæi de ea falsitate; et statuit, quod omnes Judæi exirent de terra Angliæ, deinceps non redituri propter eorum incredulitatem principaliter, et propter falsitatem quam eis dure imposuerunt Christiani. Et pro hac causa cum festinatione faciendâ & sine dilatione explendâ, Communes Regni dederunt Regi quintum denarium de omnibus suis mobilibus. To these I might accumulate the *Black Beck* in the Kings *Eschequer*, *Ranulphus Cestrensis* *Polychronicon*,

i See Cooks  
3 Instit. c. 68.  
p. 146, 147.  
k See Placita  
Parliamentaria  
published by  
Mr. Rylye,  
London 1661.  
p. 66, 67.

a Flores Hist.  
An. 1290 p.  
377.

b Historia  
Angl. p. 15  
Ypodigma  
Neustri p. 72.  
c Actus Pontif.  
Eborac. col.  
1718.  
d Historiz  
Angl. l. 17. p.  
327.  
e De Eventibus  
Angliæ,  
l. 3. c. 1. col.  
2466.

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chronicon, lib. 7. ch. 38. f. 308. *Fabians* Chronicle, part 7. An. 1290. p. 131. *An. 18 E. 1.*  
*William Caxtons* Chronicle, part 7. Mr. *John Fox* his Acts and Monuments, Vol. 1.  
 p. 443. *Johannes Balau* Scriptorum Britannia, Cent. 4. c. 22. p. 320. & cap. 60.  
 in Appendice. *Ralph Holinshed* his Chronicle, Vol. 3. p. 285. *Richard Grafton* his  
 Chronicle, p. 169. *Nicholas Trivet*, *John Speed* his History of Great Britain, p. 650.  
*Samuel Daniel* his Collection of the History of England, p. 190. *John Stow* in his  
 Annals, p. 204. & Survey of London, p. 289. Sir *Richard Baker* his Chronicle  
 of England, p. 146, 147. *Henry Isaacson* his Chronologie, An. 1290. Dr. *Peter*  
*Heylyn* his Microcosme, p. 570. Mr. *Samuel Purchas* his Pilgrimage, Book 2.  
 ch. 16. Sect. 7. All these Domestick Authors, together with *Johannes Mercet*, in  
 Histor. Majori Brit. l. 4, c. 9. *Centuria Magd.* 13. cap. 15. col. 1284, 1286, &  
 cap. 9. col. 967. *Raphael Volaterranus*, Geographia l. 3. f. 25. *Annales Dominico-*  
*corum Colmarensum*, Anno 1291. *Gilbertus Genebrardus* Chronogr. l. 9. p. 659.  
*Abrahamus Bzovius*, Annal. Ecclesiasticarum, Tom. 13. An. 1291. nu. 1. col. 966.  
 (to omit all others) unanimously attest the direct perpetual banishment of the Jews  
 by Publike Edict out of England, never to return into it again. Whose Testimonies  
 are irrefragably warranted, confirmed by several expresse Records in the Tower of  
 London, both for the Jewes safe conduct out of England, and for their Transportation  
 by a prefixed day upon their Exile thence, and the seizure, sale of their Houses, lands,  
 goods escheated to the King PER EXILIUM JUDÆORUM, witness Cl. 18 E. 1. m. 6.  
*De Judæis Regno Angliæ exeuntibus.* Pat. 18 E. 1. m. 14. *De passagio et Conductu*  
*Judæorum Angliæ.* Pro Bonamico Judæo Eborum & familia sua. Pat. 18 E. 1.  
 m. 13. Pro Mosseo filio Jacobi de Oxon. Judæo, & familia sua. Pat. 19 E. 1. m.  
 20. *De Judæismo Vicecomitibus & omnibus aliis Ballivis*, to collect all the profits  
 and rents arising out of the Jewes Houses a tempore Exilii eorumdem: the Char-  
 ter and Parent Rolls Anno 19 & 20 E. 1. *De Domibus Judæorum concessis post*  
*exilium eorum de Angliā*: in every of which (being near 130) the King recites,  
 Damos illas per Exilium ejusdem Judæi (therein named) a regno nostro tanquam ef-  
 facta nostra in manu nostra existentis; and by *Placita Parliamenti post Pasch. apud*  
*London*, An. 21 E. 1. rot. 4. the Prior of *Bridlington* and the Archbishop of *York*  
 cases, both sued by the King for 300 l. owing to a Jew ante exilium Judæorum,  
 which belonged to the King post eorum exilium. All which I have cited at large in  
 the first Part of *My Short Demurrer to the Jewes long discontinued Remitter into Eng-*  
*land*, Edit. 2. p. 43. to 66. & Part 2. p. 111, to 124. to refute Sir *Edward Cookes*  
 grosse mistake in his 2. *Institutes*, p. 506, 507, 508. (in his Comment on the Sta-  
 tute *De Judæismo*;) where he avers, that the Jewes were never banished out of Eng-  
 land, but only their usury, whereupon they voluntarily deserted it; and that this Sta-  
 tute was made Anno 18 E. 1. When as in truth it was enacted long before their banish-  
 ment, Anno 3 E. 1. as I have \* infallibly evidenced.

In this Parliament of 18 E. 1. wherein the Jewes were exiled, *William de Valen-*  
*tia* and *Jone* his wife having procured a Bull from the Pope to the Archbishop of  
*Canterbury*, against the Laws and Custom of the Realm, and Prerogative of the King.  
 to examin and determin who was lawfull heir to *William de Monte Canisio*, and to  
 bastardize and disinherit *Dionysia* his daughter then in Ward to the King, (against  
 the Certificate of the Bishop of *Worcester*, who had certified the Kings Court that  
 she was legitimate) petitioned the King, to appoint a Guardian to defend her and her  
 Estate before the said Archbishop and other Delegates of the Pope, or that they  
 might appoint her a Gardian, if the said Bull should not seem to the King and his  
 Council, prejudicial to the Kings Crown and Dignity: Which Petition the King and  
 his Council in Parliament rejected upon due consideration, for 10. memorable rea-  
 sons expressed in this Record and answer to his Petition.

\* *Willielmus de Valentia supplicavit Domino Regi*, quod cum ipse et *Joanna* uxor  
 ejus habeant quandam *Bullam* impetratam, Archiepiscopo Cantuariensi directam,  
 super successione in bonis quæ fuerunt *Willielmi de Monte Canisio* nuper defuncti, et  
 quis vel quæ eidem *Willielmo de Monte Canisio* succedere debet; quod Dominus  
 Rex tradere velit et committere aliquem Curatorem cuidam *Dionysia* filie prædicti  
*Willielmi*, ut dicitur; et quæ est in custodia ipsius Domini Regis, ut hæres ipsius  
*Willielmi* propinquior, ad prosequendum et defendendum pro prædicta *Dionysia* et

Fff 2

statu

e Ryley Plac.  
 Parl. p. 130.  
 f Plac. Parl.  
 An. 21 E. 1. n.  
 11, 13.

\* See here, p.  
 153. & The  
 first Part of  
 my Brief De-  
 murrer to the  
 Jewes long dis-  
 continued Re-  
 mitter into  
 England, p. 31,  
 to 41. & Part  
 2. p. 66. to  
 70.

a Placita Parl.  
 An. 18 E. 1.  
 rum, 3. Pe-  
 tition Will. de  
 Valentia &  
 Joann. uxor.  
 sue de prole-  
 cutione Bullæ  
 sue. See Ry-  
 ley his Placita  
 Parliamenta-  
 ria, p. 4. 5.



An. 18 E. 1. statu suo, coram prefato Archiepiscopo et Iudicibus in prefata Bulla nominatis; vel quod Dominus Rex concedat et permittat, quod ipsi Iudices eidem Dionysie ex Officio suo aliquem Curatorem possint committere; et proferat prefatam Bullam; et petit, quod si videatur Domino Regi et ejus Consilio, quod Bulla illa non sit prefudicialis Coronæ et Dignitati Domini Regis, quod Petitiō sua concedatur: Et quia Bulla illa visa, audita, et intellecta, manifeste patet, quod Bulla illa finaliter tendit ad ius successionis hereditariæ terminandum, cum de successione hereditaria nemo debeat cognoscere, nisi Curia Regis, vel Curia Ecclesiastica ad mandatum Curie Domini Regis: Et etiam si Bulla illa procederet, manifeste esset contra consuetudinem hactenus in Regno usitatam; et etiam quia Dominus Rex nuper prohibuit, quod Appellationes non fiant, vel Causæ agitentur in Curia Christianitatis, de hiis quæ a Curia Regis ibidem sunt demandata, propter multa inconvenientia quæ exinde sequerentur; et etiam quia Placita de successione hereditaria ita ordinate se habent, quod primo per Verba Domini Regis incipere debent in Curia Regis, et de Curia illa (si necesse fuerit) mitti ad Curiam Christianitatis, et non e converso; et etiam quia multa Placita et innumerabilia temporibus retroactis in Curia Regis placitata, et etiam Iudicia super eisdem reddita irritarentur, et forte reverterentur, si Bulla illa procederet, cum forte testimonia Episcoporum vel aliorum adnullarentur vel infirmarentur; et quia prefatus Willielmus et Johanna per prefatam Bullam intendunt infirmare factum Episcopi Wigornienlis (cujus factum fuit, quod prefata Dionysia filia prefati Willielmi de Monte Canisio censetur legitima) et per Bullam illam intendunt factum illud infirmare, et prefatam Dionysiam bastardam probare et convincere, et etiam quia quidam Symon de Ludgate, qui nuper quandam Bullam, non tam prefudicalem Coronæ Domini Regis, impetraverat, per iudicium Domini Regis ad prisonam adjudicabatur ad voluntatem Domini Regis. Et si Dominus Rex Bullam istam procedere permitteret, faceret contrarium iudicii per ipsum et Concilium suum redditum. Et etiam quia ipse Dominus Rex est Custos et curator prefate Dionysie secundum consuetudinem Regni, ratione custodiæ ipsius Dionysie; nec alium Curatorem dare poterit, nisi sibi ipsi injuriaretur; et etiam si Curatorem daret, sic daret litem Pupillo suo, quod esset inconveniens. Et etiam si Dominus Rex permitteret prefatum Archiepiscopum, aut alios Iudices Curatorem dare, sic de necessitate oporteret ipsum permittere de cætero quemlibet alium Iudicem delegatum, et in Verbi Dominum Papam; et sic incontinenti deveniret Ecclesia Romana in seissina cognoscendi de successione hereditaria de Terris et Tenementis in Regno isto; quod manifeste esset contra Coronam et Consuetudinem Regni, et sic esset Curia Regia subiecta Iudicibus delegatis inposuerum: Videtur Domino Regi quod Curatorem prefate Dionysie scire non potest concedere, nec permittere quod prefati Iudices aliquem et committant, &c. Postea ad Parlamentum Domini Regis post Pascha anno prefato, venit prefatus Willielmus de Valentia coram ipso Domino Rege; et petit, quod Dominus Rex permitteret ipsum sequi quandam Appellationem coram Archiepiscopo Cant. quam ipse Willielmus et Johanna uxor ejus fecerunt de quadam Sententia iniqua, per prefatum Episcopum Wigorn. pronuntiata, super Patrimonio inter prefatum Willielmum de Monte Canisio et quandam Amiciam matrem prefate Dionysie filie, &c. contracto, ut dicitur; et etiam super legitimationem prefate Dionysie filie, &c. Quæ quidem Sententia iniqua robur perpetuum obtinebit, nisi prefatum Appellum, interpositum infra Annum a tempore appellationis factæ, sit prosecutum, secundum quod idem Willielmus a quibusdam discretis iura scripta scientibus, intellexit. Et quia prefatus Willielmus et Johanna per prefatam Appellationem intendunt prefatam Sententiam taliter infirmare, et per consequens prefatam Dionysiam filiam prefati Willielmi de Monte Canisio bastardam probare, et sic per viam illam ad hereditatem ipsius Dionysie attingere, et ipsam Dionysiam, infra ætatem et in custodia Regis existentem, de libero Tenemento suo amovere, de quo ex liberatione Domini Regis fuit admissa, quod manifeste est inconveniens et contra legem et consuetudinem Regni; Inhibetur igitur eidem Willielmo, quod prefatam Appellationem ante ætatem prefate Dionysie nullo modo prosequatur, &c.

From which memorable Answers to these two Petitions by the King and his Council

\* See 30 Ass.  
pl. 19. Brooke  
Præmunire 10.  
Cooke 5 Rep.  
f. 12.

Nota.

† Nota.

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Council in Parliament, we may observe: First, the manifold Policies, and new Inventions of the Popes and Court of *Rome* and their Delegates, as also of Bishops and Ecclesiastical Courts, by degrees, to usurp the Consuance and determination of the Succession and Rights of all Freeholds and Inheritances within the Realm to themselves, from the King and his Temporal Courts, and to subject the Kings Courts to theirs, against his Crown, Dignitie, the ancient Laws, and Customs of the Realm. 2ly. The Kings, his Counsils, Parliaments care, and industry to prohibite, oppose such usurpations upon grave and weighty considerations, to prevent the manifold mischiefs which would thereupon ensue both to the King, kingdom and subjects. 3ly. Their pious care to protect the rights of Infants and Wards in that age, against all Papal and Prelatical devices to battardize or disinherite them, by Delegations or Appeals to any Ecclesiastical Judicatures. 4ly. That the procuring of any Bulls from *Rome* prejudicial to the Kings Crown and Dignity, was such an high offence, as at least deserved imprisonment during the Kings pleasure, and for which some had been formerly imprisoned by Judgement in the Kings Court, to deterre all others from procuring the like.

Afterwards in the same Parliament, this *William de Valencia* exhibited another Petition concerning this matter, complaining of injustice in disinheriting his wife against the *Earl of Cornwall*, and other of the Kings Counsil; for admitting *Dionysia* to be right heir to *William de Monte Canisio*, wherein the truth of the case is thus related by the Earl, and others of the Counsil, *Qui bene cognoscunt & recordantur, quod predictum Willielmus de Valencia predictum breve Inquisitionis petiit & illud optinuit, set dicunt, quod antequam breve illud petiit, venit quidam Dionysia de Monte Canisio, mater predicti Willielmi de Monte Canisio coram eis in pleno Consilio, & adduxit quandam Dionysiam filiam predicti Willielmi de Monte Canisio, asserens ipsam esse veriorum & propinquiorum heredem predicti Willielmi defuncti, & etiam heredem suum proprium, & ut filiam & heredem ipsius Willielmi de Monte Canisio filii sui defuncti, nomine Domini Regis admitterent. Et dicunt, quod quia publicum et notorium fuit, quod idem Willielmus tempore suo predicti Dionysiam ut filiam et heredem suam tenuit, et hoc idem dum vixit in pluribus locis sciri et proclamari fecit: et etiam quia Episcopus Wygorn. qui nunc est, in cuius Episcopatu eadem Dionysia, &c. filia, &c. originem traxit, per litteras suas patentes, quam Archiepiscopus Cantuar. viba voce testabatur, quod eadem Dionysia fuit filia predicti Willielmi legitima. Ipse Comes, Thesar. & alii eandem Dionysiam, nomine Domini Regis admitterunt ut heredem predicti Willielmi propinquiorum, et predicti terras et tenementa cum pertinentiis nomine Custodiz ratione minoris ætatis ipsius Dionysie in manus Domini Regis seque fecerunt. Ideo videtur Domino Regi, quod predictus Comes, Thesar. et alii de Consilio secundum quod recordantur bene et rite processerunt.* Which made the premised addresse by *William de Valencia* to, and Bull from *Rome* more criminal and injurious.

As the King and Parliament passed this memorable Censure against the Popes premised Bull, and Petition grounded on it, so they gave a more severe Judgement against the Prior of *Trinity*, and *Bogo de Clare*, who audaciously presumed to serve a Citation from the Archbishop of *Canterbury* in the Kings own Palace upon the *Earl of Cornwall*, sitting the Parliament, as he was going to it: for which they were attached and prosecuted both at the suit of the King himself, of the Steward and Marshal of the King, the *Earl of Cornwall*, and Abbot of *Westminster*; fined in great fines, and committed Prisoners to the Tower of *London*, as this memorable Record will more fully inform us.

\* Prior *Sanctæ Trinitatis London.* & *Bogo de Clare* attachiati fuerunt ad respondend. Domino Regi, Petro de Chanet Senescallo Domini Regis, Waltero de Fancourt Marescallo Domini Regis, Edmundo Comiti Cornubiæ, & Abbati Westm. de hoc, quod cum idem Comes, ad mandatum Domini Regis, ad istud Parliamentum suum *London.* venisset, et per medium maioris Aule Westm. versus consilium Domini Regis licite et pacifice venire et negotia sua prosequi debet, absque hoc, quod aliquas Citaciones vel Summonitiones ibidem admittat, predictus Prior ad procuracionem ipsius Bogonis, die Mercurii proximo ante festum Purificationis beate Marie hoc anno, predictum Comitem in predicta Aula citabit, quod compareret ad certos diem et locum coram Archiepiscopo Cantuar. super sibi obijciendis responsurus;

\* Placi a Parl.  
An. 18 E. 1.  
nu. 36. See  
Ryley p. 51.  
32.

\* Placi a Parl.  
18 E. 1. p. 6  
nu. 4. Quere  
la H. Com.  
Cornub. ver-  
sus Bogorem  
de Clare, &c.  
Priorem San-  
ctæ Trin.  
*London.*



*An. 18 E. 1.* furus; in contemptum Domini Regis manifestum et dedecus suum decem mille librarum, et in lationem libertatis Ecclesie predicti Abbatis concessa per Curiam Romanam, cum predictus locus sit omnino exemptus a jurisdictione Archiepiscoporum seu Episcoporum quorumcunque, per libertates sibi et Ecclesie sue Westm. concessas, et ad dampnum ipsius Abbatis mille librarum, et in prejudicium Officii predictorum Senescalli et Parescalli manifestum, et dampnum non modicum; cum ad ipsorum Officium et non ad alium Summonitiones et Attachamenta infra Palatium Domini Regis pertineat faciend. et etiam ad dampnum predicti Comitis quinque mille librarum; et inde producant sextam, &c.

Et Prior & Bogo venerunt; & Prior bene cognoscit, quod ipse citabit predictis die et loco predictum Comitem, ut predictum est. Et similiter predictus Bogo bene cognoscit, quod ipse fecit citare predictum Comitem, ut predictum est. *Sed dicit, quod ipse omnino ignorabit quod predictus locus fuit exemptus; et quod non intellexit aliquem contemptum Domini Regis, seu aliquod prejudicium ejus spiritualis, per Citationem illam fecisse; et omnino ponit se in gratiam, misericordiam, et voluntatem Domini Regis alto et basso. Et quia predicti Prior & Bogo cognoscunt predictam Citationem predictis die et loco per ipsos fuisse factam, et quia manifeste facta fuit in contemptum Domini Regis; Consideratum est, quod predicti Prior & Bogo mandentur Turri London. et ibidem custodiantur ad voluntatem Domini Regis, &c. Et quo ad predict. Com. & Abbatem, datum est dies eis, die Veneris in crastino Purificationis beate Mariæ, &c. Postea predictus Bogo invenit plegios subscriptos, ad satisfaciendum Domino Regi de predicta transgressione antecessum suum de Westm. de instanti Parlamento, alioquin quod ipsi restituerent corpus ejus Turri London. in recessu Domini Regis; scilicet, Johannem de Eyville, Henricum Hofe, Robertum le Vele, Radulphum Blut, Rouland de Erlei, Robertum de Radington, Willielmum de Rye, Willielmum de Nerford, & Willielmum Evereys, qui ipsum plegiaverunt in forma predicta. Et predictus Prior invenit plegios subscriptos; scilicet, Robertum de Melkele, Robertum de Gravel, Willielmum de Melkeshop, & Willielmum de Sutton, qui ipsum Priorem plegiaverunt sub eadem forma qua predicti Johannes de Eyville & alii superius predicti Bogo nem plegiaverunt. Postea venit predictus Bogo et finem fecit Domino Regi pro predicta transgressione per duas mille marcas. Et recipitur per plegios, &c.*

*Et quoad predict. Com. postea venit predictus Bogo, et bad. eidem Comiti mille libras pro transgressione sibi facta. Et idem Comes, ad instantiam Episcopi Dunelm., Episcopi Eliensis, et aliorum de Consilio ipsius Domini Regis, remisit eidem Bogoni predictas mille libras usque ad Centum libras, &c. Et sciendum, quod plegii de predicto sine admittuntur coram Thesaurario ad Scaccarium per preceptum Domini Regis. Et predictus Prior mittitur ibidem ad faciendum secundum quod Thesaurarius ei dicet ex parte Domini Regis.*

From which Record and Judgement it is most evident; First, That the Kings Royal palace is exempted from all Archiepiscopal and Episcopal Jurisdiction whatsoever; 2ly. That the serving of a Citation therein by any Officer of the Archbishop, is an high contempt and dishonour to the King in those who serve, or procure it to be there served on any person, deserving a very great fine to the King, and imprisonment in the *Tower of London*, especially during the Kings personal presence there, and in time of Parliament, upon a Peer and Member of Parliament, and an injurie both to the Kings Steward, and Marshall. 3ly. That *Westminster Abbey* was by Popes Bulls and our Kings Charters exempted from all Archiepiscopal Jurisdiction. 4ly. That the Fine and imprisonment imposed on them in this Case, was not for any breach of the Priviledge of Parliament, nor here mentioned nor inflicted on, (as <sup>a</sup> Sir Edward Cooke, and <sup>b</sup> Mr. Elsing mistake) but for the contempt, injury, and dishonour to the King, his Palace Priviledge, Officers, and the Court, as I have <sup>c</sup> elsewhere evidenced more at large.

a 4 Inst. p. 24  
b Munner of holding Parliaments, p. 144, 145.  
c The Fourth Part of a Brief Register, &c. of Parliamentary Writs, p. 819. to 829. 1188, to 1197.

The *Fine and Clause Rolls* of Anno 19 E. 1. inform us, that the King pardoned Bogo de Clare 1000. Marks of this his fine of 2000. Marks, and that for his Queens sake he also remitted to him 200. Marks due to the Queen for her *Aurum Regine*; there being by ancient Custom due to the Queen (by her prerogative) one hundred Marks for every thousand Marks fine (and so ten pound for every hundred pound

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pound fine) voluntary made and assented to with the King, for any offence over and above the fine made to or compounded for with the King; as <sup>d</sup> Gervasius Tilburienfis, and sundry Records, Presidents, both in the Tower of London, and Court of Exchequer at Westminster resolve in several ages and Kings reigns.

An. 18 E. 1.

d De Neceff.

riis Scaccari

observantiis,

Dialogus 2. c.

26. De auro Reginz. e Claus 9 Johan. Regis, m. 10. Claus. 20 H. 3. m. 30. Pat. 20 H. 3. pars 1. m. 23. Fines 16 H. 3. m. 11. Claus. 29 H. 3. m. 10. Fines 29 H. 3. m. 4. 5. Claus. 35 H. 3. m. 13. Fines 13 E. 1. m. 7. Fines 14 E. 1. m. 27. Pat. 13 R. 2. pars 1. m. 29. in Turri London.

**R**EX de illis duobus mille Marcis per quas Bogo de Clare finem fecit cum Rege pro quadam transgressione sibi imposta, et de quibus Rex ei prius pardonavit quingentas Marcas, pardonabit ei alias quingentas Marcas de gracia speciali. Et de residuis mille Marcis Rex concessit eidem Bogoni quod solutis Regi ducentis Marcis de residuis octingentis Marcis solvat Regi per annum ad Scaccarium Regis ducentas Marcas, unam videlicet medietatem in festo Sancti Johannis Baptiste proximo futuro, & aliam medietatem in festo Sancti Hillarii proximo sequenti, & sic de anno in annum ad eisdem terminos ducentas Marcas, quousque predictæ octingentæ Marcæ Regi ad Scaccarium Regis solvantur. Et mandatum est Thesaurario & Baronibus de Scaccario, quod prædictum Bogonem inde prædictis quingentis Marcis quietum esse, & ei de dictis octingentis Marcis solutis Regi prædictis ducentis Marcis, ut prædictum est, terminos illos habere, & sic fieri & irritu lari faciant. Teste Rege apud Assherugge 16 die Januarii.

Fines 19 E. 1.

m. 18. Pro

Bogone de

Clare.

**R**EX Thesaurario & Baronibus suis de Scaccario salutem. Ob bonam affectionem quam Karissima Consors nostra Alienora quondam Regina Anglia erga dictum nobis Bogonem de Clare habere novimus dum vivebat, pardonavimus ei nem Bogoni ducentas Marcas in quibus præfata Reginz die quo obiit tenebatur pro \*Auro suo ipsam contingente de quodam fine duorum millium Parcarum, quem idem Bogo fecit nobiscum pro quadam transgressione sibi imposta. Et ideo vobis mandamus, quod prædictum Bogonem de prædictis ducentis Marcis quietum esse faciatis. Teste Rege apud Assherugge 13. die Jan.

Claus. 19 E. 1.

m. 10. Pro

Bogone de

Clare.

\* Nota.

This Bogo de Clare in the same Parliament, was attached at the suit of John de Waleys Clerk, upon a different account, that the said John entering into his house in London on the Lords day to serve a Citation out of the Archbishop of Canturburies Court, certain of his family took and enforced him against his will, to eat the said Citation, together with the Seal, and also imprisoned, beat, and ill intreated him, to his damage of 20 l. and in contempt of the King, to his damage of 1000 l. as this Record informs us.

\* Bogo de Clare attach. fuit ad respondendum Johanni de Waleys Clerico de hoc, quod cum idem Johannes die Dominica in festo Sanctæ Trin. proximo præterito in pace Domini Regis & ex parte Archiepiscopi Cantuar. intrasset domum prædicti Bogonis in Civitate London. et ibidem derulisset quasdam literas de Citatione quadam faciend. quidam de familia prædicti Bogonis ipsum Johannem, literas illas, et etiam sigilla appensa bi et contra voluntatem suam manducare fecerunt, et ipsum ibidem imprisonaverunt,erberaverunt, et male tractaverunt, contra pacem Domini Regis, et ad dampnum ipsius Johannis viginti libz. et etiam in contemptum Domini Regis mille libz. et inde producit sectam.

\* Placita Parl.

23 E. 1 n 15.

Querela Jo-

hannis de

Waleys ver-

sus Bogonem

de Clare. See

Ryley Placita

Parl. p. 21, 23.

Et Bogo venit & defendit vim & injuriam, & quicquid est in contemptum Domini Regis, et contra pacem suam, &c. & dicit, quod non videtur ei, quod debeat prædicto Johanni ad prædictam querelam suam respondere. Dicit enim, quod idem Johan. in querela sua dicit, quod quidam de familia ipsius Bogonis prædict. transgress. ei fecisse debuerunt, nullas certas personas nominando, prout moris est in Curia. Nec etiam dicit quod illa persona de familia sua quacunque fuerunt, per præceptum suum transgressionem illam (si qua fuerit) fecisse debuerunt. Et sic in querela sua nec dicit ipsum Bogonem esse factorem nec facti præceptorem: unde petit judicium. Et super hoc idem Johannes quaesitum, si prædictus Bogo aliquam transgressionem ei fecit vel fieri præcepit? dicit, quod non; sed quod quidam de familia sua quorum nomina ignorat Ideo prædict. Bogo quoad



*An. 18 E. I.* quoad scilicet ipsius Johannis inde sine die. Et quia Dominus Rex prædictam transgressionem sic enormiter factam, ut dicitur, tum propter Contemptum ipsi Domino Regi in præsentia sua, viz. infra burgam, et in Parlamento suo factum, tum propter malum exemplum temporibus futuris, tum propter audaciam delinquenti sic de cætero aliis reprimendam, permittere non vult impunitam, dictum est prædicti Bogoni, quod ad scilicet Domini Regis inde respondeat, ex quo prædicti. transgressi dicitur fuisse facta infra portam suam et per manipulos et familiares suos; Et etiam quia per quosdam testatum est, quod quedam certa persona tunc de familia sua, viz. Henr. de Braban, Johannes Dunken, Rogerus de Burnham, Willielmus de Carrec, Johannes le Porter, & Henr. de Anesley fuerunt principales factores prædicti. transgressi. dictum est eidem Bogoni, quod deus & ceteros qui fuerunt de familia sua tempore quo prædicti. transgressi. facta fuit, habeat coram ipso Domino Rege in Quindena Sanctæ Trin. &c. ad faciend. & recipiend. quod per Regem & ejus Consilium fuerit ordinand. Ad quem diem prædictum prædictus Bogo adduxit coram ipso Domino Rege & ejus Consilio omnes de familia sua præter præd. Henr. Johannem, Rogerum, Willielmum & Johannem le Porter, & Henr. qui incontinentem post prædictum factum recesserunt & abierunt, nec aliqua parte sunt in potestate vel amicitia vel obsequio prædicti Bogonis vel suorum, prout per examinationem Militum, Clericorum, & aliorum de familia ipsius Bogonis juratorum, & singulariter examinatorum compertum est; & qui quidem jurati dixerunt, quod præd. Henr. & alii præd. factum fecerunt sine præcepto & assensu ipsius Bogonis, & absque hoc, quod præd. Bogo aliquid scivit de facto illo antequam factum fuit. Et super hoc idem Bogo petit judicium si de præcepto, missione, vel assensu, si sibi imponeretur ad scilicet Domini Regis respondere debeat antequam factores principales aliquo modo de facto illo convincantur? Et quia per consuetudinem et legem Angliæ, nullus de præcepto, hi, et auxilio aut missione respondere debeat antequam factores aliquo modo convincantur; consideratum est quod prædicti. Bogo ad præsens quoad hoc eat inde sine die, & prædicti. Johannes de Waleys sequatur versus factores principales prout sibi viderit expedire, si voluerit. Et insuper Thomas de Thurbervill de Com. Hereford, Walterus de Moleworth de Com. Hunt. Willielmus de Melkesham de Com. Eborum, Simon. de Lundgate de Com. Sum. David le Grand de Com. Hereford, & Willielmus le Franceys de Com. Buck. manneceperunt prædicti. Bogonem, ad habendum ipsum coram Domino Rege, ad respondendum ipso Domino Regi ad voluntatem suam, cum prædicti. factores de facto illo fuerint convicti, si Dominus Rex versus eum inde loqui voluerit.

From which Record I shall observe: First, That the Archbishops Citations were much slighted and opposed in that age. 2ly. That this enforcing his Clerk to eat and swallow down his Citation, with its Seal, was complained of to, and highly resented by the King, as a contempt against his Royal authority, being within the verge of his Court and sitting the Parliament, not punished by the Archbishop with Ecclesiastical censures. 3ly. That Masters ought not to be punished for abuses, contempts or offences committed by their Servants, without their privy or assents unto them before or after their conviction, nor any to be punished as accessaries, before the principals be convicted.

There happening many contests between the Bishop of Lincoln, and the Masters and Scholars of the University of Oxford, concerning the presentation and confirmation of their Chancellor, whether he ought to come out of the University in person to the Bishop, or to be admitted by his Proxies; the King by his Prerogative to advance Learning, and settle peace between them; made this friendly accord for the future, which they both subscribed in this Parliament.

\* Placita Parl. 18 E. I. nu. 2. See Ry'ev. p. 4. Concordia inter Episcopum Lincoln & Universitatem Oxon.

\* Cum inter venerabilem patrem Oliverum Lincoln. Episcopum ex una parte, & Magistros Universitatis Oxon. ex altera, mota esset materia discorde super presentatione et confirmatione Cancellarii sui; & idem Magistri dixerunt, quod nunquam solebant Electum suum extra Oxon. mittere ad confirmandum, sed per nuncios suos fuerit eorum Electus semper hucusque confirmatus, et commissio Episcopo transmissa. Et præfatus Episcopus dixisset, quod commissio illa est de pura & libera voluntate sua: ita quod quando commissio illa per nuncios facta fuerit, hoc fuit de pura gratia sua: et quia prædicti Magistri gratiam illam trahere volebant

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volebant in ius et consuetudinem, prædictus Episcopus gratiam illam continuare non intellerit. Tandem ad instantiam Domini Regis, ad istud Parlamentum suum, qui omnes contentiones vult pacificare, partes prædictæ se in hunc modum concordant, viz. quod prima vice cum prædicti Magistri Cancellarium suum elegerint, prædictus Episcopus ita prope Oxon. appropinquabit, quod Magistri ejusdem Universitatis ad ipsum venire poterint, et Electum suum præsentare et reddere, ab'que hoc, quod aliquam Electionem amittant. Idem etiam Episcopus dicit, quod hoc facto, ipse intendit graciosus esse prædictis Magistris in istis et in aliis, nec intendit eos gravare sine suo merito; et credit quod successores sui eodem modo eidem Magistris amici erunt et graciosi: Et intendit quod alias cum Cancellariis Universitatis prædictæ erunt electi, si idem Episcopus prope Oxon. fuerit, ipsos prædictos, admittet quando personaliter venerint; et si partibus longinquis fuerit, intendit de gratia sua illos admittere per Procuratores; sed quod ad hoc non teneatur per promissionem istam, nec alio modo nisi de pura gratia et libera voluntate sua. Et ad istam concordiam faciendam, prædictus Episcopus præfatus fuit, & etiam frater Willielmus de Leominstr. Johannes de Mone-moye, Ricardus de Bradeley, Johannes de la More, & Stephanus de Herdley, Magistri prædictæ Universitatis, qui concordia prædicta unanimiter consenserunt, et quorum quilibet assensum suum manu propria scriptis, &c.

Ac. 18 E. 1.

\* redire.

There being likewise at the same time some differences between the Scholars and Townsmen of Oxford, formerly comprehended, the King for the peace and honour of the University, whereof he had a special regard, ordered in this Parliament, that the same Accord between them should be recited and kept in his own Wardrobe. \* Memorandum, quod per præceptum Domini Regis Rotulis de pace et concordia inter Cancellar. et Scholares Universitatis Oxon. ex una parte, et Magistrum et Burgenses ejusdem Villæ ex altera, facta, et coram Domino Rege recitata, tradebatur per manum Johannis de Berewyk, Waltero de Langeton Clerico de Garderoba Domini Regis, ad custodiendum in ipsa Garderoba. Et etiam quod transcriptum ejusdem pacis concordia prædictæ Cancellario in uno Rotulo, & etiam prædicto Majori & Burgensibus in alio Rotulo lib. rabatur, ut partes prædictæ de cetero super statu suo sint certiores, &c.

\* Placita Parl.  
18 E. 1. nu. 22.  
Ryley. p. 39.

In the same Parliament, there was this memorable Suit concerning the right of Tithes, then and in former ages triable in the Kings Temporal Courts. \* Radulphus Episcopus Karliol. petit versus Priorem Ecclesie Karliol. Decimas duarum placearum terræ de novo assartarum in Foresta de Ingelwood, quarum una vocatur Lynchwait, & alia Kirkethwait, et quæ ad ipsum Episcopum pertinent, eo quod prædicta placea sunt infra limites parochialis Ecclesie sue de Aspaterick, & eo quod idem Episcopus & predecessores sui toto tempore antequam placea illa redacta fuerint in culturam, & bosco cooperta, percipere consueverunt Decimam pannagii earundem placearum, quousque prædictus Prior, per quandam suggestionem, sacra veritate factam, hoc anno tulit quoddam hærebe Domini Regis, Justic. Domini Regis de Foresta sua ultra Trentam, et ipsum Episcopum de Decimis prædictis spoliavit inscite. Et quod Decimæ prædictæ ad ipsum Episcopum pertinent ratione Ecclesie sue de Aspaterick prædictæ. petit quod inquiratur. per patriam, &c.

\* Placita Parl.  
18 E. 1. nu. 34.  
See Ryley. p.  
49. 30.

Et Prior venit & dicit, quod Decimæ prædictæ ad ipsum et Ecclesiam suam beatæ Mariæ Karliol. pertinent, & non ad prædict. Episcopum. Dicit enim, quod Dominus H. Rex vetus, concessit Deo & Ecclesie sue beatæ Mariæ Karliol. & Canonicis ibidem Deo servientibus, omnes Decimas de omnibus terris quas idem Dominus Rex, aut hæredes sui Reges Angliæ, in Foresta prædicta in culturam redigere fecerint, & Ecclesiam prædictam inde feoffavit per quoddam cornu eburneum quod dedit Ecclesie sue prædictæ. & quod adhuc habet, & petit judicium, &c.

Et super hoc venit Magister Henricus de Borton persona Ecclesie de Thuresby, & dicit, quod Decimæ prædictæ ad ipsum ratione Ecclesie sue pertinent, & non ad prædictos Episcopum & Priorem; quia dicit, quod placea prædictæ de quibus Decimæ petuntur sunt infra limites parochie sue; & quod ipse & predecessores sui semper fuerunt in possessione percipiendi Decimas majores et minores prædictæ placearum ut de iure Ecclesie sue de Thuresby, quousque prædict. Prior simul cum aliis qui-

Ggg

busdam



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 3.

An 18 E. 1. *busdam hoc anno, ratione p̄dicti b̄bis, ipsum de Decimis illis spoliaverunt in-  
 fuste. Et quod placea illa sunt infra limites parochia sua, & quod ipse & predecessores  
 sui semper fuerunt in possessione percipiendi p̄dicta. Decimas; tam majores quam  
 minores, petit quod inquiratur. per patriam, &c.*

*Et Willielmus Inge qui sequitur pro Domino Rege, dicit, quod Decimæ p̄dictæ  
 ad Dominum Regem pertinent, et ad nullum alium; quia dicit, quod p̄dictæ  
 placeæ sunt infra bundas Forestæ ipsius Domini Regis de Ingelwood; et quod  
 ipse Dominus Rex in Foresta sua p̄dicta (by his Sovereign Ecclesiastical Prero-  
 gative) villas edificare, Ecclesias construere, terras assertare, et Ecclesias  
 illas cum Decimis terrarum illarum pro voluntate sua cuiuscunque voluerit con-  
 ferre potest, eo quod Foresta illa non est infra limites alicuius parochiæ. Et  
 petit, quod Decimæ illæ Domino Regi remaneant, prout de iure debent ratione  
 p̄dicta, &c. Et quia Dominus Rex super præmissis voluit certiorari; & ut unicui-  
 que tribuatur quod suum est, assignentur Willielmus de Vesci Justic. Foresta sua ultra  
 Trentam, &c. ad rei veritatem in præmissis inquirendam, & quod inde acquisierint  
 scire faciant Domino Regi in proximo Parlamento suo post Pascha. In which Par-  
 liament they certified the King and his Council, Quod ad captionem p̄dictæ In-  
 quistionis procedere non potuerunt ad diem coram eisdem datum, ratione cusu-  
 dam litteræ Episcopi Karliol. Abi p̄dictæ, de inhibitione, ne aliquos ad iuramen-  
 tum ponerent tempore illo. Et quam litteram idem Willielmus & Thomas coram  
 ipso Domino Rege sigillo ipsius Episcopi signatam protulerunt: (A very high  
 affront to Justice, and the Kings Royal direction in Parliament.) Ideo per præ-  
 ceptum Domini Regis assignentur prædicti Willielmus & Thomas, & Johannes de  
 Lithepeynes, & Michael de Harcle, ad capiendam Inquisitionem prædictam. Ita  
 quod inde certificent Dominum Regem ad proximum Parlamentum suum post festum  
 Sancti Michaelis prox. futur. &c.*

From which case it is observable: 1. That in that age it was the received opi-  
 nion, as well as in this, that all Tithes in Forests and other places, which are extra-  
 parochial, or without the bounds of any Parish, belong of right to the King by  
 his Sovereign Ecclesiastical Prerogative, as Supreme Governour and Head on Earth  
 of the Church of England, and as he is *persona mixta et unita cum Sacerdotibus*,  
 as was resolved in this case, and in *our Law-books* since; whereas no meer Layman  
 is originally capable of Tithes. 2ly. That by his Sovereign Ecclesiastical Prerogative  
 he might erect New Parishes, Parish Churches, and grant Tithes unto them where  
 there were none before, without the Pope or Bishop. 3ly. That he likewise held  
 Plea of Tithes in his Temporal Courts.

\* 11 Aff. p. 75.  
 Brook Dismes  
 10. 38 Aff. p.  
 20. 10 H. 7.  
 18. a Cooks  
 2 Report 44.2.

In the same Parliament of 18 E. 1. there happened two memorable cases con-  
 cerning the delivery and purgation of Clerks convict, to and before theirordi-  
 naries: The first was the case of *\*Walter de Berton*, imprisoned in the Tower of  
 London, being convicted before *John de Mettingham* in the last Eyre in the County  
 of Dorset, *De falsatione sigilli Domini Regis*; whom the King commanded to  
 be delivered to the Bishop of Sarum, qui eum petit ut Clericum suum sub pœna  
 et in forma qua decet, quia videtur consilio, quod in tali casu non est admittenda  
 purgatio; it being out of the Statute of *Westm* 1. ch. 2. which extends only to  
*Felony*, whereas this counterfeiting of the Kings Seal was then reputed, and after-  
 wards declared to be *Treason*, 25 E. 3. ch. 2.

\* Placita Parl.  
 18 E. 1. nu. 38.  
 Ryley, p. 56.

The second was the case of the Abbot of *Westminster*, by way of complaint  
 against the Kings Justices, who summoned him being a Baron to appear before  
 them, and seised his Temporalities for a contempt, because his Archdeacon suffered  
 two Clerks convicted of murder, to make their Purgations before the certain day  
 prefixed by him in Court, to which the prosecutor for the King was adjourned,  
 and thereby prejudged; thus entred in the Pleas of that Parliament.

\* Placita Parl.  
 18 E. 1. nu. 39.  
 See Ryley, p.  
 57, 58.

\* *Abbas Westmonasterii supplicavit Domino Regi & ejus Consilio, quod cum qua-  
 dam voluntas & injuria sibi per Justiciarios suos, ad placita ejusdem Domini Regis  
 assignatos, nuper sint facta, quod factum eorum coram Domino Rege recitetur & emen-  
 detur*

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deur si ipsi Domino Regi & eius Consilio videatur, quod eidem Abbati injuriatur. *An. 18 E. 1.*  
 Dicit etiam, quod cum ipse habeat & habere debeat, & predecessores sui Abbates Westm.  
 temporibus retroactis per concessiones & confirmationes Regum Angliæ habere consueve-  
 runt, velut omnimodo unum breuium & preceptorum Domini Regis, ipsum Abba-  
 tem, homines, terras seu libertates suas ubicunque infra regnum tangentium, tam coram  
 Justiciariis itinerantibus, quam aliis Justiciariis Domini Regis quibuscunque, & per  
 Ballivos & Ministros suos sum. & attach. eorundem breuium & preceptorum facere:  
 Gilbertus de Thornton & socii sui Justic. Domini Regis ad placita ejusdem Do-  
 mini Regis assign. die Jovis in festo Apostolorum Petri & Pauli prox. praterit. per  
 quendam Barthol. le Criour Servientem suum eidem Abbati parato magnam Missam  
 celebrare in Ecclesia sua Westm. preceperunt, quod esset coram eis in crastino re-  
 sponsurus de hoc, quod ei dicerent ex parte Domini Regis. Ad quem diem idem Abbas  
 ob reverentiam Domini Regis, coram eisdem Justiciariis comparuit, qui ei im-  
 posuerunt, quod duo Clerici de morte hominis reatati, et ad sectam Domini Regis  
 coram eis conditi per inquisitionem patriæ ex officio suo captam, liberabantur  
 Archidiacono ipsius Abbatis ut loci Ordinatio, et eos ut Clericos petenti. Et  
 qui quidem Archidiaconus coram eisdem Justic. certum diem statuit eisdem Cle-  
 ricis ad purgationem suam faciendam, et eundem diem præfixit cuidam Ricardo  
 Bostard, qui dixit se velle sequi pro Domino Rege versus eosdem Clericos  
 de morte prædict. Et licet idem Abbas coram eis calumpniavit, quod esset Baro  
 Domini Regis, et quod sine Brebi Domini Regis et ejus Retorno, de tali-  
 bus respondere non debuit, per libertates suas sibi & Ecclesie sue concessas, iidem  
 Justic. super calumpniis illis certum diem ei coram eis dederunt. Ad quem diem idem  
 Abbas tunc cum ipso Domino Rege personaliter existens, fecit defaultam coram eisdem  
 Justic. ob quam Justic. prædict. Baroniam suam in manum Domini Regis capere  
 fecerunt, & etiam per Breve Domini Regis, Vic. in quorum Com. terra & tenementa  
 sua sunt, preceperunt distringere ipsum Abbatem per omnes terras et catalla,  
 et quod de eritibus, &c. Ita quod haberent corpus ejus coram ipso Domino Rege à die  
 sancti Michaelis in unum mensem ubicunque, &c. ad respondend. de facto prædicto.  
 Unde dicit, quod Justic. prædict. manifeste sibi insuriant in hoc, quod ipsam sine  
 Brebi Domini Regis coram eis venire fecerunt, contra libertates regias sibi et  
 Ecclesie sue concessas. Et etiam in hoc, quod eidem Abbati insinuerunt, quod re-  
 sponderet coram eis de purgatione prædict. admissa, cum Dominus Rex ex quo  
 Clerici de felonis in Curia sua ad sectam suam vel alterius cujuscunque conditi  
 fuerunt per Inquisitionem patriæ ex officio Justic. suorum captam et Ordinario  
 cuicunque eos petenti sub pena et qua decet fuerunt liberati, de eorum purga-  
 tione seu de die illius purgationis admittenda, statuenda, per consuetudinem in  
 regno hactenus usitatam non se debent intromittere. Et petit, quod Dominus  
 Rex vicariis Justiciariis suis prædictis factum eorum audiat & intelligat, & sibi faciat  
 quod de jure & consuetudine regni fuerit faciendum.

Et prædict. Justiciarii vniunt & bene recordantur quod duo Clerici, viz. Walterus  
 de Thorny, & Johannes de Thorny de morte hominis coram Rad. de Hengham &  
 sociis suis nuper Justic. Domini Regis ad placita sua assign. per quendam mulierem  
 appellati fuerunt: Qua quidem mulier postea versus eos in secta sua facienda fecit de-  
 faultam: Ob quod consideratum fuit, quod Clerici illi quoad sectam ejusdem mulieris  
 vent inie quieti. Et quod ad sectam Domini Regis veritas inquireretur p. r. patriam:  
 Per quam à die Pasche in unum mensem convictum fuit coram ipsis Gilberto & sociis  
 suis, quod prædict. Clerici de morte prædict. fuerunt culpabiles; propter quod liberati  
 fuerunt cuidam Waltero de Hunt. Archidiacono ipsius Abbatis loci Ordinario, ut de  
 felonis prædicta convelli. Qui quidem Archidiacon. in presentia eorundem Justic.  
 certum diem statuit de purgatione eorundem Clericorum admittenda, & eundem  
 diem præfixit cuidam Ricardo Bostard, qui dicebat, se velle sequi pro Domino Rege  
 versus eos pro morte prædict. Et dicunt, quod prædict. Archidiaconus ante diem sta-  
 tutum et præfixum prædicto Ricardo admisit purgationem illorum Clericorum,  
 in contemptum Domini Regis manifestum, et ad sectam suam et auferendum.  
 Propter quod ipsi Justic. hoc intelligentes, mandaverunt prædict. Abbati ex parte Domini  
 Regis, quod veniret coram eis ad certum diem in querela sua contentum, ad respondendum  
 de contemptu & transgressionibus prædictis. Et quia prædictus Abbas postea coram eis fecit  
 defaultam ad diem sibi datum, in contemptum Domini Regis iterato, iidem Justic.



An. 18 E. 1. *praeceperunt distringere praedictum Abbatem, ut praedictum est. Et dicunt, quod aliam injuriam seu voluntatem ei non fecerunt. Et petunt, quod si videatur Dominus Regi & ejus Consilio, quod in processu isto erratum sit, quid factum suum per ipsum Dominum Regem & ejus Consilium emendetur. Et quia praedicti Justic. recordantur, quod praedicti Clerici ad sectam Domini Regis per Inquisitionem patria ex officio suo captam coram eis de feloniam praedictam convicti fuerunt, ut praedicti Archidiacon. loci Ordinarii, eos ut Clericos petenti, sub poena qua decet liberari, nec est juri consonum vel patet, nus in regno nostro uisitatam, quod Dominus Rex vel alius quicumque fuerit, deus Clericos quoscunque de quacunque feloniam reatos, et in Curia Regis ad sectam suam per Inquisitionem patrie ex officio Justic. captam, vel alio modo convictos, iterato sectam suam de eodem facto habeat in Curia ipsius Domini Regis, vel etiam in Curia Ecclesiastica, qualitercunque Archidiacon. praedict. certum diem coram eisdem Justic. statuit de purgatione praedicta. admittenda, et eundem diem praesit praedicta. Richardo minus discrete et contra consuetudinem uisitatam, et etiam contra libertatem Ecclesiasticam; et etiam cum Clerici in casu consimili vel alia feloniam sibi imposita de cetero nunquam se purgarent, si ad sectam Domini Regis vel alterius cujuscunque, et ad cuius sectam in Curia Regis convicti fuerint totiens responderent in Curia Regis vel Ecclesiastica, quotiens ipse Dominus Rex vel alius quicumque sectam suam renobaret, et se belle sequi diceret; Quod omnino esset inconueniens et manifeste tam contra legem et consuetudinem Regni, quam contra libertatem Ecclesiasticam; Consideratum est, quod executio praedicti Regis suspendatur; et quod Terrae et Tenementa praedicti Abbatis, quae in manum Domini Regis ratione praedicti Regis capiuntur, sibi deliderentur. Et quod idem Abbas quoad hoc praesens eat inde sine die, salvo Domino Regi & praedicto Richardo, & quibuscunque aliis secta sua qua ad eos pertinet versus praedictos Clericos seu alios quoscunque, de morte praedicti. Et quod Abbas Brevia Vic. &c.*

What other Clerks convict were restored to their libertie, goods and lands upon their purgation this year; this Record will inform us.

Clau. 18 E. 1.  
m. 7. Pro  
Barth. Goging  
Clerico.

**R**EX Vic. Canteburg. salutem. Cum Bartholomaeus dictus Goging de Canteburg. Clericus, super crimine homicidii Galfridi de Griselee interfecti, ut dicitur, coram dilectis & fidelibus Regis Johanne de Eyvill, Radulpho Basset, & Roberto Malet Justic. nostris ad gaolam Regis Canteburg. deliberandam assignatis, reatus, & ad requisitionem venerabilis W. Eliensis Electum per eosdem Justic. eidem Electro iuxta privilegium Clericale, prout moris est liberatus, innocentiam super huiusmodi crimine coram eodem Electro legitime purgaverit, prout idem Electus nobis per literas suas patentes significavit; Mandatum est Vic. Canteburg. quod bona & catalla, terras & tenementa ejusdem Bartholomaei, occasione mortis praedictae per teipsum captam manum nostram, si supradictus Bartholomaeus fugam non fecerit, reituas eidem hac vice de gratia nostra speciali. Teste Rege apud Westm. octavo die Julii.

In the same Parliament the Earl of Gloucester and others seising the Temporalities of the Bishoprick of Landaffe, and presenting to the Benefices and Prebendaries thereto belonging, against the prerogative of the King, as appertaining to their Seigniories, and ejecting Marcolme de Harlegh to whom the King had committed them; he thereupon exhibited a Petition against the Earl and others in Parliament, to vindicate the Kings prerogative: which, together with the proceedings thereon are thus recorded.

Placka Parliam.  
menti 18 E. 1.  
nu. 40. See  
Ryley. p. 59,  
60, 61, 62.

\* Marcolomus de Harlegh monstravit Consilio Domini Regis per quandam Petitionem, quod cum post mortem Willielmi de Brewose quondam Landaven. Episcopi, custodia praedicti Episcopatus nomine Domini Regis sibi esset commissa; Et idem Marcolomus Maneria qua fuerunt praedicti Episcopo ratione custodiae sibi commissa in manum Domini Regis seiscire voluisset, Gilbertus de Clare Comes Gloucestr. & Hertford, Manerium de Landath, cum omnibus pertinentiis suis, & etiam Manerium de Lankaderwader, & omnia qua fuerunt praedicti Episcopi infra Dominium ipsius Com. de Clamorgan. seiscire fecit in manum suam, et seiscinam illam adhuc occupabat, & Archidiaconum

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

nam de Landath & Prabendas à tempore mortis prædicti Episcopi vacantes in Ecclesia prædicta pro voluntate sua contulit, & adhuc confert cum illas vacare contigerit, in præjudicium Coronæ Domini Regis, et exheredationem suam manifestam; Cum etiam Comes per ipsum Malcolmum ex parte Domini Regis sciret requisitus, quod seisinam prædicti Manerium ratione Custodiæ sibi commissam eidem liberaret, & quod Dominum Regem Archidiaconatum prædicti & Prabendas prædictas conferre permitteret. Dicit etiam quod Comes Hereford. qui nunc est fecit seiscire post mortem prædicti Episcopi in manum suam, Willam de Donestowe, & etiam quod Willielmus de Brewose scior post mortem prædicti Episcopi seiscire fecit in manum suam Willam de Bishopston in Gower, & adhuc detinet, in præjudicium Coronæ ut prædictum est, &c. Dicit etiam, quod Edmundus frater Domini Regis post mortem prædicti Episcopi cepit de Tenementis Manerii de Loncyllis Cressmy quod fuit prædicti Episcopi lxxv. solidos, qui ad ipsum Dominum Regem pertinebant ratione Custodiæ prædictæ; Et quod Comes Norff. & Mareschall. Domini Regis qui nunc est, post mortem prædicti Episcopi seiscire fecit in manum suam Manerium de Macherne in Netherwente, & proficua ejusdem Manerii & Exitus cepit; set cum idem tam frater Domini Regis quam Comes Norff. per ipsum Malcolmum requisiti fuerint, prædicti. Comes Norff. seisinam ejusdem Manerii ipsi Malcolmo liberare fecit, cum omnibus inde perceptis tempore seisinæ suæ, &c. Et etiam prædicti. Edm. frater Domini Regis prædicti. lxxv. solidos ipsi Malcolmo fecit liberare. Et Comes Glouc. & alii veniunt. Et Comes Hereford bene cognoscit quod prædicta Villa de Donestowe post mortem prædicti Episcopi seiscira fuit in manum suam per Ballivos suos ipso ignorante. Et dicit, quod post seisinam illam Decanus & Capitulum Ecclesiæ Landav. protulerunt coram ipso Comite quandam Chartam sub nomine Humfridi de Boun Antecessoris sui quondam Comitis Hereford. factam, qua testabatur, quod idem Humfridus quondam Comes, &c. concessit, dedit, & Charta sua confirmavit Decano & Capitulo Ecclesiæ Landavensis prædictam Villam de Donestowe, tenend. sibi & successoribus suis in liberam, puram & perpetuam Eleemosinam imperpetuum. Propter quod ipse liberare fecit seisinam prædictæ Villa prædicto Decano & Capitulo, juxta formam Cartæ prædictæ. Et dicit, quod ipse nihil clamat in prædicta villa ratione Custodiæ tempore vacacionis prædicti Episcopatus, Immo totum jus suum si quod habeat vel temporibus futuris habere contigerit, hoc totum Domino Regi et hæredibus suis pro se et hæredibus suis concedit, relaxat, et quiet. clamat imperpetuum. Ideo prædictus Malcolmus custos habeat Breve, quod seiscire fac. prædictam Willam in manum Domini Regis nomine custodiæ prædicti Episcopatus: Et quod Domino Rege de Critibus et proleis inde provenientibus respond. &c. Et Comes Glouc. dicit, quod omnes Terra & Tenementa infra patriam de Glamorgan existentia sunt de Domino suo; Ita quod tam custodiæ Terrarum et Ten. præd. ad prædictum Episcopatum spectantium cum prædictam Sedem vacare contigerit, quam aliarum Terrarum quarumcunque in patria illa, cum custodiæ contigerit earundem, ad ipsum pertinet ratione Domini sui in partibus illis, et nullum alium. Et dicit, quod omnes Antecessores sui, a tempore quo non extat memoria, semper habuerunt custodiam prædictarum Terrarum, et Prabendas prædictæ Ecclesiæ de Landath. Sede vacante, contulerunt; absque hoc, quod Dominus Rex vel ejus Progenitores unquam aliquam custodiam prædictarum terrarum habuerunt, seu Prabendas Ecclesiæ prædictæ contulerunt, nisi casualiter sic evenisset temporibus retroactis, quod sedes prædicti Episcopatus vacasset tempore quo ipse vel aliquis Antecessorum suorum Comitum fuit infra ætatem, et in Custodiâ progenitorum Domini Regis. Ita quod ipsi Progenitores habuerunt inde Custodiam ut Custodiam de Custodiâ ratione minoris ætatis ejus seu alicujus Antecessorum suorum. Dicit etiam, quod quidam Richardus de Clare quondam Comes Glouc. pater suus, cujus hæres ipse est, fuit in seisinâ de prædicta custodiâ prædicti. Manerium tempore vacationis prædictæ sedis nuper præterita; & quod ipse post mortem suam in instanti vacatione prædictæ sedis intravit in custodiâ prædicti. Manerium, ut in jure & hereditate sua, & de quo jure prædicti. pater suus obiit seiscirus, & non per aliquam occupationem Domino Regi factam. Postea apud Kingeschippton die Luna prox. post festum Sancti Lucæ Evangelistæ anno decimo octavo prædicti. Comes Glouc. & Hertford. reddidit Domino Regi id quod ad ipsum pertinuit de Advocacione et custodiâ Episcopatus prædicti, una cum collationibus Prabendarum et Dignitatum ejusdem tempore vacationis Episcopatus illius, ut jus ipsius Domini Regis, prout Scriptum ipsius Com. quod



*An. 18 E. 1.* quod Domino Regi inde fecit, plenius testatur, &c. *Et idem Dominus Rex postea de gratia sua speciali dedit et concessit pro se et heredibus suis eidem Comiti et Johanne uxori suæ, karissimæ filie ipsius Domini Regis, advocacionem et custodiam Episcopatus prædicti cum pertin. Habend. & tenend. de se & heredibus suis eisdem Com. & Johanne, cum collationibus Præbendar. et Dignitatum Episcopatus illius singulis temporibus vacationum ejusdem, ad totam vitam utriusque eorum Com. et Johanne. Ita quod post decessum ipsorum Com. et Johanne, Abbecatio et Custodia Episcopatus prædicti, una cum Collationibus Præbendarum et Dignitatum ejusdem temporibus vacationis Episcopatus illius, ad ipsum Regem et heredes suos integre revertentur quæta de heredum eorundem Com. et Johanne imperpetuum; Salva Domino Regi et heredibus suis in singulis vacationibus Episcopatus prædicti. Fidelitate ipsius qui in Episcopum ejusdem loci contigerit confirmari, prout carta ipsius Domini Regis eisdem Com. & Johanne inde facta plenius testatur.*

This case I finde more fully pressed and expressed on the Kings behalf in the Patent Roll of this year.

*Pat. 18 E. 1. m. 1. intus Cedula. \* A strong Argument against Oral Traditions & their certainty.*

**U**niversis Christi fidelibus, &c. *Edwardus Dei gratia Rex Anglia, &c. salutem.* \* Memoria hominum labili adeo fallax insidiatur oblitio, ut ea quæ modernis temporibus plana sint et aperta, tractu temporis obscura erunt et incerta nisi scriptoræ testimonio fasciantur. Et ob hoc prohibere decrevit legum auctoritas sententias diffinitivas in scriptis præferri, ne ea quæ juris tramite ordinata sunt et recte disposita processu temporis in recidiva contentione scrupulum relasantur. Suborta siquidem inter nos ex parte una, et Gilbertum de Clare Comitem Glouc. & Heref. ex altera, super advocacione Ecclesiæ Landaven. et Custodia temporalium prædictæ Ecclesiæ ac collocationibus Dignitatum et Præbendarum in eadem sede Landavenf. vacante materia quæstionis, Anno Domini MCCXC. in Chastino Animarum apud Clifton pro nobis proponi fecimus, contra Com. prædictum, quod præfata advocatio Ecclesiæ Landavenf., Custodia Temporalium, et Collationes dignitatum et præbendarum in eadem Ecclesia sede Landavenf. vacante, non ad dictum Com. sed ad nos et nostræ Coronæ dignitatem, sicut in cæteris Ecclesiis Cathedralibus Regni nostri Angliæ de Jure et Regni consuetudine pertinebant. Et quod progenitores nostri Reges Angliæ qui pro tempore fuerant præmissis uti consueverunt pleno jure, et quod præ memoris H. progenitor noster qui proximo regnabit ante nos, in vacatione prædictæ Landavenf. Ecclesiæ per mortem Helya quondam loci illius Episcopi, commisit Temporalia Walerando Tentonico Militi, qui finita administratione ad Saccarium præfati Parris nostri reddidit ratiocinia. Et in eadem vacatione contulit unam Præbendam vacantem Magistro Willielmo de Bergo tunc Thesaur. Warderobæ suæ: et aliam Præbendam Albredo de Fescampo tunc Subthes. ejusdem Warderobæ, et Archidiaconatum Landaven. cuidam Thoma tunc Capellano præ memoris Alienore matris nostræ. Adjectumque fuerat ex parte nostra, quod Episcopi Landavenf. qui pro tempore fuerunt, tenuerant Barchiam suam et terras et possessiones a Progenitoribus nostris Angliæ Regibus, et a nobis, nihilque a Domino Comite seu ipsius Progenitoribus. Et quod Ecclesia Landavenf. vacante, Canonici ejusdem non a Comitibus, sed a Regibus petunt licentiam eligendi: unde pro nobis propositum extitit, quod idem G. Comes Glouc. & Heref. in præfenti vacatione ejusdem Ecclesiæ per mortem bonæ memoriæ W. de Brewos nuper Landavenf. Episcopi præmissas custodiam Temporalium, et collationes dignitatum et præbendarum nullo jure utens de facto, cum de jure non posset, in injuriam et derogationem Coronæ nostræ sibi viciose usurpavit. Et quia idem Comes habita super hoc deliberatione pleniori, constebatur præmissa quæ sibi opposita fuerant ex parte nostra verâ esse, Advocacionemque dictæ Ecclesiæ Landavenf., Custodiam temporalium, et collationes dignitatum et præbendarum, ad nos et Coronæ nostræ dignitatem pleno jure pertinere, ut idem Comes præmissis Custodia temporalium, et Collationibus dignitatum et præbendarum uteretur sede Landavenf. vacante, ad vitam suam duntaxat sibi concessimus gratiose: Ita plane, quod per factum hujusmodi nobis aut nostris heredibus per heredes seu successores præfati Comitis super præmissis nullum penitus præjudicium generetur. Dat. &c.

*Nota.*

*This*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

The Charter of the King then made to Gilbert de Clare and his Countesse, is *An. 18 E. 1.* thus inrolled.

**R**EX Archiepiscopus, &c. salutem. Sciatis quod cum nos exigeremus & vendicaremus verus dilectum & fidelem nostrum Gilbertum de Clare Comitem Gloucestre & Hertford, advocacionem et custodiam Episcopatus Landavensis cum pertin. una cum collacionibus prebendarum et dignitatum ejusdem tempore vacacionis Episcopatus illius, & idem Comes nobiscum super hoc placitare nolens, id quod ad ipsum pertinet de advocacione & custodia Episcopatus predicti, una cum collacionibus prebendarum & dignitatum ejusdem tempore vacacionis Episcopatus illius nobis reddidit ut jus nostrum, prout in scripto ejusdem Comitis nobis inde confecto plenius continetur. Nos eidem Comiti & charissimæ filie nostræ Johanne uxori suæ gratiam facere volentes specialem in hac parte, dedimus et concessimus pro nobis & heredibus nostris eidem Comiti & Johanne advocacionem et custodiam Episcopatus predicti, cum pertin. *Habend. & tenend. de nobis & heredibus nostris eisdem Comiti & Johanne*, cum collacionibus prebendarum et dignitatum Episcopatus illius singulis temporibus vacacionum ejusdem, ad totam vitam utriusque eorundem Comitis et Johanne; Ita quod post decessum ipsorum Comitis & Johanne, advocatio et custodia Episcopatus predicti, una cum collacionibus prebendarum et dignitatum ejusdem temporibus vacacionum Episcopatus illius ad nos vel heredibus nostris integre revertantur quietæ de heredibus eorundem Comitis & Johanne imperpetuum. Quare volumus & firmiter precipimus pro nobis & heredibus nostris, quod predicti Comes & Johanne habeant & teneant de nobis & heredibus nostris advocacionem & custodiam Episcopatus predicti, cum pertin. una cum collacionibus prebendarum et dignitatum Episcopatus illius singulis temporibus vacacionum ejusdem ad totam vitam utriusque ipsorum Comitis et Johanne. Ita quod post decessum eorundem Comitis & Johanne advocacio & custodia Episcopatus predicti, una cum collacionibus prebendarum et dignitatum ejusdem temporibus vacacionum Episcopatus illius ad nos vel heredes nostros integre revertantur quietæ de heredibus eorundem Comitis et Johanne imperpetuum, sicut predictum est. Hiis testibus Venerabili patre R. Bathoniensi & Wellensi Episcopo, Willielmo de Valencia avunculo nostro, Henr. de Lacy Comite Linc. Johanne de Warennia Comite Surr. Roberto Tibetot, Reginaldo de Grey, Waltero de Bello Campo, Petro de Chaumprent, Richardo de Bosco, & aliis. Dat. per manum nostram apud Kingesclipston secundo die Novembris. Which the King the next year likewise ratified by another Charter almost in the self-same words, recorded in *Claus. 19 E. 1. m. 1. Teste, Rege apud Hereford 2. die Novembris.*

Rot Cartarum Anno 18 E. 1. n. 5. Pro Gilberto de Clare Com. Glouc. & Pert. & Johanne uxore ejus, & Brevia Regis in Tur. London. An. 18 E. 1.

After which, *Placita Parlamenti*, An. 21 E. 1. inform us, That Comiti Glouc. & alii clamantibus nuper Custodiam quarundam terrarum ad Episcopatum Landav. existentium, & infra Dominium suum existentium tempore vacacionis ejusdem Episcopatus ad se pertinere, de Communi Consilio responsum fuit; Quod in custodia Episcopatum tempore vacacionis earundem, seu terrarum aut tenementorum aliquorum ad eisdem Episcopatus pertinentium, licet infra Dominium suum extiterunt, nihil clamare potuerunt propter privilegium Regium et Coronæ Dignitatem, ad quam specialiter pertinet Episcopatum vacantium custodia. And in the Parliament of 22 E. 1. nu. 3. upon the Petition of the Bishop Elect of Landaff to the King, the Earl of Gloucester and Hertford; upon shewing this grant to him and his Wife, restored the Temporalities of the Bishoprick he had seized to the Bishop, by the Kings command.

In the same Parliament of 18 E. 1. there were Proclamations made, and Writs issued to sundry Sheriffs, against the Popes provisions and appropriations of the Prebendaries of *Nassinton* and *Fenton* to two Churches and Cardinals in *Rome*, in derogation of the Kings prerogative and disherison of his Crown, and that none by vertue of the Popes provisions should invade or take possession of, or be installed in, or receive the fruits thereof, or money for them, without the Kings special command, under pain of forfeiting his estate, and imprisonment of his body during the Kings pleasure;

\* See Ryley p. 120, 103.



An. 18 E. 1. sure, who commanded all the Lands and Tenements belonging to them, to be seized into his own hands: he having \* formerly issued out Writs to the like effect.

\* Claus. 17 E. 1. m. 7 dorso. Here, p. 389.

\* Placita Parl. Anno 18 E. 1. See Ryley, p. 43. De Provisionibus Præbend. de Nassinton & de Fenton.

\* sub

\* Memorand. quod cum quædam Prohibitiones factæ sunt super Præbenda de Nassington in Ecclesia de Lincoln. approprianda Basilicæ Principum Apostolorum de Urbe, et Præbenda de Fenton in Ecclesia Eborum approprianda Hospitali Sancti Spiritus de Urbe, in exheredationem Domini Regis manifestam, quod Dominus Rex præcepit Wiccom. Lincoln. Norht. et Eborum, et etiam mandavit Custodi Civitatis London. quod proclamari faciat publice, ne quis possessionem præbendarum ingrediatur, ipso Domino Rege inconsulto, aut Stallum in Ecclesiis prædictarum occasione prædictarum Præbendarum occupet vel intraret quoquo modo; aut fructus earundem Præbendarum, seu pecuniam occasione fructuum eorundem recipiat, per se vel per alium, sine mandato Domini Regis speciali, \* pena incursionis rerum et corporum incarcerationis ad voluntatem Domini Regis; Dominus etiam Rex præcepit Wiccom. prædict. quod omnes Terras et Tenementa ad prædictas Præbendas pertinentia in Comitatus suis capiant in manum suam, ita quod nullus ad ea manum apponat, donec Dominus Rex aliud inde præceperit.

After which, he issued this Writ for committing the Custodie of the Prebendary of Nassinton to the Bishop of Lincoln, with a command to him not to permit any Roman to enter into it, under pain of forfeiting his Barony.

Claus. 18 E. 1. m. 4. intus. De Præbenda de Nassinton.

CUM Rex nuper quibusdam certis de causis præceperit Vic. Norht. quod Præbendam de Nassinton, quæ est præbenda Lincoln. Ecclesiæ, cum bladis et omnibus aliis fructibus et bonis ejusdem Præbendæ caperet in manum Regis, et ea salvo custodiret, donec Rex aliud inde præcepisset. Et jam vult Rex, quod Venerabilis pater O. Lincoln. Episcopus Custodiam prædictam habeat sub certa forma. Mandatum est eidem Vic. quod prædictam Præbendam, cum bladis & omnibus aliis fructibus ejusdem Præbendæ, præfato Episcopo sine dilatione liberet custodiend. sicut prædictum est. Et hoc nullatenus omitat. Teste Rege apud Rufford. 18 die Septembris.

Et memorandum, quod Rex commisit eidem Episcopo Custodiam prædictam sub forisfactura Baronis sui: Ita quod idem Episcopus non permittet aliquem Romanum ingredi eandem Præbendam sine licentia Regis, et quod per hoc eidem Domino Regi vel Magistro Johanni de Lacy Præbendario Præbendæ prædictæ qui Regis insitit obsequiis præjudicium non generetur sub forisfactura prædicta.

Nicholas a Cardinal Deacon of St. Maries of the Porch in Rome having the year before obtained from Pope Nicholas a new unheard-of Provision, by his Papal authority to unite and appropriate these two Prebendaries of Nassington and Fenton to two Churches in Rome, and endeavouring to get the actual possession of them by the Popes Bulls and proceffe published in the Realm, to the diminution of Gods service and the Almes of the Poor, against the piety and intention of their Founders, the manifest disherison of the King and his heirs, the dangerous consequence of such ill presidents to draw on the like, whereby the Churches should be left destitute of Ministers, maintenance, and Divine service; their Revenues being assigned to forreign uses, to Gods high displeasure, who would not have one Church and Altar robbed, to enrich or increase the services of another. The King and his Nobles in this Parliament, besides the \* premised Prohibitions and Proclamations against this Innovation and Usurpation, writ and sent these memorable Letters to the Pope and all his Cardinals in general, and to this Cardinal in particular, to recall and reform this unheard-of Provision and abuse, which by their respective Oathes they were obliged to oppose, and could not permit or connive at: worthy special observation, being recorded for perpetual memory.

\* See here, p. 389.

Claus. 18 E. 1. m. 10. dorso. Litteræ directæ Pape & Cardinalibus, pro Præbenda de Nassinton in Ecclesia Linc. & alia Præbenda in Ecclesia Ebor.

SANCTISSIMO in Christo Patri Domino Nicholao, Divina providentia Summo Pontifici, suus devotus filius E. eadem gratia Rex Anglia, Dominus Hybernæ, &

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

& Dux Aquitania salutem, & devota pedum oscula beatorum. Considerantes *An. 18 E. 1.*  
propensius, & ante mentis nostrae oculos reducentes, illum paterfamilias vestrae  
affectum quem ad honorem nostrae et Regni augmentum ex quodam speciali favore  
jugiter direxistis, nequibimus animo comprehendere, nec credimus utique quod a  
tam Sancti Patris consensu processerint collationes et executiones nonnullae nu-  
per in Regni nostri partibus auctoritate Apostolica, ut asseritur, publicatae; Fertur  
liquidem, quod impetrante venerabili Patre Domino N. Dei gratia Sanctae Mariae  
in Porticu Diacono Cardinali unam Praebendam in Ebor. et aliam in Linc. Ec-  
clesiis Hospit. Sancti Spiritus de Saxia de Urbe, & Basilicae Sancti Petri, sedes Apo-  
stolica distincte conferendo approprians, super nanciscenda possessione Praebenda-  
rum ipsarum executiones misit gravissimas, et apud nostros regnicolas hactenus in-  
auditas. Quae profecto si fortirentur effectum, divini cultus diminutionem pericu-  
lose ingererent, primitivorum donatorum voluntates propulsa pietate mutarent,  
solitas Elemosinas Regni pauperibus subtraherent, ac in nostrum et heredum no-  
strorum exheredationem manifestam cederent, necnon in perniciosum exemplum  
in futurum transirent, dum haec alienationes perpetuae adicerent similes, per quas  
post temporis brevis cursum Regni nostri deformarentur Ecclesiae, et cessantibus  
stipendiis redderentur pauperum obsequio destituta, ipsarum probentibus alienis  
utilitatibus assignatis. Quod gratum Altissimo nostro iudicio non videtur, qui  
cultum sui nominis sic ampliari desiderat, quod ob ditatorem unius Altaris aliud  
minime spoliatur. Sanctae Paternitati vestrae igitur prona instantia supplicamus,  
quatinus praemissa circumspectione paterna aequius decernentes, circa ea velitis zelo  
propitio congruum et salutis remedium adhibere: tepestere namque non possumus  
quin exheredationem nostram, quae statum Coronae nostrae contingit, sicut ex Sa-  
cramenti nostri vinculo astringimur, pro viribus evitemus. Paternitatis vestrae  
beneplacitum per exhibitozem praesentium rescribi possumus super istis. Conser-  
vet vos, &c.

\* Nota.

The Earls, Barons, and Nobles Letter to the Pope thus followes, to the same  
effect with the Kings.

Sanctissimo in Christo Patri Domino Nicolao, Divina providentia Summo Pon-  
tifici, Devoti filii Edmundus Illustris Regis Anglia natus, Willielmus de Valen-  
tia Comes Penbrock, Edmundus Comes Cornubia, Gilbertus de Clare Comes Glouc.  
& Heref. Johannes de Warrena Comes Surre. Henr. de Lacy Comes Linc. Humfr. de  
Bohun Comes Heref. & Essex, Johannes de Hastings, Richardus filius Johannis, Jo-  
hannes de Sancto Johanne, Willielmus de Brewose, Willielmus le Latimer, Rogerus de  
Monte alto, & Walterus de Huntercumb, Barones, et totius Regni Anglia Comites,  
Barones et Proceres salutem, et devota pedum, &c. Pensata paternali affectione ac  
pio regimine quibus sedes Apostolica pristis temporibus Ecclesiam rexit Anglicanam,  
et Regnicolas Angliae ferbida nunc ruit debotione, animo comprehendere nequibi-  
mus, nec credere volumus, quod a tam Sancti Patris conscientia processerint col-  
lationes et executiones nonnullae nuper in Anglicanis partibus, auctoritate Apo-  
stolica, ut asseritur, publicatae. Fertur liquidem quod impetrante venerabili Pa-  
tre Domino Mattheo Sanctae Mariae in Porticu Diacono Cardinali, unam Praeben-  
dam in Ebor. & aliam in Linc. Ecclesiis Sancti Spiritus de Saxia de Urbe, & Basili-  
cae Sancti Petri, sedes Apostolica praedicta distincte conferendo approprians, super  
nanciscenda possessione Praebendarum ipsarum, executiones misit gravissimas et a-  
pud nos hactenus inauditas; quae profecto si fortirentur effectum, divini cultus di-  
minutionem periculose ingererent, &c. (*verbatim*, as in the Kings precedent Letter to  
the Pope.) Sanctae igitur vestrae Paternitati prona instantia supplicamus, quatinus pra-  
missis circumspiciat paterna aequius discernentes, circa ea velitis zelo propitio  
congruum et salutis remedium adhibere, ad honorem Dei, sublimationem Regni  
Angliae, et totius Coronae, quibus observandis astringimur Juramento, quod be-  
stro patrocinio pie verimus observari in nostrae solum debotionis, ne Elemosi-  
nae ab Antecessoribus nostris Anglicanis collatae Ecclesiis inde subtrahantur, ad alios  
transferantur.

\* Nota.

The Kings Letters to the Cardinal who procured these new Provisions and appro-  
priations,

H h



*An. 18 E. 1.* priations in particular, and to the whole Colledge of Cardinals in general, is thus recorded to perpetual memory in the Clause Rolls.

Clauſ. 18 E. 1.  
m. 10. dorſo.

Venerabili in Christo Patri N. Dei gratia Sanctæ Maria in Porticu Diacono Cardinali. E. Dei gratia salutem, & sinceræ dilectionis augmentum. Epistola vestra nuperrime nobis directâ inter cætera continebat, quod Clerici nostri Magister J. de Lasce, & W. de Pickering, disparet vobis in vestra amicitia vestrisque obsequiis extiterant. Hoc proculdubio verum esse fatemur. Immo nec eorum obsequium pro nobis hæcenus factum nec imposterum faciendum vestræ amicitia nobis gratæ aliquâter comparamus, quam amicitiam nostris temporibus non solum perseveranter continuari, & continuis incrementis cupimus augmentari, et in his quæ vobis cedere poterunt in honorem sine Coronæ nostræ læsione favorem vobis Regni impertiri. Prohibitiones tamen vobis factæ de Præbendis Ebor. et Linc. manifestæ cederent in nostram exheredationem, Coronæ nostræ Regiæ læsionem, et scandalum populi, si optatum a vobis sortirentur effectum. Adcirco nos, qui ad conservationem status Coronæ nostræ astringimur Juramento, quantumcunque honorem vestrum et commodum optemus, ipsas Prohibitiones non possumus nec volumus sustinere; Set \* nec Procures et Magnates Regni nostri ipsas æquanimiter permitterent, etiam si vellemus. Quod insuper Nuncios vestros commendastis vestræ innotescat paternitati, quod non solum illi set etiam omnes vestris negotiis in Regno nostro Deo propitio erunt tuti. Conservet, &c.

\* Nota.

Ibidem.

Amabilem Deo Patrum, Sacrosanctæ Romanæ Ecclesiæ Cardinalium Cæui Venerando, Edwardus, &c. Salutem & ad beneplacita singulorum & omnium paratissimam voluntatem. Considerantes propensius, & ante mentis nostræ oculos reducentes sincerum affectum, quem ad honorem nostri & Regni nostri augmentum jugiter direxistis, nequimus animo comprehendere, nec credimus utique quod de Conscientia tam Sancti Collegii processerint Collationes et Executiones nonnullæ nuper in Regni nostri partibus auctoritate Sedis Apostolicæ, ut asseritur, publicatæ. Fertur siquidem, quod impetrante Venerabili patre Domino N. Dei gratia Sanctæ Maria in Porticu Diacono Cardinali, unam Præbendam in Ebor. et aliam in Linc. Ecclesiis Hospit. Sancti Spiritus in Saxia de Urbe, et Basilicæ Sancti Petri dictas sedes distincte conferendo approprians, super nanciscenda possessione præbendarum ipsarum, executiones misit gravissimas et apud nostros Regnicolas hæcenus inauditas: Quæ profecto, si sortirentur effectum, divini cultus diminutionem periculose ingererent, &c. (verbatim as in the precedent Letter to the Pope.) Benevolentiam vestram igitur ex mutua confidentia, requirimus et rogamus attente, quartus præmissa circumspectione prohibita æquius discernentes, circa ea belitis zelo propitio congruum et salubre remedium procurare, tepestere namque non possumus, quin exheredationem nostram quæ statum Coronæ nostræ contingit, sicut ex Sacramenti vinculo astringimur, pro viribus ebitemus. Discretionis vestræ beneplacitum per exhibitorem præsentium rescribi poscimus. Conservet vos, &c.

It seems these Prohibitions and resolute Letters prevented these and all such like Provisions and appropriations for the future, which the Pope and Cardinals could no wayes justifie nor excuse.

In a Bundle of Writs, Anno 17 & 18 E. 1. in the White Tower Chapel, I found this Letter of *Vezano* the Popes Nuntio, to Pope *Nicholas* the 4. who by his Bully authorized and commanded him to proceed in an Appeal to him and the Court of Rome, at the prosecution of the Nephew of Pope *Innocent* the 4th. Rector of the Church of *Huguate* within the Diocesse of *Yorke*, grounded upon a contract for Debt belonging to the Kings Courts, contrary to the Kings Prohibitions to him; which the Kings Judges, together with the King, his Counsil, and Nobles, upon serious consultation, refused notwithstanding his importunitie to permit him to proceed in, as being against the Kings Crown and Dignity; whereupon he sent back his Bull to the Pope, as his Letter to him more at large relates.

Sanctissimo

**S**anctissimo Patri Domino N. Divina providentia Summo Pontifici, Giffredus de Vezano Camerae suae humilis Clericus, primum oscula beatorum. Sanctitati vestrae remitto literas Apostolicas quae sic incipiunt. — **NICHOLAUS** Episcopus Servus servorum Dei, dilecto filio Magistro Giffredo de Vezano Canonico Cameracensi. Camera nostra Clerico, Apostolicae sedis Runtio, in Anglia commoranti, salutem & Apostolicam benedictionem. Sua nobis Albertus Archiepiscopus, Rex felicitis recordationis Innocentii Papae quarti Praedecessoris nostri, Rector Ecclesiae de Hugnate Eboracensis Diocesis, petitione monstravit, &c. Et sic finiunt. Datum Romae apud Sanctam Mariam majorem, 15 Kal. Aprilis, Pontificatus nostri anno secundo. — Quas, postquam habueram responsum a Justiciariis Illustris Domini Regis Angliae, quod respondere volebant mihi sine Rege, utrum Prohibitiones Regiae mihi praesentari locum habere deberent, vel possem procedere eis non obstantibus, retinueram ostendendas ipsi Domino Regi, ut videre posset, quod de cognitione causae appellationis, contentae in eisdem Apostolicis literis, per se vel suos se intromittere non debebat; et pateretur, quod, non obstantibus dictis Prohibitionibus sine ejus offensa possem mandatum Apostolicum adimplere. Supplicans flexis genibus, ne ad inobedientiam vel infidelitatem servi Dominus imputer, si mandatum contentum in ipsis Apostolicis literis efficaciter non implevi, quia ipsi Domino Regi praefatas Apostolicas, et prohibitiones ex parte sua, mihi praesentatas, tradidi; et ei super ipso negotio exposui diligenter, quae exponenda videri; requirendo et supplicando, quod super hoc prohibere vellet, quod ejus et Ecclesiae Romanae decerneret honorem. Tandem idem Dominus Rex, habita deliberatione, super ipsis Apostolicis literis et Prohibitionibus, cum \* Consilio suo, in quo fuerunt plures Comites, Barones et Praelati, vocari me fecit et responderi in ejus et dicti Concilii praesentia: Quod cognitio contractus de Debito, (de quo fit mentio in Apostolico rescripto) de antiqua et approbata consuetudine spectabat ad Coronam et Dignitatem Regiam, et ipse et sui Antecessores usque fuerant cognitione hujusmodi contractuum. Et ex quo praefatus contractus erat fundamentum negotii, ne per hujusmodi appellationes iure Regio defraudari posset, quod procederem in ipso negotio substinere volebat; asserendo, quod si etiam ipse vellet, \* Barones nullo modo substinerent, quod Prohibitiones (Regiae) locum in hoc et aliis similibus non haberent. Datum London. septimo Kal. Februarii. Anno Dom. 1289.

An. 18 E. 1.

Brevia Regis  
An. 17 & 18  
E. 1. in Turri  
London.

\* Nota.

\* Nota.

A most pregnant Testimony of the Popes own Nuncio to the Pope himself, both of the Kings, his Justices, Counsils, Barons, Nobles care, vigilance, strenuous opposition, and deliberate, peremptory resolution against this new Papal encroachment by Appeals, upon the ancient rights and prerogatives of his Crown and Courts.

As the King was thus careful to defend the rights of his Crown and Courts against the Popes, so likewise against his own Prelates and their Officials usurpations in their Ecclesiastical Courts; witness these Writs of Attornie, to prosecute persons for suing in Court Christian against the Kings prohibition, for goods and Debts, not of Testament or Marriage.

**E**dwardus, &c. Dedimus vobis potestatem recipiendi Attornatos Remundus Vicarii Ecclesiae de Lannohan. quos coram vobis loco suo attornare voluerit, ad lucrandum vel perdendum in loquela quae est coram Justiciariis nostris de Banco per Breve nostrum inter Ricardum de Strengellest & praetatum Remundum de eo, quod idem Remundus secutus est placitum in Curia Christianitatis de Catallis et Debitis quae non sunt de Testamento vel Patrimonio contra Prohibitionem nostram. Et ideo, &c. Teste Edmundo Com. Cornub. Consanguineo nostro apud Westm. x. die Decemb. Anno Regni nostri Decimo septimo.

Brevia Regis  
An. 17 E. 1.  
in Turri London.

In another Bundle of Writs to make Attornies, Anno 18 E. 1. in the Tower, I finde three Writs to prosecute Suits before the Kings Justices de Banco: The first, \* inter Thomam le Venour de Settevell, & Simonem Meone, de eo quod idem Simon secutus est placitum in Curia Christianitatis de Catallis et Debitis, quae non sunt de Testamento vel Patrimonio. Teste meipso apud Melburne 12 die Januarii, anno regni nostri 18.

\* Brevia Regis  
Anno 18 E. 1.  
in Turri London.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

*An. 18 E. 1.* The second, and third, inter Willielmum de Heyvile, & Magistrum Adam de Boudon, quia idem Adam tenuit tale placitum in Curia Christianitatis, &c. *Teste Rege apud Turrim London. 16 die Junii, Anno 17. & 21 die Octobris Anno 18.* And the like Writ of Attorney issued for \* Henry de Punce prosecuted before the Kings Justices at Westm. by John de Grai, quod idem Henricus secutus est placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram. *Teste meipso apud Brittol. 26. die Decembris. Anno regni nostri 13.* there usually omitted.

\* Bundela  
Brevium An.  
13 E. 1. in  
Turri London.

In two other parcels of Writs in the *White Tower*, Anno 18 E. 1. there are these Writs.

Brevia Regis  
An. 18 E. 1.  
in Turri Lon-  
don.

**E**dwardus, &c. Vic. Canc. &c. Si Benedictus Kyld pone, &c. fratrem Thomam Priorem de Ross, quod sit coram Justiciariis nostris apud Westm. à die Sancti Johannis Baptiste in Quindecim dies, ostensurus, quare tenuit placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram. Pone etiam per vadium & salvos plegios Magistrum Ricardum de Nedham personam Ecclesiæ de Northflete, quod tunc sit ibi, ostensurus, quare secutus est idem placitum in eadem Curia, contra Prohibitionem nostram, &c. *Teste meipso apud Westm. 18 die Junii, anno regni nostri 18.* The like Writ issued at the Kings Suir, Vic. Surr. versus Petrum de Sancto Mario, & Willielmum de Sardinia, quare tenuerunt placitum in Curia Christianitatis de Catallis et Debitis Decan. & Capit. beati Petri Exon. &c. *Teste, &c. apud Wynton. 20 die Aprilis, anno regni nostri 18.*

To which I shall subjoyn this Prohibition, which I found in another Bundle of Writs, Petitions, and Privy Seals, Annis 17 & 18 E. 1. in the *White Tower* Chappel, wherein are extant not only the Original Writs for the elections of 2. or 3. Knights for every County to serve in Parliament, with the names of the Knights elected, and their Manucaptors endorsed on them, (the first of this kinde I have yet discovered) but likewise this Writ to the Official of the Archbishop of York, for suing several persons ex officio mero & promoti to excommunicate them for rashly laying sacrilegious hands upon William of Derlington a Clerk, against the Canonical Sanctions, upon these ensuing Articles.

Bundela Bre-  
vium 17 & 18  
E. 1. in Turri  
London.

Nos Officialis Curia Eborum. ex nostro Officio objicimus tibi Roberto de Clyff manenti in Thornton, quod in Sententiam Excommunicationis a Canone latam incidisti; pro eo, quod manus sacrilegas in Dominum Willielmum de Derlington Capellanum temere injectisti. Quod ita notorium est in partibus de Thornton, & ita divulgatum, quod nulla possit tergiversatione celari; Unde intendimus ob salutem Animæ tuæ te corrigere in præmissis, quatenus \* Canonice Sanctiones permittunt et facere suadent in hac parte. Salva nobis in omnibus juris beneficio.

\* Synodus Ex-  
oniensis, An.  
1287. & others  
Spelmanni  
Cencil. Tom.  
2. p. 383, 418,  
310, 311

Nos Offic. Curia Eborum ex officio nostro objicimus vobis Ascino Grot, Aschino Marescallo, Roberto Fyke, Thomæ de Clyff, manentibus in Thornton, quod in sententiam Excommunicationis a Canone latam incidistis; pro eo, quod manus sacrilegas in Dominum Willielmum de Derlington Capellanum temere injectistis, &c. ut supra. Unde intendimus, ob salutem Animarum vestrarum, vos corrigere in præmissis, quatenus Canonice Sanctiones permittunt et facere suadent in hac parte. Salvo nobis in omnibus juris beneficio.

Nos Offic. Curia Eborum. ex nostro officio objicimus tibi Willielmo de Wagelbardby, quod in sententiam Excommunicationis a Canone latam incidisti; pro eo, quod manus sacrilegas in Dominum Willielmum de Derlington Capellanum temere injectisti; Quod ita notorium est, &c. (ut in primo articulo supradicto.)

In Dei nomine Amen. Dico & in jure propono coram vobis Domine Officiali Curia Eborum, seu vestro Commissario quocunque, ego Willielmus de Derlington Capellanus, contra Petrum dictum Skat, & contra quemlibet legitimè intervenientem pro eodem; Quod dictus Petrus, Dei timore pariter et humano pudore proptus abiectis, manus sacrilegas in me temere injectit, in Animæ suæ periculum, et mei præjudi-  
cium

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cium non modicum et gravamen, ac scandalum plurimorum; et sic in sententia am excommunicationis majoris a Canone latam, ipso facto, dampnabiliter incidit. *Quare* peto (probatu de jure probandis) dictum Petrum in excommunicationis sententiam sic incidisse, per hos pronunciari, ac publice excommunicatum denunciari, quousque beneficium Absolutionis in forma juris meruerit obtinere. *Hac* dico, propono & peto, divisim seu conjunctim, prout mihi melius videbitur expedire. *Artus* me ad ea dumtaxat probanda, qua mihi sufficient in hoc casu ad victoriam obtinendam: *Salvo* mihi in omnibus juris beneficio.

These facts thus prosecuted on these Articles for this Trespasse, properly belonging to the Kings Crown and Temporal Courts, before \* *Articuli Cleri*, only procured this memorable Prohibition thereupon.

An. 9 E. 2.  
c. 4 See Cooks  
1 Instit. p. 490.

**E**DWARDUS Dei Gratia Rex Anglia, &c. Officiali Archiepiscopi Eboracensis, & ejus Commissar. salutem. Cum placita de transgressionibus, contra pacem nostram factis, in Regno nostro, ad Cozonam et Dignitatem nostram specialiter pertineant, ac *Wilhelmus de Derlington, Willielmum de Wlgardby, Robertum de Clyffe, Thomam filium Roberti, Robertum Fykedun, Ascinum Grot, Ascinum le Marefcal, & Petrum Skat* Laicos, super hujusmodi transgressionibus, trahat in placitum coram vobis in Curia Christianitatis; in lesionem Cozonæ et Dignitatis nostræ, et grave dampnum ipsorum *Wilhelmi de Wggewardby, Roberti, Thoma, Roberti, Ascini, Ascimi & Petri Skat*, ut ex querela sua accepimus; Vobis prohibemus, ne placitum illud teneatis in Curia Christianitatis; maxime cum hujusmodi placita ad nos et non ad alium pertineant in Regno nostro, ac nos super hiis et aliis quarum cognitio ad nos pertinet parati sumus eidem *Wilhelmo de Derlington* et aliis quibuscunque in Curia nostra plenam et celerem justitiam exhibere. Teste meipso apud *Westm.* 28. die Januarii. Anno Regni nostri Decimo octavo.

Ibidem.

That neither the Popes Bulls, Provisions or awards, nor Archbishop of *Canterburies* Ordinances concerning the erection or division of Prebendaries in *England*, were of any validity in Law in that age, without the Kings Royal assent and confirmation under his Great Seal; and how the Archbishop did and might deprive the Popes own Chaplains of Churches in *England*, these Records will inform us.

**R**EX omnibus, &c. salutem. Inspecimus literas patentes venerabilis patris *J. Cantuariensis Archiepiscopi*, totius Angliæ Primatis, factas super Præpositura & Præbendis in Ecclesia de *Wengham*, per ipsum Archiepiscopum ordinatis & distinctis, in hæc verba. *Universis sancte matris Ecclesie filiis ad quorum noticiam præsens scriptura pervenerit, Frater Johannes* permissione divina Cantuariensis Archiepiscopus, totius Angliæ Primas, salutem in Domino sempiternam. *Crosta* dudum in Romana Curia super Ecclesia de *Wengham* nostræ Dioc. materia quæstionis, inter Dominum Tedium de Camilia Domini Papæ Capellanum, ex parte una, et nos, ac quosdam Clericos nostros quibus dictam Ecclesiam cum suis Capellis post priuationem de prædicto Tedium canonice per nos factam contuleramus, ex altera, eadem causa ibidem aliquandiu agitata, tandem interveniente assensu et auctoritate Sanctissimi patris Domini Honorii Papæ quarti; Reverendus pater Dominus Bernardus Portuensis Episcopus, Sanctæ Romanæ Ecclesie Cardinalis, cujus arbitrio, dispositioni, dicto, laudo, diffinitioni & decreto altè & bassè tam dictus Tedium pro se, quam discretus vir Magister Willielmus de Marduna Juris Civilis professor, noster & prædictorum Clericorum in hac parte specialis Procurator, habens ad hoc mandata sufficientia se submittere curaverunt, præstatæ liti & contentioni pacificum finem imponens, recepta prius ipsius Tedium cessione et renunciatione de præfata Ecclesia de *Wengham* et pertin. suis, ac etiam omni jure et actione sibi competentibus et competituris quomodolibet in eisdem auctoritate Apostolica super hoc sibi commissa, inter alia disposuit, statuit & decrevit Ecclesiam de *Wengham* de Præposito & decem Canonicorum secularium collegio per Cantuariensem Archiepiscopum tanquam ejusdem patronum Ecclesie ordinandam, & ipsius proventus in Præposituram & certas ac distinctas Præbendas prout facultates suppeterent dividendos, iusta concessionem

Pat. 18 E. 1.  
m. 26. De  
ordinatione &  
divisione Præ-  
posituræ &  
Præbendarum  
in Ecclesia de  
*Wengham*.

et



An. 18 E. 1

et auctoritatem felicitis recordationis Domini Gregorii Papæ decimi, super hoc procurante bonæ memoriæ Roberto prædecessore nostro Archiepiscopo Cantuariensi commissam, sicut in litera Apostolica super hoc confecta plenius dinoscitur pertinere. Advertentes itaque ordinationem & diffinitionem dicti Domini Cardinalis in divinis cultus augmentum cedere et prosperiorem dictæ Ecclesiæ statum, cupientesque eam prout decet effectum prosequendo complere, iuxta beneplacitum Bonati patris Domini Honorii prædicti ratificantis et confirmantis, ex certa scientia tam concessionem et ordinationem Domini Gregorii, quam etiam decretum prædicti Domini Portuensis, ad Dei gloriam, et honorem, Apostolica auctoritate prædicta, statuimus, ordinamus, instituiamus, & perpetuo stabilimus in Ecclesia de Wingham, unam Præposituram et Canonicatus sex cum suis Præbendis, quas nostræ collationi et suffraganeorum nostrorum, salvo semper pro suo tempore iure Regio, specialiter referimus. Quas quidem Præposituram & Præbendas in eisdem porcionibus & portionibus consistere volumus quibus ipsas singillatim expressimus in ordinatione quam super divisione proventuum & facultatum Ecclesiæ prædictæ & Capellorum ad ipsam spectantium, ac etiam informatione ipsius Collegii & Ministrorum Ecclesiæ lacius prout expedit pertractamus. Ipsas autem sex Præbendas hiis propriis duximus exprimendas vocabulis, Chilton, Peddingge, Tineham, Bonigton, Rettlinge, Wymelingeweld: Quarum una prima sunt Presbyterales, una secunda Diaconales, & una ultima Subdiaconales, sicut in prædicta litera Domini Papæ Gregorii continetur. Omnibus itaque dicto Collegio & huic sacra institutioni pacem & unitatem servantibus sit pax & gloria à Domino Jesu Christo. Acta & data apud Suchmalling. 12 Kal. Martii, Anno Domini 1286. Ordinationis nostra nono. Nos autem prædictas ordinationem et divisionem Præposituræ et Præbendarum prædictarum ratas habentes et gratas, eas pro nobis et hæredibus nostris concedimus et confirmamus, sicut literæ prædictæ rationabiliter testantur. In cuius, &c. Teste Rege apud Westm. septimo die Junii, anno regni nostri 18.

Ibidem.

**R**EX omnibus, &c. salutem. Ordinationem venerabilis patris J. Cantuariensis Archiepiscopi, totius Angliæ Primatis, factam in Ecclesia de Wingham suæ Diocesis, de Præposito & decenti Canonicorum secularium collegio, ac divisionem proventuum & facultatum ejusdem Ecclesiæ in Præposituram, & certas ac distinctas Præbendas, necnon cotidianam distributionem & dividendas annales, sicut in literis patentibus ipsius Archiepiscopi quas inspeximus factum ipsum plenius continetur, ratas habentes et gratas, eas pro nobis et hæredibus nostris concedimus et confirmamus, sicut literæ ipsæ rationabiliter testantur. Teste ut supra.

How pernicious Appropriations of Parish Churches, made by Popes and Archbishops to Hospitals and Abbies, were to Gods Service, the souls, bodies of the Parishioners, and how offensive to them; and that they could not be appropriated or disappropriated by the Pope or Archbishop, but by the Kings Royal assent and license, these Records will evidence.

Par. 18 E. 1.  
m. 26. De  
revocatione  
Ecclesiæ de  
Racolure.

**R**EX omnibus, &c. salutem. Inspeximus literas patentes venerabilis patris J. Cantuariensis Archiepiscopi, super revocatione Ecclesiæ de Racolure in statum pristinum, in hæc verba. *Universis sanctæ matris Ecclesiæ filiis ad quorum noticiam præfens scriptura pervenerit, Frater Johannes permissione divina Cantuariensis Archiepiscopus, totius Angliæ Primas, salutem in Domino sempiternam. Dudum bona memoria Dominus Robertus prædecessor noster, ut cameram Archiepiscopalem ab opere præstationis cuiusdam magna quantitatæ pecunia quam de Herboldon leprosum, & de Northgate pauperum, Hospitalia nostra Diocesis, pro sustentatione infirmorum & pauperum ipsorum Hospitalium ex antiqua consuetudine consueverunt annuatim percipere, & tam beati Thomæ quam aliorum Archiepiscoporum Cantuariensium successorum ipsam remane usque ad tempus ejusdem Roberti adtunc perceperant, liberaret, Ecclesiam de Racolure ejusdem Diocesis ad liberam collationem Cantuariensis Archiepiscopi pertinentem, in proprios usus ipsius Hospitalibus in compensationem ejusdem quantitatæ, concessit, Capituli Cantuariensis ad hoc procurato consensu. Nos autem præfatus Roberto immediate permittente Domino succedentes, ac advertentes sollicitè, memoratam appropriationem in Ecclesiæ ac Hospitalium prædictorum grave*

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prædictum ac jacturam multipliciter redimare, cum et \* Ecclesia ipsa ex hoc debitis, et ab antiquo consuetis defraudetur obsequiis, et animarum cura non adeoque grabi periculo in ea dampnabiliter negligatur, quodque parochiani eiusdem Ecclesie ipsam leprosis subesse ac huiusmodi appropriationem moleste sentientes pro eo quod ipsis Rectoris solacio destitutis per eam suffragia spiritualia subtrahuntur eis, de iuribus ipsis Ecclesie non respondent, neque dicta Hospitalia de redditibus ipsis Ecclesie, licet plus valere dicantur, debitam nequeant percipere quantitatem. Volentes quoque animarum saluti et dictorum Hospitalium utilitatibus in hac parte consulere, et tam in spiritualibus Parochianorum quam in temporalibus Hospitalium prædictorum commodis providere, Sanctissimi patris Domini Nicholai Papæ quarti ad hos per litteras Apostolicas concurrente beneplacito et mandato; & etiam Capituli nostri, ac dictorum Hospitalium, & ipsorum Custodis accedente consensu, Ecclesiam de Racolure supradictam in statum pristinum revocamus, & Archiepiscopalem Cameram juxta pristinam ordinationem & consuetudinem prædictam ad eandem pecunia quantitatem quam ante appropriationem huiusmodi ab ipsa percipere consueverant dictis Hospitalibus annis singulis persolvendam pro nobis & successoribus nostris imperpetuum obligamus. In cuius rei testimonium præsentem scripturam sigilli nostri fecimus appensione muniri. Dat. apud Lammeheth 7 Kal. Julii, Anno Domini 1290. Ordinationis nostra duodecimo. Nos autem prædictam revocationem et onerationem Camere Archiepiscopalis Cantuar. ad sustentationem infirmorum prædictorum sic ordinatam, ratas habentes et gratas eas pro nobis et hæreditibus nostris, quantum in nobis est, concedimus et confirmamus, sicut litteræ prædictæ rationabiliter testantur. In cuius, &c. Teste ut supra.

An. 18 E. 1.

\* Nota.

REX omnibus ad quos, &c. salutem. Cum Præbenda de Dale ab olim perti-  
nens extiterat ad mensam & proprietatem Cantuarien. Archiepiscopi cujus-  
que, & per plures Archiepiscopos diversis personis fuerit successivè collata, ac  
ab huiusmodi ulibus quasi perpetuo alienata. Et jam Præbenda illa per venerabi-  
lem patrem J. Cantuarien. Archiepiscopum, totius Angliæ Primatem, ad jus & pro-  
prietatem mensæ Archiepiscopalis prout consuevit antiquitus, authoritate sit Apo-  
stolica revocata et plenarie restituta. Nos huiusmodi revocationem et restitu-  
tionem in omnibus acceptantes, authoritate Regia præcipimus et perpetuo sta-  
bilimus, ut nunquam de cætero dicta Præbenda a quocunque sine nostra licentia  
in usus alios convertatur. In cuius, &c. Teste Rege apud Westm. 15 die Febr.

Pat. 18 E. 1.  
m. 38. Pro  
Archiepiscopo  
Cantuar. de  
Præbenda de  
Dale. & Bre-  
via de Privato  
figillo, An. 18  
E. 1, in Turn  
London.

Pope Nicholas preferring his own lucre, and favour of King Edward and his Chaplains, before Gods service, or peoples souls, against sundry Canons, licensed 20 of the Kings Clerks employed in his service which he should nominate, to be Non-residents from their Ecclesiastical Benefices for 10 years space, as these Patents inform us, nominating most of these Non-residents.

REX universis ad quos, &c. salutem. Universitati vestræ notum facimus per  
præsentem, quod cum Sanctissimus pater noster in Christo Dominus Ni-  
cholaus Papa quartus nobis de gratia speciali concesserit, quod viginti Clerici  
nostris obsequiis insistentes quos duxerimus nominandos, sua Beneficia Eccle-  
siastica per decennium liberè percipere valeant, non obstante, quod primam vel  
altam residentiā non fecerint in eisdem, prout in litteris Apostolicis plenius  
continetur. Nos dilectum Clericum nostrum Johannem de Montibus Canonicum  
Ecclesie Verdunensis, nostris obsequiis fideliter ac diligenter insistentem nominavi-  
mus inter ceteros Clericos, nostris obsequiis insistentes, ad dictam gratiam per præ-  
dictum tempus liberaliter optinendam. In cuius, &c. Teste Rege apud Westm.  
7 die Maii.

Pat. 18 E. 1.  
m. 31. De  
privilegio pro  
Clericis Regis  
concesso.

Consimiles litteras habent Arnaldus de la Case, Magister Bernardus Fabri, Magi-  
ster Bonetus de Sancto Quintino, & Magister Grimaldus de Mercato.

Consimiles litteras de verbo ad verbum habet Reymundus de Ferrariis; Dat. apud  
Westm. 26 die Maii, anno regni nostri 18.

Consimiles litteras habet Baldwinus de Whyhaunt, Arienf. Canonicus. Teste  
ut supra.

Item consimiles litteras habet Magister Petrus Arnaldi de Vice. Teste ut supra.

Item



An. 18 E. 1.

Item consimiles literas habet *Ierus Buchard*. Dat. ut supra.Item consimiles literas habet Magister *Reymundus de Pimbs*. Dat. apud *Westm.* die *Junii*.Consimiles literas habet *Gerardus de Wypus*. Dat. ut supra.Consimiles literas habet Magister *Johannes Gerardi*. Dat. ut supra.Consimiles literas habet *Willielmus de Estanayco*. Dat. ut supra.Consimiles literas habent Magister *Bernardus de Bonis Villa* Canonicus *Petravogica*, & Magister *Bertrandus del Gomb*, Archs. Dat. ut supra.

The King to preserve the Liberties of his Free Chappels from the Jurisdiction and Usurpations of Archbishops, Bishops, and other Ordinaries, caused his Father King *Henries* Patent, and Pope *Innocent's* Bull concerning their Exemption, to be this year exemplified under his Great Seal, that all might take notice of, and not infringe them.

Pat. 18 E. 1.  
m. 26. De  
libertatibus li-  
berarum Ca-  
pellarum Re-  
gis.  
See Tom. 2. p.  
982, 983. 357,  
358, 720, 721,  
727, 728, 759,  
1047.

**R**EX omnibus, &c. salutem. Inspecimus literas celebris memorie Domini *H. Regis Anglia* patris nostri patentes, in hac verba. \* *H. Dei gratia Rex Anglia, Dominus Hibernie, Dux Normannie, Aquitanie, & Comes Andegav.* omnibus ad quos presens scriptum pervenerit, salutem. Cum plures in Anglia Capellas habeantus exemptas, quarum libertates eorum Ordinarii infestant plerumque in violatione privilegiorum nostrorum ad loca diversa transmissa, nobis posset de facili periculum imminere, nos dilecto Clerico nostro Magistro *Waltero de Louches Decano Ecclesie Sancte Marie Stafford*, transcriptum cuiusdam privilegii nostri de libertatibus Capellarum nostrarum faciens mentionem, et sigillo nostro signatum durissimum committend. ut illius transcripti inspectionem habentes, eam habeant concessioni libertatum facte Capellis predictis. Rescriptum igitur Apostolicum de verbo ad verbum sic curamus subscribendum.

*Innocentius* Episcopus servus servorum Dei, Karissimo in Christo filio Regi *Anglorum* illustri, salutem & Apostolicam benedictionem. Tanto libentius Celsitudinis tue precibus benignum impartimur assensum, quanto inter Reges et Principes Christianos te specialiter reputamus dilectum altum et devotum: tuis itaque supplicationibus inclinatis, districtius indubemus, ne ullus Ordinarius, aut etiam Delegatus vel Subdelegatus, in Capellas Regias et Diocesanorum earumdem Ecclesie Romanæ immediate subiectas, seu Canonicos vel servitores ipsarum, contra tenorem privilegiorum et indulgentiarum Apostolicæ sedis Communicationis vel Interdicti sententiam audeat promulgare, seu aliquod ipsius onus imponere, quod aliis exemptis Ecclesiis non consuevit imponi, absque mandato sedis Apostolicæ speciali, quod expressam faciat de inhibitione huiusmodi mentionem. Nulli ergo omnino hominum liceat hanc paginam nostræ inhibitionis infringere, vel ei ausu temerario contraire, si quis autem hoc attemptare presumpserit, indignationem Omnipotentis Dei et beatorum Petri et Pauli Apostolorum eius se noverit incursurum. Dat. *Lugduni* 12 Kal. *Augusti*, Pontificatus nostri anno tertio.

Hos autem literas predictas propter rapturam sigilli literarum illarum durissimum exemplificandam sub sigillo nostro. In cujus rei testimonium, &c. Teste Rege apud *Westm.* 14 die *Junii*.

This year the King confirmed the grant of several Tithes, Churches, and Advowsons, formerly made by *Robert de Candos*, to the Monastery of *Bek* and *Goldelive*.

Chart 18 E. 1.  
nu. 30. Pro  
Prior & Con-  
ventu Ecclesie  
S. Marie Rec.  
See Monastic.  
Anglic. Tom.  
1. p. 590.

**R**EX Archiepiscopis, &c. salutem. Inspecimus Chartam quam *Robertus de Candos* fecit Deo & Ecclesie Sancte *Mariae Recci*, & Monachis ibidem Deo servientibus, in hac verba. *Robertus de Candos*, universis hominibus suis *Francie, Anglie* atque *Wallensibus*, & omnibus Sancte Ecclesie Dei fidelibus, salutem in Domino. Universitati vestre notum facio me assensu & voluntate *Isabel*, uxoris mee dedisse, & hac mea presenti Charta confirmasse Deo & Ecclesie Sancte *Mariae Recci*, & Monachis ibidem Deo servientibus, pro anima Regis *Willielmi*, & *Matildæ* Regine, &c. in puram & perpetuam & liberam elemosinam Ecclesiam Sancte *Mariae Magdalene de Goldelive*, cum terris & decimis ad eam pertinentibus, &c.

Dedi

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Dedi etiam eis totam decimam totius terræ meæ de *Wales*, scilicet, denarium meorum, de melle in bosco et plano, et de pannagio, et decimam molendinorum mei de *Karl*, et decimam pomorum pomerii mei totius domini mei de *Karl*, et decimam de venacione mea, et prati mei, et de omnibus rebus de quibus decima debet dari, &c. Dedi etiam eis omnes Ecclesias non vacantes totius defensionis meæ in quibus jus advocacionis habebam, cum terris et decimis ad eas pertinentibus, sicut Ecclesiam Sanctæ *Trinitatis* juxta *Karl*, cum omnibus pertin. suis in mora & extra moram; Ecclesiam *Julii & Aaron*, Ecclesiam de *Stanea*, Ecclesiam de *Walsampton*, Ecclesiam de *Periton*, Ecclesiam de *Selver*, Ecclesiam de *Acole*, Ecclesiam de *Buchford*, Ecclesiam de *Grettingham*. Has omnes Ecclesias cum pertin. suis, ut in jus prædictorum Monachorum cum vacaverint plenè & integerrimè cedant, dedi, ad cujus expectationis fidem roborandam dedi prædictis Monachis decimas omnium dominiorum meorum interm in villis meis in quibus Ecclesie illæ sitæ sunt. Dedi etiam eis omnes libertates & liberas consuetudines quas ego ipse in terra mea habeo, scilicet, ut ipsi & omnes homines sui, & de illis tenentes, liberè, quietè, & honorificè, & pacificè teneant & habeant, sine alicujus hæredum meorum reclamacione, sacam & socam, &c. Inspecimus etiam Chartam quam *Hoelus* Dominus de *Karl*, fecit Deo & Ecclesie Sanctæ *Maria Magdalene* de *Goldelive* prædictæ, & Monachis ibidem Deo servientibus, in hæc verba. Universis Christi fidelibus ad quos præsens scriptum pervenerit, *Hoelus* Dominus de *Karl*, salutem. Universitati vestræ notificetur me assensu & voluntate *Morgani* filii & hæredis mei, & uxoris meæ, & filiarum mearum concessisse, & præsentis Charta confirmasse Deo & Ecclesie Sanctæ *Maria Magdalene* de *Goldelive*, & Monachis ibidem Deo servientibus, in puram & perpetuam & liberam elemosinam, omnes libertates & liberas consuetudines quas ego ipse in terra mea habeo, scilicet, &c. sacam & socam, &c. Præterea concessi illis decimam pannagii de *Wastadcoit*, et decimam molendini de *Lisbiry*, *Liswiry*, scilicet, de feudo *Roberti de Candor*, et decimam pomerii mei de *Karl*, et decimam venacionis, et decimam mellis in bosco, et totam terram de *Sando Nigam*, &c. Inspecimus etiam confirmationem quam *Walterus* Marescallus quondam Comes *Penbrok* fecit Deo & Ecclesie Sanctæ *Maria Becci* prædictæ, & Monachis ibidem Deo servientibus, in hæc verba. Omnibus ad quorum notitiam præsens scriptum pervenerit, *Walterus* Marescallus Comes *Penbr.* salutem. Noveritis nos Chartam *Roberti de Candor* in hæc verba inspexisse; *Robertus de Candor*, universis hominibus suis *Francis*, *Anglis*, & *Wallensibus*, &c. (as before.) Nos vero donationem præfatam Monachis prædictis factam, ratam habentes eam pro nobis & omnibus hæredibus & successoribus nostris confirmavimus, & præsentis scripti munitione & sigilli nostri appositione corroboravimus, salvo jure illorum qui de prædictis terris tenent. Hiis testibus, Domino *David Basset*, Domino *Petro de Watevill*, *Roberto de Turbervill*, *Johanne de Turbervill*, *Nicholao de Sancta Brigida*, *Willielmo de Dernesford*, *Philippo de Deneland*, *Willielmo de Sancto Mauro*, *Roberto de Mora*, Militibus, *Nicholao Domino de Wideson*, *Rogero de Wilecrich*, & multis aliis. Inspecimus etiam confirmationem quam *Walterus* quondam Comes *Penbr.* fecit prædictæ Ecclesie Sanctæ *Maria Magdalene* de *Goldelive*, & Monachis prædictis, in hæc verba. Omnibus, &c. (as before.) Nos autem donationes, concessiones & confirmationes prædictas ratas habentes & gratas, eas pro nobis et hæredibus nostris, prædictis Priori & Conventui & eorum successor. quantum in nobis est, concedimus et confirmamus, prout Chartæ prædictæ rationabiliter testantur, & prout ipsi & prædecessores sui libertatibus & liberis consuetudinibus prædictis rationabiliter usi sunt. Hiis testibus, venerabilibus patribus *R. Bathon*, & *Wellen*, & *W. Sarum* Episcopis, *Edmundo* fratre nostro, *Gilberto de Clare* Comite *Glouc.* & *Herf.* *Willielmo le Latimer*, *Otone de Grandison*, *Roberto de Tiberot*, *Waltero de Bello Campo*, *Ricardo de Bosco*, *Hugone de Brok*, *Petro de Campaigne*, & al. Dat. per manum nostram apud *Havering*, primo die *Julii*.

From which it is apparent, That the Tithes, Advousons and Appropriations of Churches, then held and enjoyed by Religious persons, were claimed and enjoyed only by the special grants of their Patrons, and Charters of our Kings confirming them, not by any Divine or Papal right or title.



K. Edward 1. *An Exact History of Popes Intollerable VJrptions, B.5. ch.3.*

An. 18 E.1. In a Bundle of Writs of Attorney Anno 18 E. 1. I found this *dedimus potestatem* issued to the Abbot of Thame, to take this memorable Oath and security from Peter de Divion Abbot of Rewley, being an Alien born under the King of France.

Brevia Regis  
Anno 18 E. 1.  
in Turri London.

**E**dwardus Dei gratia Rex Angliæ, &c. *Abbati de Thame, salutem. Scitis quod dedimus vobis potestatem recipiendi Sacramentum de dilecto nobis in Christo Petro de Divione Abbate de Regali loco juxta Oxon. qui de dominio & potestate Regis Franciæ existat, necnon sufficientem manucaptionem, quod bene et fideliter erga nos se habeat, et quod bona Abbatis prædictæ extra regnum nostrum nullatenus elongabit, nec literas, nuncios, vel interfigna, ad dictas partes Franciæ mittet, per quæ scandalum seu dampnum nobis aut regno nostro evenire poterit, nec se ad dictas partes Franciæ aliqualliter transferet, sine licentia nostra speciali: Et ideo vobis mandamus, quod acceptis Sacramento et securitate prædictis, nos inde, & de nominibus Manuceptorum illorum sub sigillo vestro distinx et aperte sine dilatione reddatis certiores: Remittentes nobis hoc breve. Teste missi apud Turrim London. 24 die Octobr. anno, &c. 18.*

The Abbot endorsed this return thereon. *Ego Frater Johannes Abbas de Thame, virtute istius mandati, recepi Sacramentum Domini Petri de Divione, Abbatis de Regali loco juxta Oxon. apud Oxon. Dominica in festo Apostolorum Simonis & Judæ; & etiam recepi Manuceptores ipsius Domini Petri Abbatis de Regali loco, viz. Johannem de Doclynton Majorem Villa Oxon. Johannem de Crokesford juniorem, Ricardum Kary, Johannem de Falle, & Johannem le Peyntour, Burgeses dictæ Villa Oxon. Qui conjunctim & divisim manuceperunt dictum Dominum Petrum Abbatem de Regali loco, quod idem Abbas bene et fideliter erga Dominum Regem se habeat; et omnia alia in Brebi isto contenta perficiet et observabit.*

It seems most Abbots and Priors that were Aliens, took the like Oath, and gave sufficient Pledges for their fidelity and true allegiance to the King in that age, (especially in times of War) and not to send the Goods of their Monasteries out of the Realm, which they frequently did to the Kingdoms prejudice.

The Bishop of Norwich excommunicating the Vicar of Stokneyland, who appealed to the See of Rome against his sentence as unjust, and he being imprisoned by a *Capias Excommunicatum* upon the Bishops certificate after his Appeal, and thereupon enlarged by the Kings Writ, after his enlargement, upon a false suggestion, that he had not Appealed, being in danger to be reimprisoned by a Writ of *recaption*, the King thereupon issued this Writ to the Sheriff of Norfolk, to summon both parties to appear before him, to hear and determine this cause.

Brevia Regis  
An 17 & 18  
E. 1. in Turri  
London.

**E**dwardus, &c. *Viccomiti Norff. salutem. Cum nuper ad requisitionem venerabilis patris R. Norwicensis Episcopi, per suas literas patentes nobis significavit, quod Magister Willielmus de Caldewell Vicarius Ecclesiæ de Stokneyland propter manifestam contumaciam suam excommunicatus est, nec se vult per censuram Ecclesiasticam sufficere, per Breve nostrum tibi præcepimus, quod prædictum Willielmum per corpus suum, secundum consuetudinem Angliæ sufficiat, donec Sanctæ Ecclesiæ tam de contemptu quam de injuria, et illata ab eo, esset satisfactum; Et jam intelleximus quod prædictus Willielmus pro se a sententia prædicta in ipsum per præfatum Episcopum lata, tanquam ab iniqua Sede Apostolicam legitime appellabit, et Appellationis suæ negotium prosequitur cum effectu; nolentes, quod prædicto Willielmo per prædictum Breve nostrum via præcludatur, quo minus dictæ Appellationis suæ negotium prosequi possit in forma juris; maxime, cum huiusmodi Breve nostrum de gratia nostra procedat, et appellantium status integer esse debeat; tibi præcipimus, quod ipsum Willielmum a prisione qua detinetur occasione prædicta sine dilatione deliberari faceres, donec de Consilio nostro aliud inde duxerimus ordinandum. Et postea ad suggestionem Willielmi Barry, nobis falso suggerentis, quod prædictus Willielmus nullam appellationem fecerat, quare a prisione prædicta deliberari deberet; Tibi præcipimus, quod prædictum Willielmum per corpus suum, secundum consuetudinem Angliæ sufficiat, donec Sanctæ Ecclesiæ tam de contemptu*

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*tempus quam de injuria ei illata ab eo, fuerit satisfactum. Nos super premissis in praesentia partium plenus certiorari, et partibus inde plenam et celerem justitiam exhiberi volentes; sibi precipimus, quod scire facias prefato Willielmo Barry, quod sit coram nobis a die Sancti Hilarii in Quindecim dies ubicunque tunc fuerimus in Anglia, auditurus quid super premissis de Consilio nostro duxerimus ordinandum. Et habeas ibi praedictum Willielmum de Caldewell, si cum per te interim capi contingat, illud idem audientis. Et hoc Breve. Teste meipso apud Westm. 2. die Januarii, Anno Regni nostri 18.* A clear evidence that the King was Supreme Judge in all cases of Excommunication, Appeals, Exorbitances, legality or illegality of Ecclesiastical Courts and Prelates proceedings, and to hear, rectify, and finally determine them upon his Subjects complaints.

An. 18 E. 1.

The Bishop of Worcester intending to make some Parochial Churches, whereof he was Patron, Prebendaries, and to annex them to the Collegiate Church of Westbury near Bristol, which the Prior and Chapter of Worcester opposed, for fear they should thereby lose their right of electing their Bishop; the King thereupon sent this Letter to them, to assent thereto, for advancement of Gods service, and his royal honor and benefit, being a thing he cordially desired, and to return him their answer the next Parliament, when all things and differences between them should be finally settled without further suit or expences.

**E**dwardus Rex, &c. Dilectis in Christo Priori & Capitulo Wygorn. salutem. Cum pater venerabilis Godefridus Wygorn. Episcopus, commendabili ductus proposito, quasdam Ecclesias aliquando Parochiales ad suum Patronatum omni jure spectantes in Ecclesia Collegiata de Westbur. prope Bristol. fecerit prebendales. Insuper alias residuas, sui consimilis patronatus & Diocesis proponat hujusmodi libertati donare; quo magis cultus augeatur divinus, quod quidem appetimus toto corde, cum conferre Prebendas beata vacante Ecclesia, multum nobis esset nobilius et decentius, quam Beneficia curae parochiali annexa: dilectionem vestram requirimus & rogamus, quatinus ipsius Episcopi condescendentes desideriis quoad hoc, immo nostris, velit ea ad effectum deducere exoptatum, vestrum in hac parte cum favore exhibendo consensum: Nec timor vel suspicio, quoad electionem futuram de Episcopo, seu de ullo gravamine per Canonicos supradictos, animos vestros conterat ullo modo, cum praescriptio longissima, ac alia Jura fortissima vos satis muniant & defendant. In his autem vestram erga nos dilectionem volumus experiri. In proximo autem nostro Parlamento post Pascham, volumus per praesentiam vestram (viz. Prioris) nobis super his fieri responsiva; ut exinde quae deceant & expediant ac liceant, inter patrem & filios abjectis laboribus & expensis, cautius & salubrius tunc temporis finaliter ordinentur. Teste meipso apud Westm. 3. die Februarii, Anno Regni nostri Decimo.

Brevia Regis Anno 18 E. 1. in Turre London.

This year <sup>a</sup> *Mense Septembris in Terra Sancta mirabile & flebile infortunium contigit Christianis, Soldanus namque Babyloniz, cum multitudine onerosa, obsedit famam Tripolis civitatem, quam pro dolor, cepit, & solo tenuis finaliter complanavit, non sine maxima effusione sanguinis Christiani. In visperium insuper & contemptum nominis Ihesu Christi (or rather in detestation of Popish Idolatry, and Image-adoration) per Civitatem destruxit, ad caudas equorum Sandozum Imagines iussit trahi. Hereupon Pope Nicholas the 4th. under pretext of relieving the Holy Land, sent forth his Nuncios and Bulls into Germany, France, and England to the Kings, Princes, Prelates and Clergy to assemble together in Synods to raise Dismes and Taxes for sundry years towards the relief of the Holy land, but in truth to fill his own Coffers, and advance his Papal Jurisdiction over them, as his predecessors had done by this pious fraud; what opposition he met with in Germany in this his design, and provisions of Bishopricks, especially from Menardus Earl of Tyrol (whom he then caused to be excommunicated, who justly censured him and his Prelates as Antichristian by his publike Edict) b Johannes Aventinum thus relates. Eadem tempestate Nicholaus quartus Pontifex Maximus Franciscanus, omnes Archimystas Germaniz, quemque cum suis collegis in sua provincia Concilia habere jubet. Ab hisce rursus consilium simul et auxilium petit, quo Palestina armis recuperari possit.*

a Mat. West. An. 1289. p. 376. Tho. Walsingham. Hist. Angl. p. 15.

b Annalium Boiorum, l. 7. p. 577. See Philip Mornay Hist. Paparus p. 427.



An. 18 E. 1. *Primarius Boiorum Sacerdos Juvaniam sexto Calendæ Februarii Monachos atque Sacerdotes vocat, majores, minoresq; cogit Pontificulos, mandata Pontificis maji-  
mi aperit. Ubi illi Romanam avaritiam rursus ad Decimas aspirare persentiscunt,  
paucis et Concilii decreto, rem magnam esse, et se tot extra ordinem tributis attri-  
tos et exinanitos respondent, proinde amplius deliberandum, caput Reipublicæ  
Christianæ prius dandum, Christianos Principes in gratiam redigendos, sine ho-  
rum auctoritate nihil decernendum censent. Eodem Concilio Mæcardo Tyrolio duci  
ob causas potissimum sacris, jussu Pontificis Maximi interdictum est. Tridentini  
Episcopi castella occuparat, vique obtinebat. Hainricum jus Pontificium prosten-  
tem Episcopum Tridentinum continuis attribit bellis, cedereque compulsi. Hoc  
mortuo, Nicholaus Pontifex Romanus Franciscanus religionē, Philippo Mantuano, sui  
ordinis thro, eundem Pontificatum tradit, hocque instigante Mæcardus deboratus est.  
Qui sibi injuriam fieri sanctissimis illis patribus vociferatur, editto publico obnunciat,  
crimina objecta ita diluit: Equidem (ita me Deus amet) bellum non infero, sed pro-  
pulsio; nihil unquam mihi magis cordi fuit, quàm pacem cum quovis hominum,  
maximè cum Episcopis conservare, nisi boni patres, ut ceteri mortaliū, copia re-  
rum corrupti, nobis immeritis ultro arma præba libidine dominandi intulisse-  
sent, nosque terris avitis spoliare conati fuissent. Arma assumpsit, Castella ho-  
stibus patri: adem, quo mihi ac popularibus otio frui absque armis liceat. Quod  
si quisquam vas atque præfuerit, ne metuere perfidiam, & lupos habeam, neve  
de cætero hujusmodi nobis a fastidiosis illis Archipynagogis (nam Pastoribus dicere  
religio est) contingant, acturum omnia reddam: aliter nunquam committam, ut  
tam stultus videar, ut e manu manubrium mihi eripi patiar, aut memet ultro, atque  
meos ludibrio effeminatis Antichristis, atque prodigiis Eunuchis esse suam.  
Nemo magis concordiam Christianam labefactat, non sacris literis interpretan-  
dis aut ediscendis, sed liberis dant operam, Liberum amant, dicitas congregant,  
dominationem avidissime appetunt. Pro hisce nobiscum sanguine obum decer-  
tant, Christi paupertatem, Comitum ejus simplicitatem non solum non  
æmulantur, sed irident quoque atque antiquare conantur. Si \* Antichristi  
non sunt, quid aliud obsecro sunt? Estne istud pascere oves? amare gregem? reg-  
na, opes, aliena appetere, pro gloria, dignitate digladiari? obicula opprimere? oc-  
cidere, belligerari? Christi præceptum inbertunt, donanti tunicam et pallium bi  
auferunt. Quis tam ferreus, ut verius dicam, tam solidum pecus fuerit, ut su-  
perbiam, fastum, perfidiam, fraudem, flagitia, scelera, luxum, avaritiam nebulosum  
æquo animo ferat? Pejores Turcis, Saracenis, Tartaris, Jodæis sum, plus his  
omnibus Christianæ simplicitati officiant, libertatem Christi sanguine partam ex-  
cindere conantur, dominationem arripiunt: Cum nostri serbi sunt, ipsi domini-  
ri contra jus gentium, aduersus leges, auspica et oracula divina, dominos sibi  
serbere volunt. Scitum est vulgi proverbium, Sacerdotes superstitionum præsti-  
giis caliginem oculis effundere mortaliū, et cæremoniis carminibusque cassis, ve-  
luti Mandragoræ soporiferæ poculo mentem mutare, et humanis animis atque  
sensibus stuporem propinare. Nunquid Pastor aut oves tondet, aut mulget? non-  
ne nuncius rem Domini, atque eorum, ob quorum utilitate mittitur, agere debet?  
Proinde a sebo, et nobis iniquo Pontifice, ad æquum Pastorem, piensimumque  
patrem proboco. Inter hac dum illa ad Pontificem Romanum referuntur, ipse ani-  
mam efflat.*

\* Nota.

Nota.

\* See Here,  
p. 375.

King Edward the 1. who had \* formerly crossed himself for the Holy Land, to  
gain 6. years Dismes from the Clergy of England and Ireland, readily complied with  
the Pope in this design; as these Letters, Articles, Obligations of his to the Pope attest.

Pa. 18 E. 1.  
m. 40. De  
negotio Terræ  
Sanctæ.

SUmmo Pontifici cum recommendatione humili, pedum oscula beatorum. Lite-  
rarum Sanctitatis vestræ super negotio Terra Sanctæ per fratrem Willielmum  
de Hotham nobis exhibitarum tenore nobis diligenter exposito & plenius intellecto,  
deliberata super hiis habito consilio assentimus in Articulos inferius annotatos, vi-  
delicet, Quod terminus passagii generalis vestra auctoritate statuatur, à festo Nati-  
vitatæ Sancti Johannis Baptista proximo in tres annos, quod erit Anno Domini  
MCCXCIII. Ita quod tunc mox qualibet omnino postposita fiat passagium gene-  
rale. Et quod per omnes Christianitatis Cruz communiter prædicetur in Terræ  
subsidium

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subsidium memorata, sicut magis expediet negotio dictæ Terræ. Item, quod Decima sex Annorum collecta in subsidium Terra Sancta in Anglia et Scotia Regnis, et in terris Wallia & Hibernia Nobis assignetur in duobus terminis, videlicet, medietas ipsius in festo Pentecostes beati Johannis Baptista p̄or. venturo, et alia medietas in festo Nativitatis ejusdem Sancti deinde secuturo. Et idem fiat de obventionibus in dictis Anglia & Scotia Regnis, ac in terris Wallia, Hiberniaque collectis, et adhuc pro illis temporibus colligendis: de Decima vero et obventionibus sex Annorum futurorum colligenda in dictis Regnis Anglia et Scotia, ac terris Hibernia et Wallia, medietas secundum quod tribus primis annis colligetur nobis ante tempus passage assignetur. Residua vero medietas Decimæ et obventionum eorundem sex annorum annis singulis, prout collecta fuerit nobis postquam transfretaberimus assignetur, fiat autem Collectio et exactio ipsius Decimæ et obventionum per personas Ecclesiasticas \* Regni nostri. Item, quod omnes Crucesignati qui esse poterunt utiles ad pugnandum, vel alias utiles Terræ Sanctæ monitionibus et persuasionibus efficacibus inducantur, et quantum rationabiliter fieri poterit compellantur in ipso passage transfretare in subsidium præfatæ Terræ prout utilis esse poterit ipsi terræ. Item, De Decimis et obventionibus collectis in subsidium Terra Sancta in terris illis quorum Domini non transfretabunt, impedimentis nunc obstantibus Domino favente sublatis, taliter nobis subveniatur quod merito possumus et debeamus esse contenti. Hos omnes Articulos & singulos superius expressos, sponte recipimus et acceptamus, ipsique nostrum præstamus assensum, et quatinus contingunt vel contingere possunt nos inviolabiliter observaturos promittimus, volentes ipsos robur plenæ firmitatis habere, et præsentis Literas nostras Regio pendente sigillo munitas, vobis et Ecclesiæ Romana concedimus, in testimonium veritatis. Dat. apud Westmonaster. tertio die Februarii, Anno Domini 1289.

\* That so the Pope might not finger them.

Eidem, Rex salutem, præsentium tenore vobis Sanctissime Pater vestrisque Successoribus Romanis Pontificibus, & Ecclesiæ Romana promittimus, quod si nos sponte, vel culpa nostra deficere in transfretando in subsidium Terra Sancta contigerit, seu per nos steterit quo minus in præfixo generalis passage termino transfretemus, omnia quæ de Decima nobis concessa in Anglia, Scotia Regnis, ac terris Wallia et Hibernia, nos recepisse contigerit, restitueremus ad vestrum dictorumque successorum, et Ecclesiæ Romanæ mandatum; etiam si per ipsorum receptorum vel omnia ipsa recepta in præparatione transfretacionis fuissent expensa: si vero non transfretaberimus in ipso termino aliquo impedimento legitimo impediti, expensæ quæ factæ fuerunt in præparatione prædictæ pro medietate nobis, et pro medietate reliqua imputentur prædictæ Decimæ, seu de ipsa Decima deducantur: Et si quid facta imputatione seu deductione hujusmodi apud nos de Decima ipsa remanserit, illud similiter restitueremus ad vestrum, dictorumque successorum, et Ecclesiæ Romanæ mandatum: si quid etiam de expensis quæ sunt in præparatione prædictæ, vel de datis seu assignatis ejus occasione nobis taliter impeditis recuperari contingerat, vel de rebus præparatis occasione passage illius, medietatem similiter restitueremus, et reliqua medietas erit nostra. Pro hiis itaque omnibus firmiter observandis et plenarie adimplendis, Nos, successores nostros, ac exitus nostros Regni Anglia, aliarumque terrarum nostrarum, bona nostra mobilia, vobis, dictis successoribus vestris et Ecclesiæ Romana obligamus specialiter et expresse, præsentis literas nostras Regio pendente sigillo munitas, vobis, supradictis vestris successoribus, et Ecclesiæ, in veritatis testimonium concedendo. Dat. ut supra.

These Letters and Obligations the King sent to the Pope by his special Messengers, together with this to the Cardinals at Rome, thus recorded.

Venerabili patri in Christo amico suo Karissimo, Domino J. Dei gracia titulo Sanctæ Cecilie Presbytero Cardinali, Edwardus, &c. salutem & sinceræ dilectionis affectum. Cum pro quibusdam nostris negotiis, de quibus alias vobis scripsimus, pro subsidio Terra Sancta, Nobilem virum Dominum Galfridum de Geynville, Magistros Willielmum de Grenesfeld, & Thomam de Lutter, Juris Cibilis professores, ad sedem Apostolicam duxerimus destinandos; Paternitatem vestram affectuose requirimus

Cl. 18 E.4. m. 14. dorso. De literis missis Cardinalibus.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

An. 18 E. 1. requirimus et rogamus, quatinus ipsa negocia sabore benibolo prosequentes, ad eorum expeditionem tam celerem quam felicem, quantum commode poteritis, interponere dignemini partes vestras. Dat. apud Westm. 3. die Februarii.

Sub eadem forma scribitur Cardinalibus subscriptis,  
 Domino H. titulo Sanctæ Sabina Presbytero Cardinali.  
 Domino M. titulo Sancti Laurentii in Damazo Presbytero Cardinali.  
 Domino P. titulo Sancti Marci Presbytero Cardinali.  
 Domino J. Sanctæ Mariæ in Via lata Diacono Cardinali.  
 Domino P. Sancti Eustachii Diacono Cardinali.  
 Domino M. Sanctæ Mariæ in Porticu Diacono Cardinali.  
 Domino N. Sancti Adriani Diacono Cardinali.  
 Domino B. Sancti Nicolai in Carcere Tulliano Diacono Cardinali.  
 Domino J. Tusculano Episcopo.  
 Domino B. Episcopo Pincetrino.  
 Domino B. Episcopo Portuensi.  
 Domino L. Host. & Velletr. Episcopo.  
 Domino Sabinen. Episcopo.

The King likewise granted 200. pounds to the Popes Chaplain in Scotland for his expenses, pains, and labour there taken in the Service of *Queen Margaret* deceased, by this Writ.

Pat. 18 E. 1. m.  
 20. Pro Magist.  
 Hugocio. D.  
 Papæ Capellano.

**R**EX & Superiores Dominus Scotia, Venerabili in Christo Patri A. eadem gratia Catanen. Episcopo, Cancellario suo Scotia salutem. Quia Magister Hugocio Domini Papæ Capellanus Margareta grata & laudabilia præstitit obsequia, labores & expensas in ejus obsequiis multipliciter apponendo, ut pro certo intelleximus; Nos præfatum Hugocium pro servitio laboribus & expensis suis prædictis respici volentes prout decet. Vobis mandamus, quod dilecto & fideli nostro Alexandro de Balliolo Camerario Scotia per literas sigillo regimini prædicti Regni Scotia deputato, detis in mandatis, quod eidem Magistro Hugocio faciat habere ducentas libras pro servitio, laboribus et expensis suis prædictis, & nos eas præfato Camerario in primis compotis suis volumus allocari. In cujus, &c. Teste Rege apud Thresh 23 die Augusti.

The Pope sending his Nuncio into Scotland this year to take the Accounts of the Collector of the Dimes there lately dead, and collect the arrears thereof; the King as Superiour Lord of Scotland, issued this Patent to the Bishops and Prelates of Scotland, favourably to receive, assist and advise him and his Commissary therein, as often as required.

Pat. 18 E. 1. 21  
 m. 21. anno.

**R**EX & Superiores Dominus Scotia, Venerabilibus in Christo Patribus W. & R. eadem gratia Sancti Andr. & Glasgen. Episcopis, & cæteris Episcopis & Prælatibus ejusdem Regni ad quos, &c. salutem. Cum Dominus Papa dilectum nobis in Christo Giffredum de Vexano ejusdem Domini Papæ Clericum et Runcium deputaverit ad compotum executorum Testamenti Magistri Bayamundi quondam Collectoris Decimæ in Subsidium Terra Sancta concessæ in Regno prædicto, audiend. et arreragia ejusdem Decimæ, et debita ipsius Bayamundi levanda et colligenda, juxta formam mandati Apostolici sibi super hoc directi; Vobis mandamus, quod præfato Giffredo vel ejus Commissario seu Commissar. in præmissis vos exhibeatis favores et benignos, Consilium vestrum & juvamen eidem Magistro Giffredo vel ejus Commissar. seu Commissariis super hiis impendentes, quotiens ab ipso vel eorum aliquo inde fueritis requisiti. Teste Rege apud Devizes, decimo sexto die Septembris.

The King this year by his Ecclesiastical Sovereignty granted this special Patent authorizing the Abbot of St. Edmonds freely to dispose of his Goods and Chattels by his Testament, without disturbance by the King or his Officers.

REN

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**R**EX omnibus, &c. salutem. Dilectus nobis in Christo Johannes Abbas de Sancto Edmundo nobis humiliter supplicabit, ut nos ei licentiam concedere dignemur; videlicet, quod ipse de bonis et catallis suis libere possit condere Testamentum suum, ita quod executores Testamenti sui absque occasione et impedimento nostro et heredum nostrorum, Etscaetorum, Vicecomitum, et omnium aliorum Balliborum et Ministorum nostrorum quorumcumque, plenam et liberam inde habere possint administrationem ad executionem Testamenti sui predicti inde faciendam: Nos precibus predicti Abbatis favorabiliter inclinati, concedimus ei pro nobis et heredibus nostris, quantum in nobis est, quod idem Abbas hujusmodi Testamentum suum licite condere, et Executores Testamenti sui de bonis et catallis suis predictis libere possit disponere, ac liberam administrationem habere ad executionem dicti Testamenti sui inde faciendam, sine occasione vel impedimento nostri vel heredum nostrorum, Etscaetorum, Vicecomitum, et omnium aliorum Balliborum ac Ministorum nostrorum quorumcumque, sicut predictum est. Recepta ab eisdem Executoribus sufficienti securitate, quod de debitis si quæ idem Abbas die obitus sui nobis debuerit ad Scaccarium nostrum fideliter respondebunt. In cujus, &c. Teste Rege apud *Kingscliffon* 18 die *Octobris*.

An. 18 E. 1.  
Clauſ. 18 E. 1.  
m. 6 De  
Abbate de  
Sancto Ed-  
mundo.

How farr the King by his prerogative could charge succeeding Bishops deceasing with the Debts owing to him by their predecessor, or apportion them between them, and the Bishops executors, this Record will inform us.

**R**EX omnibus ad quos, &c. salutem. Volentes venerabili patri Antonio Be Dunelmensi Episcopo, pro grato & laudabili servicio suo quod nobis diu impendit gratiam facere specialem, concessimus ei pro nobis & heredibus nostris, quod de omnibus debitis in quibus nobis tenetur reddat ad Scaccarium nostrum centum libras per annum, unam videlicet medietatem ad Scaccarium nostrum Sancti Michaelis, & aliam medietatem ad Scaccarium nostrum Pasche, & sic de anno in annum centum libras ad eisdem terminos, quousque predicta debita nobis ibidem persolvantur: Ita tamen, quod si idem Episcopus in fata decedat antequam dicta debita nobis sic fuerint persoluta, successores sui Episcopi Dunelmenses et heredes ejusdem Antonii de debitis quæ tunc inde remanserint solvenda onerentur, viz. predicti successores de dictorum debitorum una medietate, et heredes predicti de altera medietate nobis seu hered. nostris respondeant ad Scaccarium supradictum. Et quod Executores Testamenti predicti Episcopi pro debitis illis non impediuntur, quominus liberam administrationem bonorum habeant ad executionem dicti Testamenti inde faciendam. In cujus, &c. Teste Rege apud *Haverigg*. 28 die *Junii*.

Pat. 18 E. 1.  
m. 21. Pro  
Episcopo Du-  
nelmensi de  
debitis suis.

What Pensions the King paid this year to the Popes Notary, Advocates at Rome, Merchants or Brokers, these Warrants will instruct us.

**R**EX Thesaur. & Camerariis suis salutem. Liberate de Thesauo nostro Jacobo Brabantun, & Bonaventur. Hugelyn Mercator. Senensibus quaterviginti et decem marcas, per manus suas liberandas dilecto Clerico nostro Magistro Angelo Domini Papæ Notario, viz. quaterviginti marcas de annis Regni nostri quarte decimo, quintodecimo, sextodecimo, & decimo septimo, scilicet de quolibet termino viginti marcas, et decem marcas de termino Pasche Anno regni nostri 18. de annuo feodo suo 20. marcarum quod de nobis percipit ad Scaccarium nostrum. Et recipiatis ab ipsis Mercatoribus literas suas patentes receptionem pecunie predictæ testificantes. Teste Rege apud *Westm.* 16 die *Julii*.

Liberate 18 E.  
1. m. 2. Pro  
Jac. Braban-  
zun, & Bona-  
ventur. Hugel-  
lyn. Mercato-  
ribus.

**R**EX Thesaur. & Camerariis suis salutem. Liberate de Thesauo nostro Lupo de Pistor. & sociis suis Mercatoribus de Pistor. ducentas marcas pro ducentis marcis quas per preceptum nostrum liberaverunt Francisco Accursio Legum professori, pro arreragis annui feodi sui quadraginta marcarum quod ei concessimus, scilicet de annis Regni nostri tercio decimo, quartodecimo, quintodecimo, sextodecimo, & decimo septimo, & quas eisdem Mercatoribusolvere promissimus in festo Sancti

Liberate, An.  
18 E. 1. m. 1.  
Pro Lupo de  
Pistor & so-  
ciis suis Mer-  
catoribus de  
Pistor.



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 3.*

An. 18 E. 1. Sancti Michaelis prox. præterito. Recipientes ab eisdem Mercatoribus literas nostras patentes quas inde habent. T. R. apud Kingesclipston 23. die Octobris.

Pat. 18 E. 1.  
m. 2. intus.  
Pro Civibus  
& Mercatori-  
bus Lucan.

**R**EX omnibus ad quos, &c. salutem. Considerantes diutina & laudabilia servitia quæ nobis fecerunt dilecti nobis *Paganuncius Guidicionis, Labrus Vulpell, Johannes Simoneti, Adinus Rubei Pili, Barthelottus Bandini, Richardus Guidicionis, Orlandinus de Podio, & Richardus Bonifacius*, & socii sui Cives & Mercatores nostri de societate *Ricardorum de Luk*. tam in partibus cismarinis quam ultramarinis: Pensantes etiam grata servitia, industriam et diligentiam cari nostri *Labri Vulpelli* prædicti, & labores quos sustinuit pro nobis in Curia Romana, dedimus eisdem Mercatoribus nostris (the Popes common Brokers and Usurers to return monies to Rome) quinque millia marcarum percipiend. ad Scaccarium nostrum *Westm.* in crastino festi Nativitatis beati *Johannis Baptiste* prox. futuro, & ad hoc obligamus nos & bona nostra. In cujus, &c. Teste Rege apud *Clypston*, quarto die mensis *Novembris*.

\* See Godwins  
Catalogue, p.  
221.

\* *William de Luda* being elected and confirmed Bishop of *Ely* by the Kings Royal assent, the King issued this Writ for restoring his Temporalities.

Pat. 18 E. 1.  
m. 28. De  
Temporalibus  
Episcopatus  
Eliensis resti-  
tutis.

**R**EX dilecto Clerico suo *Nicholao Fermeband*, salutem. Cum venerabilis pater *J. Caninar*. Archiepiscopus, electionem nuper factam in Ecclesia *Eliensis* de venerabili viro Magistro *Willielmo de Luda* Decano Sancti *Martini Magni London.* in ipsius Ecclesiæ *Eliensis* Episcopum & Pastorem, cui prius Regium assensum exhibuimus et favorem, confirmaverit, sicut per literas ipsius Archiepiscopi patentes nobis inde directas accepimus: Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, & Temporalia Episcopatus prædicti, prout moris est, restitimus eidem. Et ideo vobis mandamus, quod eidem Electo temporalia Episcopatus prædicti sine dilatione liberetis, sicut prædictum est. In cujus, &c. Teste Rege apud *Westm.* 30 die *Maii*.

Et mandatum est Militibus, &c. In cujus, &c. Teste ut supra.

The King for a certain Fine granted this extraordinary grace to the Prioresse and Covent of *Shafton*, that they should have the custody of the Temporalities thereof during the next vacancy, by cession or death of the present Abbess.

Fines 18 E. 1.  
m. 20. Pro  
Priorissa &  
Conventu  
*Shafton.* de  
fine, &c.

**R**EX per finem centum librarum quem Priorissa & Conventus *Shafton*. fecerunt cum eo, & quas ei solvent ad Scaccarium suum, concessit eis, quod eadem Priorissa & Conventus habeant custodiam Abbatiæ suæ toto tempore vacationis ejusdem, post cessionem vel decessum *Laurencia* nunc ejusdem loci Abbatis, hac vice de gratia Regis speciali, & quod percipiant & habeant omnes exitus & proventus ejusdem Abbatiæ ad opus suum, tam in tallagiis hominum suorum quam in terris & rebus aliis ad Abbatiam illam spectantibus, quæ ad Regem pertinere possent, si custodiam illam in manu sua Rex teneret. Ita quod nullus Ballivus Regis vel alius ex parte Regis eas impediatur vel se intromittat de custodia illa quominus dicta Priorissa & Conventus habeant hac vice liberam administrationem omnium bonorum & catallorum ad Abbatiam illam spectantium, salvis tamen Regi advocacionibus Ecclesiarum ad Abbatiam illam spectantibus, gardis et escactis de feodis militaribus si quas accidere contigerit tempore vacationis prædictæ. Et salva Regi et heredibus suis impofterum in aliis vacationibus ejusdem Abbatiæ, custodia memorata cum acciderit. In cujus, &c. Teste Rege apud *Westm.* 25 die *Januarii*.

Et sciendum, quod si contingat in vacatione Abbatiæ prædictæ aliquam sub discordia eligi in Abbatisam, finis prædictus pro nullo habeatur.

\* See Spelmani Concil.  
Tom. 2. p. 173.  
383, 443, 721.

Three Clergymen who were Collectors being indebted to the King, he issued these Writs both to Sheriffs and Bishops by his Prerogative, to seise and sequester all their Temporal and Ecclesiastical Lands, Livings, Goods and Chattels in several Counties and Diocesses, notwithstanding our *Bishops Canons and Constitutions* to the contrary.

Quibusdam

Quibusdam certis de causis mandatum est Custodi & Vicecomitibus London. quod omnes terras & tenementa, bona & catalla *Johannis de Lovetot, Willielmi de Burneton, Rogeri de Leycestria, & Roberti de Littlebury* in Balliva sua, sine dilatione in manum Regis capiant, & ea salvo & absque distractione aliqua custodiri faciant, donec Rex aliud inde præceperit. Ita quod inde ad Scaccarium Regis Regi respondere possint ad mandatum Regis. Teste Rege apud *Westm.* 14 die *Januarii*.

Eodem modo mandatum est Vicecomitibus *Cantabr. Midd. Norff. & Suff.* videlicet, cuilibet eorum per se, quod terras & tenementa, bona & catalla prædicti *Willielmi* in Ballivis suis sine dilatione capiant in manum Regis, & ea salvo custodiri faciant, &c. Teste ut supra.

Item mandatum est Vicecomitibus *Ebor. & Northumbr.* videlicet, utrique eorum per se, quod terras, tenementa, bona & catalla prædicti *Willielmi* in Ballivis suis sine dilatione capiant in manum Regis, & ea salvo custodiri faciant, &c. Teste ut supra.

Item mandatum est Vicecomiti *Essex & Herif.* quod terras, tenementa, bona & catalla prædictorum *Johannis, Willielmi & Rogeri* in Balliva sua sine dilatione capiat in manum Regis, & ea salvo custodiri faciat, &c. Teste ut supra.

Item quibusdam certis de causis mandatum est venerabili patri *J. Wynton.* Episcopo, quod omnia bona Ecclesiastica *Willielmi de Burneton* in Episcopatu suo sine dilatione sequestrari, & ea sic sequestrata salvo & absque distractione aliqua custodiri faciat, donec, &c. ut supra. Teste ut supra.

Eodem modo mandatum est *A. Dunelmensi* Episcopo, quod bona Ecclesiastica prædictorum *Willielmi, Rogeri & Roberti* in Episcopatu suo sine dilatione sequestrari, & ea sic sequestrata salvo & absque distractione aliqua custodiri faciat, donec aliud, &c. Teste ut supra.

Eodem modo mandatum est *J. Archiepiscopo Ebor. & R. Karliolensi* Episcopo divisim, quod omnia bona Ecclesiastica prædicti *Willielmi* in Episcopatibus suis sine dilatione sequestrari, & ea sic sequestrata salvo & absque distractione aliqua custodiri faciant, donec, &c. Teste ut supra.

The King out of his piety and charity, this year gave several sums of money to buy Books and Ornaments for Religious Houses, that were burnt in *Ga'coigne* and *England*, as these Records attest.

REX Senescallo suo *Vasconia*, & Constabulario Castri sui *Burdeg.* salutem. Dilectorum nobis in Christo Fratrum Prædicatorum *Baiona* statui super *Dyna-* mentorum et Librorum incendio pio compacentes affectu; vobis mandamus, quod ducentas libras monetæ nostræ *Burdeg.* eisdem Fratribus de denariis nostris liberari faciat de dono nostro, ad allevacionem eorundem super amissione prædicta. Et hoc nullatenus omittatis. Et nos pecuniam illam cum eam eis liberaveritis, vobis præfato Constabulario in compoto vestro volumus allocari. Teste Rege apud *Lang.* 26 die *Julii*.

Rot. Vascon.  
13 E. 1. m. 3.  
Pro fratribus  
Prædicatori-  
bus Baion.

REX Thesaur. & Camerariis suis, salutem. Liberate de Thesauro nostro dilectorum nobis in Christo Priorissæ & Monialibus de *Cestrehunte* prope *Waltham*, viginti libras de dono nostro ad domos suas nuper per insontium combustas construend. Teste Rege apud *Kingsclipsdon*, 20 die *Octobris*.

Liberate An.  
13 E. 1. m. 1.  
Pro Priorissa  
& Monialibus  
de Cestrehunt  
prope Walth.

The King repairing and building the Castle of *Carnarvan* in *Wales*, after his conquest thereof, among other monies converted the profits of the Archbishoprick of *Tork* (then void) to that use, as this Writ resolves.

REX Thesaur. & Camerariis suis, salutem. Allocate *Malcolmo de Harlegh* nuper Custodi nostro Archiepiscopatus *Ebor.* sede vacante, in compoto suo ad Scaccarium prædictum quatuor libras, quas per præceptum nostrum posuit in cariagio octingentarum et duodecim librarum, duodecim solidorum, et quatuor denariorum, proveniencium de exitibus ejusdem Archiepiscopatus à Civitate nostra *Ebor.* usque *Willelm* nostram de *Karnarvan*, cum novem equis & hominibus

Liberate An.  
13 E. 1. m. 7.  
Pro Malcolmo  
de Harlegh



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

*An. 18 E. 1.* conductis, ad dictam pecuniam ducendam anno regni nostri quartodecimo. Et quadraginta solidos quos similiter per preceptum nostrum posuit in cariagio centum & quadraginta librarum, & quindecim solidorum, provenientium de eisdem exitibus à Civitate prædicta usque Villam prædictam anno eodem. Et quinquaginta solidos quos similiter per preceptum nostrum posuit in cariagio centum & quinquaginta & septem librarum, & octo solidorum, provenientium de exitibus prædictis à prædicta Civitate usque Villam prædictam anno eodem. Et viginti & sex solidos, & octo denarios, quos similiter per preceptum nostrum posuit in conductione centum & unius librarum provenientium de exitibus prædictis à *Chirchesdon* usque ad prædictam Villam de *Kaernarvan* anno prædicto. Nisi, &c. Teste Rege apud *Fromton* 26 die *Novembris*. Per *Billam de Scaccario*.

So as the profits of that Archbishoprick received this year, applyed to this use, amounted to above 1100 l. besides other allowances to Officers, and all other expenses therein mentioned, which I pretermitt.

The Abbot of *Wetheneye* and his Tenants in *Ireland*, receiving and harbouring the Kings Enemies and Rebels, against his allegiance, was notwithstanding his Profession fined 60. Marks to the King for this offence, which he was to pay by certain annual sums to the Kings Exchequer there, as this Writ informs us.

*Fines 18 E. 1.*  
m. 1. Hibern.  
Pro Abbate de  
*Wetheneye*.

**R**EX de illis sexaginta marcis per quas Abbas de *Wetheneye* finem fecit cum Rege pro transgressione quam ipse et homines sui fecerunt, receptando *Hibernicos de Thremund*, inimicos et rebelles Regis, concessit eidem Abbati, quod reddat Regi per annum ad Scaccarium Regis *Dublin*, quinque marcas, viz. duas marcas & dimid. ad Scaccarium Regis *Pascha* proximo futur. & duas marcas & dimid. ad Scaccarium Regis Sancti *Michaelis* proximo sequens, & sic de anno in annum quinque marcas ad eisdem terminos, donec prædictæ sexaginta marce Regi persolbantur. Et ideo mandatum est Thesaur. & Baronibus de eodem Scaccario, quod eidem Abbati terminos illos habere, & sic fieri & irrotulari faciant. Teste Rege apud *Kingselipston* 4 die *Novembris*.

There being some Pleas held in *Ireland* of Advousons of Churches, in the Courts of some Lords within whose Lordships the Churches were, and a question made, whether such Churches of Abbots and Bishops falling void, when their Temporalities were not in the Kings hands, or during their vacancy, belonged to the Kings, or to the Lords Courts within whose Lordships they were, to the prejudice of the Kings Crown and Right, who as supreme Patron and Ordinary had the conuance of all Suits concerning Advousons; he thereupon issued this Writ of *Cerciorari*, to remove those Pleas and all their proceedings out of *Ireland* from the Lords Courts there, into *England*.

*Brevia Regis*  
*An. 17 & 18*  
*E. 1.*

**E**Dwardus, &c. *Iustic. suo Hiberniæ, salutem.* Cum inter nostrum dilectum & fidelem *Galfridum de Genevill*, & Abbatem beati *Thomæ extra Dublin*, coram nobis placitum penderet, super Ecclesia de *Donamore*; Utrum (viz.) placitum inde sicut de cæteris Ecclesiis, quæ sunt de patronatu Episcopatum et Abbatium in *Hibernia*, ratione croccarum terræ illius in manu nostra existentium, ad nos vel ad Dominos, infra quorum libertates Ecclesiæ huiusmodi situantur, pertineat placitandum; ac *Hugo Hosee venerabilem patrem Th. Midenf. Episcopum*, in Curia *Galtridi de Trym* super Ecclesia de *Galtrim* de advocacione ejusmodi Episcopi existente, ut dicitur, iam implacitet, in nostri præjudicium manifestam, ut accepimus; Nos nolentes per huiusmodi placita aut alia in casu consimili in dicta terra *Hiberniæ* nobis præjudicari, sed placitum illud super dicta Ecclesia de *Galtrim*, una cum prædicto placito super dicta Ecclesia de *Donamore*, coram nobis simul & semel, prout iussum fuerit, terminari: Vobis mandamus, quos ad Curiam prædicti *Galtridi de Trym* accedentes, loquelam super dicta Ecclesia de *Galtrim*, in eadem Curia habitam, ut prædictum est, recordari, & Recordum illud & Processum cum Brevi originali, & omnibus alijs adminiculis, loquelam illam tangerentibus, sub sigillo vestro & sigillis eorum qui recordo illi interfuerint distictè & aperte nobis mittatis, & hoc Breve: Ita quod ea habeamus coram nobis apud *Westm.* a die Sancti *Michaelis*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Michaelis in 15. dies, partibus eundem diem praesigentes, quod tunc sint ibi, factura & receptura quod iustum fuerit in hac parte. Teste Edm. Com. Cornub. Consang. nostro apud Welm. 28 die Maii, anno regni nostri decimo septimo. Whereupon the Records of those proceedings were returned and certified to the King in England the year following, as prejudicial to the Kings Crown and Jurisdiction.

An. 18 E. 1

A few years before the Bishops and Archdeacons of Ireland endeavoured by the power of the Bishop of Bath and Wells, then Lord Chancellor of England, to engross all Suits in the Kings Courts in Ireland against Executors, into their own Ecclesiastical Courts, as matters of Testament, not belonging to the Kings Courts, and a breach of their Ecclesiastical Privileges, as appears by this complaint and petition of the Bishop and Archdeacon of Ferns to this Lord Chancellor, An. 13 E. 1. (where it should have been inserted) concerning a Suit brought against the Archdeacon as an Executor, in the Kings Exchequer in Dublin.

Venerabili patri in Christo & amico (si placet) charissimo, Domino R. Dei gratia Bathon. & Wellen. Episcopo, R. miseratione divina Ecclesie Fernens. Minister humilis, salutem & sincera dilectionis constantiam cum orationum suffragiis. Cum vos libertatis Ecclesiasticae columnam agnoscamus ceteris firmiorem, vestram moueat paternitatem, quod in partibus Hiberniae, contra libertatem Ecclesiasticam, insolenter et nobilitate est sollicitum, quod pia paternitati vestrae praesentis pagina referimus volentes; videlicet, Quod cum Nicholaus Archidiaconus noster Fernens. Executor Testamenti Adae de Sancto Johanne, de bonis eiusdem defuncti, tanquam Executor, iamdudum disponeret et ministraret, ut dicitur; quidam Miles Wilhelmus Waspayl, nomine Domini Waterfordensis Episcopi, Justiciarii Hiberniae specialis, de mandato ipsius Domini Justiciarii, et ejus patrocinio specialiter confidens, & audaciam habens, quaterviginti et sex libras argenti ab eodem Archidiacono nostro erigit coram Baronibus de Scaccario Domini Regis Dublin. ipsum ibidem conueniendo per Breve de Scaccario, (cujus transcriptum vobis mittimus, praesentibus inclusum.) Qui quauquam idem Archidiaconus per Attornatum suum coram eis allegasset, quod super huiusmodi re Testamentaria ibidem non debuisset respondere, ac per nos instanter petiitum esset, quod causa illa ad nos remitteretur eramen, in eadem causa processerant; compellendo ipsum Attornatum eidem Willielmo ibidem respondere de pecunia praedicta; quam idem Wilhelmus dicit se soluisse Reginaldo de Dene per distractionem Scaccarii praedicti: Qui Reginaldus de Dene est in custodia dicti Justiciarii, & filiam suam de ejusdem Justiciarii duxit in uxorem. Et cum huiusmodi causa mere sit Testamentaria, et ad eramen Ecclesiasticum de jure debeat pertinere, sicut vestra nobis discretio, et nos semper parati fuerimus, et sumus, de dicto Archidiacono nostro, dicto Willielmo et aliis de se querelantibus plenam iustitiam exhibere, ad libertatis Ecclesiasticae defensionem et conseruationem, pro qua vos semper impendistis, summo (si placet) studio remedium in praemissis prohibere dignemini. Praedicta vero causa inter ipsum Militem & dictum Archidiaconum, prout didicimus, in loco Ecclesiastico, coram Domino Lechlin. Episcopo, in cuius Diocesi idem Miles dicit, ipsum Archidiaconum de bonis dicti defuncti administrasse, extitit alias usque ad sententiae diffinitivae calculum ventilata, donec dicto Episcopo de facto, per ipsius Willielmi negligentiam, conquiebit. Unde intuitu Dei et Ecclesiae, taliter in praemissis operari et prohibere vestra discretio dignetur, ut Ecclesiastica libertas illa custodiat. Valeat pia paternitas vestra semper in Domino. Dat. feria secunda in Septimi. Pentecost. anno gratiae 1285.

Brevia Regis  
An. 13 E. 1, in  
Tutrel London.

\* If this were Law, that all Executors must be sued for Debts only in Bishops Ecclesiastical Courts, then all Executors should sue others only in them for debts due to their Testators.

Supplicat vobis (Domine Cancellarie) Nicholaus Archidiaconus Fernens. (qui ibidem. vobis est, & gravi infirmitate detentus) remedium sibi fieri de quibusdam injuriis, libertati Ecclesiasticae et sibi factis, quod cum quondam extitit Executor Testamenti Adae de Sancto Johanne defuncti, & bona ejusdem defuncti vice Executoris fideliter disposuit & ministravit, & de bonis & catallis dictum Testamentum tangentibus, finalem compotum reddidit coram suo Diocesano; super hoc venit Dominus Wilhelmus Waspayl Miles, ob favorem Justiciarii Hiberniae, et implacitavit ipsum coram Baronibus de Scaccario Dublin. contra legem et iustitiam, de quaterviginti &



*An. 18 E. 1. & sex libris argenti, per quoddam Breve de viridi Cera, (quod dicitur, Venire fac.) eo quod certis Erecuto; p[re]dicti defuncti, desicut huiusmodi placita, Testamentum tangentia, coram eisdem de iure non debent placitari: nec item Willielmus, Baro de Scaccario, nec p[re]dicti Domini Regis est. Et nichilominus ipsum coartant ad respondendum coram ipsis de debito p[re]dicto. Quare petit, carissimum intuitu, remedium sibi fieri.*

What Bishops and Abbots were this year elected and confirmed in Ireland by the Kings Royal license and assent, these Records will evidence.

Pat. 18 E. 1.  
m. 13. De  
assensu electio-  
ni adhibito.

**R**EX adhibuit assensum electioni nuper factæ in Ecclesia Cathedrali *Duacen.* de fratre *Laurencio Abbate Collemstori.* ordinis *Cisterciensis* in Episcopum *Duacen.* Et hoc significatum est *W. Tuamensi* Archiepiscopo, ut quod suum est exequatur in hac parte. Teste Rege apud *Selveston*, 10 die *Aug.*

Pat. 18 E. 1.  
m. 17. Hibern.  
De Temporal.  
restitutis.

**R**EX Justic. suo *Hibernia*, vel ejus locum tenenti, salutem. Cum nos electi nuper facti in Cathedrali Ecclesia *Cluovenfi* de fratre *Willielmo Odufi.* ordinis *Minorum* in Episcopum ejusdem loci, Regium assensum adhibuerimus et favorem; & velimus eidem Electo gratiam facere uberiorem in hac parte, ut suis parcamus laboribus et expensis; vobis mandamus, quod electione illa à loci Metropolitano canonicè confirmata, & recepta nomine nostro ab eodem Electo fidelitate nobis debita, ut est moris, Temporalia Episcopatus p[re]dicti eidem liberari faciatis. Receptis tamen prius ab ipso literis patentibus sigillo suo, necnon sigillo Capituli sui signatis, quod hac nostra gratia nobis vel heredibus nostris non cedet in p[re]judicium, seu trahetur in consequentiam in futurum. In cujus, &c. Teste Rege apud *Westm.* 15 die *Julii.*

Ibid. m. 41.

**R**EX Venerabili in Christo patri *J. &c.* Archiepiscopo *Dublin.* Justic. suo *Hibern.* salutem. Cum venerabilis pater *N.* Archiepiscopus *Armaghan.* *Hibernia* Primas, Ecclesie Cathedralis *Ardachaden.* pastozis solatio destitutus, de persona discreti viri Magistri *Matthai de Ardagh.* Canonici Ecclesie p[re]dictæ p[ro]biderit, ipsum p[re]stendo in Episcopum ejusdem Ecclesie et Pastorem, sicut per literas ejusdem Archiepiscopi patentes nobis inde directas plenius nobis constet, & insuper dilecti nobis in Christo Decanus & Capitulum Ecclesie p[re]dictæ *Ardachaden.* nobis per literas suas patentes humiliter supplicarunt, ut p[re]fectionem illam acceptemus: Nos ipsorum p[re]cibus in hac parte favabiliter annuentes, et p[re]fectionem illam acceptantes, cepimus fidelitatem p[re]dicti Magistri *Matthai.* & Temporalia Episcopatus p[re]dicti, prout moris est, restituimus eidem. Et ideo vobis mandamus, quod eidem Magistro *Matthaeo* Temporalia Episcopatus p[re]dicti cum pertin. liberetis, sicut p[re]dictum est. In cujus, &c. Teste meipso apud *Westm.* 28 die *Januarii.*

Pat. 18 E. 1.  
m. 10. Hibern.  
De Temporal.  
restitutis.

**R**EX Justic. suo *Hibernia*, vel ejus locum tenenti, salutem. Cum dilecti nobis in Christo Prior & Conventus de Insula de *Melanfith.* nobis per literas suas patentes significaverint, quod Ecclesia sua p[re]dicta per mortem *Petri* nuper Abbatis ejusdem loci, Pastoris est solatio destituta, supplicantes nobis prout moris est, quod licentiam sibi alium eligendi in Abbatem eisdem concedere dignaremur, ac nos p[re]cibus, &c. Nos eorundem Prioris & Conventus laboribus & expensis in hac parte parcere volentes, ista vice, concessimus eis de gratia nostra speciali, & vobis dedimus potestatem, quod facta electione p[re]dicta de futuro Abbate, sicut p[re]dictum est, eidem Abbati assensum Regium, &c. volumus etiam, &c. quod si, &c. tunc recepta ab ipso Electo fidelitate in casu isto nobis debita, temporalia, &c. Receptis tamen, &c. ut in p[re]cedentibus. In cujus, &c. Teste Rege apud *Westm.* 10 die *Julii.*

What licenses and dispensations against the Statute of *Mortmain*, of Lands and Tenements given to Bishops in Ireland, the King granted this year, these Records inform us.

REX

**R**EX omnibus, &c. salutem. Licet nuper provideri fecerimus, quod non liceat *viris Religiosis aut aliis ingredi feodum alicujus; ita quod ad Manum mortuam deveniat sine licentia nostra & Capitalis Domini de quo res illa immediatè tenetur;* Concessionem tamen remissionem & quietam clamacionem quas *Rogerus de Thorn-ton & Isabella uxor ejus, & Radulphus Burgoys* venerabili patri Archiepiscopo *Archiepiscopo Hybernica Primati* fecerunt, de decem & septem carucatis terræ cum pertin. in *Brumskyn*, ut dicitur. Habend. sibi et successoribus suis Archiepiscopis ejusdem loci imperpetuum, ratas habentes et gratas, eas pro nobis et hered. nostris quantum in nobis est concedimus et confirmamus, sicut scripta prædictorum *Rogeri, Isabellæ, & Radulphi* eidem Archiepiscopo inde confecta rationabiliter testantur; Salvo jure cujuslibet: Nolentes quod iidem *Rogerus, Isabella, & Radulphus*, seu hered. sui, vel prædictus Archiepiscopus aut successores sui ratione statuti prædicti inde per nos vel hered. nostros occasionentur in aliquo vel graventur. In cujus, &c. Teste Rege apud *Westm.* 15 die *Junii*.

Consimiles literas habet idem Archiepiscopus de donacione & concessione quas *Alicia de Napton* fecit eidem Archiepiscopo de advocacionibus Ecclesiarum de *Bernemede, Dumbenny & Kilkerryli*, ut dicitur. Habend. &c. In cujus, &c. Teste ut supra.

**R**EX omnibus ad quos, &c. salutem. Inspeximus Cartam quam *Robertus de Wygorn.* persona Ecclesiæ de *Nober* fecit venerabili patri *Thoma Midenfi* Episcopo in hæc verba. *Sciant presentes & futuri, quod ego Robertus de Wygorn. Rector Ecclesiæ de Nober pro salute anima mea dedi, concessi, & hac presenti carta meâ confirmavi venerabili in Christo patri Domino Thomæ Dei gracia Midenfi Episcopo, tria burgagia cum edificiis & pertin. in Villa de Nober, qua habui ex vendicione Henrici de Northampton. Vicarii de Stachmoholmoc, secundum divisas, perambulaciones & metas in carta ejusdem Henrici super hiis confecta comprehensis plenius contentas. Habenda & tenenda dicta burgagia cum edificiis prædictis & pertin. de me & hered. meis sibi et successor. suis et Ecclesiæ suæ Midenfi libere et quiete, bene et in pace imperpetuum. Reddendo inde annuatim Dominis feodi per annum redditum debitum & consuetum, prout in carta prædicta prædicti Henrici plenius continetur. Ego vero prædictus Robertus & hered. mei prædicta tria burgagia, cum edificiis & pertin. secundum quod prædictum est, prædicto Domino Episcopo successoribus suis & Ecclesiæ suæ prædictæ contra omnes gentes warrantizabimus imperpetuum. Et ut hac mea donacio, concessio, & presentis carta mea confirmacio perpetua firmitatis robur optineant, eidem carta sigilli mei impressionem apposui. Hiis testibus Magistro Johanne de Keneleye Archidiacono Midenfi, Magistro Johanne de Dumbilton. Archidiacono de Kenles, Magistro Willielmo de Wasseburn. Magistro Willielmo de Sidan, Domino Stephano de Exon, Henr. Vinetur, Ada Vinetario, Simone de Porta, Ada Beletambe, Waltero de Clongel, Johanne de la More, Johanne Herte, Philippo de Mareilton. & aliis. Nos autem donacionem et concessionem prædictas ratas habentes et gratas, eas pro nobis et hered. nostris quantum in nobis est concedimus et confirmamus, sicut carta prædicta rationabiliter testatur. In cujus, &c. Teste Rege apud *Westm.* 12. die *Julii*.*

An. 18 E. 1.

Pat. 18 E. 1.

m. 24. Pro

Archiep. Ar-

chimachano

Hybernica Pri-

mate.

Ibid. m. 14.

Hybern. Pro

Episcopo

Midenfi.

What Liberties the King this year granted by his Charters to *John de Sannford* Archbishop of *Dublin*, and the Canons of *All Saints* there, those who please may peruse in Chart. 18 E. 1. nu. 86. & 94.

In the Plea Rolls in the *White Tower*, Tr. 18 E. 1. I met with these suits for prosecuting and holding Plea in Courts Christian of Chattels, Debts and Advowsons, not belonging to their Jurisdiction.

*Radulphus Vicarius Ecclesiæ de Mapeldested attachatus fuit ad respondendum Ricardo filio Gerardi de Heckesofte de placito, quare ipse simul cum Magistro Willielmo de Norton Archidiacono Midd. tenuit placitum in Curia Christianitatis de cattis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem Regis, &c. Et unde queritur quod cum idem Ricardus summoneus esset coram eisdem Radulpho*

Placita apud

Westm. Trin.

18 E. 1. Rot.

22 dorso.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B.5. ch.3.

*An. 18 E.1.* Radulpho & Willielmo ad respondendum de quinque marcis quas ab eo tunc exigebant: Ac idem Ricardus die Veneris proxima post festum Sancti Nicholai in Ecclesia de Hanstede, anno Regis nunc decimo septimo, prohibitionem Regis ne placitum illud teneret, predictis Radulpho et Willielmo exhibuisset, predictus Radulphus spretoman dato Regis, nichilominus predictum placitum simul cum predicto Willielmo tenuit, in contemptum Domini Regis et grave dampnum ipsius Ricardi, &c. Unde dicit, quod deterioratus est et dampnum habet ad valentiam centum solidorum; et inde producit sententiam, &c.

Et Radulphus per Attornatum suum venit & defendit vim et injuriam quando, &c. Et bene defendit, quod nunquam tenuit placitum in Curia Christianitatis de predictis quinque marcis contra prohibitionem Regis sicut ei imponit. Et hoc paratus est defendere contra ipsum & sententiam suam sicut Curia consideraverit, &c. Ideo vadit ei legem suam 12. manum, &c. Et veniat cum lege sua in Chraftino Animarum, &c. Plegii de lege Willielmus de Fynchynghend & Willielmus de Twynstede, &c.

*Ibid. Rot. 26. Intus. Surr.* Willielmus de la Pont per Attornatum suum optulit se 4. die versus Willielmum de London Canonicum de Suthwerk de placito quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio contra prohibitionem, &c. Et ipse non venit, & preceptum fuit Vicecomiti, quod attachiaret eum quod esset hic ad hunc diem, &c. Et Vicecomes nichil inde fecit, sed mandavit quod predictus Willielmus de London Clericus est, & non habet Laicum feodum in Balliva sua per quod potest attachiari. Ideo mandatum est Episcopo Wyntonie, quod venire faciat eum hic in Craftino Animarum. Et unde Vicecomes mandavit, &c.

*Ibid. Rot. 69. Ebor.* Petrus de Malo lacu per attornatum suum optulit se quarto die versus Magistrum Robertum de Pykering, & Ricardum Priorem de Sancto Oswaldo, de placito quare idem Magister Robertus simul cum Johanne Archiepiscopo Eborum tenuit placitum in Curia Christianitatis de abbocatione medietatis Ecclesie de Lychfeldia contra prohibitionem, &c. Et ipsi non venerunt; Et preceptum fuit Vicecomiti quod attachiaret eos, &c.

*Ibid. Rot. 96. Ebor.* Magister Willielmus de Marchia per attornatum suum optulit se 4. die versus Magistrum Simonem de Clervaus Officialem Archidiaconi Cleveland de placito quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, & versus Thomam Abbatem de Ryevall, Johannem de Normanby Commonachum suum, & Magistrum Rogerum de Scardeburgh de placito quare secuti sunt idem placitum in eadem Curia contra prohibitionem, &c. Et ipsi non venerunt, &c. Et predictus Simon de Clervaus attachiatus fuit per Johannem ad Fontem, &c. Ideo ipsi in misericordia. Et preceptum est Vicecomiti quod distringat eos per omnes terras, &c. Et quod de exitibus, &c. Et quod habeat corpora eorum hic à die Sancti Michaelis in quindecim dies, &c.

In the same Plea Roll, in an Assise of Darraign presentment I finde this Plea of plenarty pleaded by a Prioress by vertue of an Impropriation, and of a person intruded into it, by whose presentation the Plaintiff claimed a Title, who was actually deprived by a Judicial Sentence in the Court of Rome; and the Abbess thereby restored to the possession thereof.

*Ibid. Rot. 105 Wiltes.* Assisa venit recognitura quis advocatus tempore pacis presentavit ultimam personam qua mortua est ad Ecclesiam de Wamberge qua vacat, &c. et cujus advocacionem Alanus filius Rogeri de la Zuche, & Emelina Lungespeye alias clamaverunt versus Priorissam de Ambresbury, &c. Et modo venit predictus Alanus, & similiter predicta Priorissa per Attornatos suos. Et quia eadem Priorissa alias dixit, quod non potuit predicto Alano sine predicta Emelina particeps sua inde respondere, preceptum fuit Vicecomiti quod summoneret eam quod esset hic ad hunc diem ad sequendum simul, &c. Et ipsa non venit, & summon. &c. Ideo consideratum est, quod predictus Alanus respondeatur sine predicta Emelina, &c. Et Alanus dicit, quod quidam Stephanus Lungespay antecessor ipsius Alani & predicta Emeline, cujus haeres ipsi sunt qua non sequitur, &c. ad predictam Ecclesiam presentavit quendam Hugonem de la Penne Clericum suum tempore pacis Domini H. Regis patris Domini Regis nunc, qui ad presentationem suam fuit admissus & institutus, & per cujus resignacionem predicta Ecclesia modo vacat, &c. Et de Stephano descendit, &c. & predicta Emeline qua non, &c. Et de ipsa Elia descendit, &c. ipsi Alano qui nunc, &c.

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

Et Priorissa per attornatum suum venit & dicit, quod non debet ei inde ad hoc breve respondere, quia dicit, quod predicta Ecclesia plena est & consulta de ipsa Priorissa & conventu suo qui illam tenuit in proprios usus de advocacione sua propria, & fuit ante impetrationem brevis. Et hoc parata est verificare ubi & quando debueris, &c. An. 18 E. 1

Et predictus Alanus dicit, quod predictus Hugo nuper persona predicta Ecclesia ad presentacionem predicti Stephani antecessoris, &c. a tempore institutionis sue ut persona impersonata in eadem statum continuavit usque festum Sancti Michaelis proximo praeteritum, & tunc Hugo Ecclesiam illam resignavit. Et dicit, quod quam cito noticiare signacionis, &c. ad ipsum pervenit ipse infra quinque menses proximo sequentes breve suum impetravit. Et hoc petit quod inquiri per assisam. Unde dicit, quod status plenitudinis quem predicta Priorissa dicit se habere, potius debet dici in eum Intrusio, quam plenitudo. Dies datus est eis de audiendo iudicio suo hic a die Sancti Michaelis usque xv. dies. Postea . . . . . ad diem illum venerunt partes per attornatum ipsius Priorisse. Et Priorissa dicit, quod advocacio predicta Ecclesia fuit cujusdam Prioris & fratrum de Nogento Rodrode, qui Ecclesiam illam tenuerunt in proprios usus de advocacione sua propria per centum annos ante impetrationem predicti brevis. Et dicit, quod predictus Hugo super possessione predictorum Prioris & Fratrum intrusit se in predictam Ecclesiam, & illam tenuit occupatam quousque idem Hugo ad sectam ipsius Prioris per sententiam diffinitivam latam in Curia Romana fuit ab Ecclesia illa priuatus, et idem Prior in eadem Ecclesia restitutus. Et hoc paratus est verificare ubi & quando debueris, &c. Et dicit, quod idem Prior & fratres postea dederunt advocacionem predicta Ecclesia ipsi Priorisse & Ecclesia sua predicta, tenend. ipsi Priorisse & ceteris Priorissis qua ei succedent, &c. Et profert quandam Cartam nomine ipsorum Prioris & fratrum que hoc testatur. Et dicit, quod postea Episcopus Sarum appropriavit ipsi Priorisse predictam Ecclesiam tenendam in proprios usus; unde cum predicti Prior et fratres per sententiam predictam possessioni suae proprietatis in predicta Ecclesia fuerunt restituti; et de seiscina sua proprietatis fecerunt ipsos Priorissam et Conventum de advocacione ejusdem, Episcopus Sarum ipsis appropriavit Ecclesiam illam, et ipsi tenuerunt illam appropriatam quasi immediatam post seiscinam predictorum Prioris et fratrum, petit iudicium, &c. Et quia predicta Priorissa nichil dicit quare assisa illa debeat retardari, consideratum est, quod procedatur ad assisam, &c. set ponitur in respectu usque in Crastino Purificationis beatae Marie pro defectu Recognitorum, quia nullus venit. Ideo Vicecomes habeat corpora, &c.

\* Matthew Parker Archbishop of Canterbury shewes, that John Peckham Archbishop of Canterbury this year, after the visitation and subjugation of his whole Province, summoned a Council of his Clergie at Redyng, wherein he intended and propounded the drawing of all Causes concerning Advowsons meerly belonging to the Kings Temporal, to their Ecclesiastical Courts, and to cut off all Prohibitions to them from the Kings Courts in personal causes; a design they had long attempted: which the King hearing of, expressly commanded them by special Messengers, to desist from it, whereupon their design was frustrated, and this Council dissolved.

\* De Antiqu. Eccles. Angl. f. 205. Anno 1290.

Subacta sibi jam his modis Provincia, Clerum suum Redingi congregabit. Preposuitque cognitionem de Patronatu Ecclesiarum, multis annis ad Regium tribunal spectantem, inde ad Ecclesiasticum forum traducere, tum Prohibitiones Regias in Litibus de bonis et catallis prorsus rescindere, et ne deinceps Ecclesiasticos Judices a jure reddendo retardarent vetare. (Such was his Papal insolencie and disloyaltie) \* Sed Rex incepto hoc audito, nunciis ad Concilium destinatis multis, tam Archiepiscopo quam toti Clero minis precepit, ut desisterent. Unde tacitum est, ut a sua presumptione Archiepiscopus penitus transiret. Ita dissoluto Concilio omnes Prelati spe inanes recesserunt. To which he subjoyns this notable passage concerning the Prelates incontinencie, the briberie, usurie of the Pope and Court of Rome, and their Merchants, the suppressing all proceedings against an unchaste Bishop for mony, and the Archbishopps endeavours to advance his own absolute authority. In eo etiam Concilio fama publica id exigente, perquisivit de Episcopo quodam Concubinario; de quo ad Mattheum quendam Romanæ Ecclesiæ Cardinalem scripsit, sed de ejus nomine nullam mentionem fecit, id enim, ut ait, nuncio suo proferendum

\* Petrus de Ickeham.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

*An. 18 E. 1. ferendum commisit. Petiit in aliis literis à Cardinali Matthæo, ut de eo exrigendo Papam secreto sermonem consuleret, neque res enunciaretur. Pultos enim et in Romana Curia amicos et explozatores fuisse, potissimum autem Percatores Lancanenses, quorum (ut diximus) opera in expropriationibus et usuris Papa sæpe usus esset. Hunc autem non nominatum Episcopum cum secreto convenisset, atque quævisset, an vera essent quæ de ejus concubinato fama retulisset? Testes, quos Archiepiscopus expebat & adesse jussit, metuens tandem turpia narrasse, et ipsius turpitudinis diem factum fuisse, describit. Deinde eadem septimana cum Mortlaci moraretur, venisse ad eum feminam quandam Julianam de illius Episcopi factis quadam narraturam. Ea juramento coacta peperisse se quinque liberos ex eodem Episcopo adhuc superstites, falsa est. Hunc cum coercere vellet, metuens ne se muneribus ad Papam lundendis defenderet, per hunc Cardinalem præoccupavit Papam. Propono, inquit, eum adhuc aggredi iterato. Sed scio, quod conatus meus parum proderit, nisi me litera jubat Apostolica. Por enim ut eum tetigero, appellationis alio falsidice rete meum effugiet, infinitam pecuniam effusus. Peto autem, ut in omnibus aliis mihi per vos adstet adminiculum Papæ, per quod mea crescat auctoritas, et timor incutatur rebellibus, meaue jurisdictio excitetur, ut constantius noba inchoem, et inchoata auctoritate majori valeam confirmare.*

I finde in the Parchment Book of Collections of *Placita Parliamenti* 18 E. 1. in the *Tower*, that the King to preserve the Jurisdiction of his own Temporal Courts against the Bishops encroachments, and yet to preserve their legal Jurisdiction in causes properly triable by them by the grace and grant of his predecessors, made this Constitution upon the Ecclesiastical Judges grievous complaint, that the Chancellor or Chief Justice for the time being, when a Prohibition was granted to stay any suit in Court Christian, should send for the Libel, and if upon examination they found the Kings Court by Writs out of the Chancery could not relieve the party, and that the cause belonged to the Ecclesiastical Court to determine, they should order them to proceed notwithstanding the Prohibition.

\* *Placita Parliamentaria*  
*An. 18 E. 1.*  
*m. 21. See*  
*Ryley p 39.*  
*Quod Judices*  
*Ecclesiastici*  
*procedant non*  
*obstante Pro-*  
*hibitione Re-*  
*gia.*

\* Cum Judices Ecclesiastici ad procedendum in causis coram ipsis agitatæ per Prohibitionem Domini Regis sæpius supersedebant in casibus ubi remedium conquirentibus ad Curiam Domini Regis per Brevia de Cancellaria sua fieri non possit, propter quod querentes illi in utraque Curia tam Regia quam Ecclesiastica jure suo et remedio sunt elongati, ad grave dampnum ipsorum, proout Dominus Rex ex gravi querela quorundam intellexit: Dominus Rex bult et præcepit, quod cum Judices Ecclesiastici per Prohibitionem Regiam sibi propterea supersedebant in casibus prædictis, quod Cancellarius vel Capitalis Justiciarius ipsius Domini Regis qui pro tempore fuerit, viso libello illius causæ, ad instantiam querentis, si viderint quod per Breve de Cancell. querenti remedium suo casu fieri non possit, set quod ad Curiam Ecclesiasticam pertineat causam illam determinare, scribant Judicibus coram quibus causa illa prius fuerit agitata, quod in causa illa procedant, non obstante Prohibitione Regia prius sibi inde directæ. Therefore the Archbishop and Clergy had no cause at all to attempt the suppression of all Prohibitions to them to restrain their usurpations on the Kings Crown, Courts, or Subjects Liberties.

*An. 19 E. 1.* King Edward sending his Letters to the Archbishops and Bishops of Ireland to convene their Clergie, and induce them to grant him a Dismissal of their Spiritualties to defray his expenses and Debts in redeeming his \* Nephew Charles, and settling Truces in foreign parts, the Clergie of Ireland unanimously refused to grant his request, by reason of their extreme poverty, and many years wars and depredations, yea sundry of them appealed to the Pope against it, as these Letters of the Archbishops of Tuam and Cassels, and Bishop of Dary to the King, which I found in the *White Tower Chappel*, will more fully relate.

*Brevia Regis*  
*19 E. 1. in*  
*Turre London*

Excellentissimo Principi ac Domino suo Reverendissimo Domino Edwardo Dei gratia Illustri Regi Angliæ, Domino Hiberniæ, & Duci Aquitaniæ, W. permissione divina Tuamen. Ecclesia Minister humilis, salutem in eo qui Regibus dat salutem.  
Serenitatis

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

Serenitatis vestrae literas affectione qua decuit nuper recepimus, quibus intime nos rogastis, quod ad certos diem et locum nostros Suffraganeos et Clerum nostrae Provinciae coram nobis faceremus specialiter convocari; quodque ipsos ex parte vestra induceremus efficaciter, quod una nobiscum Decimam Spiritualium ipsos contingentium vobis concederent gratiose ad exonerationem Debitorum, quibus istis impliciti, propter missas graves et expensas necessarias, quas nuper moram trabendo fecistis in partibus transmarinis, deliberationem magnifici Principis, vestri Con sanguinei, Domini Caroli Regis Siciliae faciendam; Super quibus Regia vestra Celsitudinis tenore praesentium respondemus, Quod juxta literarum vestrarum tenorem Suffraganeos et Clerum nostrae Provinciae ad certos diem et locum fecimus convocari; ipsosque diligentia & instantia, quibus potuimus (novit Altissimus) induximus, & ferventissime rogavimus, quatenus requisitionem tanti Principis, tam exillem, recusarent nullatenus vel tardarent, sed eam potius grater concederent et horibet. Qui quidem Suffraganei singuli, cum dicto Clero, ad deliberandum secesserunt ad partem: eorumque Clerum deliberato consilio respondit unanimiter, Quod propter guerram, paupertatem, et Ecclesiae libertates in statu debito conferbandas, petitionem vestram praedictam nullo modo concedere poterat, nec volebat. A cujus responsione (idem Suffraganei, ut asseruerunt rationibus antedictis, et propter Appellationem per ipsum Clerum ad sedem Apostolicam interjectam, discedere non valebant, et sic cum eo partem duxerunt eligere negativam. Nos ceterum immediatum nostrum Clerum, ad certos diem & locum per nos similiter convocatum, efficaciter induximus & ferventer, Quod concessionem petitionis praefatae minime supersederent; Intimantes eidem, ac nostris Suffraganeis, eorumque Clero, quod licet per Concessionem hujusmodi modice crederent praegravari, per eam tamen possent veram vestrorum benevolentiam perficere, et uberius gratiam indubitanter captare, ac vos ipsi per hoc induci ad gradamina Hibernicae Ecclesiae et personis Ecclesiasticis ibidem illata hactenus, rebocanda, et fortassis ad eandem Ecclesiam restituendam in solidum praefatae libertati. Quibus auditis, super hiis deliberavit, in hunc modum respondens: Quod cum sua Beneficia exilia nimis exstant, ipsique per Satellites Hibernicos et per guerram, depauperati sunt et adnihilati; adeo quod victus totius anni eis non sufficit commode per sex Menses, (quod est planius omni plano) dictae petitioni in aliquo condescendere, non voluntate sed impotentia repugnante, penitus denegabat; sedem Apostolicam, ne nos contra ipsum hac occasione procederemus, inconsulto Romano Pontifice (cujus licentia specialis, juxta Statuta Canonica, est necessaria in talibus obtinenda) una cum Clero Provinciae concorditer in scriptis appellans. Nos siquidem qui voluntati Regiae sumus, ut concedet, pro viribus complacere, spem duximus mole Debitorum adeo praegravatam, tempestate guerrarum tam continue perturbatam, et tam tenuem in facultatibus (licet erubescamus hoc dicere) quod ex ea non possumus juxta dignitatem nostram decentiam commode sustentari, sed extra nostram Diocesim, in qua nulla penitus biqualia possidemus, nos urget ad praesens necessitas commorari; et in fide qua Creatori, Romanae Ecclesiae bobique tenemur assidui, omnia nostra bona mobilia et se mobentia, pro exoneratione nostrae Ecclesiae Debitorum, per triennium concederemus et amplius cum actione multiplicum gratiarum (licet hoc aliquibus incredibile videatur.) Unde ad praemissa cum nostris Suffraganeis atque Clero contra nostram voluntatem nunc compellimur concordare. Quapropter Regiam vestram Magnificenciam devotius precibus exoramus, quatinus, intuitu pietatis divinae, nostrae compaetientes impotentiae, excusationem nostram sufficere et verissimam in praemissa gratiam habere dignemini pariter et acceptam. Valeat & vigeat vestra Regia Celsitudo, &c. Datum apud Athnery 8. die Junii, Anno &c. 1291.

An. 19 E. 1.

\* See here, p. 375.

Nota.

\* Nota.

DOMINO suo Reverendissimo Domino E. Dei gratia Regi Angliae, &c. suus humilissimus ac devotus S. eadem gratia Castell. Minister, salutem, & gloriosum de huius semper reportare triumphum. Literas vestrae Regiae Majestatis recepimus, continentes, quod fratres nostros & Co-episcopos induceremus, ut vobis de suis Spiritualibus Decimam unius Anni liberaliter concederent, ad relebantes immensarum expensarum circa Principis de la Morrey deliberationem, & pacis inter Reges diversae reformationem, per vos salutarum. Nos autem fratrum nostrorum, Capitulorum, & Cleri sacra congregatione generali, negotium vestrum praedictum eisdem plenissime



*An. 19 E. 1.* (prout possibilis nostra permittebat) exposuimus: Rationes efficaces, per quas eorum animos ad Decimam concedendam alliceremus, adducentes, intimas eis supplicationes infundendo, & crebris monitionibus eos salubriter exhortando, ut huic vestrae gratiorae petitioni annuerent: Qui demum, super hoc cum Clero suo habito diligenti tractatu, unanimiter nobis finale dederunt responsum; Quod cum omnes sui Parochiani sint baris guerrarum concussionibus et aliis indebitis extorsionibus depauperati, Clerus ad tantam devenit inopiam, quod unde bibere omnino non habent; et licet Cleri ad hoc voluntas inclinet, potentia tamen repugnat. Et licet nos et Confratres nostri animo benivolo vestrae petitioni condescenderemus, consensum tamen Cleri ob causas praedictas allicere non possumus. Et quia nos de alicuius iuris injuria largiri non valemus, vestra Majestati devotè supplicamus, quatinus caritativè intuitu, & ob Creatoris vestri reverentiam, istud nobis non impingat: quia novus ille qui nichil ignorat, quod nos corpus nostrum & omnia quae habemus, pro vobis exponere sumus parati: & circa dictum negotium, licet illud ad finem non perduximus optatum, omnem quam potuimus adhibuimus diligentiam. Conserve vos, &c.

In eadem  
Bundela, An.  
19 E. 1.

**E**xcellentissimo Domino & Magnifico Principi E. Dei gratia Illustri Regi Angliae, &c. suus (si placet) frater N. ejusdem miseratione, Daren. Ecclesia Minister humilis & indignus, corporis & anima salutem, de hostibus triumphum, & per Regni temporalis fructuosos labores, aeterna quietis & regni caelestis sceptrum feliciter promereri. Ad vestra Illustris Excellentia mandavi ac petitionis instantiam, a Paschate Dominica in tres Septimanas per discretum virum Magistrum Thomam Cantok, Clerici vestri ac Nunciū Dublinenses, una cum aliis totius Hyberniae Praelatis, ibidem obidem mandatum vestrum pariter congregatis, recepi, sicut ibidem de communi omnium Praelatorum et singularum Dioecesium Clericorum consilio et assensu probatum fuerat. Vos omni caritate, qua potuimus, universo Clero nostro ad majorem Ecclesiam Kilic. convocato, cum omni instantia, diligentia & industria, quibus scivimus, eundem Clerum per varias exhortationes, monitiones, et obsecrationes, secundum gratiam nobis datam induximus cum effectu, ut Petitionem rationabilem et modestam, de Decima parte suorum Bonorum Spiritualium, vestrae Magnificentiæ, tanti Principis, ac nostri nativi Domini, cum omni sollicitudine, benivole ac grater, studerent debito ac optato effectui mancipare. Qui Clerus deliberato Consilio, universaliter, omnes et singuli sine cordis angustia concorditer responderunt, quod vobis ex cordis affectu de bonis suis Spiritualibus libenti animo subvenirent, si facultates voluntatibus responderent. Sed re vera (ut testificari potest tota Hibernia) Provincia Daren. Dioc. pro majori parte per cruces et continuas Guerras, ac diuturnas jam per 24. annos, per Dominorum oppressiones ac Balliborum extorsiones, et Hybernorum quasi cotidianas spoliaciones et furas, in tantum est dissipata ac quasi funditus extenuata, quod ad suam sustentationem et tenuem, et exilem non sufficiunt: Propter quæ ad praesens (de quo maxime dolent) non valent petitionem vestram in hac parte, prout vellent, aliquatenus adimplere: Sed orationes et lacrymas, quibus in his aduersitatibus et arumnis pro defectu pacis abundanti, pro vobis et vestris Regi omnipotenti corde contrito et tritulato omni devotione qua poterunt offerre continue non desistent; quorum impotentiam et bonorum inopiam, non affectionis aut ingratitude ignaviam (teste Deo) habere dignetur vestra Majestas Regis misericorditer excusata. Nos vero licet eadem incommoda patiamur, & are alieno propter defensionem pauperum nostrorum ab incurfibus hostilibus Hybernensium vastatorum sumus quamplurimum onerati, qui sumus vobis tam ex naturali affectu quam ex multiplicibus vestris beneficiis & honoribus arcus & tenerius astricti, toto cordis affectu et gratanti animo decimam partem bonorum nostrorum Spiritualium, ad annum proximum, ad festum Sancti Michaelis propius incipientem, vobis concedimus gratiose, \* — & verentes tanto Principi ac Domino nobis in negotiis nostris gratissimo, sicut retroactis temporibus experti sumus, offerre tam exigui subsidium — quod vestram Regiam generositatem votius pensetur affectus quam census, coram Deo vobis possumus testificari quod à concessione — depauperata et miserabiliter tribulata sicut nunc, cuius veritatem et causam scire poteritis ab hiis qui terram noverunt. Valeat, &c.

\* Dolentes.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K: Edward 1.

The Archbishop of *Dublin*, with sundry Earls, Barons and Gentlemen of *Eng-land* who had Lands in *Ireland*, having granted the King this year a Quindisme in *Ireland* at his special request, in an extraordinary way, (though most Archbishops, Bishops, Abbots, Priors, Ecclesiastical persons and inferiour Clergy of *Ireland* denyed and opposed it) the King issued these several Patents to them, that it should not be drawn into future custom or president to their prejudice, requesting the like Quindisme from others there.

**R**EX omnibus & singulis fidelibus suis in *Hibernia* ad quos, &c. salutem. Cum venerabilis pater *J. Dublin*. Archiepiscopus, necnon dilecti & fideles nostri *W. de Valencia* Comes *Pembroch*. *G. de Clare* Comes *Glouc.* & *Herif.* & *Rogermus* le *Bygod* Comes *Norff.* & Marecallus *Anglia*, & alii quamplures Barones & Mag-nates in partibus *Hibernia* terras habentes, nobis bonorum suorum Quintamdecimam gratanter concesserint, ad exonerationem xris alieni qua multipliciter pre-grabatur, prout in literis suis patentibus inde confectis plenius continetur. Nos de fidelitate & affectione quas vos erga nos habere cognovimus, specialiter confi-dentes & considerantes, vos velle ex causis quibus libem Magnates nobis subbe-nerint similiter subbenire, vos attente requirimus et rogamus, quatinus hujus-modi Quintamdecimam de bonis vestris nobis velitis concedere graciose, prout dilectus Clericus noster Magister *Thomas Cantok* Cancellarius noster *Hibernia* plenius nostro nomine vobis dicet. Et quid nobis in hac parte feceritis seu duxeritis faciend. vestrum quilibet per suas literas nobis rescribat, ut ex hoc scire poterimus in quantæ fidelitatis et affectionis ardoze erga nos geritis vestra vota. Volu-mus siquidem & concedimus pro nobis & hæredibus nostris, quod hujusmodi vestra concessio graciose vobis aut libertatibus vestris non cedat in prejudicium, vel trahatur in consuetudinem seu consequentiam in futurum. In cujus, &c. Teste Rege apud *Bergerwy*, 26 die *Octobris*.

Pat. 19 E. 1.  
n. 3. Hibern.  
De Quinta-  
decima.

**R**EX omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Scitis, quod cum dilectus & fidelis noster *Theobaldus de Verdon* Quintamdecimam bono-rum suorum mobilitum, necnon hominum et tenencium suorum infra libertates suas in *Hibernia*, quantum in ipso est, nobis concessit graciose, sicut ipse & alii fideles nostri in *Anglia* nuper fecerunt, volumus et concedimus pro nobis et hæredibus nostris, quod concessio illa prefato *Theobaldo* seu hæredibus suis, vel hominibus eorundem libertatum, aut eisdem libertatibus non cedat in prejudicium, vel trahatur in consuetudinem seu consequentiam in futurum. In cujus, &c. Teste ut supra.

Ibidem.

Consimiles literas habet *Rogermus le Bygod* Comes *Norff.* & Marecallus *Anglia*. Teste ut supra.

Consimiles literas habet *Agnes de Valenc.* Teste ut supra.

Consimiles literas habent Archiepiscopi, Episcopi, Abbates, Priores, Hospita-larii, Templarii, et alii Ecclesiastici viri in *Hibernia*. Teste ut supra.

Consimiles literas habet *Ricardus de Burgo* Comes *Ulton*. Teste Rege apud *Wygn.* 10 die *Novembris*.

What Sovereign Ecclesiastical Jurisdiction the King exercised this year over Ec-clesiastical persons and preferments in *Ireland*, these Records will inform us.

**R**EX Justic. suo *Hibernia*, Vicecom. & omnibus aliis Ballivis & Ministris in *Hibernia* constitutis, salutem. Volentes inter Fratres ordinis *Spinozum* *Hibernia*, pacem, tranquillitatem et concordiam firmiter observari; Vobis man-damus, & in fide qua nobis tenemini firmiter injungimus, quod reverendo patri fratri *Raymundo* generali Ministro dicti Ordinis, & aliis Fratribus quibus super hoc commiserit vices suas, ut libere corrigere possit seu possint, excessus dictorum Fratrum quotiens opus fuerit, (by the Kings order and appointment) secundum Ordinis illius disciplinam viriliter assistatis, ad ipsorum requiritionem, rebelles dicti Ordinis compescerentes modis et formis ad hoc necessariis, quotiens per ipsos vel ipsorum aliquem inde fueritis requisiti. Mandamus insuper per presentes omnibus subditis nostris *Hibern.* ut in premissis vobis pareant et intendant. In cujus, &c.

Pat. 19 E. 1.  
m. 6. De  
Fratribus Mi-  
noribus Hi-  
bern.



*An. 19 E. 1.* Dat. apud *Devizes* 18 die *Septembris*. It seems these Monks were then very disorderly and rebellious against their Superiour, so as nothing but the Kings Sovereign power could restrain or reform them.

*Pat. 19 E. 1.*  
*m. 15. Hibern.*  
*De Temporalibus restitutis.*

**R**EX *Willielmo de Vesey* Justic. suo *Hibernia*, salutem. Cum Dominus Papa electionem nuper celebratam in Cathedrali Ecclesia *Cassalen.* de discreto viro *Stephano* Archidiacono *Glendalacen.* in Ecclesia *Dublin.* in Archiepiscopatum dictæ Ecclesiæ *Cassalen.* cui prius Regium assensum adhibuimus et favorem confirmaverit, sicut per litteras ejusdem Papæ Bullas nobis inde directas plenius nobis constat: Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius *Stephani*, & Temporalia Archiepiscopatus prædicti, prout moris est, ei restituimus. Et ideo vobis mandamus, quod eidem *Stephano* temporalia Archiepiscopatus ejusdem sine dilatione liberetis, sicut prædictum est. In cujus, &c. Teste Rege apud *Elmedon* 27 die *Marci*.

Et mandatum est Militibus, &c. Teste ut supra.

*Pat. 19 E. 1.*  
*m. 21. Hibern.*  
*De Temporalibus restitutis.*

**R**EX *Willielmo de Vesey* Justic. suo *Hibern.* salutem. Cum nuper electioni factæ in Ecclesia Cathedrali *Rossen.* de *Laurencio* Canonico ejusdem Ecclesiæ in Episcopatum ejusdem loci, Regium assensum adhibuerimus et favorem. Nos eidem Electo ut suis parcat laboribus, &c. Acceptis tamen, &c. (as in others premised.) In cujus, &c. Teste Rege apud *Assherugg.* 12 die *Januarii*.

*Ibidem.* De assensu electioni adhibito.

**R**EX electioni nuper factæ in Ecclesia *Rossen.* de *Laure.* Canonico ejusdem Ecclesiæ in Episcopatum ejusdem loci, Regium assensum adhibuit et favorem. Et hoc significatum est *Cassalen.* Archiepiscopo, ut quod suum est in hac parte exequatur. Teste ut supra.

*Pat. 19 E. 1.*  
*m. 22. Hibern.*  
*De Temporalibus restitutis.*

**R**EX dilecto & fideli suo *Willielmo de Vesey* Justic. suo *Hibern.* salutem. Cum nuper electioni factæ in Ecclesia Conventuali Sancti *Thoma* Martyris juxta *Dubliniam*, de fratre *Radulfo de Wiltshir* Priore ejusdem domus in Abbatem ejusdem loci, Regium assensum adhibuerimus et favorem: Nos eidem Electo ut suis parcat laboribus, &c. Acceptis tamen, &c. In cujus, &c. Teste Rege apud *Assherugg.* 8 die *Januarii*.

*Ibid.* m. 23. De assensu electioni adhibito.

**R**EX, &c. electioni nuper factæ in Ecclesia Conventuali Sancti *Thoma* Martyris juxta *Dubliniam*, de fratre *Radulfo de Wiltshir* Priorem ejusdem domus in Abbatem ejusdem loci, Regium assensum adhibuit et favorem. Et hoc significatum est venerabili patri *J. Dublin.* Archiepiscopo, ut quod suum est in hac parte exequatur. Teste ut supra.

*Pat. 19 E. 1.*  
*m. 16. Hibern.*  
*De Temporalibus restitutis.*

**R**EX dilecto & fideli suo *Willielmo de Vesey* Justic. suo *Hibernia*, salutem. Cum dilecti nobis in Christo Prior & Conventus domus beate *Maria de Kenly*, nobis per litteras suas patentes significaverint, quod Ecclesia sua prædicta per religionem fratris *Angelici* nuper Abbatis ejusdem loci, Pastoris est solatio destituta, supplicantes nobis, &c. Nos eorundem Prioris & Conventus laboribus et expensis in hac parte parcere volentes, &c. (with all following clauses, as in other Patents of this kind.) In cujus, &c. Teste Rege apud *Westm.* 15 die *Marci*.

In six several bundles of Writs in the White Tower, *Anno 19 E. 1.* I found these Writs for prosecuting and holding Plea of Lay Fee, Chattels and Debts, that concerned not Matrimony or Testament, in Ecclesiastical Courts.

*Brevia Regis*  
*Anno 19 E. 1.*  
*in Turte London.*

**E**dwardus Dei gratia Rex Angliæ, &c. *Vic. Cant.* salutem. Si *Rogerus de Moreworth* fecerit te securum, &c. tunc pone per vadum & salvas plegias Magistrum *Ricardum de Feringes* Archidiaconum *Cantuar.* quod sis coram Justiciariis nostris apud *Westm.* in Oribus Purificationis beate *Mariæ* ostensurum, quatenus tennit placitum in Curia Christianitatis de *Laico* feodo ipsius *Rogeri* in *Coryton*, contra prohibitionem nostram. Pone etiam per vadum & salvas plegias *Robertum de Glatton.* personam Ecclesiæ de *Coryton*, quod tunc sis ibi ostensurum, quatenus secutus est

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est idem placitum in eadem Curia contra Prohibitionem nostram. Et habeas ibi nomina plegiorum, & hoc breve. Teste meipso apud Alsherugg. 11 die Januarii, anno regni nostri 19.

**E**dwardus Dei gratia Rex Angliæ, &c. Vicecomiti Devon. salutem. Si Robertus de Morkell fecerit te securum, &c. tunc pone per vadium & salvos plegios Magistrum Petrum de Insula Archidiaconum Exoniensem, & Rogerum le Clerk, quod sint coram Justiciariis nostris apud Westm. à die Sancti Michaelis in quindecim dies, ostensuri, quare tenuerunt placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram. Pone etiam per vadium & salvos plegios Mattheum Vicarium Ecclesie de Payhembury, & Henricum le Chapeleyn de Wydecomb, quod tunc sint ibi ostensuri, quare secuti sunt idem placitum in eadem Curia contra Prohibitionem nostram. Et habeas ibi nomina plegiorum, & hoc breve. Teste meipso apud Berewyk super Twedam 6 die Augusti, anno regni nostri 19.

Brevia Regis  
Anno 19 E. 1.  
in Turre Lon-  
don.

The like Writ issued to the Sheriff of Wiltes, for Alesia qua fuit uxor Walteri Hubert, versus Magistrum Willielmum de Abyndon Archidiaconum Wiltes, quod sit coram Justiciariis nostris apud Westm. &c. ostensurus, quare tenuerit placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram. Et versus Philippum de Neuband, personam Ecclesie de magna Sumerford, quare secutus est idem placitum in eadem Curia contra Prohibitionem nostram. Teste meipso apud Sanctum Andream in Scotia 21 die Julii, anno regni nostri 19.

Ibidem.

**E**dwardus Dei gratia Rex Angliæ, &c. Vic. Surr. salutem. Si Johannes le Mareschal fecerit te securum de clamore suo prosequendo, tunc pone per vadium & salvos plegios Magistrum Petrum de Sancto Mario Archidiaconum Surr. & Magistrum Johannem de Tycheseye, quod sint coram Justiciariis nostris apud Westm. à die Pasche in 15. dies, ostensuri, quare tenuerunt placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram. Pone etiam per vadium & salvos plegios Rogerum de Patrickesburn Vicarium Ecclesie de Kersfulton, quod tunc sit ibi ostensurus, quare secutus est idem placitum in eadem Curia contra Prohibitionem nostram. Et habeas ibi nomina plegiorum, & hoc breve. Teste meipso apud Ebor. — die Aprilis, anno regni nostri 19.

Ibidem.

**E**dwardus Dei gratia Rex Angliæ, &c. venerabili in Christo patri J. eadem gratia Episcopo Wynton. salutem. Mandamus vobis, quod venire faciatis coram Justiciariis nostris apud Westm. in Octabis Sancti Michaelis, Magistrum Petrum de Sancto Mario Archidiaconum Surr. Clericum vestrum, ad respondendum Johanni le Mareschal de Kersfulton, de placito, quare tenuit placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram, ut dicitur; & unde Vic. noster Surr. mandavit Justiciariis nostris apud Westm. à die Pasche in 15. dies, quod predictus Magister Petrus Clericus est, & non habet Laicum feudum in Balliva sua per quod potest attachiari. Et habeatis ibi hoc breve. Teste J. de Mettingham apud Westm. 8 die Junii, anno regni nostri 19. Thus returned by the Bishop.

Ibidem.

Dorso. Per istud breve Magistrum Petrum de Sancto Mario Archidiaconum Surr. citavimus, & per sequestr. bonorum suorum Ecclesiasticorum distrinximus, ad veniendum & faciendum quod in brevi continetur.

**E**dwardus Dei gratia, &c. venerabili in Christo patri R. eadem gratia Episcopo London. salutem. Mandamus vobis, sicut alias vobis mandavimus, quod venire faciatis coram Justiciariis nostris apud Westm. in Octabis Sancte Trinitatis Radulphum Vicar. Ecclesie de Mapeldorsted Clericum vestrum, ad respondendum Ricardo fil. Gerardi Hakefosse, de placito, quare ipse simul cum Magistro Willielmo de Norton Archid. Midd. tenuit placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram, ut dicitur. Et vos ipsi tunc sitis ibi audient. Judicium vestrum de hoc, quod mandatum

Brevia Regis  
An. 19 E. 1.  
in Turre Lon-  
don.



An. 19 E. 1. *tum nostrum pias inde vobis directum, non estis executi, sicut vobis mandatum fuit. Et habeatis ibi hoc Breve. Teste J. de Metingham apud Westm. 23 die Febr. Anno regni nostri 19.*

Brevia Regis  
Anno 19 E. 1.  
in Turre Lon-  
don.

**E**dwardus, &c. Vicecomitis London. salutem. Si Rogerus Cruik, &c. tunc ponite, &c. Bartholomæum de Castello, quod sit coram Justiciariis nostris apud Westm. à die Sancti Johannis Baptiste in quindecim dies, ostensurus, quare securus est placitum in Curia Christianitatis, de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram, &c. Teste misso apud Norham, 7 die Junii. Anno Regni nostri 19.

Brevia Regis  
An. 19 E. 1.  
in Turre  
London.

**E**dwardus, &c. Lincoln. Episcopo, salutem. Mandamus vobis sicut alias mandavimus, quod venire faciatis coram Justic. nostris, &c. Magistrum Johannem de Monemuth Cancellarium Universitatis Oxon. & Magistrum Johannem de Ros Clericos vestros, ad respondendum Radulpho de Lech de placito, quare tenuerunt Placitum in Curia Christianitatis, de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram, ut dicitur. Et unde Vic. noster Oxon. mandavit Justiciariis nostris apud Westm. à die Sancti Michaelis, in tres Septimanas, quod prædicti Magister Johannis de Munemuth & Magister Johannis de Ros Clerici sunt, & non habent Laicum secundum in Balliva sua, per quod possint attachiari. Et unde vos ipsi mandastis Justiciariis nostris apud Westm. in Crastino Purificationis beata Mariæ, quod Breve nostrum, quod vobis inde venit, adeo tardè venit, quod illud exequi non potuistis. Et habeatis ibi hoc Breve. Teste J. de Metingham apud Westm. — die Febr. Anno Regni nostri 19. Whereupon he returned one of hem who had a Benefice summoned.

Brevia Regis  
An. 19 E. 1.  
in Turre  
London.

**E**dwardus, &c. Vic. Norff. salutem. Si Johannes Ourpel & Thomas Dynne, fecerint te securum, &c. tunc pone, &c. Ricardum de Boylonde, qui fuit Officialis Archidiaconi Norff. quod sit coram Justic. nostris apud Westm. à die Sancti Hillarii in quindecim dies, ostensurus, quare tenuit placitum in Curia Christianitatis de Catallis et Debitis, &c. contra Prohibitionem nostram. Pone etiam, &c. Abbatem de Westderham quod tunc sit ibi ostensurus, quare securus est idem placitum in eadem Curia, contra Prohibitionem nostram. Teste misso apud Asherugg. An. r. n. 19.

So many encroachments were there this year upon the Kings Courts, Prerogative, and Subjects Liberties by the Ecclesiastical Courts, Officers, and Clergymen; and so many Prohibitions, Actions against them for the same, the last in *Normich* Diocese: Notwithstanding *William* Bishop of *Normich*, but few years before made a Fine of one Thousand marks to the King, for his Archdeacon and Clerks convicted before his Justices Itinerant in the County of *Norfolk*, for their Trespasse in drawing some into their Ecclesiastical Courts for Chattels, Debts, and secular contracts, which concerned not Testament or Matrimony, and for Lay Fees, to the prejudice of the Kings Crown and Dignity, to redeem them from imprisonment and vile usage; of which Fine the Archdeacon payd 100 marks for his share, as this Record (cited by the Judges in a Treatise concerning Prohibitions) informs us.

\* Com. Plac.  
in Tur. Lond.  
Anno 17 E. 1.  
Ro. 9. Norff.

\* *Inter communia Placita de Terminis Sanctæ Trinitatis, Anno 17 E. 1. die Veneris in crastino Conversionis Sancti Pauli, cum exigeretur à Magistro Alano de Freston Archidiacono Norff. portio qua dicebatur ipsum contingere de Fine mille marcarum, quem bona memorie W. quondam Norwicensis Episcopus fecit cum Rege, de Clericis suis conditis coram Justiciariis ultimo Itinerantibus in Comitatu Norff. super diversis transgressionibus, trahendo in placitum in Curia Christianitatis quosdam tam super Catallis, Debitis, Contractibus secularibus, quam Laicis feodalibus, quæ non sunt de Testamento vel Patrimonio, sed spectantibus ad Curiam Domini Regis, ne imprisonarentur, vel viliiter tractarentur. Tandem inspectis Rotulis de Transgressionibus Clericorum prædict. exhibitis ad Scac. per R. B. unum Justiclar. prædict. examinatisque qualitate et quantitate transgressionum vel oppressionum præfato Archidiacono impositis, concessum est ei, quod vel Regi Centum marcas pro portione sua prædict. &c. Postea prædict. Magister Alanus solvit prædict. Centum marcas per unam Talliam Scaccario, quæ allocatur eidem Episcopo in Fine prædict. Spille marcarum sub nomine prædict. Magistri Alani in Rot. 9. Norff.*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

In the Third bundle of Writs Anno 19 E. 1. I met with this Writ of resumptions and *Procedendo* to the Judges, who stayed proceedings at Law upon an Excommunication pleaded, and refused to proceed after an Absolution from it, certified by the Archbishop of York.

An. 19 E. 1.

**E**dwardus Dei gratia Rex Angliæ, &c. dilectis & fidelibus suis Johanni de Me-  
tingham, & sociis suis Justiciariis de Banco, salutem. Monstravit nobis Ste-  
phanus Skot de Manfield, quod cum loquela, qua fuit coram Thoma de Weylond &  
sociis suis nuper Justiciariis nostris de Banco, per Breve nostrum, inter ipsum Stephanum  
petentem, & Dionysiam qua fuit uxor Roberti de Manfield tenentem, de tertia parte  
unius Messuagii, & duarum Bovatarum terra cum pertinentiis in Manfield: Et loquela  
qua fuit coram eisdem Justiciariis, per aliud Breve nostrum, inter prædictum Stepha-  
num & Henricum Pygot, de eo quod idem Henricus acquiescet præfatum Stephanum  
de servicio quod Wilhelmus de Lenyngton & Johanna uxor ejus, Henricus de  
Crauncewyk & Elizabeth uxor ejus, Adam de Kirkeby & Matil. uxor ejus, &  
Alicia soror ejusdem Matil. ab eo exigunt de libero tenemento suo, quod de præfato Hen-  
rico Pygot tenet in Manfield: Et loquela qua fuit coram eisdem Justiciariis per aliud  
Breve nostrum, inter ipsum Stephanum petentem, & Henricum Pygot tenentem, de  
duabus partibus unius Messuagii, & duarum Bovatarum terra cum pertinentiis, (ex-  
ceptis una Acre, & una Roda terra) in Manfeld, pretextu cujusdam literæ venerabilis  
patris]. Archiepiscopi Ebor. coram Justiciariis prædictis in Octabis Sancti Michaelis  
anno regni nostri decimo septimo ibidem porrecta, Testificantes, quod prædictus Stepha-  
nus propter manifestam contumaciam suam auctoritate prædicti Archiepiscopi  
Diocessana excommunicatus fuit, nec se voluit per censuram Ecclesiasticam justifi-  
cari, hæcenus sine die remanserint; ac licet idem Stephanus alias litteras præ-  
dicti Archiepiscopi patentes coram vobis in prædicto Banco ostenderit, testifi-  
cantes, quod prædictus Stephanus a prædicta Excommunicationis sententia absolu-  
tus est, et a vobis petierit, quod loquela sua prædicta per Brevia nostra de servicio  
coram vobis in eodem Banco perplacitanda, more debito et consueto resumma-  
neantur: Vos tamen resumptionem illam sibi facere denegastis, in ipsis  
Stephani dispendium non modicum et gravamen, et exheredationis sue pericu-  
lum manifestum, et contra legem et consuetudinem regni nostri. Et quia nos-  
trum quod prædictus Stephanus super jure suo in præmissis, per hujusmodi dilationes im-  
portunas, ulterius defraudetur; Vobis mandamus, quod inspecto Recordo & Processu  
loquelarum prædictarum, coram præfato Thoma & sociis suis habitis, & etiam literis  
prædicti Archiepiscopi de absolutione prædicta, si inveneritis ita esse: Tunc loquelas  
prædictas coram vobis resummoneri faciatis: Ita quod sint in eodem statu coram vobis  
in Banco prædicto ad certum diem, quem partibus ad hoc duxeritis præfigendum, quo  
fuerunt in prædictis Octabis Sancti Michaelis, quando occasione prædicta litera prædicti  
Archiepiscopi de Excommunicatione prædicta sine die remanserunt, ut in loqu-  
lis prædictis extunc procedatur, prout de iure et secundum legem et consuetudinem  
regni nostri fuerit providendum. Nec pro defectu vestri oporteat ipsum Stephanum  
ea occasione ad nos habere recursum: Teste meipso apud Altherugg. 20 die Junii,  
Anno regni nostri 19.

The Archbishop of York excommunicating sundry persons in *Westmerland*, who  
were imprisoned upon a *Capias Excommunicatum*, and refusing to accept of their  
Caution; the Chancellor issued this Writ in the Kings name to accept their Cau-  
tion, and enlarge them, to which the Sheriff made this dilatory return.

**E**xcellentissimo in Christo Patri Domino R. permissione divina Bathoniensi & Bundela Bre-  
Willensi Episcopo, Domini Regis Cancellario, suus (si placet) G. de Bronnel-  
vium, An. 19  
neshed Vicecomes Westmerl. Salutem, Reverentiam, & Honorem. Mandatum Do-  
mini Regis in hæc verba recepi. Edwardus, &c. Vic. Westmerl. salutem. Ex  
parte Rogeri de la Cusine, Johannis Wagebatayle, Simonis Bennalct, Willielmi de  
Muskeburn, Rogeri fil. Roberti Marechalli, Willielmi Patenyn Capellani, &  
Nicholai de Fintall, quos, ad denunciationem venerabilis Patri J. Eborum Ar-  
chiepiscopi, tanquam excommunicatos, et claves Ecclesiæ contempnentes, per  
corpora sua secundum consuetudinem Angliæ, per te justiciari præcepimus, donec  
Sanctæ



*An. 19 E. 1.* Sanctæ Ecclesiæ, tam de contemptu, quam de injuria ei illata ab eis, fuerit satisfactum: nobis est ostensum, quod licet iidem *Rogerus, Johannes, Simon, Willielmus, Rogerus, Willielmus & Nicholans* eidem Archiepiscopo frequenter obtulerunt idoneam cautionem de parendo mandatis Ecclesiæ in forma juris, ut absolutionis beneficium consequi possint: idem tamen Archiepiscopus cautionem illam ab eis hactenus admittere recusabit, de quo miramur. Et quia nolumus quod fidem *Rogerus, Johannes, Simon, Willielmus, Rogerus, Willielmus & Nicholans* contra justiciam in prisiona diutius detineantur; Tibi præcipimus, sicut alias præcepimus, quod in propria persona tua ad prætatum Archiepiscopum accedas, & ipsum ex parte nostra moneas, & efficaciter inducas, ut accepta ab eisdem *Rogero, Johanne, Simone, Willielmo, Rogero, Willielmo & Nicholao* cautione prædicta, ipsos à prisiona prædicta mandet deliberari. Et si idem Archiepiscopus in præsentia tua id facere noluerit, tunc tu ipsos *Rogerm, Johannem, Simonem, Willielmum, Rogerm, Willielmum & Nicholaum* à prisiona prædicta, si ea occasione & non alia detineantur in eadem, deliberari facias; vel causam nobis significes, quare mandatum nostrum alias tibi inde directum exequi noluit, vel non potuit. Teste meipso apud *Dunfermlyn* in *Scotia* 14 die *Julii*. Anno Regni nostri decimo nono.

Mandatum alias mihi super hoc directum exequi non potui, eo quod tunc fui ad Scaccarium Domini Regis, computum meum redditurus, per præceptum Domini Regis. Istud mandatum exequi non potui, eo quod *Robertus de Herteford* & socii sui Justiciarii assignati ad Assisas capiendas nunc sedent in Comitatu nostro. Et post eorum recessum ad Chacea Domini Regis de *Engelwode* & de *Landa de Plumpton* per mandatum Domini Regis una cum auxilio totius Comitatus nostri prædicti me oportet interesse; Unde (si placet) me excusatum habere velitis, eo quod negotia Dominum Regem tangentia præ omnibus aliis credo fore prærogatura. Valeat Sanctitas vestra per tempora diuturna.

The Kings Consort Queen *Alianor* deceasing in *December*, the King thereupon out of his Prerogative and devotion (according to the practise of that blind age) the 4<sup>th</sup> of *January* issued this Writ to all the Religious Houses and Monks of *Cluny* in *England* to sing Masses and make Prayers for her soul, to purge it from all the remaining spots of sinne, and to certifie him the number of the Masses they would say for her, that proportionably he might thank them.

Pat. 19 E. 1.  
m. 11. Litera  
supplicatoria  
de orando pro  
Regina.

**R**EX venerandæ Religionis viro Abbati *Cluniacensi* salutem, & dilectionem in Christo sinceram. Deus omnium Conditor & Creator, qui celestis profunditate consilii ordinat, vocat, disponat & revocat subjectas suæ providentiæ creaturas, Serenissimam Consortem nostram *Alienoram* quondam Reginam *Anglie*, ex Regali ortam progenie 4. Kalend. *Decembrii* de præsentis seculo (quod vobis non sine multa mentis amaritudine nunciamus) sicut sibi placuit evocavit. Cum itaque dictam Consortem nostram quam vivam carè dileximus, mortuam non desinamus amare, ac opus sanctum & salubre juxta divinæ scripturæ sententiam censetur pro defunctis, ut a peccatorum solvantur nequibus exorare, paternam caritatem vestram affectuosis precibus duximus exorandam & instancius implorandam, quatinus ipsius Consortis nostræ exequias cum omni devotione solempniter probocantes, animam ejus cum decantatione *Pissarum* et aliis Ecclesiasticis Sacramentis Deo hito, qui aufert Spiritum Principum specialiter recommendetis; Adjuvantes eandem, ac eci- am facientes à Prioribus, Monachis, Clericis, & aliis vestris subditis in Sacramento- rum suffragiis, elemosinis, cæterisque operibus caritatis salubriter adjuvari, ut si quid maculæ non purgatæ in ipsa fossen oblivionis defectu, vel alio modo remanet, per utilia Oratorum vestrarum præsidia juxta divinæ misericordiæ plenitudinem abstergatur. (Not by Purgatory fire, Holy Water, or Popes pardons.) Quæsumus igitur, ut de *Pissarum* et aliorum suffragiorum hujusmodi numero quæ pro præfata Consorte nostra decreberitis facienda, per vestras literas nos ceteris red- dere certiores, ut ex hoc metiri possumus ad quales quantæque grates et gratias ob præmissa debitorum vestræ teneri merito debeamus. Dat. apud *Ashburgh*, 4. die *Januarii*.

\* *William*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

\* William Thorne informs us, that about this time, (An. 1290.) (most probably upon the like Writ) Dominus Thomas (Prior of Christ-church in Canterbury) concessit Domino Regi in festo translationis beati Edwardi 50 Psalteria, et 2350. Missas pro animabus progenitorum suorum et Reginarum Anglia, as a great extraordinary liberality and Spiritual Almes.

About this time also the Abbot of Condam sent this Letter to the King, to inform him what Prayers, Masses and Anniversaries he and his Monastery had ordered for her speedy translation to heavenly joyes.

**E**xcellentissimo Principi, ac inter chares charissimo Domino suo, Domino Edwardo Dei gratia Regi Anglia, &c. suis in omnibus & per omnia, Arnaldus Oubonius divina permissione humilis Abbas Condam. salutem quam peperit uterus Virginalis. Cum cordis compunctione & amaritudine Rumores de Domina nostra charissima Domina Helianora Regina uxore vestra audivimus, continentes, ipsam esse viam universæ Carnis ingressam; Cujus animam ob Dei reverentiam & vestram & ejus specialem dilectionem cum toto Conventu nostro, ut Sororem in Spiritualibus, statim rumore perlato recepimus; et specialiter in Missis, Jejuniis, Orationibus, elemosinis, in Monasterio nostro et Priozatibus nobis submissis, factis et facendis; et etiam ad Anniversarium annum speciale per nos et Conventum nostrum faciendum in die sui obitus; ut ille, cui nichil est absconditum, per suam sanctam misericordiam, propter prædicta Beneficia & alia, quæ in ejus commemorationem ubique fieri contigerit, ipsam celeriter ad cælestis gaudium vocare dignetur. Amen. Valete bene & diu, & Dominus conservet vos & familiam vestram, & in agendis vos dirigat, & ad vitam æternam perducatur, Amen. Dat. Condam. die Sabbati post festum Pascha Anno Dom. 1291.

Fundels Bre-  
vium, An. 19  
E. 1. in Turri  
London.

The King this year among other Privileges, granted to the Burgeses of Haverford in Wales, Omnes bonas leges & consuetudines quibus Burgeses nostri de Kardigan usi sunt lucusque rationabiliter & gavisi, ut in communis, planis, aquis, & omnibus aliis assumentis ad prædictam Villam de Haverford spectantibus, & semper retroactis temporibus optentis & justè usitatis. Concessimus etiam eisdem Burgensibus, quod si dicti Burgeses aut eorum aliquis infra terram & potestatem nostram testati vel intestati decederint: Nos vel heredes nostri bona ipsorum confiscari non faciemus, quin eorum heredes bona illa integre habeant quatenus ea dictorum defunctorum fuisse constiterit, dum tamen de dictis hereditibus fides aut noticia habeatur. Which clause concerning intestates goods implies, that formerly they were forfeited or belonged to the King, and were at his disposal, not their own; nor the Ordinaries.

Chart. 19 E. 1.  
m. 1. Pro  
Burgensibus  
de Haverford

The King out of his Royal piety and Charity granted this Patent of Protection and assistance to the Master and Freers of St. Lazarus in Jerusalem, to collect the Alms of good people against the Enemies of Christs Cross, (to whom the Pope to pick the peoples purses, had granted Indulgences for that purpose,) and to arrest all false and counterfeit Collectors of such Almes, who then it seems abounded.

**R**EX omnibus ad quos, &c. salutem. Cum dilecti nobis in Christo Magister & fratres Milicie domus Dei & Sancti Lazari Jerusalem. mittant quosdam Nuncios suos cum privilegiis Apostolicis et indulgentiis ad loca diversa ad elemosinas Christi fidelium colligendas ad sanctum vexillum beati Lazari, contra crucis Christi inimicos sustentandum. Nos eosdem Magistrum & fratres, ac eorum nuncios prædictos in protectionem & defensionem nostram suscepimus specialem; Vobis mandantes, quod ipsos Magistrum & fratres ac nuncios manuteneatis, protegatis, & defendatis, non inferentes eis vel inferri permittentes injuriam, molestiam, dampnum aut gravamen. Et si quid eis forisfactum fuerit, id eis sine dilatione faciatis emendari. Rogamus etiam vos, quod cum dicti fratres vel eorum nuncii ad vos venerint de bonis vestris elemosinas petaturi, ipsos benigne admittere, et eisdem intuitu caritatis ad sustentacionem prædictam de bonis vestris erogare velitis, ut a Deo remunerationem condignam, et a nobis grates reportare possitis. Et quia quidam falsarii advocantes se per Magistrum & fratres domus prædictæ, nomine

Pat. 19 E. 1.  
m. 13. Pro  
Magistro &  
fratribus Milicie  
Domus  
Dei & Sancti  
Lazari Jerusol.



*Ar. 19 E. 1.* mine ipsorum Magistri et fratrum elemosinas colligunt, licet per ipsos potestatem ad hoc non habeant, ut intelleximus, Vos iterato requirimus & rogamus, quod cum aliqui tales sine literis patentibus prædicti Magistri causa hujusmodi Collectæ faciendæ per vos transitum fecerint, ipsos cum collecta illa arrestari faciatis, donec de hujusmodi malicia emendas fecerint competentes, prout in casu consimili aliàs fieri consuevit. In cujus, &c. Teste Rege apud *Norham.* 10 die *Junii.*

The like Patent and Protection issued, *num. 20. Pro Magistro & Fratribus Sancti Jacobi de Alto Passio. Teste Rege apud Asherugg.* 18 die Januarii.

The King also this year granted this Protection to the Abbey of *Fountains* of the *Cistercian* Order, which formerly were very wealthy, but then grown poor and indebted, varying in the recital from former Protections of this kinde.

*Par. 19 E. 1. m. 13. De Abbacia de Fontibus Johanni de Berewyk commissa*

**R**EX omnibus ad quos, salutem. Non multum merentur ad disparia judicari, nova construere, & prius honorificè ac bene constructa, necnon diruta subsequenter reficere, et in statum antiquum reponere prosperum et felicem. Sane propicientibus nobis nostræ considerationis intuitum ad multiplices possessiones et amplas, necnon ad dibiciarum habundanciam multiformem, quibus Abbacia de *Fontibus Cisterciensis* Ordinis *Eborum* Diocesis, tempore fundacionis suæ insignita extitit et dotata, ac ad honores multimodos et elemosinarum largiciones quasi immensas et alia opera pietatis quæ ex ipsa Abbacia olim consueverant provenire, necnon ad pauperacionem non modicam, depreffionemque flebilem et statum miserabilem quibus extitit dudum depreffa, et adhuc deprimatur in immensum. (By bribes, exactions of Popes, and ambitious Abbots of their own order.) Nos super statum illum & calamitatem & miseriam Abbaciæ prædictæ pietate moti, eam cum terris, redditibus, & omnibus possessionibus ac rebus aliis ad eandem Abbaciæ pertinentibus, cepimus in protectionem & defensionem nostram specialem, & Abbaciæ illam cum omnibus pertin. ad requisitionem dilectorum nobis in Christo Abbatibus et Conventus ejusdem Abbaciæ, dilecto Clerico nostro *Johanni de Berewyk*, quamdiu nobis placuerit commissimus custodiendam. Ita quod omnes exitus, redditus & proventus terrarum & possessionum Abbaciæ illius salva rationabili sustentatione prædictorum Abbatibus & Conventus & hominum suorum, ad exonerationem debitorum suorum et relevationem aliorum defectuum ejusdem Abbaciæ reserventur, & eisdem exonerationi & relevationi per visum aliquorum de discrecionibus Abbaciæ ejusdem per adjutorium & consilium prædicti *Johannis*, prout melius fieri poterit applicentur: Nec volumus quod aliquis Vicecomes, Ballivus, seu Minister noster, aut alius quicumque in Abbacia prædicta, aut grangiis ad eam spectantibus, quamdiu in custodia præfati *Johannis* fuerit hospitetur, sine ejusdem *Johannis* licencia speciali. In cujus, &c. Teste Rege apud *Norham*, primo die *Junii.*

The like Protection *verbatim* was granted by the King to the Prior of *Lenton* of the same Order of *Cluny*, *Par. 20 E. 1. m. 4. Teste Rege apud Knaresburgh* 18 die Septembris.

The King this year as Superior Lord of *Scotland*, commanded this Protection under his Great Seal of *Scotland* to be made to the Bishop of *Carlisle* and another Collector of the *Dismes* granted in *Scotland* to the Pope.

*Rot. Scotie 19 E. 1. m. 11 intus De protectionibus faciendis R. Karl. & A. Catenen. Episcopo Collectoribus Decime in Regno Scotie.*

**R**EX & Superior Dominus *Scotie*, Venerabili in Christo Patri *A.* eadem gratia *Catenen.* Episcopo, Cancellario suo *Scotie* salutem. Mandamus vobis quod per literas Sigillo Regimine *Scotie* deputato signatas, faciatis habere Venerabili Patri *R. Karlol.* Episcopo & vobis ipsis Collectoribus *Decimæ* bonorum Ecclesiasticorum dicti Regni *Scotie* Sacrosanctæ Romanæ Ecclesiæ Summo Pontifici concessæ, Protectiones Regias cum clausis consuetis in forma Capellas, quamdiu prædictus *Karlol.* Episcopus & vos collectioni *Decimæ* prædictæ intenderitis duratur. In cujus, &c. Teste Rege apud *Chatton* 14. die *Augusti.*

The Abbots and Freers in that age, who pretended so much mortification of the flesh,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel* K. Edward 1.

Nest, fasting and abstinence, were yet such lovers of Venison, that they procured grants of the Tithes of all Venison killed in the Kings Forests, though not Tithable by Law, and were earnest suiters for due payment thereof as well in times of War as Peace; witnesse this Writ amongst others.

**M**andatum est *Johanni de Vesey* Justic. Forestæ citra *Trentam*, quod habere faciat et capiendæ in omnibus Forestis Regis in Com. Ebor. quam per cartas progenitorum Regis Anglia in eisdem Forestis habere debent, et prout ipsi temporibus alioz Justic. Forestæ in eisdem Forestis habere consueverunt temporibus retroactis. Teste Rege apud *Caldestrem* in *Scotia* 2. die *Augusti*. Claud. 19 E. 1. m. 4. Pro Abbatæ & Conventu S. Mariæ de Decima venacionis.

How the covetous Monks presumed to receive and purchase Lands in *Mortmain*, without the Kings license, against all Statutes, Provisions to preventit, and when seised, procured respites of their seifures till the next Parliament; these two presidents, besides sundry others, will ascertain us.

**M**andatum est *Malculmo de Harley* Escaetori Regis citra *Trentam*, quod manerium de *Tofte* cum pertin. quod nuper cepit in manum Regis, eo quod Prior et Conventus de *Sixele* illud post publicationem statuti de terris et ten. in manum mortuam non ponendis, sine licencia Regis sunt ingressi, replegiari faciat eisdem Priori et Conventui usque ad proximum Parliamentum Regis, una cum omnibus inde perceptis à tempore captionis ejusdem in manum Regis. Teste Rege apud *Wyke* 18. die *Jan.* Ibid m. 10. Pro Priore & Conventu de Sixele.

**M**andatum est eidem *Malculmo*, &c. quod Messuagia illa quæ fratres Ordinis Sancti *Augustini* in Villa de *Huntingdon* commorantes, nuper post consecutionem Statuti nostri de terris aut tenementis in manum mortuam non ponendis editi sibi appropriarunt, et quæ ea occasione cepit in manum Regis, eisdem fratribus usque ad prox. Parliamentum replegiari faciat. Teste Rege apud *Westm.* 20. die *Decembris*. Ibid m. 11. Pro fratribus Ordinis Sancti Augustini Huntingdon.

I shall close up this year with this memorable passage of *Matthew Westminster* concerning Pope *Nicholas* and the Archbishop of *Canterburies* deaths, and the Freer Minors insolency, pride, avarice whiles they lived, being of their Order.

<sup>a</sup> Anno gratia 1292. tertio Nonas Aprilis, Romæ obiit Papa *Nicholaus quartus*, qui sedit annis quatuor, mense uno, diebus 18. post cujus obitum quidam versificator pro Epitaphio sic dixit;

Gloria, laus, speculum fratrum *Nicholae Pinozum*,  
Te bivalente bigent, te moriente cadunt.

Cujus tempore fratres de Ordine *Pinozum* Papam pro Sole habentes, Lunam Archiepiscopum *Cantuariensem* nominantes, ceperunt sua Cognua erigere in universum orbem, nulli parentes ordini vel honori in provincia *Anglicana*; nam *Ponaphos* et *Professores* patris *Benedicti Wygorn. & Westm.* opido misericorditer potentiam et audaciam infestabant, (such was these Monks enmitie against each other) ut adimpleretur Prophecia Sanctæ *Virginie Hildegardis*, qua in tempore beati *Bernardi* floruit Spiritu Sancto plena, quo docente, exposuit & condidit multos libros, scilicet librum *Scivias*, &c. Inter cetera prophetia sua opera in libro secundo Speculi Temporum futurorum, sive *Pentacronon Virginis Hildegardis*, sub Anno Gratia 1142. in titulo de *Novis Religionibus*, sic dicebat secundo Capitulo, quod sic incipit; De imminente luce, Iterum audiivi vocem dicentem, *Wilia Syon*, corona capitis filioz tuozum inclinabitur, et pallium dilectionis dicitur eozum minuetur, quia illud tempus non cognoverunt, quod eis ad videndum & subditos suos ad docendum dedi. Nam & verba ad nutriendum parvulos meos eis data sunt, qua ipsi recto & congruente tempore non præbent, & inde peregrini filii multi fame defecerunt, quoniam recta doctrina non resciantur. Vocem quoque habent et non clamant, opera in eis data sunt, et non operantur, gloriam absque merito habere volunt, et meritum absque opere. Qui gloriam cum Deo vult habere, proprietatem suam abscidat, & qui me-

M m m 2

ritum

<sup>a</sup> Flores Hist. An 1292. p. 382. 383. See Wallingham's Hist. Angl. p. 10. Platina, Balzus. Crespin. Opmerus, Lærtius Cherubinus, and others in the life of Nicholas 4.



*An. 19 E. 1.* ritum apud Deum habere desiderat, opus ad hoc exhibeat, sed quia non facit, ad serbo-  
 serbozum computamini, et ipsi Iudices vestri erunt, ac libertas vestra a vobis de-  
 clinabit. Sicut benedictio à Canaan, ista flagella percurrent. Alia autem & postea  
 alia peiora venient: Nam Diabolus in semetipso de vobis dicit, escas epulantium &  
 convivia omnis voluntatis mea inveniam. Sed et oculi et aures, et benter ac vena-  
 meæ de spurcitiis istorum plena sunt, et ubera mea plena sunt de bitis eorum. Nam  
 ipsi laborare in Deo suo nolunt, sed eum quasi nihilum computant. Quapropter  
 cum eis incipiam militare, & jucunde cum eis ludere, quoniam eos in agro Domini  
 sui laborare non invenio, quemadmodum Deus eorum ipsos iuter. Sed Oves dis-  
 cipuli & subditi mei, multo plus eis coram populo disciplinati, & quia tunc essis, tri-  
 gite vos super eos, et omnes debitas et omnem bonorem abstrahite ab eis, atque om-  
 nino spoliantes suffocate eos. Hac Diabolus in semetipso dicit, qua etiam in multis  
 iudicio Dei ita complebit. Sed ego qui sum audientibus me dico, in tempore illo, cum  
 illud fiet per quandam errantem populum peiorem & errante populo qua nunc est, super  
 bos præbaricantes, præbaricantes ruina cadit, qui ubique vos persequitur, et qui  
 opera vestra non celatit, sed quia ea denudabit, et qui de vobis dicit, isti Scorpio-  
 nes in motibus et operibus serpentinis. Sed & quasi in Zelo Domini de vobis im-  
 prabitur: iter impiorum peribit. Nam vias vestras in iniquitate vestra & intentione  
 deridebunt & subsannabunt, sed populus iste qui hac faciet a Diabolo seductus et ma-  
 lus pallida facie veniet, & velut in omni sanctitate se componet, ac maioribus secula-  
 ribus Principibus se conjunget. Quibus & de vobis sic dicit, quare hoc vobiscum ha-  
 betis, quare eos esse patimini, qui totam terram in maculosis iniquitatibus suis pol-  
 luunt. Isti abriti et lurotosi sunt, et nisi eos a vobis efficiatis tota Ecclesia de-  
 struetur. Populus qui hac de vobis dicit vilibus capis, qua alieni coloris sunt, induit-  
 tur & recto modo intonsus incedit, atque omnibus suis placitum & quietum hominibus  
 ostendit. Abaritiam quoque non amat, pecuniam non habet, atque in oculis suis  
 tantam abstinentiam imitatur, quod vix ullus ex eis poterit reprehendi. Diabolus au-  
 tem cum hominibus istis est, latitare sub fulgore ejus se ostendens, velut in con-  
 stitutione mundi ante ruinam fuit, et Prophetis aliquantulum se similem fecit, et  
 dicit populo: jucunda loquere scilicet quia rapida & immunda animalia, & velut mi-  
 eis ostendam, sed nunquam in pennas ventorum fulgurante tonitruo volare volo, & om-  
 nibus modis infundere qua omnem voluntatem meam perficerent, & sic in hominibus  
 istis signa mea omnipotenti Deo assimilabo. Nam Diabolus per aerios Spiritus hac  
 operatur, &c. Isti autem deceptores non sunt qui ante novissimum diem venturi sunt,  
 & cum Diabolus in altum volaverit, ut ipse initio contra Deum pugnare caperet, sed  
 tamen postquam ipsi in perversitatibus Baal, aliis pravis operibus sic inventi fuerint,  
 Principes et alii majores in eos irruent, et veluti rapidos Lupos eos occident ubi-  
 cunque eos invenerint. Tum aurora vestra injustitia & novissima vestra meliora  
 prioribus erunt, ac de præteritis omnibus timorati eritis, & quasi purissimum aurum  
 fulgebitis, & sic per longa tempora permanebitis. Nam prima aurora justitia in spi-  
 rituali populo, tunc surget ut primitus cum parvo numero incepit, nec ipsi multas sa-  
 cultates nec multas debitas habere volunt, quæ animas occidunt, sed dicent, ve  
 vobis quia peccavimus. Ipsi namque de præterito timore & de præterito dolore ad ju-  
 sticiam confortabuntur, quemadmodum Angeli in casu Diaboli & amore Dei confortati  
 sunt, et sic postea in humilitate bibent, nec præbis operibus Deo rebellare cupient,  
 sed à multis erroribus purgati deinceps in fortissima vi rectitudinis persistent: Hic ter-  
 minatur secundum Capitulum secundi libri Pentateuchon, sive Speculi temporum fu-  
 turorum beate virginis Hildegardis. Hanc Epistolam inserimus huic operi, quia  
 multi non habent libri superius annotati copiam vel exemplar. Et ut intelligant hanc  
 legentes, quod Spiritus ubi vult spirat, & qua ventura sunt annunciat, per breve spa-  
 tium temporis sequentis Sole fratrum Pinozum obscurato per mortem Papæ, qui  
 erat ejusdem Ordinis, ut superius est expressum; Luna patiebatur eclipsim: Ar-  
 chiepiscopus namque Cantuar. cusus sapientia ante obitum suum fuerat totaliter  
 deborata, qui in prosperitate sua multos absecerat et contempnit, et maxime Pro-  
 fessores Ordinis beatissimi Benedicti, sine plandū Monachorum in hoc anno obiit.  
 How much these Freers Minors were then likewise opposed, censured by the Bishops  
 and Clergie of France for their insolencies, usurpations, hypocrisie, innovations,  
 you may read in the Complaints of the University of Paris and \* French Prelates  
 against them.

\* See Philip  
 de Morney  
 Hist. Papatus,  
 p 418, 419.

\* Albertus

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

\* *Albertus Cranzius* stories of this Pope *Nicholas*, natione Lombardus, religione Minor, that he had this memorabilis exitus. Tradunt illum, cum se decessurum intelligeret, convocasse in unum Cardinales, & ratione temporum suorum coram eis reddita, omnes de plenitudine potestatis, dignitate qua præditi fuerunt, absolvisse, ut in reliquum privati viderent. Idem primum stupuisse Cardinales de eo quod acciderat; deinde quasi moti capitis hominem, qui ad exitum insisteret, reliquisse. Ille totidem sui Ordinis fratres evocasse, illos titulis Cardinalium insignivisse, iurando, ne quem se moriente nisi ex suo numero Pontificem crearent, ne de ullam in suum adoptare viderent collegium nisi sui fratrem ordinis, adegisse. Hoc testamento condito, ad superos evolasse. Mira res si vera relatio. Exinde usque ad tempora Sixti 4. occultum in fratribus spinosius fuisse Papatum, qui in persona ejus defecerit. Thus did these Freers Minors endeavour to monopolize the Papacy, Headship of the Church, and all Cardinals Caps, unto themselves, for which they justly incurred the premised Censures by their fellow Monks, who envied their grandeur, honour, wealth, secular employments, and favour with Kings and Princes.

\* Anno 1293. (by reason of the forementioned contests between the Archbishop, Abbot, Prior and Monks of Canterbury) Prior S. Augustini, & Decanus Cantuarienses ad mandatum conservatorum privilegiorum nostrorum, ob vexationes abbertariorum, et ad cautelam futuroz, coram Officiali Archidiaconi, & de Westbere, de Bregge & Sandwico, Elham, Lymene, Cherring, & de Ospringe Decanis, & coram aliis multis in Capitulo S. Augustini, Dominica prima post Octavas Epiphaniæ, privilegia scilicet beati Augustini Anglorum Apostoli, primi Cant. Archiepiscopi, ac Romanorum Pontificum Bonifacii, Agathonis, Cælestini, Calixti, Innocentii, Urbani, Eugenii, Lucii, Alexandri, Gregorii, Innocentii, Alexandri & Honorii aperte recitarunt, & solempniter publicant, ita videlicet, quod Monasterium S. Augustini, Abbas et Fratres, cum pertinentibus ad eisdem, exempti sunt omnino a quozumlibet ordinarioz Jurisdictione, subjectione et potestate, ac specialiter a Domini Cantuar. Archiepiscopi, Officialis et Archidiaconi ejusdem, necnon et cuiuslibet alterius Iudicis, Regati, delegati præter sedis Apostolicæ speciale mandatum ad dictos Religiosos nominatim directum, plenam et expressam de indultis hujusmodi faciens mentionem. Et quod idem Religiosi, res, possessiones, homines, et Clerici eozundem, Apostolici sibi immediate subjecti, et non alteri. Et quod privilegia hujusmodi contravenientes scienter, cum suis sanctoribus canonica monitione præmissa, per prædictum Sanctum Augustinum, sociisque suis Laurentium, Melitum & Justum Cantuarienses Archiepiscopos excommunicati, ac per prædicta privilegia Apostolorum etiam indignationem incurrant, ab officio Cleri submoti, a communione Sanctozum alieni, proprioque privati officio excommunicationi subaceant eo ipso. Et quod Ecclesias de Mestres, Chisteler, Nordborne, Middleton & Faversham, cum Capellis non valeat Ordinarius interdiceret, vel suspendere quoquo modo. Et quod in aliis Ecclesiis sibi appropriatis, una cum istis non ipsi Religiosi, sed sui ipsorum locorum Vicarii, debent Ordinariis de oneribus ordinariis teneri, et scribis Episcopalis respondere. Sed super custodia vacantium Ecclesiarum nostri patronatus, decedentibus personis vel Vicariis Ecclesiarum prædictarum, claves earundem in Capitulum nostrum deferri, et custodia et obventiones earundem esse in manu Abbatis et Conventus, donec Personæ vel Vicarii Archiepiscopo ad easdem fuerit presentatio, tam antiqua quam moderna experta tradit usitatio. Thus did these Augustine Monks proclaim these their transcendent Privileges (purchased at dear rates from successive Popes) in the Metropolitane See and City of Canterbury it self, in high affront and defiance of the proud Archbishop of Canterbury and his Officers, (though endowed with extraordinary power and privileges by Kings Charters and Popes Bulls, and Primate and Metropolitan of all England) as totally exempt from his and his Officers Metropolitane Jurisdiction, Censures, Canonical demands, and owing no subjection to them in the least degree or punctilio whatsoever: So as that of the Poet, might more truly and properly be applyed to these proud Monks and Prelates thus eagerly contending for priority and exemption, then to *Cæsar* and *Pompey*.

\* *Nec quenquam jam ferre potest Cæsare priorem, Pompeiusve parem.*

\* *Lucan Phars.*  
l. 1.

Whose Antichristian pride, suits, animosities, exhausted their own and the Kingdoms Treasure,



An. 20 E. 1. Treasure, filled Popes and their greedy Roman Officers purses, yea advanced their Jurisdictions and Usurpations over them both, to whom they immediately subjected themselves to avoid the least subjection one to another, against St. Peters expresse Evangelical precept, then quite forgotten, or rejected as uncanonical, 1 Pet. 5. 5. *Pea all of you be subject one to another, and be cloathed with humilitie; for God resisteth the proud, and giveth grace unto the humble.*

\* Antiq. Eccl. Brit. p. 206.  
See Jo. Baluz. Scriptor. Brit. Cent. 4. c. 64.  
p. 348, 349.  
350. Godwins Catalogue, p. 78.

Archbishop Peckham's death this year, put a period to these contests between the Abbot and him; of whom \* *Mat. Parker* renders us this character and account. *Johannes Peckham Cantuariensis Archiepiscopus, cum 13. annis sedisset, adesse hujus vita sensit exitum: Testamentum itaque condidit, cujus Executores Nicholaum de Knovile Rectorem de Maidilton, & Simonem de Greille constituit. Hi post mortem Gualteri Reignolds, sede Archiepiscopale vacante, ad reddendam executionis sue testamentaria rationem à Priore Cantuariensi in jura vocati sunt. Rationibus exactis compertum est, ex inventario, præter legata in specie relicta, inperjurasse ex Johannis Peckham bonis 5305 l. 17 s. 2 d. & q. monetæ Anglicanæ. Hanc summam ad defuncti funera suasque expensas hi callidi Executores sibi pene totam a Priore decerni obtinuerunt. Ut reddita ratione non amplius quinque solidis ser denariis in pauperum et pios usus distribuendis remanserit. Hinc videmus quibus artibus tam occultam avaritiam hic bonus vir terit: Qui paupertatem et inopiam Archiepiscopatum suum ingressus replebat (ut diximus) suam. Idem paucis annis tanta abundantia copiarque repletus est, ut Cardinalibus et Curialibus Romanis grandia stipendia annua decerneret, et quod laudi verti debet: Pauperibus maxeriorum suorum 770. marcas distribui mandavit. His tam immensis sumptibus non obstantibus, consanguineos suos multos miram in modum plurius præditi locupletabit, aliosque ad Equestrem, alios ad Generosum Ordinem eberit; quorum de stirpe nonnulli in Cantio atque aliis Angliæ Comitatibus veterem tunc institutum & ab eo acceptum splendorem retinent. In omnibus quas frequenter scriptitavit literis, hoc titulo exorsus est; Johannes frater Cantuariensis Ecclesiæ Sacerdos humilis, (though as proud as the Pope, who yet styles himself *Servus servorum Dei*) Regi solique Principibus pro Ecclesiæ Cantuariensis præditi atque juribus audacter resistit, ut irato et offenso saepe Rege de exilio subinde cogitaret; (which he knew he oft deserved.) Ideoque multis Prebendam quam (ut diximus) Lugduni habuit petentibus, respondere solitus est; Se diem illum videre et expectare, quo hinc abiens ibi resideret; (being conscious of his deserved exile.) Quamquam ex Fratrum & Predicatorum ordine prodierit, juris tamen Civilis et Pontificii quam sacrarum Scripturarum fuit peritior; etsi et libros permultos in illa rixosa, garrula & digladiatoria fratrum Theologia concripsit.*

† See Falzus Scriptor. Brit. Cent. 4. c. 64.

\* Lib. Assisarum An. 30 E. 3. pl. 19 Brook Corone 115. & Treason 14. Cooks & Report, Of the Kings Ecclesiastical Law, p. 12.

I finde this Report of a memorable Case in our \* *Common-Law Books*, happening about this time, before the Statute of *Carlisle*, against Popes Bulls and Provisions; *A Subject of this Realm* procured a Bull of Excommunication from the Pope against another Subject, and gave notice thereof to the Treasurer of the King; for which offence, *le Roy voluyt quil ust esse tray & pendus*, the King willed he should be drawn and hanged as a Traytor; & non obstante que le Chancelleur & le Tresorier par luy genuerunt devant le Roy, uncoze par agard il forjura le Roialme, &c. Whence Judge Brooke and Sir Edward Cooke observe, That the bringing in and publishing such Bulls from the Pope, (to the prejudice of the Kings Jurisdiction, and his Subjects vexation) was by the antient Common Law of England adjudged Treason against the King, his Crown and Dignity, for which the offenders should have been drawn and hanged by this Kings award, and opinion in that case; had he not mitigated the penalty upon the Chancellors and Treasurers petition.

The Vicar General of the Spiritualities of the Archbishop of York, during his absence refusing to admit the Kings Clerk to the Church of *Dalston* in the Diocese of *Carlisle*, to which the King presented him by reason of the vacancy of that Bishoprick then in his hands, upon an Inquisition found, that the last Bishop had divided that Church into three parts, which those to whom he divided it enjoyed, and so the Church was full and not void; The King thereupon declared, that this division being made without his Royal license or assent, was null and void in Law, tending to his disinheritance, which he neither could nor would admit, and therefore

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fore notwithstanding the Bishops Ordinance, commanded him to admit his Clerk thereto, without any more delays or excuses; which if he refused, he commanded the Sheriff of *Cumberland* to take possession of the Church; and sequester the profits thereof till he gave further order therein, by these memorable Writs, evidencing his Sovereign Ecclesiastical authority and Judicature in such cases.

An. 20 E. 1.

**R**EX dilecto sibi Magistro *Johanni de Crancumbe* Archidiacon. *Estriding*. venerabilis in Christo Archiepiscopi *Ebor. Anglia* Primatis, ipso extra regnum agente Vicario generali, salutem. Cum presentaverimus vobis nuper dilectum Clericum nostrum *Johannem de Droghensford* ad Ecclesiam de *Dalston Karl*. Dioc. vacantem & ad nostram donationem ratione Episcopatus *Karl*. vacantis, & in manu nostra existentis spectantem, vos ipsum Clericum nostrum ad presentationem nostram ad dictam Ecclesiam, pretextu cujusdam inquisitionis capte super vacatione ipsius continentis inter cetera, quod non vacat, quia per ordinationem Episcopi *Karl*. nuper defuncti, ipsa Ecclesia divisa fuerat in tres partes, quarum portiones sunt superstites, et ipsius possessioni incumbunt, prout literæ vestre patentes inde confectæ, & sigillo vestro munitæ, quas vidimus continebant, admittere non curastis. Nos itaque attendentes, quod dictus Episcopus divisionem aliquam de predicta Ecclesia sine nobis et speciali nostro assensu, quem sicut recolimus nunquam a nobis optinuit, non valebat facere nec debebat; quare ipsam Ecclesiam in eodem statu tenemus consistere in quo fuit tempore ordinationis hujusmodi sectionis factæ de ea vacantem esse, videlicet pleno jure. Considerantesque quod in nostram exheredationem et Coronæ nostræ præjudicium non modicum redundaret, si sectionem pateretur eandem, quam utique pati volumus sicut nec debemus. Vobis mandamus, quod non obstante ordinatione divisionis seu sectionis factæ ut præmittitur, de Ecclesia memorata, quam quidem nullam penitus reputamus, præfatum Clericum nostrum seu Procuratorem ipsius suo nomine absque morosa tarditatis dispendio ad eandem Ecclesiam admittatis. Et per Officium *Karl*. faciatis admitti, et Rectorem institui in eadem, sic igitur in hujusmodi negotio vos habentes, quod de quavis desidia seu inobedientia non possitis merito reprehendi propter quod Consilium aliud apponere nos oporteat in hac parte. Dat. apud *Culeford*. primo die *Maii*.

Claus. 20 E. 1.  
m. 4. dorso.  
De negotio  
tangente præ-  
sentationem  
factam per Re-  
gem ad Eccle-  
siam de *Dal-*  
*ston Karl*.  
Dioc. de *Jo-*  
*hanne de Dro-*  
*ghensford* Cle-  
rico Regis.

**R**EX Vic. *Cumbria* salutem. Cum presentassemus nuperrimè discreto viro Magistro *Johanni de Crancumb* Archid. *Estriding* venerabilis in Christo Patris Archiepiscopi *Eborum Anglia* Primatis Vicario generali, dilectum Clericum nostrum *Johannem de Droghensford* ad Ecclesiam de *Dalston Karl*. Dioc. vacantem, & ad nostram donationem ratione Episcopatus *Karl*. vacantis, in manu nostra existentis, ipse dictum Clericum nostrum ad presentationem nostram ad dictam Ecclesiam pretextu cujusdam inquisitionis capte super vacatione ipsius, continentis inter cetera, quod non vacat, qui per ordinationem Episcopi *Karl*. nuper defuncti ipsa Ecclesia divisa fuerat in tres partes, quarum portionarii sunt superstites, & ipsius possessioni incumbunt, prout literæ Vicarii prædicti patentes inde confectæ & sigillo suo munitæ, quas vidimus continebant, admittere non curavit. Nos itaque attendentes, quod prædictus Episcopus divisionem aliquam sine nobis, et sine nostri speciali assensu, quem sicut recolimus nunquam a nobis optinuit, non volebat facere nec debebat, quare ipsam Ecclesiam in eodem statu tenemus consistere, in quo fuit tempore ordinationis hujusmodi sectionis factæ de ea, vacantem esse (viz.) pleno jure. Considerantesque quod in nostram exheredationem, et Coronæ nostræ præjudicium non modicum redundaret, si sectionem pateremur eandem quam utique pati volumus, nec debemus: Ac per alias literas nostras mandamus præfato Vicario iterato, quod non obstante ordinatione divisionis seu sectionis factæ, ut præmittitur, de Ecclesia memorata, quam quidem nullam penitus reputamus, præfatum Clericum nostrum seu Procuratorem ipsius suo nomine absque ulteriois moræ dispendio ad Ecclesiam eandem admittat, ac per Officium *Karl*. admitti faciat et Rectorem institui in eum. Tibi precipimus, quod si memoratus Vicarius mandato nostro hujusmodi non paruerit, nec illud curaverit adimplere, extunc possessionem Ecclesiæ ipsius nomine nostro capiens, non permittas portionarios antedictos possessioni ejusdem Ecclesiæ taliter incumbentes aliquam administrationem illius habere.

Ibidem.



*An. 20 E. 1.* re, set fructus et bona quæ inbeneris in eadem, et etiam quæ ex ea perbenerint in futurum conferbes, et salvo custodias, donec aliud a nobis super hoc habueris in mandatis.

*John Roman Archbishop of Yorke* issued this memorable Precept to the Prior of *Boulton* to excommunicate *Anthony Bek* Bishop of *Durham*, for that *John de Maydensham* Constable of *Durham* and his Complices, had by the Bishops command, or subsequent assent, imprisoned *John de Amelya*, a publike Notary by the Popes authority, and *William de Wilsom of Pickering*, his Clerks, in the Castle of *Durham*, sent thither to the Bishop with his and his Officials Letters of Citation and Canonical mandates, there detaining them prisoners, and refusing to release them, after several admonitions sent to him in writing by the Archbishop to enlarge them, and a sentence of Interdict denounced against him for not releasing them, against his Canonical obedience, to the peril of his soul, and the great injury, high contempt, attenuation of his Archiepiscopal authority, Church, Religion, & for refusing to give any competent satisfaction for these contempts, after they were released by proceffe out of the Kings secular Court, but not by his Archiepiscopal Mandate to him.

\* Claus. 10 E. 1. m. 2. docto. & Brevia Regis An. 20 E. 1. Tenor cujusdam literæ dictæ Priori de Bolton, per Archiepiscopum Ebor. ad excommunicand. Episcopum Dunolm.

**I**OHANNES permissione divina Eborac. Archiepiscopus, Anglia Primas, dilecto in Christo filio Priori de Boulton in Craven salutem, gratiam & benedictionem. Cum dudum venerabilem fratrem Dominum A. Dunolmensem Episcopum Suffraganeum nostrum primo sufficienter, & legitime monuerimus ac moneri fecimus, quod Johannem de Amelya auctoritate Apostolica Notarium publicum, et Wilhelmum de Melton, dictum de Pickering, Clericos nostros, quos ad suam presentiam quam in Ecclesia Dunolmensi, juxta scita Canonum reperire credidimus, cum nostris & Offic. nostri literis mandata Canonica continentibus destinaverimus, quousque Johannes de Maydensham Constabularius Dunolm. & sui Complices ceperant et fecerant carcerali custodia mancipari, ipso Episcopo hoc mandante, vel quod suo nomine factum fuerit, ex post facto ratum habente, liberaret, et liberari faceret et restituit pristina libertate, dictis Clericis super violentia nobis Ecclesieque nostræ Eborum de injuria et contemptu commissis, pro facto hujusmodi satisfacerent competenter: \* Sed dicto Episcopo monitis parere hujusmodi, & ea facere negligenti, seu penitus non curante, debita obedientia, et salutis sue propriæ nusquam memor, eidem Episcopo per nostras alias literas sub pena sententiæ suspensionis ab ingressu Ecclesie, quam in eum in scriptis protuli, si mandatis nostris omiserit obedire, ut dictos Clericos nostros quos in Carcere suo in castro suo Dunolm. captivos notorie detinebat, liberaret & permetteret illæsos abire; eisque, nobis & Ecclesie nostræ prædictæ pro commissis hujusmodi satisfaceret competenter & satisfieri procuraret. \* Ac ipse Episcopus commissam inobedientiam multiplicans, & velut alpis ad vocem incantantium aures suas obturans, mandata sibi legitime destinata obaudiens, dictos Clericos non liberavit, sed captivos detinuit sicut prius. Propter quod tercio \* eidem Episcopo nostris dedimus literis in mandatis, quod sub pena sententiæ excommunicationis quam in scriptis in personam ipsius protulimus iustitia exigente, si mandatis nostris ultra contemptibiliter duxerit resistendum, quod suspectos Clericos de Captivitate hujusmodi liberaret, eosque liberè abire permetteret, eisdem, nobis & Ecclesie nostræ, quos notorie contra Deum & justitiam, ac debitam obedientiam, & ipsius animæ salutem constiterat offendisse, juxta juris exigentiam satisfaceret competenter. Verum dictus Episcopus, ut videtur, quodammodo a fide recedens quæ debita obedientia roberatur, cum non nisi per inobedientiam schisma in Dei Ecclesia generetur, ac testante beato Gregorio, sola obedientia est qua fidei meritum possidet, sine qua quisque infidelis convincitur; \* etiam si fidelis esse videatur, mandatis nostris Canonicis obedire contemptibiliter dispensans, memoratos Clericos infra terminum ad liberandum sibi per nos juxta qualitatem negotii legitime deputatum, nullatenus liberabit, sed in Cleri opprobrium totius Ecclesie disciplinæ contemptum, didorum Clericorum, nostri et Ecclesie nostræ præjudicium et gravamen, eosdem post mandata nostra totiens ut prædicatur multiplicata, captivos, sicut prius, Carceri detinuit diutius mancipatos, licet per remedium Curie secularis secundum legem Regni, non alicujus nostri auctoritate mandati eos denuo liberasset; propter quæ non est dubium Episcopum antedictum in dictas

\* Et  
\* Sed  
\* prædicto

\* et si

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dictas Suspensionis et Excommunicationis sententias, ut præmittitur, rite latas merito incidisse. Et quia nil obedientia prodesset humilibus si contumacia contumacibus non obesset; Nos volentes per Censuram Ecclesiasticam ac ipsius executionem quæ ab omnibus Catholicis est timenda, ipsius Episcopi culpis exigentibus pariter et offensis legitime proderet contra eum, ut cæteris devotis Ecclesiæ filiis innotescat damnabilis status ejus, ne sua communione pestifera grex ultetius inficiatur dominicus, utque quos Dei timor a malo non rebocat, hos saltem cohibeat coercitio Ecclesiasticæ disciplinæ; et rubore confusi ad satisfactionem beatæ et debitorum obedientiam compellantur; Vobis nostra autoritate committimus, ut contra memoratum Episcopum, ad declarationem prædictarum sententiarum ac executionem et publicationem eazundem sic debite procedatis, quod vestram debeamus infideliæ merito commendare; Denunciantes et publicantes per vos, aut per alium deputandum a vobis in Ecclesiis de *Alverton*, et de *Derlington*, ac aliis locis solemnitibus nostræ Provincie quibus competencius poteritis, Episcopum antedictum in dictas suspensionis et excommunicationis sententias incidisse, et eas ut præmittitur incurrisse. Ad quam executionem faciendam & omnia & singula ipsam contingentia, secundum quod de jure fuerit faciend. ac etiam procedendum, vobis plenam committimus potestatem. Qualiter autem Commissionem nostram fueritis executi, de receptione præsentium, et quid in præmissis feceritis, nos quam citius poteritis certificare curetis per vestras Patentes literas harum seriem continentes. Dat. apud Sanctum Martinum juxta Viterbium 13. Kal. Maii, Anno Gratie 1292. & Pontificatus nostri septimo.

An. 20 E. 1.

The Prior hereupon\* accordingly published this Excommunication against the Bishop of *Durham*, for which the Archbishop the next year was complained of, and fined in Parliament after a long debate, as I shall there relate, in its proper series.

\* Plac. Parl. An. 21 E. 1. Ryley p. 133. to 141.

The Bishops of *Miden* and *Ossory* having a greater ambition to be employed in State than Church-affairs, and to be *Privy Counsellors*, than *preaching Bishops* in *Ireland*, procured these Letters Patents from the King to his Council of that Realm, to admit them into the Council there, so oft as they sat in Council about the Kings (not Churches) affairs.

REX omnibus & singulis de Consilio suo in *Hibernia* existentibus salutem. De prudentia & circumspectione venerabilis Patris *Tho. Midensis* Episcopi, quem charum habemus & commendatum, specialem gerentes fiduciam, quod præsentia ipsius in Consiliis dandis, et in tractatu habendo de negotiis nostris in *Hibernia* expediendis plurimum nobis, et vobis possit esse profutura, et quod fideliter commodum nostrum pro viribus suis procurabit et honorem; Volumus, quod idem Episcopus de cætero consiliis nostris intersit una vobiscum, quociens de agendis nostris ibidem tractatus habetur. Et ideo vobis mandamus, quod prædictum Episcopum ad nostrum Consilium admittatis, et ipsum tanquam unum de nostris Consiliariis de cætero habeatis. Teste Rege apud *Berewyk* super *Tweed* 22 die. Octobris.

Pa. 20 E. 1. m. 3. intus. De Episcopo admittendis ad Consilium Regis in Hibernia.

Consimiles literas de verbo ad verbum habet Episcopus *Ossoren*. Teste ut supra.

The Bishop of *Cork* in *Ireland* holding plea of things belonging to the Kings Crown and Dignity in his Ecclesiastical Court, was thereupon amerced 140 l. for his contempt and offence by the Kings Justice there at two several times; Above 45 l. whereof being levied on his goods and chattels by proceffe out of the Exchequer, the King upon his petition remitted part of the remainder by this Writ.

CUM venerabilis pater Robertus Corcagiensis Episcopus nuper coram venerabili patre S. Tuamensi Archiepiscopo tunc Justic. Regis Hibernie, amerciatus esset ad centum libras pro contemptu, et idem Episcopus postmodum amerciatus fuisset eodem Justic. ad quadraginta libras, pro eo, quod advocabit se tenuisse placita in Curia Christianitatis ad Cozonam et dignitatem Regis spectancia, de quibus quidem amerciamentis, quadraginta et quinque libras, quinque solidi, et decem denarii de bonis et catallis prædicti Episcopi per summoniciones Peccarii per dibern-

Clanf. 20 E. 1. m. 13. Hibern. Pro Roberto nuper Corcagiensi Episcopo



*An. 20. E. 1. Cos Vicecomites leuantur, sicut per inquisitionem quam per dilectos & fideles Regis, Magistrum Elyam de Wynton, & Robertum de Stapelton fieri Rex fecit, Rex accepit. Rex caritatis intuitu pardonavit eidem Episcopo quaterviginti & quatuordecim libras, quatuordecim solidos & duos denarios qui adhuc Regi aratro sunt de amerciamensis pradiis. Et ideo vobis mandatum est Thesaurario & Baronibus de Scaccario Dublin. quod pradiatum Episcopum de pradiis quaterginti libris quatuordecim solidis & duobus denariis quietum esse faciant. Teste Rege apud Westm. primo die Decembris.*

If all Prelates usurping on the Kings prerogative and Courts, had been constantly fined, and their fines duly levyed for the like usurpations, the King and his people had not afterwards been so frequently troubled and vexed by them in England or Ireland.

King Edward out of his Sovereign Ecclesiastical Authority, blinde devotion, and love to his late deceased Confort Queen *Alianor*, instituted a Solemn *Anniversary* to be kept for her every year, issuing sums of money, and granting several Mannors, Lands to the Abbot and Convent of *Westminster* for that end, wherein he prescribed how many Tapers and of what weight they should find, how many and what Masses, Dirges, Pater-Nosters, Ave-Maries they should sing, and what Almes they should distribute to the Poor for her Soul; obliging the Abbot, Prior, and Monks by a solemn Oath duly to perform the same, under pain of forfeiting all their goods, chattels, and the lands thus given to them for this end; as these Records will inform us.

Claus. 10 E. 1.  
m. 1. De denariis liberandis ad Anniversarium Regine Confortis Regie.

Cart. 10 E. 1.  
m. 4. Pro Abbatibus & Conventu Westmonasterii de terris eis datis per Regem pro anima Regine Confortis iure.

**R**EX *Thesaur. & Camerariis suis salutem. Liberate de Thesauris nostris dilectis & fidelibus nostris Willielmo de Marchia, Johanni de Berewyk, & Radulpho de Stanford Capellano nostro ducentas libras, ad anniversariam bonae memoriae Alianorae quondam Regine Angliae Consortis nostrae jam instantem inde celebrandam. Teste Rege apud Berewik super Twed. 24 die Octobris.*

**R**EX *Archiepiscopis, &c. salutem. Sciatis, quod caritatis intuitu, pro salute clarae memoriae Alianorae quondam Regine Angliae Consortis nostrae, dedimus, concessimus, & hac carta nostra confirmavimus pro nobis & heredibus nostris Deo & Ecclesiae Sancti Petri Westmonasterii, & Waltero Abbati, ac Priori & Conventui ejusdem loci manerium de Bridesbrok cum pertin. in Com. Essex, una cum advocacione Ecclesiae ejusdem Manerii, & cum homagio & servicio Drogonis de Barenton & heredum suorum, de quarta parte feodi animi Militis cum pertin. quam pradiatus Drogo de nobis tenet in Hernested, maneria de Westerham & Edulnebrugge cum pertin. in Com. Kanc. manerium de Turneston cum pertin. una cum advocacione Ecclesiae ejusdem manerii in Com. Buk. maneria de Knolle & Grafton, cum hamletis de Halspathe, Buleye, Hulverlee, Whitlakesfeld, Kynewaldesney, Notchuril, Longedon, & Didington cum pertin. in Com. Warr. Habend. & tenend. ejusdem Ecclesiae Abbati, Priori & Conventui, & successoribus suis cum omnibus pertin. suis, una cum retorno brevium nostrorum, & omnibus libertatibus & liberis consuetudinibus quas ipsi habent in aliis terris suis, per cartas progenitorum nostrorum Regum Angliae & nostras, & aliis quibuscumque ad terras illas spectantibus, condicionibus subscriptis: Ita videlicet, quod si idem Abbas, Prior et Conventus, vel Prior et Conventus si Abbas praesens non fuerit die super vigilia Sancti Andree Apostoli, in vigilia diei quo anniversarium dictae Reginae celebrari contigerit, solemniter redestit in quo dicti Monasterii cum toto et pleno Conventu, Placebo et Dirige cum novem lectionibus, accensis centum cereis circa tumulum ejusdem Reginae, ita quod nullus sit de duodecim libris cerei, quos dicti Abbas, Prior et Conventus et eorum successores inventent, et singulis annis in anniversario dictae Reginae facient immolari, et quod dicti cerei ad Placebo et Dirige in vigilia anniversarii ardeant, et in die anniversarii quousque Missa magna fuerit celebrata, cum magnarum et aliarum compositionum pulsatione sollemniter, pro ipsius animae salute decantabunt sollemniter et facient decantari, die autem sequenti vigilia scilicet Sancti Andree, idem Abbas vel Prior si Abbas non fuerit praesens, et idem Prior dignitatem illo Praelatum ad hoc procurare non poterit, missam sollemnem in magno altari suo cereis et candellis accensis, et pulsatis sicut pradiatum est campanis, sollemniter celebrabit et faciet celebrari.*

\* To illuminate their blind devotions.

celebrari die scilicet annibersarii dictæ Regine; et singuli Monachi ejusdem Ecclesie consimilem missam privatam eodem die celebrant, et alii Monachi in minoribus ordinibus constituti psalterium totum, et fratres conberst ejusdem loci Dominicas orationes, et symbolum, cum salutatione beatæ Virginis, juxta numerum per eodem Abbatem et Conventum eis ad hoc assignandum dicant et versificent pro ipsius anima, et animabus omnium fidelium defunctorum. Eodemque die dicti Prior et Conventus et successores sui, singulis pauperibus ad domum suam confluentibus unum denarium esterlingum, vel monetam valentem unum esterlingum die quo ista concessio nostra facta fuit, expectato concursu vel aduentu pauperum usque ad horam terciam ejusdem diei antequam particio illa incipiat, facient pro ipsius anima erogare. Ita quod distributio quam Abbas dicti Monasterii et successores sui septies viginti pauperibus facere tenentur, quolibet anno fiat in vigilia annibersarii prædicti, et postea per totum annum singulis septimanis fiat distributio prædicta, secundum quod in alia carta inde confecta plenius continetur. De cereis vero prædictis remanebunt per totum annum triginta cerei circa tumulum Regine prædictæ usque ad inobacationem cereorum in annibersario ipsius Regine sicut prædictum est faciendam, quos prædicti Abbas, Prior et Conventus, et successores sui, in festis majoribus et in adventu Magnatum ibidem, ac alias accendi faciant quotiens viderint oportunitatem. Præterea dicti Abbas, Prior & Conventus, & successores sui duo cereos quorum quilibet erit de duobus libris cereæ, juxta tumulum Regine prædictæ continue ardentes invenient, et perpetuo sustinebunt. Et volumus & concedimus pro nobis & heredibus nostris quod hiis omnibus plene & fideliter peractis, totum residuum pecunie provenientis de exitibus terrarum prædictarum quod superfuerit dictis Priori et Conventui tantum remaneat ad pitancias suas secundum voluntatem suam inde providendas. Nec volumus nec intendimus per hoc, quod prædictus Abbas in carta hujusmodi concessionis nostre præmittitur, quod aliquid commodi ipsi Abbati vel alicui successorum suorum accrescat in terris illis, vel de advocacionibus Ecclesiarum ad terram illam spectantibus, seu de custodia earundem, salva prelatia & regula sua, aut per se, vel per suos inde in aliquo se intromittat, set quod prædicti Prior & Conventus, & successores sui inde ordinent ad usus prædictos juxta votum suum. Concedimus etiam pro nobis & heredibus nostris, quod tempore vacacionis Abbacie prædictæ ad terras prædictas, vel ad bona sua in eisdem existentia, per nos vel ministros nostros manum non apponemus, set ea eis integraliter sub nostra protectione servare faciemus. Et quia volumus quod processu temporis ea qua præmissa sunt oblivioni tradantur, set quod recens memoria inde semper habeatur, volumus & firmiter precipimus pro nobis & heredibus nostris, quod quilibet futurus Abbas ibidem, ante restitutionem temporalium suorum præmissa Sacramento ad hoc præstito faciat observari. Et si forte Abbas de medio sit subleatus, tunc Prior coram nobis si in partibus vicinis tunc fuerimus, vel coram Ebor. et Baronibus de Scaccario si longius fuerimus, consimile faciet Sacramentum in singulis vacacionibus Abbacie prædictæ. Et ad majorem agnicionem hujus rei, firmiter precipimus pro nobis & heredibus nostris, quod singulis annis die annibersarii prædictæ Regina, videlicet in vigilia Sanctæ Andree Apostoli, in Capitulo ejusdem Abbacie coram toto et pleno Conventu præsens Carta de verbo ad verbum plenarie recitetur. Et ad omnia præmissa in omnibus articulis et condicionibus suis, sicut prædictum est, fideliter observanda, obligant se prædicti Abbas, Prior et Conventus, et successores suos qui pro tempore fuerint, et omnia bona sua mobilia et immobilia, habita et habenda ubicumque fuerint inventa. In hujus rei testimonium tam nos pro nobis & heredibus nostris, quam prædicti Abbas, Prior & Conventus, pro se & successoribus suis presenti carta in modum Cirographi confecta sigilla nostra apposuimus. Hiis testibus, venerabilibus patribus A. Dunolmenfi, J. Wintonienfi & W. Eliensi Episcopis, Willielmo de Valencia Avunculo nostro, Gilberto de Clare Comite Glouc. & Hertf. Henr. de Lacy Comite Lincoln. Johanne de Sancto Johanne, Roberto de Tibetot, Reginal. de Grey, Gilberto de Thorenton, Waltero de Bello Campo, Ricardo de Bosco & aliis. Dat. per manum nostram apud Berewik super Twed. 25 die Octobris.

Anthony Bishop of Durham erecting the Parish Churches of Chester and Lancaster, which were very rich and large, into a Deanery and 7. Prebendaries, for the advancing of Gods Service, and the good of the peoples souls, and obliging the



*An. 20 E. 1.* Dean and Prebends by Oath to personal residence thereon, and discharge of their duties and Gods Service therein, according as he had prescribed by his Ordinances and Charters, which were altogether invalid without the Kings Royal assent, and confirmation by his Sovereign Ecclesiastical Authority and Charter; the King to promote Gods Service, and the good of his peoples souls, ratified the Bishops Ordinances by these two Charters which recite them, warranting the division of great and rich Parishes and Bishopricks into many, and obliging the Dean, Prebends, Ministers, Chaplains thereof by Oath to personal residence and discharge of their duties and divine Offices therein, worthy imitation.

Chart. 20 E. 1.  
nu. 27.  
Pro Antonio  
Dunolmenfi  
Episcopo.

**R**EX Archiepiscopi, &c. salutem. *Literas patentes venerabilis patris Antonii Dunolmenfis Episcopi ordinationem per ipsum factam perpetuis temporibus duraturam super Decanatu & Prebendis in Ecclesia de Cestr. sui patronatus & Diocesis, plenarie continentes inspicimus, in hac verba.* Universis sanctæ matris Ecclesiæ filiis præsens scriptum visuris vel audituris, Antonius permissione divina Dunolmenfis Episcopus, ad futuram rei memoriam. Plures rituli qui ab uno fonte procedunt aquæ timorem ebacuant, fontis tamen balorem non minuant aut decorem, imo ex se usum producere tanto placidioris fons ipse dinoscitur, quanto pluribus locis arboræ sitis molestia fatigatis effuso gurgite aquæ copiam uberius subministrat. Illa quoque matrona despicabilis non habetur, set potius laude digna, quam et si frequens conceptus extenuet, secunda tamen honorificat procreatio filiorum. Sic utique una Ecclesia sui titulum non perdit honoris, si ex sui habundancia plures beneficiorum solacio consoletur, immo tanto nobilior est censenda, quanto ei deservit ministrorum amplior famulatus. Sanè cum super Ecclesia de Cestr. nostræ Diocesis, quæ nobis pleno jure subicitur utpote ad nostrum spectans patronatum, variis dudum quæstionibus & controversiis emeris inter Dominum Willielmum de Clifford Clericum, se pro Rectore ejusdem Ecclesiæ tunc gerentem, ex parte una, ac Magistrum Alanum de Easingwalde ex altera, asserentem, dictum Walterum per bonæ memoriæ Dominum Robertum prædecessorem nostrum immediatum eadem Ecclesia fuisse & esse sententialiter ex certis & legitimis causis privatum, eamque sibi ab eodem prædecessore nostro canonicè fuisse collatam, sicque varii & diversi processus judiciales tam auctoritate Delegata quam Ordinaria, non absque gravi discrimine, & tam corporum quam animarum periculo fuissent hinc inde diutius agitati. Tandem partes antedictæ coram nobis præfentialiter constitutæ, nolentes tam periculosis licium amfractibus ulterius implicari, submiserunt ordinationi nostræ Ecclesiam illam cum Capellis, terris, fructibus & obventionibus universis ad eandem pertinentibus, & totum jus quod eis compeciit, vel competere potuit in eadem, processibus habitis inter eos renunciantes, expressè promittentes nichilominus se ratum habere quicquid per nos ordinatum, statutum seu provisum fuerit in præmissis, idque perpetuis temporibus inviolabiliter observare. Attendentes igitur prædictæ Ecclesiæ de Cestr. quæ ad nostrum spectare dinoscitur patronatum, parochiam esse diffusam, et probentium redditus habundantes, adeo quod ab plurium sustentationem sufficienti ministrorum, eamque paucos hactenus habuisse servitores, et quo obditi multociens fraudabatur obsequiis, et in ipsius parochia diffusa cura negligebatur dampnabiliter animarum; quæ tamen post Ecclesiam nostram Dunolmensem inter ceteras Ecclesias nostræ Diocesis tipum gerit dignis honoribus extollenda, utpote quam sanctum & reverendum corpus beati Cuthberti patroni nostri, quod per centum & quindecim annos inibi præfentialiter conquevit, quadam prerogativa specialiter insignivit. Considerantes etiam, utilitatem evidentem et motum ad ordinationem subsequentem, videlicet, divini cultus augmentum, et salutis animarum uberiozem profectum, urgentem insuper necessitatem in hac parte propensius ponderantes, quam evidenter perpendimus ex defectu et raritate Jurisperitorum et Consiliatorum in nostra Diocesi, ad quos in magnis & arduis Ecclesia nostra negotiis habere poterit impellente necessitate recursus, de Capitulo nostri Dunolmenfis expresso consensu acceptata submissione prædicta, & circumstantiis universis plenius intellectis: In nomine Domini nostri Jesu Christi, ordinamus in hunc modum; videlicet, quod prædicta Ecclesia de Cestr. extunc collegiata erigatur, et sint in eadem de cætero unus Decanatus et septem Prebendæ: Ita quod Decanus sit perpetuus in ordine Sacerdotali, curam gerens in solidum animarum, et residentiam

\* The same reason holds for the dividing of great and rich Bishopricks, as well as Parish Churches, between many deserving persons.

residenciam ibidem continue faciens personalem, inveniat duos Capellanos idoneos conformes in habitu Vicariis Canonicoz, pro cura huiusmodi sollicitè supportanda, aliosque minores Clericos habeat ad serviendum Ecclesie competerenter omnia ipsius onera ordinaria supportando: Cancellum cum indigerit reficiendo et sustinendo, ad nobis tamen fabricacionis vel constructionis opus minime teneatur. Capellis insuper de Taunfeld & Lameley faciat per Ministros idoneos describi. Ad qua omnia & singula supportanda volumus & firmiter statuimus, quod Decanatus obventiones totius alteragis tam in Ecclesia de Cestr. quam Capellis antedictis, videlicet, mortuarioz, lanæ, agnoz, lactis, vituloz, fenoꝝ, lini, canabi, gallinarum, aucarum, porcelloz, et omnium minutarum personalium decimarum, una cum redditu et Curia tenenciam Ecclesie in Villa de Cestr. et de Walrigg. et tota terra Dominica de Hernerton totaliter applicentur. Mesuagia etiam ad predictas Capellas de Lameley & de Taunfeld spectantia, cum curiis & terris suis Dominici eidem Decanatu assignavimus, hoc excepto, quod utriusque loci Prabendarii habebunt quandam portionem seu partem Curia arbitrio nostro limitandam, in qua poterunt competenter reponere suabladam. Habeat etiam Decanus piscariam in Ripa de Were, et decimam piscariz. Ad hæc quilibet Prabendariorum qui tres primas habent, Prabendas inveniat suis sumptibus unum Vicarium Capellani, et de aliis quatuor residuis, singuli habeant Vicarium Diaconum in ipsa Ecclesia ministrantes in habitu Canonicali, et modum psallendi teneant secundum morem Ecclesie Ebor. vel Sarum. Singuli autem sint rectorarii in suo statu secundum ordinem vicis suæ iuxta dispositionem Decani, qui sicut in cura parochiali, sic in hijs quæ ad divinum spectant officium ordinet, corrigat, choꝝum regat et disponat, ac etiam in hijs puniat transgressores. Statutinas quoque mane diet propter parochianos volumus et mandamus. Et ne discordiam pariat communitas, set singuli suis finibus sint contenti, Prabendas illas taliter duximus distinguendas; videlicet, quod ad primam Prabendam pertineant decimæ prædiales universæ de magna Lumeley, parva Lumeley, Lampton, Wodesende, ac etiam decimæ minæ carbonum. Ad secundam Prabendam de Lameley, Kibblesworth, Ravenesworth, Dervecrok, Hedley, Ladesheved, terra de Fugers, Raveneshelm, & Northuses. Ad tertiam de Pelton, Pokeley, Pelawe, Piketre, Tribeley, Edmansley, Steresley, & Nettelwrth. Ad quartam de Cestr. & Withill. Ad quintam de Caunfeld, Lince, Crok, Taunfeldley, Stanley, Stanley Hall, Caldesete, & de Steles. Ad sextam de Birtley, Herverton, Mora, & de Harden. Ad septimam de Urpath, Ulkestan, & de Twysles. Totum autem residuum parochie de Cestr. videlicet, decimas prædiales de Planworth & de Walrigg, & omnium vasorum tam in haya quam alibi in eadem parochia redigendorum ad culturam commune, residenciam assignamus, & inter ipsos duntaxat aqualiter dividantur, qui per tres menses ad minus in anno continuè, vel interpellatim in Ecclesia ipsa residenciam fecerint personalem: Ita quod in festo Sancti Martini in hyeme, & in festo Pentecostes fiat eorumdem proventuum communium distributio. Et qui pro medietate temporis antedicti personaliter residuerint, pro rata medietatis huiusmodi distributionem percipiant proportionaliter de communia, de residuo temporis illius nichil penitus percepturi, nisi omnes ejus partes integraliter compleverint residendo. Ordinamus insuper, quod decima pars porcionis cujuslibet non residentis, residentibus assignetur, et si nullam residere contigerit, huiusmodi partes decimæ in usus Ecclesie, vel in usus pauperum degencium infra limites Prabendarum nonresidentium convertantur. Area autem Ecclesia ad inhabitandum inter Decanum & tres Prabendarios primos juxta nostrum arbitrium dividatur. Ne etiam de ordine sedendi vel procedendi contencio oriatur, statuimus, ut post primum stallum ex parte australi, (quod nobis & successoribus nostris in signum præeminentie specialiter reservamus) Prabendarius prima Prabenda optineat primum locum. Prabendarius tertia Prabenda optineat secundum. Prabendarius quinta, tertium. Prabendarius septima, quartum. Ex parte vero boreali Decanus Ecclesie optineat primum locum. Prabendarius secunda Prabenda secundum locum. Prabendarius quarta, tertium; & Prabendarius sexta Prabenda quartum; & eundem ordinem observent invicem in procedendo. Hanc autem ordinacionem concurrente consensu Capituli nostri, ad honorem Dei et Ecclesie Christi factam, statuimus perpetuis temporibus inoblabiliter observandam, auctoritate, dignitate et potestate Ecclesie nostre Dunolmenis et successorum nostrorum in omnibus semper salvis. In cujus rei



*An. 20 E. 1.* rei perpetuam firmitatem sigillum nostrum presentibus est appensum. *Assum & datum* apud Aukeland quinto die Idus Novembris, Anno gratia 1286. & consecrationis nostra anno tertio. Nos autem eidem ordinationi Regium praevidentes assensum, eam pro nobis et heredibus nostris praefato Episcopo et successoribus suis Episcopis Dunolmensibus, quantum in nobis est, concedimus et confirmamus, sicut littera praedicta rationabiliter testantur. In cujus rei testimonium has litteras nostras fieri fecimus patentes. Hiis testibus, venerabilibus patribus R. Bathon. & Wellen. Canc. nostro, & W. Elyen. Episcopis, Gilberto de Clare Comite Glouc. & Hertf. Henr. de Lacy Comite Lincoln. Johanne de Warennia Comite Surre. Johanne de Sancto Johanne, Roberto filio Walteri, Waltero de Bello Campo, Gilberto de Briddesthale, Ricardo de Bosco, & aliis. Dat. per manum nostram apud Berewyk super Twed. 12 die Junii.

Chart. 10 E. 1.  
nu 26.

**R**EX Archiepiscopis, &c. salutem. Litteras patentes venerabilis patris Antonii Dunolmensis Episcopi ordinationem per ipsum factam perpetuis temporibus duraturam super Decanatu & Præbendis in Ecclesia de Langecestr. sui patronatus & Dioecesis, plenarie continentes inspeximus, in hac verba. Universis sanctæ matris Ecclesiæ filiis præsens scriptum visuris vel audituris, Antonius permissione divina Dunolmensis Episcopus, ad futuram & perpetuam rei memoriam. Plures rituli, &c. verbatim as in the former. Sic utique una Ecclesia titulum non perdit bonoris, si ex sui habundantia plures beneficiorum solacio consoletur, immo tanto nobilior est censenda, quanto ei deferbit ministrorum amplior famulatus. Sanè vacante dudum Ecclesia de Langecestr. nostræ Dioecesis, per mortem Magistri Alexandri de Alverton quondam Rectoris ejusdem, quæ nobis pleno jure subjicitur, utpote ad nostrum spectans patronatum, dilectum in Christo filium Magistrum Johannem de Cravene Presbyterum, ad ipsius Ecclesiæ defensionem legitimum defensorem pro ipsius indemnitate in temporalibus & spiritualibus tucius conservanda tempore vacationis ejusdem, ex officii nostri debito deputavimus sub hac forma. Antonius permissione divina Dunolmensis Episcopus, dilecto in Christo filio Magistro Johanni de Cravene Presbytero, salutem, gratiam & benedictionem. Cupientes utilitati & indemnitati Ecclesiæ de Langecestr. nostræ Dioecesis, vacantis per mortem Magistri Alexandri de Alverton quondam Rectoris ejusdem caucius ut tenemur, tibi de cujus industria circumspecta plenam in Domino fiduciam optinemus, defensionem ac tuitionem illius Ecclesiæ, cum suis juribus, libertatibus & pertin. universis tempore vacationis ejusdem committimus, & tenore præfencium te legitimum ejusdem constituimus defensorem; dantes tibi plenam & liberam potestatem in causis & negociis dictæ Ecclesiæ agendi, defendendi, appellandi, appellationes prosequendi, de calumpnia & de veritate dicenda, ac quodlibet aliud genus liciti sacramenti quociens opus fuerit juramentum præstandi, status ipsius reformationem & in integrum restitutionem petendi & recipiendi, de bonis, obventionibus, proventibus, statu & juribus, ac ipsius pertin. quibuscumque liberè disponendi, & omnia alia faciendi quæ statum ipsius Ecclesiæ in judicio vel extra qualitercunque contingunt, & quæ per verum & legitimum defensorem poterunt expediri. Ratificantes quicquid per te nomine prædictæ Ecclesiæ actum seu procuratum fuerit in præmissis. Hæc omnibus quorum interest innotescimus per præsentem, quas sigilli nostri munimine fecimus communiri. Datum apud Middleham 8 Kal. Aprilis, anno gratia 1283. Prædicto itaque defensore in nostra præsentia personaliter constituto, habitoque tractatu sollempni & diligenti qui in ordinationibus & concessionibus perpetuis rerum Ecclesiasticarum exigitur. Quia prædictæ Ecclesiæ parochiam esse discussam et proventus redditus habundantes esse conspicimus, adeo quod ad plurimum sustentationem sufficiunt ministrorum, eamque paucos hactenus habuisse servitores et quo dñinis multociens fraudabatur obsequiis, et in ipsius parochia discussa cura negligebatur dampnabiliter animarum. Considerantes insuper utilitatem evidenter et motibam ad ordinationem subsequentem, videlicet, dñini cultus augmentum, et salutis animarum uberiozem profectum, urgentem etiam necessitatem in hac parte propensius ponderantes, quam evidenter perpendimus ex defectu et raritate Jurisperitorum et Consiliatorum in nostra Dioecesi, ad quos in magnis & arduis Ecclesia nostra negotiis habere poterit impellente necessitate recursus, auditis & plenius discussis hiis quæ per dictum defensorem pro jure & utilitate ipsius Ecclesiæ

*Upon the Liberties of the Kings and Subjects of Engl. & Irel* K. Edward 1.

Ecclesiæ de *Langecestr.* allegata fuerant & proposita coram nobis, ac universis circumstantiis aperius intellectis, de Capituli nostri *Dunolmensis*, ac sæpediti defensoris legitimi voluntate & assensu: *In nomine Domini nostri Jesu Christi*, ordinamus in hunc modum: videlicet, quod prædicta Ecclesiæ de *Langecestr.* erunt Collegiata erigat, et sint in eadem de cætero unus Decanatus et septem Præbendæ, &c. *verbatim* as in the former Charter. In cujus rei perpetuam firmitatem sigillum nostrum præsentibus est appensum. Actum & datum apud *Ankeland* 12 Kal. *Octobris*, Anno gracie 1283. & Consecrationis nostræ anno prima. Nos autem eodem ordinationi Regum præbentes assensum, eam pro nobis et hæredibus nostris præfato Episcopo et successoribus suis Episcopis *Dunolmensibus*, quantum in nobis est, concedimus et confirmamus, sicut literæ prædictæ rationabiliter testantur. In cujus, &c. Huius testibus, &c. ut supra. Dat. ut supra.

An. 20 E. 1.

*John Lythegraynes* and *Alice* his wife erecting a Chappel and Chantrie to the *Virgin Mary* in their Manor of *Lasingby*; consisting of one Master and 6 Chaplains, to sing Masse for their souls and the souls of their ancestors, and of King *Edward* and his heirs, of the present Bishop of *Durham* and his successors, and of all faithfull souls deceased, prescribing an oath to them of perpetual residence, and discharge of the particular Divine Services and trusts reposed in them, procured the King by his Supream Ecclesiastical Authority to ratifie this his Charter, (else invalid in Law,) by this his Royal Charter inrolled in the Tower.

**R**EX Archiepiscopis, &c. salutem. Inspeximus cartam quam dilectus & fidelis noster *Johannes de Lythegraynes & Alicia uxor ejus* fecerunt Deo, & beata & gloriosa *Virgini Mariæ & Waltero de Preston Capellano* in hac verba. Omnibus hanc Cartam visuris vel auditoris, *Johannes de Lythegraynes & Alicia uxor ejus* salutem in Deo sempiternam. Noveritis nos pro salute animarum nostrarum, Antecessorumque nostrorum, & pro salute animæ Domini *Edwardi Dei gratia illustris Regis Angliæ*, & hæredum suorum, necnon & pro salute animæ Domini *Antonii eadem gratia Dunolmensis Episcopi & successorum suorum*, & pro animabus omnium fidelium defunctorum, dedisse, concessisse, & hac præsentī carta nostra confirmasse Deo, & beatæ & gloriolæ *Virgini Mariæ*, in cujus nomine & honore quondam Capellam in manerio nostro de *Lasingby* cum omnibus suis pertin. ut in Dominiciis, Villenagiis, cum villanis & eorum sequelis & catallis omnibus, redditibus, pratis, pascuis, moris, mariscis, turbariis, stagnis, aquis, vivariis & molendinis, cum omnibus pertin. suis in liberam puram & perpetuam elemosinam imperpetuum. Quem quidem Presbyterum prædictorum manerii & capellæ constituimus & facimus Magistrum perpetuum. Habendum & tenendum eidem Magistro & successoribus suis Presbyteris ibidem Deo servituris, ad sustentacionem sex Capellanorum ibidem Deo serviturozum et divina celebrancium, prout inferius continetur, liberè, quietè, bene & honorificè, cum omnibus suis pertin. in liberam, puram, & perpetuam elemosinam imperpetuum. Ita tamen, quod si contingat prædictum Magistrum, vel quemcumque alium ipsius loci Magistrum, in vita nostra seu alterius nostri cedere vel decedere, vel culpis suis exigentibus amoveri, bene licebit nobis & utrique nostrum in tota vita nostra & utriusque nostrum, infra quadraginta dies post cessum vel decessum, seu amocionem cujuslibet Magistri prædictorum manerii & capellæ loco suo alium idoneum Presbyterum ipsorum manerii & capellæ facere & constituere pro libito nostro Magistrum perpetuum. Et si forte, quod absit, infra illos quadraginta dies quantum in nobis est ipsorum manerii & capellæ alium Magistrum non fecerimus, bene licebit Domino Episcopo *Dunelmensi* qui pro tempore fuerit unum Presbyterum idoneum prædictorum manerii & capellæ facere & constituere Magistrum illa vice: Ita tamen quod alias cum vacaverit in vita nostra, vel alterius utriusque nostri, nobis vel alterutri nostri non cedat in præjudicium quominus ipsorum manerii & capellæ alium possimus facere & constituere Magistrum: Et volumus quod prædicti Capellani per præfatum Magistrum & successores suos eligantur, & quocientunque necesse fuerit per eundem amoveantur, & alii suis locis ponantur qui sint honesti, casti, sufficienter literati, & bene morigerati. Et singuli Magistri primo die introitus sui jurent de \*personali residencia facienda, et fidelitate domui in omnibus observanda. Terras et tenementa, calices, libros, vestimenta, et omnia alia ornamenta, et alia bona quæcumque

Chart. 10 E. 1.  
n. 5. 6. Pro  
Waltero de  
Preston Ca-  
pellano La-  
singby.

\* Nota.



An. 20 E. 1. quacumque ad dictas domum et capellam spectancia, quantum in eis est, salvo et fideliter custodienda et custodiri facienda. Et singuli Capellani in suo introitu idem præsent Sacramentum quamdiu ibidem sunt moraturi. Omnes etiam Presbyteri dum sanitate gaudent, singulis diebus simul in prædicta capella pro animabus nostris et omnium antecessorum et successorum nostrorum, Regum et Episcoporum prædictorum, necnon et omnium fidelium defunctorum, obsequia et omnes horas canonicas, una cum Placebo et Dirige cantent et celebrent. Ita quod una missa de beata Maria Virgine in prædicta capella, et una de die, et tres missæ pro animabus nostris, et pro animabus omnium fidelium defunctorum, et una missa pro anima Domini Antonii Episcopi Dunelmensis, et successorum suorum Episcoporum Dunelmensem in capella beati Johannis Baptista singulis annis celebrentur. Concedimus etiam Deo & Ecclesie Sancti Cuthberti Dunelm. quod post obitum utriusque nostrum Episcopi Dunelmensis qui pro tempore fuerit, & omnes ejus successores Episcopi ejusdem loci imperpetuum loco cujuslibet Magistrum prædictorum manerii & capellæ cedentis vel decedentis, seu culpis suis exigentibus amoti, alium Presbyterum discretum & honestum ipsorum manerii & capellæ faciat & constituat Magistrum, curam illius loci agentem, qui similiter juret suo introitu se perpetuo ibidem residere, nisi pro urgentibus negotiis loci illius ac manerii ipsum abesse oporteat vel contingat. Et nos Johannes & Alicia & hæredes nostri totum prædictum manerium cum omnibus pertin. suis prædictis, Magistro & Sacerdotibus ibidem Deo servituris, prout plenius prænotatur, contra omnes warrantizabimus & defendemus imperpetuum. Et ut præsens concessio & donatio nostra Deo & beata Maria Virgini, ac Magistro & Presbyteris ibidem Deo servituris in forma qua superius notatur, stabiles & irrevocabiles imperpetuum permaneant, excludimus omnibus hæredibus nostris per præsens scriptum & donum nostrum omnem viam & omnimodum jus & clamum quod per quodcumque breve, vel quacumque actione ratione vel occasione eis competere possit petendi, vendicandi vel clamandi prædictum manerium cum pertin. vel aliqualem partem imperpetuum. Et in perpetuum testimonium hujus rei, ac majorem securitatem faciendam, præsentis scripto sigilla nostra apposuimus. Hiis testibus Dominis Willielmo de Colebill, Ricardo de Ronsardby, Ricardo de Waxand, Johanne Hannsard, Marmaduco Darel Militibus, Johanne Dayvill de Dycton, Willielmo de Smytheton, Willielmo de Amandevill, Alano Norrays, Nicholao de la Land, Richardo de Thornton, Stephano Maunsell de Alverton, Hugone de Oterington, Johanne Clerico, Nicholao Assyn, Willielmo de Aslakely, & aliis. Dat. apud Laytingby die Dominica post festum Sanctorum Tybursii & Valeriani Martyrum, anno regni Regis Edwardi decimo octavo. Nos autem donationem, concessionem et confirmationem prædictas ratas habentes et gratas, eas pro nobis et hæred. nostris quantum in nobis est concedimus et confirmamus, sicut carta prædicta rationabiliter testatur. Hiis testibus venerabilibus patribus Roberto Bathon. & Willen. Johanne Wynton, Anton. Dunelm. Willielmo Elien. Episcopis, Edmundo fratre nostro, Henrico de Lasey Com. Linc. Rogero le Bigod Com. Norff. & Marefcallo Anglia, Humfrido de Bonn Comite Hereford. & Essex, Roberto de Tybrot, Waltero de Bello Campo, Ricardo de Bosco, Elia de Hanvill, & alijs. Dat. per manum nostram apud Westm. 4. die Febr.

From which 3. Charters I shall observe, 1. That the King, this Bishop and other founders of Chantries in that age, took special care to oblige Deans, Prebends, Priests, Masters and Chaplains not only by their Charters, covenants, but also by solemn promissory Oathes to constant personal residence on their Cures, and the diligent discharge of their pastoral duties, which yet notwithstanding they were apt to neglect. 2ly. That they particularly prescribed, both what and how many Masses, prayers, Tapers, Alms, divine or superstitious Services they should perform for the benefit of their own and others souls departed, whereof our Kings had then the Sovereign Charge, care, for which they made special provisions by their Charters both for that and succeeding ages; as these, with all other their Charters for erecting, endowing, or confirming of Bishopricks, Monasteries, Chappels, Churches or Chantries abundantly evidence.

King Edward the 1. for the peace, quiet, good Government and encouragement of Scholars and learning in the University of Cambridge, this year ratified all former Charters

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Charters granted to them by his Father King Henry the 3. and former Orders and agreements made between them and the Mayor and Townsmen of Cambridge for that end, by this his Royal Charter; evidencing the great care our Kings had to protect, advance, encourage Scholars and learning in our Universities, and keep the Townsmen from exacting on them in any kinde.

**R**EX Archiepiscopi, &c. salutem. Inspeximus literas patentes quas Dominus H. quondam Rex Angliæ pater noster fecit Universitati Scholarium Cantabr. in hac verba. Henricus Dei gratia Rex Angliæ, Dominus Hybernix, & Dux Aquitanix, Omnibus Ballivis & fidelibus suis ad quos presentes literæ pervenerint, salutem. Sciat, quod ad pacem et tranquillitatem, necnon ad utilitatem Universitatis Scholarium Cantabr. prohibimus et concessimus, quod duo Aldermanni fiant in Cantabrigia, & quatuor de discretioribus & legalioribus Burgensibus ejusdem Villa associantur ipsis Aldermannis, qui omnes jurent fidelitatem, & sint assistentes & consulentes Majori & Ballivis nostris Cantabr. ad pacem nostram conservandam, & ad assisas prædictæ Villa custodiend. & ad investigandum malefactores & perturbatores pacis nostræ, & vagabundos de nocte, & receptatores latronum & malefactorum, et corporale præstent Sacramentum, quod omnia prædicta fideliter observabunt. In qualibet autem parochia Villa Cantabr. fiat duo homines electi de legalioribus parochianis, & jurati, quod in qualibet quindena inquirent ne quis suspectus hospitetur in parochia, & si aliquis receptaverit aliquem per tres noctes in domo sua, respondeat pro eo. Nullus etiam receptarius emat victualia in villa Cantabr. vel extra versus villam viciniam, nec aliquid emat ut iterum vendat, ante horam terciam, & si fecerit, amercietur secundum quantitatem & qualitatem delicti. Si vero Laicus inferat Clerico grabamen vel enormem læsionem, statim capiatur: et si magna sit læsio, incarceration in villa ipsa, et ibi detineatur quousque Clerico rationabiliter fuerit satisfactum. Si autem Clericus inferat grabamen vel enormem læsionem Laico, incarceration in prædicta villa quousque Cancellarius Universitatis ipsum postulaverit. Pistores, Braciautores Cantabr. in primo transgressu suo amercientur, in secundo, panem amittant vel cervisiam, in tercio transgressu habeant judicium de Pillorio vel Tumberello. Quilibet Pistor habeat sigillum suum, & signet panem suum per quod possit cognosci cujus panis sit; quod si non fecerit, graviter amercietur. Quicumque de villa Cantabr. braciaverit ad vendendum, exponat signum suum, alioquin amittat cervisiam. Vina Cantabr. communiter vendantur & indifferenter tam Clericis quam Laicis ex quo imbrochiata fuerint. Temptatio panis fiat bis in anno, videlicet in quindena post festum Sancti Michaelis, & circa festum Sanctæ Mariæ in Marcio. Et Assisa cervisia fiat eisdem terminis secundum valorem bladi & brasie. Et quotiescunque debeat fieri temptatio panis & cervisia, interfuit Cancellarius prædictæ Universitatis, vel aliqui ex parte sua ad hoc deputati, si super hoc requisiti interesse voluerint, quod si non interfuerint, nec super hoc requisiti fuerint, nihil valeat temptatio prædicta. Præterea volumus quod villa Cantabr. à sordibus mundetur & munda teneatur, & quod aquaductus aperiantur sicut antequam esse solebant, ac aperti custodiantur, ut per eos sordes affluere possint, nisi alia necessitas aut utilitas obsteterit; & quod alia obstacula transitum impediencia amoveantur, & præcipue ut magnum fossatum ville mundetur: Ad quæ observanda ordinentur duo Burgenses ex legalioribus in quolibet dico jurati coram Majore et Ballivis, Cancellario et Magistris ad hoc requisitis, si venire voluerint. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westm. vicesimo secundo die Febr. anno Regni nostri quinquagesimo secundo. Inspeximus etiam literas patentes quas idem Rex pater noster fecit Cancellario & Scholaribus Cantabr. in hac verba. Henricus Dei gratia Rex Angliæ, Dominus Hybernix, & Dux Aquitanix, Omnibus Ballivis & fidelibus suis salutem. Sciat, quod ob honorem Dei et Ecclesiæ sacrosanctæ, necnon et commoquum et communem utilitatem Scholarium in Principio Cantabr. studencium, concessimus Cancellario & Scholaribus prædictis, & eorum successoribus ibidem studentibus, Quod omnes domus ejusdem villæ quas Scholares prædictos inhabitare contigerit, per duos Magistros et duos Burgenses ejusdem villæ secundum rationabilem taxationem, de cætero taxantur de quinquennio in quinquennium. Et ideo vobis mandamus, quod prædictis Cancellario et Scholaribus contra hanc concessionem nostram impedimentum, molestiam aut grabamen non inferatis, vel aliquibus inferri permittatis. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste meipso apud Westm. sexto die Feb.

Chart. 10 E. 1.  
n. 51. Pro  
Cancellario  
& Scholaribus  
Universitatis  
Cantabrig.  
Vid. Clauf.  
49 H. 3. m. 10.  
Pat. 17 E. 3.  
pars 1. m. 23.  
Pat. 9 H. 6.  
pars 1. m. 16.  
Pat. 9 E. 4. pars  
3. m. 8.  
\* Vid. Pat.  
10 E. 3. pars 1.  
m. 32.

\* Vid. Pat.  
1 E. 3. pars 1.  
m. 6. & 8.

\* Pat. 2 R. 2.  
pars 1. m. 16.  
& 39. & pars  
2. m. 10. Pat.  
4 R. 2. pars 1.  
m. 24. Pat.  
8 R. 2. pars 1.  
m. 41. Rot.  
Parl. An 8 R.  
2. Art. 11.  
Pat. 9 R. 2.  
pars 2. m. 20.



An. 20 E. 1. anno Regni nostri quinquagesimo. *Inspeimus etiam literas patentes quas idem Rex pater noster fecit Magistris et Scholaribus Universitatis ejusdem Willz in hac verba. H. Dei gratia Rex Angliæ, Dominus Hyberniz, & Dux Aquitaniz, Omnibus Ballivis & fidelibus suis ad quos presentes litera pervenerint salutem. Quia Ballivi & Burgenses nostri Cantabr. non solum negligentes existunt, verum etiam impotentes ad malefactorum insolencias, et alia Magistris et Scholaribus Universitatis ejusdem Willz nociva modo debito reprimenda, per quod sicut pro certo intelleximus, contingit dictos Magistros et Scholares multociens impediri, ita quod actus scholasticos in quiete studentibus maxime necessaria nequeunt exercere; Nos dictorum Magistrorum et Scholarum tranquillitati et paci prospicere cupientes, volumus et precipimus, quod Vicecomites Com. Cantabr. qui pro tempore fuerint, quando Ballivi aut Burgenses predicti negligentes vel impotentes inventi fuerint in premissis, hujusmodi malefactores, ac pacis nostræ dictæque Universitatis turbatores, cum sufficienti posse Com. prædicti, si necesse fuerit, ab hujusmodi præsumptionibus temerariis penitus destituisse, et prædicta nociva reprimi faciant, cum ex parte Universitatis prædictæ inde fuerint requisiti. Ita quod dicti Magistri et Scholares ibidem studiis liberalibus applicati, sub protectione manus nostræ oblati liberius prospicere valeant incrementis. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste nostro apud Westm. vicesimo die Julii, anno regni nostri quinquagesimo tercio. Inspeimus etiam literas patentes quas idem Rex pater noster fecit Magistris et ceteris Scholaribus Universitatis ejusdem Willz, in hac verba. H. Dei gratia Rex Angliæ, Dominus Hyberniz, & Dux Aquitaniz, Omnibus ad quos presentes litera pervenerint salutem. Quia dilectis nobis in Christo Magistris et ceteris Scholaribus Universitatis Cantabr. per Comites, Barones, Milites, & alios torneamenta ibidem exercantes, aventuras querentes & ad arma euntes, frequenter solent pericula et incommoda multipliciter evenire, quæ si tollerarentur, in discordium itidem studentium per processum temporis cedere possent manifeste, quod sustineri nolumus sicut nec debemus: Nos indemnitati Magistrorum et Scholarum prædictorum volentes in hac parte, quatenus fieri poterit prohibere; Concessimus eis de gratia nostra speciali, quod torneamenta aliqua, aventura, Justiz, seu hujusmodi basiliudia non fiant de cetero in villa prædicta, seu per quinque miliaria circumquaque. Et prohibemus super grobem regniæ nostræ, ne quis de Regno nostro apud villam prædictam, seu alibi infra prædicta miliaria circumquaque torneare, justas facere, seu aventuras, vel alia basiliudia querere præsumat contra concessionem nostram prædictam. In cuius rei testimonium, has literas nostras fieri fecimus patentes. Teste nostro apud Westm. vicesimo quarto die Julii anno regni nostri quinquagesimo quarto. Inspeimus etiam in quodam scriptum inter Scholares et Burgenses Cantabr. et Communitatem ejusdem Willz in modum Cyrographi confectum in hac verba. In nomine Domini, Amen. Cum inter Magistros & Scholares ac Burgenses Cantabr. & Communitatem ipsorum sæpius fuisset contentio exorta, cujus occasione tam Clero quam populo multa imminabant pericula, tandem interveniente Nobili viro Domino Edwardo illustris Regis Angliæ primogenito, anno Domini M. CC. septuagesimo, mense Aprilis, talis forma pro periculis imminentibus & futuris vitandis, & pro pace impofterum observanda fuit provisæ, videlicet, Quod singulis annis infra quindenam à tempore quo Magistri ibidem legentes suas lectiones resumpserint post festum Sancti Michaelis, eligantur de quolibet Com. Angl. quinque Scholares de discretioribus ibidem commorantibus, & tres de Scotia, & duo de Wallia, & tres de Hyberniz, & decem Burgenses, scilicet septem de urbe, & tres de suburbio, qui juramentum corporale præstabunt hinc inde tam Clerici quam Laici vice omnium, quod pacem et studii tranquillitatem observabunt, et ab aliis pro posse observari procurabunt, et consimile Sacramentum omnes alii Clerici et Laici dictis electis præstabunt, scilicet, quod bene et pacifice in studio stabunt: Et si aliqui mali vel rebelles Scholares seu Laici inventantur, qui prius amoniti, vel judicialiter conventi se corrigere noluerint, ad ipsum capiendum secundum quod decet statum eorum et ordinem Clericalem Burgenses jurabunt. Eligantur autem in forma prædicta certi Magistri qui nomina omnium principalium & singularum domuum scribant, & omnium in eisdem domibus habitantium, qui similiter eisdem jurabunt principalibus specialiter jurantibus, quod nullum pactis perturbatorem in suis beneficiis scienter recipiant; Et si postquam recepti fuerint tales inventiantur, quod incontinenti personis juratis et electis denunciabunt. Laici eci-*

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am familiam et inquilinos in suis domibus habentes consimile Sacramentum præstare debent, et a sua familia ac inquilinis recipient. Quod si aliqui rebelles inveniantur, tam per Clericos quam per Laicos in forma prædicta extra Universitatem seu Communitatem ejiciantur. Et si tanta fuerit rebellium multitudo quod per Burghenses cum Cleri auxilio ejici non possit, Domino Regi & suo Consilio denunciatur. Ceterum si contingat aliquos hujusmodi electorum Clericorum vel Laicorum dicto termino abesse, habeant potestatem alios loco eorum subrogare. Ordinatum est etiam, quod singulis annis in resumptione Magistrorum prius sint electi tam Clericorum quam Laicorum, vel quod alii de novo eligantur, omnibus et singulis privilegiis dictæ Universitatis prius per Dominum Regem vel prædecessores suos concessis in suo robore duraturis. Et ad præmissa omnia & singula fideliter observanda, Clerici Laici, et Laici Clericis Sacramento præstito corporali se invicem obligarunt, & huic scripto in modum cyrographi confecto commune sigillum Universitatis Cantabr. et sigillum commune Burghensium, una cum sigillo Domini Regis apponi fecerunt. Nos autem provisiones, concessionem & ordinationes prædictas ratas habentes & gratas, eas pro nobis & heredibus nostris Cant. Magistris et Scholaribus Universitatis prædictæ et eorum successoribus ibidem commorantibus, quantum in nobis est concedimus et confirmamus, sicut prædictæ literæ patentem, et prædictum scriptum rationabiliter testantur. Hiis testibus venerabilibus patribus R. Bathon. & Wellen. A. Dunelm. & W. Elen. Episcopis; Edmundo fratre nostro, Willielmo de Valencia avunculo nostro, Gilberto de Clare Comite Gloucestr. & Herteford, Henr. de Lacy Comite Linc. Humfrido de Bohun Comite Hereford. & Essex, Waltero de Bello Campo, Roberto Malet, Ricardo de Bosco, & aliis. Dat. per manum nostram apud Westm. 6. die Februarii.

How carefull the King was to maintain the premised Custome and Priviledge of this University, concerning the rents, or taxes set on houses let to Scholars, will appear by his memorable Writ this year to supersede an *Affise of Novel disseisin* brought by the Prior of *Bernevell* against the Chancellor of *Cambridge*, for letting out his house to a Scholar, upon sufficient caution to pay the Rent, in the Priors neglect to let it to him.

**E**dwardus Dei gratia, &c. dilectis & fidelibus suis *Elia de Beckingham, & Henr. de Crossingham*, salutem. Ex parte Cancellarii et Scholarium Universitatis *Cantabrigie* nobis est ostensum, quod cum per Cartas progenitorum nostrorum Regum *Anglie* eisdem Cancellario & Scholaribus concessas, & nostram Confirmationem, Domus *Burghens.* in eadem villa Scholaribus conducenda per duos Magistros dictæ Universitatis & duos *Burghenses* ejusdem Villæ taxari debeant, & conluerint; Ita quod pensio ad quam hujusmodi domus taxari debuerit hospitiibus illis à quibus domus illæ sic conductæ fuerint secundum veram taxationem persolvatur; ac etiam secundum Statuta et Consuetudines ejusdem Universitatis a prima fundatione ejusdem hactenus ibidem observata; sine quibus dicta Universitas nullatenus stare posset, Scholares hujusmodi Domus conducere volentes, in defectu hospitiū quorum Domus illæ fuerint, si hospites illi inveni non fuerint, vel malitiose se absentaverint, vel si forte inveni Domos suas Scholaribus locare noluerint, et sufficientem cautionem de dicta pensione pro Domibus illis solvenda a dictis Scholaribus admittere recusaverint, Cancellarium Universitatis prædictæ adeant, qui recepta a dictis Scholaribus cautione sufficiente, domos illas eis, sicut mortis est, in eadem Universitate liberari faciat inhabitandas: ac prædictus Cancellarius quandam Domum Prioris de *Bernevell* in prædicta villa Cantabr. Magistro *Radulpho de Leicestr.* in defectu ipsius Prioris cautionem à dicto *Radulpho* pro pensione Domus illius eidem Priori solvenda admittere volentis, per bonam cautionem juxta consuetudinem Universitatis prædictæ inhabitandam liberabit. Prædictus Prior de *Bernevell* consingens, se per prædictos Cancellarium & *Radulphum* fore disseisum de Tenemento prædicto, *Affisam nova disseisina* coram vobis arram, ad grabe dampnum prædictorum Cancellarii et *Radulphi*, necnon et prædictæ consuetudinis Universitatis prædictæ læsionem manifestam; & quia prædictis eisdem Cancellario & *Radulpho* injuriari, seu Libertatibus et Consuetudinibus ejusdem Universitatis in aliquo derogari nolumus in hac parte; Vobis mandamus, quod ha-

Brevia Regis in Turre London, An. 20 E. 1.



An. 20 E. 1. bito respectu ad Consuetudines et Statuta predicta, ad captionem Affixe predicta nobis et nostro Consilio super hoc inconsultis, nullatenus procedatis. Dat. apud Sanctum Edmundum 27. die April. Anno regni nostri vicefimo.

In the 20th. year of this Kings reign, I finde this Writ of *Quod dampnum* issued in order to grant some Messuages, Lands, and the Advouson of the Church of St. Michael in Cambridge, to the Vice-chancellor and Scholars of that University, towards the maintenance of a Chauntry, defraying the expences of the University in defence of their Liberties, and maintenance of poor Scholars therein, for advancement of Learning and Religion.

Brevia Regis  
in Turre Lon-  
don. An. 20  
Sc 21 E. 1.

**E**Dwardus Dei gratia Rex Angliæ, &c. Vic. Cantabr. salutem. *Præcipimus tibi quod per Sacramentum proborum & legalium hominum de Comitatu tuo, per quos rei veritas melius sciri poterit, diligenter inquiras, si sit ad dampnum vel præjudicium nostrum, vel aliquorum, si concedamus Rogero de Ridehngfeld Capellano, quod ipse quatuor Messuagia, & triginta acras terra, cum pertinentiis in Cantebrieg. & Matild. Attre-Wolde, quod ipsa Advocacionem Ecclesie Sancti Michaelis in eadem Villa, dare possint & assignare dilectis nobis in Christo Gulfrido de Pakenham Cancellario Universitatis nostre Cantebrieg. et Magistro Universitatis ejusdem, ad onera sustentationis spiritualium, pro animabus Regum et Reginarum Angliæ, et liberorum suorum, et aliorum Benefactorum ejusdem Universitatis, et expensarum quæ pro defensione Libertatum et status Universitatis ejusdem fieri contigerit, nec non et in parte sustentationis pauperum Scholarum ibidem degentium. Habend. et tenend. eisdem Cancellario et Magistro Universitatis predictæ, et eorum successoribus Cancellario et Magistro Universitatis illius imperpetuum: Nec ne? Et si sit ad dampnum vel præjudicium nostrum, vel aliorum, tunc ad quod dampnum & quod præjudicium nostrum, & quod dampnum & quod præjudicium aliorum, & quorum, & qualiter, & quomodo? Et de quo vel de quibus Messuagiis illis, Terra & Advocatio teneantur, & per quod servitium, & quantum valeant per annum in omnibus exitibus. Et si terra & tementa predictorum Rogeri & Matild. sibi remanentia ultra donationes & assignationes predictas sufficiant ad consuetudines & servitia, tam de predictis Messuagiis, Terra & Advocacione datis, quam retentis, debita faciendæ, & ad omnia alia onera quæ sustinuerunt & sustinere consueverunt, ut in sectis, visibus franci plegii, auxiliis, tallagiis, vigiliis, sinibus, redemptionibus, amerciamenis, contributionibus, & aliis quibuscunque oneribus emergentibus sustinenda, prout ante donationes predictas fieri consueverunt: Et Inquisitionem inde distinctè & aperte faciam, nobis sub sigillo tuo, & sigillis eorum per quos facta fuerit, sine dilacione missas, & hoc Breve. Teste misso apud Culford. 7 die Maii. Anno regni nostri 20. Which Church with other Lands I finde afterwards appropriated to the House and Scholars of St. Michael in Cambridge.*

\* Pat. 17 E. 1.  
pars 2. m. 12.

The Abbot and Covent of the Greater Monastery of *Turon*, exempt by Popes Bulls from all Episcopal Jurisdiction, fearing that a clause in Pope *Innocent's* Bull should invalid this their Privilege and Exemption, procured two new Bulls (from Pope *Innocent*, and Pope *Alexander*) to secure themselves, and their Cells in *England* from all Episcopal Jurisdiction; which they exemplified in and by this Charter of King *Edward* the 1. under his Great Seal, and enrolled in Chancery this year.

Chart. 20 E. 1.  
m. 13. Cedula.

**E**Dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanix, omnibus hac visuris, salutem. *Inspeximus quendam privilegia in tertio bullata, non cancellata, non abolita, nec in aliqua sui parte viciata, ex parte Religiosorum virorum Abbatis & Conventus Majoris Monasterii Turonensis nobis exhibita, formam quæ sequitur continencia.*

*Innocentius* Episcopus servus servorum Dei, dilectis filiis Abbati & Conventui Majoris Monasterii *Turonensis*, ad Romanam Ecclesiam nullo mediantes spectantis, salutem & Apostolicam benedictionem. Cum nuper duxerimus statuendum, ut exempti quantacunque gaudeant libertate, nichilominus tamen ratione delicti, seu contractus, aut rei de qua agitur contra ipsos, esse possint coram locorum Ordinariis conveniri, et illi quo ad hoc summi in ipsos jurisdictionem prout sus erigit exercere.

recercere. Vos habitantes, ne per Constitutionem huiusmodi libertatibus et immunitatibus, ac iuribus vobis et membris vestris, privilegiis et indulgentiis ab Apostolica sede concessis præiudicari valeant: Nobis humiliter supplicastis, ut prævidere super hac indempnitati vestra paternam sollicitudine curaremus. Quia verò Monasterii sacra religio sic vos apud nos favore dignos constituit, ut nobis votivum existat, vos ab omnibus per quæ vobis possent provenire dispendia immunes libenter aut no præservare, auctoritate vobis præsentium indulgemus, ut occasione Constitutionis huiusmodi nullam eisdem libertatibus et immunitatibus, ac iuribus imponeretur præiudicium generetur. Nulli ergo omnino hominum liceat hanc paginam nostræ concessionis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare præsumperit, indignationem omnipotentis Dei, & beatorum Petri & Pauli Apostolorum ejus se noverit incursum. Dat. Lugduni 3 Idus Aprilis, Pontificatus nostri anno octavo.

Alexander Episcopus servus servorum Dei, dilectis filiis Abbati & Conventui Majoris Monasterii Thronensis, ad Romanam Ecclesiam nullo modo pertinentis, Ordinis Sancti Benedicti, salutem & Apostolicam benedictionem. Laudabilis religio qua in Monasterio vestro colitur, sic ab eo mundana dissolutio relegavit illecebras, ut inter alia claustralis abstinencia nexibus religatum, observancia puritate fulgeat regularis, & voluntatis libitum coartans, omnino sub obedientia debito dignam & sedulam exhibeat Domino servitium; unde tanquam potiori devotionis praminiens attolli jandudum exemptionis privilegio meruit, & voluit sanctitatis eminentia præsignitum nonnullis diversarum gratiarum titulis honorari. Cum itaque in privilegiis ipsius Monasterii continetur expresse, sicut nos ipsi ex inspectione ipsorum privilegiorum collegimus, ne quaquam Archiepiscopus aut Episcopus beati Martini Majus Monasterium, aut ipsius majoris Monasterii Monachos pro ulla causa, nullo in loco excommunicare præsumat, ac antea Priores et Monachi vestri, sive in ipso Monasterio, sive in ipsius Prioratus conmoventur et membris, in eodem Monasterio prent assertis professionem emittant, et ad voluntatem Abbatis ipsius Monasterii qui est pro tempore mittantur ad Prioratus et membra eadem moraturi meo, et ab ipso Abbate cum ei placuerit, ad idem Monasterium rebocentur, et conventiens sit ut qui eidem Monasterio pari se in illo professione alligant, eadem gaudere debeant libertate. Nos vestris devotis supplicationibus inclinati, ut universi Priores & Monachi predicti ubicunque fuerint, gaudeant & usantur libere privilegiis, indulgentiis, libertatibus, immunitatibus, & gratiis quibus gaudent & utantur Monachi in ipso Monasterio commorantes, constitutione seu declaratione felicitis recordationis Innocentii Papa prædecessoris nostri, circa exemptos edita, vel quibilibet aliis statutis seu declarationibus factis et promulgatis ab Apostolica sede ad instantiam quorumcunque, et quibuscunque litteris Apostolicis per quoscunque obtentis nequaquam obstantibus, auctoritate vobis præsentium de speciali gratia indulgemus. Nos enim Interdicti, Excommunicationis et Suspensionis sententias et processus, si quos in vos et Monasterium vestrum, vel Prioratus aut Monachos prædictos, seu Prioratus et membra vestra contra præsentis indulti tenorem per quoscunque ferri vel haberi contigerit, irritos decernimus et inanes. Nulli ergo omnino hominum liceat hanc paginam nostræ concessionis & constitutionis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare præsumperit, indignationem omnipotentis Dei, & beatorum Petri & Pauli Apostolorum ejus se noverit incursum. Dat. Viterbii 6 Idus Novembris, Pontificatus nostri anno tertio.

Nota.

Thus one Popes Bull contradicted, and then repealed, or explained another, to gain monies from their exempt Monasteries, Abbots and Monks upon all occasions; who could not endure to be subject to any Archiepiscopal or Episcopal Jurisdiction.

The Pope granting the Bishop and Freers of the Hospital of St. Maries of Bethlem, Bulls and Indulgences to collect Almes for the relief of the poor and infirm in their Hospitals, in divers parts of the world; the King out of his charity and Royal authority granted them this Protection, License, and Patent of assistance to collect and receive the Almes of his Subjects within the Realm, and to seise and punish all false Collectors thereof, not authorized by them.

R E X



An. 20 E. 1.

Pat. 20 E. 1.  
m. 16. intus.  
Pro Episcopo  
& Fratribus  
Ecclesie beate  
Marie de Beth-  
leem, & eo-  
rum Nunciis.  
See here p.  
449, 450.

**R**EX omnibus ad quos, &c. salutem. Cum dilecti nobis in Christo venerabilis pater Episcopus & Fratres Ecclesie beate Mariae de Bethlehem, mittant quosdam Nuncios suos cum privilegiis Apostolicis et indulgentiis ad loca diversa, ad elemosinas Christi fidelium colligendas in subsidium Ecclesie beate Mariae de Bethlehem, pauperum et infirmorum in eorum Hospitalibus per diversas partes mundi degentium. Nos eisdem Episcopum & Fratres, ac eorum Nuncios praedictos in protectionem & defensionem nostram suscepimus specialem; Vobis mandamus, quod ipsos Episcopum, Fratres & Nuncios manuteneatis, & protegatis, & defendatis, non inferentes eis vel inferri permittentes injuriam, molestiam, dampnum aut gravamen. Et si quid eis forisfactum fuerit, id eis quantum in vobis est, sine dilatione faciatis emendari. Rogamus etiam vos, quod cum dicti Fratres vel eorum Nuncii ad vos venerint, de bonis vestris elemosinas petaturi, ipsos benigne admittere, et eisdem intuitu charitatis ad sustentationem praedictam de bonis vestris erogare velitis, ut a Deo remunerationem condignam, et a nobis grates reportare possitis speciales. Et quia quidam falsarii advocantes se per Episcopum & Fratres Ecclesie praedictae, nomine ipsorum Episcopi & Fratrum elemosinas colligunt, licet per ipsos potestatem non habeant, ut intelleximus, Vos iterato rogamus, quod cum aliqui tales sine literis patentibus praedicti Episcopi vel ejus Nuncii causa hujusmodi collectae faciendae per vos transitum fecerint, ipsos cum collecta illa arrestari faciatis, donec de hujusmodi malicia emendas fecerint competentes, prout in casu consimili alias fieri consuevit. In cujus, &c. Teste Rege apud Stebenherb. 15 die Aprilis.

\* See p. 243.

Pat. 20 E. 1. m. 6. The King granted the like Patent and Protection *verbatim*, Pro Magistro & Fratribus Hospitalis Sancti Jacobi de Alto Passu, & eorum attorneyis. Teste Rege apud Berewyk. super Twed. 15 die Julii: as he had \* formerly done.

\* See here p.  
275, 364, 365.

This year the King by two distinct Patents, running in the same form, nominated two \* more of his 20. Clerks who should enjoy the Popes Priviledge granted to him for Non-residence from their Livings ten years space.

\* See here p.  
423, 424.

Pat. 20 E. 1.  
m. 27. intus.  
De privilegio  
pro Clericis  
Regis con-  
cesso.

**R**EX omnibus ad quos, &c. salutem. Universitati vestrae notum facimus per praesentes, quod cum Sanctissimus pater in Christo Dominus Nicolaus Papa quartus, nobis de gratia speciali concesserit, quod viginti Clerici nostris obsequiis insistentes, quos voverimus nominandos, sua beneficia Ecclesiastica per decennium libere recipere valeant, non obstante quod prius vel aliam residentiam non fecerint in eisdem, prout in literis Apostolicis plenius continetur. Nos dilectum Clericum nostrum Dominum Agmonem de Quarto Pracentorem Lugduni, nostris obsequiis fideliter ac diligenter insistentem nominamus inter ceteros Clericos nostris obsequiis immorantes ad dictam gratiam, per praedictum tempus liberaliter optinend. In cujus, &c. Teste Rege apud Westm. quinto die Februarii.

The like Patent *in terminis*, nominated Magistrum Arnaldum de Tibis for another Non-resident. Teste Rege apud Stebenherb. 11 die Decembris.

How the King by his Sovereign authority, commissioned others to visit his Hospitals, make Ordinances for, place Masters in them in his stead, this Patent instructs us.

Pat. 20 E. 1.  
m. 10. See  
Bundela Brev.  
An. 20 E. 1.  
a Writ to the  
same effect.

**R**EX omnibus ad quos, &c. salutem. Cum dilectus noster Willielmus de Hamelton Archid. Eborum in visitatione et ordinatione quas de precepto nostro nuper fecit in Hospitali nostro beati Nicolai infra Civitatem nostram Ebor. fundato, Magistrum eidem Hospitali praeficere distulerit, quousque de nostra sibi super hoc consisterit voluntate. Per quod nos nolentes, quod Hospitale illud Magistro diutius careret, nec quod bona ejusdem possent pro defectu regiminis dissipari: Mandavimus dilecto nobis in Christo Abbati beate Mariae Ebor. & dilecto & fideli nostro Johanni de Lythegreynes, quod ipsi aliquem Capellanum providum & honestum de Civitate praedicta, vel partibus adjacentibus, qui regimini ejusdem Hospitalis vellet & sciret intendere, eligerent vice nostra. Ac iidem Abbas & Johannes Robertum

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

*Robertum le Grannt* personam Ecclesie Sancte Crucis Ebor. de communi consensu Majoris & Communitatis Civitatis predictae, ad hoc nominaverunt in Magistrum. Nos de ipsius Roberti industria confidentes, commisimus ei Hospitale predictum cum pertin. custodiendum, quamdum bene et fideliter se gesserit in eodem. Ita quod ordinacionem per prefatum Clericum nostrum in eodem Hospitali nuper factam, et per nostras patentes literas postmodum confirmatam in Angulis suis articulis firmiter et iniolabiliter faciat observari, quod in dictis literis nostris plenius continetur. In cujus, &c. Teste Rege apud Berewyk super Twed. 12 die Junii.

Et mandatum est fratribus & sororibus, &c. Teste ut supra.

The King standing in need of monies, his Treasurer borrowed from the Popes Nuncio and Merchants no lesse then one Hundred Thousand Marks at once, due at the second terme of payment thereof, out of the Dismes granted him by the Pope for relief of the Holy Land, collected in England, as these Records attest.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod assignavimus dilectum & fidelem nostrum Magistrum *Willielmum de Marchia* Thesaur. nostrum, a diebus nobis petendum et recipiendum nomine nostro centum millia marcarum de Decima collecta in regno nostro Angl. et nobis a sede Apostolica in subsidium Terrae Sanctae concessa, de secundo termino solucionis ejusdem, una cum superplulagio de toto tempore concessionis Decimae illius, tam a percceptoribus nostris, quam ab aliis quibuscunque ad Decimam illam nobis solvendam, a praedicta sede Apostolica deputatis. In cujus, &c. Teste Rege apud Berewyk super Twed. 13 die Junii.

**R**EX omnibus ad quos, &c. salutem. Sciatis nos recepisse per manus dilecti & fidelis nostri Magistri *Willielmi de Marchia* Thesaur. nostri, a diebus nobis Magistro *Giffredo de Vezano* Cameracen. camerarum Domini Papae Clerico, et Apostolice sedis in Anglia Puncto, & Magistro *Johanne de Luk*, Canonico Sancti Pauli London. centum millia marcarum de Decima in regno nostro Angl. collecta, et nobis a praedicta sede in subsidium Terrae Sanctae concessa, de secundo termino solucionis ejusdem: De quibus centum millibus marcarum praefatos Magistros *Giffredum* & *Johannem*, et sedem praedictam, tenore praesentium quietamus. In cujus, &c. Teste ut supra. Thus the King and Pope divided this great spoyle between them, no part thereof being applyed to the Holy Lands relief.

The Abbot and Covent of *Certeſey* procuring divers Churches to be appropriated to them, to which notwithstanding others presented their Clerks by prayers or power, against their wills, upon the deaths of their Temporary Vicars, procured a Bull from Pope *Clement* the 3d. and Charter from the Bishop of *Winton*, to hold them to their proper uses after the Encumbents deaths or resignations, so as they presented Vicars to them; which being invalid without the Kings special license and confirmation, they procured this Patent from him to confirm these appropriations to them, by reason of the poverty and losses of the Monastery, wherein the Popes Bull, and Bishops Charter are recited and ratified.

**R**EX omnibus ad quos, &c. salutem. Inspeximus literas patentes quas venerabilis pater *Johannis Winton*, Episcopus fecit dilectis nobis in Christo Abbati & Conventui de *Certeſey*, in hac verba. *Universis praesentes literas inspecturis, Johannes permissione divina Winton. Ecclesia Minister, salutem in Domino sempiternam.* Noveritis nos literas felicis recordationis *Clementis* Papa terti, nobis ex parte Religiosorum virorum Abbatis & Conventus de *Certeſey* nostra Diocesis presentatas, non cancellatas, non abollatas, nec in aliqua sui parte viciatas, filo serico, & vera bulla bullatas vidisse, legisse, ac diligenter examinasse, sub eo qui sequitur verborum tenore. *Clementis* Episcopus servus servorum Dei, dilectis filiis Abbati & Conventui de *Certeſey*, salutem & Apostolicam benedictionem. Religiosis locis adesse universalis regimini administratione compellimur, & eorum commoditatibus sollicitè providere caritatis zelo propensius commovemur, ut oculus Apostolice sedis eorundem locorum commodis

Pr. 20 E. 1.  
m. 21. Pro  
Abbate &  
Conventu de  
*Certeſey*.



*An. 20 E. 1.* commodis officio sollicitudinis pastoralis invigilet, & eorum indemnitati provida studeret circumspectione cavere. Ad nostram siquidem audienciam pervenit, quod quidam parochiales Ecclesiarum Monasterio vestro ad sustentationem fratrum hospitum ac pauperum susceptionem fuerant collatae, scilicet de *Botham*, & de *Edeham*, & de *Ewell*, & de *Waltham*, & de *Horleya*, & de *Coveham*, & de *Coleston* Ecclesiarum, & de *Weisdon*, & de *Certefeya* Capellae, in quibus Clerici instituti per temporales Vicarios ministrabant; quibus decedentibus, tam Ecclesiasticae quam Seculares personae, interdum precibus et potencia potius quam vestra voluntate, Clericos suos in eis faciebant institui; In quo sus Monasterii vestri contigit experire, et Ecclesias ipsas bonis et possessionibus amplas vobis inutiles et instructivas exhibere. Nos autem quorum est errata corrigere, et quae perperam fuerant ad aequitatis tramitem revocare; Vobis & Ecclesiae vestrae cupientes utiliter providere, auctoritate vobis Apostolica indulgemus, ut cum Clerici aut Sacerdotes praedictarum Ecclesiarum decedunt, aut eas vivi dimittunt, licitum sit vobis eas in manu vestra retinere, et earum beneficia ad proprios usus referbare, et eis ibidem Vicariis et Diocesano Episcopo praesentatis; Ita quidem quod Episcopo non liceat qui ibi fuerint praesentati, nisi ob manifestam et rationabilem causam repellere; eadem vero Ecclesiae et earum beneficia vobis et successoribus vestris imperpetuum conserventur, eorum pro quorum gubernatione et sustentatione concessa sunt omnimodis nobis profutura, salva sedis Apostolicae auctoritate, et Diocesani Episcopi Canonica iustitia. Praeterea auctoritate duximus Apostolica statuendum, ne quis Archiepiscopus, Episcopus, Archiepiscopus, Decanus, seu aliquis Ecclesiarum Praelatus, vos aut Ecclesias vestras, vel Clericos vestros suspendere, interdicere seu excommunicare, vel a vobis, vel a possessionibus vestris quicquam erigere quod indebitum sit vel extraordinarium, nisi ex rationabili causa et ordine iudicario cognita, ullo ausu presumat. Decrevimus ergo, ut nulli omnino hominum liceat hanc paginam nostrae constitutionis & prohibitionis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare praesumpserit, indignationem omnipotentis Dei, & beatorum Petri & Pauli Apostolorum eius se noverit incursurum. Data Laterani 13 Kal. April. Pontificatus nostri anno quarto. Cum igitur Ecclesia de Botham praedicta nostri Diocesis; distorumque Religiosorum patronatus per resignationem Johannis de London, nuper Rectoris ejusdem in manibus nostris pure & simpliciter nuper factam vacare noscatur ad praesens: Nos attendentes, quod eorundem Religiosorum redditus et proventus adeo sunt tenues et exiles, in tantumque istis diebus nobis variis decrescebant, quod remanente onere quod de die in dies excrevit, et numero Deo insibi famulandum, ipsi tanquam ex alieno deprelli, eorumque facultatibus lapsi, pensatis oppressionibus variis, tam exactionem quam etiam pestilenciarum, et inundatione aquarum quae in animabus, pecuniis et aliis nuper in illis partibus de Certefeya contigerunt, non poterunt ex ipsis commodum sustentari, nec hospitalitatem, ut praemittitur, vel alia caritatis opera prout consueverunt hactenus exercere. His & aliis rationibus evidentiis & legitimis, quibus Ecclesiarum appropinquatio non tam juri contraria quam pietati consona est censenda, merito excitati, quod per felicitis recordationis C. Papam praedictum, tam pie, tam misericorditer factum & concessum existit, quantum in nobis est, ratum habentes & firmum; cupientesque effectui debito mancipare, eisdem Religiosis concedimus per praesentes, ut ipsi per Procuratores eorundem dicta Ecclesia jam vacantis, quae eis ut praemittitur, auctoritate sedis Apostolicae appropinquata erit, corporalem possessionem libere ingredi valeant & eam licite retinere, ipsiusque fructus et proventus ibi et successoribus suis ad usus praemissos imperpetuum convertendos, salva in omnibus iure Episcopali, auctoritate, et dignitate Winton. Ecclesiae. Ita tamen quod eidem Ecclesiae per idoneum Vicarium nobis praesentandum honeste deserviat iuxta formam superius annotatam. In cuius rei testimonium praesentes literas nostras eisdem Religiosis fieri fecimus patentes sigilli nostri impressione munitas. Actum & datum apud Ellere primo die Aprilis, Anno Domini 1292. Consecrationis vero nostrae decimo. Nos autem concessionem praedictam ratam habentes et gratam, eam pro nobis et heredibus nostris, quantum in nobis est, praedictis Abbati et Conventui, et successoribus suis, concedimus et confirmamus, sicut literae praedictae rationabiliter testantur. In cujus, &c. Teste Rege apud Berewik super Tmed, 8 die Junii.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

King *Henry* the 3. having granted the Tithes of his rent called *Chaumpard* in the Isle of *Gernesey*, to the Chappel of *St. Mary* in *Orguil* Castle there, (where I was once a Prisoner by some Prelates malice) to maintain a Chaplain to say divine service every day for his soul, and the souls of his predecessors and heirs, *K. Edward* ratified it by this Patent to the said Chaplain and his successors.

**R**EX Ballivis suis & omnibus tenentibus Insularum de *Gernesey* & *Gereseye*, salutem. Cum bonæ memoriæ Dominus *H.* quondam Rex *Angl.* pater noster, intuitu Dei, & ob reverentiam beatæ Virginis *Maria*, & pro salute animæ suæ, & animarum antecessorum & hæredum suorum, per Cartam suam dederit & concesserit ad sustentacionem cujusdam Capellani divina celebrantis singulis diebus in Capella beatæ *Maria* de Castro de *Orguil* in Insula de *Gernesey*. decimam totius redditus sui, qui vocatur *Chaumpard*, in eadem Insula de *Gernesey*; habendum & tenendum imperpetuum, in liberam, puram & perpetuam elemosinam, prout in Carta prædicta, quam inspeximus, plenius continetur: Nos dictæ Cartæ tenore considerato diligenter, voluntatem dicti patris nostri cupientes adimplere, et maxime in hoc casu, donacionem & concessionem super præmissis à dicto patre nostro factas, ratas habentes & gratas, volumus & per præsentis literas pro nobis & hæredibus nostris concedimus, quod Capellanus noster qui nunc in dicta Capella est institutus, et ejus successores, qui per nos, vel hæredes nostros, vel Ballivos nostros, vel hæredum nostrorum de dicta Insula de *Gernesey* in dicta Capella erunt assignati, decimam prædictam totius redditus nostri, qui dicitur *Chaumpard*, in dicta Insula de *Gernesey*, habeant et integre percipiant in puram et perpetuam elemosinam, libere, pacifice et quiete. In cujus, &c. Teste Rege apud *Walsingham* 10 die *Maii*.

Pat. 20 E. 1.  
m. 12. Pro quodam Capellano divina celebrante in Capella beatæ Mariæ de *Orguil* in Insula de *Gernesey*.

I finde the Kings Royal license and assent to the election only of one Abbess in *Ireland*, recorded in this year.

**R**EX dilecto & fideli suo *Willielmo de Vescy* Justic. suo *Hibern.* salutem. Cum dilecti nobis in Christo Abbatissa & Conventus beatæ *Maria* de *Bello Portu* juxta *Waterford*. nobis per literas suas patentes significaverint, quod Ecclesia sua prædicta per mortem *Matil. Comyn* nuper Abbatissæ ejusdem loci, pastoris sit solatio destituta, supplicantes nobis, prout moris est, quod licentiam sibi aliam eligendi in Abbatissam ejusdem concedere dignaremur; ac nos precibus eorundem Abbatissæ & Conventus in hac parte favorabiliter inclinati, licentiam illam eis concessimus; mandantes quod talem, &c. Nos eorundem Abbatissæ & Conventus laboribus & expensis in hac parte parcere volentes, ista vice concessimus eis, &c. Acceptis tamen securitate, &c. sine data.

Pat. 20 E. 1.  
m. 12. De licentia eligendi, & potestate data adhibendi assensum electioni, & temporalia restituendi in *Hibernia*.

What *English* Bishops were elected, confirmed, and restored to their Temporalities this year by the Kings Royal license and assent, these Patents and Writs will best inform us.

**R**EX electioni super factæ in Ecclesia Cathedrali *Karl.* de fratre \* *Johanne de Halgton* Canonico ejusdem domus in Episcopum loci illius, Regium assensum adhibuit et favorem. Et mandatum est Magistro *Johanni de Craucumb* Archid. *Esfriding.* venerabilis patris *J.* Archiepiscopi *Ebor. Angl.* Primatis, ipso Archiepiscopo in partibus transmarinis agente Vicario generali, ut quod suum est in hac parte exequatur. Teste Rege apud *Derlington* 26 die *Maii*. Who confirming his election, the King restored his Temporalities by a Writ to his Escheator; Teste Rege apud *Berewyk* super *Twed.* 18 die *Julii*. Ibid. m. 10.

Pat. 20 E. 1.  
m. 12. De assensu adhibito electioni. \* See Godwins Catalogue, p. 340.

**R**EX dilecto Clerico suo *Malculmo de Harle* Escaetori suo citra *Trentam*, salutem. Cum venerabilis pater *J. Cantuariensis* Archiepiscopus electionem nuper factam in Ecclesia Cathedrali beati *Peiri Exon.* de venerabili viro Magistro \* *Thomæ de Bitton* Decano *Wellsensi* in Episcopum loci prædicti, cui Regium assensum prout adhibuimus et favorem, confirmaverit, sicut per literas patentes ipsius Archiepiscopi nobis inde directas accepimus: Nos confirmationem illam acceptantes cepimus fidelitatem ipsius *Cleat*, & Temporalia Episcopatus prædicti, prout moris est, restituisse eidem. Et ideo vobis mandamus, quod Temporalia ejusdem

Pat. 20 E. 1.  
m. 19. Pro electo *Exon.* de temporalibus restituendis. \* See Godwins Catalogue, p. 329.



An. 20 E. 1. Episcopatus eidem Electo restituitis, sicut prædictum est. Teste Rege apud London.  
2 die Novembris.

Et mandatum est Militibus, &c. Teste ut supra.

Pat. 20 E. 1.  
m. 27. De  
Temporalibus  
Sorum resti-  
tis.  
\* See Godwin's  
Catalogue, p.  
279, 280.

**R**EX Radulpho de Berners, salutem. Cum venerabilis pater J. Cantuar. Archiepiscopus, totius Angliæ Primas, electionem nuper celebratam in Ecclesia Cathedrali Sarum de discreto viro \* Nicholao Longespæe dictæ Ecclesiæ Thesaurario in Episcopum ejusdem loci, cui prius Regum assensum adhibuimus et favorem, confirmaverit, sicut per literas patentes ipsius Archiepiscopi nobis inde directas nobis constat. Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, & Temporalia Episcopatus illius, prout moris est, restituimus eidem. Et ideo vobis mandamus, quod eidem Nicholao Temporalia Episcopatus illius restituitis, sicut prædictum est. Teste Rege apud Cantuar. 16 die Decembris.

Et mandatum est Militibus, &c. Teste ut supra.

The Pope granting the King a Disme in Ireland for relief of the Holy Land, and appointing who should collect it, he issued this Patent for their assistance therein to all his Bayliffs and Subjects in Ireland.

Pat. 20 E. 1.  
m. 20. De  
Decima colligenda in  
Hibern.

**R**EX Vicecomitibus & omnibus aliis Ballivis & fidelibus suis in Hibern. ad quos, &c. salutem. Cum Summus Pontifex venerabiles patres Th. Midensem & — Kildarenses Episcopos, per literas suas bullatas deputaverit ad Decimam in terra prædicta nobis in subsidium Terræ Sanctæ concessam colligendam, prout in eisdem literis plenius continetur. Vobis mandamus, quod eisdem Episcopis ad eandem Decimam colligendam, sitis consulentes et auxiliantes quotiens ab eisdem Episcopis vel eorum altero ex parte nostra super hoc fueritis requisiti. In cujus, &c. Teste Rege apud Waverle 12 die Februarii.

The King in the Prologue of his Patent this year on the behalf of the Abbot and Covent of St. Edmunds, thus expresseth his Royal Office and care to maintain Churches in their Ecclesiastical as well as Temporal Liberties, and to redresse their violations.

Pat. 20 E. 1.  
m. 21. Pro  
Abbate &  
Conventu de  
S. Edmundo.

**R**EX omnibus ad quos, &c. salutem. Cum nos Ecclesias ac Ecclesiasticas Libertates, & maxime illas quæ de nostris & progenitorum nostrorum quondam Regum Angl. elemosinis sunt fundatæ, mantere volumus et defendere, ut tenemur: Ac quidam salutis suæ immemores in Villa Sancti Edmundi, assumptis secum quibusdam fautoribus suis, nuper in nostri & Abbatis Sancti Edmundi, cujus Ecclesia de hujusmodi elemosinis est fundata, & in elusionem libertatis ejusdem Ecclesiæ à tempore foundationis ejusdem optentæ & hæcenus usitatæ, non & dignitatis & pacis nostræ læsionem manifestam, quamplures injurias & transgressionem enormes eidem Abbati & Ecclesiæ suæ prædictæ intulerint, ut accepimus. Nos super hoc sicut nobis incumbit remedium præbere, et libertates à nobis & progenitoribus nostris dictæ Ecclesiæ ac concessas et usitatas, tanquam patronos ejusdem Ecclesiæ illibatas conservare volentes: Ad instantiam prædicti Abbatis, & de consilio nostro assignavimus dilectos & fideles nostros Johannem de Ma, Willielmum de Gisfelham, & Hugonem de Crossingham, vel duos ex ipsis quos presentes esse contigerit, ad inquirendum per sacramentum proborum & legalium hominum per quos, &c. super injuriis & transgres. prædictis plenius veritatem, & ad plenam & celerem justiciam eidem Abbati inde exhibendam, secundum legem & consuetudinem regni nostri. Nolentes quod aliquid per istud factum eidem Abbati & successoribus suis cedat in præjudicium vel læsionem libertatum Ecclesiæ memoratæ. In cujus, &c. Teste Rege apud Westm. 2 die Februarii.

King Edward this year by his Sovereign authority, commanded the heart of his Father King Henry the 3d. to be delivered to the Abbess of Fontevroat, to be interred in that Nunnery, according to his promise in his life time; which the Abbot of Westminster accordingly delivered to her 20 years after his decease, in the presence of sundry Bishops, Nobles, and others, by the Kings command, as this Patent attests.

R EX

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

**R**EX omnibus ad quos, &c. salutem. Quia pro certo intelleximus, quod celebris memorie Dominus H. quondam Rex Anglia pater postea ipso dudum existente apud Monasterium Fontis Ebraldi, cor suum post ejus decessum eidem Monasterio promissit, & dilecta nobis in Christo Abbatisa Monasterii predicti nuper in Anglia accedens, cor illud sibi juxta promissionem predictam petiit liberari, dilectus nobis in Christo Walterus Abbas Westmonasterii cor predictum integrum in presentia venerabilium patrum A. Dunelm. & R. Bathon. & Wellen. Episcoporum, & dilectorum & fidelium nostrorum Edmundi fratris nostri, & Willielmi de Valencia Avunculi nostri, & aliorum fidelium nostrorum plurimorum, die Luna proxima ante festum beate Lucia Virginis anno Regni nostri vicesimo in Ecclesia Westmonasterii predicta Abbatisa de voluntate et precepto nostro liberabit, ad predictum Monasterium Fontis Ebraldi descendit, et sepeliendum in eodem. In cujus, &c. Teste Rege apud London. 3. die Decemb.

An. 20 E. 1.

Pat. 20 E. 1.  
m. 20.

De corde Regis Henrici liberato Abbatisa Fontis Ebraldi ad sepeliendum in Monasterio suo.

What inrodes, entroachments the Bishops, Clergymen, and their Officials this year made upon the Kings Crown, prerogative Royal, and Temporal Courts of Justice, by holding Pleas of Chartels and Debris which concerned not Marriage and Testament, and likewise of Advowsons and Freeholds, against the Kings Prohibitions to them, how contemptuously they proceeded to excommunicate those who delivered the Kings prohibitions to them, to restrain their encroachments, and to imprison them by *Capias Excommunicatims*, notwithstanding the Kings Prohibitions; and how zealous the King, his Judges, Subjects were to oppose these their encroachments, usurpations, and contempts against the Kings Crown, Dignity, Courts Prohibitions, and his Subjects liberties, will appear by these ensuing Writs, actions, suits against them both by the parties grieved, and by the King himself, (the Originals and returns whereof, endorsed on them, I rescued out of the rubbish in the *White Tower Chappel*,) and by the Plea Rolls Anno 20 E. 1. which I shall here present you with.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, Vic. Linc. salutem. Pone per vadum & salvos Plegios Oliverum Episcopum Linc. quod sit coram Justiciariis nostris apud Westm. à die Sancti Hillarii in xv dies, & ibi habeas R. Vicarium Ecclesiæ de Wychem Clericum suum, ad respondendum Robertis de placito, Quare cum Placita de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio ad nos et ad dignitatem nostram, et non ad alium in regno nostro pertineant, Idem Richardus (sicut ex relatu plurimorum accepimus) secutus est placitum in Curia Christianitatis de catallis et debitis Richardi de Wychem Clerici, quæ non sunt de Testamento vel Patrimonio, in lætionem dignitatis nostræ, et contra Prohibitionem nostram, ut dicitur. Et ad ostendendum, quare non habuit predictum Richardum Vicarium Ecclesiæ de Wychem Clericum suum coram Justiciariis nostris apud Westm. à die Sancti Michaelis in xv. dies sicut sibi mandatum fuit; et habeas ibi nomina plegiorum & hoc breve. Teste J. de Mettingham apud Westm. 10 die Novembr. Anno Regni nostri vicesimo; who put in Pledges, endorsed on the Writ.

Brevia Regis  
An. 20 E. 1.  
in Turre  
London. n. 18.  
Holm.

**E**dwardus Dei gratia Rex Angliæ, &c. Vic. Devon. salutem. Monstravit nobis Robertus de Morkesfel, quod cum Magister Petrus de Insula Archidiaconus Exon. in Curia nostra coram Justiciariis nostris apud Westm. à die Sancte Trinitatis in 15. dies proximo praterit. attachatus esset, ad respondendum eidem Roberto de placito, quare tenuit placitum in Curia Christianitatis de quodam Judicio ipsius Roberti quod non est de Testamento vel Patrimonio contra Prohibitionem nostram, quam idem Robertus prius ei porregerat, ne predictum placitum in predicta Curia teneret. Ac idem Magister Petrus ad diem illam in prefata Curia nostra comparuisset & vadiasset eidem Roberto inde legem suam, prout moris est in eadem Curia nostra, quod placitum illum non tenuit in predicta Curia Christianitatis, & tamen ei ad eundem R. diem fecisset: & postea in eadem Curia nostra inhibuitur esset predicto Magistro Petro ne occasione prosecutionis predicti placiti predicto Roberto aliquam inferret molestiam; idem Magister Petrus eo gravius et molestius placitum illud

Brevia Regis  
Anno 20 E. 1.  
in Turre Lon-  
don.

\* Nota.



*An. 20. E. 1.* ulterius tenuit in eadem Curia Christianitatis quousque sententia in ipsam Robertum promulgata, ipsum excommunicabit, et per totam Archidiaconatum predictam publice excommunicare fecit: et postea breve nostrum de ipso Roberto sic excommunicato, tanquam claves Ecclesie contempnente capiendo, jam tibi porrexit, ut dicitur, in Coronæ et Dignitatis nostræ læsionem manifestam, Curie nostræ predictæ contemptum, et predicti Roberti dispendium non modicum et grabamen; prout ex grabatissima ipsius Roberti querela accepimus. Et quia tanta contemptum et inobedientiam (si commissæ fuerint) relinquere nolumus impunita; tibi precipimus, quod si predictus Robertus fecerit te securum de Clamore suo proseguendo, tunc pone per vadium & salvos plegios predictum Magistrum Petrum, quod sit coram Justiciariis nostris apud Westm. a die Sancti Hillarii in 15. dies, ad respondendum tam vobis de predictis contemptu et inobedientia, quam predicto Roberto de transgressione predicta. Precipimus etiam tibi, quod si tibi constare possit, quod predictus Robertus ea occasione et non alia excommunicatus sit, tunc ab ipso Roberto capiendo per aliquod breve nostrum per predictum Magistrum Petrum impetratum penitus desistas, et ipsum Robertum interim pacem nostram habere permittas; & habeas ibi nomina plegiorum & hoc breve. Teste J. de Meringham apud Westm. 18 die Novembris. Anno regni nostri vicefimo. The Sheriff returning, Magister Petrus de Insula Clericus est, & non habet Laicum feodum per quod possit attachiari. Thereupon a new Writ in like form issued to the Bishop of Exeter, to cause him to appear.

A Writ of the same nature, with some diversity, issued this year in another case to the Sheriffs of London for thelike contempt and vexation.

Brevia Regis  
An. 20 E. 1.  
in Turre  
London.

**E**dwardus, &c. Vicecomitibus London. salutem. Monstravit nobis Adam Payn, quod cum Magister Simon de la Neylond et Hermannus le Somenar. in Curia nostra coram Justic. nostris apud Westm. in Octabis Sancti Johannis Baptiste prex. praterit. attach. essent ad respondend. eidem Adæ de placito, quare predicti. Magist. Simon, tenuit placitum in Curia Christianitatis de quodam debito unius Marcæ, quam predictus Hermannus coram eodem Magistro Simone exigebat, quæ non est de Testamento vel Patrimonio: et de placito, quare predictus Hermannus secutus fuit dictum placitum in eadem Curia Christian. contra prohibitiones nostras, quas idem Adam prius eis porregerat, ne predictus Magister Simon. placitum illud in eadem Curia Christianitatis ulterius teneret; nec predictus Hermannus idem placitum in eadem Curia sequeretur, ac iidem Magister Simon & Hermannus ad diem illum venissent in præfata Curia nostra coram præfatis Justiciariis nostris apud Westm. & defendissent contra predictum Adam et Sectam suam, quod predictus Magister Simon non tenuit placitum predictum, nec predict. Hermannus secutus fuit in præfata Curia Christianitatis, et vadassent eidem Adæ inde leges suas, & habuissent diem veniendi cum legibus ejus coram Justiciariis nostris apud Westm. in Octabis Sancti Martini proximo futuris; præfatus Magister Simon pendente inde inter eos in præfata Curia nostra præfato Placito, predictum placitum nichilominus ulterius tenuit in præfata Curia Christianitatis; et similiter præfatus Hermannus idem placitum in eadem Curia ulterius secutus est, quousque predictus Magister Simon, sententia in ipsum Adam promulgata ad sectam predicti Hermanni, ipsum excommunicabit, et per totam Archidiaconatum London. publice excommunicare fecit; et postea Breve nostrum de ipso Adam sic excommunicato, tanquam claves Ecclesie contempnente, capiendo, jam vobis porreperunt, ut dicitur, in Coronæ et Dignitatis nostræ læsionem manifestam, Curie nostræ predictæ contemptum, et predicti Adæ dispendium non modicum et grabamen; prout ex gravi querela ipsius Adæ accepimus. Et quia tanta contemptum et inobedientiam (si commissæ fuerint) relinquere nolumus impunita; vobis precipimus quod si predictus Adam fecerit vos securum de clamore suo prof. tunc pone per vadium et salvos pleg. predictos Magistrum Simonem et Hermannum, quod sint coram Justic. nostris apud Westm. in Octab. Sancti Michaelis, ad respondendum tam vobis de predictis contemptu et inobedientia, quam predicto Adæ de transgressione predicta: Precipimus etiam vobis, quod si vobis constare poterit, quod predictus Adam occasione predicta et non alia excommunicatus sit, tunc ab ipso Adam capiendo per aliquod Breve nostrum ea occasione per predictos Magist. Simonem

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Simonem & Hermannum impetratum seu impetrandum penitus destitatis, et ipsam Adam interim pacem nostram habere permittatis. *Et habeatis ibi nomina pleg. & hoc Breve. Teste J. de Metingham apud Westm. 14 die Julii, Anno regni nostri vice-* *An. 20 E. 1.*  
*simo. The like Writ of alias issued to the same Sheriffs between the same parties 10*  
*die Novembris, the same year.*

**E**dwardus Dei gratia Rex Angliæ, &c. Vic. Wiltes. salutem. Si Robertus de Horlinton feceris te securum de Clam. suo proseq. tunc pone per vadium & salves plegios Eudonem personam Ecclesie de Sturton, quod sit coram Justiciariis nostris apud Westm. in Octabis Sancti Michaelis, ostensurus, quare tenuit placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram. *Et habeas ibi nomina pleg. & hoc Breve. Teste meipso apud Berwyk super Twedam 7. die Julii, Anno regni nostri vice-* *Brevia Regis in Turre London, An. 20 E. 1.*  
*simo.*

The like VVrits at large issued the same year, Vic. Somers. for Agnes de Sider-  
 nesen, contra Willielm. Vicar. Ecclesie de Wynesford Defend. ad respond. apud Westm. in Octab. Sancti Michaelis, quare secutus est (consimile) placitum, &c. Teste (ut supra) 18 die Junii. Vic. Kantiz. for Alanus de Hulle, contr. Magist. Lucam de Brey, & Magist. Willielmum de Halyngberg, quare tenuerunt (consimile) placitum, &c. Teste meipso apud Roubing. 23. die Julii. With another Writ between the said parties, 30. die Augusti: Vic. Kantiz. for Michael de Northflete contra fratrem Nicholaum Pracentorem Ecclesie de Bernewell, quare tenuit placitum, &c. Et Magistrum Richardum de Hecham personam Ecclesie de Northflete, quare secutus est idem placitum in Curia Christianitatis de bonis et catallis quæ non sunt, &c. contra prohibitionem, &c. Teste meipso apud Spalding, 15 die Maii. Vic. Hereford. for Mabll. de la Bedeon, versus fratrem Willielmum de Paris, quare tenuit (consimile) placitum, & Willielmum Vicarium Ecclesie Sancti Stephani extra villam Sancti Albani, quare secutus est idem placitum. Teste apud Farendon 28 die Febr. Vicecomitibus London, for Andreas de Furmager, versus Magist. Simon de Neulond & Magist. Johannem de Maerhale, quare secuti sunt (consimile) placitum. Teste, &c. apud Hereford. 2. die Novembr. Vicecomiti Buks, salutem. Si Robertus le Dun de parva Brikhull feceris te securum, &c. tunc pone, &c. Willielmum personam Ecclesie de parva Brikhulle, Willielmum le Clerk de Marcle, & Robertum Vicarium Ecclesie de Ugliene, quod sint, &c. Ostensuri, quare secuti sunt placitum in Curia Christianitatis de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram, &c. Teste meipso apud Grenewiche, 13. die Decemb. Anno regni nostri vice-

*simo.*  
 Breve consimile dirigitur Vicecomiti Buk. pro Johanne de Prydynton contra Willielmum Vicarium Ecclesie de parva Brykhill. Willielmum le Clerk de Marcle, & Robertum Vicarium Ecclesie de Ugliene, Dat. ut supra. *Ibidem*

**E**dwardus, &c. Vicecomiti Wiltes. salutem. Precipimus tibi quod distingas Magistrum Radulphum de Brickwell per omnes terras & catalla sua: Ita quod nec ipse, nec aliquis per ipsum, ad eam manum apponat, donec aliud à nobis inde habueritis preceptum. Et quod habeas corpus ejus coram Justic. nostris apud Westm. in Octabis Sancti Hillarii, ad respondendum Petro filio Garino de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram, ut dicit. Et ad audiendum judicium suum de pluribus defaltis. Et habeas ibi hoc breve. Teste J. de Metingham apud Westm. tertio die Novembris, Anno regni nostri 20. *Ibidem*

**E**dwardus, &c. Venerabili in Christo Patri G. eadem gratia Episcopo Cicestr. salutem. Mandamus vobis, quod venire faciatis coram Justic. nostris apud Westm. in Octabis Sancti Michaelis Thomam de Burn, & Stephanum personam Ecclesie de Yuhurst Clericos vestros, ad respondendum Simoni de Baroun de placito quare prædictus Thomas tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio contra prohibitionem nostram, ut dicit. Et unde Vic. noster Suffex mandavit Justic. nostris apud Westm. à die Pasche in quindecim dies, quod prædictus Magister Thomas & Stephanus Clerici sunt, & non habent *Ibidem*



K. Edward 1. *An Exact History of Popes Intollerable Usarpations, B. 5. ch. 3.*

*An. 20 E. 1.* habent Laicum feodum in balliva sua. per quod possunt attachiari. Et habeas ibi hoc Breve. Teste J. de Mettingham apud Westm. 28 die April. Anno regni nostri vicefimo; who indorsed this return, Bona Ecclesiastica Thomæ de Burn, & Stephani Personæ Ecclesiæ de Yuhurst sequestrata sunt, quod sint coram Justiciariis apud Westm. die in brevi contento; but they not appearing, there issued a New Writ Vic. Suffex, Ponere per vadium & salvos plegios Episcopum Cicestræ, quod sit coram Justiciariis nostris apud Westm. Et ibi habeat Thomam de Burne & Stephanum, &c. Clericos suos ad respondendum. Simoni Baron. de placito pradicto. Teste J. de Mettingham apud Westm. 14 die Octobris, Anno regni nostri 20. The like Writ issued Episcopo Lincoln. quod venire faciat, &c. Simonem personam Ecclesiæ de Hegeling, & Philippum Vicarium Ecclesiæ de Clee Clericos suos, ad respondendum. Henrico de Hoke, quare tenuerunt placitum, &c. Teste J. de Mettingham 27 die Octobr. Anno regni nostri 20. Another Writ issued Episcopo Sarum, quod venire faciat Radulphum de Brightwell Clericum suum, &c. ad respondendum Petro filio Warini quare secutus fuit placitum in Curia Christianitatis de catallis et debitis, &c. Teste J. de Mettingham apud Westm. 3 die Novembr. An. regni nostri 20.

Moreover in the Plea Rolls in the Tower, Pascha 20 E. 1. I finde these suits upon Attachments for suing and holding Pleas in Court Christian of Debts, Chattels which concerned not Testaments or Mariage, and of Advousons of Churches.

\* Placita Tec-  
min. Trin.  
20 E. 1. in  
Turre Lond.  
Rot. 76.

\* Juliana quæ fuit uxor Roberti de Hill per attornatum suum optulit se 4. die versus Magistrum Willielmum ——— & Willielmum Abbatem de Malmesbury de placito, quare prædictus Magister Willielmus tenuit placitum in Curia Christianitatis de catallis vel debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c.

Ibid Rot. 153.  
Suffex.

V Villielmus de Schelond & Robertus de Cherleheld per attornatum suum optulerunt se 4. die versus Ricardum le ——— de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c. Et ipse non venit, &c.

Placita Term.  
Pascha 20 E. 1.  
Rot. 21. in  
Turre Lond.

——— & soniator Nicholai Burdet, optulit se 4. die versus Magistrum Petrum de Sannary, & Magistrum Willielmum de Sarden, & Robertum filium Alani de Westington, de placito, quare prædicti Petrus et Willielmus tenuerunt placitum in Curia Christianitatis de advocacione Ecclesiæ de Rande contra prohibitionem: Et de placito, quare prædictus Robertus secutus fuit idem placitum in eadem Curia contra prohibitionem, &c. Et ipsi non venerunt, & Robertus fuit attachatus per, &c. Ideo ipsi in misericordia, &c.

Ibidem, Rot.  
23.

Præceptum fuit Vicecomiti, quod de terris et catallis Magistri Adæ de Bodyndon in balliva sua fieri faceret Centum solidos, et illis haberet hic ad hunc diem ad reddendum Roberto de Okenore, et Aliciæ uxori ejus, qui eis in Curia Regis hic adjudicati fuerunt pro dampnis suis quæ habuerunt, ratione quod prædictus Adam secutus est placitum in Curia Christianitatis, de advocacione terciæ partis Ecclesiæ de Frecketon, contra prohibitionem, &c. Proinde per quandam juratam inter eos summam et captam convictum fuit, &c.

As these parties injured, so likewise the King himself then prosecuted such who held or pursued such suites in Court Christian belonging only to him and his Courts, against his Crown and Dignity, as these Writs and Records inform us.

Previa Regis  
An. 20 E. 1. in  
Turre London

Edwardus, &c. Vicecomitibus London salutem: Ponite per vadium, &c. Johannem de Wydehull personam Ecclesiæ de Warlingham, Magistrum Petrum de la Done, Magistrum Lucam de Sancto Leonardo, & Magistrum Rogerum de Radenhale, quod sint coram Justiciariis nostris apud Westm. in Octabis Sancti Hillarii, ostensuri, quare cum placita de catallis et debitis in regno nostro quæ non sunt de testamento vel matrimonio, ad nos et ad coronam et dignitatem nostram, et non ad alium pertineant in regno nostro, iidem Johannes, Petrus, Lucas & Rogerus, sicut ex relatu plurimum accepimus, secuti sunt placitum in Curia Christianitatis de catallis et debitis Prioris de Bermondeseye quæ non sunt de Testamento vel Patrimonio,

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monio, in lationem coronæ et dignitatis nostræ, et contra prohibitionem nostram, *An. 20 E. 1.*  
*&c. Teste meipso apud Westm. primo die Jan. Anno regni nostri 20.*

Johannes, &c. attachiatus fuit ad respondendum Domino Regi de placito, quare *Placita Term.*  
 cum placita de catallis et debitis quæ non sunt de Testamento vel Patrimonio, ad *Paich An. 20*  
 ipsam Regem et coronam et dignitatem suam, et non ad alium in Regno suo perti- *E. 1. Rot. 42.*  
 neant: Idem Johannes: (sicut ex relatu plurimum accepimus) secutus est placitum in  
 Curia Christianitatis de catallis et debitis Walteri de Bicketon Clerici, quæ non  
 sunt de Testamento vel Patrimonio, in lationem coronæ et dignitatis Regis, et  
 contra prohibitionem, &c. Et unde Dominus Rex, per Willielmum Inge, qui sequi-  
 tur pro Domino Rege, dicit, quod cum prædictus Johannes sequeretur in Curia Chri-  
 stianitatis coram Magistro Roberto de Pykeringe Officiali Episcopi Eborum de  
 Constance, de Donington Executoris Testamenti Walteri de Bicketon,  
 de catallis et debitis ipsius Walteri quæ non sunt de Testamento vel Patrimonio,  
 petendo ab eis biginti libras ex causa mutui: Ac quidam Alanus Mannyng Regiam  
 prohibitionem eidem Johanni detulisset, &c. in majori Ecclesia Sancti Petri Eborum  
 ne prædictum placitum sequerent, &c. Idem Johannes præter prohibitionem prædicta  
 nichilominus secutus est prædictum placitum in Curia Christianitatis coram præfato  
 Officiali, quousque prædicti executores per ipsum ab ingressu Ecclesiæ fuerunt sus-  
 pens, &c. in lationem dignitatis et coronæ nostræ, &c. Et inde producit sectam, &c.

I finde another suit brought by the Abbot of Battle, for 40 s. lent by his prede-  
 cessor to Wlwardus Manse in the Court of Rome, to dispatch his business there.

Wlwardus Manse summonitus fuit ad respondendum Abbati de Bello de placito, quod *Placita Anno*  
 reddat ei quadraginta solidos quos ei debet & detinet, &c. Et ipse non venit; unde que- *20 E. 1. Rot.*  
 ritur, quod cum prædictus Wlwardus die proxima post festum S. Dionysii, anno regni *96. Suff.*  
 Domini Regis nunc quinto, in Curia Romana apud Lugdun. mutuavit a quodam  
 Abbate de Bello prædecessore nunc Abbatis quadraginta solidos, pro negotiis prædicti  
 Wlwardi in prædicta Curia promovendis et expediendis, solvend. eidem antecessori,  
 &c. ad festum Purificationis beate Mariæ proximo sequens in Angliā apud Abbatiam de  
 Baraile, prædictus Wlwardus ad terminum prædictum prædicto Abbati eosdem solidos  
 non solvit. Et licet sæpius per Abbatem nunc requisitus esset prædictam pecuniam sol-  
 vend. illam solvere contradicit; unde dicit, quod deterioratus est & dampnum habet ad  
 valenciam quadraginta solidorum: et inde producit sectam; & profert quoddam scrip-  
 tum sub nomine ipsius VVlwardi factum apud Lugdun. quod prædictum debitum testatur  
 solvendum in Angliā, &c. Et VVlwardus per attornatum suum venit & defendit  
 vim & injuriam quando, &c. Et dicit, quod non debet de aliquo debito respondere.  
 Dicit enim quod ipse Abbas petit prædictam pecuniam tanquam sibi ipsi debitam, & per  
 narrationem suam dicit mutuatam fuisse de quodam Abbate prædecessore suo, per quod sibi  
 videtur quod illud verbum in brevi contentum Abbati qui nunc est deservire non potest.  
 Immo de injuste detinet tantum, & petit judicium de breve. Præterea, prædictus VVl-  
 wardus non recedens ab ipsa exceptione, immo ea sibi salva dicit, quod per prædictum  
 scriptum etiam patet, quod prædictus contractus factus fuit apud Lugdun. super Ro-  
 nam extra Regnum Angliæ, super quo contractu Curia cognoscere non potest, si ip-  
 se VVlwardus contractum dedicere voluerit. Et petit judicium, &c.

In the same Plea Roll I met with this Notable case concerning an intrusion of an  
 Abbot into a Church during the Minority of an heir, the Kings Courts rejection of  
 two Certificates of a Plenary or Vacancy of the Church by the Bishop against the  
 usual form; an Inhibition procured by the Defendant to the Bishop not to certifie,  
 with a Verdict and Judgement thereupon in an *Assise of Darraign presentments*  
 brought by a Guardian, which suit depended sundry years.

Assisa alias coram Thoma de Weyland & sociis suis Justiciariis hic, scilicet in Osta- *Ibid. Rot 165*  
 bis Sanctæ Trinitatis anno regni Domini Regis nunc decimo septimo, venit recogni- *Staff.*  
 tura, quis advocatus tempore pacis præsentavit ultimam personam quæ mortua est  
 ad Ecclesiam de Chetelton, quæ vacat, & cujus advocacionem Nicholam de Alding-  
 ley custos terræ & hæredis Ricardi filii Henrici de Chetelton clamat versus Abbatem  
 de



An. 20 E. 1.

de *Deulacres*, ratione disseisinæ prædictæ, &c. Et unde idem Custos dixit, quod quidam *Robertus de Chetelton* antecessor prædicti hæredis tempore pacis tempore 7. Regis nunc præsentavit quendam *Petrum* Clericum suum ad prædictam Ecclesiam, qui ad præsentationem suam fuit admissus & institutus, & ultimo obiit persona in eadem, per cuius mortem prædicta Ecclesia tunc vacavit, & adhuc vacat, &c. Et de ipso *Roberto* descendit jus præsentationis *Willielmo* ut filio & hæredi. Et de ipso *Willielmo* quia obiit sine hærede de se, descendit jus præsentationis, &c. cuidam *Hugoni* ut fratri & hæredi; & de prædicto *Hugone* descendit jus præsentationis, &c. cuidam *Roberto* ut filio & hæredi, qui fuit infra ætatem & adhuc est.

Abbas tunc venit & dixit, quod non debuit ei inde ad hoc breve respondere, quia dixit, quod prædicta Ecclesia non vacavit, immo est plena et consultata de ipso Abbate et Conventu suo qui eam tenent in proprios usus, et tenuerunt jam quadrag. annis elapsis. Et hoc parati sumus verificare, sicut Curia consideraverit. Et ad verificationem, Justiciarius protulit quandam Cartam sub nomine cuiusdam *Hugonis* antecessoris (*Richardi*) quæ testatur quod prædictus *Hugo* dedit & concessit Abbati & Conventui de *Deulacres* prædictam advocacionem prædictæ Ecclesiæ.

*Nicholaus* dixit, quod prædictus Abbas non debuit ad aliquam verificationem inde admitti, quia dixit, quod post mortem prædicti *Petri* personæ ultimæ prædictæ Ecclesiæ, Abbas prædecessor prædicti Abbatis de *Deulacres* in prædictam Ecclesiam se intrusit tempore quo prædictus *Willielmus* filius prædicti *Henrici* fuit infra ætatem, & in custodia *Henrici de Aldingley*, qui per suam negligentiam permisit prædictum Abbatem intrare prædictam Ecclesiam, unde petit Judicium, si per prædictam intrusionem debeat inde à præsentatione sua impediri, &c.

Abbas dixit sicut prius dixit, quod prædicta Ecclesia plena fuit & consultata de ipso & Conventu suo ut prædictum est; Et hoc paratus est verificare sicut Curia consideraverit, scilicet per Ordinarium ejusdem loci, &c. Postea à die Sancti *Hilarii* in 15 dies anno Regis nunc decimo octavo, venerunt partes, & nichil aliud dixerunt quam quod prius dixerunt. Ideo Abbas & *Nicholaus* si voluerit, habeat breve ad Episcopum *Covenrentensem* & *Lychfeldensem*, quod constare faciat Justiciariis hic a die *Pasche* in quindecim dies, si prædicta Ecclesia sit vacans, vel non? Et si non sit vacans, de quo et ad cuius præsentationem pacis tempore plena fuerit, &c? Ad quem diem Episcopus nichil inde fecit, nec breve misit. Et tunc sicut prius præceptum est Episcopo quod convocatis, &c. diligenter inquireret in forma prædicta; & quid inquisierit constare faciat hic in Octabis Sanctæ *Trinitatis* proximo sequens per literas, &c. Et Episcopus esset, &c. Ad quem diem misit Episcopus literas suas minus sufficienter factas, eo quod mandavit, quod prædicta Ecclesia de *Chetelton de Religiosis* præfatis non est plena nec consultata iusto titulo, sed per eosdem per intrusionem triginta annos & amplius occupata, &c. Ad quem diem præceptum fuit Episcopo sicut pluries quod convocatis, &c. diligenter inquireret in forma prædicta. Et quid inde invenerit constare faceret hic à die Sancti *Martini* in quindecim dies proximo sequentes, &c. Ad quem diem Episcopus mandavit, quod prædicti Religiosi de *Deulacres* post mortem cuiusdam *Rogeri* quondam personæ prædictæ Ecclesiæ qui obventiones ejusdem Religiosis concessit tota vita sua pro sustentatione sua habenda in eadem domo, hucusque continuaverunt possessionem ejusdem Ecclesiæ, absque aliquo iusto titulo, propter quod idem Episcopus Ecclesiam illam vacantem de jure ac vacuam reputavit. Et quia idem Episcopus tunc non certificavit Justiciariis hic prædictæ, si prædicta Ecclesia sit vacans, vel non? Ideo mandatum fuit ei sicut pluries quod convocatis, &c. diligenter inquireret, & constare faceret Justiciariis hic ad hunc diem expresse & prædictæ, si prædicta Ecclesia sit vacua, vel non? Et Episcopus sic fecit, &c. Et modo venit prædictus *Nicholaus*, & similiter prædictus Abbas per Attornatos suos. Et Episcopus super hoc misit literas suas parentes certificadorias quæ testantur, quod cum idem Episcopus esset in exequendo mandatum Domini Regis, (sicut decuit) reberenter, postrata fuit ei Inhibitione Offic. Curie *Canthuarie* per quendam Monachum prædictæ Abbatis, cuius prætextu ulterius non processit hucusque, sed supersedit propter Inhibitionem illam per prædictos Monachos ei delibetam, &c. Et quia prædictus Abbas allegavit, prædictam Ecclesiam plenam esse & consultam de ipso Abbate & Conventu suo, qui illam tenent in proprios usus; & hoc paratus fuit verificare coram loci Ordinario; Et idem Abbas per prædictam Inhibitionem ipso Episcopo postratam, prætextu cuius idem Episcopus

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ad verificationem prædictam procedere non potuit, liberabit, renuntians verificationi super bacatione Ecclesiæ prædictæ, quam prius dixit. Consideratum est quod procedatur ad assisam, &c. Et dictum est prædicto Abbati, quod dicat ad verificationem Assisæ si sibi, &c. Et Abbas dicit, quod prædictus hæres nihil Juris clamare potest in prædicta Advocatione, quia dicit, Quod quidam *Hugo* antecessor prædicti hæredis, & per medium cuius, &c. dedit, concessit, & Carta sua confirmavit Deo, & beatæ *Maria*, & Abbati & Conventui de *Deulacres*, totum Jus & Clameum quod habuit in Advocatione & Patronatu Ecclesiæ de *Chetelton*; & quod concessit, quod prædicti Abbas & Conventus prædictam Ecclesiam cum omnibus pertinentiis & libertatibus suis habeant & possideant, liberè & quietè, purè & pacificè, sicut ad Ecclesiam suam de *Leks* pertinentem. Et quod ipse & hæredes sui warrantizab. &c. Et proferit quandam Cartam sub nomine prædicti *Hugonis*, quæ hoc testatur. Unde petit Judicium, &c.

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Et *Nicholaus* petit, quod procedatur ad Assisam, secundum quod prius consideratum; quia dicit, non est suum respondere præfata Cartæ, &c. Et prædictus Abbas quaeritus, si prædictus *Robertus* de *Chetelton* antecessor prædicti hæredis ultimo præsentavit, &c. vel non? Dicit, quod ad hoc non vult respondere, &c. Ideo cap. Assisa; sed ponitur in respectum usque à die Sancti *Johannis Baptista* in 15. dies, pro defectu recognitionis, quia nullus venit. Ideo Vicecomes habeat corpora, &c.

Postea ad diem illum venerunt partes, & similiter recogn. præfata Assisa. Et eidem Abbati allocatis calumpniis suis versus quamplures Recogn. quæ fuerunt allocandæ, & quæ non per Sacramentum adnihilatæ; processum est ad Assisam, &c.

Juratores dicunt super Sacramentum suum, quod prædictus *Robertus* de *Chetelton*, & antecessor prædicti hæredis cuius, &c. tempore pacis, tempore prædicti Domini 7. Regis, ultimo præsentavit prædictum *Petrum* Clericum suum, qui ad præsentationem suam fuit admissus & institutus, & ultimò obiit persona in eadem à patrono præsentata. Et quaeriti, quantum temporis lapsum sit post mortem ipsius *Petri*? Dicunt, quod decem anni, et amplius, &c. Et quia convictum est per assisam istam, quod prædictus *Robertus* antecess. hæred. &c. ultimo præsentavit, ut superius patet; Consideratum est, quod prædictus *Custos* nomine prædicti hæredis recuperet præsentationem suam ad prædictam Ecclesiam. Et habeat Breve Episcopo *Covenren*, & *Lychefeld*, quod ad præsentationem prædicti *Custodis*, ad prædictam Ecclesiam, idoneam personam admittat; Et Abbas in misericordia, &c.

By which case we may discern. First, how many unjust, fraudulent tricks and devices these pretended Religious Abbots and Monks then had, to deprive infants and others of their rights of patronage unto Churches, by intrusions and pretended appropriations; 2ly, what dilatory pleas and fraudulent inhibitions unbecoming Christians, much lesse religious Votaries, they used to prevent, retard their recovery of their rights by Legal suits and processe in the Kings Courts, when they could not ingrosse the consuance of them into their own Ecclesiastical Courts, as they frequently endeavoured; which would soon have deprived all Lay-Patrons of their Advousons, had their Titles been never so clear or legal. \* See Here, p. 268, 439.

The Bishop of *Rochester* presenting and instituting *Robert Esfre* the Kings Chaplain to the Church of *Woldeham*, then found to be void by *Walter* the Parsons entry into Religion in the Church of *Rochester*, which he exchanged for the Church of *Henlee* afterwards appropriated to the Bishop and his successors, the said *Walter* casting off his Monks habit, and vexing the said *Robert* so as he was in danger to lose the said Living; the King thereupon writ to the present Bishop of *Rochester* to do him right against the said *Walter*, and to restore him to the Church out of which he had forcibly ejected him: whereupon the Bishop admonished *Walter* to remove the force out of the Church, and deliver the possession thereof to *Robert Esfre*, excommunicating him for not doing it; who, contemning his Mandate and Excommunication, procured an inhibition to him out of the Court of *Canterbury* to which he had appealed, not to act any thing to *Walters* prejudice pending his appeal: whereupon the Bishop made this Certificate to the King of his proceedings therein, desiring his Majesty



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

An. 20 E. 1. to remove the force and injustice in this cause by his Temporal sword and Ministers, since he could not effect it by his Spiritual sword,

Brevia Regis  
de Privato  
Sigillo, Anno  
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\* It seems by  
this, that a per-  
son's entrance  
into Religion,  
made his  
Church void,  
& null'd his  
prelention  
& induction  
to it.

**E**xcellentissimo Principi & Domino suo Reverendo, Domino Edwardo Dei gratia Re-  
gi Angliæ illustri, suis devotus, frater Th. miseratione divina Rossen. Ecclesia  
Minister humilis salutem, cum omni reverentia & honore. Majestatis vestre Literas  
omni qua potuimus reverentia nuper recepimus, in hac verba; Edwardum Dei gratia, &c.  
Venerabili in Christo patri Th. eadem gratia Rossen. Episcopo, salutem. Cum bonæ  
memoriæ nuper Episcopus Rossen. ultimus prædecessor vester ratione resignationis  
quam dilectus Capellanus noster Robertus de Estre in manus ipsius Episcopi fecit de  
Ecclesia de Henlee Lincoln. Dioc. cujus advocatorem idem prædecessor vester a  
dilecto Confanguineo & fideli nostro Edmundo Comite Cornub. sibi & suis successo-  
ribus adquisivit, Ecclesiam de Woldham vestre Diocesi, vestri etiam patronatus,  
quæ tunc tempore vacasse dicebatur, pro eo \* quod quidam Walterus, qui Ecclesi-  
am illam tenuit, habitum Monachalem in vestra Ecclesia Rossen. susceperat, præ-  
fatus Capellano nostro contulerit, et ipsum instituerit in eadem. Qui quidem Wal-  
terus postmodum sperto habitu suo prædicto, et ad statum rediens pristinum, præ-  
fatum Capellanium nostrum super Ecclesia multipliciter inquietavit, et adhuc inqui-  
etare non cessat; ita quod idem Capellanus noster in periculo perdendi illam Ecclesiam  
jam consistit, nisi sibi subveniatur celerius in hac parte. Paternitatem vestram affe-  
ctuose requirimus & rogamus, quatinus id factum prædecessoris vestri prædicti in  
præmissis vestre considerationis intuitum dirigentes, illudque plenius advertentes,  
præfatus Capellano nostro de Ecclesia prædicta vel alia favore Regio taliter provide-  
re, quod promotione sua in hac parte nullatenus defraudetur. Scituri quod si sibi  
secus evenerit (quod nollemus) omittere non possumus sicuti nec debemus, quin  
eidem Capellano nostro celeri juris remedio subveniamus in hac parte, prout mi-  
lius viderimus faciendum. Quid autem duxeritis faciendum in hac parte, nobis  
per latorem præsentium literarum rescribatis. Teste meipso apud Cusford quarto  
die Maii anno regni nostri vicesimo. Nos igitur hujusmodi mandato vestro prom-  
tissime ut debuimus obtemperare volentes, prædictum Walterum & omnes secum vi &  
armis dictam Ecclesiam occupantes per literas nostras sufficienter monuimus, et si moni-  
tis nostris contumaciter non parerent in scriptis excommunicabimus, ut infra  
cerum diem in literis nostris expressum, a dicta Ecclesia & Domibus ad eam pertinen-  
tibus omnino recederent, ut Dominum Robertum prædictum dicta Ecclesia & ejus pos-  
sessione cum omnibus fructibus suis in pace gaudere permetterem; protestantes insuper, quod  
si idem Walterus jus, quod sibi in eadem Ecclesia competere asserit, vellet prosequi co-  
ram nobis, nos eundem in sua iustitia libentissime audiremus, et quod in hac parte  
justum foret et canonicum faceremus; Qui dictam monitionem nostram, et excom-  
municationis sententiam, qua ipsos innodabimus parvipendentes, dictam Ecclesiam  
contra Deum et iustitiam et pacem vestram adhuc detinent et occupant vi et ar-  
mis: procurantes nihilominus nobis per Dominum Offic. Curie Cantuariensis,  
cui per obedientiam subijcitur, districtius inhiberi, ne pendente in eadem Curia  
cujusdam tuitiois appellationis negotio, quam a nobis idem Walterus se asserit in-  
terposuisse, quicquam in ejus præjudicium attemptemus seu attemptari faciamus,  
quo minus hujusmodi negotium tuitiois prosequi valeat cum effectu. Et quia  
hujusmodi armiozum violentiam spiritualis gladius a dicta Ecclesia non sufficit amo-  
bere, dominationi vestre quam intime supplicamus, quatinus prædictam vim et  
armatam violentiam per vestros Ministros amoveri faciat ab eadem Ecclesia et  
Domibus memoratis, id quod ad Coronam et Dignitatem vestram in hac parte  
spectare dinoscitur, secundum Deum et iustitiam ulterius exercentes. Dignita-  
tem vestram Regiam semper incolumem conservet Altissimus cum ejus matre virgine  
gloriosa per tempora longiora. Dat. apud Trettesclive 10. Kal. Julii, Anno Do-  
mini 1292.

The Chancellor employing one of his Clerks and Creatures to carry the Popes Bulls and Kings Writs into Ireland for levying a Disme and Quindism there for the King, he rendred this account to him of his voyage thither and proceedings there- in, by these Letters which I found in the White Tower, being blamed (as it seems) for his negligence in that affair.

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Littere &  
Brevia Regis  
de privato si-  
gillo, Anno  
20 E. 1.

Venerabili in Christo patri suoque charissimo Domino, suus Clericus quem creavit, salutem, & cum promptitudine serviendi in servitute continua se paratum. Ecce (amantissime Domine) quam gravis afflictio additur mihi afflicto, ultra id quod impetivimus vobis scripsi; Statim siquidem postquam de vobis veni Bristoll. & veni commoditatem perceperim cum Bullis quas traditis mihi didistis, ut eos perpetuari facerem, ne per mortem Papæ, quæ fortassis contingeret, earum retardaretur prosecutio vel effectus; fere solus & nudus, quia navis quam pro me & familia mea conduxeram ex toto non extitit preparata, cum festinatione omnimoda versus Hiberniam properavi, spe credens firmissima indignationem Regis per hoc totaliter effugisse, et ex eo gratias reportasse. Verumptamen, quia quamplurima Brevia Deciman et Quintadeciman tangentia, una cum mea familia & aliis rebus meis post me transvehend. quamtocius ut sperabam, Bristoll. dimisi; quæ omnia Brevia, tam ex abrupto progrediens, mecum salbo ducere non valebam, nec ipsa sicut ceteras res meas nondum acceperim, nisi vestra benignitas me dignetur prospicere, in id incidere dubito quod plene credidi evasisse, & pro gratiis earum (quod absit) contrarium incurrisse. Ne forsitan credatur & per sinistros aliquos sibiillatores nostro Domino Regi suggeratur, quod Quintadecimæ prosecutio sit neglecta, licet ipsa ut spero effectualiter fuerit retardata. Expediens siquidem non foret, quod illud injunctum michi nuncium inchoassem, donec quamplurimum Hibern. Incolarum in proterbitate induratos et involuntarios animos ad majorem affectum versus Dominum Regem piis operibus necnon verbis attraxerim allectibus. Etiam & si Quintadecimam præsent. bonorum suorum conceperint citra festum Purif. beatæ Mariæ, quæ quidem concessio citius fieri non possit de hujusmodi concessione Dom. noster Rex respectu lucrum modicum reportaret. Utilis igitur hujus rei non inchoata dilatio me potius immunem debet à culpa servare, quam precipitatio immatura culpæ. Pie pater, quia Brevia saepeata & fere omnia bona mea dubio naufragio fore deperdita, Petrum de Abyndon latorem presentium vobis misi pro nobis Brebibus impetrandis, prout vobis si placet, sicut cetera me tangentia dicet plenius oreturus. Et quia Dominus Robertus Bagot & quamplures alii de Consilio Regis in Hibern. me rogantur pro eodem, quod sibi committerem custodiam Rotulorum et Brebium Regis de Banco Dublin. asserentes me hoc facere posse, id tamen nolui, vestris consensu & licentia irrequisitis; absit enim, quod absque vestro precepto, quid hujusmodi facerem vel aliud quodcunque, quod contra vestram cederet voluntatem. In veritate ipsum reputo discretum, fidelem, & valde prudentem, & talis laudabili testimonio comprobatur. Altissimus vos in prosperitate continua semper salvet. Dat. apud Dublin. die Luna prox. post festum Sanctæ Lucie.

Reverendo in Christo Patri, suoque amantissimo Domino, sua creatura, salutem, ibidem: & se cum quanto poteris obsequio & honore in continua servitute. Die Lune in Quindena Sancti Hillar. ad quem Barones & Magnates Hibern. necnon fidelis communitas ejusdem, ipsi duntaxat qui sunt de libertatibus certis ex causis exceptis, apud Dublin. vocati existerant, ipsorum majorum animis, ad obtemperand. in omnibus voluntati Domini nostri Regis prius inductis, eidem Baronibus et Magnatibus, Militibus et cæteris de communitate tunc ibidem presentibus; nuncium exposuit de Quintadecima michi injunctum. Quo exposito, omnes Hiberniæ fere Majores ipsam Quintadecimam concesserunt in forma subscripta; videlicet, Quod à prestatione & taxatione ejusdem deducantur eorum Arma; Equitatura, generis cujuscunque Utensilia, necnon eorum Thesauri & Garderoba. Ceteri vero de vulgo & plures Magnates post immensas altercationes habitas inter ipsos, asseruerunt se guerris quotidianis gravari, et ex eo, quamplurimum ære alieno. Propter quod nisi & ipsorum debita, quæ debent, similiter deducantur, vel in tantum exonerentur versus suos Creditores, quantum solvent de Debitis illis Quintadecima nomine, ipsam nullo modo præstabunt. Gratanter etiam & unanimiter concedentes quod Quintadecimam de debitis quæ eis debentur persolvent. Quocirca paternitati vestra placeat (Reverende) istius concessionis formam exponere Domino nostro Regi, ut sua Excellentia michi libeat demandare, quid de præmissis duxerit ordinand. De eo maxime, utrum sibi placeat, quod de istius Anni nunc bonis apparentibus Quintadecima persolvatur; an ipsius actio usque in Annum futurum proximo differatur, quod magis videtur meo iudicio expedire. Enimvero præsentis Anni bona sunt fere consumpta. Dignetur etiam Dominus noster Rex



An. 20. 1. terminos ordinare quibus Quintadecima debet solvi. Assenserunt enim predicti Hibernie Isola in concessione ejusdem Quintadecime, quod ipsam nisi diffusis terminis aliquantulum solvere non possunt propter duo; unum, quia pauperes; aliud, si ex praematura et calerit exactione ejusdem pauperiores efficiantur, citius sui inimici infideles Hibernici eis assidue machinantes, subdolis incurribus ipsos forsitan inbadent, depiment et confundent. Pie pater, negotia me plura tangencia Magister Henricus de Raglelator presentium vobis (si placet) refert viva voce: in quorum aliquibus dicimini manus correctionis apponere, & alia vestra benignitate auxilium impertiri. Sicut vobis idem Magister refert qualiter & quomodo negotium de Decima Clericorum praestanda inchoavi, & quibus vigiliis & diligentia tam praestitum negotium quam istud studio & insisto ad effectum salicem perducere & optatum. Pro certo (reverende Pater) offerre poteris Domino nostro Regi, quod Dominus David de Effington bonus & fidus amicus habetens a tempore adventus mei in Hibern. exitit in praemissis, necnon ceteris omnibus qua sibi injunxi ex parte predicti nostri Domini facienda; sed ultra omnes quos in Hibernia sum expertus, Archiepiscopus Cassell. et immensis fidelitate et assidue ne quas gerit erga Dominum nostrum Regem est merito commendandus. Quia, si placet, eidem nostro Domino referatis, ut predictus Dominus David ab indignatione quam adhuc ignorat incurrisse mandetur; & predictus Archiepiscopus grates ex suis benemeritis valeat reportare. Vos in prosperitate Altissimus semper salvet.

In the same Bundle of Writs of Privy Seal and Letters this year, I finde this memorable case related in a Letter concerning a devise of a Messuage in London to a Chauntry, and the probat thereof in that age, with the opposition made against it by the heir who brought an *Assise of Mortdauancester*, because the Testator died before his Seal was put unto it; which suit the Author of this Letter endeavoured to engage the Chancellor to supersede, and make the Will inviolable.

Litter &  
Brevia Regia  
de privato sigillo,  
Anno  
20 E. 1.

Salutem & se totum. Quia Johannes de Hakeburn. quoddam Messuagium competentis in Civitate London. in Testamento suo legavit Johanna uxori suae, tenendum ad vitam ipsius Johanna, ad sustentationem unius Capellani pro anima ipsius Johannis Divina celebraturi; et idem Testamentum tam coram Ordinario quam in Hustengo London. legitime est probatum, quod Dominum nostrum Cancellarium credo non latere, eo quod relatum fuit michi London. quod idem Dominus noster Cancellarius pro eodem negotio fuit in Gildhalla London. & novit probationem ejusdem testamenti, vel ad probationem ejusdem procedere precepit: propter quod, ut superius est expressum, legitime est probatum. Et quidam Johannes le Ironmonger, qui se dicit esse fratrem & heredem ejusdem Johannis, & unus est Executorum ipsius Johannis, & pars (ut executor) probationis Testamenti predicti, quandam Assisam mortis Antecessoris arram, coram Vicecom. London. de eodem Tenemento versus predictam Johannam, in fraudem et elusionem Testamenti predicti, maliciose & contra Deum & Justitiam, ut a multis fidedignis in Civitate predicta intellexi. Dilectionem vestram de qua plene confido, effectuose requiro, quatinus negotium istud Domino nostro Cancellario, qui partem ejusdem novit (ut credo) & pro quo Dominus Hugo de Cressingham scribit eidem, ostendere, & partes vestras erga ipsum efficaciter interponere velitis amore mei, ut idem Dominus noster Cancellarius quandam Associationem de Domino Johanni de Mettingham Custodi & Aldermannis dictae Civitatis concedat, juxta tenorem Cedulae quam vobis mitto presentibus interclusum; quam tradidit michi predictus Dominus Hugo. Ita tamen quod si correctione indigeat, de consilio vestro & aliorum sociorum vestrorum corrigatur. Et quia Testamentum predictum legitime probatum est, nec aliud oppositum est eidem probationi, nisi quod post idem Testamentum editum, Sigillum Testatoris eidem Testamento non erat appositum, eo quod ita frustanter obiit, quod post Testamentum predictum editum ante ejus obitum apponi non potuit eidem; Et ultima voluntas Testatoris, et non Sigilli sui appositio, facit Testamentum; — si constet predicto Domino nostro Cancellario de probatione predicta, sicut predictum est, sine praedicio melioris sententiae, juri congruit — quod scribatur Custodi & Aldermannis predictis, qui hujusmodi facti Recordum habent, executionem Testamenti predicti, sicut probatum est fieri faciant; & quod Vicecomites predicti, qui eis sunt inferiores & sui Ministri, nec aliquod

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aliquod Recordum inde habent in præjudicium libertatis Civitatis prædictæ, quam habent de gratia Domini Regis & non aliundè de lege vel jure, ad captionem Assisæ prædictæ in præjudicium prædictæ Johanna contra formam Testamenti prædicti nullatenus procedant. Inauditum enim est, quod id quod coram Justic. actum est & approbatum, coram Vicecom. possit aut debeat infirmari. Unde vobis placeat de isto negotio efficaciter intromittere, vos rogo quantum possum, ut effectum sortiri possit debitum. Maxima autem malitia prosecuta est in hoc facto, propter quod prædictus Dominus noster Cancellar. in *Gildhalla* fuit personaliter, & Custodi & Aldermannis injunxit, quod propter Assisam prædictam non omitterent quin ad probationem Testamenti prædicti et executionem ejusdem procederent, et nichilominus impetratum est Breve de Cancellaria quod Vicecomites ad captionem ejusdem Assisæ procedant; quod non est valde honestum. Et hoc dicatis (si placeat) Domino nostro prædicto. Ego vero sum *London.* pro negotiis Conversorum, & ad vos erō quam citius ego potero ubicunque vos juvero, Domino concedente. *Valt.*

How vexatious and injurious Bishops Officials were in that age, in Excommunicating men with greater Excommunications, without either precedent monition, confession or conviction, this Complaint, Appeal and Inhibition will evidence.

Offic. Karl. discreto viro Domino *Thoma de Capell.* Vicar. Ecclesiæ de *Kyrkebystep.* salutem in auctore salutis. Suā nobis *Thomas* dictus *Godchusband* paroch. Ecclesiæ de *Burg.* sub *Stajnmor.* petitione monstravit, quod hos in eum, non monitum, non confessione sua convictum, contra sancta Concilii generalia, et sine causa rationabili, majorem sententiam promulgasset, seu promulgari fecisset, in grabe ipsius *Thoma* præjudicium, non modicum et gravamen. Dicitur *Thomas* sentiens se ex eo indebitè prægravari, a dicta sententia ad nos (ut asserit) legitime appellabit. Quocirca vobis inhibemus, ne pendente huiusmodi appellatione coram nobis quicquam in partis appellantis præjudicium attemptetis, seu attemptari faciatis, quo minus suam Appellationem factam libere prosequi valeat, ut est iustum. Citamus etiam vos per præsentem, quod compariatis coram nobis vel Commissar. nostro in prox. Capitulo *Westm.* celebrand. parte appellanti in forma juris responsur. & alterius factur. quod iustitia suadebit. Quid in præmissis feceritis dicto Capitulo per literas vestras patentes harum seriem continentes legitime constare faciatis. Datum apud *Bellum locum*, &c.

Brevia Regis de priv. sigill. in Turre London. An. 20 E. 1.

Offic. Karl. discreto viro Domino *Thoma de Capell.* Vicar. Ecclesiæ de *Kyrkebystep.* salutem in auctore salutis. Cum *Thomas* dictus *Godchusband* paroch. Ecclesiæ de *Burgb.* sub *Stajnmor.* coram nobis in iudicio comparuisset, ac ipsum per vos majoris vinculo Excommunicationis fuisse innodatum, (ut asserit) et a vobis ad nos legitime appellavit, idem *Thomas* beneficium absolutionis in forma juris a nobis sibi impendi humiliter postulavit. Cumque supra dicta absolutione aliquandiu disceptatum extitisset, tandem nos vobis ista vice gratiose differentes, ipsum ad vos per præsentem citra prox. Capitulum *Westm.* mittimus absolvend. quod si in huiusmodi absolutione impendenda negligentes fueritis seu remissi, nos ipsum extunc in forma juris absolvemus. Quid in præmissis feceritis nobis seu Commissario nostro dicto Capitulo legitime constare faciatis per literas vestras patentes quæ harum seriem representent. Dat. apud *Appelby* 15 Kal. Jan. Anno Domini 1291.

Ibidem.

What Letters the King by his Privy Seal ordered his Chancellor to issue and send this year unto the Pope and Cardinals at *Rome*, on the behalf of *Hugo de Leominster* his Clerk, and his Kinsman *Alphonso* the King of *Aragons* son, these original Writs inform us.

*Edwardus* Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, venerabili in Christo patri *R.* eadem gratia *Bathon.* & *Wellen.* Episcopo, Cancellar. suo, salutem. Literas quas vobis transmittimus præsentibus interclusas fratri *M.*

Fundela Brev. de privato sigillo, Anno 20 E. 1. Turre de London.



**An. 20 E. 1.** *de Aquâ sparsâ* Cardinali pro dilecto Clerico nostro *Hugone de Leominister* ex parte nostra dirigend. statim visis presentibus magno sigillo nostro consignari faciatis, & eas prefato *Hugoni* retradi sigillatas. Dat. sub privato sigillo nostro apud *Farndon* 4 die *Marcii*, Anno regni nostri 20.

**V**enerabili in Christo patri Domino *G. Dei gratia Sabinen. Episcopo*, Sacro. sanctæ *Romane* Ecclesiæ Cardinali, amico suo, *Edwardus* eadem gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, salutem & dilectionis intimæ continuum incrementum. Cum dilectus Consanguineus noster Dominus *Alphonſus* filius Domini *Ferrandi* quondam illustris Regis *Castellæ*, ad *Curiam Romanam* personaliter jam accedat, pro quibusdam negotiis suis quæ optinet inibi exequenda, Paternitatem vestram attente requirimus & rogamus, quatinus in negotiis huiusmodi vos consulentes & propitios exhibere velitis, nostris precibus & amore; adeo si placet, quod idem *Alphonſus* has nostras preces sibi sentiat efficaces. Dat. apud *Farndon* 6 die mensis *Marcii*, Anno gratiæ 1291.

**E***Edwardus* Dei gratia Rex, &c. vcherabili in Christo patri *R.* eadem gratia *Bathon. & Willen. Episcopo*, Cancellario suo, salutem. Mittimus vobis tria paria litterarum presentibus interclusa; unum videlicet Domino Summo Pontifici, aliud Domino *Benedicto* Cardinali, pro negotiis Domini *Alphonſi* filii Domini *Ferrandi* quondam illustris Regis *Castellæ* filii, & unum eidem Regi dirigend. Mandantes quod assumpta in Garderoba nostra apud *London*, vel alibi, in forma nomina exterozunt Cardinalium quibus scribere sumus usi, litteras nostras scribi faciatis eidem, eodem tenore quo Domino *Benedicto* scribimus supradicto: Quibus peractis eas una cum literis predictis magno sigillo nostro, prout moris est, consignari faciatis, & consignatas tradi presentium portitori. Dat. sub privato sigillo nostro apud *Farndon* 6 die *Marcii*, Anno regni nostri 20.

There being a Suit pending in the Court of *France*, between the King and Bishop of *Aviclen* concerning *Bigorra*, which he had alienated to the King, the Dean of *St. Severin* sent this advice and account to the King concerning it, whereby we may discern how far the Cardinals and Pope were engaged therein on both sides, to gain monies from both.

Brevia Regis  
de privato sigillo,  
Anno  
20 E. 1. in  
Turris Lond.

**D**omino suo, *Reymundus* Decanus Ecclesiæ Sancti *Severini* Burd. se ipsum. Noveritis Dominum *G. Aviclen. Episcopum* de *Paris*, versus partes *Lemo-vicen*, unde oriundus existit, & non versus suam Ecclesiam recessisse, expectando Quindenam *Pascha* ad quam quæstio sui iudicii de *Bigorra* extitit prorogata. Et quia intellexi, quod aliqui Domini Cardinales super dicto facto *Bigorra* pro vobis scripserunt eidem, expediens videretur, quod ad ipsum Episcopum aliquem certum & secretum nuncium mitteretis, non expectato quoad hoc termino supradicto: Sibi enim dixi, quod cum Ecclesia sua super dicto feodo si ipsis placuerit rationabiliter componeretis, & quod magnum esset indecens, quod post alienationem dicti feodi vobis factam, cum aliis convenirent. Hæc autem verba ideo sibi exposui, quia licet optineretis in iudicio possessorio, in quo per iudicium *Franc.* jam prolaturum, subcubitis insulse, prout potest liquide apparere per processum Curie *Franciæ* in publicatione testium diu est vobis datum, in peritorio tamen iudicio propter defectum decreti in alienatione dicti feodi Ecclesiastici vobis facta, non adhibiti, subcumbere haberetis, etsi causa seu ratio aliqua contra vos non subesset. Si autem ad dictum Episcopum ex parte vestra ante dictum terminum non mittatur, fortè sibi videbitur, quod multa per me & alios vestros sibi dicta fuerint ad illudend. eidem. Rursus Dominus *Aimericus* dictus *la Porta* Miles, quondam Domini *Brageriaci* Consanguineus & intimus Domini Episcopi supradicti, qui pro vobis erga ipsum Episcopum ad compositionem habendam, libenter & diligenter intendit, & si opus fuerit, personaliter laborabit, michi pro verò exposuit, quod idem Episcopus si ad expensas sufficienter pecuniam habuisset, sub colore dictarum litterarum Dominorum Cardinalium sibi missarum propter hoc negotium, gressus suos de Parlamento presenti ad Romanam Curiam recto itinere direxisset. Vestra igitur circumspectio provideat, quid & qualiter super hoc sit agendum. Dominus vos

\* Nothing  
could be then  
transacted at  
Rome without  
good store of  
monies.

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vos conservet ad suum servitium & vestrorum regimen, per tempora longiora cum grata commemoratione Decanat. vestri. Dat. Paris. die Lunæ post Octab. festi Purificationis beatæ Mariæ. An. 20 E. 1.

I shall now crave liberty to insert into this year and Chapter, the most remarkable claims, declarations, demonstrations of King Edward the 1. his Sovereign Dominion over the Kingdom, Kings, Prelates, Nobles, Clergy and Commonalty of Scotland, as Superior Lord of Scotland; which hath then undeniably evidenced by antient Chronicles, Historians, the Homages, Oathes made to him and his Royal Predecessors by the Kings of Scotland in former ages; the unanimous confessions, Charters, Homages, Fealty of all the Competitors to the Crown of Scotland, after the death of King Alexander, and Queen Margaret his daughter without issue, before her intended marriage to Prince Edward his son; the surrender of the whole Kingdom, with the Castles and appurtenances thereof into his hands, as Superior Lord thereof, by the Guardians of Scotland, with the unanimous consent of the Nobility, Clergy, Commonalty of that Nation; by the memorable Petitions of all the pretenders to the right and descent of the Realm and Crown of Scotland to them, after Queen Margarets decease; who set forth their respective Titles, and submitted them all to his absolute Judicature, as their Superior Lord; who thereupon after sundry deliberate, just, legal proceedings therein, and many hearings and interpleadings, by advice and consent of his Parliament, and of the Prelates, Earls, Nobles, and most eminent Lawyers of both Kingdoms, finally adjudged the right of the Crown of Scotland to John Baliol as next heir in Law; who thereupon swore Fealty and Homage to him as to the Sovereign Lord of Scotland, after his Coronation and restitution of the Kingdom and Castles to him by the Kings Writs; who frequently summoned him to his Court, Parliaments upon complaints & appeals, for his injustice, oppressions, treachery, and confederacies with the French King against his homage and allegiance: All which particulars being only briefly, yea very imperfectly related by <sup>a</sup> Mat. Westminster, <sup>b</sup> Thomas Walsingham, <sup>c</sup> Henry de Kynghton, and the rest of our Historians, I shall here present you with at large, (for the vindication of the antient right and Sovereign Dominion of our English Kings over that Realm and Church, against all claims of usurping Popes, or ingrate perfidious, rebellious Kings of Scotland) out of a most memorable irrefragable Record then made thereof by King Edwards special command, written by two sworn Notaries approved by the Pope in a very excellent fair hand, in sundry large Rolls of parchment, now remaining in the Tower of London; the truth of each particular therein contained, with all circumstances of time, place, and other emergencies, being attested by many Bishops, Earls, Nobles, and other persons of quality of the English and Scottish Nations, present at all the Transactions, and these two sworn Notaries: Which being thus recorded by King Edward in perpetuum *re-memoriam*, to all succeeding generations, and the exactest Narrative, Record both for History, judicial and legal proceedings, rare pleadings, Pedigrees of the Scottish Royal Line, the several Titles made to the Crown of Scotland, and the completest, uncontrollablest evidence of our Kings Sovereign Jurisdiction and Lordship over Scotland, this day extant, most worthy publick view, though very long, reciting sundry Patents, Charters, Oathes both in French and Latine, for the reasons therein expressed.

<sup>a</sup> Flores Hist. An. 1291, 1292. p. 379, to 383.  
<sup>b</sup> Hist. Angliæ p. 17, to 24.  
<sup>c</sup> Ypodigma Neustria, p. 73, to 78.  
<sup>d</sup> De Eventibus Angl. l. 3. c. 2. col. 2469, &c. Polychronicon l. 7. c. 39.  
Chron. Will. Thorne, col. 1962. Fabian, Caxton, Hollioted. Orif-ton. Speed. Stow, Daniel, Baker in Ed 1.

IN Nomine Domini, Amen. Quoniam antiquorum industria circumspecta utilitate publica Tabellionatus officium noscitur adinventum, personis fidedignis concedendum, ut contrahentium vota, acta judicialia, processus, contractus & pacta, & alia quaque ipsorum facta presentia diligenter & prudenter ascultantes, & etiam recolligentes conscribant, & requisiti super his publica faciant Instrumenta, ad quæ etiam fideliter et sine fraude facienda, conscribenda, et in publicam formam redigenda, ipsorum quilibet requisitus præstiti Sacramenti virtute constringitur. Idcirco præmissa attendens, indemnitatisque mea prospicere volens, quatenus ex mei debito teneor sacramenti, tam super processu recognitionis Supertopitatis et directi Domini regni Scotiæ, quam aliis quæ in ipso processu eorum excellentissimo Principe et Domino nostro Domino Edwardo Dei gratia Rege Angliæ illustri, superiori

Rotulus de Sup. e. iocitate Regis Angliæ in regno Scotiæ, & fidelitate & homagii Regum & regni Scotiæ Regi Angliæ, An. 19, 20, 21, 22, 23 E. 1. in Turri London.

et



*An. 20 E.1.* et directo Domino regni Scotiæ, inter quosdam Nobiles subscriptos, quorum quilibet jus succedendi in dictum regnum Scotiæ sibi competere vendicabat, rogatus, cum ea qua potero diligentia compello scribere quæ sunt veritatis, ad perpetuam rei memoriam posteris ostendendam; ut futuris temporibus, si necesse fuerit, et sciri voluerit adeorum veritas in hac parte, huiusmodi scire volentes veritatem ad præsens Instrumentum publicum recursum habere poterint oppositum; et quæ per humanam labilitatem et temporum lapsum a memoria recesserunt, per istas inspectionem Instrumenti sive Processus recenti memoriæ reducantur. Vacante nuper dicto regno Scotia & Regis præsidio carente per obitum claræ memoriæ Domini quondam *Alexandri* Regis ejusdem filiorumque suorum, ac subsequenter per mortem nobilissimæ ac clarissimæ Dominiæ, Dominiæ quondam *Margaretæ* filix excellentissimi Principis Domini, Domini *Erici* Dei gratia Regis *Norwegiæ*, Neptis ipsius Regis *Alexandri*, quæ in dicto regno *Scotiæ* successisse debebat eidem: subortisque inter Nobiles subscriptos, quorum quilibet jus succedendi in dictum regnum *Scotiæ* sibi competere vendicabat, contentions & dissensionis materiis, *Excellentissimus & serenissimus Princeps & Dominus noster, Dominus Edwardus Dei gratia Rex Angliæ illustris*, et superior et directus Dominus dicti regni, perpendens ipsum regnum et statum ejusdem ex tanti Principis destitutione multipliciter conturbatum, Indatus apud Norhm. Dunelm. Dioc. in confinio dicti regni Scotiæ suo Parlamento, ad eundem locum tanquam superior et directus Dominus ipsius regni personaliter declinabit; ut quæstiones huiusmodi, lites eturgia, quæ inter ipsos Nobiles jus succedendi in dictum regnum *Scotiæ* (ut præmittitur) vendicantes, terminaret, et ortas super hæc inter ipsos contentions et dissensionis materias amputaret, finemque litibus apponeret, et vendicantium quemlibet in iure suo benigne audiret, absque et aliis omnibus et angulis petentibus, iustitiæ faceret (ut dicebat) complementum.

\* See Mat. Westm. An. 1191 p. 377, to 382. Tho. Walsingham Hist. Angl. p. 16, to 20.

\* Anno à nativitate Domini 1191. Indictione quarta, mensis Maii die decimo, congregatis coram excellentissimo Principe & Domino, Domino Edwardo Dei gratia Rege Angl. illustri, apud Norhm. ad ipsius Regis mandatum, utriusque regni Nobilibus et Prælatibus, Militibus et per pluribus aliis in multitudine copiosa; Nobili vir Dominus Rogerus Brabancon. Miles, & dicti Domini Regis Angl. Justiciarius, in cuius ore idem Dominus Rex verba sua posuerat, ipsum organum suum constituit, In præsentia mei infrascripti Porarit et testium subscriptorum ad hoc vocatorum specialiter et rogatorum, nomine & vice ipsius Domini Regis Angl. Episcopis, Prælatibusque aliis Ecclesiasticis, Comitibus, Baronibus, Militibus, aliisque omnibus & singulis de Communitate regni Scotiæ ibidem congregatis (ut præmittitur) verba subscripta, vel hiis similia, hunc habentia sententialiter intellectum, sermone tamen Gallico dixit & proposuit oraculo viva vocu.

Serenissimus Princeps & Dominus noster excellentissimus Dominus Edwardus Dei gratia Rex Angliæ illustris, superior et directus Dominus regni Scotiæ, perpendens statum ejusdem per mortem claræ memoriæ Domini quondam *Alexandri* ultimi Regis ejusdem, & etiam liberorum suorum, commotione gravi fuisse jamdiu, est, & esse multipliciter conturbatum, & ex tanti Principis destitutione varia perplexitate depressum; conspiciensque ipsum regnum & inhabitantes ejusdem Incolas diversarum procellarum turbine fluctuantes, ob affectionem & zelum quem habebat, & habet erga vos & universos & singulos, quorum tutio et defensio ad ipsum spectare dinoscitur, ac etiam ad faciendum omnibus jus ad dictum regnum *Scotiæ* vendicantibus, iustitiæ complementum, ac etiam pro tranquillitate & pace inter regnicolas ipsius regni conservanda; vos in hac Quindena Pascha proximo præterita ad locum istum in dicti regni *Scotiæ* confinio situatum, (ut vestris etiam laboribus parceret & expensis) per suas certi tenoris literas specialiter convocabit, propter aliqua, quæ vobis intendebat & intendit exponere prima facie, & monstrare. Veniens itaque ob illam causam ad locum istum personaliter de remotis, ut ipse tanquam superior et directus Dominus regni Scotiæ (cuius interest per superioritatem et directum Dominium huiusmodi, quod est suum, paratus est docere, et per diversas Chronicas, in obversis utriusque regni Monumentis et locis aliis compertas, et per alias informationes et rationes evidentes, probationes (si necesse fuerit) et certa documenta) iustitiam faciat uniberis; ita quod discordiarum et dissensionum vestrarum subactis materiis, firma pacis tranquillitas

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tas eidem regno et ejus incolis permaneat in futurum. Nec est etiam suæ intentionis quicquam indebite occupare, nec alicuius iustitiam differre, aut libertates diminueret seu impedire: sed (ut præmittitur) tanquam superior et directus Dominus regni Scotia, jure suo uti, et omnibus et singulis facere iustitiæ complementam. Et ut hæc deduci valeant commodius ad effectum, idem Dominus noster Rex veltrom super præmissis ex habundanti benivolum requirit assensum, et superioritatis et directi domini hujusmodi recognitionem: Volens in hiis & aliis omnibus, dictum regnum Scotia tangentibus, veltrom uti consiliis opportunis.

Quibus per præfatam Dominum Rogerum (ut præmittitur) nomine dicti Domini Regis Angl. peroratis, & à præfatis Episcopis & aliis Prelatis Ecclesiasticis, Comitibus, Baronibus, Magnatibus, aliisque Nobilibus de Communitate dicti regni Scotia ibidem præsentibus plenius intellectus, iidem Episcopi & alii Prelati Ecclesiastici, Comes, Barones dicti regni Scotia ibidem præsentis, diem ad consulendum cum absentibus dicti regni Scotia Nobilibus & Prælati, ac communitate, & deliberandum super requisitione prædicta ipsis ex parte Domini Regis facta, & ad respondendum eidem sibi concedi cum instantia petierunt. Habitaque super hac deliberatione aliquanti (licet ipsi, quid idem Dominus Rex ipso die facere & dicere voluit, fuissent primitus præmuniti sufficienter) ex habundanti tamen fuit eis terminus per ipsum Dominum Regem proximus sequens dies assignatus, ad audiendum deliberationem Domini Regis super jam dictis induciis petitis denegandis vel etiam concedendis. Actum in parochiali Ecclesia de Northm. anno, indictione, mense & die prænotatis; præsentibus venerabilibus in Christo patribus Dominis Johanne Dei gratia Ebor. Archiepiscopo, Angl. Primæ, Antonio Dunelm. Radulpho Carleolen. Willielmo Elien. Willielmo Sancti Andree, & Roberto Glasuen. Episcopis; & nobilibus viris Dominis Henrico Lincoln. Rogero Northfolch. & Marescallo Angl. Comitibus, Magistris Henr. Ebor. Johanne Lichfelden. Thoma Wellen. & Andr. Exon. Ecclesiarum Decanis, ac Johanne Ertun de Cadomo publico auctoritate Apostolica Notario, ac aliis tam Nobilibus quam Prælati per pluribus in multitudine copiosa.

Quo die, undecimo videlicet mensis Maii, anno & indictione prænotatis, loco eodem, præfati Episcopi regni Scotia & Nobiles coram dicto Domino Rege Angliæ, ut prius, comparuerunt; & diem ad deliberandum & consulendum cum absentibus regni Scotia Nobilibus & Prælati, ac communitate, super dicta requisitione regia eorum, ut præmittitur, facta, de recognitione videlicet hemibola superioritatis et directi domini regni Scotia, quod dicebat esse suam suæ et eidem respondendum, cum instantia petierunt. Quibus idem Rex post diligentem super hoc deliberationem, respondit & dixit: Se velle eorum voluntati complacere in hac parte, præfixit & assignavit eisdem secundum diem mensis Junii prox. sequent. ad interim consulendum cum absentibus regni Scotia Nobilibus & Prælati, & aliis de communitate ejusdem regni super præmissis, & deliberandum, & illo die præcisè respondendum requisitioni suæ supradictæ, & ad exhibendum proponendumque ulterius, & ostendendum præcisè & peremptoriè munimenta vel scripta aut alia quævis documenta, si quæ habuerunt, quæ ipsam a jure suo prædicto superioritatis et directi domini sui dicti regni Scotia, aut ab exercitio seu executione dicti sui juris excludere possent, et rationes et documenta pro ipso et jure suo prædicto ostensa, per validiora et efficaciora aliqua via juris infirmare; protestans, se velle et paratum esse ea, quatenus jura permetterent, eis allocare, et facere quod iustitia suaderet in eventu. Præmissaque per venerabilem patrem Dominum Antonium Dei gratia Dunelm. Episcopum, ipsum ad hoc organum suum constituens, præfatis Nobilibus regni Scotia & Prælati ibidem præsentibus nunciavit, ac etiam notificavit. Præsentibus testibus superscript. cum aliis quampluribus.

Ut autem præsentem processum sive Instrumentum publicum omnibus Christi fidelibus evidenter appareat, cujusmodi rationibus evidentibus & documentis verisimilibus & probabilibus dictus Dominus Rex Angliæ jus superioritatis et directi domini regni Scotia suum esse, et ad ipsum jure Coronæ regni Angliæ et dignitatis suæ regali præeminentia pertinere debere asserbat, et etiam ostendebat; incipiendo à tempore Bruti, & sic successivè descendendo usque ad tempus suum, sicut in antiquis Chronicis et libris in diversis Angliæ & Scotia regnorum Monasteriis compertis scripta reperiebantur; videlicet, in Chronicis Magistrorum Mariani Scoti, Willielmi de Malmesbyr. Rogeri de Hoveden, Henr. de Huntingdon, & Radulphi de Diceto,



An. 20 F. 1.

a This story of

Brute was then

asserted as a

truth by the

King &amp; whole

Parliament of

England. See

H. nr. Hunting-

don Hist. l. 1.

Galf. Monu-

metensis Hist.

Brit. l. 1. c. 2.

to 15. Mat.

Westm. Flores

Hist. Actas 3

p. 23, 24 Pon-

tius Verunius

Hist. l. 1. Poly-

chronicon, Fa-

bian, Gratton,

Holinshed, and

others in the

Life of Brute.

b Annal. pars

prior. p. 411,

412.

c De Gestis Re-

gum Angl. l. 2.

c. 3.

d Florentius

Wigornienfis

Chron. p. 133,

347. Simon

Dunelmensis

Hist. col. 151,

154.

e Florent. Wi-

gorn. p. 348.

Sim. Dunelm.

col. 154. H. ve-

den. p. 412.

Wil. Malmesb.

de Gestis Reg.

Angl. l. 2. c. 6.

Henr. Hunting-

don Hist. l. 1. p.

354. Chron.

Joh. Bromton

col. 838, 839.

H. de Knygh-

ton de Event.

Angl. l. 3. c. 4.

col. 2484.

f De Gestis Re-

gum Angl. l. 2.

c. 7. p. 52, 54,

55. Henr. Hun-

tingdon Hist. l.

5. p. 355. Rog-

de Hoveden

Annal. pars

prior. p. 423.

Florent. Wi-

gorn. Chron.

p. 352, 353.

Simon Dun-

elmensis Hist.

col. 156.

in multis libris, necnon Sanctorum Patrum Summorum Pontificum litteris suis bullis plumbetis more Romanæ Curie pendent. bullatis, et aliis scripturis a sede Apostolica approbatis, ea seriatim de verbo ad verbum nihil addens vel minuens, quod solum mutes vel intelligi corruptat, presenti Instrumento publico sive processu conscribam.

In primis, qualiter sub temporibus Ely & Samuelis propheta vir quidam strenuus ac insignis, a Brutus nomine, de genere Trojanorum, post excidium urbis Trojæ, cum multis Nobilibus Trojanorum in quandam Insulam tunc Albion vocatam, a gigantibus inhabitatam; quibus sua & suorum devictis potentia & occisis, eam nomine suo Britanniam, sociosque suos Britones appellavit. Et edificavit Civitatem, quam Troinovantum nuncupavit, quæ modo Londonia appellatur. Et postea idem Brutus dictam Insulam in tres partes dividens, eam tribus suis filiis reliquit possidendam, Logrino videlicet, Albinacto, & Cambro: Logrino vero quia primogenito, illam partem Britanniarum, quæ nunc Anglia vocatur, cum superioritate et dominio partium aliarum; Albinacto vero secundo suo nato illam partem Britanniarum, quæ tunc a nomine Albinacti Albinia dicta, nunc vero Scotia nuncupatur; Cambro vero tertio suo filio partem illam quæ tunc suo nomine Cambria, nunc vero Wallia vocatur; reservata tamen Logrino seniori regia semper dignitate. Petebat enim Trojana consuetudo, quod dignitas hereditatis primogenito proveniret. Biennio vero post mortem Bruti applicuit in Albinia quidam Rex Humorum nomine Humber, & Albinactum fratrem Logrini occidit. Quo audito Logrinus Rex Britannorum persicinus est enim, qui fugiens submersus est in flumine quod de nomine suo Humber vocatur, & sic Albinia reversitur ad dictam Logrinum. Hac autem in Historia Bruti. Item, in Chronicis Mariani Scoti, & Rogeri de Hoveden, & Willielmi de Malmesbyr. (quorum compilationes & libri in diversis Monasteriis & locis aliis utriusque regni inveniuntur) inter cetera reperitur, Quod anno Domini 901. Edwardus Monarcha Angliæ cognomento senior filius Ælredi Scotorum, Humberorum & Stregewallorum Reges, suæ ditioni subegit, et in devotionem recepit. Et quod anno Domini 911. Rex Scotorum cum tota gente, & Reginaldus Rex Danorum, cum Danis & Anglis Northumbriam incolentibus, & Rex etiam Stregewallorum cum suis, eundem Regem Edwardum Abi Imperatorum et Dominum elegerunt, armumque fœdus cum eo pepigerunt. Item, quod anno Domini 924. idem Edwardus Rex Angliæ cunctis Britanniam incolentibus Anglorum, Scotorum, Cumbroorum, Danorum, & Britonum populum præfuit. Item, quod anno Domini 926. Ædelstanus filius & immediatus successor ejusdem Edwardi, Constantinum Regem Scotorum, & Danorum Regem pralio vicit & fugavit; qui postmodum cum ipsos fœdus pepigerunt, in loco qui dicitur Emothe, quarto Idus Julii. Hoc autem invenitur in Chronicis Mariani Scoti & Rogeri de Hoveden in multis libris. Et in Chronicis Willielmi de Malmesbyr. Henr. de Huntingdon, & Radulphi de Diceto, inter cetera sic invenitur. Ædelstanus Rex Angliæ Constantinum Regem Scotorum cedere regno compulsi, qui tamen postea regno Scotiarum privatum per ipsum sub se regnare, sicut prius, gratiosius; dicens consilio suo remittens, Gloriosius est Regem facere quam esse. Item, anno Domini 934. idem Ædelstanus Rex Angliæ eundem Constantinum Regem Scotorum rebellantem debilit et fugavit, & terram Scotiarum usque Dunfermelin vastavit. Qui Constantinus postea filium suum dicto Ædelstano regi cum dignis muneribus in obsidem tradidit, & sic pacificatus. Et hoc in Chronicis Mariani Scoti, Rogeri de Hoveden, Henrici de Huntingdon, & Radulphi de Diceto, in multis libris invenitur. Et in Chronicis Willielmi de Malmesbyr. in multis libris inter cetera reperitur, quod anno Domini 937. Eugenius Rex Cumbroorum, & Constantinus Rex Scotorum, in loco qui dicitur Dacorum venientes, se cum suis regibus eidem Ædelstano Regi Angliæ dederunt; cuius pælii gratia filium Constantini iustum baptizari idem Ædelstanus de sacro fonte suscepit. Item, anno Domini 940. Ædelstano prædicto defuncto, successit sibi in regnum Edmundus frater ejus, qui regnavit septem annos sine rebellionem Scotorum. Item, in Chronicis Mariani Scoti, & Willielmi de Malmesbyr. & Henrici de Huntingdon in multis libris invenitur, quod anno Domini 947. Edredus frater Ædelstani minor, dicto Edmundo fratri suo successit; qui Northumbriis devictis, in Scotiam vexilla direxit: Et Scoti nimio terrore percussi, sine bello se subdiderunt eidem, et fidelitatem Abi ut Domino debitam iuraverunt; Quodam Rege, Yritio nomine, per ipsum super ipsos Scotos tunc statim. Item, anno Domini 955. mortuo Rege Edredo prædicto, successit sibi Edwinus filius





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*n* Hæc est Conventio & Finis, quem Willielmus Rex Scotorum fecit cum Domino suo Domino Henrico Rege Angliæ filio Matildi Imperatricis. Willielmus Rex Scotorum devenit homo ligeus Domino Regi Angliæ Henr. contra omnem hominem de Scotia & de omnibus aliis terris suis; & fidelitatem ei fecit ut ligio Domino suo, sicut alii homines sui ipsi facere solent. Et similiter fecit homagium Henrico Regi filio suo; salva fide Domini Regis patris sui. Omnes vero Episcopi et Abbates et Clerus terrarum Regis Scotiarum et successores sui facient Domino Regi Angliæ sicut ligio Domino fidelitatem, de quibus habere voluerit, sicut alii Episcopi sui facere solent, et Henrico Regi filio suo et heredibus suis. Concessit autem Rex Scotia, ut David frater ejus, & Barones, & alii homines sui Domino Regi Angliæ; Quod Ecclesia Scotiana talem subjectionem amodo faciet Ecclesiæ Anglicanæ, qualem illi facere debet et solebat tempore Regum Angliæ prædecessorum suorum. Similiter Richardus Episcopus Sancti Andree, & Ricardus Episcopus Dunkelden. & Galfrius Abbas de Dunfermelin. & Herbertus Prior de Goldingham concesserunt; Quod etiam Ecclesia Anglicana illud jus habeat in Ecclesiâ Scotiana, quod de jure habere debet; et

k Simeon Dunelmensis. Hist. An. 1093. col. 118. Flor. Wigorn. An. 1093. Hoveden Annal. pars prior, p. 462, 463, 464. Chron. Johan. Bromton, col. 987, 988, 990, 995. Mat. Paris, & Mat. Westm. Annis 1090, 1092. H. de Knyghton, de Event. Angl. l. 2. c. 6. col. 2365. Hen. Huntingdon, Hist. l. 7. p. 379. Chron. Johan. Bromton, col. 1003. Simeon Dunelmensis. Hist. col. 254, 258. Ricardus Prior Hagustaldensis, de Gestis Regis Stephani, col. 312. Chron. Johan. Bromton, col. 1024. Henr. de Knyghton, de Event. Angl. l. 2. c. 9, 10. col. 2384, 2385.

n Roger de Hoveden, Annal. pars posterior, p. 545, 546. Henr. de Knyghton, de Event. Angl. l. 3. c. 5. col. 2486. Mat. Westm. Anno 1175. p. 52. Mat. Paris, Hist. Angl. p. 124.

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et quod ipsi non erunt contra jus Ecclesiæ Anglicanæ. Et deficiat ligiam fidelitatem Domino Regi Anglia & Henrico filio suo fecerunt, eos inde asscuraverunt. Hoc idem facient alii Episcopi et Clerus Scotia per conventionem inter Dominum Regem Anglia, et Regem Scotia, et David fratrem suum et Barones suos factam, Comites etiam & Barones et alii homines de terra Regis Scotia, de quibus Dominus Rex Anglia habere voluerit, facient ei homagium contra omnem hominem, et fidelitatem ut ligio Domino, sicut alii homines sui ei facere solent; & Henrico Regi filio suo et hæredibus suis, salva fide Domini Regis patris sui. Similiter hæredes Regis Scotia, et Baronum et hominum suorum homagium et ligeantiam facient hæredibus Domini Regis Anglia contra omnem hominem. Præterea, Rex Scotia & homines sui nullum amodo fugitivum de terra Domini Regis Anglia pro feloniam receptabunt in Scotia vel in alia terra sua, nisi voluerit venire ad rectum in Curia Domini Regis Anglia, et stare iudicio Curie suæ: sed Rex Scotia & homines sui quamcunque poterunt eum capient, et Domino Regi Anglia reddent, vel Iudiciariis aut Ballivis suis in Anglia. Si autem de terra Regis Scotia aliquis fugitivus fuerit pro feloniam in Anglia, nisi voluerit venire ad rectum in Curia Domini Regis Scotia, vel in Curia Domini Regis Anglia, et stare iudicio Curie, non receptabitur in terra Domini Regis Anglia, sed liberabitur hominibus Regis Scotia per Ballivos Domini Regis Anglia, ubi inventus fuerit. Præterea homines Domini Regis Anglia habebunt terras suas quas habebant, et habere debent de Domino Rege Anglia, & de Rege Scotia et de hæredibus suis. Et homines Regis Scotia habebunt terras suas quas habebant & habere debent de Domino Rege Anglia & de hominibus suis. Pro ista vero conventionem et fine firmiter observanda Domino Henrico Regi Anglia et Henrico filio et hæredibus suis à Rege Scotia et hæredibus suis, liberavit idem Rex Scotia Domino Regi Anglia Castellum de Roxburgh, et Castellum de Berwyk, et Castellum de Jedburgh, et Castellum de Puderham, et Castellum de Strivelin in misericordia Domini Regis Anglia: Et ad custodiendum castella illa assignavit Rex Scotia de redditu suo mensuraliter ad voluntatem Domini Regis Anglia. Præterea pro prædicta conventionem et fine exequenda, liberavit Rex Scotia Domino Regi Anglia David fratrem suum in obsidem et Comitem Duncann, et Comitem Walden, et Comitem Gilbertum, et Comitem de Argez, et Ricardum de Morevilla Constabularium et Neth. filium Willielmi, et Ricardum Comyn, et Walterum Corbet, et Walterum Olisard, et Johannem de Vaux, et Willielmum de Lyndesey, et Philippum de Colevilla, et Philippum de Valoignes, et Robertum Fremberd, et Robertum de Burneville, et Hugonem Giffard, et Hugonem Rydell, et Walterum de Berkele, et Willielmum de la Haye, et Willielmum de Mersimer. Quando vero Castella reddita fuerint, Willielmus Rex Scotia et David frater suus liberabuntur. Comites quidem et Barones prænominati unusquisque postquam liberaverit obsidem suum scilicet filium suum legitimum quem habuerit, et alii nepotes suos vel propinquiores sibi hæredes, et Castellis (ut dictum est) redditis, liberabuntur. Præterea Rex Scotia et Barones sui prænominati asscuraverint, quod ipsi bona fide et sine malo ingenio sive occasione facient, quod Episcopi et Barones et homines terræ suæ, qui non assuerint quando Rex Scotia cum Rege Anglia finivit, eandem ligeantiam et fidelitatem Domino Regi Anglia et Henr. filio suo facient quam ipsi fecerunt; Et quod Barones & homines qui assuerunt obsides liberabunt Domino Regi Anglia de quibus habere voluerit. Præterea Episcopi, Comites & Barones conventionaverunt dicto Regi Anglia & Henrico filio suo, Quod si Rex Scotia aliquo casu à fidelitate Domini Regis Anglia, & filii sui, & à Conventionem prædicta recederet, ipsi cum Domino Rege Anglia tenebunt sicut cum ligio Domino suo contra Regem Scotia, donec ipse ad fidelitatem Domini Regis Anglia redeat. Prædictam itaque conventionem firmiter observandam bona fide & sine malo ingenio Domino Regi Anglia & Henrico filio suo & hæredibus suis à Willielmo Rege Scotia, & David fratre suo; & à Baronibus suis prædictis, & ab hæredibus eorum asscuraverit ipse Rex Scotia David frater suus & omnes Barones sui prænominati deficiat ligei homines Domini Regis Anglia contra omnem hominem, & Henrici filii sui, salva fidelitate Domini Regis patris sui. Hiis testibus Ricardo Archiepiscopo Eborum, et Johanne Sarum Decano, et Roberto Abbate Malmesbir, et Radulpho Abbate de Mondsburgh, & Herberto Archidiacono Norhampton, & Waltero de Constantis, & Rogero Capellano Regis, & Osberto Clerico de Camera, & Ricardo

An. 20 E. 1

\* Mundeburgh.

do



*An. 20 E. 1.* do filio Domini Regis Anglia Comite Piclavia, & Galfrido filio Domini Regis Comite Britannie, & Comite Willielmo Essex. & Hugone Comite Cestria, & Ricardo Humet Constabulario, & Comite de Molent. & Jordano Castion, & Humfrido de Bohun, & Willielmo de Curcy Senescallo, & Gilberto Malet Senescallo apud Falsam.

Hiis itaque recitatis in Ecclesia Sancti Petri Eborum coram predictis Regibus Anglia, & etiam Rege Scotia & David fratre suo, & universo populo, Episcopi, Comites, Barones et Milites de terra Regis Scotia juraverunt Domino Regi Anglia et Henrico filio suo et heredibus eorum fidelitatem contra omnem hominem sicut ligetis Dominis suis. Post hanc vero compositionem & finem, Anno Domini 1176. & regni dicti Regis Henrici vicefimo secundo, ad Concilium celebratum apud Norhamptoniam venit Dominus Willielmus Rex Scotia per mandatum Domini Regis Anglia, adducens secum omnes Episcopos, Abbates, Priores totius regni sui; anno vero sequenti proximo, idem Henricus Rex Anglia tradidit Castrum de Roksburgh in custodia Willielmo de Stotewille, & custodiam Castri Puellarum Rogero de Stotewille, & custodiam Castri de Berewyk Galfrido de Neville. Anno vero regni ejusdem Henrici Regis vicefimo septimo, idem Willielmus Rex Scotia venit in Normanniam per mandatum dicti Regis Domini sui, cujus ammonitione & consilio idem Rex Scotorum concessit Matthæo Episcopo Aberden, & Johanni Episcopo Sancti Andree, quos ipse de Scotia fugaverat, licentiam repatriandi. Hac autem inveniuntur in Chronicis Rogeri de Hoveden in multis Libris. Et etiam in Chronicis ejusdem Rogeri quod Anno Domini 1189. dicto Regi Anglia Henr. successit Ricardus filius ejus. Quo anno mense Decembr. venit Cantuariam idem Willielmus Rex Scotorum ad ipsum Regem Ricardum et homagium sibi fecit, cujus tempore Scoti non rebellaverunt. Item in Chronicis ejusdem Rogeri de Hoveden in multis libris invenitur, quod Anno Domini 1199. dicto Regi Ricardus successit Johannes frater ejus, qui statim post Coronationem suam misit Philippum Dunelm, & Rogerum Bigod, & quosdam alios Nobiles ad dictum Willielmum Regem Scotorum cum literis Regis de salvo conductu, & statuit sibi diem veniendi apud Lincoln. in crastino Sancti Edmundi Regis. Quo die mensis videlicet Novembris, 8. Kal. Decembris, feria quinta, iidem Rex Johannes Anglia & Willielmus Rex Scotia convenerunt ad colloquium extra Civitatem Lincoln, super mentem arduum, et ibi in conspectu omnis populi idem Willielmus Rex Scotorum debuit homo ligius predicti Regis Angliae Johannis, et fidelitatem sibi juravit super crucem Huberti Cantuar. Archiepiscopi de vita et membro et terreno honore contra omnes homines, et de pace servanda sibi et regno suo. Item in Chronicis Monasterii de Bridelington, & aliis quampluribus invenitur, quod Anno Domini 1209. mense Junii, apud Berewicum super Twedam idem Rex Angliae Johannes castrum construxit, & contra Willielmum Regem Scotorum exercitum suum copiosum congregavit ad debellandum eum pro eo, quod filiam suam desponsaverat Comiti Boloniae prater assensum ipsius Regis Angliae Johannis. Et in Chronicis Monasterii de Kyngfwe de Wygorn. Dioc. invenitur, quod eodem anno pace inter ipsos Reges reformata, cito idem Rex revertebatur in Angliam, datis sibi duabus filiabus dicti Regis Willielmi in obsidibus. Item in Chronicis Monasterii Sancti Albani invenitur, quod Anno Domini 1216. dicto Regi Angliae Johanni successit Henricus filius suus; cujus regni anno tricesimo quinto, idem Rex Henricus cum Regina sua Anglia, & multitudine Prelatorum Angliae apud Ebor. congregati in festo Nativitatis Domini, tractarunt de Matrimonio contrahendo inter Alexandrum Regem Scotorum filium dicti Willielmi Regis, & Margaretam filiam dicti Regis Henrici. Et in die Sancti Stephani proximo sequente idem Rex Alexander dictam Margaretam solempniter desponsavit. Et eodem die fecit idem Alexander homagium dicto Regi Angliae Henr. Et commissa est dicta Regina Scotiae tutela Roberti de Ros & Johannis de Balliolo, & etiam regnum Scotiae cum Rege Alexandro predicto de consilio Magnatum utriusque regni. Item in quadam Charta Regis Scotiae Edgari filii Malcolmi facta Ecclesia Dunolm. inter cetera continetur; Quod idem Rex Edgarus recognoscit se possidere totam terram de Louneys et etiam Regnum Scotiae de dono Domini sui Willielmi Regis Angli. Et in carta Willielmi Regis Scotorum facta dicto Regi Angliae Johanni continetur; Quod idem Rex Willielmus concessit carissimo Domino suo Domino Johanni Regi Angliae, quod maritus dictum Alexandrum filium suum sicut hominem suum ligium, ubicunque voluerit ad fidem, ita quod non disparagatur. Et etiam similiter, quod quicquid de ipso

o Roger de Hoveden, p. 550. Polychr. 17. c. 23. Hen. de Knighton, de Eventibus Angl. l. 2. c. 12. col. 2356.

p Roger de Hoveden, p. 662. Radulfus de Dic. to, Ymag. Hist. col. 649. Chron. Johan. Bromton, col. 1167. Mat. Paris, Hist. Angl. p. 149. Math. Westm. An. 1189. p. 63.

q Chron. Johan. Bromton, col. 1283, 1284. Henr. de Knighton de Eventibus Angliae, l. 2. c. 14. col. 2414.

r Mat. Paris, Hist. Angl. An. 1209. p. 218. Mat. Westm. p. 87. f Mat. Paris, p. 431.

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ipso contingat, idem Willielmus Rex Scotiæ & Alexander filius suus, Henrico filio Regis Angliæ Johannis tanquam ligio Domino contra omnes mortales fidem et fidelitatem tenebunt, et iuvabunt eum pro viribus suis ad tenendum ipsam in Regno suo; salva fide sua qua prædicto Regi Angliæ Johanni tenebantur. Item in quibusdam literis Apostolicis sub nomine felicii recordationis Domini quondam Honorii Papa tertii conceptis, & ipsius bulla plumbea more Romanæ Curie pendens, bullatis, inter cetera continetur; Ad hac Regi Scotorum ipsum Regem Angliæ Dominum suum nequiter impugnanti, ac propter hoc excommunicationis vinculo innodato, &c. Item, & in quibusdam aliis literis Papalibus sub nomine felicii recordationis Domini quondam Gregorii Papa noni conceptis, & bulla sua plumbea more Romanæ Curie pendens, bullatis Regi Scotiæ directis, similiter inter cetera continetur; Quod jamduam inter clara memoria Henricum avum, & Johannem patrem Regis Angliæ ultimi ex parte una, & Willielmum Regem Scotorum ex altera, Compositio amicabile intercessit; per quam ipse Willielmus prædictis avo & patri & eidem Regi Angliæ, ac Alexander Rex Scotiæ filius ejusdem Willielmi Regibus Angliæ Johanni & Henrico ligium homagium, et fidelitatem fecerunt, quæ tenentur successores eorum et Comites et Barones Regni Scotiæ ipsi et suis successoribus exhibere, ac Comites et Barones esse cum Regibus Angliæ contra Reges Scotiæ, si compositionem eandem forsitan non ferbarent. Item, idem Gregorius similiter in suis literis sub nomine suo conceptis, & bulla sua plumbea more Romanæ Curie pendens, bullatis, inter alia scribit Archiepiscopo Eborum, & Episcopo Carleolen, quod moneant et inducant dictum Regem Scotiæ supradictam amicabilem Compositionem observare. Item, ad hac in aliis ejusdem Papa Gregorii noni literis dicto Regi Scotiæ directis inter cetera continetur; Quod cum idem Rex Scotiæ homo ligius sit ipsius Henrici Regis Angliæ, et eidem fidelitatis præstiterit juramentum, quo se principaliter astringit, quod in ipsius Regis Angliæ et regni sui detrimentum nihil penitus debeat attemptare, &c. Item, Clemens Papa scribens Henrico Regi Angliæ pro Johanne Episcopo Sancti Andree expulso ab Episcopatu suo per Regem Scotiæ, inter cetera sibi mandat, quod Willielmum Regem Scotiæ moneat & inducat, et si necesse fuerit, distractione Regali, qua ei preminet et concessa suæ Regiæ Celsitudini potestate compellat, ut dicto Episcopo omnem rancorem remittat, ipsumque Episcopatum suum habere permittat in pace. Item, in quodam libro de vita & miraculis beati Johannis de Beverlaco, quæ sunt per Romanam Curiam approbata, similiter inter cetera reperitur. Regnante inclito Rege Adelstano viro Catholico qui Monarchiam totius Angliæ tenuit, Scotorum Rex cum suis transito flumine qui dividit Angliæ regnum à Scotia, cepit depopulare villas, homines exterminare, agros depradare, & (ut verum fatear) totam regionem in exterminium conabatur deducere in Septentrionali parte Angliæ. Quod cum fama volente præfatus Rex comperisset, congregato exercitu statuit (quam citius enim potuit) armata manu ei occurrere. Provisisque interim necessariis propositum carpebat iter. Cumque in provincia Lincoln. devenissent, quidam evanescentes tam pauperes quam mediocres obvii sibi facti sunt; Quos cum interrogasset, quæ esset causa tanti gaudii, & unde venirent? responderunt, quod de Beverlaco venirent, ubi sanctus Johannes Confessor quosdam ex eis variis infirmitatibus oppressos gratia Dei sanos effecerat; & hac erat causa tanta lætitiæ. Et inde progrediens iterum alios cateruatim venientes obvius habuit; quos cum similiter requisivit, unde venirent? Illi vero responderunt, quod de Beverlaco ubi quosdam ex eis vel mutos, vel claudos, cecos vel surdos mira Dei potentia sanctus Dei Confessor sanaverat. Cumque Rex venerandum hunc Confessorem in tanta veneratione habitum, & per Deum tanta operari valuisse comperiret, habito consilio cum suis, dixit se debere talem patronum adire, ut sibi in instanti negotio subveniret. Transmisitque suum exercitum per occidentalem regionem versus Eborum, ut cum ibi præstolarentur, ipse vero transito flumine Humber venit Beverlacum, procumbensque in oratione in Ecclesia coram Altare in presentia reliquiarum venerandi confessoris, devoto animo prolixius orabat. Exurgensque deinde ab oratione coram adstantibus tam Clericis quam Laicis & ascultantibus, talem orationem exorsus est, dicens. O gloriose Confessor Johannes qui tot virtutibus & signis refulges (ut fama refert) precor te ut mihi subvenire digneris per intercessionem tuam apud Deum in instanti negotio, ut inimicorum infestationem pernoxiam, te patrocinante, exsuperare queam. Et continuo extrahens cultellum suum de vagina posuit super altare, dicens; Ecce vadium meum coram te pono, quod te auxiliante vita comite rediens recipiam, ita quod Ecclesiam



*An. 20. 1.* Ecclesiam tuam honorificabo & redditibus augebo, si Dei nutu tuoque suffragio hostes debellare quivero. Custodes vero Ecclesie qui aderant, suggererunt sibi, ut signum aliquod inde secum in monumentum assortaret. Et fecit quoddam vexillum sibi de eadem Ecclesia proferri, consignans se ad suum exercitum reversus est. Cumque Scoti audissent Anglorum exercitum advenire, non sunt ausi eos in finibus eorum exspectare, nec campestri bello eis resistere, sed transfretaverant Flumen quod dicitur Scotorum vadum, ut ibi infra proprios terminos securus se in bello ad resistendum parare possent. Rex vero Adelstanus cum omni exercitu Angliæ, cum ad Flumen pervenisset, didiciit Scotos transisse, & præcepit suis super ripam fluminis sua tentoria figere, ibique aliquantulum pausare. Subsequenti nocte quiescentibus cunctis cum suo Rege, talis visio eidem Regi apparuit ceteris dormientibus, & omnino ignorantibus. \*Videbatur enim ei, quod quidam Pontificali habitu indutus coram se adstaret, sibi que diceret; Adelstane Rex, fac tuos in crallinum præparari, ut transeant flumen istud ad debellandum contra Scotos. Cumque interrogaret Rex, Quisnam esset qui talia sibi diceret? Respondit qui adstabat, quod ipse esset Johannes, cujus precibus expetierat se protegi, cum Beverlaci in ejusdem Ecclesie oraret. Subinde statim intulit; Noli timere cum exercitu transire armato; nam debellabis eos; hæc enim tibi nunciare veni. Mane itaque facto curavit Rex suis visionem patifacere, & de victoria certificare. Qui latentes animati sunt ad certamen; & transfretavere flumen. Scotos vero invenerunt cum suo Rege paratos ad resistendum. Commissique gravi prælie, multi ex Scotis perierunt, vivus autem vix ipsorum Rex effugit ad totius regni confusionem & desolationem. Quo viso, Rex Angliæ laus effectus gratias egit Deo, venerandaque Confessori, videlicet Johanni suo intercessori, totumque regnum continuo suo subjugabit imperio, continens & perlustravit cunctas illius terra provincias, principes & præpositos urbium, indicens eis, ut tributa sibi suisque successoribus, scilicet Angliæ Regibus, ex debito persolverent. Septem etiam Insulas adjacentes etque vicinas sibi servire compulit; et tam diu in illis partibus commoratus est, quod jam tres anni finirentur. Jamque revertens per loca maritima juxta Dunbar vidit Scopulos prominentes. Aspexit, taliaque suspiciens eliquia protulit, dicens; S.D. us, interveniente beato Johanne mihi aliquod signum evidens facere permittat, quatenus tam succedentes quam præsentis cognoscere possent Scotiam Anglorum regno jure subjugari utpote devictum ab Adelstano Rege, sibi que et suis successoribus tributum omni tempore debere persolvere, non immerito illi devotè gratias agerem. \* & extrahens gladium de vagina percussit in scilicet, qua adeo penetrabilis (Dei virtute agente) fuit gladio, quam si eadem hora lapis butyrum esset, vel molli glarea, qui lapis ad ictum gladii ita concavatur, ut mensura ulnae longitudine possit coaptari, et usque ad præsentem diem evidens signum patet, quod Scoti ab Angliis debiti et subjugati, monimento tali ebidentur cunctis adeuntibus demonstrante. Item, de homagio Domino Regi Angliæ debito de terra Galwydiz subscripta invenimus; anno Domini 1185. mense Augusto apud Carleolum, Rolandus Galwydiz Dominus, illuc, ut iussus fuerat, Domino Regi occurrens, in deditionem sponte venit; veritus tamen (ut creditur) exercitus multitudinem quam ad debellandum cum Rex ipse adduxerat, nisi maturius captam contumaciam reliquisset. Recepto itaque homagio ipsius Rolandi de Gawydia, simul et Comitibus David fratris Willielmi tunc Regis Scotiæ de omnibus terris, quæ tenebat, demisitque Rex exercitum suum & in Angliam festinavit. Anno regni Regis Henrici vicefimo secundo Gilbertus filius Ferrugus princeps Galwennorum venit in Angliam in conductum Regis Scotiæ, et devenit homo ligatus Henrici Regis patris, et fidelitatem sibi juravit contra omnes homines. Et pro amore ipsius habendo, dedit Regi mille marcas argenti, et Dupcanum filium suum in obsidem, de pace sibi servanda.

\* Ethelredus Abbas, de Genealogia Regum Angliæ, col. 357.

\* Chron. Johanni. Bromton, col. 838. Henr. de Knyghton de Eventib. Angliæ, l. 3. c. 4. col. 2484. 2485.

Anno Domini & Indictione prænotatis, mensis Junii die secundo (after this Historical Declaration of the Kings Superior Dominion to Scotland made and published,) congregatis ex opposito Castris de North. Dunolm. Dioc. ex alia parte fluminis de Tweda in quadam area viridi, in parochia de Upselyngton Sancti Andree Dioc. præfatis Episcopis, Prælatisque aliis Ecclesiasticis dicti regni Scotiæ, una cum Comitibus, Baronibus, aliisque Nobilibus de communitate dicti regni, necnon & Nobilibus viris, ius ad dictum regnum vendicantibus, præfatus Rex Angliæ illustris in dicto Castro de North. existens, venerabilem in Christo patrem Dominum Robertum Dii gratia Bartho. & Wellen. Episcopum, ponensque verba sua in ore ipsius, ipsum ad subscrip-

scripta

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*Scripta organum suum constituens, prefatis Episcopis, Prælatisque aliis Ecclesiasticis An. 20 E. 1. Comitibus, Baronibus & Nobilibus de communitate dicti regni Scotiæ destinavit. Qui cum ad ipsos venisset, statim quasivit ab eisdem nomine, et vice, ac de mandato speciali dicti Regis Angliæ, ut dicebat, quid jam super dilatione suprascripta, quam alias, ut præmittitur, a dicto Domino Rege Angliæ petierant, et eisdem concessa fuere ut petebant per eundem, fecissent; & hoc vicibus iteratis, et an aliqua dicere, exhibere, proponere, vel etiam ostendere voluissent, quæ ipsum Dominum Regem Angliæ a jure Superioritatis et directi Domini regni Scotiæ, ejusque exercitio et executione excludere poterant et de jure debebant, et quod ea, secundum quod dies desiderabat, proponerent et etiam exhiberent, si sibi crederent expedire: protestans se paratum esse nomine dicti Regis Angliæ et belle ea benigne audire, et ipsis quatenus justum fuerit allocare, vel ea Domino Regi Angliæ suoque consilio referre; ut ipse super hiis, quid de jure faciendum fuerit, deliberare valeret, et facere, quod justitia requirebat; Ipsisque licet pluries super hoc requisiti, omnino tacentibus, nihilque dicentibus, exhibentibus, offendentibus, vel etiam proponentibus, eisdem ex parte dicti Domini Regis Angliæ & ejus nomine, subscriptra sibi injuncta dicenda (ut dicebat) organo vocis sue (sermone tamen Gallico) dixit & exposuit, hunc tamen habentia sententialiter intellectum.*

Excellentissimus Princeps & Dominus noster, Dominus *Edwardus* Dei gratia Rex *Angliæ* illustris, Superior et directus Dominus regni *Scotiæ*, desolatum statum ejusdem perpendens, & ex Principis sive Regis sui destitutione condolens, & pericula, quæ etiam regno hiis diebus per dissensiones Magnatum ejusdem, quorum quilibet jus successionis sibi competere vendicat, & super hoc ad invicem contendunt, provenire poterunt, considerans: ob affectionem zeli & desiderium boni, quod habebat & habet ad dictum regnum & incolas ejusdem, & præcipue ad ipsos quorum tuitio & defensio ad eum spectare dinoscitur, & ut discordantes ad concordiam reducat, lites, quæstiones & jurgia, quæ inter Nobiles prædictos jus ad idem regnum sibi competere vendicantes, audiret & sine debito terminaret, & tranquillitatem & pacem in dicto regno conservaret, & unicuique petenti justitiæ faceret complementum, nuper nonnullos regni *Scotiæ* Episcopos, Prælatosque alios, Comites, Barones, & Nobiles alios in multitudine copiosa convocavit; & per suas certi tenoris literas mandavit eisdem, ut in quindena *Pascha* proximo præterit. apud *Norhm. Dunelm. Dioc.* in confinio *Angliæ* & *Scotiæ* regnorum convenirent cum ipso, super quibusdam ipsos & statum regni *Scotiæ* tangentibus tractaturi; ad quem locum in termino statuto se significabat personaliter declinaturum. Quo termino adveniente, ipsoque Domino nostro Rege in loco prædicto existente, vos Episcopi, Prælatique alii Ecclesiastici, Comites, Barones, & Nobiles alii dicti regni *Scotiæ* juxta formam & effectum mandati Domini Regis vobis directi ad eundem locum accedentes, requisitionem quandam recognitionis benivolæ juris sui Superioritatis et directi Domini regni *Scotiæ*, quod suum esse dicebat, et in cujus possessione, vel quasi progenitores sui *Angliæ* Reges, a tempore cujus contrarii memoria non existit, fuerint, et adhuc ipse est, quod per nonnullas rationes evidentiissimas et per scripturas antiquas approbatas, processus atque cronicas in diversis utriusque regni Monasteriis compertas, certaque alia documenta evidenter et sufficienter vobis ibidem ostendebat, et ostendere semper est paratus: tamen ex habundanti vos requisivit, ut ipsum superiorem et directum vestrum Dominum recognosceretis, et eidem sicut antecessores et progenitores vestri suis antecessoribus et progenitoribus *Angliæ* Regibus fecerunt, pareretis, sicut decet; adjiciensque, quod si qua haberetis, quæ ipsum a jure suo prædicto Superioritatis et directi Domini hujusmodi exercitio seu executione ejusdem excludere de jure possent vel deberent, et rationes suas et documenta pro jure suo adducta per validiora et efficaciora enervare vel etiam infirmare, quod paratus erat ea benigne audire, admittere et approbare, quatenus de jure fuerant approbanda et etiam allocanda; Quæ requisitione vobis (ut præmittitur) facta, vos terminum sibi diem sufficientem ad consulendum Episcopos aliosque Prælatos Ecclesiasticos, Comites, Barones, et alios Nobiles ac communitatem regni *Scotiæ* tunc absentes petebatis, et ad hec faciendum, et ad exhibendum, ostendendum et proponendum munimenta vel scripta, seu alia quævis documenta si quæ haberetis, quæ ipsum Dominum nostrum Regem a jure suo prædicto repellere possent, et rationes et iura pro se adducta enervare, vel etiam per



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validiora et efficaciora infirmare, ad vestram instantem petitionem precise et peremptorie obtinuisse, et diem hodiernum vobis ad hoc (ut permittitur) concessum, primum et assignatum admittis; Quosque jam in isto termino peremptorio pluries nomine et vice ipsius Domini nostri Regis Anglia, et ex parte sua per nos Robertum Bathon. et Wellen. Episcopum requisiti, nihil omnino proponitis, nec ostenditis; nec aliquis vestrum contra pramissa pro jure suo adducta et vobis ostensa proponit vel ostendit. Idcirco vobis omnibus et singulis tam Episcopis, Prelatisque aliis Ecclesiasticis, quam Comitibus, Baronibus, Nobilibus et Magnatibus aliis de Communitate dicti regni Scotia his congregatis, idem Dominus noster Rex Anglia per nos Robertum Bathon. et Wellen. Episcopum insinuat et denunciatur, quod cum ex parte vestra per vos vel vestrum aliquem nihil sit propositum, exhibitum vel ostensum, quod Ius, executionem seu exercitum Iuris sui hujusmodi Superioritatis et directi sui Domini predicti debeat aliquantulum impedire; intentionis sue est jure suo predicto uti, et in ipso negotio inter contententes de jure successionis regni Scotia procedere, ratione Superioritatis et directi Domini, quod est suum, ad cognoscendum, discutiendum et diffiniendum singulariter de jure singulorum Ius ad dictum regnum Scotia sibi competere vendicantium, et eorum unicuique iustitiae facere complementum. Idcirco ex parte dicti Domini nostri Regis Anglia et de ipsius mandato speciali, incipiendo a vobis Domino Roberto de Brus Domino Vallis Anandiae, qui inter alios jus succedendi in regnum Scotia sibi competere vendicantes, jus vobis competere dicitis, interrogando quarimus hic in praesentia istorum Prelatorum, Comitum, Baronum, et aliorum Nobilium utriusque regni hic existentium, an super petitione Iuris vobis competentis ad dictum regnum velitis coram ipso Rege Anglia, utpote Superiori et directo vestro Domino regni Scotia, stare juri, et ab eo petere, respondere et recipere iustitiae complementum? Qui statim publice, palam & expresse in praesentia omnium & singulorum ibidem praesentium, meique Notarii infra scripti respondens dixit organo vocis suae, nemine contradicente, vel reclamante, quod Dominum Regem Angliae recognovit Superiorem et directum Dominum dicti regni Scotia, et concessit se belle stare juri coram ipso super jure sibi competenti ad regnum praelibatum, et ab ipso et coram ipso, utpote Superiori et directo Domino suo regni Scotia, petere, respondere et recipere in hac parte iustitiae complementum. Quo facto idem Pater Bathon. & Wellen. Episcopum, ad nobilem virum Dominum Florentium Comitem Hollandiae se convertens, ab eodem nomine & mandato speciali ipsius Regis Angliae, ut supra a dicto Domino Roberto de Brus, & eodem modo quaesivit & etiam interrogavit; Qui sicut Dominus Robertus de Brus in omnibus et per omnia organo vocis suae statim respondit; ipsamque dictam Regem Angliae Superiorem et directum Dominum regni Scotia palam et expresse recognovit, et concessit se belle stare juri coram ipso, utpote coram Superiori et directo Domino Scotia, super jure sibi competenti ad regnum Scotia praelibatum, et ab eo et coram eo petere, respondere et recipere in omnibus et per omnia, quod consideratum sibi fuerit in hac parte. Eodem modo idem Episcopus statim ibidem a nobili viro Domino Johanne de Hastings nomine dicti Domini Regis Angliae, & de ipsius mandato speciali, ut supra, interrogando quaesivit ibidem, an ipse super jure sibi competenti ad ipsum regnum Scotia vellet stare juri coram dicto Domino Rege Angliae, ut Superiori et directo Domino regni Scotia, et ab ipso et coram ipso petere, respondere et recipere in omnibus, quod Curia sua consideraverit? Qui statim palam & expresse organo vocis suae recognovit eundem Regem Angliae Superiorem et directum Dominum ipsius regni Scotia, et concessit se belle stare juri coram ipso super jure sibi competenti ad ipsum regnum, et ab ipso et coram ipso petere, respondere et recipere quod est iustum. Ad haec statim ibidem nobilis vir Dominus Patricius de Dunbar Comes de Marchia, & Nobiles viri Dominus Willielmus de Ros, & Dominus Walterus de Huntrecome Procur. seu Attornatus Domini Willielmi de Vescy pro ipso Domino Willielmo, Robertus de Pinkny, & Dominus Nicholaus de Coules Milites, eorum quilibet per se petit admitti in petitione iuris, quod quilibet se habere dicebat ad succedendum in ipsum regnum Scotia; Qui inquisiti ut supra, & interrogati per eundem Bathon. & Wellen. Episcopum, quilibet eorum singillatim per se, an vellet stare juri super petitione iuris, quod se habere credebat in successione dicti regni Scotia, et petere, respondere et recipere coram ipso et ab ipso tanquam Superiori et directo suo Domino ipsius regni, quod consideratum sibi fuerit in ebe-

tu:

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tu: responderunt palam & expresse singillatim, sicut interrogabantur, coram omni-  
bus ibidem presentibus Nobilibus et Prelatis, nemine contradicente vel recla-  
mante, quod ipsum Dominum Regem Angliæ superiorem et directum Dominum  
dicti regni Scotiæ recognoverit, et se velle stare juri coram eo super jure suc-  
cessionis, quod sibi competere credebant ad regnum prælibatum, et ab ipso et  
coram ipso petere, respondere et recipere quod Curia sua eis considerare voluerit  
in eventu. Insuper Nobilis vir Dominus Thomas Ranulphi Miles, Domini Johannis  
de Balliolo absentiam Domini sui excusavit, & dixit, Dominum suum præfixionem  
sive assignationem illius diei ad faciendum ea qua tunc fiebant totaliter ignorare; dixit  
etiam, dictum Dominum suum in successionem juris ad dictum regnum Scotiæ præ  
omnibus aliis petentibus pingulus jus habere, et petiit & admitti nomine Do-  
mini sui, et Dominum suum in personam suam ad petendum jus suum inter alios  
ibidem, et ipsum Dominum suum in crastino in personam propriam admitti, et  
audientiam debitam super jure sibi competenti ad idem regnum eidem concedi.

*Acta ex opposito Castri de Norhm. ut præmittitur, anno, indictione, mense, die &  
loco proximo prænotatis. Presentibus venerabilibus in Christo patribus Dominis Dei  
gratia Antonio Dunolm. Willielmo Elien. Willielmo Sancti Andree, Roberto  
Glascuen. & Marco Soderensi Episcopis; ac Nobilibus viris Dominis Willielmo de  
Valenc. Penbrok. Henrico de Lacy Lincoln. Rogero Bigott Northfolch. & Maref-  
callo Angliæ, Dovenaldo de Mar, Gilberto de Anegoz, & Roberto de Brus de  
Caryk, Comitibus; ac venerabilibus & discretis viris Magistris Henr. Ebor. Jo-  
hanne Lichf. Thoma Wellen. & Andree Exon. Ecclesiarum Decanis; Willielmo  
Ebor. Waltero Wellen. Petro Exon. Thom. Suthfolch. in Ecclesia Norwicen.  
Durando Stoneie in Ecclesia Lincoln. & Roberto Cestrie in Ecclesia Lich. Archi-  
diaconis; ac Nobilibus viris Dominis Theobaldo de Verdon. Thom. de Berkie,  
Hugone le Despenser, Waltero de Bello Campo, Willielmo de Sancto Claro, Pa-  
tricio de Graham, Willielmo de Moravia, Ricardo Syward, Galfrido de Moubray,  
Mich. de Wymes, Waltero Curry, & Willielmo de Monte Revelli, Militibus; ac  
Magistro Johanne Erturi de Cadomo Notar. public. testibus ad præmissa vocatis  
specialiter et rogatis, cum aliis utriusque regni Nobilibus et Prelatis, Militi-  
bus et Proceribus aliis, Clericis et Laicis in multitudine copiosa.*

Anno Domini & Indictione prænotatis, dicti mensis Junii, die tertia, congregatus in  
loco proximo superscripto dicti regni Scotiæ Nobilibus & Prelatis, sicut die proximo  
præcedenti, accessit ad ipsos ex parte dicti Domini Regis Angliæ venerabilis pater Do-  
minus Bathon. & Wellen. Episcopus, in cujus ore idem Rex (sicut alias) verba sua  
posuerat, ipsum organum suum constituens, eisdem eadem, qua die proximo præcedenti,  
nomine dicti Regis intimavit, & qua fiebant coram ipsis iterato recitavit per ordinem  
seriatim. Et quia Nobilis vir Dominus Johannes de Balliolo, qui illis diei hesternæ  
non interfuit, nunc præsens erat ibidem, et se dicebat præ omnibus aliis regnum  
Scotiæ petentibus pingulus jus habere, petens se cum effectu ad prosecutionem  
juris sui inter alios admitti, et audientiam debitam sibi concedi; ad interrogatio-  
nem dicti patris sibi ex parte Domini Regis Angliæ factam, an vellet stare juri coram  
ipso Domino Rege, ut superiori et directo Domino regni Scotiæ, et ab ipso et  
coram ipso petere, respondere et recipere justitiæ complementum? Respondit sicut  
& ceteri Nobiles superscripti, recognoscens palam organo vocis suæ, dictum Domi-  
num Regem Angliæ superiorem et directum esse Dominum dicti regni Scotiæ, et  
se velle coram ipso gratanter stare juri, et petere, respondere et recipere in om-  
nibus ipsum tangentibus quod justitia snaderet. Quibus sic factis, ex parte dicti  
Domini Regis idem Pater præcepit eisdem omnibus & singulis tam Nobilibus quam  
Prelatis, & aliis de Communitate regni Scotiæ ibidem congregatis, quod statim ad  
Ecclesiam parochialem de Norhm. accederent, & coram Domino Rege convenirent,  
voluntatem suam audituri. Quibus coram ipso Domino Rege (ut præmittitur) in  
dicta Ecclesia parochiali de Norhm. congregatis, venerabilis pater Dominus Bathon.  
& Wellen. Episcopus ibidem ex parte Domini Regis ipsiusque nomine, vice et mandato,  
eadem verba qua die prox. præcedenti coram ipsis recitavit (lingua tamen Gallica)  
hunc habens sententialiter intellectum.

Serenissimus Princeps & Dominus noster Dominus Edwardus Dei gratia Rex  
Angliæ illustris, superior et directus Dominus regni Scotiæ, desolatum statum  
ejusdem perpendens, & ex principis destitutione turbatum considerans, & nonnulla  
pericula



*An. 20 E. 1.* pericula quæ eidem regno per dissensiones Magnatum ejusdem, qui jus sibi vendicant successione ad illud, & etiam se habere contendunt, poterunt pervenire, ob affectionem & zelum quem habebat & habet erga dictum regnum & ipsius incolæ, & præcipue ad universos & singulos, quorum tuitio & defensio ad eum spectare dinoscitur; & ad faciendum cuilibet petenti justitiæ complementum, & tranquillitatem & pacem inter regnicolas & Nobiles prædictos contententes conformandam, nuper nonnullos Episcopos, Prælatosque alios Ecclesiasticos, Comites, Barones & Nobiles dicti regni *Scotia*, (sicut pluries coram vobis recitavimus) ipsius nomine & pro ipso fecit per suas certi tenoris literas ad locum istum in confinio regnorum sciutatum (ut vestris parceret laboribus & expensis) congregari; ibidemque suum **Parliamentum** statuit, & indixit; ad quem locum in termino statuto sicut promissum personaliter declinavit, sicut nostis. Cumque inter alia in dicto **Parlamento** dictæ, ex parte Domini nostri Regis petitiō quædam vobis ex habundanti facta fuisset, de recognitione vestra benivolentia Superioritatis et directi Domini regni *Scotia*, quod suum est, sicut per nonnullas rationes manifestas et certa documenta et munimenta quamplura vobis ostendebat, in ejus possessione juris vel quasi prægenitores sui *Angl. Reges* a tempore cuius contraxit memoria non existit fuerint inconvulsi. Ad quam petitionem respondere illa vice distulistis, petentes cum effectu diem vobis concedi ad deliberandum & consulendum cum absentibus dicti regni Nobilibus ac Prælati, ac Communitate ejusdem regni, super responsione faciendi dictæ petitioni; ac ipse vestris precibus inclinatus diem hesternum, vobis concessit, statuit & præfixit ad tractandum, deliberandum & consulendum cum dictis absentibus Nobilibus & Prælati, ac Communitate prædicta super præmissis, & illo die præcisè & peremptoriè respondendum petitioni memoratæ, ulteriusque eodem die proponendum, exhibendum & ostendendum jura, scripta, rationes, munimenta, & alia quævis documenta si quæ haberent, per quæ possent ipsum Dominum nostrum Regem a jure suo prædicto Superioritatis et directi Domini hujusmodi excludere, et rationes et jura pro se adducta per baltefora infirmare; vos ne in termino vobis ad præmissa statuto et præfixo hesternæ die videlicet, infirmis congregati, et per nos ex parte Domini nostri Regis, et de ipsis injuncto speciali vobis iteratis, et hodie in eodem loco quo heri interrogati, quidnam super dicta oblatione quam præbatis fecissetis; et, an aliqua dicere, proponere vel exhibere velletis, quæ ipsum Dominum nostrum a jure suo prædicto repellere possent, aut de jure deberent; nihil omnino dixistis, proposuistis vel exhibuistis. Quare idem Dominus noster Rex adhuc vobis omnibus et singulis hic præsentibus, sicut pluries per nos insinuari fecit et denunciari: ita in præsentiarum coram ipso vobis insinuat et denunciatur, quod intentionis suæ est, dicto jure suo uti, et in ipso negotio inter contententes procedere jure Superioritatis et directi Domini hujusmodi quod est suum, ad cognoscendum, discutiendum et diffiniendum de jure singulorum jus ad dictum regnum *Scotia* vendicantium. Et quia quidam dicti regni Nobiles, & etiam alunde de jure successione hujusmodi contententes, hesternæ die & hodiernæ, per nos ex parte Domini nostri Regis, & de ipsis mandato speciali interrogati fuissent singillatim, eorum quilibet per se in præsentia Prælatorum et Nobilium utriusque regni, et aliorum quamplurium de Communitate regni *Scotia* ibidem præsentium, an super jure successione, quod se credebant habere ad dictum regnum *Scotia*, vellent stare juri coram Domino nostro Rege *Anglia* tanquam superiori et directo Domino ejusdem regni, et ab ipso et coram ipso petere, respondere et recipere quod justum fuerit in eventu; ac dicti Nobiles palam et expresse coram ipsis Nobilibus et Prælati, ac aliis de Communitate dicti regni *Scotia*, nemine contradicente vel reclamante, recognoverunt organo vobis dictam Regem *Anglia* superiorem et directum Dominum regni *Scotia*, et concesserunt, se velle gratanti animo stare juri coram ipso, nuncote superiori et directo Domino dicti regni *Scotia*, et ab eo et coram eo petere, respondere et recipere in omnibus et per omnia super jure sibi competenti ad dictum regnum quod justitia suaderet. Unde nos præmissa & eorum singula omnibus & singulis utriusque regni Nobilibus & Prælati, ac aliis hic præsentibus, ex parte ipsius Domini nostri Regis hic in sua præsentia & nomine suo dicimus, quod in summa, hoc est intentionis et voluntatis suæ studium, quod dissensionum et discordiarum omnimodarum sublatis materitis, pax et tranquillitas in ipso regno bigeat, et ipsis incolæ divino auxilio

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auxilio mediante, vera et firma concordia perscrvantur; nec intendit aliqua super quemplam occupare minus iuste, nec alicuius iustitiam protelare, vel libertates aliquas diminuire aut infringere; sed omnibus et singulis petentibus, tanquam superior et directus Dominus regni Scotia, exhibere et facere iustitiam complementum. Insuper & in parte ipsius Domini nostri Regis & suo nomine protestamur, quod quambis ius superioritatis et directi Domini regni Scotia sit suum, et exercitium seu executio eiusdem spectat ad eum, propter hoc non intendit se a iure hereditario (si quod sibi competat) ad dictum regnum, quo ad proprietatem ipsius excludere, licet utatur iure suo superioritatis et directi domini sui predicti exhibendo aliis iustitiam, sed etiam ius suum inter alios petentes dictum regnum visis, modis et temporibus quibus de iure poterit proseguere, et sibi videri expedire. Ad hæc autem dictus Dominus Rex Angliæ præmissa per præfatum Dominum Bathon. & Wellen. Episcopum, suo nomine (ut præmittitur) recitata & dicta, sermone Gallico ore proprio recitavit, dicens hæc verba vel hiis similia hunc habentia sententialiter intellectum.

Nos Edwardus Dei gratia Rex Angliæ, et superior Dominus regni Scotia, statum ejusdem desolatum considerantes, & ex Principis seu Regis sui destitutione multipliciter contrubatum, & varia perplexitate depressum condolentes, & propter dissensiones Magnatum ius ad dictum regnum se habere contententium, ob affectionem & zelum quem habuimus & habemus ad ipsum regnum & ipsius incolas (sicut dicitur Bathon. Episcopus coram vobis nostro nomine recitavit) & præcipue ad universos & singulos quorum tuitio & defensio ad nos spectare dixerunt, ac etiam pro pace dicti regni & inhabitantium ejusdem, ad partes istas gressus nostros direximus, nostris non parcentes laboribus nec expensis. Cumque vos Episcopi aliquos Ecclesiarum Prelati, Comites, Barones & Nobiles regni Scotia ad nostrum mandatum hic in termino vobis assignato congregati, requisitionem quandam vobis ex parte nostra factam, super recognitione vestra benivolentia nobis facienda de superioritate et directo dominio regni Scotia quod est nostrum; et in cuius possessione vel quasi progenitores nostri Angliæ Reges a tempore cuius contrarii memoria non existit, et nos adhuc continemus in presenti; quod per rationes evidentiissimas et manifestas, ac iura, certa que alia documenta vobis nostro nomine sufficienter ostensa evidentes apparet, quæ antea vobis et etiam intellexistis vicibus iteratis. Ea propter, per litteras factas a vobis nomine nostro, quod nos superioritatem et directum Dominium nostrum dicti regni et abundantiam recognoscere, et nobis ut superiori Domino vestro (sicut suum est) pareretis; adiungendo, quod si aliqua haberetis contra nos aut ius nostrum huiusmodi, quæ nos a iure nostro, exercitio seu executione iuris ejusdem excludere possent, et rationes et iura pro nobis et iura nostra huiusmodi adducta et facientia, per validiora et efficaciora infirmare; ea parati essemus quatenus iustum fuerit admittere et facere super hiis, quod secundum Deum et iustitiam fuerit faciendum; vos autem præmissis plenius intellectis, diem ad consulendum cum absentibus tunc Episcopis et aliis Ecclesiarum Prelatis ac Nobilibus, et Communitate dicti regni super responsione facienda dictæ nostræ requisitioni cum instantia petebatis et obtinistis ad interim consulendum cum absentibus, et deliberandum super præmissis, et respondendum, et ulterius precise et peremptorie ostendendum, exhibendum et proponendum munimenta vel scripta, aut alia quæ vobis documenta, si quæ haberetis, quæ nos a iure nostro huiusmodi excludere possent, et iura pro nobis adducta per validiora et efficaciora infirmare; ac vos in dicto termino, vobis ad hoc assignato, et per vos acceptato, convenientes, nihil omnino proposuistis, nec adhuc proponitis; nec vestrum aliquis proposuit aut proponit, quod nos a iure nostro aut huiusmodi exercitio aut executione ejusdem excludere debeat vel poterit, ut refertur. Vobis omnibus et singulis de Communitate ipsius regni, sicut hesternæ die et hodiernæ per dictum Episcopum Bathon. notificari fecimus et denunciari nomine nostro, ita in presenti notificamus et denunciamus; Quod intentionis nostræ est uti iure nostro, et in negotio inter contententes de iure successionis regni Scotia prælibati procedere iure superioritatis et directi domini huiusmodi, quod est nostrum, ad cognoscendum, discutendum et discernendum de iure singulorum ius ad regnum Scotia vendicantium quoquo modo. Cumque prænominati Nobiles ius ad dictum regnum vendicantes per præfatum Episcopum Bathon. nostro nomine singillatim interrogati vicibus iteratis in præsentia Præ-

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An. 20 E. 1. *torum, Comitum, Baronum, & aliorum Nobilium de Communitate regni Scotie*, an  
 saper petitione juris sui quam facere in'endebant, voluerunt stare juri coram nobis, et petere, respondere et recipere sicut coram superioxi et directo Domino sui dicit regni iustitia complementum? ac ipsi et eorum quilibet per se, palam et publice coram vobis omnibus, nullo contradicente vel reclamante, nos superioxi et directum Dominum dicti regni Scotie recognoverunt et recognovit, et se belle stare juri coram nobis concesserunt et concessit, et etiam a nobis et coram nobis petere, respondere et recipere, tanquam a superioxi et directo Domino sui regni Scotie, quod iustitia scaderet. Idcirco vobis omnibus et singulis his presentibus dicimus et notificamus aperte, quod in summa hoc est nostre voluntatis quodiam, pacem et tranquillitatem in regno Scotie inter ipsius regnicolas confirmare; ut discordiarum et dissensionum contententium sublatiis materiis, unicuique facere iustitie complementum; nihil inebite super quempiam occupare, nullas iustitiam protelare, seu libertates diminuire, nec quenquam ledere minus iuste, sed unicuique petenti tanquam superioxi et directus Dominus Scotie ius sibi competens tribuere, leges et consuetudines ipsius regni juri consonas et approbatas facere inviolabiliter observari, ac etiam operam sollicitam circa ea que reformationem status ipsius regni respiciunt impendere, et quietem partium prebatarum. Sperantes enim cum Dei adiutorio sic in hac parte prohibere, quod ad divini nominis laudem cedet, et statum prosperum regionis et incolarum ejusdem commodum in futurum. Et quambis nos Amicus superioxi et directus Dominus ipsius regni, et ipsius exercitum et exercitio juris ad nos pertineat, non intendimus propter hoc nos a jure hereditario, (si quod nobis competat) ad idem regnum quoad proprietatem ipsius excludere, licet utamur jure nostro exhibendo et faciendo aliis iustitiam, sed etiam ius nostrum inter alios petentes belle prosequi et declarare visis, modis et temporibus quibus de jure poterimus et viderimus expedire.

Ad hac Nobilis vir Dominus Johannes de Balliolo surrexit, & dicto Domino Regi dixit; Quod ipsam superioxi et directum Dominum regni Scotie recognovit, et concessit sicut alias, se belle stare juri coram ipso super jure successionis sibi competentis ad dictum regnum, et ab ipso et coram ipso ut superioxi et directo suo Domino petere, respondere et recipere, quod consideratum sibi fuerit in hac parte. Eodem modo Dominus Johannes Comyn Dominus de Banenagh, surrexit, ipsamque Dominum Regem superioxi et directum Dominum regni Scotie palam et publice recognovit, et petiit se admitti inter alios petentes idem regnum ad prosecutionem juris sibi competentis ad dictum regnum, et concessit se belle stare juri coram ipso; et ab ipso et coram ipso tanquam superioxi et directo Domino regni Scotie petere, respondere et recipere iustitie complementum. Cujus petitioni dictus Dominus Rex inclinatus, ipsam Dominum Johannem Comyn inter alios petentes admisit. Et statim ibidem supranominati Nobiles ius successionis in regnum Scotie vendicantes (ut premissum) omnes et singuli, saper recognitionibus suis sapradictis suas patentes literas eidem Domino Regi fieri fecerant Agillozorum suorum impressionibus consignatas, tenorem qui sequitur continentes.

\* See Mat. Westm. An. 1191 p. 378, 379. & Tho. Walsingham Hist. Angl. p. 18, 19.

A tous ceaus qui cestes lettres verront ou orront Florencia Counte de Hoiland, Robert de Brus Seignor de Val Denants, Johan de Baillol Seignor de Galeweye, Johan de Hastings Seignor de Bergeveny, Johan Comyn Seignor de Badenagh, Patrik de Dunbar Counte de la Marche, Johan de Vesev pur son pierre, Nicholas de Soules e William de Ros, salut en Dieu. Com nous entendoms avoir droit al Roialme de Scoce, e cele droit monstrier, chalenger, e averrer devant celui qui plus de pooir, jurisdiction e reson eust de trier nostre droit, e le noble Prince Sire Edward par la grace de Dieu Roy d'Engleterre nous eit informetz per bones & suffizantes resons, qe a lui apent, e avoir droit la sobrain Seigneurie du dit Roialme Descoce, e la conissance de oir, trier e terminer nostre droit, nous de nostre propre volonte sanz nule manere de force ou distresse, voloms, otroloms et grauntoms de receture droit debant lui com sobrain Seigno; de la terre, e voloms ia lemeins e promettons, qe nous auoms e tendrons ferm e estable son fait, e qe celui en portra le Roialme, a qui droit le doira debant lui. En tesmoignance des queus choses; nous auoms mis nos seals a cest escrire. Fait e done a Norbm. le Mardi prochein apres Lascension, lan de grace 1291.

Quibus

Quibus (ut premittitur) facili, habitoque tractatu inter ipsum Dominum Regem An. 20 E. 1.  
 suumque Consilium, & Prælatos & Nobiles de Communitate regni Scotiæ memorati,  
 & ipsos Nobiles juxta ad regnum Scotiæ vendicantes, qualiter in prædicto negotio esset  
 utilius procedendum, & etiam super reformatione status ejusdem regni, demum de una-  
 nimi omnium & singulorum utriusque regni Nobilium & Prælatorum consensu & vo-  
 luntate, nullo contradicente vel reclamante, ordinatum extitit & consensus; quod Do-  
 minus Johannes de Balleolo & Dominus Johannes Comyn pro se & aliis petentibus  
 qui electioni faciendæ per ipsos consentire voluerint, eligant quadraginta viros fidedig-  
 nos & discretos, quos ad hoc idoneos esse crediderint; & Dominus Robertus de Brus  
 pro se & aliis petentibus, qui nominationi & electioni per ipsum faciendæ, similiter con-  
 sentire vellent, eligant alios quadraginta, quorum sic electorum nomina hinc inde tertia  
 die proximo sequent. quinta videlicet dicti mensis Junii, eidem Domino Regi tradantur  
 inscriptis, & ipse ultra illos sic nominatos & electos, viginti quatuor & plures vel pau-  
 ciores pro sua libito voluntatis, ratione superioritatis et directi domini sui hujusmo-  
 di, illis octoginta nominatis et electis assignet et statuatur; ita ut hii omnes sic nomi-  
 nati & electi, & per ipsum Regem assignati, insimul congregati, iura omnium et singu-  
 lorum petentium dictum regnum audiant, et discussionem faciant, sicut juri et ra-  
 tioni magis viderint conuenire: et discussione plena facta, quid invenerint, fideliter  
 referant Domino Regi, ad quem pertinet dictum negotium diffinire, ut ipse  
 Deum habens præ oculis, ut superior et directus Dominus regni Scotiæ iudicet et  
 pronuntiet, sicut de jure fuerit faciendum: potestate tamen libera addendi, mutandi  
 & diminuendi de assignandis per ipsum Regem sibi semper reservata. Si vero aliquem  
 vel aliquos de prædictis octoginta personis sic nominatis & electis per nobiles prædictos,  
 infirmitate seu alio impedimento legitimo detineri contingat, ita quod venire non poterit;  
 ordinatum est & ab omnibus consensus, quod alius vel alii absentis vel absentium vices  
 suppleant vel suppleant, & eorum loco vel locis per ipsos qui eos elegerunt & nominarunt,  
 subrogentur. Et prædictus modus procedendi & discutiendi de jure petentium prædicto-  
 rum, quia omnibus placuit, ab omnibus extitit approbatus, laudatus & acceptatus.  
 Acta in parochiali Ecclesia de Norhm. & alibi (ut premittitur) anno, indictione, men-  
 se & die prox. prænotatis; Presentibus venerabilibus in Christo, Dominis Johanne Dei  
 gratia Eborum Archiepiscopo Angl. Primati, Antonio Dunelm. Roberto Bathon.  
 & Wellen. Willielmo Elien, Willielmo Sancti Andree, & Roberto Glasgoven.  
 Episcopis: ac nobilibus viris Dominis Edmundo Lancastrie, dicti Domini Regis ger-  
 mano, Willielmo de Valenc. Pembrock, Henrico de Lascy Lincoln. Rogero Bigot  
 Northfolchiæ, & Marescallo Angliæ, Dovenaldo de Mar, Gilberto de Anegos, &  
 Roberto de Brus de Carrick Comitibus; Theobaldo de Verdon, Thomam de Berk-  
 ley, Hugone le Dispenser, Willielmo de Sancto Claro, Patricio de Graham, Wil-  
 lielmo de Moravia, Syward, Galfrido de Moubray, Michael de Wymes, Waltero  
 de Bello Campo dicti Domini Regis Senescallo, & Willielmo Monte Revelli, Baro-  
 nibus; ac venerabilibus & discretis viris, Magistris Henrico de Newerk Decano  
 Eborum, Johanne de Lascy Cancellar. Cicestren. & Waltero de Langeton Decano  
 de Burges, ac Magistro Erturi de Cadomo Notar. publico, cum aliis tam Episcopis,  
 Abbatibus, Prioribus & Clericis quam Comitibus, Militibus & Nobilibus in mul-  
 titudine copiosa.

Anno à Nativitate Domini 1291. Indictione quarta, mensis Junii, die quarto, con-  
 gregatis coram serenissimo Principe & Domino, Domino Edwardo Dei gratia Rege  
 Angliæ illustri, Superiore & directo Domino regni Scotiæ, Nobilibus viris Domino  
 Florentio Comite Hollandiæ, Roberto de Brus Domino Vallis Anandæ, Johanne de  
 Balliolo Domino Galwidæ, Johanne de Hastings Domino de Bergeveny, Johanne  
 Comyn Domino de Dunbar Comite de Marchia, Johanne de Vescy pro patre suo,  
 Nicholao de Soules, & Willielmo de Ros, Baronibus; juxta ad dictum regnum Scotiæ  
 vendicantibus, cum aliis tam Episcopis, Comitibus, & Baronibus, quam aliis Militi-  
 bus & Nobilibus utriusque regni quampluribus, possessionem regni Scotiæ et Ca-  
 strozum ejusdem eidem Domino Regi nemine contradicente vel reclamante de com-  
 muni consensu Communitatis ejusdem regni ut superiori et directo Domino suo,  
 concesserunt et etiam tradiderunt; et suas patentes literas suis sigillis pendentibus  
 consignatas factum suum prædictum testificantes sibi fieri fecerunt, tenorem  
 qui sequitur continentes.



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\* See Marth.  
Westminster,  
p. 738, 739.  
& Walsing-  
ham qualupra.

\* A tous ceaus qui cestes presentes lettres verront ou erront, Florence Comte de Hoilande, Robert de Brus Seigneur du Vall Davant, Johan de Baillet Seigneur de Gameye, Johan de Hastings Seigneur de Bergevin, Johan Cemyn Seigneur de Badnagh, Patrik de Dunbar Comte de la Marche, Johan de Vescy pur son pere, Nicol de Soules, & Willam de Ros, salus en Dieu. Com nous eoms otriez agraunte de nostre bone volunte et commun assentes sans nule destresse, al noble Prince Seigneur Edward par la grace de Dieu Roy Dengleterre, qe il com soberein Seigneur de la terre Descote puisse oier, trier e terminer nos chalenges e nos demandes, qe nous entendoms monstrier e averrer pur nostre droit en la Royaulme Descote, et droit receivre debant luy com soberein Seigneur de la terre, promettantz ia le meins qe son fait aurons e tendrons ferme estable, e qe il eportra le Royaulme a qui droit le dorra devant lui. Mes pur ceo qe lavant dit Roy Dengleterre ne poet nule manere de reconissance faire ne accomplir sanz judgement, ne judgement ne doit estre sanz execution, ne execution ne poet il faire duement sanz la possession e seisine de mesme la terre des chasteaux; nous volumus, otroions e grantoms, quil com soberein Seigneur a parfaire les choses abant dites, ait la seisine de toute la terre e des chasteaus de Scoce, tant qe droit soit faire e parfume a demandantz, en tielle manere qe avant ceo qil ait seisine abant dite face bone seurte e suffisante as Demandantz, e as Gardeins, e a la commune du Royaulme Descote, a faire la reversion de mesme le Royame e des chasteaus oue toute le Roiaute, Dignite, Seigneurie, Franchises, Customs, Droitures, Lipes, Usages, e possessions, e toutes maneres de appartenances en mesme lesteare quil estient quant la seisine lui fu libree, e baite, a celui qui le droit empozttera par judgement de la Royaulme, sabs au Roi Dengleterre le homage de celui qe terra Roi, issint qe la reversion soit fait de euz, les deuz mois apres le jour qe le droit terra trie e ferme. E qe les issues de mesme la terra en le moien temps receibes, soient salvement mis en depos, e bien gardez pur la main del Chambrelain Descote que oze est, e de celui qui terra assigne a luy de par le Roy Dengleterre, e desouz leur seaules, sabs resonable sustenance de la terre, e des chasteaux, e de Ministres du Royaulme. En tesmoigne de cestes choses avandites nous avoums mis nos seaules a ceste escrit. Fait e done a Norhm le Mescredi apres Lascension, lan de Grace Mil. CC. Nonante primerime.

\* Anno 1291.  
p. 379. See  
Chron. Will.  
Thorn. col.  
1961.

(Istam regni Scotie ordinationem (as \* Matthew Westminster stories) in foro supradicto ordinatam, Dominus Rex Edwardus pluribus Dominibus religiosis, & maxime viris religiosis, Priori & Conventui de Merton destinari precepit, ut ad perpetuam rei gestam memoriam in Chronicis suis facerent annotari. Unde vobis mandamus, quod eadem faciatis in Chronicis vestris ad perpetuam rei gesta memoriam annotari. Teste Magistro Gulielmo de Marchio Thesaurario nostro apud Westmonasterium, nono die Julii, anno regni nostri decimonono; Per breve de privato sigillo.) The Record thus proceeds.

Anno & Indictione prenotatis, mensis Junii die quinto, congregatis in parochiali Ecclesia de Norham Dunelm. Dioc. suprascriptis nobilibus viris sive ad dictum regnum Scotie vendicantibus, coram venerabili viro D. Johanne de Berewico dicti Domini Regis Anglie Clerico & Decano de Wymburn, ad recipiendum nomina hinc inde electorum, quam etiam assignatorum per ipsam Regem sibi in scriptis tradita, recepit, qua sunt. In primis ex parte Domini Regis assignati sunt & nominati, venerabiles patres in Christo, Domini Robertus Bathon, & Wellen. Antonius Dunelm. Willielmus Elien. & Radulphus Carleolen, Episcopi; Frater Willielmus de Hotham Provincialis Fratrum Predicatorum in Anglia, & frater Willielmus de Gainsburgh Minister generalis ordinis fratrum minorum, Magistri Henricus de Newerke Decanus Eborum, Johannes de Derby Decanus Lichf. Durandus Archidiaconus Stowie, Robertus de Rodewell Archidiaconus Cestrie, Willielmus Grenefeld Canonici Eborum, & Willielmus de Kilkenny; ac Nobiles viri, Dominus Henricus de Lascey Comes Lincoln. Rogerus Bgod Comes Northfolchie & Marecallus Anglie, Johannes de Sancto Johanne, Hugo le Dispenfer, Robertus filius Rogeri, Thomas de Berkle, Brianus filius Adam, Rogerus Brabazon, Willielmus de Beresford, Johannes de Lithegreines, Thomas de Fisheburne, & Walterus de Routhbyr. Ex parte vero Domini Roberti de Brus Domini Vallis Anandie, & aliorum qui electioni & nominationi per ipsum facienda consenserunt, electi sunt & nominati venerabiles patres, Robertus Glasquen. & Mattheus Dunkelden. Episcopi; Abbas de Melros, & Abbas de Jddeworth, Patri-

cius

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cus Comes de Marchia, Dovenaldus Comes de Marr, Walterus Comes de Meneteth, *An. 20. E. 1.*  
 Johannes Comes Acholiz, Malcolmus Comes de Levenaux, Jacobus Senescallus Scotie,  
 Willus de Soules, Nicholas de Graham, Johannes de Lindefeia, Johannes Senescalli,  
 Alexander de Bonkhill, Willielmus de Haya, David de Torthorad, Johannes de Calentyr.  
 Willielmus de Fenton, Magister Adam de Crokdayk, Henricus de Aberdeen, *cujus loco postea positus fuit* Walterus de Lindefeya, Reginaldus de Crauford,  
 Nicholas Cambel, Willielmus de Strivelin, Johannes de Strivelin de Moravia, Johannes de Inchemartin,  
 Magister Robertus de Merleya, Magister Willielmus de Strivelin, Magister Thomas de Bonkhill,  
 Henr. de Lennatchton, Magister Willielmus de Anandia, Magister Willielmus de Goseford, Magister Richardus de Bolton,  
 Frater Reginaldus de Ribull, Monachus de Melros, Willielmus de Coningsburgh, Willielmus de Preston,  
 Gilbertus de Conisburgh, & Galfridus de Caldecote. Ex parte vero Domini Johannis de Balleolo Domini Galwidiz & eorum qui nominationi et electioni per ipsum facienda consenserunt, electi sunt & nominati, et eorum nomina in scriptis tradita, venerabiles Patres Willielmus Sancti Andree, Henricus Aberdon, Willus Dunblan, Marcus Sodoren, Henricus Candida case, & R. Rossen. Episcopi; Abbas de Dunfermelin, Abbas de Sancta Cruce, Abbas de Combuskineth, Abbas de Calkon, Abbas de Tungeland, Abbas de Scona, Abbas de Coupre, Prior Sancti Andree, Walterus Archid. Dunblanen, Johannes Comes de Boughan, Gilbertus Comes de Anegos, Masilius Comes de Strathern, Willielmus Comes de Ros, Alexander de Ergadia, Andreas de Moravia, Galfridus de Moubrey, Herbertus de Makefwell, Symon Frazer Pater, Patricius de Graham, Willielmus de S. Claro, Reginaldus le Cheen pater, Reginaldus filius, Nicolaus de Haya, Robertus Combron, Dominus de Balingrenagh, Richardus Frazer, Johannes de Strivelin de Cars, Andreas Frazer, Michael de Wymes, Michael Scotus, Richardus de Stranton, Willielmus de Moravia de Tolibardardin, Willielmus de Melgredon, Radulphus de Lasceles, & David de Graham. Acta in parochiali Ecclesia de Norham (ut premittitur) Anno, Indictione, mense & die, presentibus venerabilibus in Christo patribus, & Dominis Roberto Bathon, & Wellen. & Willielmo Dei gratia Elyen. Episcopis; & venerabilibus & discretis viris, Magistro Henrico de Newerk Decano Eborum, & Domino Waltero de Langeton Decano de Burges; ac Nobilibus viris Dominis Henrico de Lascy Lincoln. Rogero Bigod Northfolchiz & Marescallo Angliz Comitibus, cum Magistro Johanne Erturi de Cadomo Publico Notario, & aliis tam Ecclesiarum Prælatibus & Nobilibus quam popularibus utriusque regni quampluribus.

Anno Domini & Indictione dicti mensis Junii die sexto, congregatis in Castro de Norham, Dunolm. Dioc. Nobilibus viris supranominatis Ius ad dictum regnum Scotie vendicantibus, coram excellenti Principe & Domino, Domino Edwardo Dei gratia Rege Angliz illustri, Superiore et directo Domino regni Scotie, suoque Consilio, una cum aliis utriusque regni Nobilibus & Prælatibus recitatis; recitatisque actis diei proximo præcedenti, ex parte ipsius Domini Regis dicti Nobilibus regni Scotie & Prælatibus discutebatur. Quod de loco decenti & termino sive die competenti inter se deliberarent, & etiam consentirent, ubi & quando melius & utilius possent congregari & morari, ad audiendum & recipiendum petitiones presentium prædictorum, & de jure singulorum cognoscendum & discutiendum, & discussionem plenè facta, cum ad hoc devenit fuerit, eidem Dom. Regi quod invenitur fideliter referendum, ut ipse Deum habens præ oculis, judicet & pronuntiet, sicut de jure fuerit faciendum; habitaque inter ipsos deliberatione super hoc & tractatu diligenti, locum aptum apud Berewicum super Twedam, ad tractandum, cognoscendum, discutiendum & diffiniendum super præmissis unanimiter & concorditer statuerunt & etiam elegerunt; & eidem Domino Regi electionem suam loci prædicti & consensum præsentarunt; quem locum idem Dominus Rex acceptavit. Et quia de termino sive die aliquo inter se concordare noluerunt, idem Dominus Rex, tanquam Superior et directus Dominus ipsius regni, secundum diem mensis Augusti proximo futur. dictis nobilibus Ius ad regnum Scotie vendicantibus pro termino peremptorio statuit et præfixit, de consensu unanimi et voluntate omnium et singulorum utriusque regni Nobilium et Prælatorum ibidem præsentium, ad proponendum suam iura, et super proponendis ab eisdem cognoscendum, procedendum et discutiendum et diffiniendum, cum continuatione et prorogatione dierum usque ad finalem decisionem negotii prælibati inter perentes supradictos, quis ipsorum pinguius



*An. 20 E. 1.* jus haberet ad regnum Scotiæ prælibatum. *Acta* fuerunt præmissa in Camera exteriori (ut præmittitur) Anno, indictione, mense & die proximo prænotatis; Præsentibus venerabilibus in Christo patribus, Dominis Johanne Dei gratia Eborum Archiepiscopo, Angliæ Primati, Roberto Bathon. & Wellen. Antonio Dunolm. & Willielmo Elien. Episcopis; cum nobilibus viris Dominis, Edmundo Lancastræ dicti Domini Regis germano, Gilberto de Clara Gloverniæ, Umfrido de Bohun Hertfordiæ, Willielmo de Valenc. Penbrok, Henr. de Lascey Lincoln. & Rogero Bigot Northfolchiæ & Marscallus Angliæ, Comitibus; ac Magistris Henr. de Newerke Eborum, & Thoma Wellen. Ecclesiarum Decanis, Johanne de Lascey Cancellar. Cicestren. & Willielmo de Grenesfield Canonico Eborum, Magistro Johanne Erturi de Cadomo publico apostolica auctoritate Notario infra scripto, cum aliis ejusdem regni Nobilibus & Prælati, ac popularibus quampluribus.

Anno Domini & Indictione prænotatis, dicti mensis Junii, die undecimo, Willielmus Sancti Andree, & Robertus Glasguen. Episcopi, ac Nobiles viri Domini Johannes Comyn de Badenagh, & Senescallus Scotiæ, Custodes dicti regni per Communitatem post mortem Regis sui Alexandri electi, & specialiter deputati, coram dicto Domino Rege Angliæ, Superiore et directo Domino ejusdem regni in Castro de Norham comparuerunt, cum omnibus Castellanis sive Constabular. Castrorum regni Scotiæ quæ fuerunt quondam Regis defuncti, qui per ipsum quondam Regem, sive post ejus obitum per Custodes & regni Communitatem electi, sive positi fuerant, aut quovis alio modo deputati, suasque Custodias et Ballivas eidem Domino Regi, tanquam superiori Domino suo ipsius regni reddiderunt, et etiam liberarunt. Quorum custodias per ipsum Dominum Regem receptis, regni videlicet Scotiæ Castrorum, Cebitarum, Villarum, Burgozum, et aliorum omnium et singulorum Regiæ dignitati infra idem regnum qualitercunque pertinentium, idem Dominus Rex dictos Patres S. Andree & Glasguen. Episcopos, Johannem Comyn, & Jacobum Senescall. Scotiæ, (sicut prius) tanquam Dominus regni Scotiæ superior, ejusdem regni Custodes constituit, et eidem ipsius regni custodiam commisit, sub ipso et suo nomine gubernandum. Subsequenter vero dicti regni Scotiæ Nobiles & Prælati ad mandatum dicti Domini Regis præcipientis, venerabilem in Christo Patrem Dominum Alanum Dei gratia Cathanen. Episcopum in Cancellarium Scotiæ eligerunt, et electionem suam de ipso factam eidem Domino Regi præsentarunt; Cujus electionem idem Dominus Rex acceptavit, et ipsum Cancellarium Scotiæ præfecit, et discretum virum Dominum Walterum de Amundesham Clericum suum in socium sibi adjunxit et etiam associabit. *Acta* in Castro de Norham (ut præmittitur) anno, indictione, mense & die prænotatis, præsentibus venerabilibus in Christo Patribus, Roberto Bathon. & Wellen. Antonio Dunolm. Willielmo Elien. & Radulpho Carleolen. Episcopis; una cum Nobilibus viris Dominis Edmundo Lancastræ, Willielmo Penbrock, Gilberto Gloverniæ, & Henrico Lincoln. Comitibus, ac venerabilibus & discretis viris, Magistro Henrico de Newerk Decano Eborum, Magistro Johanne de Lascey Cancellar. Cicestren. Magistro Johanne Erturi de Cadomo publico apostolica auctoritate Notario, cum aliis utrinque regni Nobilibus & Prælati quampluribus, ac me Notario infra scripto.

Anno Domini & indictione prædictis, dicti mensis Junii die duodecimo, congregatis in quadam area viridi ex opposito Castri de Norham, ex alia parte fluminis de Tweda in Marchia de Vilelinton Sancti Andree Dioc. Nobilibus viris Dominis, Roberto de Brus, & Johanne de Baleolo, cum aliis suis ad regnum Scotiæ vendicantibus, ac venerabilibus in Christo Patribus Dominis Willielmo Sancti Andree, & Roberto Glasguen. Episcopis; Dominis Johanne Comyn, & Jacobo Senescall. Custodibus regni Scotiæ, aliisque utrinque regni Nobilibus & Prælati, venerabilis Pater Dominus Alanus Dei gratia Cathanen. Episcopus Cancellar. regni Scotiæ per dictum Dominum Regem Angliæ factus, venit coram ipsis, & sigillum ad regimen Scotiæ deputatum sibi ex parte dicti Domini Regis, et ejus nomine oblatum et traditum recepit; et inspectis sacrosanctis et osculatis Dei Evangelis corporale præstitit juramentum, Quod officium Cancellar. dicti regni Scotiæ sibi per ipsum Regem Angliæ ut præmittitur commissum, secundum leges et consuetudines regni Scotiæ fideliter geret, et pro tempore suo se habuit in eodem, et eidem Domino Regi Angliæ ut superiori et directo Domino regni Scotiæ intenderet et pareret in officio Cancellar. et unicuique de dicto regno in omnibus et singulis ad ipsum officium pertinentibus exhiberet

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hiberet et faceret iustitiæ complementum, Literis tamen gratiæ omnimodis eidem Domino Regi Angliæ specialiter reservatis. *Insuper Dominus Walterus de Amundesham Clericus præfatus Episcopo Cathenen. in dicto officio Cancellar. associatus ( ut præmittitur ) tactis sacrosanctis et osculatis Dei Evangelis ibidem existens constituit pro tempore Juramentum. Quibus sic factis, venerabiles in Christo patres & Domini, Willielmus S. Andræ, & Robertus Glasquen. Episcopi, Johannes Comyn, & Jacobus Senescallus Scotiæ Custodes dicti regni, una cum nobilibus viris ius ad idem regnum vendicantibus, aliisque Proceribus, Prælati & Militibus ejusdem regni ibidem congregatis ad dictum Dominum Regem in dicto Castro de Norham existentem perrexerint. Et habito super præmissis & aliis faciend. inter ipsos, & Consilium Domini Regis tractatu, aliquantulum ordinatū fuerit ibidem, & ex parte Domini Regis ibidem omnibus & singulis dictum, quod ultra flumen de Tweda in loco in quo illo die fuerant congregati, qui est infra limites regni Scotiæ, die crastino, omnes et singuli tam Episcopi et alii Ecclesiarum Prælati, quam Comites, Barones, Pagnates, Proceres, Civitatum et Burgozum Communitates, et alii omnes et singuli qui fidelitatem Domino Regi Scotiæ facere tenebantur, qui tunc ibidem præsentem fuerint conbenerint, fidelitatem dicto Domino Regi ut superiori et directo Domino dicti regni Scotiæ facturi, secundum formam convenientem per ipsum Dominum Regem suumque Consilium ordinandum. Ita quod præmissis sic factis ex parte ipsius Domini Regis Angliæ, ut superiori et directi Domini regni Scotiæ par sua per totum ipsum regnum publice proclamaretur, et iuxta proclamationem suo nomine factam firmiter observaretur in futurum. Acta sunt præmissa, anno, indictione, mense, die & loco proximo prænotatis, præsentibus venerabilibus in Christo Patribus, Dominis Roberto Buthon, & Wellen. Antonio Dunolm. & Willielmo Elyen. Episcopis; cum nobilibus viris Dominis Edmundo dicti Domini Regis germano Comite Lancastriæ, Willielmo de Valenc. Comite Penbrok, Gilberto de Clara Comite Gloverniæ, & Henrico de Lascy Comite Lincoln. & venerabilibus viris Magistris Henrico de Newerk Decano Eborum, Johanne de Lascy Cancellar. Cicerstren. & Domino Waltero de Langeton Decano de Burges, ac Magistro Johanne Erturi de Cadomo publico apostolica auctoritate Notario, cum aliis utriusque regni Prælati, Comitibus, Baronibus, Militibus & popularibus in multitudine copiosa, ac me Notar. infra-scripto.*

Anno Domini & Indictione prænotatis, dicti mensis Junii, die tertiadecima, congregatis in loco per dictum Dominum Regem eis ( ut præmittitur ) assignato, dictis Nobilibus regni Scotiæ & Prælati, cum aliis quampluribus, accessis ad eos serenissimus Princeps & Dominus Rex Angliæ illustris, & primo Nobilem virum Dominum Brianum filium Alani prædicti Custodibus regni Scotiæ aliis per ipsum deputatis adjunxit & associavit. Et ab eisdem Custodibus, tam Sancti Andræ et Glasquen. Episcopis, quam Johanne Comyn, Jacobo Senescal. et Briano filio Alani corporale ad sancta Dei Evangelia recepit juramentum, in præsentia utriusque regni Nobilium metique Poterit infra-scripti, quod custodiam regni Scotiæ eis commissam fideliter gerent, et etiam circa ipsius custodiam faciendam operam sollicitam adhibebunt, et secundum leges et consuetudines dicti regni unicuique petenti, communem et plenam Iustitiam exhibebunt, et pro tempore suo facient complementum, et eidem Domino Regi Angliæ ut superiori et directo regno Scotiæ in omnibus obediant et intendunt. *Insuper dicti Domini Willielmus Sancti Andræ & Robertus Glasquen. Episcopi inspectis sacrosanctis, et Domini Johannes Comyn. & Jacobus Senescallus Custodes regni Scotiæ ( ut præmittitur ) deputati, tactis eisdem Evangelis et osculatis, per se horum quilibet juramentum fidelitatis eidem Domino Regi Angliæ tanquam superiori et directo Domino regni Scotiæ juraverunt. Similiter et Marcus Sodorensis Episcopus ipsius regni Cancellarius, ac Nobiles viri Domini Robertus de Brus Dominus Vallis Anandæ, Johannes de Balleolo Dominus de Galwiddia, Robertus de Brus Comes de Carik, Patricius de Dunbar Comes de Marchia, Dovenaldus Comes de Mar, Johannes Comes de Boughan, Johannes Comes Atholix, Gilbertus Comes de Anegos, Malcolmus Comes de Levenaux, Walterus Comes de Meneteth, Johannes Comyn Dominus de Badenagh, Jacobus Senescallus Scotiæ, Willielmus de Sonles, Johannes de Soules, Patricius de Graham, Thomas Randolph, VVillielmus de Sancto Claro, Radulphus de Hoveden, Alexander de Balliolo Camerarius Scotiæ, VVillielmus Comyn, Johannes Senescalli, Ingeramus de Un-*



An. 20 E. 1. franville, VVillielmus de Moravia de Trilibardin, Henricus de Pinkney, VValterus Burden, Radulphus de Cranford, & Henricus de Sancto Claro, Milites et Barones dicti regni Scotiæ, eorum quilibet per se singillatim eidem Domino Regi Angliæ ibidem ut superiori et directo Domino suo eiusdem regni fidelitatem fecerunt, et tactis sacrosanctis et oscularis Dei evangeliiis iuraverunt. Quibus (ut pramittitur) factis, idem Dominus Rex præcepit, et fecit pacem suam ibidem publicè proclamari; et, ut ubicunque per totum ipsum regnum Scotiæ proclamaretur, jussit, & firmiter observaretur, hoc idem omnibus de Communitate dicti regni Scotiæ ibidem existentibus, et etiam dictis Custodibus per ipsum deputatis injunxit: Et secundum diem mensis Augusti proximo sequent. omnibus et singulis ipsius regni Scotiæ Episcopis et aliis Ecclesiarum Prælatibus, necnon omnibus et singulis nobilibus suis ad dictum regnum Scotiæ vendicantibus, ac etiam auditoribus hinc inde nominatis et electis et per ipsum assignatis, Comitibus, Baronibus, Militibus, aliisque Præcibus dicti regni in Parlamento suorum ipso apud Berewicum super Twedam pro termino peremptorio præfixis et assignavit, ad præcedendum, cognoscendum et faciendum in dicto negotio inter vendicantes dictum regnum, cum continuatione et prorogatione dierum (sicut alias) inter ipsum Dominum Regem et ipsos Nobiles et Prælatos regni Scotiæ ordinatum extitit et consensus. Ad idem quadam arca viridæ ex opposito Castræ de Norham, in parochia de Upseltington Sancti Andree Dioc. prope flumen de Tweda (ut pramittitur) anno, indictione, mense et die proximo prænotatis. Præsentibus venerabilibus in Christo Patribus Dominis Roberto Bathon, et VVellen, Antonio Dunolm, et Radulpho Dei gratia Carleolen. Episcopis; una cum Nobilibus viris, Dominis Edmundo dicti Domini Regis germano Lancastriæ, VVillielmo de Valentia Pembrok, Gilberto de Clare Gloverniæ, et Henrico de Lascy Lincoln. Comitibus; Johanne de Sancto Johanne, VValtero de Bello Campo dicti Domini Regis Senescallo, Nicolao de Segrave, Petro de Chavant, & VVillielmo de Monte Revelli, dicti Domini Regis Camerariis, Johanne Betecourt, Guidone Ferre, VVillielmo de Bereford, et Elia de Haungle, Militibus, ac venerabilibus et discretis viris Magistris, Henrico de Newerke Decano Eboracensi, Johanne de Lascy Cancellar. Cicerren. ac Magistro, Johanne Erturi de Cadomo publico apostolica autoritate Notario; cum aliis utriusque regni Nobilibus et Prælatibus in multitudine copiosa.

Anno Domini & indictione prænotatis, dicti mensis Junii die quartodecimo, Nobilis viri Ricardus dictus Syward, Simon Fraser, & Alexander filius Comitis de Menebeth, venerunt, et fidelitatem dicto Domino Regi Angliæ, ut Superiiori et directo Domino regni Scotiæ fecerunt; et tactis sacrosanctis Dei Evangeliiis et oscularis iuraverunt, in quodam Panerio juxta Norham. Præsentibus Domino Henrico de Bluntisdon, et Radulpho de Stamford, ac Magistro Johanne Erturi de Cadomo publico apostolica autoritate Notario, cum aliis quampluribus. Et anno Domini et indictione prædictis dicti mensis Junii exeuntis die septimo, existente dicto Domino Rege Angliæ apud Berewicum super Twedam, religiosus vir frater Henricus Prior de Colindingham, & Dominus Johannes de Vaus venerunt, & in capella Castræ de Berewico fidelitatem fecerunt eidem Domino Regi Angliæ, et etiam iuraverunt. Præsentibus venerabilibus patribus Dominis, Roberto Bathon, & Wellen, et Alano Cathen. Episcopis; et Domino Henrico de Bluntisdon, dicti Domini Regis Elemosynar. ac Magistro Johanne Erturi de Cadomo publico apostolica autoritate Notario, cum aliis quampluribus. Item, ibidem anno Domini & indictione prædictis, dicti mensis exeuntis die sexto, religiosa mulier Domina Agnes de Berinham Priorissa de Berewico, Petrus de Morington, Johannes de Bradeley, et Edmundus de Bindington, venerunt, et eidem Domino Regi Angliæ ut superiori et directo Domino regni Scotiæ fidelitatem fecerunt, et etiam iuraverunt, tactis sanctis Evangeliiis et oscularis; Præsentibus nobilibus viris Dominis, Johanne de Sancto Johanne, & VValtero de Bello Campo Militibus; Domino VValtero de Langeton, et Magistro Johanne Erturi de Cadomo publico Notario, cum aliis quampluribus. Anno Domini et indictione prædictis dicti mensis Junii exeuntis die quarto adhuc loco proximo prænotato, Dominus Alexander de Bonkhille venit, & dicto Domino Regi ut superiori et directo Domino regni Scotiæ fidelitatem fecit, et tactis sacrosanctis et oscularis Dei Evangeliiis iuravit; Præsentibus Dominis, Johanne de Sancto Johanne, et Gilberto de Routhbyr. Clerico, ac Magistro Johanne Erturi de Cadomo publico apostolica autoritate Notar. cum aliis quampluribus. Anno Domini & Indictione prænotatis dicti mensis Junii

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*Janii exeuntis die tertia, Burgenses et Communitas de Villa de Berewico in parochiali An. 204*  
*ecclesia ipsius villa congregati, videlicet Philippus de Rydale Major Villa, Ranul-*  
*phus de VVhiteby, Ingeramus de Colton. Henricus Fraunceys, Thomas le Ve-*  
*nour, Richardus Tannator, Petrus de Coventre, Robertus de Eborum, Thomas*  
*de Selghkirk, Henricus Aurifaber, Thomas Moufy, Johannes Clericus de Berewi-*  
*co, Johannes de Hove, Johannes de Routhbyr. Eustachius Lescicer, VVillielmus*  
*May, Mattheus le Cotelier, Gregorius de Coldingham, Magister Rogerus Bartho-*  
*lomet, Thomas de Beverlaco, VVillielmus Chaucon, David de Keinsworth Ballivus:*  
*Alanus de Langeton. VVillielmus Clericus, Robertus Russell, Nicholaus de Be-*  
*verley, Rogerus Lescicer, VVillielmus de Holthale, VVarinus de Pebles, Adam*  
*de Barton, Nicholaus de VVhiteby, Laurentius Clericus, VVillielmus Grethe-*  
*ned, Johannes de Cornbyr. Henr. cus Spring, Adam de Mar, Adam de Seleby, Jo-*  
*hannes de Strivelin, Johannes Monachus, Johannes de VVhiteby, Johannes Otre,*  
*Alexander Pelliparius, Robertus de Barton, Adamus Moigne, Robertus de Dun-*  
*bar, Martinus Lescicer, Radulphus Taker, VVarinus le V.oler, et VVillielmus*  
*Clericus de Berewyk, prefato Domino Regi Angliæ ut superiori et directo Domino*  
*regni Scotiæ fidelitatem fecerunt, et tactis sacrosanctis Dei Evangelii juraverunt.*  
*Presentibus nobilibus viris Dominis, Johanne de Sancto Johanne, & Johanne*  
*Botecourte, Militibus; cum Dominis Waltero de Longeton, & Gilberto de*  
*Routhbyr. & aliis quampluribus. Anno Domini & Indictione prenotatis dicti mensis*  
*Juni die ultimo, congregati in Capella Castri de Berewico Burgenses ejusdem villa*  
*subscripti, videlicet Simon de Tridelton, Radulphus Philippi, Robertus Oliver, Ni-*  
*cholaus Champion, Robertus de Lambreton. Richardus de Menston. Jacobus Au-*  
*ritaber, Henricus Tonfor, Thomas le Tannour, Rogerus Philippi, Richardus*  
*Gilbe, Willielmus Brokour, Robertus de Breghin, Walterus de Gosewyk, Tho.*  
*Bataile, Johannes de Knapton, Willielmus de Mensington, Johannes de Wainflet,*  
*Adam de Mulcreft, & Willielmus de Grendon. venerunt, & in presentia mei infra-*  
*scripti Notarii & Testium subscriptorum, dicto Domino Regi Angliæ fidelitatem*  
*fecerunt, ut superiori et directo Domino regni Scotiæ, et tactis sacrosanctis et oscu-*  
*laris Dei Evangelii juraverunt. Presentibus nobilibus viris Dominis, Johanne de*  
*Sancto Johanne, Roberto Malet, & Helya de Hanville, Militibus; cum Domino*  
*Gilberto de Roubyr. et aliis quampluribus. Anno Domini et Indictione prenotatis*  
*mensis Julii die quinto, Nobilis vir Dominus Willielmus Douglas in Capella Manerii*  
*Dominus Walteri de Lindefeya apud Thurstanlton. Sancti Andree Dioc. venit, et*  
*fidelitatem fecit Domino Regi Angliæ memorato ut superiori et directo Domino*  
*regni Scotiæ Domino Rege Angliæ predicto in dicto Manerio hospitato; presenti-*  
*bus venerabilibus in Christo patribus Dominis, Antonio Dunolm. & Alano Cathenen.*  
*Episcopis; & nobilibus viris aliis quampluribus. Anno Domini & Indictione predi-*  
*ctis, mensis Julii die octavo, existente Domino Rege Angliæ in Castro Puellarum, re-*  
*ligiosus vir Dominus Adam Abbas Sancte Crucis de Edinburgh, & Dominus Ri-*  
*chardus Fasel venerunt, & in capella dicti Castri eidem Domino Regi Angliæ (ut*  
*supra) fidelitatem fecerunt, et etiam juraverunt; Presentibus Nobilibus viris*  
*Dominis, Willielmo Latymer, Radulpho Basset Constabulario Castri, & Thom. le*  
*Uller. & aliis quampluribus.*

*Anno Domini & Indictione prenotatis, mensis Julii die duodecimo, existente dicto*  
*Domino Rege Angliæ in Castro de Strivelin, venerunt ibidem venerabilis in Christo*  
*pater Willielmus Dei gratia Episcopus Dunblanen. & nobiles viri Domini Malisius*  
*Comes de S. rathern. Galfridus de Moubay, & Willielmus de Rotheinan. & eidem*  
*Domino Regi Angliæ ut superiori et directo Domino regni Scotiæ fidelitatem fece-*  
*ruunt. Presentibus ibidem venerabilibus in Christo patribus Dominis Antonio Du-*  
*nolm. Roberto Glasquen. & Albano Cathenen. Episcopis; ac nobilibus viris, Do-*  
*minis, Edmundo Comite Lancastriæ dicti Domini Regis Germano, Johanne de Sancto*  
*Johanne, Johanne Comyn Domino de Badenagh, & Patricio de Graham, cum aliis*  
*quampluribus. Item, ibidem dictus Dominus Rex de unanimi voluntate et consen-*  
*su expulso omnium Episcoporum, Comitum, Baronum et aliorum Nobilium regi-*  
*ni Scotiæ tunc presentium ordinationem quandam fecit super fidelitatibus capi-*  
*endis de personis absentibus, qui fidelitatem facere tenebantur per totam terram*  
*Scotiæ, ut eorundem laboribus parceret, et expensis, sub hac forma. Custodes regi-*  
*ni Scotiæ, videlicet VVillielmus Sancti Andree, & Robertus Glasquen. Episcopi,*  
*Jacobus*



*An. 20 E. 1.* Jacobus Senescallus Scotiae, Johannes Comyn Dominus de Badenagh, & Brianus filius Alani, & omnes alii qui per dictum Dominum assignabuntur super fidelitatibus capiendis, debent capere juramenta fidelitatum ab Episcopis, Comitibus, Baronibus, Magnatibus, et aliis Nobilibus et libere tenentibus et aliis universis, qui fidelitatem facere Domino Regi Scotiae tenentur: qui vero venerunt et fidelitatem facere noluerint, attachentur per corpora sua, donec fidelitatem fecerint, ut tenentur. Illi vero qui non veniunt, nec se excusant, si habeant causam rationabilem, audiantur; et postea ad Parliamentum prior. adjournentur. Alii vero qui neque veniunt, nec se excusant, donec fidelitatem fecerint acriter astringantur: Episcopus Sancti Andree, Johannes Comyn de Badenagh, & Brianus filius Alani hujusmodi fidelitates recipere in villa Sancti Johannis de Perth. Et Episcopus Glasgwen. et Jacobus Senescallus Scotiae, & Nicholaus de Segrave apud Novum Castrum super Are. Et Comes de Sutherland, & Vicecomes. Patria cum Ballivis sua una cum Castellano loci de Inthernes, apud Inthernes. Et primo debet Castellanus recipere fidelitatem a dicto Comite, & postmodum ipse cum Comite de Ballivis, Vicecomitibus & aliis de eodem Comitatu. Et debent recipi hujusmodi fidelitatis Juramenta a tertiodecimo die Julii in quindecim dies anno Domini supradicto. Villielmus de Sancto Claro & Villielmus de Boyville debent capere fidelitatem ab Episcopo Candidae Casae, & postea idem Episcopus cum illis duobus capiet fidelitates omnium illorum de Galwidia. Et si eorum tertius impediatur, ita quod vacare non possit, alii duo illorum faciant et procedant. Et ita de aliis qui sunt in Balliva predicti Villielmi de Sancto Claro. Et habeat unusquisque predictorum Custodum potestatem capiendi hujusmodi fidelitates in omnibus et singulis locis per quos transierint, ab illis qui eas prius non fecerunt. Anno Domini & indictione predictis, mensis Julii die decimo septimo, existente dicto Domino Rege apud Dunfermelyn, venerunt ibidem Radulphus Abbas ejusdem loci, & Nobiles viri Domini Andreas Frazer, Villielmus de Haya, Andreas de Moravia, & Constantinus de Loghore, Vicecomes de Fyfe, et eidem Domino Regi Angliae ut superiori et directo Domino regni Scotiae fidelitatem fecerunt et juraverunt, quidam eorum super majus altare dicti Monasterii, et quidam in Capitulo; Praesentibus venerabilibus in Christo patribus Dominis, Antonio Dunolmensi, & Alano Cathenensi Episcopis; una cum Nobilibus viris, Dominis, Johanne de Sancto Johanne, Patricio de Graham, & Galfrido de Moubray Militibus, & aliis Nobilibus, Clericis ac Laicis quampluribus. Anno Domini & Indictione praenotatis, dicti mensis Julii die decimo nono, congregatis in Capella de Kingorn, Nobilibus viris Dominis Johanne de Moravia, Michaeli Scoto, Acone de Kynros, Roberto Horeth, Willielmo de Logheton, & Thom. Keyr, Militibus, fidelitatem dicto Domino Regi Angliae ut superiori et directo Domino regni Scotiae fidelitatem fecerunt, et tactis Sacrosanctis et osculatis Dei Evangelis juraverunt. Praesentibus Nobili viro Domino Willielmo de Laiburn Milite, Domino Radulpho de Stanfordia, Waltero de Amundesham, & Willielmo de Dunfres, cum aliis Clericis ac Laicis quampluribus. Anno Domini & Indictione predictis, dicti mensis Julii die vicesimo secundo, existente dicto Domino Rege apud Sanctum Andream, venerunt ibidem in Capitulo loci religiosus vir Johannes Prior Sancti Andree, una cum Nobilibus viris Dominis Adam de Rocref, Willielmo de Maul, Alexandro de Abrinthy, Hug. de la Haye, Henrico de Anstretther, Alexandro de Ardern, Johanne de la Haye, & Roberto de Betune, Militibus, et fidelitatem dicto Domino Regi Angliae ut superiori et directo Domino regni Scotiae fecerunt, et juraverunt, tactis Sacrosanctis et osculatis Dei Evangelis. Praesentibus venerabilibus in Christo patribus Dominis Willielmo de Sancti Andree, & Alano Cathenen. Episcopis, Magistro Alano de Dunfres, & aliis tam Clericis quam Laicis in multitudine copiosa. Anno Domini & Indictione praenotatis, dicti mensis Julii die vicesimo tertio, Johannes Abbas Monasterii de Lunders, & Nobiles viri Domini Villielmus de Fenton, & Simon de Fresthele, venerunt, & in Monasterio de Lunders super majus Altare dicto Domino Regi Angliae ut superiori et directo Domino regni Scotiae fidelitatem fecerunt, et tactis Sacrosanctis et osculatis Dei Evangelis juraverunt. Praesentibus Domino Waltero de Bello Campo, dicti Domini Regis Angliae Senescallo, cum Domino Waltero de Amundesham Clerico, & aliis Clericis & Laicis quampluribus. Anno Domini & Indictione praenotatis, dicti mensis Julii die vicesimo quarto, existente dicto Domino Rege Angliae in Villa Sancti Johannis

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Johannis de Perth. Burgenses, & ipsius Villa Communitas in Cimiterio Ecclesia Fratrum Predicatorum ejusdem congregati; videlicet, Johannes de Perth. Johannes Anker, Johannes filius Richardi, Robertus Piscator Ballivus Villa, & Duncanus del Celer, similiter Gilbertus Cokin, Alexander del Monthe, Petrus filius Wymark, Robertus de Scardeburgh, Radulphus Tundeman, Christinus Flemeng, Walterus Diaconus, Adam le Trompour, Duncanus Corry, Johannes Douce, Adam le Tailour, Simon de Strathy, Johannes Rakstra, Richardus de Nevile, Malcolmus de Janua, Walterus Shenker, Dovenaldus Brid, Robertus Carpentarius, Johannes de Lenne, Petrus Blackmantel, Hugo Thorel, Adam de Letham, Willielmus Dunstan, Johannes Southren, Wadinus de Southgate, Rogerus de Baligalli, Michael Pelliparius, Robertus de Alureton, Michael Troisdener, Simon Gaunter, Willielmus Talemer, Fergus & Michael de Insula Missarum, Uttredus Marefcallus, Thomas de Donewyce, Willielmus de Polle, Henricus Cirotecarius, Philippus Taket, Magister Willielmus de Sancto Nicholao, Magister Robertus de Boughan, Thomas Wyles, Johannes Dounan, Philippus de Berkle, Simon Tackmore, David de Dundee, Willielmus filius Præpositi, Richardus Pistor, Robertus Pistor, Adam de Athetle, Thomas Parvus de Donewyce, Willielmus Aurifaber, Willielmus de Crophill, Malcolmus Belle, Rogerus Pistor, Reginaldus Speldre, Thomas de Carz, Robertus del Inche, Rossli de Southgate, Simon le Sealer, Willielmus Lucifer, Simon de Keith, Petrus filius Roberti Knight, Willielmus Wynk, Johannes Stag, Audi de Kaingham, Andreas Scorth, & Patricius Galightly, quilibet per se, pro se & Communitate dictæ Ville fidelitatem fecit, et tactis Sacrosanctis et osculatis Dei Evangelistis juravit Domino Regi Angliæ memorato, ut superiori et directo Domino regni Scotiæ prælibati. Presentibus venerabilibus in Christo patre Domino Alano Cathenen, Episcopo, Cancellar. Scotiæ, & Nobilibus viris Dominis Johanne de Sancto Johanne, & Roberto Malet Militibus, & Domino Waltero de Amundesham Clerico, cum aliis Clericis & Laicis quampluribus. Et eodem die in Ecclesia dictorum Fratrum Predicatorum de Perth. religiosus vir frater Andreas Abbas de Cupro, Maria Regina de Mann, & Comitissa de Strathern, Johannes le Botilier, & Johannes de Cambron Milites, & in camera dicti Domini Regis ibidem, frater Thomas Abbas de Scona, fidelitatem fecerunt Domino Regi Angliæ memorato, ut superiori et directo Domino regni Scotiæ, et ad Sancta Dei Evangelia juraverunt. Presentibus in Ecclesia & Camera venerabilibus in Christo patribus Dominis Antonio Dunolm. Willielmo Sancti Andree, & Alano Cathenen. Episcopis, ac Nobilibus viris Dominis Dovenaldo de Mar, & Malisio de Strathern, Comitibus, Domino Waltero de Bello Campo dicti Domini Regis Angliæ Senescallo, & Domino Henrico de Bluntifdon ipsius Regis Elemosinar. cum aliis quampluribus. Anno Domini & Indictione prædicta, dicti mensis Julii die vicesimo quinto, Dominus Johannes de Ergadia, filius Nobilis viri Domini Alexandri de Ergadia, venit & in Camera dicti Domini Regis Angliæ illustris in domibus dictorum Fratrum Predicatorum de Perth. etiam Domino Regi ut superiori et directo Domino regni Scotiæ fidelitatem fecit, et tactis Sacrosanctis et osculatis Dei Evangelistis juravit. Presentibus venerabilibus in Christo patribus Dominis Antonio Dunolm. & Alano Cathenen. Episcopis, ac Nobilibus viris Dominis Johanne Comyn de Badenagh, & Waltero de Bello Campo Militibus, cum aliis quampluribus. Anno Domini & Indictione prænotata, dicti mensis Julii die vicesimo octavo, existente dicto Domino Rege Angliæ apud Linliscou, venit ibidem Christina Priorissa de Manuel, & eidem Domino Regi, ut superscriptis, fidelitatem fecit et juravit. Presentibus venerabilibus & discretis viris Domino Henr. de Bluntifdon Archidiacono Dorsetiæ, Domino Radulpho de Stanford, & Johanne de Exonia, cum aliis quampluribus. Anno Domini & Indictione prænotata, mensis Julii die vicesimo nono, existente dicto Domino Rege Angliæ in Castro de Edenburgh, venerunt ibidem religiosus vir Johannes Abbas de Neubotle, Radulphus Magister Hospitalis de Soltre, Walterus Magister Domus de Balnecrif, Alicia Priorissa de Haddington, et etiam Domino Regi ut superiori et directo Domino regni Scotiæ fidelitatem fecerunt, et tactis Sacrosanctis et osculatis Dei Evangelistis juraverunt, in presentia mei infra scripti Notarii, & testium subscriptorum. Presentibus venerabili in Christo patre Domino Antonio Dei gratia Dunolm. Episcopo, ac Nobilibus viris Dominis Umfrido de Bohun Hereford. & Johanne de Britannia Richem. Comitibus, Walterus de Huntrecombe, Radulpho Basset, Guidone Ferre, Thoma



An. 20 E. 1. Thoma le Huffer, & Magistro Edmundo de London. cum aliis quampluribus. Et eisdem die & loco presentibus, dictis testibus in canera dicti Domini Regis, ibidem venerunt frater Alexander Prior Hospitalis Sancti Johannis Jerosolymitani in Scotia, & frater Brianus Præceptor Militie Templi in eodem regno, et fidelitatem eidem Domino Regi Angliæ, ut supra, fecerunt, et juraverunt. Anno Domini & Indictione prænotatis, mensis Augusti die primo, existente dicto Domino Rege apud Berewicum super Twedam, venerunt ibidem venerabiles in Christo patres Domini Henricus Aberdon, & Robertus Rossen. Episcopi, & Nobles viri Domini Willielmus Comes de Ros, Willielmus de Moravia Dives, & David de Graham Miles; & in quadam Capella juxta cameram Domini Regis, eidem Domino Regi ut superiori et directo Domino regni Scotiæ fidelitatem fecerunt, et ad Sancta Dei Evangelia (ut supra) juraverunt; In presentia venerabilium patrum Dominorum Roberti Bathon, & Wellens & Alani Cathenen. Episcoporum, & Nobilium virorum Umfridi Hereford. & Henrici Lincoln. Comitum, Johannis de Sancto Johanne, & Roberti filii Walteri Militum, Magistri Johannis de Cadomo Notarii publici, meique Notarii infra scripti, & aliorum Clericorum & Laicorum quamplurium. Anno Domini & Indictione prænotatis, dicti mensis Augusti die quarto, Henricus Abbas de Abirbrothok, & Dominus David de Torthorand Miles venerunt, & in Ecclesia Fratrum Prædicatorum de Berewico deserta, dicto Domino Regi Angliæ, ut superiori et directo Domino regni Scotiæ fidelitatem fecerunt, et ad Sancta Dei Evangelia juraverunt: Presentibus venerabilibus in Christo patribus Dominis Antonio Dunolm, Roberto Bathon, & Wellen, Radulpho Carleolen, Willielmo Sancti Andree, Roberto Glasuen, & Alano Cathenen. Episcopis, ac Nobilibus viris Dominis Henrico de Lascey Lincoln. & Rogero Bigot Northfolch. Comitibus, Brino filio Alani, & Magistro Willielmo de Grenesend Canonico Eborum, Magistro Johanne Erturi de Cadomo publico apostolica auctoritate Notario, cum aliis quampluribus, & me Notario infra scripto. Anno Domini & Indictione prænotatis, loco quo proximo supra dicto mensis Augusti die sexto, religiosus vir Abbas de Kyngios venit, & fidelitatem fecit Domino Regi Angliæ memorato ut superiori et directo Domino regni Scotiæ et inspectis sacrosanctis et osculatis Dei Evangelis jurabit. Et in crastino, loco eodem, videlicet dicti mensis Augusti die septimo, Dominus Johannes de Cantelou venit, et fidelitatem fecit Domino Regi Angliæ memorato, et tactis sacrosanctis et osculatis Dei Evangelis in forma prædicta jurabit. Presentibus venerabili in Christo Patre Domino Alano Cathenen. Episcopo, Domino Johanne de Sancto Johanne, Magistro Johanne Erturi de Cadomo Notario publico, cum aliis Clericis & Laicis quampluribus, meque Notario infra scripto.

Anno à Nativitate Domini 1291. Indictione quarta, dicti mensis Augusti die tertia, Serenissimus Princeps & Dominus noster Dominus Edwardus Dei gratia Rex Angliæ illustis, Superior et directus Dominus regni Scotiæ, quandam in presentia mei infra scripti Notarii & testium subscriptorum fecit protestationem, scilicet tamen Gallico, hunc habentem sententialiter intellectum. Licet nos Edwardus Dei gratia Rex Angliæ nuper per nostras literas concesserimus de nostra gratia speciali Nobilibus viris Florentio Comiti Hollandiæ, Roberto de Bruns Domino Vallis Anandæ, Johanni de Balleolo Domino Galwidæ, Johanni de Hostinges Domino de Bergeveny, Johanni Comyn, Domino de Badenagh, Patricio de Dunbar. Comiti de Marchia, Johanni de Vescy Procuratore seu Attornato Willielmo de Vescy patris sui, Willielmo de Ros, & Nicholao de Soules petentibus seu vendicantibus ex successione hæreditaria (ut jus suum) regnum Scotia coram nobis, quæ quidem partes una cum assensu venerabilium patrum Willielmi Sancti Andree & Roberti Glasuen. Episcoporum, Johannis Comyn & Jacobi Senescalli Scotiæ, Custodum dicti regni, necnon Comitum, Baronum, Procerum, & aliorum de Communitate ejusdem regni tunc presentium, & nobis superius et directum Dominum ipsius regni Scotiæ recognoverunt, consentientes etiam stare sibi coram nobis super petitionibus suis hujusmodi et a nobis recipere iustitiæ complementum, ita quod heret eis iustitia super dictis suis petitionibus infra prædictum regnum Scotia & non alibi, donec Rex in eodem regno haberetur. Protestamur et dicimus, quod intentionis nostre non erit, nec erit, quod per gratiam hujusmodi (quam prædictis Nobilibus petentibus & aliis de Communitate prædicta fecimus, ut præmittitur) nobis vel hæredibus nostris Angliæ Regibus

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Regibus aliquod impotenter pro iudicium generetur, quin nos et ipsi in casu con- An. 20 E. I.  
simili et aliis emergentibus valeamus infra regnum nostrum Angliæ pro volun-  
tate nostra libere Aus nostrum superioritatis et directi domini dicti regni Scotia  
exercere et facere quod debeamus, et ad nos ut superiorem et directum Dominum  
incumbit in futurum. Facta fuit Protestatio suprascripta (ut pramittitur) in Ca-  
pella Castri de Berewico super Twedam, anno, indictione, mense & die proximo præn-  
tatis; presentibus venerabilibus in Christo patribus, Dominis, Robertus Bathon. &  
Wellen. Antonio Dunolm. Willielmo Elien. Willielmo Sancti Andreæ, Roberto  
Glasuen. Henrico Aberdon. & Willielmo Dunblan. Episcopis; ac Nobilibus vi-  
ris Dominis, Amadeo Sabaudia, Henrico Lincoln: Johanne de Boughan, Dove-  
naldo de Mar, & Willielmo de Ros, Comitibus; & venerabilibus & discretis viris  
Magistris Henrico de Newerk Decano Eborum, Roberto Archidiacono Cestrie,  
Willielmo de Grensfeld Canonico Eborum, & Willielmo de Kilkenny, Clerici; ac  
Nobilibus viris Dominis, Johanne Comyn de Badenagh; Jacobo Senescallo Scotiæ,  
Johanne de Sancto Johanne, Nicolao de Segrave, Johanne de Soules, Willielmo de  
Sancto Claro, & Galfrido de Moubray, Militibus; ac Magistro Johanne Erturi  
de Cadomo publico apostolica auctoritate Notario, testibus vocatis et rogatis; cum  
Nobilibus & Prælatibus nostris (que regni quampluribus.

Anno à Nativitate Domini 1291. Indictione quarta mensis Augusti die tertia con-  
tinuata cum die Jovis prox. precedente, quem diem Jovis partes subscriptæ juri ad reg-  
num Scotiæ ex successione hereditaria sibi vendicantes, ex assignatione & præfixione  
serenissimi Principis & Domini, Domini Edwardi Dei gratia Regis Angliæ illustris, su-  
perioris et directi Domini Regni Scotiæ supradicti (ut pramittitur) habuerunt ad  
comparandum ipso apud Berewicum super Twedam, & in negotio inter ipsas partes su-  
per jure succedendi in dictum regnum Scotiæ inchoato procedendum, petendum, respon-  
dendum, & recipiendum iustitiæ complementum; Convenientibus coram ipso Domino  
Rege suoque consilio in Ecclesia fratrum predicatorum de Berewico deserta, atriis-  
que regni Nobilibus & Prælatibus, necnon omnibus & singulis juri ad dictum regnum  
Scotiæ vendicantibus, ac viginti quatuor de regno Angliæ auditoribus, per ipsum Do-  
minum Regem Angliæ ratione superioritatis & domini sui prædicti nominatis & electis  
(ut pramittitur) et etiam octoginta auditoribus per nobiles viros, Dominos Robertum  
de Brus, & Johannem de Balleolo & alios, qui nominationi & electioni per ipsos fa-  
cienda consentire voluerint, nominatis & electis ad audiendum petitiones & jura Nobi-  
lium prædictorum dictum regnum vendicantium, & ad cognoscendum, discutendum &  
diffinendum de jure singulorum petentium prædictorum, & Domino Regi prædicto id  
quod invenerint fideliter referendam, ut ipse Deum habens præ oculis pro jure illius pro-  
nunciet, quem pinguius juri ad idem regnum habere viderit in eventu, & unicuique  
petenti iustitiæ faceret complementum. Inprimis ex parte Nobilis viri Domini Florentii  
Comitis Hollandiæ fuit pro jure suo propositum, narratum & petum hoc modo.

Florentius Comes Hollandiæ petit à Domino Rege Angliæ Superiorem et directum  
Domino Regni Scotiæ hereditatem suam dicti regni sibi liberari tanquam hæredi  
propinquiore; eo quod Margareta filia Regis Norwegiæ consanguinea ipsius Co-  
mitis (cujus hæres ipse est) fuit seistis in dominico suo ut de feodo de prædicto  
regno Scotiæ tempore pacis, tempore Domini Edwardi Regis Angliæ Superioris  
et directi Domini Regni Scotiæ; & inde nuper obiit seistis; Et de prædicta Mar-  
gareta, quia obiit sine hærede de se, resortiebatur Feodum & Dominium, ut de-  
buit resortiri cuidam Ade, ut consanguineo & hæredi sororis quondam Regis Sco-  
tiæ Willielmi tritavi prædictæ Margareta; & de ipsa Ada descendit feodum & do-  
minium & debuit descendere cuidam Florentio ut filio & hæredi; Et de ipso Flo-  
rentio descendit feodum & Dominium & descendere debuit cuidam Willielmo ut  
hæredi; Et ex ipso Willielmo descendit feodum & Dominium, & descendere de-  
buit illi Florentio ut filio & hæredi, qui nunc petit. Et quod ipse est hæres ipsius  
Margareta propinquior, paratus est ostendere prout debet, salvo sibi beneficio  
addendi, mutandi & minuendi; prout melius viderit expedire.

Ex parte vero Nobilis viri Domini Patricii de Dunbar Comitis de Marchia pro Ju-  
re fuit propositum, narratum & petum hoc modo. Patricius Comes de Marchia  
supplicat, quod super regno Scotiæ sibi fiat Justitiæ, quod debet de jure sibi obve-  
nire propter defectum successionis descendenti à Rege Scotiæ Alexandro ulti-  
mo per reversionem & resortam ad Idam filiam Willielmi quondam Regis Scotiæ:



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De qua descendit Jus succedendi ad dictum regnum ad *Patricium* Comitem de *Marchia*, tanquam ad filium & heredem; A quo descendit idem Jus ad *Patricium* secundum similiter Comitem de *Marchia*, tanquam ad filium & heredem, qui nunc petit ut hæres propinquior per successionem regni *Scotia*.

Ex parte vero Nobilis viri Domini *Willielmi de Vesey* fuit pro Jure suo propositum, narratum & petatum hoc modo. *Willielmus* Rex *Scotia* genuit *Alexandrum* Regem, qui regnavit post ipsum; & idem *Alexander* genuit *Alexandrum* secundum qui postea regnavit, & duxit in uxorem *Margaretam* filiam *Henrici* Regis *Anglia* illustris; de quibus exivit una *Margareta*, quæ fuit nupta Regi *Normægia*; Et de illis exivit quædam alia *Magareta*, quæ fuit hæres *Scotia*; quæ quidem sine hærede de corpore suo obiit, sicut illa quæ fuit minoris ætatis. Item idem *Willielmus* Rex genuit *Margaretam* sororem prædicti *Alexandri* Regis, & fuit nupta illa *Margareta* *Eustacio de Vesey*, de qua genuit *Willielmum de Vesey* qui obiit in *Vasconia*, & idem *Willielmus* genuit *Johannem de Vesey* (qui obiit sine hærede de corpore suo) & *Willielmum de Vesey* fratrem ipsius *Johannis*, qui modo petit regnum *Scotia*, sicut propinquior hæres de sanguine prædictæ *Margareta* quæ obiit sine hærede de se; per cujus obitum jus debet resortiri isti *Willielmo* qui modo petit.

Ex parte vero Nobilis viri Domini *Willielmi de Ros* fuit similiter pro jure suo propositum, narratum & petatum hoc modo. *Willielmus de Ros* supplicat, quod iustitia sibi fiat de clamore suo quod ponit in regnum *Scotia*, quod sibi debet obvenire de Jure in hunc modum. Rex *Willielmus* genuit Regem *Alexandrum*, qui regnavit post ipsum; Et idem *Alexander* genuit *Alexandrum* secundum, qui postea regnavit, & habuit unam filiam *Margaretam* nomine, quæ fuit nupta Regi *Normægia*; de quibus exivit quædam alia *Margareta*, quæ postea fuit hæres *Scotia*, & obiit sine hærede de corpore suo. Et per defectum exitus de sanguine ejusdem *Margareta*, & per reversionem debet reverti ad *Isabellam* primogenitam, & *Adam* & *Margaretam* filias dicti Regis *Willielmi*, patris dicti *Alexandri*, fratris prædictarum *Isabella*, *Ada* & *Margareta*, & patris *Alexandri* qui ultimo obiit, sicut ad propinquiores de sanguine prædictæ *Margareta*; quæ quidem *Isabella* desponsata fuit *Roberto de Ros*; Et de ipsis *Roberto* & *Isabella* exivit quidam *Willielmus*, & de *Willielmo* quidam *Robertus*, de quo *Willielmus* qui nunc petit, sicut propinquior homo per defectum sanguinis prædictæ *Margareta* & reversionem prædictam ad *Isabellam* antecessorem suum, tanquam ad primogenitam; cui *Isabella* ratione primogenituræ debet dictum regnum integrè remanere: Et quod regnum non debet dividi paratus est verificare.

Ex parte vero Domini *Roberti de Pinkny* similiter fuit pro jure suo propositum, narratum & petatum hoc modo. *David* Rex *Scotia* genuit *Henricum*, *Henricus* *Willielmum*, *Willielmus* *Alexandrum* primum, *Alexander* primus *Alexandrum* secundum, & ille *Alexandrum* tertium, qui obiit sine prole, & *David* similiter, qui obiit sine prole, & *Margaretam* Reginam *Normægia*, ex qua genita est quædam alia *Margareta*, quæ jam obiit sine prole. Ex prædicto *Henrico* patre Regis *Willielmi* similiter genita fuit quædam *Margareta*, ex qua *Margareta* *Alicia*, & ex ea *Henricus de Pinkny*, à quo *Henrico* *Robertus de Pinkny*, qui nunc petit regnum *Scotia* per reversionem & resortium ad dictam *Margaretam* proaviam suam propter defectum prolis exeuntis de prædicta *Margareta* filia Regis *Normægia*.

Ex parte vero Domini *Nicolai de Soules* fuit similiter pro jure suo propositum, narratum & petatum hoc modo. Sicut Domino placuit *Alexandro*, qui ultimo obiit Rex scissus de regno *Scotia*, & omnibus illis qui de illo per rectam lineam exierunt, viam universo carnis ingresso, Jus ejusdem resortiebatur, & debuit resortiri *Margareta* quondam uxori *Alani le Huffer*, sicut uxori & hæredi ejusdem Regis *Alexandri*; Et de ipsa *Margareta* descendit Jus & descendere debuit *Ermegarda* filia & hæredi prædicti Regis *Alexandri*, & de ipsa *Ermegarda* descendit Jus & descendere debuit *Nicholao de Soules*, qui nunc petit sicut filius & hæres.

Ex parte vero *Patricii Galighly* pro jure suo similiter fuit propositum, narratum & petatum hoc modo. Coram vobis Dominis auditoribus à Domino Rege *Anglia* superiori et directo Domino regni *Scotia* deputatis, ac Communicate tota, dicit & exponit *Patricius Galighly*, quod cum bonæ memoriæ Rex *Henricus* fuit pater *Willielmi* Regis, qui genuit *Alexandrum* Regem patrem Regis *Alexandri* ultimo defuncti,

defuncti, & idem *Patricium Galighty* sit ex eodem *Henrico* in legitimo matrimonio procreatus, & per hoc ex Regali progenie sit propinquior Domino *Alexandro* Regi, ut filio patris sui, *Alexandro* ultimo videlicet nunc defuncto, de cujus successione nunc agitur ad præsens; quod ipsum *Patricium* Domino *Alexandro* Regi defuncto propinquiores gradum & jure potiores ad successionem regni de jure sibi debiti præferatis; potissimè cum ab omnibus sit juratum post mortem ejusdem, quod deficiente Domicella, propinquiores de sanguine regali in Regem assumerent, & ab eo nullatenus dissentirent: Et hæc dicit & proponit, salvo sibi jure addendi & diminuendi.

Ex parte vero *Rogeri de Mundeville* pro jure suo fuit similiter propositum, narratum & petitum hoc modo. *Rogerus de Mundeville* supplicat, quod de jure quod habet ad regnum *Scotia*, inquiratur per gentes de *Anglia*, *Hibernia* & *Scotia*, ex eo quod quidam Rex *Willielmus* habuit unum filium & duas filias, & ante mortem suam tradidit illos cuidam *Malcolmo* Regi *Scotia* fratri suo, qui filium illius fecit occidi; una vero dictarum filiarum obiit, & alia quæ vocabatur *Anstrop*, nupta fuit in *Ulvest*, cuidam *Willielmo de Say*; de quibus exivit unus filius vocatus *Willielmus*, & idem *Willielmus* habuit unam filiam vocatam *Ansik*, quæ nupta fuit *Roberto de Vandone*; de quibus exivit una filia nomine *Agatha*, cujus filius & hæres est iste *Rogerus*, qui modo petit.

Ex parte vero Nobilis viri Domini *Johannis Comyn* pro jure suo fuit similiter propositum, narratum & petitum hoc modo. Domino Regi *Anglia* illustri, super rati et directo Domino regi *Scotia*, & coram auditoribus assignatis monstrat *Johannes Comyn*, Quod ipse habet melius jus ad regnum *Scotia* optinendum, & in eo ut Rex regnare quàm aliquis alius; ex eo quod quidam antecessor suus *Dovenaldus* filius *Duncani* filii *Erici* fuit seistus de regno *Scotia* in Dominico suo ut de feodo tempore pacis, & in eo ut Rex de jure regnavit, de ipso *Dovenaldo* jus dicti regni *Scotia*, & debuit descendere cuidam *Gothrik*, ut filio & hæredi; & de *Gothrik* descendit jus & debuit descendere *Hexilda* ut filio & hæredi; & de *Hexilda* descendit jus & debuit descendere cuidam *Willielmo* ut filio & hæredi; de *Willielmo* descendit jus & debuit descendere cuidam *Ricardo* ut filio & hæredi; de *Richardo* descendit jus & debuit descendere cuidam *Johanni* ut filio & hæredi; & de *Willielmo* (quia obiit sine hærede de corpore suo) descendit jus & debuit isti *Johanni* qui modo petit ut fratri & hæredi. Et quod tale sit jus suum, paratus est verificare prout Dominus Rex & Consilium suum, ac Curia sua consideraverit secundum leges & consuetudines regni *Scotia*, & per Chronicas, & alio modo. Et supplicat, quod saluum sit sibi jus corrigendi, addendi & minuendi, & omne aliud quod sibi bonum videbitur dicere, secundum leges & consuetudines regni *Scotia*. Et non vult quod istud cedat in præjudicium *Johanni de Balliol* ullo modo.

Ex parte vero Nobilis viri Domini *Johannis de Hastings* fuit pro jure suo similiter propositum, narratum & petitum hoc modo. Cum regnum *Scotia* nuper vacaverit per mortem Regis *Alexandri*, qui ultimo obiit sine hærede, qui modo remaneat de se, qui possit hæreditatem in *Scotia* clamare; per quod terra *Scotia* & omnes alie terre, quæ fuerint dicti Regis *Alexandri*, hæreditarie spectant ad exitum trium filiarum Comitissæ *David* fratris Regis *Willielmi* avi prædicti Regis *Alexandri*, ut ad consanguineas & unum hæredem, propinquiores de suo sanguine, videlicet ad *Margaretam*, *Isabellam* & *Adam*; & de prædicta *Ada*, exivit *Johannes* qui nunc petit regnum *Scotia* ut jus suum, tanquam hæres propinquior in gradu de sanguine Regis *Alexandri* qui ultimo obiit, & *Margareta* filia Regis *Normegia* in linea collateralis, ut de legitimo regali sanguine *Scotia*.

Ex parte vero Nobilis viri Domini *Johannis de Balliol* Domini *Galwidia* fuit similiter pro jure suo propositum, narratum & petitum hoc modo. Coram Domino Rege *Anglia*, Capitali Domino *Scotia*, & coram auditoribus electis petit *Johannes de Balliol* jus suum de regno *Scotia* de seistina antecessoris sui *David* nomine, qui fuit Rex & regnavit; unde de eodem *David* descendit jus & descendere debuit cuidam *Henrico* ut filio & hæredi; de eodem *Henrico* descendit jus *Malcolmo* ut filio & hæredi, & regnavit & obiit sine hærede de corpore suo; unde de *Malcolmo* descendit jus & debuit descendere *Willielmo* ut fratri & hæredi; de *Willielmo* qui regnavit descendit jus & debuit descendere *Alexandro* ut filio & hæredi; *Alexander* regnavit, & descendit jus & debuit descendere *Alexandro* ut filio & hæredi, qui



An. 20 E. 1. ultimo obiit Rex; de *Alexandro* descendit jus & debuit descendere *Alexandro* ut filio & hæredi; *Alexander* obiit sine hærede de corpore suo, & descendit jus & debuit descendere *David* ut fratri & hæredi; *David* obiit sine hærede de corpore suo, & descendit jus & debuit descendere *Margareta* ut sorori & hæredi; de *Margareta* descendit jus & debuit descendere *Margareta* ut filiz & hæredi filiz Regis *Norwegia*; de illa *Margareta*, quia obiit sine hærede de se, resortiebatur jus & debuit resortiri *Margareta*, *Marjoria* & *Isabella*, ut consanguineis & uni hæredi, (si regnum esset partibile) sororibus *Alexandri* proavi *Margareta* filiz Regis *Norwegia*: Et quia regnum non est partibile, remansit jus & debuit remanere de integro *Marjoria*, ut sorori antenatz prædictæ *Margareta* & hæredi; de illa *Marjoria* descendit jus & descendere debuit (quia obiit sine hærede de corpore suo) cuidam *Isabella* ut sorori & hæredi; de *Isabella* resortiebatur jus & debuit resortiri cuidam *David*, ut avunculo & hæredi fratri Regis *Willielmi* patris ejusdem *Isabella*; de *David* descendit jus & debuit descendere *Henrico* ut filio & hæredi; *Henricus* obiit sine hærede de corpore suo, unde de eodem *Henrico* descendit jus & debuit descendere cuidam *David*, ut frater & hæredi; *David* obiit sine hærede de corpore suo, unde de ipso *David* descendit jus & debuit descendere cuidam *Johanni*, ut fratri & hæredi; *Johannes* obiit sine hærede de corpore suo, unde de eodem *Johanne* descendit jus & debuit descendere *Margareta*, *Isabella*, *Matilda* & *Ada*, ut sororibus & uni hæredi, si regnum esset partibile; Et quia regnum non est partibile, descendit jus de integra *Margareta* sorori antenatz dicti *Johannis*, ut sorori & hæredi; de *Margareta* descendit jus & debuit descendere cuidam *Thoma* ut filio & hæredi; *Thomas* obiit sine hærede de corpore suo, unde de ipso *Thoma* descendit jus & debuit descendere *Christiana* & *Dervorgulda*, ut sororibus & uni hæredi, si regnum esset partibile; Et quia regnum est impartibile, descendit jus de integro *Christiana* prædictæ, ut sorori antenatz prædicti *Thoma*, & hæredi. Eadem *Christiana* obiit sine hærede de corpore suo, unde de ipsa *Christiana* descendit jus & debuit descendere *Dervorgulda* ut sorori & hæredi; de *Dervorgulda* descendit jus & debuit descendere *Hugoni* ut filio & hæredi; *Hugo* obiit sine hærede de corpore suo, & descendit jus & debuit descendere *Alano* ut fratri & hæredi; *Alanus* obiit sine hærede de corpore suo, de quo descendit jus & descendere debuit *Alexandro* ut fratri & hæredi; *Alexander* obiit sine hærede de corpore suo, unde de ipso descendit jus & descendere debuit *Johanni de Balliolo*, ut fratri & hæredi, qui modo petit jus suum, ut illi qui erit de sorore primogenita de regno impartibili: Et supplicat Domino Regi, & suo Consilio, & aliis electis, quod velint ius suum decidere secundum leges et consuetudines *Scotia*, et sibi iustitiam exhibere; salvo sibi jure addendi & diminuendi secundum leges & consuetudines *Scotia*.

Ex parte vero Nobilis viri Domini *Roberti de Brus* Domini vallis *Anandia*, & pro jure suo fuit similiter propositum, narratum & petitum hoc modo. Coram vobis Domino *Edwardo* Dei gratia Rege *Anglia* illustri, et superiori Domino regni *Scotia*, monstrat *Robertus de Brus* Dominus vallis *Anandia*, quod ipse est rector & propinquior hæres regni *Scotia* cum pertinentiis; quia Rex *Willielmus* Rex *Scotia* antecessor suus frater Comitissæ *David* de *Huntingdon* fuit seistus de ipso regno in Dominico suo ut de feodo & jure cum pertinentiis tempore pacis, tempore *Henrici* Regis *Anglia*, qui vocabatur filius Imperatricis, & temporibus Regum *Ricardi* & *Johannis* filiorum suorum. Et idem *Willielmus* regnavit Rex in *Scotia* tempore suo, & pacifice obiit Rex seistus: De eodem *Willielmo* descendit regnum *Scotia* *Alexandro* filio suo, ut filio & hæredi, qui regnavit & obiit Rex seistus: De eodem *Alexandro* descendit regnum *Alexandro* filio suo, ut filio & hæredi, qui regnavit & obiit Rex seistus. Ille idem *Alexander* habuit duos filios, *Alexandrum* primogenitum, & *David* secundogenitum, & unam filiam quæ vocabatur *Margareta*, quæ fuit Regina *Norwegia*; qui filii obierunt vivente patre, & nullum statum expectaverunt regnandi in regnum *Scotia*. Illa *Margareta* habuit unam filiam de Rege *Norwegia* nomine *Margaretam*; cui prædictus Rex *Alexander* Rex *Scotia* avus suus in vita sua post mortem liberorum suorum, fecit probos homines terræ suæ jurare & affirmare per scriptum ad tenendum eam pro Domina regni *Scotia*, si decederet sine hærede de corpore suo. Quæ quidam *Margareta* obiit sine possessione corporali regni *Scotia* expectanda, & sine hærede de corpore suo. Post quam *Margaretam*, nihil remansit de exitu prædicti Regis *Willielmi* in linea descendente;

per

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per quod regnum *Scotia* cum pertinentiis debuisset per legem & justiciam resortiri fuisse Comiti de *Huntingdon*, postnato fratri prædicti Regis *Willielmi*, si statum regnandi in regnum *Scotia* expectasset. Qui quidem *David* habuit tres filios, *Henricum*, *David* & *Johannem*, qui fuit Comes *Cestria*; qui omnes obierunt sine hæredibus de corporibus suis, & sine statu regnandi in regno *Scotia* expectando. Ille idem *David* habuit etiam quatuor filias, *Matildem* quæ obiit sine hærede de corpore suo, *Margaritam*, *Isabellam*, & *Adam*; de *Isabella* exivit *Robertus de Brus*, qui modo est, qui petit regnum *Scotia*; propter quod idem *Robertus* dicit, quod regnum *Scotia* debet resortiri ad eum sine medio per legem & justiciam ut propinquiore in gradu de sanguine Regis *Alexandri*, qui ultimo obiit, & *Margareta* filiz Regis *Norwegia* supradictæ in linea collateralis, ut de sanguine regali *Scotia* legitimo. Quod quidem regnum *Scotia* cum pertinentiis dictus *Robertus de Brus* clamat tenere libere in libertate regni de vobis Domino *Edwardo Dei gratia Rege Angl. et de Corona Anglia hæreditarie imperpetuum*. Et monstrat vobis, quod Rex *Alexander* filius Regis *Willielmi* prædicti desperans de hærede de corpore suo tenuit dictum *Robertum* rectum hæredem suum, si ipse decederet sine alio hærede de suo corpore habendo. Et pro tali diffinivit ex assensu proborum hominum de regno suo, & pro tali ipsum pronunciavit coram eis, de quibus plures adhuc sunt superstitēs, qui de hoc testimonium poterunt perhibere. Et Rex etiam *Alexander*, qui ultimo obiit, tenuit ipsum pro tali, & id pluribus specialibus suis dedit intelligi, si exitus de ipso deficeret. Et præterea omnes probi homines de *Scotia* sunt jurati propinquiore de sanguine Regis *Alexandri*, qui ultimo obiit, qui de jure hæreditare debebit, si dicta *Margareta* filia Regis *Norwegia* sine hærede de corpore suo obiret. Unde supplicat Dominationi vestræ, quod secundum formam petitionis suæ sibi velit plenam justiciam exhibere, sicut ad vestram pertinet dignitatem. Salvo sibi jure in omnibus addendi, mutandi & diminuendi secundum quod attendet suo profectui convenire.

Quibus petitionibus partium prædictarum coram dictis auditoribus (ut præmittitur) propalatis, eorumque rationibus offensis, et dicto Domino Regi relatis per auditores prædictos in præsentia Prælatorum et Nobilium utriusque regni ibidem præsentium, presentibus omnibus et singulis petentibus dictum regnum, neque Rotario infrascripto, præfuit idem Dominus Rex et etiam assignavit petentibus dictum regnum de consensu eorumdem, diei Lunæ proximo post festum Sanctæ Trinitatis, Anno Domini 1292. Indictione quinta, mensis Junii die secundo, in Parlamento suo loco eodem coram ipso cum continuatione et prozogatione dierum, ad procedendum, cognoscendum et discutendum super petitionibus partium prædictarum usque ad finalem decisionem eorumdem.

Anno à Nativitate Domini 1292. Indictione quinta, mensis Junii die secundo, Domino Rege Angliæ illustri apud Berewicum super Twedam, congregatisque ibidem utriusque regni Nobilibus & Prælatibus, ac Auditoribus electis nominatis, & per ipsum Dominum Regem deputatis ad audiendum petitiones & jura partium dictum regnum *Scotia* vendicantium, cognoscendum & discutendum de eisdem, & Domino Regi quid invenerint, referendum; comparuerunt coram ipsis Nobiles viri suprascripti pro ad regnum *Scotia* vindicantes, secundum formam præfixionis eis facta jura summo profecturi, saltem ulterius & recepturi quod justitia suaderet. Ex parte egregii Principis & Domini, Domini *Erici Dei gratia Regis Norwegia*, quidam sui Nuncii & Procuratores literatorie constituti coram dicto Domino Rege Angliæ suoque Consilio comparuerunt; videlicet, Magister *Hugotio Plebanus*, *Plebs de Castellione Aretine* Dioc. Domini *Papa Capellanus*, Magister *Petrus Algoti*, Magister *Bernardus Ludovicus*, *Willielmus de Torroghan Miles*, & *Aymo Canonicus Berghan*, sicut per ipsius Regis *Norwegia* literas sui sigilli impressione munitas, per ipsos in medio exhibitas & perlectas apparebat; petentes nomine dicti Domini sui dictum regnum *Scotia*, cum jurebus & pertinentiis suis eidem Domino suo adjudicari, ipsumque in Regem dicti regni per prædictum Dominum Regem Angliæ superiorem Dominum dicti regni *Scotia* constitui & ordinari, & in corporalem possessionem ejusdem regni *Scotia* mitti & manuteneri. Supplicarunt insuper dicti Procuratores, procuratorio nomine dicti Domini sui, eidem Domino Regi Angliæ, quod nemini dictum regnum *Scotia* in ipsius Regis *Norwegia* Domini sui præjudicium, dampnum & gravamen adjudicaret: Pro eo quod ipsum regnum *Scotia* per meritum Domina *Margarete*, & clara memoria quondam Domi-



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

An. 20 E. 1. *Domina & Regina ipsius regni Scotiæ filia dicti Regis Norwegiæ ad ipsum jure hereditario est legitime devolutum.* Whole Letters of Procuracion 1 shall here insert out of \* Thomas Walsingham, not transcribed in this Record.

\* Hist. Angl.

An. 1293. P.

21. Ypodig.

Neustr. p. 76,

77.

**O**mnibus presentes literas inspecturis vel audituris pateat evidenter, quod nos *Eriens* Dei gratia Rex *Norwegia* tenore presentium fecimus, constituimus & ordinavimus, prout de jure & facto melius facere potuimus, nostros veros & legitimos Attornatos, & Procuratores & Nuncios speciales, nobilem virum *Adm. de Hagr.* & Magistrum *H. Plebanum*, Plebis de *Castilione*, *Arretino* *Domini Papæ Capellanum*, & Magistrum *Petrum Algor.* ad comperendum pro nobis & vice nostra, coram excellenti Principe Domino Dei gratia *Edwardo* Rege *Anglia* illustri, et superiori Domino regni *Scotia*, & ad petendum nomine nostro, tanquam per superiorem Dominum regni *Scotia* nobis adjudicari regnum *Scotia* supradictum, cum omnibus juribus & pertinentiis suis, cum ipsum regnum per mortem *Domine Margareta* filie nostræ, olim *Domine & Regine* regni *Scotia*, sit ad nos jure hereditario devolutum legitime. Item ad petendum nomine nostro adjudicari nobis & præfatis Attornatis & Procuratoribus nostris, assignari pro nobis fructus & redditus regni *Scotia* quatuor annorum, qui fluxerunt à tempore mortis *Domini Alexandri* bonæ memoriæ quondam Regis *Scotia*, usque ad diem mortis *Domine Margareta* filie nostræ, olim *Domine Regine* *Scotorum*, qui percepti sunt vel percipi debuerunt de dicto regno, cum ad nos dicti fructus seu Redditi pleno jure pertineant, tum quia fuimus legitimus administrator bonorum *Regine* præfatæ cum viveret, tum etiam quia gravia expensarum & sumptuum onera sustinuimus propter eam, dum in regno *Norwegia* moram traxit, & postmodum mittendo eam ad regnum suum *Scotia* supradictum. Item ad petendum nomine nostro condemnari universitatem regni *Scotia*, & ipsum regnum ad solvendum nobis seu dictis Attornatis & Procuratoribus nostris recipientibus vice nostra penam Centum millium librarum *Sterlingorum*, in quam inciderunt universitas præfata et regnum prædictum, non recipiendo libere præfatam *Domina Margareta* filiam nostram in *Domina* et *Regina* regni *Scotia*, nec ei obediendo in aliquo. Et ad petendum supplementum septingentarum marcarum quas habere debemus à regno *Scotia*, occasione dotis *Domine Margareta* olim filie nostræ & uxoris Regis *Scotia* prædicti, cum fructus & redditus terrarum nobis assignati pro septingentis marcis annuis, ad quingentarum summam non ascendant. Item ad agendum & defendendum, lucrandum & perdendum coram præfato Principe Domino *Edwardo* Rege *Anglia*, superiore Domino regni *Scotia* debita quomodocunque & qualitercunque, & ex quacunque causa vel causis nobis debeantur, & à quibuscunque personis, loco vel universitate, & quocunque nomine illa jura censeantur, & ad omnia alia & singula facienda, quæ veri & legitimi Attornati seu Procuratores & Nuncii facere possent in præmissis, & quilibet præmissorum si mandatum etiam exegerint speciale, quam nosmet facere possemus si præsentesset: promittentes sub hypotheca & obligatione omnium bonorum nostrorum, pactum firmum & gratum habere & tenere perpetuo, & non contravenire aliquo ingenio vel modo, quicquid per prædictos Attornatos seu Procuratores nostros, vel duos saltem ex eis actum vel procuratum fuerit in præmissis & quolibet præmissorum. Datum *Tunsburg*. Anno Dom. 1292. anno regni nostri tercio decimo. In cuius rei testimonium has literas fieri fecimus, & nostro Sigilli munimine roborari. The Record thus proceeds.

*Qua* petitione, ut præmittitur audita, præcepit Dominus Rex *Angliæ* auditoribus supradictis, & injunxit, ut ad locum pristinum pergerent, & petitionem *Domini Regis Norwegiæ* inter petitiones Nobilium regnum *Scotiæ* vendicantium audirent, & super ipsis petitionibus, rationibus & juribus partium prædictarum dictum regnum cum summa diligentia cognoscerent, & cognitione et discussione præhabita diligenti de jure singulorum, eidem Domino Regi referrent: Præcepit etiam idem Dominus Rex, et injunxit omnibus et singulis jns ad dictum regnum *Scotiæ* vendicantibus, quod ad dictum locum accederent, et petitiones suas coram ipsis auditoribus præsequerentur, si sibi viderint expedire. Quibus ut præmittitur coram ipsis auditoribus loco, quo prius, comparantibus recitat is ibidem et perlectis petitionibus petentium prædictarum, eorumque rationibus cum summa diligentia auditis, & responsionibus hinc inde factis, ad easdem propter aliquas difficult-

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward I.

An. 20 E. I.

difficultates in premissis petitionibus compertas, rationes et allegationes hinc inde factas, præfati auditores ad ipsum Dominum Regem accesserunt, et quæ coram ipsis acta fuerunt, seriatim per ordinem referebant. Qui omnia & singula prædicta sibi relata per auditores memoratos, cum omnibus et singulis utriusque Regni Nobilibus et Prelatis totoque suo consilio diligentius examinavit. Et discussione super hiis habita diligenti, quia consideravit magnam dilationem ex prædicto modo procedendi, non sine gravi dampno & periculo ipsius regni posse verisimiliter pervenire; Volensque dicto periculo obviare, lites & iurgia sedare, et quatenus poteris dictum processum abbreviare, & ad maturam & celerem expeditionem huiusmodi negotii procedere, de voluntate unanimi & consensu expresso omnium & singulorum potentium prædictorum, consentientibus etiam utriusque regni Nobilibus et Prelatis, ordinavit quod primo procederetur ad cognoscendum, discutendum et diffiniendum de iure dictorum Roberti de Brus, & Johannis de Balliolo, quousque discussum fuerit ad plenum de iure regnandi, & quis ipsorum potior sit in iure regnandi, & dictum regnum Scotiæ gubernandi. Et quod interim alii omnes & singuli Potentes prænotati de proseguendo supersederent, & suam omnino differant prosecutionem, Jure tamen eorum & cuiuslibet eorum in eventum & eorum cuilibet semper salvo. Ita videlicet quod discussio plena & determinata inter ipsos Robertum & Johannem, ceteri omnes potentes & eorum quilibet, juri sibi competens ex tunc liberè proseguatur modo quo voluerit & crediderit meliori. Quæ ordinatio ut præmittitur dicta & ab omnibus acceptata, & etiam approbata, licet idem Dominus Rex Angliæ de iure sibi competenti ratione superioritatis et directi sui Dominii præstari, ad cognoscendum, discutendum et terminandum dictum regnum procedere potuisset, tamen ut securius & consultius cognosceret & diffiniret, quo ipse per ipsos Auditores Scotiæ octoginta fuisset plenius informatus, recepto primitus ab ipsis octoginta Auditoribus corporali Jureamento, de fidei suo consilio sibi impendendo, præcepit eisdem et injunxit sub debito præfati Juramenti, quod sibi consulerent, qualiter et per quas leges sibi consuetudines sit in prædicto negotio ad iudicium procedendum. Habitoque inter ipsos auditores super hoc tractatu diutino et diligenti, cum inter se non poterunt concordare, eidem Domino Regi una voce dicebant, quod propter dissensiones aliquas super legibus et consuetudinibus diversis inter ipsos ortas, non audebant in casu tam arduo et hæcenus inaudito absque maiori et tanto Consilio et Deliberatione, eidem Domine Regi consulerent; Supplicarunt insuper eidem Domino Regi, quod placeret sibi dictos viginti quatuor de Angliæ Auditores per ipsum assignatos eisdem associare. Quibus viginti quatuor Angliæ dictis octoginta Scotiæ associatis, post deliberationem & tractatum aliqualem habitum cum eisdem super premissis, ad ipsum Dominum Regem redierunt & eidem dixerunt; Quod ex quo dicti octoginta de Scotia super legibus & consuetudinibus Scotiæ in tanta perplexitate & discordia fuissent, de quorum consilio si concordēs essent, idem Dominus Rex ad figurandum iudicium in prædicto negotio procedere debuisset, & ipsi viginti quatuor Angliæ pauci sint respectu illorum octoginta; nec etiam ipsi sint à maioribus & discretioribus regni Angliæ, propter quæ non audebant super se assumere tantum onus, absque maiori consilio Prelatorum, Nobilium, Magnatum et Sapientum regni Angliæ tunc absentium, nec etiam consilere in negotio prænotato; Eapropter de Consilio unanimi & consensu omnium auditorum prædictorum, & aliorum utriusque regni Nobilium & Prelatorum ipsidem presentium, ac potentium idem Regnum prædictum, præfixis & assignatis idem Dominus Rex dictis Nobilibus ipsum regnum Scotiæ potentibus diem crastinum Translationis Sancti Edwardi Regis & Confessoris in Parlamento suo lecto eodem, coram ipso et auditoribus, ad procedendum ibidem in negotio memorato, cum continuatione & prorogatione dierum, cognoscendum, discutiendum, & de iure singulorum diffiniendum, pronunciandum & declarandum, prout de iure fuerit faciendum. Et quod majores & discretiores regni sui ob istam causam ad dictos diem & locum convocarentur præcepit. Et quod medio tempore tam dicti hinc inde auditores, quam ceteri omnes utriusque regni Nobiles & Prelati tunc presentes super premissis cogitarent & deliberarent, quod consultius fieri debeat in eventum. Et decrevit idem Dominus Rex interim, per suos certos nuncios diversarum terrarum super facto huiusmodi consuleret sapientes, & ut eorum consilium circa dictum diem sibi referatur. Acta apud Berewicum super Twedam (ut præmittitur) anno, indictione, mense & die proximo prænotatis, cum continuatione & prorogatione dierum. Presentibus venerabilibus in Christo



An. 20 E. 1. *ffo* Patribus Dominis Antonio Dunolm. Roberto Bathon. & Wellen, Willielmo Elien. Willielmo Sancti Andree, Roberto Glasuen. & Henr. Dei gratia Aberdon. Episcopis, & Nobilibus viris Dominis Amadeo Subaudia, Henrico Lincoln. Johanne de Boughan & Dovenapdo de Mar Comitibus, ac Magistro Johanne Erturi de Cadomo publico apostolica auctoritate Notario, cum aliis tam Ecclesiarum Prælati utriusque regni, quam Comitibus, Baronibus & Militibus, & aliis popularibus in multitudine copiosa.

Anno à Nativitate 1292. Inditione sexta, mensis Octobris die quatuordecimo, in crastino videlicet Sancti Edwardi Regis & Confessoris, existente serenissimo Principe & Domino, Domino Edwardo Dei gratia Rege Angliæ illustri, superiori et directo Domino regni Scotiæ apud Berewicum super Twedam, et Parliamentum suum ibidem inditum incipientem, comparuerunt coram ipso Nobiles viri omnes et singuli regnum Scotiæ bendicantes, & etiam utriusque regni Nobiles, & Prælati, ac Auditores prælati: nominati, electi & assignati quævis idem Dominus Rex in primis palam & publice, sicut alias in ultimo suo Parlamento ibidem fecerat, ab omnibus utriusque regni Nobilibus & Prælati auditoribus memoratis, & aliis de Consilio suo sapientibus & discretis, per quas leges sive consuetudines sit in prædicto negotio ad iudicium procedendum? Et, an in casu in quo certæ leges non reperiuntur vel consuetudines, aut etiam diversa et Scotiæ regnis, qualiter sit iudicandum? Et si de dicto regno Scotiæ sit aliter iudicandum, quam de Comitibus, Baronibus, et aliis Tenuris? Responderunt una voce, nullo contradicente vel reclamante, concorditer, Quod per Leges et Consuetudines regni illius qui præstet, si certæ reperiuntur, in hoc casu iudicare potest et debet; Et si in casu huiusmodi leges certæ et Consuetudines non reperiuntur; Idem Dominus Rex de Consilio Nobilium et Prælatorum, et aliorum Procerum et Magnatum regni sui potest et debet condere novam legem. Dixit etiam, quod de prædicto regno quoad sus succedendi, est iudicandum, et ad iudicium procedendum, sicut de Comitibus, Baronibus et aliis Tenuris impartibilibus. Quibus Responsionibus auditis & intellectis, quævis Dominus Rex à prædictis Nobilibus viris Dominis Roberto de Brus, & Johanne de Balliolo, si vellent quicquid aliud pro iure sui declaratione, quam proposuerunt, proponere, dicere vel ostendere? Ipsi vero respondentibus, Quod sicut præcepit & injunxit auditori ut memoratis, quod locum quo prius adirent, & prædictos Robertum & Johannem de die in diem in omnibus & singulis, quæ dicere seu proponere vellent, benignè audirent, sibi que eorum rationes ostensiones & iura præhabita discussione diligenti fideliter referrent. Coram quibus auditoribus in Ecclesia fratrum prædicatorum de Berewico deserta, præfati Nobiles, Robertus & Johannes, una cum aliis petentibus ad ipsius Domini Regis præceptam constituti. Dicit Dominus Robertus de Brus ad ea quæ in petitione sua superscripta proponebantur adjecit dicendo, ratiocinando, & narrando; Quod quæstio super jure regnandi, habet terminari & iudicari per Jus naturale per quod Reges regnant, & non per leges & consuetudines inter subditos usitatas, per quod quidem Jus naturale proximior in sanguine linea collaterali, melius Jus habet regnandi. Dicebat etiam, quod Lex & Consuetudo quæ sunt inter Tenentes & Subditos, Superiorem ligare non possunt, præcipue Regem suum. Unde dixit, quod licet in hæreditatibus partibilibus secundum leges & consuetudines inter subditos observatas primogenita aliquam habeant Prærogativam, in regno tamen impartibili, ubi proximorum in sanguine regali legitimus tempore vacationis regni inventus secundum Jus naturale est præferendus, primogenita nullam habet nec habere debet prærogativam. Dixit etiam, quod Consuetudo succedendi in regnum Scotia plene facit pro eo; quia usitatum est in Scotia, quod frater Regis præcedentis præferendus est ejus filio in successione regni Scotiæ, ratione proximitatis in gradu. Et ad hoc quædam antiqua produxit exempla; videlicet quod quidam Dovenaldus frater Kineth mach Alpin regnavit immediate post fratrem suum, excluso Constantino primogenito prædicti Kineth; & hoc ratione propinquitatis sanguinis ipsius Alpini, & post prædictum Dovenaldum regnavit Constantinus primogenitus ipsius Kineth mac Alpin. Et post eum regnavit Eib. frater ejus senior, excluso Dovenaldo filio prædicti Constantini: De quibus Constantino & Eib. fratribus & filiis prædicti Kineth mac Alpin descenderunt omnes Reges, qui postea regnaverunt in Scotia usque modo, & semper sicut erant propinquiore in gradu regnabant quilibet post alium usque ad tempus Regis Malcolmi viri Sanctæ

Margaretta

*Magarita* Regine. Et adhuc post prædictum *Malcolmum*, quidam frater ejus regnavit, excluso filio ejusdem *Malcolmi*: Et adduxit ultra similiter idem Dominus *Robertus* quædam alia exempla de consimilibus successionibus in quibusdam terris aliis et regionibus, utpote de Comitatu *Sabaudia* & regno *Yspania*. Dixit etiam, quod mulier regnare non debet, quia officium regiminis exercere non potest; et tempore quo prædictum regnum vacabit per mortem Regis *Alexandri* ultimi Regis *Scotia* fuit *Dervorgulda* mater prædicti *Johannis de Balliolo* superstes, quæ ratione prædicta regnare non potuit nec debuit. Et sic Jus ipsius regni prædicto *Roberto* tanquam Masculo, & in æquali gradu cum prædicta *Dervorgulda* existenti sine medio debet resortire propter insufficientiam dictæ *Dervorgulda* quia Mulier. Unde petit idem *Robertus*, quod habito respectu ad leges Regales, per quas Reges regnant et regnare debent, et etiam ad exempla per ipsum producta; Quod dictus Dominus Rex Jus suum velit declarare, et sibi Justitiam exhibere.

Ad hæc statim ex parte Nobilis viri Domini *Johannis de Balliolo* respondebatur hoc modo; Quod dictum regnum *Scotia* non potest nec debet eidem *Roberto de Brus* quovis modo de jure adjudicari; pro eo, quod ubi prædictus *Robertus* in petitione sua petit regnum *Scotia* cum pertinentiis suis, ut rectior & proximior hæres ipsius regni, eo quod *Willielmus Rex Scotia* Antecessor ejus frater *David* Comitis *Huntingdon*. fuit scissus de prædicto regno *Scotia* in Dominico suo ut de feodo, & de jure tempore pacis, & tempore Regis *Henrici primi* Domini Regis *Anglia*, qui nunc est; & de ipso *Willielmo* descendit Jus dicti regni cuidam *Alexandro* ut filio & hæredi qui regnavit & obiit inde scissus. Et de ipso *Alexandro* descendit Jus ejusdem regni cuidam *Alexandro* ut filio et hæredi qui similiter regnavit et obiit inde scissus. Qui quidem *Alexander* habuit duos filios qui obierunt sine hærede de se patre eorum vivente, & unam filiam *Margaretam* nomine *Reginam Norwegia*, quæ similiter obiit vivente patre; de qua quidem *Margareta* exivit quædam alia *Margareta*, cui Dominus *Alexander* avus ipsius *Margaretæ* fecit homines suos de regno suo jurare, quod ipsam tenerent pro Domina dicti regni *Scotia*, & hoc fecit per scriptum affirmari. Quæ quidem *Margareta* obiit sine hærede de se, per quod Jus prædicti regni debuisset resortiri cuidam *David* fratri prædicti *Willielmi* Regis, si statum regnandi expectasset; Et idem *David* habuit tres filios qui obierunt sine hærede de se, et quatuor filias *Matildam* quæ obiit sine hærede de se, *Margaretam*, *Isabellam* & *Adam*, de qua *Isabella* exivit *Robertus de Brus* qui nunc petit, & dicit, quod ad ipsum debet prædictum regnum *Scotia* sine medio, ut ad proximior in gradu de sanguine Regis *Alexandri* qui ultimo obiit, & similiter dictæ *Margaretæ* in linea collateralis. Et quod præterea quidam *Alexander* pater prædicti Regis *Alexandri* qui ultimo obiit, recognovit coram Baronibus suis ipsum *Robertum* pro proximiori hærede suo, si ipsum decedere contingeret sine hærede de corpore suo; Et quod illud idem dictus *Alexander* Rex qui ultimo obiit recognovit, si absque hærede de corpore suo decederet, sciente *Dervorgulda* matre prædicti Domini *Johannis de Balliolo* & non contradicente; quod idem *Robertus* in petitione sua prædicta omissionem fecit in ea parte suæ petitionis, ubi dicit, quod Jus regni prædicti debuisset resortiri *David* fratri Regis *Willielmi* per mortem prædictæ *Margaretæ de Norwegia*, nullam faciendo mentionem de *Margareta*, *Marjoria*, & *Isabella* filiabus prædicti Regis *Willielmi* fratris prædicti *David*, desicut nullum Jus potuit nec debuit resortiri ad prædictum *David* fratrem prædicti Regis *Willielmi*, nisi per medium prædictarum filiarum ipsius Regis *Willielmi*. Et quoad hoc quod idem *Robertus* dicit, quod Jus prædicti regni debuit ad ipsum resortiri sine medio; idem *Johannes* dicit prius, quod nullum Jus potest descendere vel resortiri alicui, nisi per medium rectæ lineæ descendens vel ascendens, secundum leges & consuetudines utriusque regni, per quod dicit, quod omnis aliquo vel aliquibus de recta linea ascendente vel descendente, aliquid Jus ad eum non potuit resortiri. Et quoad hoc, quod idem *Robertus* dicit, quod est proximior in gradu, in eo, quod dicit, quod prædictus *David* habuit tres filias *Margaretam*, *Isabellam*, & *Adam*, de qua *Margareta* exivit *Dervorgulda*, & de ipsa *Johannes*, qui nunc est, Et de prædicta *Isabella* *Robertus* qui nunc petit, & sic proximior in gradu; per quod dicit se habere melius Jus ad regnum prædictum secundum consuetudinem quorundam regnorum. Dicit idem *Johannes*, quod quicquid dicat de aliis regnis & regionibus, vel de ipsorum consuetudinibus; in regnis tamen *Anglia* & *Scotia*, in quibus Reges regnant



*An. 20 E. 1.* regnant per successionem in recta linea, & Comites & Barones eodem modo succedunt in hereditatibus suis, Exitus postnata, licet in gradu proximorum, non excludit exitum primogenita, licet remotiorem in gradu in ipsa recta linea, successione durante. Dicit etiam, quod ex quo predictus Robertus concedit, quod Margareta antecessor predicti Johannis fuit primogenita predicti Davjd, & predicta Isabella mater predicti Roberti postnata; & quod predictum regnum Scotie non est partibile; per quod dicit, quod ius ipsius regni & ipsum regnum unica persona debeat remanere; videtur ei, quod in huiusmodi successione secundum leges & consuetudines utriusque regni antenata preferenda est postnata; et eadem ratione prius antenata est preferendus ejus postnata, tam ratione primogenitura, quam impartibilitatis regni predicti. Unde per rationes predictas, durante exitu primogenita, nihil juris exitui postnata accrescere potest. Et quoad hoc quod predictus Robertus dicit, quod Alexander Rex Scotie filius Regis Willielmi tenuit eum pro propinquiore herede suo, si sine herede de se contingeret ipsum mori, & pro tali eum coram Baronibus suis recognovit; idem Johannes dicit, Quod quoad petendum regnum predictum huiusmodi recognitio sibi valere non debet, etiam etsi facta fuisset. Et quod idem Robertus in petitione sua recognoscit, quod predictus Alexander obiit scitus de regno predicto in Dominico suo ut de feodo & jure, & quod de predicto Alexandro descendit ius predicti regni cuidam Alexandro ut filio & heredi, qui similiter obiit inde scitus; unde per recognitionem suam predictam satis ostendit, quod ille Alexander sine herede de se non decessit; & quod ius predicti regni ad filium suum ut ad heredem per mortem ipsius fuit transmissum. Et sic per recognitionem predicti Alexandri (si qua facta fuit) nihil juris fuit sibi acquisitum. Item quoad hoc, quod predictus, Robertus dicit, quod questio super jure regnandi habet terminari & judicari per Jus naturale, per quod Reges regnant, & non per leges & consuetudines, inter subditos usitatas; Idem Johannes dicit, Quod per easdem leges et Consuetudines debet Dominus Rex Anglie superius Dominus regni Scotie cognoscere et judicare de dicto regno Scotie inter petentes, per quas idem Rex Anglie de terris et tenementis ad Coronam suam spectantibus, si per antecessores suos infra regnum suum occupatis, cognoscit et judicat, et antecessores sui cognoscere et judicare solebant. Et hoc est per communem Legem et Consuetudinem regni sui, et non per aliquas alias Leges et Consuetudines qualescunque. Et quoad hoc, quod idem Robertus dicit, Quod Lex & Consuetudo quae sunt inter tenentes & subiectos superiorem ligare non possunt, & praecipue Regem suum; idem Johannes dicit, quod predictus Robertus non est in eo casu in quo judicari debet per subiectum, sed per superiorem, scilicet per Dominum suum Regem Anglie superiorem Dominum dicti regni Scotie, de cuius Progenitoribus a tempore cuius non extat memoria dictum regnum Scotie per homagium tenebatur, et de ipso teneri debet. Et ipsi petentes sint in ipsius Curia Regis et Domini sui, ad recipiendum ius ab eo, sicut subditi de tenementis quae ab ipso tenentur. Unde dicit, quod ex quo sunt subiecti dicto Domino suo Regi Anglie et Coronae suae, quolibet jure requiruntur, ut ipsi tanquam subditi et petentes ius ad regnum, quod de eo tenetur, per Leges et Consuetudines regni sui judicari. Et dicit, quod per easdem Leges et Consuetudines primogenita habet prerogativam in succedendo tam in hereditatibus impartibilibus quam partibilibus. Item quoad hoc, quod predictus Robertus dicit, quod Consuetudo succedendi in dicto regno Scotie plenè facit pro eo in hoc, quod dicit, Quod frater Regis cuiusdam praecedentis praefertur illius filio in successione regni ratione proximitatis in gradu; & ad hoc quaedam produxit exempla; Idem Johannes dicit, Quod per hoc, quod predictus Robertus intendit ostendere per exempla predicta, quod frater postnatus regnavit post fratrem antenatum ipsius filium repellendo, & hoc ratione proximitatis in gradu succedendi praefertur proximiori, quia filius proximior est patri in gradu huiusmodi succedendi, quam frater patris, secundum leges et Consuetudines utriusque regni. Et quoad exemplum, quod idem Robertus dicit, Quod frater Malcolmi quondam Regis Scotie regnavit immediatè post ipsum Malcolmum, ejus filium repellendo; Idem Johannes recognoscit, Quod frater predicti Malcolmi per aliquod tempus modo predicto regnavit; sed dicit, quod filius dicti Malcolmi sic expulsus \* adivit Dominum suum Willielmum Regem Anglie et superiorem Dominum regni Scotie, conquerendo de injuria per fratrem patris sui sibi facta; ad cuius querelam idem Dominus Rex Anglie fratrem predicti Malcolmi a predicto

\* See here, p.  
492.

prædicto regno eiecit, et filium ejusdem Malcolmī Regem ejusdem regni Scotiæ *An. 20. E. 1.*  
 constituit, qui postmodum toto tempore suo regnavit. Dicit etiam idem Johannes, quod  
 post mortem ejusdem Regis filii Malcolmī, idem frater Malcolmī iterato se in dictum  
 regnum intravit, et regnare cepit; per quod ad quietimoniam ejusdem \* Edgari se- \* See here,  
 cundi filii ejusdem Malcolmī, prædictus Rex Willielmus superius Dominus dicti p. 492.  
 regni Scotiæ, prædictum Malcolmī sic regnantem injuste de eodem regno Scotiæ ite-  
 rato eiecit; et prædictum Edgarum Regem ipsius Regni constituit. Post quem  
 omnes alii Reges Scotiæ usque nunc per rectam lineam successionis secundum Leges  
 et Consuetudines in utroque regno iustitias regnaverunt. Et quoad exempla de  
 Yspania & Comitatu Sabaudiz, dicit, quod illa Exempla prædicto Roberto non de-  
 bent valere; pro eo, quod alia sunt & diversa Leges & Consuetudines in Yspania &  
 Sabaudia quam in regnis Angliæ & Scotiæ; nec Rex debet inter subditos suos  
 per alias Leges et Consuetudines judicare, quam per Leges et Consuetudines  
 regnorum quibus præest. Et quoad hoc, quod prædictus Robertus dicit, quod mul-  
 lier regnare non debet, quia officium regiminis exercere non potest: Idem Johan-  
 nes dicit, Quod si mulier regnare non debet, nec ius regnandi ad ipsam descendere  
 seu resortiri, idem Robertus nihil iuris vendicare potest in regno prædicto; eo,  
 quod si aliquid ius de ipso regno ad ipsum resortiri deberet, hoc esse non potest, ni-  
 si per medium Isabellæ matris suæ; unde dicit, Quod si nullam ius regnandi ad  
 dictam Isabellam matrem suam resortiri potuit; nec ad ipsum Robertum nisi per ean-  
 dem Isabellam tanquam ad filium descendere quoque modo. Dicit etiam, quod idem  
 Robertus in huiusmodi dicto suo est sibi ipsi contrarius. Et quia satis notorium est,  
 quod tam ipse Robertus quam omnes alii Comites, Barones, Proceres & Magnates  
 regni Scotiæ iuraverunt fidelitatem Margaretæ filiz Regis Norwegiæ uxoris ultimo  
 obiti Domini et Regini dicti regni Scotiæ, et ipsam pro Regina et Domina tene-  
 runt; & sic erat idem Robertus modo negando verbo, quod prius facto concesserat,  
 quod quidem factum dedicere non potest; Unde cum sit bene recognitum, quod  
 Willielmus Rex Scotiæ fuit scissus de prædicto regno Scotiæ, & de prædicto  
 Willielmo descendit ius Alexandro ut filio & heredi; & à prædicto Alexandro  
 descendit ius cuidam Alexandro ut filio & heredi, qui obiit sine herede de se;  
 Et de ipso Alexandro cuidam David ut fratri & heredi, & de ipso David quia obiit  
 sine herede de se cuidam Margaretæ ut sorori & heredi; & de ipsa Margareta cuidam  
 Margaretæ ut filia & heredi; & de ipsa Margareta quia obiit sine herede de se, resor-  
 titur ius & debuit resortiri quibusdam Margaretæ, Marjorie, & Isabellæ ut con-  
 sanguineæ & uni heredi, si dictum regnum esset partibile; Et quia non est partibile,  
 remansit ius & remanere debuit prædicta Margaretæ ut antenata; Et de ipsa descendit  
 ius cuidam Margaretæ ut filia & heredi; Et de ipsa Margareta, quia obiit sine he-  
 rede de se, resortitur ius & debuit resortiri prædictis Marjorie & Isabellæ ut ante-  
 natæ et uni heredi, si regnum esset partibile; Et quia non est partibile, remansit  
 ius & remanere debuit prædictæ Marjorie ut antenata et heredi; Et de ipsa Isa-  
 bella quia obiit sine herede de se, descendit ius & descendere debuit prædictæ Isabellæ  
 ut sorori & heredi; Et de ipsa Isabellæ quia obiit sine herede de se, resortitur ius &  
 debuit resortiri cuidam David ut avunculo & heredi fratri Regis Scotiæ Willielmi præ-  
 dicti, patris prædictæ Isabellæ; Et de ipso David descendit ius & descendere debuit  
 cuidam Henrico ut filio & heredi; Et de ipso Henrico quia obiit sine herede de se, de-  
 scendit ius & descendere debuit cuidam David ut fratri & heredi; Et de ipso David  
 quia obiit sine herede de se, cuidam Johanni ut fratri & heredi; Et de ipso Johanne  
 quia obiit sine herede de se, descendit ius & descendere debuit quibusdam Margaretæ,  
 Isabellæ & Adæ, ut sororibus & uni heredi, si regnum esset partibile; Et quia non  
 est partibile, remansit ius & remanere debuit prædicta Margaretæ ut antenata Sorori  
 ipsius Johannis & heredi; Et de ipsa Margareta descendit ius & descendere debuit  
 cuidam Thomæ ut filio & heredi; Et de ipso Thoma quia obiit sine herede de se, de-  
 scendit ius & descendere debuit quibusdam Christianæ & Dervorguldæ ut sororibus  
 & uni heredi, si regnum esset partibile; Et quia regnum non est partibile, remansit  
 ius & remanere debuit prædicta Christianæ antenata sorori ipsius Thomæ, ut sorori  
 & heredi; & de ipsa Christiana, quia obiit sine herede de se, descendit ius & descen-  
 dere debuit prædicta Dervorguldæ ut sorori & heredi; Et de ipsa Dervorgulda de-  
 scendit ius & descendere debuit cuidam Hugoni ut filio & heredi; Et de ipso Hu-  
 gone quia obiit sine herede de se, cuidam Alano ut fratri & heredi; Et de ipso



*An. 20 E. 1.* Alano quia obiit sine herede de se, cuiusdam Alexandro ut fratri & heredi; Et de ipso Alexandro quia obiit sine herede de se, descendit ius & descendere debuit isti Johanni ut fratri & heredi, qui nunc petit regnum Scotiz ut ius suum. Cumque per descensum prædictos liquet evidenter, quod prædictus Johannes sit heres prædictæ Margaretæ primogenita prædicti David per rectam lineam succedendo descendens; & concessum sit per eundem Robertum, quod prædictum regnum est impartibile, per quod necessario requiritur, quod huiusmodi hereditas impartibilis tantummodo uni sorori & heredi & exitui ipsius debeat remanere secundum leges & consuetudines utriusque regni. Et si uni tantum, semper præferenda est primogenita & ipsius exitus in omni huiusmodi hereditate impartibili, tam ratione primogenitura quam impartibilitatis hereditatis regni petit; per quas etiam leges & consuetudines nullis gradus proximatis sanguinis in secunda linea excludit remotiorem exeuntem de primogenita in prima linea recte descendentem, petit ipse Johannes petitionem præfati Roberti quoad ius succedendi in prædictum regnum Scotiz, repelli penitus & cassari, & secundum petitionem suam iustitiam sibi fieri, ac ius suum prout in petitione sua continetur in omnibus & singulis judicialiter declarari, ac idem regnum Scotiz sibi per vos adjudicari.

Præmissis coram auditoribus, Prælati & discussis, relatione facta dicto Domino Regi Angliz de eisdem per auditores memoratos; quævis idem Dominus Rex à dicto Roberto de Brus & Johanne de Balliolo coram ipso personaliter constitutus, organo vocis sue, An aliqua alia quam dixerant dicere vellent? Et ipsi responderunt, Quod non, nisi forsan quicquam ab eis ad ipsius informationem petere voluisset. Quæ responsione facta, quævis idem Dominus Rex palam & publice ab utriusque regni Nobilibus & Prælati, totique Consilio ac auditoribus memoratis, quod eorum consilium sibi dicerent; Quis istorum duorum Roberti & Johannis sit alteri præferendus in jure succedendi in dictum regnum Scotie secundum præmissa hinc inde proposita & ostensa? Et, An remotior in uno gradu in successione exiens de primogenita, debeat secundum leges & consuetudines utriusque regni excludere proximior in gradu exeuntem de secundogenita? Vel proximior in gradu exiens de secundogenita, debeat secundum leges & consuetudines ipsorum regnorum excludere remotiorem in uno gradu exeuntem de primogenita? Ad quæ etiam unanimiter responderunt, nulli reclamante vel contradicente, Quod remotior in uno gradu linealiter descendens de primogenita, secundum leges et consuetudines utriusque regni præferendus est proximior in gradu exeuntem de secundogenita in qualibet hereditaria successione. Quocirca præfatus Dominus Rex dicta responsione intellecta, totum negotium prædictum præcepit & fecit exactissime reexaminari coram utriusque regni Nobilibus & Prælati. Et eisdem Roberto de Brus & Johanni de Balliolo sextum diem mensis Novembris, diem Jovis videlicet proximum post instans festum Omnium Sanctorum, loco eodem præfixit & assignavit ad audiendum iudicium suum in negotio memorato. Quibus die & loco, anno & indictionis, præfati Nobiles Domini Robertus de Brus, & Johannes de Balliolo, una cum aliis petentibus idem regnum coram dicto Domino Rege personaliter comparuerunt; habitaque per ipsam Dominum Regem super præmissis inter dictos Nobiles propositis et dictis deliberatione magna, et etiam consideratione ad leges et consuetudines utriusque regni, necnon ad formam et modum petitionis dicti Domini Roberti, et ad recognitiones supradictas factas per eundem, rationisque et responsiones hinc inde factas: quia apparebat evidenter dictum Robertum de Brus ius in sua petitione non habere secundum formam ejusdem & naturam; de consilio Prælatorum et Nobilium utriusque regni, Auditorum prædictorum, et aliorum de Consilio suo ibidem præsentium, considerabit idem Dominus Rex judicialiter et pronuntiabit; quod prædictus Robertus per petitionem suam prædictam nihil capiat de regno Scotiz memorato. Et quia super petitione dicti Johannis de Balliolo non potuit ad iudicium procedere, quousque ceteri petentes audirentur, & de iure eorundem secundum formam petitionum suarum discuteretur; præcepit Dominus Rex tam dicto Domino Johanni de Balliolo, quam ceteris omnibus & singulis dictum regnum Scotiz petentibus; quod coram auditoribus supradictis in loco quo alias petitiones suas de die in diem prosequerentur, quousque de eisdem plenè discuteretur. Similiter & ipsis auditoribus dedit in mandatis, quod eundem locum adirent, & dictos petentes in dicendis & ostendendis coram ipsis benigne audirent, & discussione rationum & iurum eorundem plenè facta, eidem Domino Regi, quod invenerint, fideliter referant sicut prius. Coram quibus auditoribus dicti petentes comparuerunt in Ecclesia

Fratrum

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*Fratri Prædicatorum de Berewico desertæ; & pro petitionibus suis & jure suo roborandis rationes varias & diversas adduxerunt: Inter quas idem Robertus de Brus personaliter accedens, protestabatur, se velle jura & actionem petendi dictum regnum Scotiæ, vel saltem partem ejusdem, per aliam formam & modum quam prius intextat; petens se inter alios petentes ad hoc admitti per eosdem. Et ad hoc suo nomine prosequendum, Galfridum de Caldecote, Egidium de Camfches, & Johannem de Brey posuit loco suo. Quibus ad hoc admissis, ut quando voluerint prosequantur, supervenit Dominus Johannes de Hastings, & partem suam petiit de prædicto regno Scotiæ tanquam de hereditate partibili; quia dixit, quod jura prædicta hereditatis regni Scotiæ descendebat Margaretæ, Isabellæ & Adæ filiabus David Comitis Huntingdon. ut uni heredi: Et de illis descendit & descendere debuit jura Johanni de Balliolo, Roberto de Brus, & eidem Johanni de Hastings, heredibus prædictarum Margaretæ, Isabellæ & Adæ: Et sic pro integro jure quod inde habent, in quo omnes sunt partes, prædicta hereditas est partibilis inter ipsos, per quod partem suam inde petiit. Et quod prædicta hereditas sit partibilis nititur ostendere per subscriptas rationes. Tum quia omnes terra & tenementa, feoda, libertates, dominica & honores, quæ de corona regni Angliæ tenentur in capite sunt partibilia: Tum quia homagium & servicium quæ inde debentur Regi & corona Angliæ, ostendunt prædictum regnum esse sub lege Communi, et sic partibile. Insuper præfatus Dominus Robertus de Brus venit, & consimilem fecit petitionem; petens videlicet partem suam dicti regni & omnium terrarum & libertatum cum omnibus pertinentiis, de quibus terris & libertatibus Alexander ultimus Rex Scotiæ obiit seisisse, (nomine et dignitate regalibus donatæ exceptis) pro eo quod totus exitus ejusdem Alexandri est extinctus per mortem Margaretæ filie Regis Norwegiæ; de qua resortebatur jura prædictarum terrarum & resortiri debuit cuidam David Comiti Huntingdon, fratri Regis Willielmi avi prædicti Alexandri, & proavi prædictæ Margaretæ. Et de ipso David descendit jura & descendere debuit quibusdam filiabus ipsius David, videlicet Margaretæ, Isabellæ & Adæ, tanquam uni heredi; & de prædicta Isabella descendit jura & descendere debuit ut de parte sua isti Roberto qui nunc petit ut filio & heredi, quæ quidem partem idem Robertus clamat tenere in capite de dicto Domino suo Rege Angliæ, Imperatori Domino regni Scotiæ per homagium. Et petit idem Robertus à Domino suo Rege prædicto, ut secundum legem Communem regni Angliæ iustitia ibi fiat, adducens insuper quasdam alias rationes, per quas similiter nitetur ostendere, dictum regnum Scotiæ esse partibile. Et licet ad prædictas tam dicti Domini Johannis de Hastings, quàm Domini Roberti de Brus rationes & ostensiones fuisset (ut videbatur) ex parte Domini Johannis de Balliolo sufficienter responsum, præmissis per auditores memoratos Domino Regi relatis: Idem Dominus Rex volens tamen super hiis cum consilio suo et auditoribus prædictis deliberare, quasvis publicè ab utroque regni Nobilibus & Prelatis, & Auditoribus, & aliis ibidem congregatis, An regnum Scotiæ sit partibile: Et si idem regnum non sit partibile, An escaetæ et acquisita ejusdem sint partibilia: Cui omnes, præhabita super hiis deliberatione aliqua, unanimiter & concorditer responderunt, Quod dictum regnum Scotiæ non sit partibile, nec ipsas escaetæ seu acquisita infra regnum prædictum, ex quo ad manus Regis devenissent. Quibus responsionibus auditis & intellectis, præfixis & assignavit idem Dominus Rex partibus prædictis omnibus jura ad dictum regnum Scotiæ vendicantibus pro termino peremptorio diem Lunæ prox. post festum Sancti Martini in Parlamento suo apud Berewicum super Twedam, iudicia sua super jam dictis suis petitionibus præfisse auditoris; volens interim super omnibus et singulis hinc inde propositis, dictis, ostensis et allegatis cum utriusque regni petitis, auditoribus memoratis, et aliis de Consilio suo ad plenum deliberare, utrumque processum et iura partium examinare; ut deliberatione præhabita, quid de jure fieri debeat plenus informari. Acta apud Berewicum super Twedam (ut præmittitur) anno, indictione, mense, diebus & locis proximo prænotatis, presentibus venerabilibus in Christo patribus & Dominis, Dominis Antonio Dunelm. Willielmo Elien. Johanne Carleolen. Willielmo Sancti Andree, Roberto Glasceven. Mattheo Dunkelden. & Marco Sodoren. Episcopus; ac Nobilibus viris Dominis Henr. Lincoln. Umfrido Hereford. Johanne de Boghan, Gilberto de Anegos, & Massio de Strathern. Comitibus; ac Magistro Johanne Erturi de Cadomo publico Apostolica autoritate Notario, cum aliis quampluribus,*

Ann. à Nativitate Domini 1292. Indictione sexta, mensis Novembris die decimo septimo,



An. 20 E. 1. septimo, die Lunæ videlicet proxima post festum Sancti Martini, congregatis coram excellenti Principe & Domino, Domino Edwardo Dei gratia Rege Angliæ illustri, superiori et Domino regni Scotiæ, in aula Castri de Berewico super Twedam, Sancti Andree Diocesi, utriusque regni Nobilibus & Prelatis, ac Auditoribus memoratis, aliis Magnatibus & popularibus in multitudine copiosa, presente ibidem me Notario infra scripto, cum testibus subscriptis, praconizatisque publice Nobilibus viris superius nominatis jus ad dictum regnum Scotiæ (ut præmittitur) vendicantibus, Erico videlicet Rege Norwegiæ, Florentio Comite Holandiæ, Willielmo de Vescy, Patricio Comite de Marchia, Willielmo de Ros, Roberto de Pinkny, Nicholao de Soules, & Patricio Galightly, & non comparentibus, sed se retrahentibus omnino, quia non suas petitiones propositas prosecuti, consideratum est per idem Dominum Regem, et judicialiter pronunciatum, de consensu utriusque regni Nobilium et Prelatorum, Quod per petitiones suas prædictas nihil consequantur.

\* Hist. Angl.  
p. 12. Ypo-  
digma Neustr.  
p. 76.

(\* Tho. Walsingham renders us this more full and particular account concerning the King of Norway's Proctors answers, delays, and the Judgement given at last against him. *Requisitum fuit de eisdem Attornatis, quid volunt addere, minuire vel mutare, & quod in petitione sua danda declararent? Qui dicunt, quod nolunt declarare antequam habuerint colloquium cum dicto Domino Rege Angliæ superiori Domino regni Scotiæ, nec aliquid aliud proponere vel dicere ea vice. Et hæc requisitio fuit facta, quia alias in petitione sua, qua coram ipsis fuit ibidem lecta, reservavit sibi beneficium addendi, minuendi & mutandi, prout plenius ex tenore ipsius petitionis apparet, & datus est eis dies usque ad diem Mercurii proximo sequentem, ad audiendum voluntatem Domini Regis. Postea die Mercurii proximo post festum beati Martini, venerunt prædicti Attornati Regis Norwegiæ coram Consilio prædicti Domini Regis Angliæ, et Superioris Domini Scotiæ, & dictum fuit eis per consilium dicti Domini Regis, quod declararent manifeste actionem Domini Regis Norwegiæ, per quam intendunt recuperare regnum Scotiæ, tanquam jus Domini sui, qui quidem Attornati responderunt & dixerunt, quod voluerunt prius habere colloquium cum prædicto Domino suo Rege Norwegiæ, & ipsum super exactione & petitione prædictis consulere antequam ulterius prosequerentur. Et multociens requisiti, quod petitionem Domini sui manifeste declararent, tandem dixerunt præcise, quod petitionem Domini sui noluerunt declarare, nec ulterius super hoc aliud dicere, antequam eundem Dominum suum consulti fuerint in præmissis. Ideo datus est eis dies de die in diem coram prædicto Domino Rege Angliæ, superiore Domino dicti regni Scotiæ, ad audiendum iudicium suum, de eo quod noluerunt ulterius prosequi petitionem Domini sui prædicti.)*

The Record proceeds; Et quia Johannes Comyn & Rogerus de Mundevile non sunt suas petitiones prosecuti, ideo similiter est per ipsum Dominum Regem judicialiter pronunciatum, quod nihil capiant per easdem. Quoad petitionem vero Domini Roberti de Brus ultimam, per quam petit tertiam partem regni Scotiæ, ut partem suam, tanquam de hereditate partibili; quia compertum est, quod idem Robertus alias coram Domino Rege in sua petitione, per quam petebat totum regnum Scotiæ, recognovit plenè & concessit, prædictum regnum esse impartibile, per quod uni tantum heredi debuit remanere; quam quidem recognitionem et concessionem deducere non poterit coram ipso: Et quia per Prelatos, Comites, Barones, Pares et Magnates, totumque Consilium utriusque regni concordatum est et consideratum, quod prædictum regnum uni heredi debeat remanere, pro eo quod de sui natura est impartibile, sicut et alia regna: Idcirco per eundem Dominum Regem consideratum est et judicialiter pronunciatum, Quod dictus Dominus Robertus et hiis quæ in dicta petitione sua continentur, nihil consequatur omnino. Et quoad petitionem Domini Johannis de Hastings, qui similiter petit tertiam partem dicti regni, ut partem suam de hereditate partibili; quia plenè compertum est, (ut præmittitur) quod prædictum regnum de sui natura non est partibile, et etiam quod etiam et acquisita quæ acciderint infra dictum regnum, et ad manus Regis debuerint sunt impartibilia sicut ipsam regnum, eapropter, substantibus etiam aliis rationibus quampluribus in processu super hiis habito propositis et dictis, consideratum est per dictum Dominum Regem, et judicialiter pronunciatum de consensu utriusque regni Nobilium et Prelatorum; Quod dictus Dominus Johannes de Hastings nihil capiat per petitionem suam supradictam. Quoad petitionem vero Do-

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mini Johannis de Balliolo, qui petit totum regnum prædictum ut jus suum. Idem An. 20 E. 1.  
 Dominus Rex per. La coram ipso petitione sua, cum juribus & rationibus pro jure suo  
 adductis; recitatisque rationibus & objectionibus contra ipsum & jus suum propositis; &  
 hinc inde offensis, dictum negotium totum præcepit et fecit per utriusque regni  
 consilium per plures dies cum summa diligentia et habundanti examinari. Et  
 examinatione plenè facta, quia compertum fuit manifestè, et per omnes utriusque  
 regni Nobiles, Prelatos, Auditores, et Sapientes consideratum et concordatum,  
 quod prædictum regnum Scotiæ est impartibile, et uni debeat hæredi remanere:  
 Et hoc idem satis est per petentes prædictos recognitum judicialiter coram ipso  
 Domino Angliæ Rege pro tribunali sedente, ut superiori et directo Domino dicti  
 regni. Et quia idem Dominus Rex habet judicare de jure subditorum (ut præ-  
 mittitur) per leges et consuetudines regnorum quibus præest, quod ab omnibus  
 utriusque regni Nobilibus et Prelatis est approbatum, concordatum et dictum, et  
 per eandem leges et consuetudines in casu proposito consentum est et judicialiter  
 declaratum, quod remotior in gradu descendente in prima linea, proximior in se-  
 cunda linea in successione hæreditatis impartibilis est præferendus. Et etiam  
 quod ordo successionis contentus in petitione dicti Johannis de Balliolo, qui est  
 hæres de prima linea descendente, non est ab aliquo petentium prædictorum in  
 aliqua sui parte deducendus. Idcirco præ omnibus aliis in successione hæreditaria  
 dicti regni Scotiæ est præferendus, tanquam hæres rector regni memorati. Supra-  
 dictum vero rationibus, una cum aliis quampluribus in præfati processu coram dicto Do-  
 mino Rege suoque Consilio (ut præmittitur) offensis & propositis diligenter attentis,  
 considerabit dictus Dominus Rex Angliæ, superior et directus Dominus regni  
 Scotiæ. Quod prædictus Dominus Johan. de Balliolo recuperet et habeat seisinam  
 prædicti regni Scotiæ, cum omnibus pertinentiis suis infra idem regnum, secundum  
 formam petitionis suæ supplicatæ: Et etiam omnia quæ ad manus præfati Domini  
 Regis Angliæ ratione superioritatis et directi domini sui hujusmodi debentur:  
 Ita tamen, quod idem Dominus Johannes dictum regnum Scotiæ et populum  
 ejusdem sibi subditum, sicrite, sic iuste gubernet et regat, quod nullus pro defectu  
 iustitiæ occasionem habeat de ipso conquerendi; per quod dictus Rex Angliæ, ut  
 superior sans Dominus ejusdem regni, in ipsius defectum ad prosecutionem  
 querelantium directionis manus apponere debeat in eventu: Jure dicti Domini  
 Regis Angliæ, et hæredum suorum Angliæ Regum, cum voluerint inde loqui es-  
 se, semper salvo. Hiis itaque peractis assignavit idem Dominus Rex eidem Johanni  
 de Balliolo diem Jovis proximo sequentem coram ipso ubicunque fuerit, ad faciendam  
 sibi fidelitatem pro regno Scotiæ memorato. Et etiam diem Nativitatis proximo  
 sequentem similiter ubicunque tunc fuerit in regno Angliæ, eidem Domino Johanni de  
 Balliolo Regi Scotiæ, ad faciendum sibi homagium pro eodem regno præstitit et  
 assignabit. Et quod interim prosequatur hæc ad habendum seisinam de regno  
 Scotiæ supplicato, præcepit. Ad cuius Regis præceptum statim breviter facta fuerunt  
 pro seisinâ tam Castroꝝ quam regni Scotiæ prælibati dicto Domino Johanni de  
 Balliolo Regi Scotiæ liberanda, sub tenore qui sequitur.

EDWARDUS Dei gratia Rex Angliæ, Dominus Hyberniæ, Dux Aquitania,  
 & superior Dominus regni Scotia; Dilectis & fidelibus suis, Willielmo Sancti An-  
 drae & Roberto Glaschen. Episcopis; Johanni Comyn, Jacobo Senescalco Scotia, &  
 Briano filio Alani, Custodibus suis dicti regni Scotia salutem. Cum Johannes de  
 Balliolo nuper in Parlamento nostro apud Berewicum super Twedam venisset co-  
 ram nobis, & petivisset prædictum regnum Scotia sibi per nos adjudicari, & seisinam  
 ipsius regni sibi ut proximiori hæredi Margarete filie Regis Norwegiæ, Do-  
 minæ Scotia, & Neptis quondam Alexandri ultimi Regis Scotia, jure successionis  
 liberari. Ac nos auditis & intellectis petitionibus & rationibus tam prædicti Johan-  
 nis de Balliolo, quam aliorum petentium prædictum regnum, & eisdem petitioni-  
 bus & rationibus diligenter examinatis, invenerimus præfatum Johannem de Balli-  
 olo esse propinquiorem hæredem prædictæ Margarete quoad dictum regnum Sco-  
 tia optinendum, propter quod idem regnum Scotia & seisinam ejusdem eidem Jo-  
 hanni, salvo jure nostro & hæredum nostrorum, reddidimus: Vobis mandamus,  
 quod seisinam prædicti regni Scotiæ, cum omnibus pertinentiis suis infra idem reg-  
 num existentibus, et quæ ad manus nostras tanquam ad superiorem Dominum  
 ipsius regni Scotiæ post mortem præfate Margarete debenerunt, sine dilatione  
 prædictæ

\* See Henr. de  
 Knyghton de  
 Event. Angl.  
 l. 3. c. 2. p. 2469.  
 Mar. Westm.  
 p. 386. Tho.  
 Walsingham  
 Hist. Angl. p.  
 22, 23. Ypod.  
 Neustr. p. 76,  
 77.

\* See Rot.  
 Scotiæ, An.  
 20 & 21 E. 1.  
 m. 7. m. 34.  
 where this  
 writ is like-  
 wise enrolled.



*An. 20 E. 1.* prædicto Johanni de Balliolo deliberare faciatis, salvo Jure nostro et hæredum nostrorum cum voluerimus inde loqui; salvis etiam nobis relictis et debitis quibuscunque quæ de exitibus prædicti regni Scotiæ usque ad diem consecrationis præsentium debebantur, seu deberi poterunt quoquo modo. Teste meipso apud Berewyk super Twedam decimo nono die Novembris, anno regni nostri vicesimo.

\* See Rot.  
Scotiæ, ibid.

Item, \*EDWARDUS Dei gratia Rex Angliæ, Dominus Hybernæ, Dux Aquitaniæ, & Superior Dominus regni Scotiæ, Dilecto & fideli suo Petro Burdet Constabular. Castri de Berewyk salutem. Cum Johannes de Balliolo nuper in Parlamento nostro apud Berewykum super Twedam venisset coram nobis & petivisset prædictum regnum Scotiæ sibi per nos adjudicari, & seisinam ipsius regni sibi ut propinquiore hæredi Margareta filia Regis Norwegiæ Dominæ Scotiæ jure successionis liberari; ac nos auditis & intellectis petitionibus & rationibus tam prædicti Johannis de Balliolo quam aliorum petentium prædictum regnum; & eisdem petitionibus & rationibus diligenter examinatis, invenerimus præfatum Johannem de Balliolo esse propinquiorem hæredem prædictæ Margareta, quoad prædictum regnum Scotiæ obtinendum; propter quod idem regnum Scotiæ & seisinam ejusdem (salvo Jure nostro et hæredum nostrorum, cum voluerimus inde loqui) prædicto Johanni reddidimus; Vobis mandamus, quod seisinam prædicti Castri de Berewico cum omnibus pertinentiis suis, una cum omnibus aliis rebus tibi per Chy. rographum traditis, secundum quod in prædicti Castri tibi commissi custodia res hujusmodi recepisti, sine dilatione præfato Johanni de Balliolo vel Attozatis suis his literis deferentibus deliverari faciatis. Teste meipso apud Berewicum super Twedam decimo nono die Novembris. Anno regni nostri vicesimo.

Item, sub eadem forma & eisdem verbis, nihil addito vel diminuto, diversis tamen personis, directæ fuerunt Brevia ejusdem Domini Regis Angliæ universis & singulis custodibus Castrorum Dominicorum Regis Scotiæ per totum regnum Scotiæ, quæ fuerunt in manibus Regis Angliæ, ut superioris Domini ejusdem regni, in quibus Custodes positi fuerant per eundem. Item, eodem die in aula Castri de Berewico, in præsentia utriusque regni Nobilium & Prælatorum, meique Notarii infra scripti, confectum fuit sigillum ad regimen Scotiæ deputatum, quo usi fuerunt ejusdem regni Custodes à tempore obitus Alexandri ultimi Regis ejusdem usque diem illum, in quatuor partes, & ipsum frustra Sigilli in quadam bursa de Corro reposita in Thesauraria dicti Domini Regis Angliæ conservanda, in signum et evidentiam plenioris Superioritatis et directi Domini sui, quod habet in prædicto regno Scotiæ, et quod ipsius hæredes Angliæ Reges perpetuis temporibus habere debent, et declarationem Juris sui hujusmodi posteris evidentius ostendendam. Præsentibus ibidem utriusque regni Nobilibus et Prælati, ac Magistro Johanne Erturi de Cadomo publico Notario, cum aliis quampluribus.

Anno Domini 1292. Indictione sexta, mensis Novembris die vicesimo, die videlicet Sancti Edmundi Regis & Martyris, existente Domino Rege Angliæ in Castro de Norham Dunolm. Dioc. venit ibidem nobilis Princeps Dominus Johannes de Balliolo Illustris Rex Scotiæ, et eidem Domino suo Domino Regi Angliæ pro eodem regno Scotiæ Fidelitatem fecit, et tactis sacrosanctis et oscularis Dei Evangelii juravit, sub his verbis. \*Ego Johannes de Balliolo Rex Scottorum, fidus et fidelis ero vobis Domino Edwardo Dei gratia Regi Angliæ Illustri, et Superiori Domino regni Scotiæ, et vobis fidelitatem facio de eodem regno Scotiæ, quod de vobis teneo et clama tenere; et fidem et fidelitatem vobis portabo de vita et membris, et terreno honore contra omnes homines, et fideliter recognoscam et vobis faciam servitia vobis debita de Regno Scotiæ antedicto; Sic me Deus adjuvet, et hæc sancta Dei Evangelia.

Super qua fidelitate sic facta dictus Dominus Johannes de Balliolo Rex Scotiæ suas patentes literas statim fieri fecit Domino Regi Angliæ Sigilli sui impressione sigillatus, tenorem qui sequitur continentes. Omnibus Christi fidelibus præsens scriptum visuris vel audituris, Johannes Dei gratia Rex Scottorum, salutem. Roberint universitas vestra nos fecisse et jurasse Domino nostro ligo Domino Edwardo Dei gratia Regi Angliæ Illustri, et Superiori Domino Regni Scotiæ apud Norham, die Nobis in festo Sancti Edmundi Regis et Martyris, Anno Incarnationis Domini 1292. et regni ipsius Domini nostri Regis Angliæ Edwardi vicesimo finiente & vicesimo primo incipiente, in præsentia venerabilium Pa-

\* See Matth.  
Westm. p. 386  
Walsingham,  
Hist. Angl. p.  
21 Ypodigma  
Neutrix, p.  
77.

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trum Willielmi Sancti Andreæ, & Roberti Glasgwen, Episcoporum, Johannis Comitis de Bogan, Willielmi Comitis de Ros, Patricii Comitis de Marchia, Walteri Comitis de Meniteth, Jacobi Senescalli Scotiæ, Alexandri de Ergadia, Alexandri de Balliolo, Domini de Cadion, Patricii de Graham, & Willielmi de Sein & Clere, in hunc modum; *Istud audias Domine mi Edwarde Dei gratia Rex Angliæ, supertor Dominus regni Scotiæ, Quod ego Johannes de Balliolo Rex Scotorum vobis facio fidelitatem de regno Scotiæ, quod tenere et clameo tenere de vobis; et ero vobis fidus et fidelis; et fidem et fidelitatem vobis portabo de Vita et Membro, et terreno Honore contra omnes homines; et fideliter cognoscam et fideliter faciam servicia vobis debita de regno Scotiæ antedicto; Sic Deus me adjuvet, et hæc sancta Evangelia. In cuius rei testimonium, sigillum quo usi sumus hactenus (quia adhuc aliud factum sub titulo & nomine Regio non habemus) presentibus est appensum; Et similiter in testimonium fidelitatis prædictæ, Episcopi, Comites, Barones, et alii supranominati Nobiles præsens scriptum sigilloz suozum munimine roborarunt.* Dat. apud Norham. die & anno prædictis.

Et quia idem Dominus Johannes de Balliolo Rex Scotorum fidelitatem suam prædictam fecit lingua Gallica; ideo eadem verba, per qua fecit, presenti Instrumento annotato, nihil addito vel diminuto.

Ceo oies vous mon Seigneur Sire Edward Roy Dengleterre, Soberaigne Seigneur du Roialme Descote, que jeo Johan de Baillol Roy Descote, vous face feaute du Roialme Descote, le quel jeo tenk e cleim tenir de vous; e que jeo vous ferrai foials e loials; e foi e loiaute vous portrai de vie e de membre, e de terrein honeur, contra toutes gentz qui purront vivre et morir; e loiaument tounstrai, e loiaument frai les services que nous vous devons du Roialme Descote avandite; en si nous eide Dieus e ces Seintes Evangeiles. Super qua fidelitate sic facta idem Dominus Johannes de Balliolo Rex Scotiæ suas patentes literas fieri fecit, ut supra, sui sigilli impressione munitas sub tenore qui sequitur. A tous ceaus, qui cest escrit verront ou erront, Johan par la grace de Dieu Roy Descote, salut en Dieu. Sache vestre universite moi avoir fait e jures foiaute a mon Seigneur Lige Monsieur Edward par mesme la grace Roy Dengleterre, a Norham la Jovedy en la feste Saint Emon le Roy e Martyr, le an del Incarnation nostre Seigneur Mil. ducentz nonante seconde, e du Regne le dit mon Seigneur le Roy Edward finant, e le vintisme un comenceant, en la presence des honeurables Pieres William e Robert de Saint Andren e de Glasen Evêques; de Johan Counte de Bogan, William Counte de Rosse, Patrik Counte de la Marche, Wautier Counte de la Meniteth, James Senescall, Descote, Alisaundre de Ergayl, Alisaundre de Baillol, Seigneur de Canres, Patrik de Grayham, e de William de Saint Cler, en les paroles soutez escrites. Ceo oies vous mon Seigneur Edward Roy Dengleterre, Soverein Seigneur du Roialme Descote, que jeo Johan de Baillol Roy Descote vous face foialte du Roialme Descote, le quel jeo tenk e cleim tenir de vous; que jeo vous ferrai foial e loial; et foi e loialte vous portrai de vie e de membre, e de terrein honeur contre toutes gentz qui purront vivre e morir, e loialment conceustrei e loialment vous frai les services a vous dues du Roialme Descote avandite; ensi me eide Dieus e ces seintes Evangeiles. En tesmoignance de ceste chose jeo mis a cest escrit mon Seal, le quel jeo ai usez jesques en cea, pur ce que jeo navoie encore autre Seal fait defouz title e nom de Roi. Ensemblement en tesmoignance de la foialte avandite ensi faite, ces Evêques, Comites, e Barones, e autres Nobles dessus nommes ont mis leur seals a cest present escrit. Donec a Norham le four e le an avanditz.

Quibus, ut præmittitur factis, mandavit dictus Dominus Rex Angliæ, eundem Dominum Johannem de Balliolo Regem Scotorum, in corporalem possessionem regni Scotiæ (sicut mox est) apud Monasterium de Scona juxta villam Sancti Johannis de Perth, suo nomine induci, per venerabilem Patrem Dominum Antonium Dei gratia Dunelm. Episcopum, & nobilem virum Johannem de Sancto Johanne, ratione superioritatis et directi domini sui regni prælibati, et in sede sua Megali juxta ipsius regni consuetudinem poni cum omni solempnitate debita et etiam consueta; Ut ipse Dominus Rex Scotiæ præmissis rite factis, die et loco superius sibi assignatis, coram dicto Domino Rege Angliæ venire valeat ad faciendum sibi homagium pro regno Scotiæ memorato, et ulterius tractandum, ordinandum et faciendum cum ipso super quibusdam statum regni Scotiæ tangentibus, quod iustum fuerit et consonum



*An. 20 E. 1. conum rationi. Acta ut suprascribitur annis, indictionibus, mensibus, diebus & locis prenotatis: Presentibus venerabilibus in Christo patribus, Archiepiscopis & Episcopis, Comitibus, Baronibus, & aliis utriusque regni Nobilibus, Proceribus & Prelatis supranominatis, cum Magistro Johanne Erturo de Cadomo publico Apostolica auctoritate Notario, meque Notario infra scripto, cum aliis quampluribus Testibus ad premissa vocatis specialiter & rogatis.*

(I shall only adde out of the Roll of Scotland in the Tower, that Duncan Earl of Fife being then within age and in Ward to the King, claiming a right to place the King of Scotland in his royal Seat, and to do other Services at his Coronation which he could not personally perform by reason of his infancy; the King thereupon to preserve his right, authorized John de Saint-John to perform these Services for him, by this Patent,

Rot. Scotie,  
Anno 20 &  
21 E. 1. m. 23.  
De ponendo  
Regem Scotie  
in Regiam  
sedem suam.

**R**ex et Superior Dominus Scotie, omnibus ad quos, &c. salutem. Scitis quod cum Duncan fil. & heredi Duncan quondam Comitis de Fife infra tatem & in Custodia nostra existentem, quendam certa officia in nova creatione Regis Scotia de ponendo ipsum in Regiam sedem suam apud Scone, secundum consuetudinem dicti Regni Scotia incumbant, ut accepimus, facienda; Nos nolentes prefato Duncan sic infra etatem & in custodia nostra existenti, prejudicium in hac parte aliquam generari, ratione minoris etatis ejusdem Heredis; Assignavimus dilectum & fidelem nostrum Johannem de Sancto Johanne ad ponend. nomine ipsius Heredis, dilectum & fidelem nostrum Johannem de Balliolo Regem Scotia, cui Regnum illud judicialiter reddidimus, in Regiam sedem suam apud Scone, secundum consuetudinem predictam, & ad omnia alia facienda, recipienda & complenda, quae idem Duncanus facere, recipere, seu complere posset vel deberet, si ibidem praesens & etatis legitimae extitisset. In cujus, &c. Teste Rege apud Norham. 21. die Novembris. The Record thus proceeds. )

Anno à Nativitate Domini 1293. incipiente, Indictione sexta, mensis Decembris, die vicesimo sexto, die videlicet Sancti Stephani Prothomartyris, Anno regni dicti Regis Angliae vicesimo primo; Existente ipso Rege Angliae apud Novum Castrum super Tynam Dunelm. Dioc. comparuit ibidem coram ipso egregius Princeps & Dominus Dominus Johannes de Balliolo Dei gratia Rex Scotorum, & in aula Castri Domini Regis Angliae, ibidem eidem Domino Regi Angliae superiori et directo Domino regni Scotia, Homagium pro eodem regno suo fecit in praesentia mei infra scripti Notarii et testium subscriptorum, lingua tamen Gallica, per haec verba vel hujus similia, hunc habentia sententialiter intellectum. Domine mi Domine Edwarde Rex Angliae, superior Dominus regni Scotia, Ego Johannes Rex Scotiae debentio vester homo ligeus de toto regno Scotiae cum pertinentiis, et omni eo quod appender; quod quidem regnum teneo et debeo de Jure, ac clamo pro me et hereditibus meis Regibus Scotiae, tenere hereditarie de vobis et hereditibus vestris Regibus Angliae; et fidem et fidelitatem portabo vobis et hereditibus vestris Regibus Angliae de vita et membro, et terreno honore contra omnes homines qui possunt videre atque mori. Et super Homagio suo predicto sic facto suas patentes literas fieri fecit sigilli impressione munitas, tenorem qui sequitur continentes. Omnibus praesens scriptum visuris vel audientibus, Johannes Dei gratia Rex Scotorum, salutem in Domino. Noverit universitas vestra me fecisse Homagium serenissimo Principi Domino meo ligeo Domino Edwardo eadem gratia Regi Angliae, Superiori Domino regni Scotiae, apud Novum Castrum super Tynam in Anglia, die festivitatis Sancti Stephani, in Crastino Nativitatis Domini, Anno Incarnationis ejusdem 1292, & Regni dicti Domini Regis Edwardi vicesimo primo; in praesentia venerabilium patrum Johannis Archiepiscopi Dublinen. Antonii Dunelm. & Johannis Carleolen. Episcoporum; Henrici de Lascey Comitis Lincoln. Johannis de Warenna Comitis de Surreye, Willielmi de Leybourne, Briani filii Alani, Gilberti de Thorneton, Rogeri Brabazon, Roberti Malet, & Roberti de Hertford Militum; Johannis de Langerdon Cancellar. Angliae, Hugonis de Cressingham, Johannis Wogan, Magistrum Johannis Lovel, & Walteri de Langeson de regno Angliae; necnon & in praesentia venerabilium patrum Willielmi & Roberti Sancti Andree & Glasgwen. Episcoporum, Johannis Abbatis de Iddeworth, Johannis Comitis de Bogan, Patricii Comitis de Marchia,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward I.

ibia, Gilberti de Umfraville Comitis de Angus, Johannis Comitis Atholia, Johannis An. 20 E. I.  
Comyn, Alexandri de Balliolo, Thom. Randolf, Gualfridi de Monbray, Patricii de  
Grayham, Willielmi de Seint Cler, Richardi Siward, Ingerami de Umfraville, Andree  
de Moravia, Thom. filii David de Thorwald, Michaelis de Wymes, Richardi Fraser,  
Andree Fraser, Alexandri de Bonkhull, & Johannis de Strivelin, de regno nostro  
Scotia, in verbis subscriptis. Domine mi; Domino Edwarde Rex Anglia, superior  
Dominus regni Scotie; Ego Johannes Rex Scotie debent homo vester ligatus  
de toto regno Scotie, cum pertinentiis et omni eo quod appendit; quod quidem  
regnum teneo et debes de iure, et clamo pro me et heredibus meis Regibus  
Scotie, tenere hereditarie de vobis et heredibus vestris Regibus Anglia; et  
idem et fidelitatem portabo vobis et heredibus vestris Regibus Anglia, de vita  
et membro, et terreno honore contra omnes homines qui possunt vivere atque  
morari. In cuius rei testimonium, Agillum meum feci apponi hunc scripto. Simili-  
ter in testimonium homagii antedicti, Archiepiscopi, Episcopi, Comites, Ba-  
rones, Clerici, et alii Nobiles Anglia ad rogatum meum, una cum Episcopis,  
Abbate, Comitibus, Baronibus, et aliis Nobilibus de Scotia supranominatis,  
eidem scripto Agilla sua fecerunt apponi. Dat. apud Novum Castellum super  
Tynam in Anglia, die & anno predicto. Huius igitur homagii lingua Gallica facti  
(ut pramittitur) in omnibus & per omnia tenor est talis. Mon Seigneur, Sire Edward  
Roy D'Angleterre, Sobzain Seignoz du Roiaume Descote, Jeo Johan de Bailiol de-  
vieng vostre home lige de tot le Roiaume Descote, oue les appartenances e oue  
quant que apent, le quel jeo tienk e doi de droit; e cleim pur moi e mes heirs Rois  
Descote tenir heritablement de vous e de vos heirs Rois D'Angleterre, e foi e loialte  
portrai a vous e a vos heirs Rois D'Angleterre de vie e de membre, e de terrein ho-  
neur contre totes gentz qui purront vivre e morir. Super quo homagio lingua  
Gallica sic facta, idem Dominus Johannes de Balliolo Rex Scotie suas patentes literas  
statim fieri fecit, sigilli sui impressione munitas, tenorem qui sequitur continentes.

A tous ceaus qui cest escrit verront ou orront, Johan de Bailiol par la grace de  
Dieu Roi Descote, saluz en Dieu. Sache vostre universite, moi avoir fait homage al  
tresnoble Prince mon Seigneur lige Monsire Edward par mesme la grace Roi Den-  
leterre, Sobzain Seignoz du Roiaume Descote, a Novel Chastell sur Tyne en Engle-  
terre, le jour de la feste Saint Esteve, lendemain de Noel, lan del Incarnation no-  
stre Seigneur Milisme Duentisme Nonantisme seconde, e du regne le dit mon Seig-  
nor le Roi Edward vintisme primer, en la presence des honourables Pieres Johan  
Ercevesque de Devolin, Amaigne de Duream, e Johan de Cardoil Evesques; Henry de  
Lasey Counte de Nicole, Johan de Garenne Counte de Surreye, Johan de Seint Johan,  
Robert de Typetost, Nicholas de Segrave, William de Leyborn, Brian le fiz Alein,  
Gilbert de Thornton, Rogier le Brabazon, Robert Malet, e Robert de Hertford, Chiva-  
lers; Johan de Langeton Chancelier D'leterre, Hughe de Cressingham, Johan de  
Wogan, Mestre Johan Lovel, e Wantier de Langeton, du Roiaume D'leterre, e en  
la presence des honourables Pieres William e Robert de Seint Andren e de Glasen  
Evesques; Johan Abbe de Fiddeworth, Johan Counte de Boghan, Patrik Counte de la  
Marche, Gilbert de Umfraville Counte de Angus, Johan Counte de Atholes,  
Johan Comyn, Alisandro de Bailiol, Thomas Randolf, Giffrey de Monbray, Patrik de  
Graham, William de Seint Cler, Richard Syward, Ingeram de Umfraville, Andren  
de Morref, Thomas Randolf le fiz David de Thorwald, Michel de Wymes, Richard  
Fraser, Andren Fraser, Alisandro de Bonkhille, e Johan de Strivelin, de nostre  
Roiaume Descote, en les paroles desoutz escrites. Mon Seigneur Mons. Edward  
Roi D'leterre, Sobzain Seignoz du Roiaume Descote, Jeo Johan de Bailiol Roi  
Descote devieng vostre home lige de tot le Roiaume Descote, oue les appartenances  
e a quant que apent; le quel jeo tienk, e doi de droit e cleim pur moi e mes heirs  
Rois Descote tenir heritablement de vous e de vos heirs Rois D'leterre; e foi e  
loialte portrai a vous e a vos heirs Rois D'leterre, de vie e de membre, e de ter-  
rein honneur contra totes gentz qui purront vivre e morir. En tesmoignance de  
ceste chose jeo ai fait mettre mon Seal a cest escrit. Ensemblement en tesmoignance  
del homage avantdit Lercevesque, Evesques, Countes, Barones, Clercs, e autres No-  
bles D'leterre a ma priere, oue les Evesques, Abbe, Countes, Barones, e autres  
Nobles Descotes desus nomees a mesme l'escrit ount fait mettre leur Seals. Donez  
a Novel Chastell sur Tyne en Engleterre, le jour e lan avantditz. Alla (ut pramittitur)  
Y y z



An. 20 E. 1. mittitur ) anno, indictione, mense, die & loco proxima superscriptis; presentibus testibus proximo prenotatis, cum aliis quampluribus, ac Magistro Johanne Erturi de Caidomo publico Apostolica auctoritate Notario.

\* See Placita  
Parl. An. 21  
E. 1. m. 20.  
Rylce, p. 145,  
146, &c.  
† Justicia-  
rios.  
\* districte.

Anno à Nativitate Domini Millesimo Ducentesimo Nonagesimo tertio incipiente, Indictione sexta, mensis Decembris die ultimo, \* gravis querela Magistri Rogeri Bartholomæi, Burgensis de Bevewico super Twedam, super quibusdam ipsius Domini Regis Angliæ auditoribus nuper per ipsum in dicto regno Scotiæ deputatis ad aures ipsius Domini Regis Angliæ pervenit: Quis statim † Judicarios suos ibidem presentes hujusmodi querela constituit auditores; \* districte eisdem precipiens & injungens, quod conquirentem audirent, ubique facerent secundum leges et consuetudines regni sui justitiæ celeris complementum. Coram quibus mandatum Regium hujusmodi exequi volentibus, & aliis de Consilio dicti Domini Regis Angliæ, ex parte serenissimi Principis Domini Johannis Dei gratia Regis Scotiæ, per venerabilem in Christo patrem Dominum Willielmum Sancti Andree Episcopum; & etiam Nobiles viros Dominos Johannem Comitum de Bughan, Patricium de Graham, Thomam Randolphi, & quosdam alios Proceres regni Scotiæ de consilio dicti eorum Regis, quedam petitio facta fuit talis: Quod cum Dominus Rex Angliæ, et superius Dominus regni Scotiæ, nuper permisisset Nobilibus & Prelatis ipsius regni leges & consuetudines regni Scotiæ observare; et quod querela et placita super rebus quibuscunque infra idem regnum existentibus mota, extra idem regnum minime traherentur: Supplicarunt eidem Domino Regi Angliæ suoque Consilio ibidem presenti, nomine ipsius Regis Scotiæ, Quod sibi placeret dictam promissionem observare, et per suos præcipere firmiter observari. Quibus nuntiis statim ex parte ipsius Domini Regis Angliæ & suo nomine per Nobilem virum Dominum Rogerum Brabazon Militem, ipsius Regis Justiciarium respondebatur; Quod dicta petitio frustratoria videbatur, quoniam factis constabat dicto Domino Regi, et omnibus regni sui Nobilibus et Prelatis de jure constare debuit, quod prædictus Rex Angliæ omnem promissionem ejus factam in omnibus observaverat, nec in aliquo venerat contra eam vel aliquam earundem; quamquam ad petitionem unanimum Communitatis dicti regni Scotiæ de Episcoporum, Comitum, Baronum, et aliorum Nobilium regni Scotiæ assensu, quadam dilatione dispendiosa prolixitas restricta fuisset ad tempus per ipsam Regem Angliæ pro celeriori justitia facienda petentibus idem regnum eorum ipso: De querelis vero quæ prædicto Domino nostro Regi Angliæ sunt delatæ de suis Auditoribus et Officialibus nuper per ipsum ut superiorem et directum Dominum ipsius regni deputatis ibidem, qui tunc temporis suam personam representabant, casualiter querelæ cognitio ad ipsum et non ad alium spectare dinoscitur, et cujus cognitionem specialiter sibi reservavit; nullus alius præter eum, ratione superioritatis sui domini prælibati, potest nec debet cognoscere, nec eorum facta (si in aliquo erraverint) corrigere, nec de illis aliquatenus se intromittere: Quod de iudiciis ipsius superioris Domini, et eorum qui suam personam representant, non pertinet ad subditos interponere manus suas. Protestabatur insuper idem Dominus Rogerus, nomine et vice ipsius Domini Regis Angliæ, et pro ipso et jure suo prædicto superioritatis et directi domini sui, quod habet & habere debet, et heredes sui Angliæ Reges in prædicto regno Scotiæ: Et dixit, quod licet idem Dominus Rex Angliæ vacante nuper dicto regno Scotiæ, sive Regis præsidio carente, super \* quibusdam certis articulis promissiones aliquas ad tempus fecisset, easque sicut promiserat observasset; non intendit propter hoc, nec vult (Rege jam in ipso regno creato) deinceps artati per easdem vel ligari, protestatione sua tunc facta subsistente, quin ipse querelas quascunque et alia quævis negotia regnum Scotiæ et ipsius incolæ contingentia iustis ex causis ad ipsum delata, in supplementum justitiæ admittere velit quodocunque et quotiescunque, et de eisdem conquerentibus facere justitiæ complementum, ratione superioritatis et directi domini sui prælibati. Et super hujusmodi querelis cum acciderint infra regnum suum Angliæ ubicunque sibi placuerit querelantes audire, et superius suum dominium prædictum exercere. Quam quidem Protestationem idem Dominus Rogerus, ætate eodem die sicut prius in camera Domini Regis (ipso Domino Rege præsentem) nomine et vice ipsius Domini Regis innodavit et de nobis fecit, in præsentia mei infrascripti Notarii et testium subscriptorum. Insuper ibidem statim Protestatione prædicta per ipsum Dominum Rogerum (ut præmittitur) emissam, idem

\* See here, p.  
395, 396, 397.

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idem Dominus Rex Angliæ Illustris coram omnibus utriusque regni Nobilibus et Prelatis tunc presentibus, organo vocis suæ, sermone tamen Gallico palam et publice protestabatur; Quod non obstantibus promissionibus, concessionibus seu ratificationibus ad tempus factis per eundem Nobilibus regni Scotiæ et Prelatis, (si qua fuerint;) quibuscunque suis literis ballata fuerint vel Instrumentis, per quæ vero se artatum minime reputabit aut ligatum; Protestationibus suis alias publice super hoc factis suo robore subsistentibus; Intendit et vult querelantes quoslibet, et quæcunque alia negotia dictum regnum Scotiæ et ipsius incolæ tangencia ratione superioritatis et directi domini sui quod habet, et de iure habere debet in eodem regno Scotiæ, sicut et progenitores sui Angliæ Reges suis temporibus habuerunt, (si legitime et iustis ex causis sibi deferantur) admittere vel audire; et super his eis facere, utcumque et quandoque sibi placuerit, iustitiæ complementum, et superioritatem et directam suam dominium quousmodi (quatenus iustum fuerit) exercere, et eo uti; ipsamque Regem Scotiæ, si necesse fuerit, et negotii qualitas egerit, infra regnum suum Angliæ super his ad suam presentiam convocare. Acta apud Novum Castrum super Tynam, in aula Castri, & camera dicti Domini Regis Angliæ, ut præmittitur, anno, indictionis, mense & die proximo prænotatis: Presentibus venerabilibus in Christo patribus, Dominis Johanne Archiepiscopo Dublinen. Antonio Dunolm. Willielmo Sancti Andree, & Roberto Glasquen. Episcopis; cum Nobilibus viris Henrico Lincoln. Johanne Warren. Johanne de Bughan. Patricio de Marchia, & Gilberto de Anegos, Comitibus; Johanne de Sancto Johanne, Roberto de Typetost, Nicholao de Segrave, Patricio de Graham, Willielmo de Saint Cler, Alexandro de Balliolo, Galfrido de Moubray, Thom. Randolfe, Gilberto de Thorneton, Roberto Maler, Hug. de Cressingham, & Johanne Wogan, cum aliis tam Ecclesiarum Prelatis, quam Comitibus & Baronibus utriusque regni in multitudine copiosa, ac Magistro Johanne Erturi de Cadomo publico Notario, testibus ad præmissa vocatis et rogatis.

Anno à Nativitate Domini Millesimo Ducentesimo Nonagesimo tertio, Indictione sexta, mensis Januarii die secundo, existente serenissimo Principe & Domino, Domino Edwardo Dei gratia: Rege Angliæ illustri, apud Novum Castrum super Tynam Dunolm. Die. venit ibidem egregius Princeps & Dominus, Dominus Johannes de Balliolo eadem gratia Rex Scotorum coram ipso & Consilio suo, aliisque utriusque regni Nobilibus & Prelatis, Recognitiones quasdam acquietantias etiam & remissiones, sponte purè simpliciter & absolute fecit organo vocis suæ; ipsasque in scripturam redactas, sui sigilli impressione, una cum sigillis Episcoporum, Comitum, Baronum, & aliorum Nobilium regni sui roboratas, tenorem qui sequitur continentes.

Omnibus presentes litteras visuris vel audituris, Johannes de Balliolo Dei gratia Rex Scotorum, salutem in Domino. Cum Dominus noster Dominus Edwardus Rex Angliæ, superius Dominus regni Scotiæ, ratione superioritatis domini sui tenuerit prædictum regnum Scotiæ in manu sua, quousque fecisset illis iustitiam quæ sui petierunt in regnum prædictum; & aliquas Conventions, Promissiones & Obligationes fidesse patribus custodibus & probis hominibus ejusdem regni, tam de ipsius regni & Castrorum restitutione facienda, quam de rebus aliis, de quibus fecerat scripta sua certis panis appositis, sicut in scriptis cominebatur eisdem. Et postmodum in presentia sua per iudicium Curie suæ nobis adiutaverit dictum regnum et seisinam ejusdem regni et Castrorum, cum omnibus aliis rebus liberavit nobis plene et integre, sicut per Conventions, Promissiones & Obligationes quas inde fecerat, tenebatur; Nos pro nobis, omnibus heredibus nostris, & omnibus illis ad quorum manus prædictum regnum deveniet futuris temporibus, quicunque fuerint, quietamus prædictum Dominum nostrum Regem Angliæ & heredes suos imperpetuum de omnibus Conventions, Promissionibus & Obligationibus, & panis in ipsis Conventions, Promissionibus & Obligationibus, nobis seu probis hominibus dicti regni factis, quæ idem regnum in rebus illius regni contingant. Et si aliquod scriptum, qualescunque sit illud quod tangat præmissa aliquo tempore amodo sit inventum, volumus & concedimus pro nobis & heredibus nostris, quod nullius sit roboris aut valoris; Ita quod nec Domino nostro Regi prædicto, nec heredibus suis Regibus Angliæ obesse valeat, nec nobis vel heredibus nostris Regibus Scotiæ, nec etiam illis qui dictum regnum Scotiæ tenebunt, (quisunque sint illi) prodesse, nec locum aliquo tempore sentire. Insuper promittimus pro nobis & omnibus



An. 20 E. 1. omnibus nostris heredibus Regibus Scotiæ, & pro omnibus illis qui regnum Scotiæ tenebunt, quicunque fuerint, uniter et singula ratificare, quæ præfatus Dominus noster Rex Angliæ fecit de regno prædicto, aut de rebus ipsius regni ratione superioritatis dominis sui, dum idem regnum in manibus suis fuit; et ea ratificamus et firmamus, ac habemus et habebimus firma et stabilia imperpetuum pro nobis et omnibus nostris heredibus, et pro omnibus illis qui prædictum regnum tenebunt. Præterea volumus & concedimus pro nobis & heredibus nostris, necnon & pro omnibus illis qui post nos prædictum regnum Scotiæ tenebunt, quod scriptum seu scripta factum vel facta p. r. præfatum Dominum nostrum Regem Angliæ apud Northampton, vicesimo octavo die Augusti, anno regni sui decimo octavo, Custodibus, Episcopis, Abbatibus, & totis Clero, Comitibus, Baronibus, & toti Communitati regni Scotiæ super quodam contractum matrimonialis faciendo inter filium ejusdem Domini nostri Regis Angliæ, & filiam Regis Norwegiæ Dominam & Reginam Scotiæ, cuius heredes nos sumus, continentia diversas articulos, concessiones, promissiones, affirmationes & ratificationes, tangentes statum, leges, iura, libertates, consuetudines, separationes, divisiones, & quietantias subjectionis præfati regni Scotiæ, & inhabitantium idem regnum, quibuscunque loco & tempore de cetero nostra custodia vel aliena reperiantur, cassa sint et irrita et nullius firmitatis; nec aliquo tempore robur optineant, sed deinceps sint penitus annullata, et pro nullis etiam teneantur. Et de omnibus illis concessionibus, promissionibus, affirmationibus, ratificationibus, & de omnibus aliis rebus quocunque nomine censeantur, aut specificentur in scripto vel scriptis superius nominatis, prædictum Dominum nostrum Regem Angliæ & heredes suos, pro nobis & heredibus nostris, & pro omnibus illis qui post nos prædictum regnum Scotiæ tenebunt, penitus quietamus. In cujus rei testimonium præfati scripto sigillum nostrum, una cum sigillis venerabilium patrum Willielmi Episcopi Sancti Andree, & Roberti Episcopi Glasgwen, Johannis Comitis de Bughan, Patricii Comitis de Marchia, Gilberti Comitis de Anegos, Johannis Comitis Atholiz, Johannis Comyn, Alexandri de Balliolo, Galfridi de Moubray, Patricii de Graham, Willielmi de Saint-Cler, & Thomæ Randolph, fecimus apponi. Datum apud Novum Castellum super Tynam in Anglia, secundo die mensis Januarii, Anno Incarnationis Domini 1292. & regni prædicti Domini nostri Regis Edwardi vicesimi primi; & regni nostri primo.

Tenor vero literæ subscriptæ in Gallico impressione sigilli dicti Domini Regis Scotiæ, una cum sigillis Episcoporum, Comitum, Baronum & Nobilium in eadem nominatorum communitata, talis est.

A tous ceaus qui cestes presentes lettres verront ou erront, Johan de Baillet par le grace de Dieu Roy Descece, saluz en Dieu. Com nostre Seignor Sire Edward Roy Dengleterre, souverain Seignor du Roialme Descece, par le reson de la souverain Seigneurie, eit tenutz levantdit Roialme Descece en sa mein tant quil eust fait droit a ceaus qui droit demandoient en la Roialme avantdit, e aucuns covenances, promesses, et obligations fait as Demandants, e as Gardeins, e as predes homes du Roialme, ausi bien de la restitution faire du Roialme e des Chasteux com des autres choses, dount il avoit fait ses Escrits, e certains peines mises si com fu contenue en mesme ses Escrits, e puis en sa presence par jugement de sa Court nous eit le Roialme adjugez, e la seline du Roialme e des Chasteux ove toutes autres choses livrez pleinement e entierement com il estoit tenutz, par ces covenances, obligations e promes. Nous pur nous e pur touz nos heirs, e pur touz ceaus en qui meins le Roialme deviegne en tempz avenir, qui quil unques soient, quitoms le dit nostre Seignor le Roy Dengleterre e ses heires a touz jours perdurablement de toies maneres des covenances, e des promes, e des obligations e peines par la reson des covenances, promes, e obligations a nous ou a les bones gentz du Roialme avantdit, en le choses du Roialme. E si nul Escrit quel quil soit que touche cestes choses avantditz soit en aucuns tempz desore en avant troyez, voloms e grantoms pur nous e pur nos heires, quil soit de nule value ne force, issint quil ne puisse a lui ne a ses heires Rois Dengleterre nurre, ne a nous ne a nos heirs Rois Descece, ne a ceaus qui le Roialme Descece tendrent qui quil unques soient, valer ne leu tenir a nul tempz. Encore promettoms pur nous e pur touz nos heires Rois Descece, e pur touz ceaus qui le Roialme Descece tendront, qui quil unques soient, que nous totes les choses, quil fesoit du dit Roialme, ou des choses du dit Roialme, par la reson de la sovrain Seigneurie tant com le Roialme fu en sa mein, ratifionis e assermonis

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e auoms e auoms ferme e estable a touz jours pur nous e pur touz nos heirs, e pur touz ceus, qui le dit Roialme *Descoco* apres nous tendront, qe Escrit ou Escrits fait ou faits par le devantdit nostre Seignor le Roi *Deugleterre* a *Norhampton* le vinteuisme jour d'august l'an de son regne diseuisme, as Gardeins, Evesques, Abbez, e tote la Clergie, Countes, Barones, e a tote la Communante du Roialme *Descoco* de une purparlaunce de un mariage faire entre le fiz le devantdit nostre Seignor le Roi de *Norwegie* Dame e Roine *Descoco*, qui heir nous sumes, contenantz altres divers articles, concessions, promesses, affermentz e ratifiements touchantz l'estat, leyz, droitz, franchises, custumes, severalties divisions & quitances de subjections del avantdit Roialme *Descoco*, e des inhabitanze mesme le Roialme, en quen lu e en quel tempz quil sont, de ci en avant en nostre garde, ou en autri trovez, soient cassetz, veins, e nule fermete, ne force, ne eient a nuls temps; mes de tot en tot soient desore en avant anientiz, e pur nules tenutz. E de totes teles concessions, promes, affermentz, ratifiementz, e de totes autres choses par queque nom eles soient nomees ou especefietz en lescrit ou escritz avantnomees, le devantdit nostre Seignor le Roi e ses heirs, pur nous e pur nos heirs, e pur tous ceus qui apres nous le Roialme *Descoco* tendront, de tot ou tot quitoms par ceste presente lettre. En tesmoignance de ceste chose a cesti present Escrit nostre seal ensemblement, oue les seals des honourables Pieres, *William* Eveque de *Seint Andrew*, *Robert* Eveque de *Glasgow*, *Johan* Counte de *Boghan*, *Patrick* Counze de la *Marche*, *Gilbert* Counte de *Angos*, *Johan* Counte de *Archeles*, *Johan* Comyn, *Alisandra* de *Bailliol*, *Giffrey* de *Monbray*, *Patrick* de *Graham*, *William* de *Seint Cler*, e *Thomas* *Randolfe*, auoms fait mettre. Donec a *Nouveau Chastell* sur *Tyne* en *Engleterre*, le secounde jour du moys de *Januer*, l'an del Incarnation nostre Seignor Milisme Ducentisme Nonantisme seconde; e du regne nostre Seignor le Roi *Edward* avantdit vintisme primer; e du nostre primer.

An. 20 E. 1.

Anno à Nativitate Domini 1293. Indictione sexta, postquam regnum Scotiæ prædictum adjudicatum fuit Nobili viro Domino Johanni de Balliolo, per considerationem Curie magnifici Principis & Domini, Domini Edwardi Dei gratia Regis Angliæ illustris, Superioris Domini Regni Scotiæ, mensis Novembris die decimosextimo, anno regni ipsius Regis Angliæ vicesimo finiente, & anno à Nativitate Domini 1292. & Indictione sexta (ut superscribitur in processu:) Idemque Johannes in ipsius regni Scotiæ & Castrorum possessionem corporalem ex parte ipsius Domini Regis Angliæ per venerabilem in Christo patrem & Dominum, Dominum Antonium Dei gratia Dunelm. Episcopum, & Nobilem virum Dominum Johannem de Sancto Johanne inductus, & in sede sua Regali apud Monasterium de Scona, juxta villam Sancti Johannis de Perth positus, juxta ipsius regni consuetudinem fuisset cum solempnitate debita & consueta, existentibus ibidem ipsius regni Scotiæ Nobilibus & Prelatis, Comitibus, Baronibus, aliisque Magnatibus & Proceribus in multitudine copiosa; ceterisque omnibus & singulis, quæ solempnitati hujusmodi requirebat, rite peractis, factisque per ipsum Dominum Regem Scotiæ Johannem supradictum eidem Domino Regi Angliæ, ut superius suo Domino dicti regni fidelitate et homagio pro regno Scotiæ memorato, prout supra in processu plenius inferuntur; non longi temporis intervallo secuto, ad dictum Dominum Regem Angliæ ut superiorem Dominum regni Scotiæ plures et graves delate fuerunt querelæ; & subsequenter per Macdolphum filium quondam Malcolmi Comitis de Fife; videlicet, quod inter aliam dictus Rex Scotiæ sibi in jure defecerat & justitia exhibenda communi; nec sibi justitiam facere voluit pluries, & humiliter requisitus, propter quod ad dictum Dominum suum Dominum Regem Angliæ, accut ad superiorem Dominum regni Scotiæ recurrerat; supplicans humiliter & devote, quod super hujusmodi defectu subvenire dignaretur eidem; & in ipsius Regis Scotiæ defectum ipsum in jure suo dignaretur audire, sibi que facere justitia complementum. Unde cum ad instantem prosecutionem dicti Macdulphi, quadam ipsius Domini Regis Angliæ littera sub certa forma conceptæ, dicto Regi Scotiæ pluries directæ fuissent, quod ipse Macdolphus & alii etiam querelantibus in jure suo benignam audientiam præstaret, sibi que communem justitiam facere curaret; nec ipse mandatis suis hujusmodi parere voluisset, sed ipsius Domini sui Regis Angliæ litteris spretis potius et vilipensis, prædictum Macdolphum, ne ulterius Jus suum prosequeretur per querelam, fecit carcerali custodiæ mancipari, & super quibusdam terris & tenementis de quibus justitiam sibi fieri petiit, quoddam iniquum reddi fecit judicium contra eum, prout

\* See Placita  
Parliamentaria, An. 21 E.  
1. nu. 22.  
Rylye, p. 152.  
158, 159.

quidam



An. 20 E. 1. ejusdem Macdulphi postmodum à carcere liberati, & dictas injurias sibi factas cum instantia prosequentis, querimonia patefecit: quas etiam Injurias se obtulit secundum quod Curia ipsius Domini Regis considerare voluerit, paratum verificare. Ad cuius Macdulphi instantem prosecutionem & supplicationem idem Dominus Rex Angliæ, superior Dominus regni Scotiæ, æquitatis rationis et iustitiæ oculos advertens, nolensque eidem Macdulpho in Jure deficere, sicut nec debebat, volensque manus directionis apponere, mandavit Vicecomiti Northumbriæ, quod quasdam ipsius Domini Regis literas dicto Regi Scotiæ directas personaliter deferret, & sufficienti testimonio secum adhibito, dictum Regem Scotiæ ad proprium suum Parlamentum apud Westmonasterium statuendum in proximo videlicet festo Sancti Michaelis perferret, coram ipso Domino Rege Angliæ præfato Macdulpho responsurus, facturus ulterius et recepturus ibidem quod Juri fuerit et rationis. Quo die Parliamenti adveniente Anno à nativitate Domini 1293. Indictione septima, & anno Regni dicti Regis Angliæ vicessimo primo, præfatus Dominus Johannes Dei gratia Rex Scotiæ coram dicto Domino suo Domino Rege Angliæ superiori Domino regni Scotiæ apud Westmonasterium, in aula venerabilis patris Domini Archiepiscopi Eborum Angliæ Primatis, ubi idem Rex Angliæ tunc hospitabatur, et Parlamentum suum tenebat, juxta dictum mandatum Regium sibi (ut præmittitur) ad instantem prosecutionem dicti Macdulphi directam, personaliter comparuit. Contra quem idem Macdulphus querimonia suam deposuit in hunc modum; videlicet, Quod cum idem Macdulphus coram Episcopo Sancti Andrea & sociis suis custodibus Regni Scotiæ per ipsum Dominum Regem Angliæ superiorem Dominum ejusdem regni deputatis, autoritate & mandato ipsius Regis Angliæ eis specialiter facto seisinam de quibusdam terris & tenementis judicialiter recuperasset, prædictus Johannes Rex Scotiæ de eisdem terris & tenementis injuste disseisivit eundem. Et ne Jus suum ulterius prosequeretur contra illum, fecit eum incarcerari, et contra badium et plegios in carcere detineri, & contra ipsum sic incarceratum super jam dictis terris & tenementis quoddam iniquum et falsum reddi fecit juditium, & cum postmodum à prædicto carcere liberatus fuisset, ipsum Regem Scotiæ instantem & pluries requisivit, quod ipsum in Jure suo dignaretur audire, & sibi in sua Curia communem Justitiam exhibere; Quod idem Rex Scotiæ sibi facere dedignavit expresse, in contemptum dicti Domini Regis Angliæ superioris Domini sui et mandatorum suorum, decem milia marcarum, et ad dampnum ipsius Macdulphi septingentarum marcarum. Et hoc sicut Curia dicti Domini Regis Angliæ considerare voluerit, se paratum optulit verificare. Et præfatus Rex Scotiæ defendit omnem contemptum dicti Domini sui Domini Regis Angliæ, & dixit, Quod ad respondendum dicto Macdulpho de aliquo diem non habebat ibidem. Et dictus Macdulphus è contrario dicebat, quod diem tunc habebat ad respondendum sibi per adjunctionem sibi factam per breve Domini Regis Angliæ superioris Domini sui; quod quidem breve sibi liberatum fuit apud Strivelin per Vicecomitem Northumbriæ, in crastino Sancti Petri ad vincula, quod constat & constare poterit per retinuum ipsius Vicecomitis. Et requisitus idem Rex Scotiæ, si hujusmodi breve Domini sui Domini Regis Angliæ sibi per prædictum Vicecomitem Northumbriæ liberatum fuisset, ut dicebatur, responditque sic, et quod paratus fuit, et semper esse voluit Brevia et mandata dicti Domini sui Domini Regis Angliæ recipere reverenter, et eidem in omnibus suis mandatis humiliter obedire. Et quia recognovit, se dictum breve recepisse, dicebatur sibi, quod illud Breve retorner secundum continentiam dicti brevis. Qui respondit, quod breve illud non habebat ibidem, quia illud Cancellario suo tradidit; & Cancellarius ibidem præfatus recognovit se dictum breve ex traditione Domini sui ut præmittitur recipisse; sed non habuit illud ibidem, verumptamen quancito ad illud venire poterit, illud Domino suo restituere vellet. Et quia idem Rex Scotiæ recognoverat se dictum breve recepisse, per quod adsignatus fuit ad dictum Parlamentum, & diem ad respondendum eidem Macdulpho habebat ibidem, dictum fuit prædicto Regi Scotiæ, quod sibi respondeat ut tenetur, juxta quod in Rotulis placitorum coram ipso Domino Rege Angliæ haborum plenius continetur. Ad hoc dictus Dominus Rex Scotiæ, eidem Domino suo Domino Regi Angliæ suoque Consilio quamdam ore proprio supplicationem, ipsamque in scriptis redactam manu sua propria eidem Domino suo Regi porrexit & tradidit, cuius tenor est talis. Sire jeo sui vostre home lige du Roialme Descote, e vous pri, qe de ceo qe vous maneta mis a devant

\* Plac. Parl.  
An. 21 E. 1.  
nu. 22. Rylye  
p. 152, to  
160.

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devant que touche les gentz de mon Roialme ausi com moi, voilietz mettre en sus-  
france j'esques a taunt que j'eo aia eaus parlez, que j'eo ne soi suspris par defaute de con-  
seil, de si com les gentz qui ci sont o moi ne moy voelent ne osent conseilier sanz  
autres du Roialme: e quant j'eo averoie o eaus conseilietz, j'eo vous respondrai a  
vestre primer Parlement apres la Paſk, le conseil quil averont donez, e froi devers  
vous ceo que faire deuroi. *Habita super predicta supplicatione cum Nobilibus &*  
*Prælatiis regni Angliæ totoque Concilio suo deliberatione aliquali, ad instantem requisiti-*  
*onem Nobilium etiam & Prælatorum, præfatus Dominus Rex Angliæ, eodem tamen*  
*Macdulpho consentiente, dicto Regi Scotiæ supplicationem suam predictam de sua gra-*  
*tia speciali concessit, assignans & præfigens eidem ad proximum suum Parliamentum*  
*post Pascha, in crastino videlicet Sanctæ Trinitatis, omnibus in eodem statu quo tunc*  
*remanentibus coram ipso vel Justitiariis suis ad placita locum suum tenentibus, & eun-*  
*dem diem dicto Macdulpho ad idem quod tunc esset facturus, assignavit. Et præfato*  
*Regi Scotiæ præcepit, quod ad ipsum diem prædictum breve, quod se recepisse cog-*  
*novit, habeat paratum ibidem. Quo die, crastino videlicet Sanctæ Trinitatis adve-*  
*niente, Parliamentum dicti Domini Regis Angliæ cessavit, sive non tenebatur, pro eo,*  
*quod idem Dominus Rex Angliæ multipliciter distractus fuerat circa diversarum terra-*  
*rum guerras contra ipsum de novo exortas; utpote cum Domino Rege Franciæ in Vas-*  
*conia, & etiam cum Wallensibus in Wallia. Loquela vero inter predictas Regem*  
*Scotiæ & Macdulphum ventilata, coram Justitiariis ejusdem Domini Regis Angliæ ad*  
*placita sua tenend. assignatis, & coram quibus eadem Loquela fuerat inchoata, conti-*  
*nuata fuit & prorogata usque ad Parliamentum ipsius Domini Regis Angliæ pro-*  
*ximum tenendum, quod quidem Parliamentum indictum fuit postmodum apud Sanctum*  
*Edmundum in festo Sancti Martini in yeme, Anno regni ipsius Regis Angliæ viceſimo*  
*tertio, & Anno à Nativitate Domini 1295. & Indictione nona, omnibus in eodem statu*  
*quo tunc remanentibus.*

Anno à Nativitate Domini 1295. Indictione nona, & anno regni Regis Edwardi  
predicti viceſimo tertio, Existente ipso Domino Rege Angliæ apud Sanctum Edmundum,  
et Parliamentum suum ibidem tenente, dictoque Macdulpho semper ut alias placitum  
suum viriliter prosequente; ex parte serenissimi Principis & Domini, Domini Johannis  
de Balliolo Regis Scotiæ, sicut alias, religiosus vir Dominus Abbas de Abirbrothok,  
cum quibusdam aliis de regni Scotiæ Proceribus ad præfatum Dominum Regem cum li-  
teris ipsius Regis Scotiæ venit in Nuncium, & dictum Dominum suum Regem Scotiæ  
super eo, quod nec tunc nec prius juxta quod diem habuerat ad Curiam suam in præse-  
ntiis Parliamentiis accesserat, excusavit; prætendens certas excusationum causas, prop-  
ter quas venire personaliter non valebat. Supplicabat dictus Abbas & socii sui Nuntii  
Regi Scotiæ prælati, qui cum ipso venerunt, dicto Domino Regi Angliæ ex parte ipsi-  
us Regis Scotiæ, quod cum per homines dicti Regis Angliæ, eidem Domino suo Regi  
Scotiæ & hominibus suis plures & graves transgressiones, molestia & gravamina allata  
fuissent, & de die in diem tam per terram quam per mare inferebantur, quod super hiis  
dignaretur congruum remedium adhibere. Quibus Nuntiis ex parte ejusdem Domini  
Regis Angliæ deliberatione præhabita respondebatur; quod idem Rex Angliæ certis ex  
causis versus partes Boreales intendebat dirigere (dante Domino) gressus suos, &  
quod de omnibus, quæ idem Rex Scotiæ docere poterit sibi & suis, fore per homi-  
nes ipsius Regis Angliæ transgressum, tales emendas sibi fieri facere voluisset, quod se  
contentum de jure reputare deberet: Diem vero quem ipse Rex Regi Scotiæ in ipso  
Parlamento ex continuatione, prorogatione, sive præfixione Justitiariorum suorum  
locum suum ad placita tenentium coram ipso Domino Rege Angliæ contra dictum  
Macdulphum habebat, usque primum diem mensis Martii proximo sequentis apud  
Novum Castrum super Tynam prorogavit; & ipsum Regem Scotiæ usque illum di-  
em expectandum duxit gratioſe. Dictisque Abbati & aliis ipsius Regis Scotiæ in-  
junxit firmiter & præcepit, quod dictum Dominum suum Regem Scotiæ præmuni-  
rent, quod tunc veniret personaliter ibidem, cum ipso Rege Angliæ super præ-  
missis et aliis statum et tranquillitatem utriusque regni et incolarum ejusdem  
tangentibus tractatur. ac prædicto Macdulpho in Jure responsur. facturus ibidem  
ulterius et recepturus, quod Juri fuerit et rationis. Præmissis vero in hujusmodi  
finibus residentibus, quia ex frequenti & incalcata fidedignorum assertionem, ac fama  
divulgantis eloquio ad aures præfati Regis Angliæ pervenit, quod dictus Johannes  
Rex Scotiæ, cum Ecclesiarum Prælati, Comitibus, Baronibus, et aliis Rob-  
libus



*An. 20 E. 1.* libus, Proceribus, Villarum et Cibitatum communitatibus, et aliis majoribus incolis regni Scotiæ dolosa præcogitantes consilia ex quadam præconcepa malitia, et etiam prælocuta, ac prohibitione præordinata, communicato consilio cum Serenissimo Principe et Domino, Domino Philippo Dei gratia Rege Francorum, ac aliis ejusdem regni Nobilibus, (tunc præfati Regis Angliæ inimicis notoritis) amicitias copularunt, pactiones illicitas, confederationes, conspirationes, et conjurationes in exheredationem dicti Domini sui Domini Regis Angliæ, et hæredum suorum, ac Regni sui subversionem et populi suo commissi regimini, contra homagii sui debitum et fidelitatis suæ juramentum, inter se inferunt, sicut per ipsius tam Regis Franciæ quam Scotiæ, unius et ejusdem tenoris literas, sigillo suorum impressiõibus sigillatas, super jam dictis pactionibus, confederationibus, conspirationibus et conjurationibus confectas, postmodum in Castro Puellarum inventas, quam etiam recognitione propria et voluntaria ipsius Regis Scotiæ Johannis, in mei infrascripti Notarii et testium, videlicet venerabilis in Christo patris & Domini, Domini Antonii Dei gratia Dunelm. Episcopi; & Nobilium virorum Dominorum Umfridi de Bohun Hertfordiæ, & Johannis Comyn de Boghan Comitum; Hugonis le Dispenfer, & Johannis Comyn de Badenagh Baronum; ad hoc vocatorum specialiter & Cimiterio de Stronkathragh. facta presentia constare poterit evidenter; Quam literarum super præmissis factarum in omnibus & per omnia tenor est talis;

\* See Henry de Knyghton, de Eventibus Angliæ, l. 3. c. 2. col. 2473, 2474.

\* Philippus Dei gratia Francorum Rex, universis præsentis literas inspecturis, salutem. Inter alia per quæ Regnantium & Regnorum exaltatio procuratur, acquiritur pacis & tranquillæ quietis amœnitas, ac felici & prospero statui consulitur subditorum, illud videtur attenta consideratione præcipuum, ut inter Reges & regna solidæ charitatis unitas & fidelis amicitie fœdera nutrantur; sicque Reges & Principes ad propulsandas injurias & demandas insolentias perversorum, & reprimendas impugnationes hostiles sibi invicem pro zelo Justitiæ affectum cum causa deposcit exhibeant amabilis caritatis, quod alter alteri libenter assistat in prosperis, & non deficiat in adversis; ut saltem defensionis oportunæ remedio pacem odientium repressis salubriter injuriis impulsibus, pacis optata dulcedo proveniat. In cujus pulchritudine devoti pacis filii actori eo devotius quo tranquillius famulentur. Sanè inclitus Princeps Johannes Scotiæ Rex Illustris, specialis amicus noster, præmissas utilitates & commoda prudenter attendens, venerabiles patres Willielmum Sancti Andrea, & Matth. nm Dunkelden. Episcopos, ac Johannem de Soules, & Ingeramum de Umfraville Milites, nuntios & procuratores suos ad hoc specialiter constitutos, prout in quibusdam procuratoriis literis inde confectis ipsius Regis Sigillo munitis; quorum de verbo ad verbum tenores inferius sunt conscripti, plenius continetur, ad nos pro contrahendis confederationibus et amicitie fœderibus profuturis specialiter destinabit. Nos itaque ipsius Regis votis laudabilibus in hac parte grato concurrentes animo, ut hujusmodi confederationis affinitas, & amicitie fructuosæ contractus eo ferventius vigeat, stabilisque perseveret, quo melioribus firmatus auspiciis nexuque constrictus fuerit fortiori; actum, conventum & concordatum extitit inter nos de voluntate & assensu carissimi Germani & fidelis nostri Caroli, Valesia & Andegavia Comitis, & procuratores prædictos procuratorio nomine dicti Regis, quod inter Edwardum primogenitum filium Regis ejusdem futurum Regem Scotiæ, & qui per conventionem expressam habitam cum procuratoribus antedictis successum est eidem Regi in regno Scotiæ, & aliis terris suis, & J. primogenitam filiam Germani nostri prædicti, matrimonium contrahatur. Cui Regi nomine dicti filii sui promittimus nos & successores nostros curaturos & effecturos dari in matrimonium cum prædicta filia viginti quinque millia librarum Turonensium in pecunia numerata; Idemque Rex præfata filia Mille quingentas libras Sterlingorum annui redditus in terris, cum Jurisdictionibus & Justitiis omnimodis ad coronam Regiam non spectantibus in locis infrascriptis, videlicet de Balliolo, de<sup>a</sup> Dampeter, de<sup>b</sup> Halicourt, & de<sup>c</sup> Hernoy, in regno Franciæ, necnon de Lanark, de<sup>d</sup> Cadiou, de<sup>e</sup> Madisley, de<sup>f</sup> Cuningham, de<sup>g</sup> Hadington, & de Castro de Dundee in regno Scotiæ, cum pertinentiis locorum ipsorum assidebat eidem, ita quod si redditus & proventus locorum ipsorum dictam summam mille librarum Sterlingorum annui valoris excidebant, id quod superhabundaret ultra summam eandem, præfato Domino nostro Regi remaneat, & si quid de summa ipsa deesset, idem Dominus noster in aliis redditibus suis in regno Scotiæ consistentis supplere integre teneatur; vel easdem mille si nos maluerimus necnon quingentas residuas assignabis sibi percipiendas in bursa

a Dampitra.  
b Holcote.  
c Horney.  
d Kidion.  
e Madisley.  
f Coneygham.  
g Hadington.  
h de Knyghton.

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*busa in certis locis annuatim ad duos terminos, ipsumque bene asscurabit de dotalicio antedicto habendo, & percipiendo ab eo post dictum matrimonium contractum, & mortem dicti filii quamdiu vitam duxerit in humanis. Quodque si dicti futuri conjuges à dicto Rege fortasse vellent discedere, dicto dotalicio in vita etiam Regis ejusdem libere perfruantur. Et si successu temporis prædictus Rex ad secunda vota transire voluerit, nostram super hoc consilium requirere vel communicare debet. Idem quoque Rex more iusti Principis, tum ex serboze Austriæ, tum etiam ex zelo dilectionis internæ quam ad nos et domum nostram, solium, et incolas regni nostri habere dinoscitur, moleste ferens graves injurias, enormes excessus, impugnationes hostiles, et aggressiones iniquas, quibus Rex Angliæ violato fidelitatis debito quo nobis tenebatur astrictus, ipsos, fideles et subditos nostros, tam per terram quam per mare multipharie multisque modis hactenus offendisse dinoscitur, et offendere cotidie fatagit et conatur; ac præterea ut nos et successores nostros sibi et suis strictius mutui amoris alliget affectibus, ad repressionem salubrem injuriarum, impugnationum et aggressionum hujusmodi nobis efficaciter et potenter assistere gratuita animositate disponens, dictis concessit procuratoribus, ipsique procuratores nomine Regis ejusdem, et pro eo nobis promiserunt expresse; quod idem Rex Scotiæ in præfenti guerra quam contra dictum Angliæ Regem, fautores confederatos, tam Regem Alemanniæ quam alios quoscunque valitiores ejus habemus, nobis et successoribus, si ad eos guerra hujusmodi prozegetur, totis suis et regni sui viribus tam per terram quam per mare in Angliam publice ac \* patenter assistent, ac præstabunt consilium et auxilium oportunitum. Et ut prædicti Regis Angliæ injuriosi conatus eo commodius reprimantur, idemque Rex a perveris suis hostilitatis incursum eo citius retrahere cogatur, quo magis fuerit aliis occupatus, dictus Rex Scotiæ ipsi Regi Angliæ guerram suis propriis sumptibus et expensis toto posse suo et incolarum etiam regni sui, quotiens toto posse fuerit oportunitum, nobis guerram ceptam prosequentibus et manutinentibus movere et continuare curabit. Promiserunt insuper pariter procuratores præfati procuratorio nomine memorati Regis Scotiæ, eundem Regem curaturum et effecturum, quod tam Prælati (quatenus eis de jure licebit) quam Comites, Barones, et alii Nobiles, necnon universitates et communitates Villarum regni Scotiæ, erga nos et successores nostros in guerra prædicta pari modo in omnibus (sicut dictum est superius) se habebunt, dictoque Regi Angliæ simili modo totis suis viribus guerram facient, sicut superius est expressum. Quodque tam Prælati quam Comites, Barones et alii Nobiles, ac universitates communitatesque notabiles dicti regni Scotiæ, suas nobis super hoc patentes literas suis munitis sigillis, quam citius fieri poterit destinabunt. Conventum fuit siquidem inter nos et procuratores prædictos nomine quo supra, quod si præfatum Angliæ Regem coadunatis viribus suis regnum Scotiæ per se, vel per alium in badere forte contigerit, post guerram ad requisitionem nostram per dictum Scotiæ Regem ceptam, vel post affinitatem seu confederationem præsentem inter nos initam occasione ejusdem, nos dummodo ex parte ipsius Regis Scotiæ super hoc congruo tempore fuerimus præmuniti, sibi subsidium faciemus; ipsam Regem Angliæ per partes alias occupando, ut sic ab incepta invasione prædicta ad alia distrahatur, vel ejus in Scotiam convenientis adiutorum sumptibus nostris quousque in Scotiam venerint transmittendo. Si vero prænomînatus Angliæ Rex terram Angliæ personaliter forsan egerit, vel terram ipsam notabili peditum vel equitum armatorum hominum (guerra inter nos et ipsum durante) numero vacuarit; promiserunt procuratores prædicti procuratorio nomine supradicto, quod præcipue in hoc casu dictus Scotiæ Rex cum toto posse suo terram Angliæ quantum latius sibi pro fundus poterit intrare curabit, faciendo guerram bellumque campestre, obsidendo, badando, ac Regem Angliæ et terram ejus prædictam modis omnibus quibus poterit suis ut supradicitur sumptibus impugnando. \* Actum præterea est et expresse Conventum inter nos et Procuratores prædictos nomine quo supra, quod nos de guerra quam præfatus Scotiæ Rex et Successores ejusdem contra præfatum Angliæ Regem pro nobis facient, postquam guerram ipsam ad requisitionem nostram fecerint, vel si occasione initæ affinitatis vel confederationis idem Scotiæ Rex jam guerram fecerit supradictam, vel Rex Angliæ contra ipsam occasione aliquorum ex præmissis, nos etiam de prædicta guerra nostra componere aut pacem inter nequibimus vel trengam, \* nisi ipse in pace seu trenga quam de dictis omnibus*

An. 20. E. 1.

\* amabilitate;  
H. de Knygh-  
ton.† Gubernato-  
res.

\* potenter.

Nota.

Nota.

Nota.

\* sine



*An. 20 E. 1.* bus guerris faciemus inclusiis, nec ipsi similiter pacem vel treugam de guerris omnibus supradictis facere poterunt sine nobis. Pro quibus omnibus et singulis supradictis tenendis, adimplendis et inviolabiliter observandis, obligamus dicto Scotorum Regi et successoribus suis, nos, hæredes et successores nostros, et omnia nostra et ipsorum bona mobilia et immobilia, et in quibuscunque consistentia presentia et futura. Tractus autem, conventiones, pactiones, et omnia et singula suprascripta dictus Scotiarum Rex ratificare et approbare tenetur, et suo nomine innobare, et super ratificatione, approbatione et innobatione prædictis, suas nobis patentes literas suo sigillo munitas, quamcunque fieri poterit destinabit.

\* ubicunque  
existentia.

Tenores vero litterarum Procuratoriarum prædictarum tales sunt. Excellentissimo Principi Domino suo, & amico si placet, Domino Philippo Dei gratia Regi Francorum Illustri, Johannes eadem gratia Scotorum Rex, salutem in Domino. Noverit vestra Regia Celsitudo quod nos facimus, constituimus & ordinamus per præsentis dilectos & fideles nostros venerabiles Patres, Willielmum Sancti Andrea, & Mattheum Dunkeliden, Episcopos, Johannem de Soules, & Ingeramum de Umfraville Milites, Attornatos, Procur. & Nuncios nostros speciales ad tractandum vobiscum (si placet) super Sponsalibus & Matrimonio contrahendo cum serenissima Domicella nepte vestra seu consanguinea, & Edwardo filio nostro primogenito & hærede; Dantes eisdem generalem, & liberam ac plenariam potestatem, ac mandatum speciale sponsalia & matrimonium prædicta contrahendi, faciendi & perficiendi, quatenus natura contractus huiusmodi, sponsalia & matrimonium inter absentes contrahi permittit & perfici per procuratores seu nuncios ad hoc specialiter constitutos; & omnia alia & singula faciendi, quæ ad dictos contractus seu conventiones pertinent seu quocunque modo poterunt pertinere; & sine quibus dicti contractus seu conventiones rite nequiverint expediri. Ratum & firmum habentes & habituri, quicquid dicti Procuratores & Nuntii nostri omnes, vel tres, aut duo ipsorum in præmissis, vel aliquo præmissorum duxerint faciendum. In cuius rei testimonium præsentibus literis sigillum nostrum fecimus apponi. Datum apud Strivelin tertio Non. Julii, Anno Domini 1295. Regni vero nostri tertio.

\* See Henr. de  
Knyghton, de  
Event. Angl.  
l. 3. c. 2. p.  
2473, &c.

Item, \* Universis præsentis literas inspecturis, Johannes Dei gratia Scotorum Rex salutem in Domino. Noverit Universitas vestra, quod nos facimus, constituimus & ordinamus per præsentis dilectos & fideles nostros venerabiles patres Willielmum Sancti Andrea & Mattheum Dunkeliden, Episcopos, ac Johannem de Soules, & Ingeramum de Umfraville Milites, Attornatos, Procuratores, & Nuncios nostros speciales, ad tractandum, ordinandum, faciendum & perficiendum omnia & singula negotia nos, Edwardum filium nostrum primogenitum & hæredem, regnum nostrum, & incolas regni nostri qualitercunque tangentia, & ubicunque in regno Francia cum quibuscunque personis Ecclesiasticis & secularibus cujuscunque conditionis existant aut Ratus; Dantes eisdem omnibus, tribus, aut duobus ex ipsis generalem & liberam, ac plenariam potestatem obligandi nos et filium nostrum prædictum, regnum nostrum et ipsius incolas, ac jurandi in animam nostram, filii nostri, et regni nostri incolarum; necnon omnia & singula faciendi & perficiendi, quæ ad prædictos tractatus & ordinationes & negotia necessaria fuerint vel opportuna; Et alia etiam & singula faciendi & perficiendi quæ nos, filius noster & incolæ regni nostri facere possemus, si præsentis essemus, etiam si mandatum exigant speciale. Ratum & gratum habentes & habituri quicquid per dictos quatuor, tres, vel duos eorum actum, gestum, procuratumve fuerit in præmissis, & quolibet præmissorum. In cuius rei testimonium præsentibus literis sigillum nostrum fecimus apponi. Dat. apud Strivelin tertio Non. Julii, Anno Domini 1295. Regni vero nostri tertio. In quorum omnium testimonium præsentibus literis nostrum fecimus apponi sigillum. Actum Parisiis die vicesima tertia mensis Octobris, Anno Domini 1295.

Eapropter, volens idem Dominus Rex Angliæ adornamentum suum prædictum eidem Regi Scotiarum per præfatos suos nuncios in personam eorundem factum observare, & futuris periculis, quæ ex præmissis confederationibus & aliis, sibi & regno suo, & ejusdem incolis possent verisimiliter pervenire, quatenus potius præcaveri, & eisdem obviari; pro adornamenti prædicti observatione, & regni sui assecuratione, versus partes Novi Castri super Tynam se transivit festinanter, præmittens quosdam suos nuncios solemnes de Novo Monasterio, & de Wellebeck, Cisterciens, & Præmonstraten. ordinum

Abbatum

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Abbatem ad Regem Scotie memoratum, sibi que adornamentum predictum, & ipsius An. 20 E. 1.  
 Domini Regis Anglie adventum ad diem et locum predictos ex causis premissis, nuncia-  
 vit; & eidem per eodem specialiter mandavit, ut quadam Castra in utroque regni  
 confinio sita, pro assecuratione sua & hominum suorum, de dicto Rege Scotie &  
 suis sub bona cautione faceret liberari, per suos ad tempus custodienda, donec de hiis  
 qua imminabant periculis plenius assecuratus fuisset; quibus periculis cessantibus,  
 dicta Castra eidem Regi Scotie, seu illis quos ad illa recipienda, & suo nomine custodi-  
 enda deputare voluerit, sine difficultate qualibet restitueret & restitui faceret sine fraude,  
 bona fide promissit; Super quibus fideliter faciendis, tenendis (ut premissum) & ad-  
 implendis, dictus Dominus Rex Anglie litteras suas obligatorias predictis Abbatibus su-  
 is nunciis fieri fecit & tradi secum deferendas, & eidem Regi Scotie liberandas, in  
 eventu liberationis Castrorum predictorum eidem Regi Anglie, vel suis suo nomine ad hoc  
 deputandis in forma supradicta. Mandavit insuper idem Rex Anglie per ipsos suos  
 nuntios dicto Regi Scotie firmiter injungendo in fide qua sibi tenebatur, quod ad dictum  
 diem, primum videlicet mensis Martii, sibi alias (ut premissum) prefixum, apud No-  
 vum Castrum super Tynam, vel ad alia certa loca in confinio partium illarum persona-  
 liter veniret ad ipsum, super premissis & aliis statum & tranquillitatem utriusque  
 regni & utilitatem communem tangentibus cum ipso tractaturus, & assecurationem  
 sibi super quibusdam dubiis facturum, ac alia per ipsum Regem Anglie nunquam con-  
 siliis exprimenda audiretur, et super hiis et ea contingentibus responsurus et ju-  
 ramentum recepturus, & dicto Macdolpho in iura responsurus. Cumque dictus Domi-  
 nus Rex Anglie apud Novum Castrum, primo videlicet die mensis Martii, Anno a Na-  
 tivitate Domini 1296. Indictione nona, & anno regni ipsius Regis Anglie vicesimo quar-  
 to, personaliter declinasset, dictumque Regem Scotie ibidem per plures dies expectasset,  
 nec ipse secundum quod in mandatis habuit venire, nec quenkum pro se mittere  
 curavit, ad convincendam ipsius Regis Scotie malitiam, dictus Rex Anglie ad loca  
 dicto regno Scotie viciniora statuit se velle declinare. Et primo apud Bambergh, deinde  
 apud Werk in confinio ipsius regni Scotie se transferens, adventum dicti Regis Scotie  
 in locis predictis per tempus non modicum expectavit. Ad qua quidem loca dictus Rex  
 Scotie, (cui de premissis satis innotuit, & ea sibi verissimiliter latere non potuit) ve-  
 nire tamen ad ipsum Dominum suum Dominum Regem Anglie, nec amicabilem  
 mittere curavit; sed spiritus dicti Domini sui mandatis predictis et dispensis, con-  
 temnaciter in sua persistens perfidia, ad apparatus bellicos se convertebat, cum E-  
 piscopis, Prelatisque aliis, Comitibus, Baronibus, Clericis et Laicis regni sui  
 Scotie, ac etiam exteris aliis conductis contra predictum Dominum suum lige-  
 um, Dominum Regem Anglie, ipsiusque regnum, et ejusdem Incolas calcamen-  
 ti elevari precepit. Meditansque eidem Regi Anglie per dictum Regem Scotie  
 tam pro se quam pro aliis quibuscumque regni sui incolis Pomagio et Fidelitate  
 sibi pro dicto regno Scotie prius factis (ut premissum) in processu per suas litteras  
 verba effectum diffidentie sapientia continentes. Quarum litterarum in omnibus  
 et per omnia tenor est talis:

\* Magnifico Principi Domino Edwardo Dei gratia Regi Anglie, Johannes eadem  
 gratia Scotia Rex. Cum vos & alii de regno vestro vobis non ignorantibus, vel  
 causam ignorantibus non habentibus, per violentam potentiam vestram nobis & reg-  
 ni nostri incolis graves & intolerabiles iniurias, contemptus, & gravamina, necnon  
 & dampna enormia contra nos, et regni nostri libertates, ac contra Deum et iusti-  
 tiam notorie et frequenter intuleritis, nos extra regnum nostrum ad lehem cusu-  
 libet suggestionem pro libito voluntatis vestre citando, et indebite vexando, Castra  
 nostra, terras et possessiones nostras et nostrorum infra regnum vestrum, iniuste et  
 sine nostris demeritis occupando, bona nostra ac subditorum nostrorum, tam per  
 terram quam per mare rapendo, et infra regnum vestrum receptando, Perca-  
 tores et alios regni nostri incolas occidendo, hominesque nostros de regno nostro  
 violenter in regnum vestrum abducendo, ipsosque ibidem detinendo et incarcerando;  
 super quibus reformandis nuncios nostros vobis saepe transmisimus; quare non so-  
 lum remanent adhuc incorrecta; verum etiam de die in diem per vos & vestros pri-  
 oribus deteriora cumulantur; vos namque jam cum innumerabili armatorum mul-  
 tudine exercitu vestro publice convocato, ad exheredandum nos & regni nostri  
 incolas ad fines regni nostri hostiliter accessistis, & ultra progrediens in regno no-  
 stro strages & incendia, necnon insultus & invasiones violentas tam per terram  
 quam

\* See Thomas  
 Walsingham  
 Histor. Anglie  
 p. 31. Ypo-  
 digna Neu-  
 striz, p. 80.  
 § 1, 82. Henr.  
 de Knyghton  
 de Eventibus  
 Anglie, l. 3.  
 c. 2, col.  
 2477.



**An. 20. E. 1.** quàm per mare commissis inhumanè. Nos dictas injurias, gravamina & dampna, necnon & hostiles impugnationes ulterius sustinere non valentes, nec in fidelitate & homagio vestro per violentam oppressionem vestram extortis manendo, cum nos ad defensionem nostram et regni nostri (cujus defensioni et tuitioni vinculo Juramenti sumus addicti) nos volentes erigere, fidelitatem et homagium vobis factam a nobis quam ab aliis quibuscunque regni nostri incolis, fidelibus nostris, ratione terrarum quas in regno vestro de vobis tenebant, ac etiam ratione menagii seu rectionis vestrae, nomine nostro, ac nomine eorundem omnium et singulorum vobis reddidimus per presentes.

\* See Walsingham, Hist. Angl. p. 31, 32. Ypodigm. p. 80, 81, 82. Henr. de Knyghton, l. 3 c. 4. col. 1473. to 1483. Polydor Virgil, Holinshed, Fabian, Grafton, Speed, Daniel in Ed. 1.

Congregatoque ingenti exercitu, idem Rex Scotiæ ad hostiles \* aggressus & incursus procedens, regnum Angliæ intravit hostiliter & invasit, villasque quamplures regni Angliæ per suos depredate est, easque vastavit incendiis, homines interfecit, naves quosdam Angliæ navesque eorum comburi fecit. Et hiis & aliis consimilibus facinoribus pluribus non contentus, Comitatus Northumbr. Cumbr. & Westmerland. distri regni Angliæ, hostiliter per suos invasit, stragem innumeram hominum simul & mulierum ipsius Domini sui Regis Angliæ, Monasteriorum, Ecclesiarum, & villarum incendiis faciendo, & patriam undique depopulando, & ad instar Herodianiæ crudelitatis infantes in cunis, & mulieres in puerperio decubantes immisericordi & atroci savitia trucidando; parvos etiam Clericulis primas literas & Grammaticam addiscentes, ad numerum circiter ducentorum in Scolis apud Corbrigg. exsistentes, obstructis scolarum ipsarum ostiis igne supposito concremarunt; ac divino timore, & humano pudore pospositis, adeo in commotionem se dederunt, quod omnino offendibilia ac execrabilia inhumanè committere minime verebantur. Cernens itaque Rex Angliæ tot dampna, opprobria, injurias & facinorosa exhabitationem suam, & populi sui destructionem, sibi & regni sui incolis proditoraliter irrogari, nec valens ratione Juramenti sui (quo ad confirmationem jurium Cozonæ regni sui Angliæ est addictus) tam execranda, detestanda et nefanda facinorosa ulterius tolerare, nec jura sua relinquere indefensa, cum idem Johannes Rex Scottorum et gens sua sibi subdita, per leges se justificari ac duci minime permittere voluissent, ipso regno, quod a longissimis et antiquissimis retro temporibus (sicnt superius in processu plenius apparet) sibi et progenitoribus suis Angliæ Regibus extitit feudale, et de ipsis etiam Angliæ Regibus tenebatur, et præmissis causis commisso, seu (ut communiter dicitur) fozifacito; Bello insuper de Consilio Comitum, Baronum, & aliorum Procerum & Magnatum regni sui Angliæ juxta leges & consuetudines regni Angliæ contra dictum Regem Scottiæ & ipsius gentem inditio, contra ipso potentia sua vires extendit, sicque contra ipsos tanquam perjuros, notorie proditores, contumaces, rebelles, et publicos hostes suos procedens, præfatum regnum Scottiæ Jure proprietatis ipsius Domini Regis Angliæ ditioni subegit, et etiam subjugavit. Quo viso, memoratus \* Johannes Rex Scottiæ, una cum Comitibus, Baronibus, & aliis Nobilibus, Magnatibus & Proceribus dicti regni Scottiæ omnibus & singulis, cum Ecclesiarum Prelatis, ad memoriam redientes, et de suis facinorosis perpetratis (ut dicebant) condolentes behementer, addidum Dominum Regem Angliæ venerunt, et se eidem reddiderunt, et ipsius gratiæ et voluntati se submiserunt, locis tamen & diebus diversis. Idemque Rex Scottiæ proditorum, et scelera memorata, et confederationem suprascriptam cum dicto Rege Francorum initam (ut præmissum) contra homagium et fidelitatis suæ debitum, quæ pro dicto regno Scottiæ dicto Regi Angliæ fecerat, palam et publice recognovit, dictamque confederationem quatenus de facto processit, sponte, pure, simpliciter, et absolute suo, Edwardi filii sui, et incolarum regni sui nomine revocavit: Renunciavit insuper specialiter et expresse omni commodo, quod erinde sibi vel filio suo, aut incolis regni sui poterit pervenire; dictumque regnum suum Scottiæ, et Jus quod habuit in eodem, et ad illud Regiamque suam dignitatem cum honore, et homagiis et fidelitatibus incolarum ejusdem regni, et omnibus et singulis Regiæ dignitati pertinentibus eidem Domino suo Domino Regi Angliæ, pure, simpliciter et absolute reddidit, vita et membris tantummodo sibi salvis; sicut in Instrumento sibi Processu super hoc, una cum fidelitatibus et homagiis Scottorum Domino Regi Angliæ factis, manu mei Notarii infrascripti confecto, et signo meo solito signato, intuentibus constare poterit evidenter. Subjuncto itaque dicto regno Scottiæ dicti Regis Angliæ ditioni, Ecclesiarum Prelati, Comites et Barones, et alii Nobiles, Magnates, Proceres, Civitatum, et Burgozum, Communitates

\* Walsingham Hist. Angl. p. 31, 32, 33. Ypodig. Neustrix, p. 81, 82. Henr. de Knyghton, de Eventibus Angl. l. 3. c. 2. p. 2476, &c.

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Communitates dicti regni Scotie, ad fidem et voluntatem dicti Regis Anglie ben- An. 20 E. 1.  
nientes, eidem fidelitatem et homagium ut immediato et proprio Domino regni  
Scotie fecerunt, suasque patentes literas super fidelitatibus suis predictis et ho-  
magiis sibi factis fecerunt, sigillis suis pendentibus consignatas; quæ in Thesau-  
raria dicti Regis Anglie London. resident in fidem et testimonium premissorum.  
Mediisque eidem Regi Anglie ut vero et immediato Domino ipsius regni Scotie,  
Cibitibus, Burgis, Villis, Castris, et aliis munitiionibus et locis omnibus ad  
Regem Scotie qualitercunque pertinentibus; idem Dominus Rex Custodem, Ca-  
merar. Cancellar. Escaetores, Vicecomites, et alios Ballivos et Pinistros ad re-  
gimen dicti regni Scotie undique per totum regnum jure suo statuit et prececit; et  
sigillum ad regimen Scotie deputandum fieri fecit, et Cancellario suo liberabit.  
*Alia sunt omnia & singula suprascripta, ut premititur, sub Annis, Indictionibus,  
Mensibus, Diebus, & Locis prenotatis, presentibus testibus suprascriptis, cum aliis  
utriusque regni Nobilibus et Prelatis, ac popularibus in multitudine copiosa.*  
(Of which you shall receive a fuller account, Anno 24 E. 1.)

Et ego Andreas quondam Guillelmi de Tang. Clericus, Ebor. Dioc. Sacrosanctæ  
sedis Apostolicæ publicæ auctoritate Notarius, qui premissis omnibus et singulis  
una cum suprascriptis testibus interfui, eaque sic fieri vidi et audiui; rogatus  
super his sicut stabant, presentibus seu publicum Instrumentum triginta quatuor  
Chartarum penas continens simul lutas, inferendo in eodem omnium et singu-  
lorum Instrumentorum in ipso processu habitorum de verbo ad verbum tenores,  
nihil addens vel minuens quod sentiam mutet, vel corumpat intellectum: Illud  
que in publicam formam redactum et correctum, signo meo consueto tam in luti-  
ris penarum quam sine signati, in fidem et testimonium premissorum.

This is a true Transcript of one Roll of this memorable Record, the original  
whereof is yet extant in the Tower of London. The Transcripts of the Scots re-  
spective new Oaths, Homages and Fealties to King Edward, mentioned in the cloze  
of this Record, after their most perfidious renunciation of their former Oaths and  
Fealties, (particularly expressed in another Roll) and subjugation by King Ed-  
wards forces, I shall present you with in its proper series, An. 24 E. 1. in the suc-  
ceeding Chapter; concluding this with some few other Records of Ecclesiastical  
affairs and cases, relating to the Church, Prelates and Clergy of Scotland.

Anno 20 E. 1. The Bishop of Cathenes Chancellor of Scotland dying there inte-  
state, the Kings Officers seizing into his hands all the Goods and Chattels which he  
had at the time of his death, according to the custom of Scotland; the King out of his  
special grace, for his good services done to him in his life time, was graciously pleased  
to command them to be entirely delivered to the Prior of Goldingham, and Adam of  
St. Edmunds the Bishops brother, to be distributed by them for his soul as they  
should think meet, by the oversight and order of the Vice-Chancellor of Scotland,  
whom the Bishop of Durham (Lieutenant of Scotland) had constituted his Attorney  
for that purpose; and to help them to recover all his Goods and Chattels from all  
those who should detain them, as these Records assure us.

**R**EX et Superior Dominus regni Scotie, dilecto & fidei suo Wilhelmo de Dun-  
fries tenenti locum Canc. in Scotia, salutem. Volentes intuitu fidelis obsequii  
quod bonæ memoriæ A. nuper Cathenes, Episcopus & Cancellarius Scotia defunctus  
nobis in vita sua impendit, eidem defuncto gratiam facere specialem, concessimus,  
quod omnia bona et catalla quæ fuerunt prefati Episcopi in Scotia die quo obiit,  
et per mortem ejusdem capta sunt, secundum consuetudinem Scotia in manum no-  
stram, dilectis nobis in Christo Priori de Goldingham, & Magistro Ada de Sancto  
Edmundo personæ Ecclesiæ de la Scalrik, fratri prefati Episcopi, integraliter libe-  
rentur, pro anima dicti defuncti per manus eorundem distribuenda, prout viderint  
expedire, per visum et ordinationem vestram, quem Venerabilis pater A. Du-  
nolmensis Episcopus (constituted Lieutenant in Scotland by the Kings Letters Pa-  
tents) loco suo carum nobis ad hoc constituit. Et ideo vobis mandamus, quod bre-  
via sub sigillo Scotie illis in quorum manibus bona & Catalla predicta existunt sine di-  
lacione fieri faciatis, ut ipsi omnia bona et catalla predicta prefatis Priori et Ada  
liberent ad premissa faciendâ sicut predictum est. Et omnes illos quos dictorum  
bonorum

Rot. Scot. An.  
19 & 20 E. 1.  
sub sic. Scotia  
de anno 20. m.  
10. intus.  
De bonis quæ  
fuerunt A. Ca-  
thenen Episco-  
pi liberandis  
Priori de Gol-  
dingham &  
Magistro Ade  
de Sancto Ed-  
mundo, pro  
anima predi-  
cti Episcopi  
distribuend.



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 3.*

An. 20 E. 1. bonorum detentores inveniri contigerit, ad hoc si necesse fuerit compellatis, & prefato *Ada* negotia dicti defuncti in partibus illis prosequenti, literas de protectione & conductu pro se & suis in forma Capellæ per unum annum duratur. fieri faciat, In cujus, &c. Teste Rege apud *Westm.* 8 die *Januarii*.

Rot. Scotiz  
An. 19 & 20  
E. 1. m. 9.  
De bonis quæ  
fuerunt præ-  
dicti Episcopi  
liberandis præ-  
dictis Priori &  
Adæ pro ani-  
ma ipsius Epif-  
copi distribu-  
end.

**R**EX et Superior Dominus regni *Scotia*, dilectis sibi *Berichio Gerardi* de *Florince*, *Reynero Balberin*, & sociis suis de societate *Pullertin*. & *Lambinorum* in *Anglia* commorantium, salutem. Quia de gratia nostra speciali, & pro bono servitio, quod bonæ memoriæ *A. Cathenensis* Episcopus & Cancellarius *Scotia* defunctus in vita sua nobis impendit, concessimus ei, omnia bona et catalla sua per mortem ejusdem in manum nostram capta; Vobis mandamus, quod propter securitatem quam nobis in *Anglia*, & dilecto & fideli nostro *Briano* filio *Alani* in partibus *Scotia* nostro nomine præstitistis, de denariis & cæteris bonis prædicti defuncti in manibus vestris existentibus, non omittatis, quin denarios et bona illa sic in manibus vestris existentia dilectis nobis Priori de *Goldingham*, & Magistro *Ada* de Sancto *Edmundo* fratri præfati Episcopi sine dilatione qualibet liberetis, pro anima dicti defuncti distribuenda, per visum et testimonium alicujus quem venerabilis pater *A. Dunelmensis* Episcopus loco suo ad hoc deputare voluerit, una cum præfatis *Willelmo* et *Adam*, quotiens ad hoc vacare voluerit cum eisdem. Teste Rege apud *Westm.* 14 die *Januarii*.

Eodem modo mandatum est prefato *Berichio* & sociis suis prædictis in *Scotia* commorantibus. Teste ut supra.

Ibid. m. 8.  
De Inquil. fac.  
de bonis quæ  
fuerunt *Alani*  
quondam *Cathenensis* Episcopi subtrahendis, &c.

**R**EX et Superior Dominus regni *Scotia*, dilecto Clerico suo Magistro *Alano* de *Dunfres* Cancellario *Scotia*, salutem. Cum nos nuper intuitu fidelis obsequii quod bonæ memoriæ *Alanni* quondam *Cathenensis* Episcopus defunctus, nobis in officio Cancellariæ ibidem in vita sua impendit, concesserimus de gratia nostra speciali, quod omnia bona et catalla quæ fuerunt ipsius Episcopi in *Scotia* de quo obiit, et quæ per mortem suam capta fuerunt in manum nostram, secundum consuetudinem dicti regni *Scotia*, dilectis nobis in Christo Priori de *Goldingham*, & Magistro *Ada* de Sancto *Edmundo* personæ Ecclesiæ de *Lascatrik* fratri ipsius Episcopi, integraliter liberarentur, pro anima dicti defuncti per manus eorundem juxta ordinationem venerabilis patris *Antonii Dunelmensis* Episcopi distribuenda, prout saluti animæ ejusdem defuncti magis viderint expedire. Ac datum sit nobis intelligi, quod bona & catalla illa per quosdam homines partium illarum jam alienata sunt & subtracta; Vobis mandamus, quod per literas nostras sigillo regimini regni *Scotia* deputato signatas, detis in mandatis Vic. & aliis Ballivis in partibus illis quotiens opus fuerit, & ab eis fueritis requisiti, quod diligenter inquirent ad quorum manus bona & catalla illa sic devenerunt, & ea simul cum debitis quæ ei debebantur die quo obiit ad quorumcunque manus devenerint præfatis Priori & *Ada*, vel eorum certis attorneyis sine dilatione habere faciat, prout de jure fuerit faciendum. Ita quod querela ad nos per prædictos Priorem & *Adam* de cætero non veniat ex hac causa. In cujus, &c. Teste Rege apud *Chatton*. 20 die *Julii*.

Ibid. m. 10.  
De arreragiis  
feodi *A.* nuper  
*Cathenensis*  
Episcopi, libe-  
randis Priori  
de *Golding-*  
*ham* & Magi-  
stro *Ada* de  
Sancto *Ed-*  
*mundo* pro  
anima ipsius  
Episcopi di-  
tribuendis.

**R**EX et Superior Dominus regni *Scotia*, dilecto sibi Magistro *Willelmo* de *Dunfres* Cancellar. *Scotia*, salutem. Quia volumus quod bonæ memoriæ *A.* nuper *Cathenensis* Episcopo & Cancellario *Scotia* defuncto, de arreragiis feodi quod in officio illo percepit in vita sua per manus Camerarii *Scotia* satisfiat, vobis mandamus, quod sigillo *Scotia* breve eisdem Camerariis fieri faciat, quod ipsi dicta arreragia dilectis nobis Priori de *Goldingham*, & Magistro *Ada* de Sancto *Edmundo* fratri præfati Episcopi liberent absque mora, pro anima dicti defuncti per visum et ordinationem alicujus quem venerabilis pater *A. Dunelmensis* Episcopus loco suo ad hoc deputari voluerit distribuenda. Teste Rege apud *Westm.* 15 die *Jan.*

From which 4. Records I shall observe: 1. That in that age all the Debts, Goods and Chattels of Bishops in *Scotland* dying intestate, by the Custom of that Realm, were seized into the Kings hands, as belonging to him; and that this Bishops Debts, Goods and Chattels, dying intestate, were by vertue of that custome then seized into the hands of King *Edward*, as Superior Lord of *Scotland*, during the

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*Interregnum.* 2ly. That the King alone, not the Archbishop of St. Andrews, Pope, or other Ordinary whatsoever, had the sole right, power, Jurisdiction to dispose of them, to whom and to what uses he pleased. 3ly. That the Sovereign care, welfare of the Subjects souls, as well Bishops and Clergymen as Laicks, belonged to the Kings of England and Scotland in that age, after their deaths, as well as during their lives, not to Bishops; Therefore by consequence the administration and distribution of their Goods and Chattels for that end, if they dyed Intestate. 4ly. That the King, not of right or custome, but out of his especial grace, and for the good service done to him by this Bishop (as his Chancellor in Scotland) in his life time, granted all the Debts, Monies, Goods, Chattels of this Bishop, belonging to him by the Custome of Scotland, to the Prior of Goldingham, and Adam of St. Edmunds the deceased Bishops brother, to be distributed for his soul, by the view and testimony of any person whom the Bishop of Durham should depute in his place for that purpose, to joyn with them in the distribution of them; not as a Bishop or Ordinary, (he having no Episcopal Jurisdiction then in Scotland, nor yet in England out of his Diocese, where the Bishop had monies in foreign Merchants hands) but as the Kings Lieutenant in Scotland, which then he was. 5ly. That the Bishop appointed William of Dunfres, then Chancellor of Scotland, as his Deputy for this end; whom the King enjoyned to issue out Writs under the Seal of Scotland to those who had the Bishops Goods and Chattels in their hands, immediately to deliver them to the said Prior and Adam, and to compell them thereunto, to be distributed as aforesaid for the good of his soul. A clear evidence that the King, or such as he appointed, not Bishops or Ordinaries, had the sole power of distributing Intestates Goods to pious uses, for the (pretended) good of their souls. That Bishops and other Ordinaries in that age, had no legal Jurisdiction to dispose or distribute the Goods and Chattels of Intestate persons, but merely by torcious Usurpation, in Scotland, England, or France, seems most apparent to me, by comparing the premises with the memorable Articles against the Bishops, Clergy of France, and their Officials Innovations, Encroachments, Usurpations upon the Crown, Dignity, Jurisdiction of the King of France, and his Subjects Liberties, to their intollerable grievance, exhibited by the Lord Peter de Cugneris, the Barons and Laity of France, in the Parliament held at Paris under King Philip the 4th. Anno Domini 1309. printed in English by \* Mr. John Fox (in the life of King Edward the 1.) out of Petrus Bertrandus, *Adversus Dominum* Petrum de Cugneris, *super falso Prælatorum Ecclesiæ Gallicanæ, Parisiis* 1495. Articles 63, 64. Item, they will make Inventories of their goods which die Intestate, or without making of Will, and will have the possession of their goods as well moveable as immoveable in their own hands, to distribute to the heirs, or to whom they list. Item, the execution also of Testaments they take into their own hands, taking Inventories of dead mens goods, and keeping and disposing them to the heirs after their pleasure; and they have Officials properly deputed for the execution thereof. And Artic. 23. In like manner they will determine the matters of Pupils, applying their goods when they die, as they do the goods of them that die Intestate, to their own use, the cognition whereof belongeth to the King himself; because these kinde of persons with their goods are wards to the King, and under his protection. Which as it will help to explain the true end of making the Statute of 13 E. 1. c. 19. against \* Sir Edward Cokes erroneous glosse thereon; so it evidently demonstrates, that if Bishops and other Ordinaries seising, distributing, or administering the goods of Intestate persons, and Pupils under age, (who could make no Wills) were thus publicly Articled against in this French Parliament, as an unsufferable Innovation, Usurpation, Grievance in the Realm of France, it was likewise then reputed no other in our Bishops, Ordinaries in England, and no legal rights antiently conferred on them by the King and Lords in Parliament, as they erroneously \* pretended. This will further appear by these two Records relating to Scotland, the one concerning the Executors of the last Will and Testament of Alexander King of Scots, to issue out Writs for the speedy recovery of the Debts due unto him; the other authorizing and enabling the Bishop of Glasgow to devise and dispose of his moveable Goods by his Testament, so as it turned not to the prejudice or losse of the King himself, or the next succeeding King in Scotland.

An. 20 E. 1.

\* Aca & Monuments, London 1641. vol. 1. p. 461, &c. in Edw 1.

\* See here p. 333. a Instit. P. 397.

\* See here p. 15.



An. 20 E. 1.

Rot. Scotie  
An. 19 & 20  
E. 1. m. 8  
Pro Executoribus Testa-  
menti A. quon-  
dam Regis Sco-  
tie, de debitis  
ejusdem Regis  
levandis, &c.

**R**EX et Superior Dominus regni Scotia, venerabilibus in Christo patribus W. & R. eadem gratia Sancti Andree & Glasguen. Episcopis, & dilectis & fidelibus suis Johanni Comyn, Jacobo Senescallo Scotia, & Briano filio Alani, Custodibus ejusdem regni, salutem. Zelus affectionis intimæ quam ad præclaræ memoriæ serenissimum Principem Dominum Alexandrum quondam Regem Scotorum illustrem (sororium nostrum karissimum) ipso vivente gerebamus, per quod animæ suæ salutem ferventer affectamus, mentem nostram multipliciter excitat & inducit, ut quæ animæ suæ conferimus salutifera, de votione fervida et sollicitis affectibus prosequamur. Hinc est quod multi & diversi debitores in eodem regno Scotia in diversis debitis præfato Regi die quo obiit tenerentur, qui ejusdem Regis Executoribus ea nondum solverunt, ut accepimus, per quod Testamenti prædicti excussa, in grave dicti Regis animæ periculum hucusque progatur: Vobis mandamus, quod dilecto Clerico nostro Magistro Alano de Dunfres Cancellario Scotia detis in mandatis, quod per breviam dirigenda singulis Vicecomitibus & Ballivis ejusdem regni Scotia, sigillo regimini regni Scotia deputato consignanda, mandari faciat in forma Capellæ, quod prædicta debita de bonis & catallis prædictorum debitorum, secundum legem et consuetudinem regni Scotia leventur, et præfatis executoribus sine dilatione liberentur, prout præfati executores rationabiliter monstrare poterunt; quod prædicti debitores prædicto Regi in debitis tenentur supradictis. In cujus, &c. Teste Rege apud Berwyk super Twedam 3 die Julii.

Ibid. m. 9.  
Pro R. Glasg.  
Episc. quod de  
bonis suis mo-  
bilibus possit  
condere Testa-  
mentum.

**R**EX et Superior Dominus regni Scotia, omnibus ad quos, &c. salutem. Scitis quod pro bono & laudabili servitio quod venerabilis pater R. Glasg.ensis Episcopus, tam bonæ memoriæ Domino A. quondam Regi Scotie, quam nobis impendit postquam superius dominum regni illius ad manus nostras debuit, concessimus ei, quod ipse Testamentum suum de bonis suis mobilibus condere possit pro sua libito voluntatis, et quod executores Testamenti liberam administrationem habere et de eisdem disponere possint juxta formam ejusdem Testamenti, et ipsius Episcopi ultimam voluntatem. Ita tamen quod ista gratia nostra nobis seu Regi futuro regni illius non cedat alias in præjudicium seu jacturam. In cujus, &c. Teste Rege apud Westm. 23 die Januarii.

The Bishoprick of *Cathenes* becoming void by the Bishops death, the King by his Prerogative issued this Writ concerning the custody of the Temporalities.

Ibidem.  
De Episcopatu  
Cathenensis  
vacante commit-  
tendo alicui  
fidei Regis.

**R**EX et Superior Dominus regni Scotia, venerabilibus in Christo patribus W. Sancti Andree, & R. Glasguen. eadem gratia Episcopis, & ceteris Custodibus ejusdem regni, salutem. Mandamus vobis, quod custodiam Episcopatus Cathenensis, vacantis per mortem bonæ memoriæ Alani nuper Episcopi ejusdem loci, cum pertin. alicui Clerico et Abeli nostro partium illarum, qui sufficiens & idoneus ad custodiam illam fuerit, prout mox est in illis partibus committatis. In cujus, &c. Teste Rege apud Westm. 15 die Januarii.

The Pope having granted the King a Disme from the Clergy of *Scotland*, as Supreme Lord thereof, for the ayd of the Holy Land, he issued this Writ for the safe conduct and protection of those appointed to collect it.

Rot. Scotie  
An. 20 E. 1.  
m. 11.  
Pro Collecto-  
ribus decimæ  
in regno Sco-  
tie, de pro-  
tectione &  
conductu.

**R**EX et Superior Dominus Scotia, omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Cum Summus Pontifex Decimam bonorum Ecclesiasticorum infra prædictum regnum Scotia nobis in subsidium Terræ Sanctæ concesserit gracie, et circa collectionem ejusdem venerabiles patres R. Karleolen. & A. Cathenensem Episcopos deputaverit, sicut in Bulla inde confecta plenius continetur, per quod necessario oportebit eosdem Episcopos tam in propriis personis suis, quam per alios quos loco eorundem ad hoc duxerint transmittendos, labores, misas & expensas facere in præmissis: Nos prædictos Episcopos & illos quos sic pro illis transmiserint homines, terras, res, redditus, & omnes possessiones suas in protectionem & defensionem nostram specialem suscipientes; Vobis mandamus, quod ipsos Episcopos et illos sic transmissarios homines, terras, res, redditus, et omnes

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omnes possessiones suas manuteneatis, protegatis & defendatis; Non inferentes eis in personis aut rebus injuriam, molestiam, dampnum, impedimentum aut gravamen: Et si quid eis forisfactum fuerit, id eis sine dilatione faciatis emendari, & ipsis & eorum quibuscunque cum per partes vestras ipsos transitum facere contigerit ex hac causa, saluum & securum conductum amore nostri præbeatis, quotiens ex ipsis bel eorum aliquo ex parte nostra super hoc fueritis requisiti. In cujus, &c. has literas nostras fieri fecimus patentes quamdiu negotiis prædictis intenderint duraturas. Teste Rege apud Berewyk super Twedam in Scotia 12 die Augusti.

An. 20 E. 1.

He likewise issued this Writ to the Bishops and Prelates of Scotland, to receive and assist the Popes Nuncio and Collectors sent thither to receive the Accounts, and collect the Arrears of the Dismes in Scotland towards the relief of the Holy Land: And to his Chancellor to pay a sum of money formerly granted by him to the Popes and Queens Chaplain there.

**R**EX et Supertor Dominus Scotia, venerabilibus in Christo patribus W. & R. eadem gratia Sancti Andree & Glasguensis Episcopis, & ceteris Episcopis & prælatibus ejusdem regni ad quos, &c. salutem. Cum Dominus Papa dilectum nobis in Christo Magistrum Giffredum de Vezano ejusdem Domini Papæ Clericum cum et Runcium deputaverit ad computum executorum Testamenti Magistri Bayamundi, quondam Collectoris Decimarum in subsidium Terræ Sanctæ concessæ in regno prædicto audiendo, et arrearagia ejusdem Decimarum et debita ipsius Bayamundi levanda et colligenda juxta formam mandati Apostolici sibi super hoc directi: Vobis mandamus, quod præfatus Giffredo vel ejus Commissario seu Commissariis in præmissis vos exhibeatis favorabiles & benignos, Consilium vestrum et subamen eidem Magistro Giffredo vel ejus Commissario seu Commissariis super hiis impendentes quotiens ab ipso vel eorum aliquo inde fueritis requisiti. Teste Rege apud Devises 16 die Septembris.

Rot. Scotie  
An. 19 & 20  
E. 1. m. 10.  
Quod Episcopi & Prælati de regno Scotie exhibeant se favorabiles Mag. Giffredo de Vezano, &c.

**R**EX et Supertor Dominus regni Scotia, dilecto Clerico suo Magistro Willielmo Dunfries Cancellario ejusdem regni, salutem. Cum nuper per nostras patentes literas mandaverimus dilecto & fideli nostro Alexandro de Bakislo Camerario ejusdem regni, quod Magistro Hugucioni Domini Papæ Capellano, pro gratis & laudabilibus serviciis quæ idem Hugucio Margareta quondam Domicellæ Norwagie, & Domine regni prædicti impendit, & pro laboribus & expensis per ipsum in ejusdem Margareta obsequiis appositis, ducentas libras faceret liberari; & idem Alexander pro eo quod breve nostrum de sigillo regimini regni prædicti deputato non habuit, de pecunia illa liberanda nichil inde hucusque facere curaverit, ut accepimus; Vobis mandamus, quod breve sub sigillo prædicto præfato Alexandro & sociis suis Camerariis ejusdem regni fieri faciatis in forma Capellæ de prædicta pecunia præfato Hugucioni liberanda, prout aliis in casu consimili fieri consuevit. Teste Rege apud Westm. 9 die Januarii.

Ibidem:  
Pro Hugucione Domini Papæ Capellano.

What Ecclesiastical Jurisdiction the King then exercised in the Isle of Man, as supreme Lord thereof, in presenting to Livings there, and commanding the Bishop of Sodor to admit his Clerks, these Records inform us.

Alanus de Wygeton habet literas de Præsentatione ad Ecclesiam Sancti Carthæ in Man, vacantem & ad donationem Regis spectantem ratione terræ de Man in manu Regis existentis. Et diriguntur literæ Episcopo Sodorensi. Teste Rege apud Berewik super Twed. 16 die Junii.

Rot. Scotie  
An. 19 & 20  
E. 1. m. 11.  
De Præsentatione.

Odo Clericus habet literas de Præsentatione ad Ecclesiam Sancti Santani, vacantem per mortem Desvaldi nuper Rectoris ejusdem, & ad donationem Regis spectantem ratione terræ de Man in manu Regis existentis. Et diriguntur literæ Episcopo Sodorensi. Teste ut supra.

Rolandus Capellanus habet literas de Præsentatione ad Ecclesiam Sancti Patricii de Dureby, vacantem & ad donationem Regis spectantem ratione terræ de Man in manu Regis existentis. Et diriguntur literæ Episcopo Sodorensi. Teste ut supra.



*An. 20 E. 1.* I shall conclude with this Writ, discovering what great esteem and care the King had of the Records in *Scotland*, which concerned his own and others Rights, Titles to that Realm; how carefully they were perused, laid up and there kept by a Master of the Rolls in the Castle of *Edenburgh*, (as those of *England* then were, and yet are in the Tower of *London*) and what use he made of them.

Rot. Scotie  
An. 19 & 20  
E. 1. m. 11.  
De chartis,  
scriptis, & aliis  
instrumentis  
tangenti-  
bus  
Regem & pe-  
tentes jus in  
regno Scotie,  
scrutandis &  
examinandis,  
&c.

**R**EX et Superioꝝ Dominus *Scotia*, venerabili in Christo patri *W.* eadem gra-  
tia Episcopo Sancti *Andrea* in *Scotia*, & dilecto & fideli suo *Radulpho Basset*  
de *Drayton*, Constabulario Castri sui de *Edenburgh*. & *Willielmo de Dunfres* Cus-  
odi Rotulorum regni *Scotia*, & omnibus Ballivis & fidelibus suis ejusdem regni ad  
quos, &c. salutem. Sciatis, quod assignavimus dilectos nobis in Christo Abbatem  
de *Dunfermelyn*, & *Adam* Abbatem Sanctæ Crucis de *Edenburgh*. & dilectum & fi-  
delem nostrum *Johannem de Lishegreynes*, Magistrum *Willielmum de Lincoln*. & *Thomam de Fishburn*, ad investigandum, scrutandum, videndum et examinandum  
Chartas, Instrumenta, Scripta, Literas Papales, Compositiones, Rotulos et  
Arrotulata, et omnia alia munimenta jura petentium in regno *Scotia*, et similiter  
nos et regnum quoquomodo tangenti in Castro de *Edenburgh*. et alibi in eodem  
regno existentia, et ad ea recipienda, deferenda et deponentia in locum per nos ad  
hoc assignatum; & ideo vobis mandamus, quod eisdem Abbatibus, *Johanni*, *Willielmo* & *Thoma*, vel prædictis *Johanni*, *Willielmo* & *Thoma* tantum, cum prædictos  
Abbatibus ad hoc vacare non contigerit, interdentes sitis & auxiliantes, quociens ex  
parte nostra super hoc fueritis requisiti. Et vos præfate Episcopo claves Thesau-  
rariæ, necnon hostiorum, domorum, castri prædicti, archarum, cistarum & scrinio-  
rum quorumcunque in quibus prædicta munimenta, literæ, rotuli, & cætera qualia-  
cunque prædicta instrumenta sint recordata, prædictis Abbatibus, *Johanni*, *Willielmo*  
& *Thoma* cum eis ad hoc venire contigerit liberetis. In cujus, &c. Teste Rege apud  
*Berewyk* super *Tweed*. in *Scotia* 12 die *Augusti*.

## BOOK V. CHAP. IV.

An. 21 E. 1.

Containing King Edward the 1. his claim, exercise of Sovereign Ecclesiastical Jurisdiction over all Persons, Causes within England, Ireland, Scotland, and his other Dominions; his Oppositions, Prohibitions, Edicts against Popes, Bishops, other Clergymens Usurpations, Encroachments thereon; especially Pope Boniface the 8. his Constitution, prohibiting all Clergymen under pain of Excommunication, to grant or pay any Taxes, Subsidies to any King, and for Kings to demand or receive them without the Popes precedent license; and his Bulls concerning his Sovereign Dominion, Title to the Realm of Scotland and other Kingdoms; The Negotiations between King Edward, the Popes, Court of Rome; with the Successions of Popes, English, Irish Bishops, and other Church, State affairs; faithfully collected out of our Records and Histories, from the beginning of the 21. to the end of the 30<sup>th</sup> year of his Reign.

**A**mongst several Bundles of Writs returned by Sheriffs and others, Anno 21 Edward the 1. (rescued by me out of the rubbish in the White Tower Chapel) I met with these Writs of Attachment at the Kings and parties suits, for contempts in holding or prosecuting suits in Court Christian of Trespasses, Advowsons, Laytees, Chattels and Debts, not of Testament or Matrimony, belonging to the Kings Courts, against his Prohibitions, Crown and Dignity.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, Dux Aquitaniæ, Vicecomes Oxon. salutem. Monstravit nobis Willielmus de Sancto Gerigio, quod cum Magister Henricus de Nassington in Curia nostra apud Westm. die Sancti Hillarii in quindecim dies proximo præterito attachiatus esset ad respondendum eidem Willielmo, quare cum placita de Transgressionibus contra pacem nostram factis in regno nostro ad Ros et Corozam et dignitatem nostram specialiter pertineant, idem Henricus, sicut ex gravi querela ipsius Willielmi accepimus, tenuit placitum in Curia Christianitatis de huiusmodi transgressionibus, in lationem Corozæ et dignitatis nostræ, et contra prohibitionem nostram. Et de Placito quare tenuit placitum in eadem Curia Christianitatis de advocacione Capella de Tadhham, contra prohibitionem nostram, ut dicitur; Ac idem Willielmus ad diem illum in eadem Curia nostra comparuisset, & idem Magister Henricus cum fecisset se esson. versus prædictum Willielmum de prædictis placitis; & habuisset diem per esson. suos coram Iusticiariis nostris apud Westm. à die Sancte Trinitatis in quindecim dies proximo futur. versus prædictum Willielmum de prædictis placitis; idem Magister Henricus, pendentibus inde inter eos in præfata Curia nostra prædictis placitis, placita illa nihilominus ulterius tenuit in prædicta Curia Christianitatis, quousque Sententia in ipsum Willielmum ea occasione ad sectam ejusdem Magistri Henrici publice promulgata, ipsum excommunicari fecit, et postea Breve nostrum de ipso Willielmo excommunicato, tanquam claves Ecclesiæ contemnite, capiendo, jam nobis porrexit, ut dicitur, in Corozæ et dignitatis nostro lationem, Curie nostræ prædictæ contemptum manifestum, et ipsius Willielmi dispendium non modicum et gravamen, sicut ex gravi querela ipsius Willielmi accepimus. Et quia tanta contemptum et malitiam, si commissa fuerint, transire nolumus impunita, vobis precipimus, quod si prædictus Willielmus fecerit vos securos de clamore ejus profectum.

\* Bundels  
Brevium, An.  
21 E. 1. in  
Turre London.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

*An. 21 E. 1.* quando, tunc ponite per vadium & saluos plegios predictum Magistrum Henricum, quod sit coram Justiciariis nostris apud Westm. à die Sancte Trinitatis in 15 dies, ad respondendum tam nobis quam predicto Willielmo, de predictis transgressionibus et contemptu. Precipimus etiam vobis, quod si vobis constare possit, quod predictum Willielmus occasione predicta & non alia excommunicatus sit, tunc ab ipso Willielmo capiendo per aliquod Rebe nostrum, per predictum Magistrum Henricum ea occasione impetratum penitus destitatis, et ipsum Willielmum inde pacem habere permittatis. Et habeatis nomina Plegiorum, & hoc breve. Teste J. de Mettingham apud Westm. 12 die, &c. Anno regni nostri 21.

**E**dwardus, &c. Vic. Suffex, &c. Si Robertus Page, &c. Ponit, &c. Magistrum Thomam de Burne & Richardum le Den de Kyngeston, &c. quod sint coram Justiciariis nostris, &c. offensuri, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio contra Prohibitionem nostram. Ponit etiam, &c. Margeriam de Ely, &c. quare secuta est idem placitum, &c. Teste meipso apud Westm. 28 die Maii. Anno regni nostri 21.

**E**dwardus, &c. Venerabili in Christo Patri S. Episcopo Sarum, &c. venire faciatis coram, &c. Magistrum Michaellem de Wodeford Clericum vestrum ad respondendum. Petro filio Warini, quare secutus fuit placitum, &c. de catallis et debitis quæ non sunt, &c. contra Prohibitionem nostram, &c. Teste J. de Mettingham apud Westm. 26 die Febr. Anno regni nostri 21.

**E**dwardus, &c. Vic. Rutland. salutem. Si Robertus de Ruill & filius ejus fecerint, &c. pone, &c. Alexandrum Vicarium Ecclesie de Bittlebrocks, quod sit, &c. offensurus, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio contra prohibitionem nostram, &c. Teste meipso apud Novum Castrum super Tynam 29 die Sept. Anno r. n. 21.

**E**dwardus, &c. Vic. Oxon. &c. Si Henricus Durant, &c. Ponit, &c. fratrem Rodolphum Abbatem de Dorkecestre, Radolphum de Sywe & Henricum de Sancto Edwardo, &c. quare tenuerunt placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra Prohibitionem nostram. Ponit etiam Thomam de Luche, &c. quare secutus est idem placitum, &c. Teste meipso apud Westm. 23 die Maii. An. regni nostri 21.

**E**dwardus, &c. Vic. Leycest. Si Robertus de Huntindon, &c. Ponit, &c. Rogerum Priorem de Beluero, &c. quare tenuit placitum in Curia Christianitatis de catallis et bonis quæ non sunt, &c. contra Prohibitionem nostram. Ponit etiam Willielmum de Kelm: personam Ecclesie de Helderby, Robertum Bacun, & Magistrum Willielmum de Fynglye, personam Ecclesie de Bottlesford, quare secuti sunt idem placitum, &c. contra Prohibitionem nostram. Teste meipso apud Westm. 28 die Aprilis, Anno regni nostri 21. Besides others that are perished.

Moreover, in the Fragments of the Plea Rolls of Hil. 21 E. 1. in the Tower, I find these two Actions brought for holding and prosecuting suits in Court Christian against the Kings Prohibitions, besides those in the Plea Rolls of other Terms that year, which are putrified.

Johannes de Erlawe attachiatus fuit ad respondendum Adæ le Parmenter & Alicie uxori ejus de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio contra prohibitionem, &c. Ac iidem Adam & Alicie die Mercurii proxima post festum Sancti Barnabe Apostoli, anno regni Regis nunc decimo octavo in Ecclesia de Aldermarichirch in Civitate London. in presencia Johannis Dyssel senioris & Johannis fratris ejus, Roberti de Dereby & Ricardi le Barbir detulissent eidem Johanni Regiam Prohibitionem, ne placitum illud ulterius teneret; ipse sperto mandato Domini Regis predictum placitum coram ipso tenuit, predictos Adam et Aliciam ab ingressu Ecclesie suspendendo, et postea excommunicando, &c. in contemptum mandati Domini Regis: unde dicunt, quod deteriorati sunt et dampnum habent ad valenciam biginti librarum, et inde produciunt sectam suam, &c.

*Effonator*

Placca de  
Term Sancti  
Hilarii, in  
Turre Lond.  
An. 21 E. 1.  
coram Johan-  
ne de Meting-  
ham, &c.  
Rot. 17 Lond.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

*Effensor Johannis de Burton opusis se 4. die versus Magistrum Henricum de Nassington, Magistrum Walterum de Wotton, Magistrum Thomam Cavele, Gilbertum de Evedon, Thomam de Ly, &c. quare predicti Magister Henricus, Magister Walterus, Magister Thomas, simul cum Magistro Ricardo persona Ecclesie de Stilton. tenuerunt placitum in Curia Christianitatis de Laico seodo predicti Johannis de Burton, &c. contra prohibitionem, &c. Et ipsi non venerunt; & preceptum fuit Vicecomiti, quod attacheret eos, &c. Et Vicecomes nichil fecit, sed mandavit de predictis Magistro Henrico, Waltero & Thoma de Cavele, quod Clerici sunt. Ideo mandatum est Episcopo Lincolnie, quod venire faciat eos hic in crastino Sancti Johannis Baptiste, &c.*

An. 21 E. 1.

Ibidem, Rot. 38. Norke.

This year King Edward the 1. held his Parliament at London in Easter Term, to which he adjourned the \* premised petition and complaint of Magdolphus against John Bailiol King of Scots, then ordered to appear in person to give his further answer to it; the proceedings in which cause are thus recorded in the Pleas of that Parliament.

\* Here p. 535, 536, 537.

\* Sciendum est, quod Dominus Rex prius mandavit Domino Regi Scotie per literas suas, quod esset coram eo in Crastino Sancta Trinitatis proximo praterito, ubicunque, &c. predicto Magdolpho super premissis responsurus tunc. In instanti Brevi de Judicio eidem Regi Scotie inde dirigendo, loco verborum, scilicet, Mandamus vobis, inferenda sunt hac verba, Adjornamus vos, quod sitis coram nobis, tali die, ubicunque, &c. ad respondendum predicto Magdolpho super premissis, &c. & ad ostendendum, quare non fuistis coram nobis in prefato Crastino Sancta Trinitatis, prout vobis mandatum fuit. Et quia ex querimonia predicti Magdolphi Dominus Rex accepit, quod Rex Scotie super terris & tenementis de Rereis & de Ereg. quoddam iniquum reddidit iudicium contra eum; per quod presumatur, quod ante iudicium illud reddidit recordum & processus aliqua fieri debuissent; Mandatum est eidem Regi Scotie, quod Recordum inde et Processum habeat coram Domino Rege ad terminum supradictum; ut inspectis Recordo & processu supradictis, fieri faciat partibus Iustitie complementum.

\* Placit. in Parl. Dom. E. Regis Anglie in Termino Palchre An 21 E. 1. See Rylye, p. 152, 153, 154, 155.

Et sciendum, quod quando aliquis querens vel appellans super falso Iudicio de re aliqua in Curia Regis Scotie sibi facto conqueratur superiori Domino, vel appeller, mandabitur in hoc casu Regi Scotie, quod Recordum et processum loquelar in Curia sua inde habitur coram Domino superiori venire faciat certo die ubicunque, &c. Et si contingat quod ad Dominum Regem Anglie, tanquam ad superiorem Dominum regni Scotie per aliquem perbeniat appellatio, sive querimonia de re aliqua per Regem Scotie, sive per Curiam suam eidem conquerenti Injuste (ut asseruerit) illata; propter quod Dominus Rex superior mandaverit Regi Scotie, quod ad Curiam ipsius Domini superioris, ad diem certum, inde veniat responsurus. Ad quem diem si Rex Scotie a casu contigerit absentare, et in proximo die sequenti sibi per superiorem Dominum prefato comparuerit, et contumaciam diei precedentis purgare non possit: Concordatum est, quod idem Rex Scotie amittat cognitionem querelae principalis, et insuper sit in misericordia Domini superioris, ad voluntatem ipsius Domini. Et hoc idem fiat, si non venerit secundo die contumaciam primae diei purgaturus. Cumque etiam idem Dominus Rex Scotie in Curia superioris Domini iuri pariturus venerit, contumaciam suam in casu predicto purgare non potens, propter quod cognitio querelae principalis Domino Regi debeat remanere, ac Rex Scotie sibi imposita super principali negaverit, vel tanquam indefensus teneatur, unde oportuerit habere verificationem; concordatum est, quod verificatio admittatur, et fiat per inquisitionem Patrie, per sacramentum proborum et legalium hominum de visneto, ubi facta fuerit transgressio, vel alio modo, secundum consuetudinem Curie Anglicane, aut per legitima documenta. Quos quidem Juratores Inquisitionis (si Inquisitio inde fieri debeat) Vicecomes Domini Regis de Com. Northumbrie, vel aliquis alius pro voluntate ipsius Domini Regis ad hoc deputandus, venire faciat coram Domino Rege, vel alio per ipsum Dominum Regem ad hoc assignato infra Angliam sive Scotiam, ubi Domino Regi Anglie placuerit, ad faciend. recognitionem predictam.

Et sciendum, quod nullum Elsonum in toto processu Regi Scotie, sive euerenti allocabitur in hoc casu, sed habeant Attornatum secundum consuetudinem Curie Anglicane, si sibi viderint expedire. Et si predictus Rex Scotie super diffet.

Ana



*An. 21 E. 1.* *¶* Sina terrarum aut tenementa versus prædictum Magdolphum aut alios per proce-  
sum temporis in casu consimili conditus fuerit; Consideratur, quod Appellatores  
seu querentes in hoc casu recuperent inde seisinam suam eis per Dominum Regem  
Angliæ faciendam, una cum dampnis suis; Et Rex Scotiæ in misericordia Do-  
mini Superioris ad voluntatem ipsius Domini: Et præterea, iidem appellantes  
seu querentes cadant in homagium et dominium Domini Regis Angliæ de eisdem  
terris et tenementis; faciendo inde eidem Domino omnes consuetudines et servitia  
debita, et similiter de omnibus aliis tenementis quæ habuerunt infra regnum Sco-  
tiæ, eodem modo quo prius Regi Scotiæ aliquas consuetudines et servitia facere  
consueverunt, vel etiam facere debuerunt. Ita quod idem Rex Scotiæ nullum domi-  
nium sive jurisdictionem aliqualem in personis, et tenementis eorundem appellan-  
tium aut querentium tota vita utriusque ipsorum Regum, et appellantium et con-  
querentium obtineat. Hoc idem observandum est, viz. Quod omnes et singuli  
conquerentes sive appellantes, qui versus Regem Scotiæ de qualicunque aut quacun-  
que insuria, per ipsum Regem aut Curiam suam eis illata, iustitiam in Curia An-  
glicana fuerunt affecti, debent se de homagio conf. et servitiis suis Domino Regi  
Angliæ, tanquam superiori Domino attonare; Et eodem modo, quo prius inde  
Regi Scotiæ fuerunt respondentes, eidem Domino superiori remaneant omnibus  
intendentes, sicut superius est notatum. Et si a casu Rex Scotiæ conditus super  
aliquo falso Iudicio; *Concordatum est*, quod Iudicium illud rescindatur, vel revo-  
cetur; et parti conquerenti sive appellanti restituantur omnia dampna quæ susti-  
nuerunt occasione ejusdem Iudicii. Et misericordia vel pœna, quæ ad Regem Sco-  
tiæ versus superiorem Dominum, sit arbitraria in hac parte. Et si Rex Scotiæ su-  
per imprisonment alicui per ipsum Regem iniuste facto, de quo fecere noluerit  
vel non fecerit iustitiam conquerenti, et querimonia sive appellatio ad superiorem  
Dominum perbenerit, super quo idem Rex Scotiæ in Curia Angliæ conditus fue-  
rit, querens aut appellans in hoc casu recuperet dampna sua; et misericordia seu  
pœna quoad Regem Scotiæ versus Dominum superiorem sit arbitraria, sicut  
supra.

*Et sciendum est*, quod in omnibus præmissis habeant conquerentes sive appel-  
lantes Protectionem Domini Regis Angliæ, viz. quendam Custodem, qui eos in  
personis propriis, et familia sua, terris et tenementis, redditibus et rebus aliis  
quæ usque infra Scotiam ad ipsos spectantibus, pendente appellatione sive que-  
rimonia in Curia Anglicana conserbet, defendat et protegat, si hoc petant: Qui-  
bus, si infra huiusmodi custodiam aliquid duritiæ vel insuriæ in læsionem prote-  
ctionis prædictæ fuerit illatum, idem Rex Scotiæ et hæredes sui homagia, et dominium  
huiusmodi conquerentium sive appellantium amittant, ac Regi Angliæ, tanquam  
Domino Superiori et hæredibus suis remaneant in perpetuum. Et nihilominus  
Rex Scotiæ in pœna vel misericordia, sicut supra. *The Writ of Summons to the  
King of Scots.*

Regi Scotia salutem. Cum nuper, dum eramus apud Berwyk, dedissemus ve-  
nerabili patri W. Episcopo S. Andrea, & sociis suis Custodibus regni Scotiæ in  
mandatis, ut de terris & tenementis Magdolphii filii Malcolmi quondam Comitis  
de Fiff, de Rereys, & de Crey, de quibus per prædictum Episcopum, tunc Custodem  
Comitatus de Fiff, conquerebatur se esse deforciatum iniuste, sibi iustitiam exhibe-  
rent, & demum juxta formam Mandati nostri prædicti per considerationem prædi-  
ctorum Custodum seisinam terrarum & tenementorum huiusmodi recuperasset,  
vos de eisdem terris et tenementis iniuste & sine iudicio disseisivistis eundem, in ip-  
sius damnum non modicum et gravamen; & ne jus suum prosequeretur ulterius,  
fecistis eundem carcerali custodiæ mancipari, & tandem super dictis terris & tene-  
mentis quoddam iniquum reddi iudicium contra eum. Cumque postmodum à car-  
cere liberatus vos requisivisset instanter & pluries, quod ipsum de jure suo curaretis  
audire, & super petitione sua quam faciebat de prædictis terris & tenementis sibi fa-  
cere jus & iustitia complementum; offerens se paratum docere de prædicto jure suo, per  
litteras & alia documenta, vos omnia illa sibi facere, contra jus et iustitiam recusa-  
stis (ut dicit.) Propter quæ prædictus Magdolphus à gravaminibus antedictis, nec-  
non & à prædicto iudicio, tanquam ab iniquo, & à juris defectu seu juris denega-  
tione per vos sibi factis, ad vos, ut ad Superiorem ipsius regni Scotiæ Dominum,  
appellabit; petens et supplicans per nos, in vestri defectum, sibi iustitiam exhibe-  
ri,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

ri, secundum quod (ratione supertozis domini quod in eodem regno habemus) ad nos dimittitur pertinere. Verum cum iusta petentibus non sit denegandus auditus, propter quod alias vobis mandaverimus per literas nostras quas penes vos habere credimus, quod essetis coram nobis in Crastino Sancte Trinitatis proximo preterito, ubicumque tunc fuissetis in Anglia, prefato Magdolpho in premissis responduri, et in dicta causa appellationis (prout iustum fuisset) processuri, facturi et recepturi quod iustitia suaderet; vos coram nobis ad prefatum terminum non venistis ad premissa facienda iuxta formam mandati nostri vobis prius inde directi, de quo miramur quamplurimum et mobermur. Et ideo adjoznavimus vos, quod sitis coram nobis a die Sancti Michaelis in 15 dies, ubicumque tunc fuerimus in Anglia, prefato Magdolpho super premissis responduri, et in dicta causa, prout iustum fuerit, processuri, facturi et recepturi quod iustitia suadebit. Et ad ostendendum, quare non fuissetis coram nobis in prefato crastino S. Trin. prout vobis mandatum fuit. Et quia, sicut dictus Magdolphus asseruit, quod vos super dictis terris & tenementis quoddam iniquum reddi fecistis iudicium contra eum, per quod presumitur, quod ante iudicium illud redditum, Recordum & processum aliqua inde debuissent procedi, vobis mandamus, quod Recordum et Processum illa, cum omnibus ipsa tangentibus, coram nobis ad prefatum terminum habeatis, ut eisdem Recordo et Processu inspectis, fieri faciamus partibus quarum interest iustitie complementum. Et habitis ibi hoc brevis. Teste G. de Thornewton, &c.

The King of Scots not then appearing, he was thereupon summoned to appear in Parliament in Michaelmas Term following; as *Placita Parliamentaria* thus further relate.

Domini Rex mandavit Vic. Northumbrie per breve suum, quod cum ex gravi querimonia Magdolpho filii Malcolmi Comitis de Fyff acceperat, quia cum idem Dominus Rex nuper dum erat apud Berewicurn super Twedam, dedisset venerabili patri W. Episcopo S. Andree, & sociis suis Custodibus regni Scotie in mandatis, ut de terris & tenementis Macdolpho predicti de Reris, de Crey, de quibus per predictum Episcopum tunc Custodem Comitatus de Fyff, conquirebatur se esse deserviatum injuste, sibi iustitiam exhiberent, & demum iuxta formam mandati predicti per considerationem predictorum Custodum seisinam terrarum & tenementorum huiusmodi recuperasset; Johannes Rex Scotie de eisdem terris & tenementis injuste disseisivit eundem, in ipsius damnum non modicum & gravamen. Et ne jus suum prosequeretur ulterius, fecit eundem carcerali custodia mancipari, et tandem super dictis terris & tenementis quoddam iniquum reddi iudicium contra eum. Et cum postmodum a carcere liberatus, predictum Regem requisivit instanter & pluries, quod ipsum in iure suo curaret audire, & super petitione sua, quam faciebat de predictis terris & tenementis, sibi facere ius & iustitia complementum; offerens se paratum docere de predicto iure suo per literas & alia legitima documenta. Idem Rex omnia illa, et contra ius, et iustitiam denegando facere recusavit. Propter quod mandatum fuit Vicecomiti predicto, quod predicto Regi Scotie literas Domini Regis in propria persona sua deferret, (insufficienti testimonio se cum adhibito, de adjoznavendo ipsum Regem, essendi coram Domino Rege ad hunc diem ad respondendum predicto Magdolpho super premissis; & ad faciendum & recipiendum ulterius quod iustitia requireret. Et modo venit predictus Rex, & predictus Magdolphus queritur, quod cum coram Episcopo predicto & sociis suis Custodibus regni Scotie seisinam de terris & tenementis predictis recuperavit, prefatus Rex de eisdem terris & tenementis injuste disseisivit eundem, &c. (as before, p. 536.) Et Rex Scotie dicit, quod ipse est Rex regni Scotie, nec predicto Magdolpho ad querelam suam, nec de aliquo regnum suum contingente ausus est respondere sine consilio proborum hominum regni sui. Et predictus Magdolphus petit iudicium de ipso Rege tanquam de indefenso, ex quo presens est in Curia Regis per adjornamentum ei factum per breve Domini Regis, quod agnovit se recepisse, nec aliquid ei respondet. Et super hoc dictum est eidem Regi Scotie per Dominum suum Regem Anglie, quod idem Rex Scotie est homo suus ligeus de predicto regno Scotie, de quo tenet ei homagium et fidelitatem, et est coram eo hic adjornatus, quod respondeat vel dicat, quare non sit, vel non debet hic coram eo respondere. Et idem Rex Scotie dicit sicut prius dixit, quod de aliquo regnum suum contingente non est ausus, nec potest hic respondere inconsultis probis hominibus Regni sui: Dictum est eidem, quod requirat alium diem ad consulendum si voluerit: Qui precise respondet, Quod nullum diem requireret, nec

Placita coram ipso Domino Rege & Consilio suo ad Parliamentum suum post festum S. Michaelis regni Regis Edwardi 1. 21 See Ryley p. 157, 158, Sec.



An. 21 E. 1.

aliquod adjornamentum hic admittet. Et habito super hoc consilio & tractatu diligenti cum Archiepiscopis, Episcopis, Comitibus, Baronibus, Thesaurario & Baronibus de Scaccario, Justiciariis & ceteris de Concilio Clericis & Laicis tunc ibidem presentibus; Concordatum est, quod cognitio querelæ principalis remaneat Domino Regi; et quod prædictus Rex Scotiæ erga prædictum Magdolphum remaneat indefensus. Et etiam quoad hoc quod idem Rex Scotiæ coram ipso Rege dixit, quod non ausus fuit nec potuit hic respondere, inconsultis probis hominibus regni seu de aliquo regnum suum tangente, nec ad consulendum diem petere voluit, nec aliquod ajornamentum inde admittere, nec aliquid ostendere vel dicere pro se, quare hic respondere non deberet; In elusionem et enervationem jurisdictionis superioritatis dominii sui, et lisionem Regiæ dignitatis et Coronæ suæ, pro eo quod se modo coram Rege in Curia sua non responsibilem in præmissis standi recto facit, contra hoc quod alias coram Rege in Curia sua in petendo regnum Scotiæ, et etiam in respondendo aliis jus bendicantibus in eodem, & etiam in quibusdam jus vendicantibus in partem ejusdem respondit, & ibidem justitia complementum recepit: Et sic est contemptus manifestus et inobedientia expressa: Consideratum est, quod prædictus Magdolphus quoad imprisonment recuperet dampna sua versus Regem Scotiæ tanquam indefensus, ut prædictum est, taxanda per discretionem Curie. Et quod Dominus Rex inquirat secundum consuetudinem et ususagium patris, si prædictus Macdolphus tenementa, de quibus modo querebatur se disseisiri, recuperabit in Curia Regis per iudicium ejusdem Curie, sicut dicit; & postea per Regem Scotiæ de eisdem disseisitis fuit sicut queritur, necne. Et idem Rex Scotiæ in misericordia. Et quoad inobedientiam & contemptum Domino Regi facta ut prædictum est; quia idem Rex Scotiæ occasione posse suæ regalitatis præmissa præsumpsit, et juri consonum est, quod quislibet puniatur in eo, quod ei præbet audaciam delinquendi. Consideratum est similiter, quod tria principalia Castra regni sui Scotiæ cum distis in quibus eadem Castra sita sunt, cum jurisdictione Regali in eisdem, seiscantur in manum Domini Regis, et seiscita remaneant quousque de contemptu et inobedientia prædictis eidem Domino Regi satisfecerit. Postea venit prædictus Rex Scotiæ ante pronuntiationem prædicti iudicis coram Domino Rege & Consilio suo, et recitavit Domino Regi quandam supplicationem ore suo proprio per verba subscripta, & eadem verba in quadam scedula scripta per manum suam porrexit, &c. *Dirre j'en sup bestre home du Roialme Descoce, et vous prie, &c.* (as before, p. 536, 537.) Et Dominus Rex habito super hoc Consilio, adrogatum prædictum prædicti Regis Scotiæ, & etiam ad instantiam Procerum & Magnatum de Consilio suo, ex gratia sua speciali, & similiter de consensu prædicti Magdolphi, concessit ipsi Regi Scotiæ supplicationem suam prædictam, et diem ei debuit ad Parliamentum suum post Pascham, viz. in crastino S. Trinitatis, &c. in omnibus in eodem statu, quo nunc. Idem dies datus est Magdolpho, &c. Et per ipsum Dominum Regem Angliæ dictum est præfato Regi Scotiæ & injunctum, quod habeat ad præfatum terminum prædicta Brevia, qua cognovit se recepisse, ut supradictum est, &c.

Et sciendum, quod prædicta processus & Recordum per manus Gilberti de Rouberry liberantur Gilberto de Thornton & sociis suis, ut coram eis in eisdem procedatur, & partibus fiat justitia prout de jure & secundum consuetudinem Regni fuerit faciendum.

The Abbot of Redyng of the Kings ancestors foundation, without consent of the major part of his Covent or of the King, alienating to the Archbishop of St. Andrewes the Priory of May in Scotland, which David King of Scots had settled on the Abbot, Covent and their Successors, to pray for the souls of him and his ancestors, to the prejudice and disinherittance of the King, as well as of the Abbey; the King of Scots refusing to do them justice therein, upon pretext, that the Archbishop of St. Andrewes had appealed to the Pope, the King the same year, as Superior Lord of Scotland, upon their appeal to him for Justice in this case, issued these two memorable Writs to the King of Scots to appear before him in England by a day, and ordered the Sheriff of Northumberland to summon him accordingly, to answer this his neglect of doing them right before the King, who would determine this case by his Sovereign authority.

Rot. Scotiæ,  
An. 21 E. 1.  
m. 3.

**R**EX, &c. Superior Dominus regni Scotiæ, dilecto & fideli suo J. eadem gratia Regi Scotiæ illustri, salutem. Fratre Alano de Eston. & Magistro Hugone de

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

de Saunford Procuratoribus sive Attornatis Religiosorum virorum Abbatis & Con-  
ventus Monasterii Radyng. quod de elemosinis progenitorum nostrorum Regum Angliæ  
& nostris est fundatum, exponentibus ut accepimus, quod cum celebri memoria Dominus  
David quondam Rex Scotiæ prædecessor vester, Monasterium prædictum & Monachis  
ibidem tunc Deo servientes & successores suos de Prioratu de May cum pertin. Diocē-  
sis Sancti Andree infra regnum vestrum, per cartam suam in liberam, puram & perpe-  
tuam elemosinam fecisset; Ita videlicet, quod iidem Monachi & successores sui Pri-  
oratu prædicto, per novem de Commonachis suis Sacerdotibus pro anima præfati Regis  
David & animabus prædecessorum & successorum suorum Regum Scotiæ divina cele-  
brantibus imperpetuum, facerint deserviri, & præfati Monachi successoresque sui Pri-  
oratu prædictum cum omnibus suis pertin. per seoffamentum huiusmodi semper pacifi-  
cè tenuissent, quousque quidam Robertus de Burghgate nuper Abbas Monasterii præ-  
dicti Abbatis Prioratu prædictum dissentiente maiore & saniore parte Conventus sui,  
vobisque inconsultis, venerabili patri Willielmo Episcopo Sancti Andree alienavit,  
in nostri præiudicium, et exheredationem dicti Monasterii manifestam: Cumque  
iidem procuratores sive attornati ad vestram præsentiam accesserint, & vos instanter &  
pluries requisierint, quod ipsos in iure prædictorum Abbatis & Conventus curaretis au-  
dire, & super petitione sua quam faciebant de Prioratu prædictorum pertin. sibi facere  
ius & iusticia complementum, offerentes se paratos docere de prædicto iure ipsorum Ab-  
batis & Conventus in forma debita coram vobis, vos habito processu diutino super præ-  
missis inter partes memoratas coram vobis, prætextu cuiusdam appellationis confictæ  
ab audientia vestra per præfatum Episcopum ad sedem apostolicam interjectæ, cui  
minus provide, ut dicitur, detulistis, in ipso negotio ulterius procedere non curan-  
tes, eidem procuratoribus sive attornatis audientiam in hac parte, contra iusticiam  
denegastis; propter quod iidem procuratores seu attornati nomine prædictorum Abbatis  
& Conventus, a iuris defectu, seu iusticiæ denegatione, a vobis ad nos, ut ad supe-  
riorem ipsius Regni Scotiæ Dominum appellarunt, petentes et supplican-  
tes per nos in vestri defectum sibi iusticiam exhiberi. Iuxta quod ratione superio-  
ritatis domini quod in eodem regno habemus ad nos dinoscitur pertinere. Cum  
igitur iuxta petentibus non sit denegandum auditus, & in exhibenda iusticia sumus omni-  
bus debitores, vos adjornamus, quod sitis coram nobis à die Sancti Martini proximo fu-  
turo in 15. dies, ubicumque tunc fuerimus in Anglia, responsurus prædicti Abbati &  
Conventui super præmissis, & facturus & recepturus quod iustum fuerit, quem diem  
eidem Abbati & Conventui assignavimus coram nobis, ad faciendum et recipiendum  
similiter in eisdem quod iusticia suadebit. In cuius, &c. Teste Rege apud Dunton:  
secundo die Septembris.

**R**EX, &c. Superior Dominus Regni Scotiæ, Vicecomiti Northumbr. salutem. Ibidem.  
Frate Alano de Elton, & Magistro Hugone de Saunford Procuratoribus sive  
Attornatis Religiosorum virorum Abbatis & Conventus Monasterii Radyng. quod de  
elemosinis progenitorum nostrorum Regum Angliæ & nostris est fundatum, exponentibus  
accepimus, quod cum celebri memoria Dominus David quondam Rex Scotiæ Monaste-  
rium prædictum & Monachos ibidem tunc Deo servientes & successores suos de Pri-  
oratu de May, cum pertin. &c. (verbatim as in the former Writ, to pertinere.) Cum  
igitur præfatum J. Regem Scotiæ per literas nostras patentes quas sibi per te vel alios ad  
hoc sufficientes volumus presentari, adjornemus, quod sit coram nobis à die Sancti Mar-  
tini proximo futuro in 15. dies, ubicumque tunc fuerimus in Anglia, responsurus præ-  
fatis Abbati & Conventui super præmissis, & facturus & recepturus quod iustum fue-  
rit, quem diem eidem Abbati & Conventui assignavimus coram nobis, ad faciendum  
et recipiendum similiter in eisdem quod iusticia suadebit: Tibi præcipimus firmiter in-  
jungere, quod prædictas literas nostras in propria persona tua præfato Regi deferas, &  
præfatis, sufficienti testimonio tecum adhibito, seu per alios ad hoc idoneos quod præsen-  
tationem earundem literarum cum eidem Regi facta fuerit sufficienter testificari valeant,  
sibi deferri facias ac etiam presentari. Qualiter autem hoc mandatum nostrum fuerit  
executum, nobis prædictis die & loco per literas tuas distinctè & apertè certifies: Remit-  
tens nobis hoc breve. Teste ut supra.

The like Writs in effect the King, as Superior Lord of Scotland, issued to the King  
of Scots and Sheriff of Northumberland, upon the complaint of the Bishop of  
Bbbb 2 Durham



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 21 E. 1. *Durham*, for refusing to do him Justice in his Court for certain Villages belonging to his Bishoprick, which he there demanded of him in a legal manner.

Rot. Scotiz,  
An. 21 E. 1.  
nu. 36.

**R**EX & Superiour Dominus regni Scotiz, dilecto & fideli suo J. eadem gratia Regi Scotiz salutem. Quicquid venerabilis patris A. Dunolmenis Episcopi recepimus continentem, quod cum ipse villas de Berewyk, & de Hadington cum pertin. ut jus Ecclesia Dunelmensis a vobis petivisset, & cum magna instantia pluries vobis supplicasset, quod et inde in Curia vestra iusticiam fieri faceretis; Vos id ei facere denegastis, et in iusticia super hoc exhibenda totaliter desististis, propter quod idem Episcopus Nobis ut superiori Domino regni Scotiz cum instantia supplicabit, ut sibi super hoc in vestri defectum iusticiam fieri faciamus. Nos igitur qui sumus et esse debemus, singulis de potestate et dominio nostro in exhibenda iusticia debitores, adjornamus vos quod sitis coram nobis in crastino Sancti Johannis Baptiste, ubi cumque tunc fuerimus in Anglia, prefato Episcopo super premissis responsuri, & ulterius facturi & recepturi, quod Curia nostra consideraverit in hac parte. Et habeatis ibi hoc breve. Teste Rege apud Cantuar. 21 die Aprilis.

Et mandatum est Vicecomiti Northumbr. quod predictas literas in propria persona sua prefato Regi deferat & presentes, sufficienti testimonio secum adhibito, seu per alios ad hoc idoneos qui presentationem earundem literarum cum eodem Regi facta fueris sufficienter testificari valeant, sibi deferri faciat, ac etiam presentari. Et qualiter hoc mandatum Regis fuerit executus, Regi predictis die & loco per literas suas distinte & aperte certificet. Et hoc breve Regi remittat. Teste ut supra.

Thus did King Edward the 1. as Superiour Lord of Scotland in that age, exercise a Sovereign authority in and over the King, Clergy and kingdom of Scotland, in causes and inheritances which concerned the Church, Clergy, or Religious persons, as well as in secular mens cases, notwithstanding any pretences, or Appeals to Rome, where Justice was delayed, or refused to them by the King of Scots, whereof there are sundry presidents in the Patent and Plea Rolls of Scotland in this and succeeding years, which I pretermite.

In the Parchment Book and Collection of the Pleas and Petitions in the Parliament of 21 E. 1. in the Tower, I finde sundry memorable Judgements and Answers given in maintenance of the Kings Sovereign Ecclesiastical Jurisdiction, against divers encroachments on it. The first is upon the petition of *John de Waren*, who by vertue of the Kings Charter to him of Lands in *Wales*, claimed the custody of the Temporalties of the Bishoprick of *St. Asaph*, within his Seignoury of *Bromesfeld*, during the vacancy.

\* Placita Parl.  
An. 21 E. 1.  
nu. 5. Ryley  
p. 119.  
De Com. Waren petente custodiam terrarum de Episcopatu de S. Asaph spectantium, infra dominium de Bromesfeld existentium.

\* *Johannes de Waren. Comes Surrey & Suffex. supplicavit Domino Regi, quod cum idem Dominus Rex terras de Bromesfeld cum omnibus suis pertinentiis eidem Comiti concessisset & dedisset, tenend. sibi & heredibus suis, cum omnibus juribus et libertatibus ad easdem terras pertinentibus, adeo libere et quiete sicut Domini terrarum illarum terras illas, antequam conquerebantur per ipsum Regem, tenuerunt. Et cum Domini illi ante conquestum terrarum illarum omni tempore vacationis Episcopatus de Sancto Asaph. custodiam omnium terrarum et tenementorum infra Dominium de Bromesfeld existentium, et ad predictum Episcopatum pertinentium habuerunt et habere consueverunt. Et cum sedes dicti Episcopatus jam sit vacans, propter quod custodia terrarum et tenement. infra Dominium de Bromesfeld existentium, et ad Episcopatum predictum spectantium, durante vacatione predicta ad ipsum Comitem pertinet, prout ad alios Dominos de Bromesfeld hactenus pertinuit: quod Dominus Rex custodiam earundem terrarum et tenement. infra Dominium suum predictum existentium, et ad Episcopatum predictum spectantium, et quæ terræ et tenementa per mortem ultimi Episcopi loci predicti seista fuerant in manum Domini Regis, sibi velit reddere, &c. Ad quam supplicationem per ipsum Dominum Regem et Consilium suum unanimiter est concepitum et responsum; Quod custodia omnium terrarum et tenement. ubique existentium, ad Episcopatus antiquos infra regnum suum existentium, tempore vacationis eorundem Episcopatum ad ipsum Dominum Regem ratione Coronæ et Dignitatis suæ pertinent, ut de jure Coronæ suæ, et non ad alium, licet*

licet terræ aut tenementa aliqua eidem Episcopatibus pertinentia infra libertatē An. 21 E. 1.  
 tem seu dominium aliorum fuerunt seu extra; et licet Domini terrarum de  
 Bromesfeld aliquo tempore vacationis Episcopatus prædicti custodiam terrarum  
 et tenement. ad prædictum Episcopatum pertinentium, et infra dominium suum  
 existentium usurpaverunt, et attraxerunt temporibus aliquorum Principum  
 Wall. super ipsos Principes; Dominus Rex nunc per Conquestum suum terras  
 de Bromesfeld, simul cum aliis terris et tenement. quæ Dei auxilio conquestus  
 est in partibus prædicti. et quæ Principes Wall. tenuerunt, reperquisivit, et Coronæ  
 suæ annexit adeo integre et plenarie, cum omnibus suis iuribus et libertatibus,  
 sicut terræ et tenementa illa Coronæ Angliæ annexa fuerunt, antequam in ma-  
 nus Principum Wall. debuerant, et sicut cetera tenementa in regno ubicunque  
 ad quoscunque Episcopatum pertinentia de eadem Coronā tenentur; et de iure  
 Coronæ et etiam de communi consuetudine regni, custodiā omnium terrarum et  
 tenement. quorumcunque Episcopatum in regno existentium tempore vacationis  
 eorundem Episcopatum, ad ipsum Dominum Regem, et non ad alium in regno  
 pertineat. Et licet Dominus Rex concederet & daret præfato Comiti terras de Bromes-  
 feld cum omnibus suis pertinentiis; non tamen per hoc intelligendum est, quod Do-  
 minus Rex dedit et libertates et iura ad Coronam et Dignitatem suam perti-  
 nentia, et quæ de Coronā non poterunt seperari; veluti custodiā Episcopatum  
 seu terr. et tenement. ad Episcopatum pertinentiam. Et similiter quia Comiti  
 Glouc. & aliis clamantibus nuper custodiā quarundam terrarum ad Episcopatum  
 Landafi. existentium, & infra Dominium suum existentium tempore vacationis ejusdem  
 Episcopatus ad se pertinere, de communi consilio responsum fuit; Quod in custodiā  
 Episcopatum tempore vacationis eorundem, seu terrarum et tenement. aliquo-  
 rum ad eisdem Episcopatum pertinentium, licet infra Dominium suum extiterint,  
 nichil clamare poterunt propter privilegium Regum et Coronæ dignitates  
 ad quam specialiter pertinet Episcopatum vacantium custodiā, dictam est præ-  
 fato Comiti Waren. quod ad istam suam Petitionem nichil sibi fiet plus quam  
 illis fidebat, quia de similibus simile est iudicium. An observable Judgement in  
 ratification of the Kings Prerogative over all Bishopricks both in Wales and England  
 during their vacancies, incommunicable to any Subjects.

The second Judgement is that upon the Petition of the Earl of Gloucester. \* Hum- \* Placita Parl.  
 fridus de Bohun Comes Heref. & Essex. supplicavit Domino Regi, quod cum bona An. 21 E. 1.  
 memoria Thomas Episcopus Menevensis ultimo defunctus, quadam Maneria de eodem nu. 10. Ryley  
 Comiti & infra libertatem suam de Breghenough tempore suo tenuerit, quorum custodiā p. 128. De  
 ad ipsum Comitem durante vacatione sedis Episcopatus prædicti, ratione tenuræ Petitione  
 prædicti, infra Dominium suum pertineat, & quorum custodiā Ballivi ipsius Domini Com. Heref.  
 Regi in partibus illis in manum suam seiserunt & tenent, in exheredationem ipsius Co- de Custodiā  
 mitis, quos Dominus Rex custodiā eorundem Maneriarum sibi reddere velit. quorundam  
 Propter quod Dominus Rex habito super hoc tractatu diligenti cum Consilio suo, per testi- de Episcopa-  
 monium fidedignorum tam de Consilio suo, quam aliorum, intellexit, quod prædict. Epis- tus Meneven.  
 copus dum vixit omnino deadorabit tam Maneria quæ sunt de Episcopatu prædicti. habenda.  
 infra prædict. libertatem, quam alibi ubicunque de alio quocunque tenere, præterquam  
 de Domino Rege et hæredibus suis ut de Coronā. Et si Dominus Rex custodiā  
 Maneriarum illorum quæ sunt infra libertatem prædicti. Comitis prædicti. ei modo  
 liberaret, sic Ecclesiam prædictam quam idem Dominus Rex sede vacante in om-  
 nibus tenetur conservare illam, et iura et libertates suas contra quoscunque  
 defendere, in servitutem redigeret; maxime cum præfatus Episcopus dum vixit  
 Maneria illa de eodem Comite tenere deadorabit. Et similiter, cum custodiā  
 Episcopatum, Maneriarum et terrarum, et aliorum quorumcunque ad Episco-  
 patum spectantium, ut de iure Coronæ, et ratione Prærogativæ et Dignitatis suæ  
 ad ipsum Dominum Regem et non ad alium pertineat; Concedatum est, quod  
 prædicti. Comes quoad istam suam supplicationem nichil capiat, &c.

The third, is the sentence given against the Bishop of London, who presuming in  
 the presence of the Justices of the Kings Forest, and other Nobles at Chelmsford  
 in Essex, to excommunicate John de Peulesdon, and those who kept company with  
 him, and to take away a Writing under the Seal of the Official of the Archbishop of  
 Canterbury, then produced by him in open Court to justify himself, and declare the  
 Bishops sentence void; who refused to restore it to him, though frequently requi-  
 red



An. 21 E. 1. red, to the manifest contempt of the King and his said Court, was thus petitioned and proceeded against for this misdemeanor in the same Parliament.

\* Placita Parl.

An. 21 E. 1.

nu. 6. Ryley

p. 120. 121.

Querela J. de

Peuleldon ver.

fus Episcopum

London.

*Magister Johannes de Peuleldon queritur Domino Regi de hoc, quod cum ipse nuper primo die Itineris Rogeri Extranei & soc. suorum Justic. Domini Regis de Fe. resta, apud Cheelmenford in Com. Essex. in pace Domini Regis venisset, & coram eisdem Justic. se inter alios fideles Domini Regis optulisset, Richardus de Graneshed Episcopus London. ibidem in presentia eorundem Justic. et aliorum Epagnatum ad communem summonitionem ejusdem Itineris presentium, publice denunciavit ipsam Johannem una cum secam communicantibus excommunicari: propter quod idem Johannes quandam literam Episcopi Offic. Cur. Cant. signatam, quam penes se habuit, in plena Curia Regis ibidem porrexit capitali Clerico Justic. pradi. legendam, ad famam et statum suum clarificand. et ostendend. Curia et fidelibus Domini Regis ibidem existentibus, quod sententia pradiati Episcopi ipsam in nullo ligabit; quam quidem literam prafatus Episcopus statim de manu pradiati capitalis Clerici cepit et asportavit contra voluntatem ipsius Johannis, licet scilicet per ipsum Johannem ex parte Domini Regis inhibita fuisset, ne pradiatus Episcopo litera pradiata liberaretur, et etiam contra voluntatem pradiati capitalis Clerici, cum idem Clericus ipsam Episcopum scilicet rogavit, quod pradiatam literam ei tradere et rehabere faceret: in contemptum Domini Regis et Curie sue pradiat. manifestum, et etiam ad dampnum ipsius Johannis non modicum et grabamen, &c.*

*Et pradiatus Episcopus venit & defendit, quicquid est in contemptum Domini Regis et Curie sue pradiat. Et bene cognoscit, quod pradiatus Johannes pradiat. die in presentia Justic. pradiat. quandam literam porrexit & tradidit capitali Clerico Justic. legendam: sed dicit, quod litera illa lecta non fuit. Immo ipse incontinenti postquam litera illa in manum dicti Clerici devenit, cepit literam illam penes se. Et quia inspecta litera illa, eadem litera sibi ipsi per Offic. Cantuar. dirigeretur, ad quamdam Officium suum tangentia exequenda, idem Episcopus literam illam penes se retinuit, et adhuc retinet: Et profert eandem literam in pleno Consilio. Qua lecta & audita, manifeste patet, quod eadem litera ipsi Episcopo dirigeretur per Offic. Cur. Cantuar. unde dicit, quod eo quod litera illa ipsum tangebatur, intellexit, quod absque contemptu Domino Regi, seu injuria aliqua alicui alio facienda bene potuit eam penes se retinere. Et super hoc idem Episcopum quaesitum, Utrum pradiata litera in prafata Curia Domini Regis per pradiatum Johannem porrecta fuit prafato Clerico legenda, ad famam et statum ipsius Johannis clarificandam, an tradita eidem Episcopo per prafatum Johannem Clericum, ut idem Episcopus literam illam executioni demitteret? Dicit, quod porrecta fuit prafato Clerico Justic. legenda, & quod ipse de manu ipsius Clerici eandem literam cepit. Quaesitum etiam, si pradiatus Clericus Justic. vel etiam si prafatus Magister Johannes aliquo tempore postea ipsum Episcopum rogarunt, quod literam pradiatam sibi liberaret & rehabere faceret? Dicit revera, quod bene intendit, quod de hoc & per Clericum Justic. & per pradiatum Magistrum Johannem rogatus fuit. Et quia dictus Episcopus expresse cognoscit, quod pradiata litera in plena Curia Domini Regis coram prafatis Justic. porrecta fuit, et Clerico eorundem Justic. ad legendum tradita: et idem Episcopus literam illam antequam lecta fuit, de manu pradiati Clerici cepit et secum asportavit, et hucusque detinuit: nec idem Episcopus devocere potest, quin litera illa porrecta fuit legenda ad famam et statum pradiati Magistri Johannis clarificandam, et non ut idem Episcopus ratione illius literae sic porrectae aliquid quod ad officium suum pertinet tunc exqueretur: Et etiam, quia idem Episcopus similiter cognovit, quod pradiatam literam detinuit postquam per prafatos Clericos ab eo pettum fuit, quod illam eis liberaret et rehabere faceret. Et hoc manifestus patet per hoc, quod literam illam hic secum detulit. Et sic contemptum expresse fecit Domino Regi et Curie sue pradiat. tam in hoc, quod literam pradiat. de manu Clerici Justic. pradiat. cepit antequam legeretur, contra voluntatem pradiati Magistri Johannis illam liberantis, qualitercunque ipsi Episcopo dirigeretur, cum non fuit porrecta ibidem ad officium ipsius Episcopi exercendum; quam in hoc, quod literam illam detinuit postquam pettum fuit ab eodem per Clericum Justic. a quo illam in plena Curia cepit quod illam ei restitueret. Consideratum est, quod pradiatus Episcopus remaneat pro transgressione pradiat.*

ad voluntatem Domini Regis puniendus. Et Dominus Rex penes se ipsam p<sup>re</sup>nam illam retinet indigendam. Et similiter, Dominus Rex vult et p<sup>re</sup>cipit, quod p<sup>re</sup>dicta littera p<sup>re</sup>dicto Magistro Johanni liberetur. Et quod quicquid per p<sup>re</sup>dictum Episcopum aut suos in dampnum et p<sup>re</sup>judicium p<sup>re</sup>dicti Magistri Johannis factum fuerit aut attemptatum contra tenorem littere p<sup>re</sup>dictae in aliquo, a tempore quo eadem littera in manu p<sup>re</sup>dicti Episcopi (ut p<sup>re</sup>dictum est) devenit, in qua p<sup>re</sup>dicta littera eidem Johanni p<sup>ro</sup>desse potuit aut valuisse, si littera illa penes ipsum Johannem remansisset, omnino annulletur. Et hoc per Dominum Regem eidem Episcopo dictum est, &c. Postea Dominus Rex ad Parlamentum suum post festum Sancti Michaelis eodem anno, ipsi Episcopo p<sup>re</sup>dictae transgress. de gratia sua speciali totaliter remisit. Ideo ipse inde quiescit & habeat litteram acquitancie. By this it is apparent, how contemptuous this Bishop in that age was to the King, his Temporal Courts and Judges, and how insolent, oppressive, vexatious to the Kings people.

The fourth is this memorable case, upon the Petition of Richard de Gloucester, for violating the privilege of the Kings Palace, Court, by serving a Bishops citation on him therein, against the privilege and dignity of his Crown, &c.

\* Richardus de Gloucester, Persona Ecclesia de Chepingnorton, qui sequitur pro Rege, queritur Domino Regi de hoc, quod cum nulli liceat p<sup>re</sup>terquam Beneficario et P<sup>re</sup>scall. dicti Domini Regis aliquem in Palatia seu in Hospitio Domini Regis summonire vel attrahi ad respondend. alicui de Placito aliquo, & idem Richardus ad Curiam Domini Regis nup<sup>er</sup> accessisset, ad remedium sibi impetrandum super quadam enormi transgressione sibi facta per Magistrum Willielmum de Chirington Clericum de Canc. ipsius Domini Regis, & alios Ministros Domini Regis, p<sup>re</sup>dictus Magister Willielmus die Jovis prox. post festum Translationis beati Thomae Martyris prox. p<sup>re</sup>teritum apud Cantuar. infra Hospitium Domini Regis ibidem, viz. in Capitulo Priozatus Sanctae Trinitatis, eidem Richardo quandam litteram citatoziam in p<sup>re</sup>sentia plurimorum fidedignorum de Consilio Domini Regis ibidem tunc existentium p<sup>ro</sup>grexit, et ipsum citavit, quod compareret certis die et loco coram Offic. de Arcibus London. ad respondend. super quibusdam in eadem littera contentis, in contemptum Domini Regis mille P<sup>re</sup>carum, et contra p<sup>re</sup>dictum et dignitatem Coronae suae, &c. Cum in p<sup>re</sup>sentia Regis omnes fideles sui et de pace sua existentes debeant pace gaudere, &c.

Et Magister Willielmus venit & defendit quicquid est in Contemptum Domini Regis, et contra p<sup>re</sup>dictum et dignitatem Coronae suae: Et bene cognoscit, quod ipse p<sup>re</sup>dictis die et Anno, et loco quandam litteram per Offic. p<sup>re</sup>dictae p<sup>re</sup>dicto Richardo directam detulit et ei liberavit, sed quod hoc in contemptum Domini Regis non fecit, nec aliquid facere intellexit, quod in aliquo cedere posset contra p<sup>re</sup>dictum et dignitatem Coronae, paratus est se acquiescere qualitercunque Domino Regi placuerit; Supplicat etiam Domino Regi, quod ad hoc si placet habere velit respectum: Quod p<sup>re</sup>dictus Richardus non est de Consilio, de Familia, aut Hospitio Domini Regis, per quod tali p<sup>re</sup>dictum gaudere posset, licet in Hospitio Domini Regis fuisset ut extraneus, nec per ipsum Regem aut aliquem de suis vocatus. Et etiam ad hoc, quod p<sup>re</sup>dict. Offic. est Minister p<sup>re</sup>dictae Ecclesiae Sanctae Trin. et de Ecclesia illa omnem suam habet auctoritatem, nec p<sup>re</sup>dict. Magister Willielmus intendit, quod sit intencionis Domini Regis, quod libertas Ecclesiae p<sup>re</sup>dictae in aliquo minueretur per ejus p<sup>re</sup>sentiam. Per quod videtur ipsi Magistro Willielmo, quod licet aliqua citatio p<sup>re</sup>dict. Richardo aut alii facta fuisset in p<sup>re</sup>dicta Ecclesia, bene et licite posset fieri, cum Ecclesia illa potius libertate sua in se ipsam gaudere debeat quam in locis remotioribus. Postea per transcriptum p<sup>re</sup>dictae litterae quam p<sup>re</sup>dictus Magister Willielmus detulit p<sup>re</sup>dict. Richardo manifeste patet, quod quam cito idem Richardus litteram illam admittit, quod incontinenti citaretur. Et quia p<sup>re</sup>dictus Magister Willielmus cognovit, quod p<sup>re</sup>dictam litteram tradidit p<sup>re</sup>dicto Richardo p<sup>re</sup>dictae die et loco et infra hospitium Domini Regis, dictum est eidem Magistro Willielmo, quod non recedat a Curia, priusquam Dominus Rex super hoc sibi dixerit voluntatem suam.

By which Case, compared with that of the Prior of Trinity and Bogo de Clare a Here, p. 405, 406.  
forced, it is apparent: First, that the serving of any Bishops or Officials citation

An. 20 E. 1.

\* Plac. Parl. An. 21 E. 1. nu 9. See Ryley, p. 126, 127.



*An. 21 E. 1.* tion on any person, though not of the Kings Household, who resorts to the Kings Court to complain of injuries, and desire justice, not only in his own Royal palace, but whereever he resides in person with his Court, is an high contempt and offence against the Kings Crown and Dignity; even when and where there is no Parliament sitting, (as there was none at this time and place) as well as when and where a Parliament sits. Secondly, That Sir<sup>b</sup> Edward Cooke, and Mr.<sup>c</sup> Elsing were much mistaken, in the Case of the Prior of Trinity and Bogo de Clare, in asserting, that they were fined and sent to the Tower for breach of the Priviledge of Parliament, by serving a Citation on the Earl of Cornwall: when as their fine and imprisonment (as appears by that Record, and is more fully evidenced by this;) was only for their contempt against the King, in serving a Citation within his Royal Palace, where no man ought to be cited, nor arrested for any cause by any Officer, but only by the Kings Steward or Marshall, as I have<sup>d</sup> elsewhere largely evidenced.

b 4 Instit. p.

24.

c Manner of holding Parliaments, p.

144, 145.

d The fourth Part of a Brief Register, &c. p. 819, to 828.

1189, to

1190.

\* See here, p.

456, 457.

Placita Parl.

An. 21 E. 1.

nu. 17, 18.

Ryley, p. 135,

&c.

De Archiep.

Eborum de eo

quod excom-

municati fecit

Episcopum

Dunelm. pro

eo quod Bal-

livi sui cepe-

rant quosdam

nuntios ipsius

Archiepisco-

pi & impriso-

naverant apud

Dunelm.

The Fifth and most memorable case in this Parliament, is that of *John de Roman* Archbishop of *Yorke*, for his high misdemeanor and usurpation upon the Kings Crown and Dignity, in presuming the \* year before, to excommunicate *Anthony Bek* Bishop of *Durham*, whiles attending on the Kings person and service in the Northern parts, for his and his Servants imprisoning two of his Clerks for bringing a Citation to summon the Bishop to appear before him, and refusing to release them upon his Monitions and Interdicts, for which he was after long debate and consideration adjudged to be imprisoned, and forced to pay a Fine of 3000 Marks to the King, as this Record informs us.

*Johannes Archiepiscopus Eborum attachatus fuit ad respondendum Domino Regi, de placito, quare cum placita de imprisonment et aliis transgressionibus in regno Regis contra pacem Regis factis, ad Regem et Coronam et Dignitatem suam specialiter pertineant. Idem Archiepiscopus per Johannem Priorem de Bolton in Craveno Commissarium suum, in venerabilem patrem Antonium Episcopum Dunelm. dum nuper in partibus Bozealibus in obsequio Regis juxta latus suum per preceptum ipsius Regis sub protectione sua extitit, pro eo, quod Ballivi ejusdem Episcopi Willielmum de Wreton & Johannem Romayne apud Dunelm. inventos ceperunt et imprisonaverunt, Excommunicationis Sententiam, in Regis Contemptum, et Coronam et Dignitatem suam lacionem, et contra reverentiam Regi in hac parte debitam, fecit fulminari, et Sententiam illam executioni demandari, sicut ex relatu plurimorum fidedignorum accepit Rex. Propter quod idem Rex tantum contemptum et tantam irreverentiam sibi illata transire impunita sustinere non valens, maxime cum tam ipse Rex quam predictus Episcopus quantum in ipso fuit prefatis VVillielmo et Johanni de Imprisonamento predicto celeris justitie complementum, juxta regni consuetudinem, semper fuerunt parati exhibere, &c. Et unde Dominus Rex per Richardum de Bretenil, qui sequitur pro eo dicit, Quod predictus Archiepiscopus die Mercurii prox. ante festum S. Jacobi Apostoli, anno vicessimo apud Derlington, & die Jovis & die Dominica sequentibus apud Alverton, et in pluribus aliis locis Diocesis suae per predictum Johannem Priorem de Bolton Sententiam Excommunicationis in dictum Antonium Episcopum nuper in partibus Bozealibus in obsequio Regis, juxta latus suum per preceptum ipsius Regis, et sub protectione sua existentem, pro eo, quod Ballivi ejusdem Episcopi Willielmum de Wreton, & Johannem Romayn apud Dunelm. inventos ceperunt et imprisonaverunt, fecerit fulminari, et sententiam illam executioni demandari, in Regis Contemptum, et Regis Dignitatis lacionem, et contra reverentiam Regi in hac parte debitam, in despectum ipsius Regis 20. Mill. librarum. Et hoc offert verificare pro Domino Rege, &c.*

*Et Archiepiscopus venit & defendit omnem Contemptum, & totum, &c. Et dicit, quod ipse nihil fecit in contemptum Regis, nec contra dignitatem suam, nec fuit intentionis suae aliquid facere sibi attemptare contra Regiam Jurisdictionem. Et dicit, quod de sententia a Canone lata et per ipsum declarata, in Curia Domini Regis non debet respondere. Sed tamen salva libertate Ecclesiae suae ob reverentiam Domini Regis vult plane factum suum, et veritatem facti illius declarare, & non uti exceptionibus neque cavillationibus. Dicit enim, quod predictus Episcopus est Suffraganeus et subiectus suus, et tenetur obedire mandatis suis Canonici, et quod*

pro

pro eo, quod ei obtemperare noluit ut debuit in Canonicis mandatis, misit Clericos suos, viz. *prædictos* Willielmum & Johannem ad citandum prædictum Episcopum comparere. coram eo ad certos diem et locum inde responsurus. *Qui quidem Clerici capti fuerunt & detenti apud Dunelm. per ipsum Episcopum & Ministros suos.* Ita quod mandatum ipsius Archiepiscopi cononitum non fuit executum. Propter quod prædictus Archiepiscopus ut Pater filio, et Superiorem subiecto, et ut ille qui iuxta Officii debitum ad correctionem animæ debet operari, ad salutem animæ tantum, et non ad pecuniam pecuniariam sibi aliam, monuit prædictum Episcopum quod huiusmodi Clericos canonica mandata deferentes liberaret, et prædictam libertatem restitueret; vel causam ei significaret, quare hoc facere non deberet. *Qui quidem Episcopus illos nec deliberavit, nec causam significare curavit.* Propter quod prædictus Archiepiscopus ipsum iterato monuit, ut prædicta faceret sub pena suspensionis. Et prædictus Episcopus iterato inobediens huiusmodi facere omnino recusavit, inobedientiam suam multiplicando. Et prædictus Archiepiscopus tertio monuit prædictum Episcopum, ut sibi in prædictis mandatis Canonicis obediret sub pena declarationis sententiæ in eum a Canone latæ, propter huiusmodi manifestam Ecclesiasticæ libertatis lationem, et inobedientiam. Et prædictus Episcopus animo indurato tertio mandatis Archiepiscopi Canonicis non obtemperavit, propter quod incidit in sententiam a Canone latam, et ipse Archiepiscopus secundum quod officio suo incubuit, non in præiudicium Regis jurisdictionis, Privilegii sibi Dignitatis, declarationem prædictæ sententiæ debito modo sub tenore sequenti pronuntiari præcepit, &c. *\* Johannes* permissione divina *Eborum* Archiepiscopus, Anglia Primas, dilecto in Christo filio Priori de Bolton salutem, gratiam & Benedictionem. Cum dudum venerabilem fratrem Dominum A. Dunelm. Episcopum Suffraganeum nostrum primò sufficienter & legitime monuerimus, ac moneri tece-  
rimus, quod *Johannem de Amelia* auctoritate Apostolica Notorium publicum, & *Willielmum de Worleston* dictum de \* Pyk. Clericos nostros, quos ad suam præsentiam quam in Ecclesia Dunelm. iuxta sita Canonum reperiri credimus, cum nostris & Officialis nostri literis Mandata Canonica continentibus, destinaverimus; quousque *Johannes de Madeston* Constabularius Dunelm. & sui Complices ceperant & fecerant carcerali custodiæ mancipari, ipso Episcopo hoc mandante, vel quod suo nomine factum fuerat ex post facto ratum habente, liberaret & liberare faceret, ac restitui prædictæ libertati, dictis Clericis super violentia nobis Ecclesiæque nostræ *Eborum* de injuria & contemptu commissis pro facto huiusmodi satisfaceret competenter. *See Claus. 20 E. 1. dorf. 2 Brevi Regis An 30 E. 1. and Here, p. 456. 457. \* Pykering.* Sed dicto Episcopo monitis huiusmodi parere & ea facere negligente, seu penitus non curante, debita obedientia & salute sua propria nusquam memor, videm Episcopo per nostras alias Literas sub pena sententiæ suspensionis ab ingressu Ecclesiæ, quam in eum in scriptis pronuntiamus, si mandatis nostris omiserit obedire, ut dictos Clericos nostros, quos in carcere suo in Castro Dunelm. captivos notoriè detinebat, liberaret & permetteret illis abire, Eisque, nobis & Ecclesiæ nostræ prædictæ, pro commissis huiusmodi satisfaceret competenter & satisfieri procuraret. *¶* Ac ipse Episcopus commissam inobedientiam multiplicans, & velut *Assidit* à voce incantantium aures suas obturans, mandata sibi legitime destinata obaudiens, dictos Clericos non liberavit, sed captivos detinuit sicut prius. Propter quod tertio eidem Episcopo nostris adimus literis in mandatis, quod sub pena sententiæ Excommunicationis quam in scriptis in personam ipsius pronuntiamus, iusticia exigente, si mandatis nostris ultra contemptibiliter duxerit resistendum, quod prædictos Clericos de Captivitate huiusmodi liberaret, eosque liberè abire permetteret, eisdem, nobis & Ecclesiæ nostræ, quos notoriè contra Deum & iusticiam ac debitam obedientiam, & animam ipsius salutem confiteris offendisse, juxta juris exigentiam satisfaceret competenter. Verum dictus Episcopus, ut videtur, à fide recedens quæ debita obedientia roboratur, cum non nisi per inobedientiam scisma in Dei Ecclesiæ generetur, ac testante beato Gregorio; sola obedientia est quæ fidei meritum possidet, sine qua quisquis infidelis convincitur, etiam si fidelis esse videatur; mandatis nostris obedire contemptibiliter vilipendens, memoratos Clericos infra terminum ad liberand. sibi per nos juxta qualitatem negotii legitime deputatum, nullatenus liberavit; sed in Clerici opprobrium, totius Ecclesiasticæ disciplina contemptum, dictorum Clericorum, nostri & Ecclesiæ nostræ præiudicium & gravamen, eisdem post mandata nostratorum, ut prædictum, multiplicata, captivos sicut prius carceri detinuit diutius mancipatos, licet per remedium Curie secularis secundum Legem regum non ali-



*An. 21 E. 1.* *cujus nostri autoritate mandati eos denuo deliberasset. Propter qua non est dubium Episcopum antedictum in dictas Suspensionis & Excommunicationis sententias, ne pramissionur, rite latus merito incidisse. Et quia nichil obedientia prodesset humilibus, si contumacia contumacibus non obesset; Nos volentes per Censuram Ecclesiasticam ac ipsius executioni, quæ ab omnibus Catholicis est timenda, ipsius Episcopi culpis exigentibus pariter & offensis legitime procedere contra eum, ut ceteris devotis Ecclesia filiis innotescat dampnabilis status ejus, ne sua communicatione pestifera grex alterius inficiatur Dominicum, usque quem Dei timor à malo non revocet, hunc saltem cohibeat coercio Ecclesiastica disciplina, & rubore confusus ad satisfactionem veniam & debitam obedientiam compellatur; Vobis auctoritate nostra committimus, ut contra memoratum Episcopum ad declarationem sententiarum prædictæ, ac executionem ac publicationem earum sic debito procedatis, quod vestram debeamus industriam merito commendare: Denunciations & publicationes per vos vel per alium deputand. à vobis in Ecclesiis de Alverton & Derington, ac aliis locis solemnibus nostræ provincie quibus competentius poteritis Episcopum antedictum in dictas Suspensionis et Excommunicationis sententias incidisse, & eas (ut præmittitur) incurrisse. Ad quam executionem faciend. & omnia & singula ipsam contingentia secundum quod de jure fuerit faciend. ac etiam procedend. vobis plenam committimus potestatem. Et qualiter, &c. Unde fecit prædictus Archiepiscopus per nuntios suos Clericos & ministros Ecclesia mandata sua licita & canonica prædicto Episcopo tanquam Suffraganeo & subiecto suo destinavit. Ac idem Episcopus salvis suis immemor in obediendo eidem Archiepiscopo ut Superiorem et mandata sua canonica contempnendo, Nuntios, Clericos et Ministros ipsius Archiepiscopo, et Ecclesiæ suæ prædictæ, arrestari fecit et incarcerari. Et super hujusmodi inobedientia, Contemptu & transgress. pluries per ipsum Archiepiscopum esset ammonitus, ut per Superiorem suum, qui curam habuit et cuius interfuit subditi sui hujusmodi delicta corrigere et castigando emendare, ut prædictus inobedientiam, contemptum et transgressionem faceret emendare, vel causam facti sui ei significaret; Qui quidem Episcopus nec emendari inde facere curavit, nec causam facti sui significare: videbatur eidem Archiepiscopo, quod contra ipsum tanquam contra subditem suam contumacem inobedientem Transgressorem, et Mandatarum suorum canonicorum contemptorem sine Regis offensâ debite potuit et debuit procedere in forma prædicta. Et quoad hoc quod ei imponitur, quod fulminari præcepit sententiam in prædictum Episcopum dum fuit in servitio Regis per præceptum suum iuxta latus suum et sub protectione sua; Dicit, quod in hoc in nullo deliquit, eo quod eo tempore quo sententia lata fuit, fuit ipse Archiepiscopus in partibus transmarinis. Nec continetur in mandato suo, quod prædictus Prior hujusmodi sententias & denunciations pronuntiaret; nisi in locis debitis, in quibus competentius illas facere poterit, sine offensâ Auriæ, Ave Regis prædictæ. Et videtur quod ei imputari non debet, si prædictus Prior hunc Mandati sui excessit; unde dicit, quod per præmissa perpendi potest, quod non publicabit sententiam in ipsum Episcopum pro eo, quod Ballivi prædicti Episcopi ceperunt et detinuerunt prædictos Clericos, sicut Rex de Donni Regis requirit. Immo propter inobedientiam ipsius Episcopi manifestam. Et consideratis præmissis & ponderatis juxta intencionem suam & officii sui debitum in forma prædicta, supplicavit Domino Regi, quod ei et Ecclesiæ suæ prædictæ fiat Justitia cum favore et gratia in hac parte, &c.*

*Et Richardus de Bretenill qui sequitur pro Rege dicit. Quod prædictus Episcopus Dunelm. habet duos status, viz. Prælatum Episcopi quoad Spiritualia, & Statum Com. Palatii quoad ten. sua temporalia. Et dicit, quod licet prædictus Archiepiscopus ei præcipere possit, & Canonica mandata sua sibi transmittere in hiis quæ ad Ecclesiam suam pertinent, et Inobedientiam et Peccata subditarum suorum corrigere et emendare; Et idem Episcopus hujusmodi præceptis suis et mandatis teneatur ut Superiori suo obedire; et prout prædictus Archiepiscopus dicit; Tamen quantum ad ea quæ ad sedem Temporalia, quæ de Domino Rege tenet, spectant, et in quibus transg. quæcunque sunt ad ipsum Regem, sive ad Episcopum prædictum nomine Regis pertinent, audire et emendare, prædictus Archiepiscopus ratione officii sui Spiritualis nullam habet seu habere potest jurisdictionem; unde, desit prædictus Archiepiscopus cognoscere quod Laici Ministri ipsius Episcopi qui temporaliū rerum et ten. suorum habuerint administrationem, prædictos Clericos*

cos ceperunt, et in Castro ipsius Episcopi imprisonaverunt; Cujusmodi imprisonamenti cognitio ad Dominum Regem ratione dignitatis Regia, et non ad alium nisi ex Regia concessione, mere pertinet; Ac idem Archiepiscopus ipsos sic incarceratos per Censuram Ecclesiasticam liberare, et de iniuriis et transgressionibus factis eisdem emendas fieri precepit, maxime cum huiusmodi imprisonati sunt habent recuperare in Curia Regis et habere debent ibi, et non alibi, de iniuriis & dampnis quas sustinuerunt pro injusto Imprisonamento unusquisque pro se, eo quod huiusmodi delicta sunt personalia, tam in personis delinquentibus, quam in personis injuriam patientibus, nec etiam deducere potest, quin predictus Prior Commissarius suus in predictum Episcopum sub protectione Regis iuxta latus suum de precepto Regis in servitio suo existentem, in Contemptum Regis, et contra Coronam et dignitatem Regiam (ut prae. est) sententiam fulminabit, &c. pro eo quod predictus Episcopus predictos, &c. sic incarceratos per Laicos Ministros suos in ten. temporalibus deliberare, et dampna eisdem de Imprisonamento predicto satisfacere noluit, et sic in his quae ad Coronam et dignitatem Regiam pertinent, tanquam Judex temporalis Jurisdictionem quam non habuit nec habet exercuit, petit Iudicium de cognitione ipsius Archiepiscopi. Dies datus est predicto Archiepiscopo & Richardo de Bretenil qui sequitur pro Rege a die Pasche in Tres Septimanas coram Domino Rege ubique, &c. Postea a die Pasche in Tres Septimanas venit predictus Archiepiscopus coram Rege et ejus Consilio; Et idem Archiepiscopus quastus, Si quid plus velit dicere, vel aliud dicere sciat quam prius dixit; Dicit, quod predictus Episcopus Dunelm. duplicem Statum habet, unum viz. Temporalem quoad Baroniam quam tenet de Rege, & alium Spiritualem, de quo ei tenetur in obedientia. Et dicit, quod ratione Temporalitatis non debet ei minus obedire in Spiritualibus. Et quia predicti Clerici sui capti fuerunt & imprisonati per Ministros ipsius Episcopi quos miserit tantummodo ad mandata canonica deferenda, ac idem Episcopus contemptuose mandatis suis Canonicis disobediendo ad monitionem suam eosdem Clericos deliberare non curavit, videbatur ei, quod sententiam in quam a Canone incidit ex hoc facto in ipsum declarare potuit, & similiter promulgare. Quastus, si prisona illa in qua Clerici illi detinebantur, sit prisona pertinet ad Baroniam ipsius Episcopi, an ad Spiritualitatem? Et si imprisonati quicunque & in prisona illa detenti deliberari debent & consueverunt per Ministros ipsius Episcopi, secundum legem & consuetudinem Regni? Dicit, quod non potest deducere, quin infra Castrum quod est de Baroniam sit prisona illa, & quod ibidem fuerunt imprisonati; Et quod quicunque ibidem imprisonati deliberari debent & consueverunt per Laicos Ministros ipsius Episcopi secundum Legem & Consuetudinem Regni. Quastus etiam, si prisona illa tempore vacationis Dunelm. sit in custodia Domini Regis, sive in custodia Custodis Spiritualitatis? Dicit, Quod in Custodia Regis, set semper, ut dicit, quod quacumque prisona detinebantur, ex quo Clerici sui fuerunt, & Canonica mandata deferentes (ut predictum est) & per ministros sui Suffraganei capti, videbatur ei quod ad mandatum suum debuit eos deliberasse. Et hoc ad ipsum pertinet eidem Suffraganeo suo demandare ratione obedientie sibi debita. Et quia predictus Archiepiscopus in propria persona sua manifeste cognoscit, quod Episcopus Dunelm. duplicem habet Statum, scilicet, Spiritualem & Temporalem; Et quod ad Statum illum Temporalem Incarcerationes & Imprisonamenta per Ministros ejusdem Episcopi pertinent facienda, & etiam deliberationes prisonum quorumcumque ad Ministros ejusdem Episcopis ratione Temporalitatis ejusdem, secundum legem & consuetudinem Regni; Et quod Prisona in qua detinebantur est infra Castrum quod est pertinet ad Baroniam, in qua quidem Prisona predicti prisonos detinebantur; Et hoc idem Archiepiscopus ore propria sufficienter fatetur dicendo, quod tempore vacationis prisona illa ratione Baroniam & temporalitatis predicta, est & esse debet in custodia Regis, & non in custodia Custodis Spiritualitatis; Et similiter in Litera predicti Archiepiscopi, quam cognovit & advocavit, expresse continetur, Quod predicti Prisonos capti fuerunt per Constabularium & Laicos Ministros ipsius Episcopi; Custodes predictae Prisonae, & in absentia ipsius Episcopi; & ex praemissis clare sequitur, quod idem Archiepiscopus per literas suas, quas per vices diversas praefato Episcopo mandavit, qualitercumque illas modo nescitur roborare, ratione alicujus obedientiae Spiritualis, intendebat artare ipsum Episcopum ad deliberandum predictos prisonos, nullo respectu habito ad personas eorum per quos capti fuerunt, maxime cum essent Laici et Ministri



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Nota.

\* Nota.

Nota.

nistri Temporalitatis, vel ex qualicunque causa capti fuerunt, aut in cuiusmodi persona detinebantur, vel ad quem deliberatio eorum pertinebat; Quæ quidem deliberatio ad Dominum Regem ratione dignitatis Regiæ, sive illis quibus per Regiam dignitatem talis libertas concessa est, tantummodo pertinet secundum legem et consuetudinem regni, et non ad alium ratione alicujus Spiritualitatis.

\* Videtur Domino Regi in pleno Parlamento suo prædict. Com. Baron. Justic. et similiter toti Consilio ipsius Domini Regis, quod prædictus Archiepiscopus, quantum in ipso fuit, nitetur occupare et usurpare super Coronam Regiam et Dignitatem in casu isto deliberationis imprisonmentum, contra legem et consuetudinem regni, et contra fidem in qua idem Archiepiscopus Domino Regi et Coronæ suæ astringitur, ad exheredationem Domini Regis et hæredum suorum manducam. Propter quod per Com. Baron. Justic. et omnes alios de Consilio ipsius Domini Regis unanimiter concordatum est, quod prædictus Archiepiscopus committatur personæ pro offensa et transgressione prædictis. Et super hoc ante Iudicium pronuntiatum, licet unanimiter de Consilio prædict. Magnatum et aliorum concordatum fuisset tenend. in hoc casu, et similiter in casibus consimilibus impetuum, prædictus Archiepiscopus, Magnates, et alios de Consilio ipsius Domini Regis rogabit, quod pro eo Dominum Regem requirerent, ut ante pronuntiationem Iudicii ipsum ad gratiam suam admitteret & voluntatem suam. Et Dominus Rex ad instantiam eorundem Magnatum, de gratia sua speciali, hoc idem ipsi Archiepiscopo concessit. Et idem Archiepiscopus humiliter supplicat, quod possit de omnibus præmissis alto et basso voluntati Domini Regis se submittere. Et Dominus Rex ad instantiam prædict. Magnatum, admittit ipsum juxta petitionem suam ad voluntatem, &c. Et dictum est eidem Archiepiscopo sub gravi forisfactura, quod non recedat à Parlamento isto, donec super præmissis Domini Regis audierit voluntatem, &c. Postea venit prædict. Archiepiscopus, et fecit Finem cum Domino Rege pro transgressione prædict. pro quatuor millibus Marcarum per scriptum suum obligatorum, in hæc verba. Noverint universi, quod nos Johannes permissione Divina Eborum Archiepiscopus, Anglia Primas, tenemur Serenissimo Principi Domino Edwardo, Dei gratia Regi Anglia illustri, Domino Hibernia & Duci Aquitania, in quatuor millibus Marcarum, de quibus coram ipso Domino Rege ad Placita sua in Rotulis suis ibidem, & etiam in Scaccario ipsius Domini Regis fit mentio solvendarum eidem pro suo beneplacito voluntatis. Ad quatum solutionem faciend. obligamus nos et omnia bona nostra per quæ distringamur pro ut Domino Rege placuerit, ad eandem. Ad quod faciendum hos fidejussores invenimus, viz. venerabilem fratrem nostrum Dominum J. Kar. Episcopum, Magistros Henr. Decanum Eborum, Willielmum Archidiaconum Eborum, Johannem Archid. Efrising, & Willielmum Archid. Not. In cuius rei testimonium sigillum nostrum, una cum sigillis prædict. Fidejussorum nostrorum presentibus est appensum. Dat. apud Westm. die Mercurii prox. ante festum Pentecost. Anno gratiæ, 1293, &c.

In which memorable Case and Judgement, we may observe; First, the Bishop of Durham; and his Officers high contempts of the Archbishops Citations, Admonitions, Suspensions, Excommunications, and of the privilege of his Clerks, whom they apprehended and detained in prison notwithstanding their Orders, for endeavouring to serve a Citation on the Bishop. 2ly. The Archbishops high offence against the Kings Crown and Dignity, in presuming to enforce the Bishop and them to release his imprisoned Clerks by his own Ecclesiastical Censures of Interdict & Excommunication, not by the Kings process and authority, according to the Law and Custom of the Realm. 3ly. The Archbishops justification of this his usurpation to the uttermost, and his demurrer to the Kings and Parliaments Jurisdiction to question or judge him for it. 4ly. That for any Archbishop or Prelate to excommunicate any person in the Kings service, or attending on his royal person by his command, and under his protection, or any other for Temporal affairs, is a very high contempt, offence against, and usurpation upon the King, his Crown and Dignity, tending to the Kings and his heirs disinheriting, by the unanimous resolution of the King, and of all his Nobles, Barons, Judges, Council in this Parliament: which they adjudged to be punished not only then, but in all succeeding ages, by imprisonment of the persons of such Archbishops, Bishops, and others who should be found guilty thereof; and also by

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by great fines and ransoms to the King. 5ly. That this Archbishop was then adjudged to be committed Prisoner to the Tower, notwithstanding his Pall; and enforced to enter into a Recognisance with Sureties, to pay a fine of 4000 marks to the King, notwithstanding his insisting on his Archiepiscopal Priviledges, and the Nobles mediation on his behalf; a great sum in that age; the Kings Solicitor declaring his Majesty was damnified thereby no less then 20000 pounds, which he must have paid, had not his submission and the Lords mediation prevented the penalties of the Judgement against him.

The sixth and seventh are these two Judgements given against the Prior of Bridlington, and this Archbishop of York, in the same Parliament, who was ordered to appear before the King and his Counsil, to answer his fraud and offence against his Oath and Allegiance to the King, for buying a debt of 300 l. (owing by the Prior and Covent of Bridlington by bond to an exiled Jew of York, confiscated to the King by the common banishment of the Jews out of England) after his exile at Paris, in his return from Rome; and enforcing this Prior by his Order in his Visitation of the Monastery, to pay the 300 l. to one of his own Vallers as the Jews Attorney; for which misdemeanors both the Prior and Archbishop had Judgement given against them by the King and his Counsil, as these Records inform us.

\* Prior de Bridlington allocutus coram ipso Domino Rege et ejus Conailio, de hoc, quod cum quidam Bonamy nuper Judex Ebor. mutasset eidem Priori trescentas libras sterlingorum solvend. eidem Judxo ad Gulam Augusti anno regni Regis nunc vicefimo; & idem Judxus ante terminum predictum, per commune exilium Judxorum de isto regno exularet, per quod predictum debitum simul cum omnibus aliis bonis qua fuerant ejusdem Judxi, & omnium aliorum Judxorum in Anglia, & qua in regno remanserunt post eorum exilium in quoruncunque manus fuerint, ipsius Domini Regis catalla fuerint, & ipsi Domino Regi reddi debuissent. Prædictus Prior debitum quod fuit & est catallum Domini Regis, ad terminum statutum ipso Domino Regi non solvit, nec ipsum Dominum Regem aut suos inde pramunit, immo totaliter concealavit, detinuit, & adhuc detinet, in lesionem fidei suæ qua Domino Regi tenetur, et ad grave dampnum ipsius Domini Regis, &c.

Et Prior bene cognoscit, quod prædecessor suus immediatus pecuniam predictam de predicto Judxo mutuavit, termino præfato solvendam. Et quod ipse ratione mutui illius adhuc ad solutionem pecunie illius tenetur; sed dicit, quod Johannes Archiepiscopus Ebor. qui nunc est, in tertia septimana Quadrages. prox. præterit. Dominum suum de Bridlington, prout ad officium suum pertinet, visitabit; & inter cetera in visitatione sua ibidem inventa, qua sunt de debitis Domus in qua idem Prior, & quibus, & pro quo tenebatur. Ita quod tunc invenit, quod Domus predicta predicto Judxo indebitabatur in pecunia predicta. Et statim in Capitulo ipso Priori in-junxit, quod pecuniam illam solveret cuidam Valetto tunc ibi præfenti, ad testum satisfactionis beate Mariæ proximo sequens; Quem Valetum idem Archiepiscopus dicebat esse Attornatum præfati Judxi: Et ipse Prior, prout ratione obedientie suæ tenetur, præcepto præfati Archiepiscopi obedivit, et eandem pecuniam tunc solvere promisit. Et quia idem Prior cognoscit, quod predicta pecunia predicto Judxo debebatur, nec ei solvebatur ante exilium Judxorum, & quicquid remansit de eorum debitis aut catallis in regno post eorum exilium, Domini Regis fuit: Consideratum est, quod Dominus Rex recuperaret pecuniam predictam, ut catalla sua, versus predictum Priorum. Et dictum est eidem Priori, quod non exeat à Villa priusquam Domino Regi de predicta pecunia satisfecerit. Et quia prædictus Archiepiscopus prædicto Priori in-junxit, quod Catalla Domini Regis predicta Valetto solveret, ad dampnum Domini Regis. Et similiter, quia Dominus Rex intellexit quod Archiepiscopus prædictus quoddam Scriptum obligatorium, per quod præfatus Prior prædicti Judxo tenebatur in debito predicto, contra fidem Domino Regi debitam, et sacramentum fidelitatis suæ emit aut perquisivit, ad elongandum Dominum Regem de catallis suis predictis, et sibi appropriand. malitiose: Præceptum est Vicecomiti Ebor. quod venire faciat prædictum Archiepiscopum coram Domino Rege à die Sancti Michaelis in 15. dies, ubicunque, &c. ad respondendum Domino Regi de deceptioe prædicta, &c. Et similiter, quod prædictum Scriptum (ut dicitur) remaneat in custodia Abbatis Sanctæ Mariæ Ebor. aut Prioris Sancti Andree Ebor. Ideo præceptum est

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\* Placita Parl.  
8n. 21 E. 1.  
m. 13. Ryley  
p. 131, 132.  
De Priore de  
Bridlington.

Vic.



An. 21 E. 1. Vic. pradiſt. quod venire faciat iſdem Abbatem & Priorem ad terminum pradiſt. ad reſpondend. de Scripto pradiſto.

\* Placita Parl.  
An. 21 E. 1.  
nu. 25. Ryley  
p. 172, 173:  
De Johanne  
Archiepiſcopo  
Ebor. conce-  
ſſante catalla  
Judxi.

In purſuit hereof, \* Preceptum fuit Vic. Ebor. quod venire faceret hic ad hunc diem, viz. à die Sancti Michaelis in 15. dies Johannem Archiepiſcopum Ebor. ad reſpondend. Domino Regi de hoc, quod cum Prior de Bridlington & ejuſdem loci Conventus per Scriptum ſuum obligatorium tenebantur cuidam Bonamy quondam Judxo Ebor. in treſcentis libris ſterlingorum certis terminis ſolvendorum, et ibidem Judxus per communem exiſtam Judxorum de regno iſto ante ſolutionem prædictæ pecuniæ ſibi ſactæ regulari, prædictus Archiepiſcopus de Curia Romana rediens atus Parisios, cum prædicto Judxo conventionem & mercatum faciens, prædictum debitum quod fuit & eſt catallum Domini Regis ab eo emit, et poſtea in viſitatione ſua ad Prioratum prædictum facta, eidem Priori et Conventui per obedientiam injunxit, quod prædictam pecuniæ cuidam Waletto ipſius Archiepiſcopi, aut nuntio præfati Judxi certo termino ſolberent, contra ſubſtatem in qua Domino Regi tenebantur, et in alienationem pecuniæ Domini Regis, ad dampnum ipſius Regis mille librarum, &c.

Et prædictus Archiepiſcopus moſo venit, & ſuper ſacto prædicto coram Rege et Conſilio ſuo arenatus, expreſſè dicit, Quod nunquam cum prædicto Judxo aliquam conventionem fecit ſeu Mercatum de pecunia prædicta ſibi adquirenda; ſed revera dicit, quod in viſitatione ſua ad domum prædictam invenit, & per Priorem & Conventum ejuſdem domus ſibi oſtenſum fuit, quod domus illa indebitabatur prædicto Judxo de prædicta pecunia. Et ibidem ad ſalvationem animarum ſuarum, prout tenebatur, eidem Priori et Conventui dixit, Quod pecuniam illam ſana conſcientia retinere non poſſent; et quod ſic facerent, quod animas ſalvarent; ſet quod nunquam eis injunxit, quod pecuniam illam ſibi aut alii nomine prædicti Judxi ſolberent, paratus eſt ſe acquietare, ſi placuerit Domino Regi & ejus Conſilio. Et Dominus Rex ſuper hoc de gratia ſua ſpeciali, & ad inſtantiam Magnatum de Conſilio ſuo, licet per patriam de jure inquirere poſſet veritatem præmiſſorum, conceſſit prædicto Archiepiſcopo, quod in fide qua ei teneatur, veritatem præmiſſorum ſcateretur & cognoscat. Et ibidem Archiepiſcopus in fide, &c. fatetur & dicit, Quod in veniendo de Curia Romana apud Parisios, bene audivit & intellexit per prædictum Judxum, quod prædicta pecunia ei debebatur, & quod ibidem Judxus eum rogavit, ut ei pro Deo eſſet in auxilium ad prædictam pecuniam ſuam recuperandam. Et poſtea, ut prædictum eſt, in viſitatione ſua ad domum prædictam, hoc ibidem invenit per confeſſionem prædicti Prioris & Conventus, & eis dixit, Quod ſic facerent, quod animas ſuas ſalvarent. Et quia ibidem Archiepiſcopus bene cognoviſcit, quod poſt exiſtam prædicti Judxi et aliorum Judxorum de regno iſto, à prædicto Judxo intellexit, quod pecunia prædicta ſibi in regno iſto debebatur, et poſt eorum exiſtam omnia que ſua fuerunt, et in regno iſto remanſerunt, tam debita quam alia bona quæcunque, ipſi Domino Regi remanſerunt et bona ſua fuerunt. Et ſuper incontinenti poſt eorum exiſtam ſolemnis Proclamationis ſtebat per totum regnum; Quod omnes qui debita aliqua alicui Judxi debebant, aut de eorum debitis, bonis & catallis aliquid ſciebant, Domino Regi aut alicui de Conſilio ſuo ſcire facerent. De qua quidem Proclamatione nullo dicere poſſet, quin ſcivit aut ſciſſe debuit. Et ibidem Archiepiſcopus de debito prædicto ſcivit prout fatetur, tam per Judxum quam per Priorem & Conventum, nec à hoc Domino Regi aut alicui de ſuis conſtare fecit; Immo debitum illud concealando, et a Rege alienando, contra fidem qua Regi teneatur, injunxit præfati Priori et Conventui quod animas ſuas ſalvarent, quod tantum valuit quantum ſi dixiſſet, quod Judxo ſatisfacerent. Concoꝛdatum eſt, quod prædictus Archiepiſcopus remaneat in miſericordia Regis pro concealamento et transgreſſione prædicta, &c. Et ibidem Dominus Rex ſibi ipſi reſervat taxationem illius miſericordiæ.

By which Record it is apparent: 1. That all the Jews were directly and profeſſedly baniſhed out of England by King Edward the 1. and his Parliament. 2ly. That all their Houſes, Debts, Goods and Chattels left in England after their exile, belonged of right to the King. 3ly. That this their baniſhment, and forfeiture of their Debts, Goods thereby, was publiſhed by the Kings Proclamation throughout the Realm, of which all men did or ought to take notice, being thereby required to diſcover all Debts, Goods and Chattels due unto them, without any concealment;

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cealment; yet \* Sir Edward Cooke (who cites these two Records in his Commentary upon the Statute de Judaismo) confidently averres, *The truth is, the Jews were not banished out of the Realm by Authority of Parliament, as some are of opinion, and as it is said in some of our Historians; but that their Usury was banished by that Act, and that was the cause that they banished themselves into Foreign Countries, that they might live by their Usury: Whereas these two Records no less then 8. times expressly record their banishment out of England, and above one hundred other Records, as well as all our Historians.*

These two Judgements against this Archbishop in Parliament, did so perplex and humble him, that he \* dyed soon after on the 3<sup>d</sup> of March 1293.

8ly. In this Parliament it was resolved by the Kings Justices and Council, upon the Petition of the Prior of Bermundsey; 1. That the King by his Prerogative Royal shall present to all Vicaridges, Parsonages, and Benefices belonging to Religious Houses or Bishopricks, during their vacancies. 2ly. That an Abbots, Priors, or Bishops presentation of a Clerk to a Benefice in his life time, if he dye before the Clerks institution and induction, makes no plenarty against the King, but that he may and shall by his Prerogative present another Clerk thereto, as this Record resolves.

\* Prior de Bermundsey qui nunc est, monstravit Domino Regi, Quod cum quidam Henr. Prior de Bermundsey, predecessor suus immediatus, tempore suo presentasset quendam Galfridum de Wyteberry ad Vicariam de Camberwell, qua est de Advocacione dicti Prioratus, & idem Galfridus presentationem illam profectus fuisset, ac antequam institutionem in Vicariam prefatam haberet, prefatus Prior predecessor suus dictum clauit extremum. Propter quod custodia dicti Prioratus post mortem prefati Henr. quondam Prioris, &c. ratioms vacationis ejusdem in manum Domini Regis devenit; ratioms cujus custodia idem Dominus Rex ad eandem Vicariam quendam Clericum suum presentavit. Quia quidem presentatio Domini Regis cedit in prejudicium et exprobationem dicti Prioratus, qui est de Advocacione Domini Regis. Et supplicavit, quod Dominus Rex presentacionem illam velit revocare, &c. Et super hoc in pleno Consilio, habito inde tractatu diligenti, quia per Record. Cancellarii, Justic. & aliorum de Consilio compertum est, Quod Dominus Rex et progenitores sui ratione Prerogative sue fuerunt et sunt in seipsis presentandi ad Ecclesias, Vicarias, et alia Beneficia quacunq; ad quasque Dominus Religiosis seu Episcopatus spectant, tempore vacationis eorundem Domodum et Episcopatum nomine custodie in manu sua existentium: Nam totum idem Dominus Rex Ecclesias, Vicarias, seu Beneficia illa vacans et inconsulta inveniunt tempore quo hujusmodi Episcopatus seu Domos in manum suam sequebatur ratione predicta. Et quia in supplicatione predicti Prioris continetur, quod predecessor suus ad prefatam Vicariam presentavit, et antequam presentatus ille in eandem institueretur, idem Prior predecessor suus clauit extremum: Nec dici poterit, quod presentatus Vicaria plena fuit et consultata tempore obitus prioris predecessoris per presentacionem suam, seu tempore quo custodia dicti Prioratus in manum Domini Regis devenit. Concomitanti est, quod Dominus Rex presentacionem suam ratione Prerogative sue (ut predictum est) ad prefatam Vicariam habeat, et quod presentatus suus ad eandem admittatur, non obstante presentacione per prefatum Priorem motum tempore suo facta, &c. Et dictum est Episcopo Winton. seu Diocesan. quod ad presentacionem Domini Regis ad prefatam Vicariam admittat, &c. This is one of the first Judgements I have observed in this point since frequently resolved in our *Year-book*.

What a fray and murder happened this year, between the Archbishop of Dublin and Bishop of Eghern, coming from the consecration of William Bishop of Bath and Wells; what numerous trains of Servants they then had, and how peremptorily the Bishop of Ely refused to deliver to the Kings Justices or Council the names of his Servants, Secward, or Marshall then with him, when they murdered one of the Archbishops Servants, in high contempt of the Kings and publick Justice, this Record in the Parliament of 21 E. 1. will inform us.

\* Johannes Archiepiscopus Dublin. & Willielmus Episcopus Eliensis in veniendo de Cantuar. de consecratione Willielmi Bathon. & Wellen. Episcopi, hospitari fuerunt in villa de Newton. Et cum quidam de familia predicti Archiepiscopi inessent in Regia

An. 21 E. 1.

\* 2 Inst. p. 507, 508, 509.

\* See Thomas Stubbs Actus Pontif. Eborac. col. 1718.

\* Placita Parl. An. 21 E. 1. nu. 13. Ryley p. 165. De Priore de Bermundley calumpniante presentacionem ad Vicar. de Camberwell.

† See 18 E. 3. 21. a. 24 E. 3. 29. b. 34. b. 35 E. 3. 67. a. 38 E. 3. 4. a. 9. a. 43 E. 3. 14. a. 44 E. 3. 3. 11 H. 4. 9. a. 22 H. 6. 27. a. 33 H. 6. 24. 21 E. 4. 34. b. 28 H. 8. 3. a. Fitz. Quare Imped. 11. 35. Brook Quare Imp. 65. Dyet f. 1. b. 217 b. Fitz. Natura Brevium 34. k. Cooks 7 Report 16. a.

\* Placita Parl. An. 21 E. 1. Ryley p. 156. Kanc. Recordum missum Regem per J. de Berewyk de Itinere Kanc. de Contentione inter Archiepisc. Dublin. & Episc. Eliensis.



*An. 21 E. 1. Regia strata juxta hospitium ubi pradiſt. Archiepiſcopus hoſpitatus fuit, venit quidam garcio de familia diſti Epifcopi Eliensis tranſiens per familiam ipſius Archiepiſcopi equitando quendam equum; & quem quidem garcionem ipſi de familia pradiſt. Archiepiſcopi proſtraverunt de equo pradiſto, & ipſum verberaverunt & male trallaverunt. Quod quidem factum videns quidam Robertus le Wayte, vigilator ipſius Epifcopi, cornavit poſt ſocios ſuos & alios de familia ipſius Epifcopi. Ita quod viginti et quinque homines de familia ipſius Epifcopi exierunt ab Hoſſio cum Arcubus et Sagittis, et inſultum dederunt pradiſtis hominibus de familia pradiſti Archiepiſcopi; Quibus pradiſti homines de familia ejusdem Archiepiſcopi reſiſtebant, & inter ſe pugnaverunt; Ita quod ipſi de familia pradiſti Epifcopi per vim fugaverunt omnes de familia ejusdem Archiepiſcopi ad hoſpitium ejusdem. Et cum ingreſſi fuiſſent portam ubi hoſpitati fuerunt, quidam Waltero de Poſted Cifſore ipſius Archiepiſcopi de foris exiſtente, quem quidam Richardus de Nottingham unus de familia ipſius Epifcopi ſagittavit quendam ſagitta, unde 17. die poſtea inde obiit. Et omnes pradiſti viginti & quinque de familia pradiſti Epifcopi quorum nomina ignoratur, excepto Richardo de Nottingham, ſimul cum Roberto le Wayte, ſtatim poſt factum redierunt ad hoſpitium pradiſti Epifcopi a quo exierunt. Et poſtea in cratiſino in aurora diei pradiſti Epifcopus receſſit a pradiſta Villa de Newton, ſimul cum omnibus pradiſtis viginti & quinque, excepto pradiſto Richardo de Nottingham, qui ſtatim poſt factum fuga. Et quia compertum eſt per Rotulos Covenantorum, & per 32. Juratores quod pradiſtus Robertus le Wayte, & alii de familia pradiſti Epifcopi, quorum nomina ignoratur, & de nominibus quorum non poſſet inquiri per aliquos de hundredo iſto, eo quod extiterunt, & fuerunt in forcia & auxilio ubi pradiſtum Walterus occiſus fuit, & quod exierunt ab hoſpitio ejusdem Epifcopi tanquam familiares & de manuſcriptu ejusdem, & poſt preſentem feloniam factam redierunt & cum ipſo abierunt, ut pradiſtum eſt. Et Vic. teſtatur, quod idem Epifcopus nihil habet in Com. iſto per quod poſſet accuſari. Ideo preceptum eſt Vicecomitiſbus London. quod attachent eum, &c. quod ſit apud Grenewicum die Mercurii prox. poſt feſtum Sancti Andree Apoſtoli ad reſpondend. &c.*

*Poſtea ad diem illum venit pradiſtus Epifcopus. Et dictum eſt ex parte Regis, quod certificet Juſtic. de nominibus famulantium qui ſecum venerunt in pradiſta Villa de Newton, excepto Richardo de Nottingham. Qui quidem Epifcopus dicit, quod ipſe eſt membrum ſanctæ Eccleſiæ, et quod non licet ei aliquos in tali caſu accuſare, eo quod rebere poſſit in crimine ſanguinis, &c. Et iterum dictum eſt ex parte Domini Regis, quod certificet eiſdem Juſtic. de nominibus Beneſcal. et ſporeſcal. ſui, qui tunc ſecum fuerunt in pradiſta Villa de Newton: Et eodem modo quo prius reſpondit. Et iterum requiſitum, ſi omnes qui tunc ſecum fuerunt in pradiſta Villa adhuc ſunt ſecum necne? dicit, quod ignorat: (ſtrange Prelatical unduſul inſolent anſwers.) Et quia compertum eſt, quod pradiſtus Robertus le Wayte ſimul cum aliis de familia ipſius Epifcopi qui fuerunt in vi & auxilio pradiſta mortui poſt factum redierunt ad hoſpitium pradiſti Epifcopi de quo exierunt, & in cratiſino cum eodem Epifcopo abierunt, & de nominibus eorum non poſſet per homines iſtius Com. inquiri: Et item Epifcopus preſentatus Juſtic. de nominibus eorundem, nec de nominibus ſporeſcal. et Beneſcal. non vult certificare: Datus eſt ei dies coram Domino Rege apud Weſtm. die Lunæ in cratiſino Sancti Nicholai, per manuſcriptionem via. Radulphi de Sandewyk, Maſtriſtri Richardi de Abyndon, Petri de Leyborn, Simonis de Eleſworth, Williemi Howard, & Richardi de Coſefeld.*

*Ad quem diem venit pradiſtus Epifcopus coram Domino Rege & ajas Conſilio; Et quia Juſtic. pradiſt. &c. ſun. in Com. Kanc. pradiſto jam terminaverunt & claſerunt, nec preſentis Epifcopus juxta legem & conſuetudinem regni de receptamento hominum ſuorum, qui fuerunt in forcia & auxilio ad pradiſt. feloniam faciend. prout ſuperius preſentatum eſt, tenetur reſpondere priuſquam principalis ſactor illius felonie de felonie, & ſimiliter alii qui fuerunt in forcia & auxilio, debita modo convincantur: Dictum eſt per Dominum Regem preſentis Epifcopo, quod teneant bonos manuſcriptores, qui cum manuſcriptant, ut habeant coram eis ad reſpondendum de receptamento pradiſta ubi et quando debet, et Domino Regi placuerit, &c. Et ſuper hoc Rogerus le Eſtraunge, Willielmus le Latymer, Robertus Malet, Petrus de Channer, Gocelinus de Baddeſmere, Osbertus de Spaldington, Simon de Eleſworth, & Willielmus de Charleton, manuſcripterunt eundem Epifcopum Elienſem in forma pradiſta.*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

How many Clerks this year convicted of murders by Juries, were delivered by their Ordinaries upon their partial or false purgations, and restored both to their Goods and Lands, to the Kings and Kingdoms prejudice, and such malefactors encouragement, these Records among others will inform us.

**C**um *Richardus de Cotum* Clericus coram Justic. Regis ultimo Itinerantibus in Com. *Lanc.* de morte *Willielmi le Pavmer* rectatus, & postmodum venerabili patri *R. Coventr. & Lichf.* Episcopo loci Diocesano, juxta privilegium Clericale, prout moris est, liberatus, innocentiam suam super crimine prædicto coram eodem Episcopo legitime purgaverit, sicut idem Episcopus per literas suas patentes Regi significavit, &c. Mandatum est Vic. *Lanc.* quod eidem *Richardo* terras & tenementa, bona & catalla sua ea occasione per ipsum Vic. in manum Regis capta, nisi fugam fecerit occasione transgressionis prædictæ, sine dilatione restituat de gratia Regis speciali. Teste Rege apud *Wintoniam* 17 die *Augusti*.

Clauſ. 21 E. 1. m. 4. Pro *Richardo de Cotum* Clerico de bonis liberandis.

The like Writ verbatim had *Robertus de Burnhull* Clericus, coram Justiciariis Regis ultimo Itinerantibus in Com. *Lancast.* de morte *Henrici le Fevre de Cherleye* rectatus, &c. Teste ut supra.

Ibid. Pro *Roberto de Burnhull* Clerico de bonis restituendis.

The like had *Johannes de Wirkshal* Clericus, nuper coram Justiciariis Regis ultimo Itinerantibus in Com. *Cumbr.* de morte *Willielmi fil. Bernardi de Derham* rectatus, & postmodum venerabili patri *J. Karliensi* Episcopo loci Diocesano, juxta privilegium Clericale, prout moris est, liberatus, qui innocentiam suam super crimine prædicto coram Episcopo legitime purgaverit, &c. Teste Rege apud *Canthuariam* 6 die *Julii*.

Ibid. m. 5. Pro *J. de Wirkshal* Clerico de eodem.

Conſimiles literæ de verbo ad verbum diriguntur prædicto Vicecomiti pro *Willielmo dicto Bulling* de *Cokermus* Clerico, coram præfatis Justic. in prædicto Comitatu Itinerantibus, de morte *Matthæi de Dunanby* rectato, de terris & tenement. bonis & catallis suis sibi restituendis, &c. Teste ut supra.

Ibid. Pro *Will. Bulling* de *Cokermus* Clerico, de eodem.

The like had *Richardus le Fraunceys* Clericus, nuper coram Justiciariis nostris ultimo Itinerantibus in Com. *Westmerl.* de receptamento *Robertus de Appleby* felonis pro morte *Nicholai de Haſſing*, & *Willielmus de Hartcla*, de auxilio & assensu prædictæ felonix rectatus, & postmodum venerabili patri *J. Karliensi* Episcopo loci Diocesano, juxta privilegium Clericale, prout moris est, liberatus, &c. Teste ut supra.

Ibid. Pro *Richardo de Fraunceys* Clerico, de eodem.

What mischiefs this pretended Privilege of making Churches and Monasteries Sanctuaries for Thieves and other malefactors, brought upon the Inhabitants of those places, obliged to watch, keep them, and liable to fines if they escaped, by the Bishops or Churchmens assistance, negligence or command, this Record amongst some others will inform us.

**Q**uia Cives Regis *Karlioli* Regi per suam petitionem supplicarunt, quod Rex illas sexdecim libras quæ de Villata de *Karliolo* exiguntur, per summonitionem Scaccarii Regis pro evasionibus duorum latronum; videlicet, unius ab Ecclesia Cathedrali prædictæ Civitatis, & alterius ab Ecclesia Fratrum Minorum ejusdem Civitatis, de quibus quidem evasionibus Villata prædicta coram Justiciariis Regis ultimo Itinerantibus in Com. *Cumbr.* onerata fuit, vellet eis caritatis intuitu pardonare; Rex eisdem Civibus in hac parte gratiam facere volens specialem, pardonavit eis prædictas sexdecim libras; dum tamen Cives illi coram Theſaurar. & Baronibus Regis de Scaccario prædicto recognoscant, se de cætero teneri ad custodiam hujusmodi latronum ab Ecclesia infra prædictam Civitatem fugientium. Et ideo mandatum est eisdem Theſaurar. & Baronibus, quod si iidem Cives coram eis recognoscant se teneri ad hujusmodi custodiam, tunc ipsos Cives de prædictis sexdecim libris quietos esse faciant. Teste Rege apud *Westm.* primo die *Julii*.

Clauſ. 21 E. 1. m. 6. Pro Civibus *Karlioli*.

*Per ipsum Regem, per petitionem de Consilio.*

What Knights Fees the Bishops of *Lincoln* and *Sarum* held of the King, and what fines they paid him for them (as well as Temporal Lords) in his expedition into *Wales*, these Records will inform us.

D d d d

REX



An. 21 E. 1.

Clauſ. 21 E. 1.

m. 7. Pro

Episcopo Lin-

coln.

**R**EX Theſ. & Baronibus ſuis de Scaccario ſalutem. Quia venerabilis pater *Oli-*  
*verus Lincoln.* Episcopus liberavit in Garderoba nostra apud *Rothelan.* die  
 Dominica in feſto Sancti *Luca* Evangelistæ anno regni nostri decimo, venerabili pa-  
 tri *Willielmo de Luda* nunc *Elven.* Episcopo, tunc Custodi ejusdem Garderobæ, sexies  
 viginti libras, per quas finem fecit nobiscum pro servicio quinque feodorum mili-  
 tum quod nobis recognovit pro exercitu nostro Walliæ anno prædicto, sicut constat  
 nobis per inspectionem literarum noſtrarum patencium quas idem Episcopus Lin-  
 coln. inde habet; Vobis mandamus, quod prædictum Episcopum *Lincoln.* de præ-  
 dictis sexies viginti libris quietum esse fac. Teste Rege apud *Westm.* 16 die Junii.

Ibid. m. 9.

Pro Executo-

ribus testa-

menti Roberti

nuper Episcopi

Lincoln.

**C**UM Rex per literas suas patentes quietaverit bonæ memoriæ *Robertum* nuper  
 Episcopum *Sarum* de Centum marcis quas liberavit in Garderoba nostra Ma-  
 gistro *Thoma Bek* tunc Custodi ejusdem Garderobæ, nunc *Menevensi* Episcopo, die  
 Mercurii in feſto translationis Sancti *Thoma* Martyris, anno regni Regis quinto, pro  
 medietate servicii sui quinque feodorum Militum quod Regi recognovit pro exer-  
 citu Regis *Walliæ*, anno supradicto, prout in dictis literis plenius continetur. Man-  
 datum est Theſ. & Baronibus de Scaccario, quod executores Testamenti prædicti  
 Episcopi *Sarum* de prædictis Centum marcis quietus esse faciant. Teste Rege  
 apud Sanctum *Albanum*, 15. die April.

The Prior of *Lenton* of the foundation of the Kings Progenitors, under the go-  
 vernment of the Abbot of *Cluny*, waſting the goods thereof, and binding it in great  
 debts through their contentions, and bribes in the Court of *Rome*, to the great pre-  
 judice of the Houſe, scandal of their Order, neglect of their almes and Divine ser-  
 vice, and prejudice of the King; he thereupon ſent this memorable Letter to the  
 Abbot of *Cluny* to enforce the Priors to diſcharge theſe debts themſelves, and pre-  
 vent the like abuſe for the future in all their Houſes in *England*, as he therein pre-  
 ſcribed; or elſe he threatned to reform them himſelf by his own Regal. power, in  
 his default.

Clauſ. 21 E. 1.

m. 9. dorſo.

De Prioratu

de Lenton:

**R**EX dilecto ſibi in Chriſto Abbati Cluniacen. ſalutem. In quantum Domus  
 veſtra pauperima de *Lenton.* veſtri Ordinis, qua de progenitorum noſtrarum Re-  
 gum Angliæ elemoſinas eſt fundata, jam deteriorata exiſtat per defectum Regiminiſ  
 mutacionem etiam et convencionem Priorum qui regimen Domus illius hactenus  
 habuerunt, vobis per ſcripturam exponere longum eſſet: Et inter cætera vos credimus  
 non latere, qualiter Frater Petrus nuper Prior Domus ejusdem, poſtquam depoſitus  
 erat per prædeceſſorem veſtrum Abbatem Cluniacensem, et quidam Frater Regi-  
 naldus de *Jor.* ex præſentacione ipſius prædeceſſoris veſtri per vos fuit admiſſus in  
 Prioratum Domus prædictæ, una cum Priore de *Crespeye* Domum ipſam de *Lenton.*  
 abſque conſenſu et aſſenſu Conventus Domus illius dum in Curia erant Romana,  
 pro mille libris Priorum Turonenſium obligarunt. Cum igitur Domus illa de  
*Lenton.* ad ſolucionem illius pecuniæ, et aliorum debitorum quibus dictus Frater  
 Reginaldus Domum illam ſuo tempore onerabit, abſque incurſione perpetua ege-  
 ſtatis, diminutione elemoſinarum prædictarum, et diſperſione Monachorum, qui  
 pro animabus prædictorum progenitorum noſtrarum & fidelium omnium diſunctorum in-  
 bi celebraturi morantur, non ſufficeret faciendam, quod non ſolum in noſtri præjudi-  
 cium, immo potius in totius veſtri Ordinis dedecus maniſeſtum ſi fieret vertetur;  
 Nos requirimus et rogamus, quatinus cum omnes Domus veſtri Ordinis ſint  
 una & ſub veſtro Regimine exiſtant, ac prædicti frater Petrus, et præſatus Prior de  
*Crespeye* qui Domum prædictam de *Lenton.* taliter obligarunt, ſem ſint Priores  
 alibi per vos facti Domorum veſtri Ordinis dictorum quam ſit Domus illa de *Lenton.*  
 ut acceptimus pro conſtanti, belitis Priores illos ad ſolucionem dictarum mille li-  
 brarum compellere, modis quibus conbenit faciend. Et quia pro communi utilitate  
 totius Ordinis veſtri, quod in ordinacione ſeu conſtitutione Priorum veſtrozum qui  
 erunt de cætero in ſingulis Domibus veſtri Ordinis infra Regnum noſtrum, in  
 quibus ut audivimus jam conſimilis morbus latet, per vos ſic perpetuo ſtatutur,  
 Quod bona Domorum prædictarum per incurſiam Priorum huiusmodi commoran-  
 cium taliter impoſterum nullatenus diſſipentur, ſed quod recedentibus vel deceden-  
 tibus

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

ribus hujusmodi Presidentibus, domus illa in adeo bono statu ad minus, vel meliori remaneant, quo ipsarum custodiam primitus receperunt; Scituri, quod nisi per hos in premissis erunc remedium congruum apponatur, eos omittere non valemus quin ad hoc, prout nobis incumbit, manum Regiam extendamus. *Quid autem super his duxeritis faciendum nobis litteratorie rescribatis. Teste Rege apud Kirkeby 8. die Marcii.*

*An. 21 E. 1.*

Upon a Certificate made to the King under the respective hands and seals of the Prior and Covent of Bath, and Dean and Chapter of Wells, of the death of Robert Burnell the Kings Chancellor, Bishop of Bath and Wells; they by the Kings license elected \* William de Marchia Treasurer of the Kings Exchequer at Westminster, to whom the King gave his Royal assent.

\* See Mar Westm. p 386 Godwins Catalogue. p 300.

**R** Ex electioni nuper facta in Ecclesia Conventuali Bathon. de discreto viro Magistro Wilkelmo de Marchia, Canonico Wellensi, in Episcopum Bathon. & Wellen. Regium assensum addidit et favorem; Et mandatum est Custodi Spiritual. Episcopatus Cantuar. sede vacante, ut id quod suum est in hac parte exequatur. Teste Rege apud Gerwedon. primo die Marcii.

Pat. 21 E. 1. m. 23, 23. De assensu adhibito electioni.

The Abbot of Westminster, a great lover of Venison, procured the like Writ verbatim this year as in former years, to the Constable of Windsor Castle for 16. Bucks to be brought to Westminster, and delivered to him before the High Altar, of which carnal sacrifice to his \* belly, (then become his God) he was more mindful, than of Gods Spiritual Service there.

\* Phil 3 19.

**M** Andatum est Galfrido de Pychford Constabulario Castri Regis Wyndes. quod in pradicta Foresta sexdecim Damos capi, & usque Westm. deferri, & Meynam pradictas ante magnum Altare fieri, & Damos illos prefato Abbati, nisi eos prius in toto vel in parte habuerit, habere faciat, videlicet Otto Damos de anno prox. praterito, et alios octo Damos de anno presenti, juxta tenorem Carte & Confirmationis Reg. pradictarum, & prout eos percipere & habere consueverunt hucusque. Et custum quod ad hoc posuerit, cum Rex illud sciverit, sibi in compoto suo faciat allocari. Teste Rege apud Cantuar. 25 die Julii.

Claus. 21 E. 1. m. 5. ius. Pro Abbate Westm. de Dams in Foresta de Wyndesfor.

*Per ipsum Regem.*

The Justice of Northwales, to the prejudice of the Kings right and prerogative, neglecting to seize the Temporalities of the Bishoprick of St. Asaph into the Kings hands, within the Land of the Earl of Lincoln and others; the King thereupon issued this memorable Writ to him, forthwith to seize them, and answer all the issues thereof, till they should be restored to his Successor; to prevent the prejudice which else would occur to his Crown and Dignity by this his neglect.

**R** EX, &c. multum miramur nec immerito movetur, de eo quod Robertus de Staundon Justic. suus Northwall. post mortem bona memoria Aniani nuper Episcopi de Sancto Asaph. temporalia Episcopatus ejusdem tam infra terram Henrici de Lascey Com. Lincoln. de Dynbegh, quam alibi infra Ballibam suam existentia, in manum Regis non cepit, maxime cum ex hoc Coronae et Regis dignitati futuris temporibus prejudicium manifestum per hujusmodi negligentiam et incuriam de facili poterit imminere: Rex igitur hujusmodi prejudicium et periculum vitare volens; pradictis Justic. mandavit firmiter injungens, quod statim visa literis suis, omnia temporalia Episcopatus pradicti tam infra terram pradicti Com. quam alibi infra Ballibam suam existentia, sine dilacione capiat in manum Regis; Ita quod de exiis inde provenientibus a die mortis pradicti Episcopi, usque ad diem ad quem breve Regis venerit & liberatum fuerit, de pradictis temporalibus Electo loci pradicti liberandis ad Saccharium Regis plenarie respondere possit: Et hoc sicut grave dampnum vitare voluerit, nullo modo emittat. Teste Rege apud Westm. 8. die Maii.

Fines 21 E. 1. m. 16 De Temporalibus Episcopatus de S Asaph. capiendis in manum Regis.

\* See here, p. 556, 557.

He likewise issued this Writ in behalf of the Executors of the deceased Bishop, by virtue of his Letters Patents granted to him to make his Testament, and dispose his goods.

D d d d 2

CUM



K. Edward 1. *An Exact History of Popes Intolterable Usurpations*, B. 5. ch. 4.

An. 21 E. 1.

Fines 21 E. 1.  
m. 23. Pro  
Executoribus  
Testamenti A.  
nuper Assaven-  
Episcopi. See  
Pat. 22 E. 1.  
m. 6. Pro  
Aniano Epif-  
copo de S.  
Assaph.

**C**UM Rex per literas suas patentes concessisset bona memoria A. nuper Assavenfi Episcopo defuncto, quod ipse cum sibi liberet liberè posset suam condere Testamen- tum, & quod executores Testamenti ejusdem Episcopi, testamentum hujusmodi debita executionis valerent demandare, prout in literis nostris prædictis plenius continetur; man- dat Reginaldo de Gray Justic. Cestria, quod Executores Testamenti ejusdem Episcopi de bonis et catallis quæ fuerunt ipsius Episcopi in Batha sua die quo obiit, li- beram administrationem habere permittat, juxta tenorem literarum prædictarum. Accepit tamen sufficienti securitate ab executoribus testamenti illius, de debitis, si qua- idem Episcopus Regi debuit, Regi reddendis. Teste Rege apud Berleye 23. die Fe- bruarii.

Eodem modo mandatum est Roberto de Staundon Justic. Regis Northwallia. Teste- ni supra.

The Priory of the Vale of St. Mary of Bethkelerd in Northwales becomming void, and the King refusing to grant a license for a new election, because the va- cancy was not certified in due form by Letters Patents under the seal of the Co- vent; the King afterwards, the House being very poor, authorized his Justice of Northwales, (after a certificate and license to elect made in due form) to give his Royal assent thereto, and to receive the Priors fealty.

Pat. 21 E. 1.  
m. 3. Pro Sup-  
prioris & Con-  
ventu Vallis b.  
Marie de Beth-  
kelerd, de lic-  
eligiendi, &c  
temporalibus  
restituendis.

**R**EX dilecto & fideli suo Roberto de Staundon Justic. suo Northwall. salutem. Accedens ad nos dilectus nobis in Christo Frater Hugo Canonicus Prioratus Vallis beatæ Mariae de Bethkelerd, nobis ex parte Supprioris & Conventus ejusdem Prioratus supplicavit, quod cum Ecclesia sua prædicta per cessionem fratris Phi- lippus nuper Prioris ejusdem loci, pastoris sit solacio destituta, alium sibi eligendi in Priorem et pastorem eis licentiam concedere dignaremur. Nos pro eo quod præ- fatus Canonicus literas patentes sigillo Capituli Prioratus illius signatas, et ba- cacionem dictæ Domus testificantes nobis non detulit, ut moris est, petitioni suæ nullatenus annuentes, sed paupertati ejusdem Domus compacentes, & eis gratiam facere volentes specialem, vobis dedimus potestatem, quod cum præfatus Hugo seu alius Canonicus dictæ Domus ad vos accesserit, ex parte prædictorum Sup- prioris & Conventus, cum litteris patentibus sigillo Capituli sui signatis, juxta for- mam transcripti quod vobis mittimus sub pede sigilli nostri conceptis, hujus- modi licentiam petiturus, eidem Suppriori et Conventui licentiam illam nostro nomine concedatis: Ita quod cum Electus ille in forma debita vobis post- modum fuerit præsentatus, electioni de ipso factæ assensum Regium vice nostra præbeat; Significantes loci Diocesano, quod id quod suum est in hac parte exe- quatur; Volumus etiam & vobis tenore præsentium damus potestatem, quod si contingat electionem hujusmodi per loci Diocesanum canonicè confirmari, tunc ac- cepta ab ipso Electo fidelitate in casu isto nobis debita in hac parte restituatis tem- poralia, &c. In cujus, &c. Teste Rege apud Westm. primo die Novembris.

David Martyn being elected and confirmed Bishop of St. Davids this year, the King issued this Writ to restore his Temporalities.

Pat. 21 E. 1.  
m. 4. De  
Temporalibus  
Episcopatus  
Menevensis  
restituendis.  
\* Godwins  
Catal. p. 410.

**R**EX Radulpho de Broghton salutem: Cum dilecti nobis in Christo Prior Ec- clesie Christi Cantuar. & ejusdem loci Conventus, Custodes Spiritualitatis Archiepiscopatus Cantuar. sede vacante, electionem nuper celebratam in Ecclesia Menevensi de discreto viro Magistro \* David Martyn Canonico ejusdem Ecclesie in Episcopum loci illius, cui prius Regium assensum adhibuimus et favorem, con- firmaverint, sicut per literas patentes eorundem Prioris & Conventus nobis inde directas nobis constat, nos confirmationem illam acceptantes, cepimus fidelitatem ejusdem Electi, &c. Teste Rege apud Wodestock 11. die Octob.

Et mandatum est Militibus, &c. Teste ut supra.

The King to prevent the incroachments upon the rights of his Crown and pre- rogative in Gascoigne by Bishops, or any other Ecclesiastical persons or Courts, especially by Provisions and Collations to Churches, authorized by this Patent his Agents

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Agents there, to constitute Proctors to appeal for him in such cases.

An. 21 E. 1

**R**EX Universis presentes literas inspecturis salutem. Noveritis, quod dilectis & fidelibus Clericis nostris Magistro Raymundo de Ferreria, Decano Ecclesie Sancti Severini Burdeg. Sterio de Engolisma Constabulario Burdeg. & Johan. de Candore Thesaurario Agen. & cuilibet ipsorum in solidum, concedimus potestatem, & speciale mandatum, faciendi & constituendi pro nobis procuratorem seu procuratores, quocienscunque hoc viderint faciendum, ad probocandum et appellandum a Prælati Capitulis et Iudicibus Ecclesiasticis ultramarinis; ad Apostolicam sedem, quandocumque non per ipsos in aliquibus factis aut iuribus Ecclesiasticis gravari contingeret, vel verissimiliter præsumetur de futuro gravamine eorumdem. Et specialiter contra provisiones aut collaciones quascunque per ipsos aut ipsorum nomine in nostrum præiudicium factas vel faciendas. Cum potestate iurandi prout negotiorum & causarum qualitas hoc requiratur, necnon ad prosequendum probationes et appellaciones prædictas in Cur. diæ sedis, et coram quibuscunque Auditoribus et Iudicibus ab eadem Cur. deputandis. Ita quod quilibet dictorum Procuratorum in absentia dictorum Decani, Constabularii & Thesaurarii possint substituere alium vel alios loco sui. Et quod tam dicti procuratores qui substituti ab eis possint per ipsos Decanum, Constabularium & Thesaurarium vel ipsorum alterum, quocienscunque alterum eorum placuerit, revocari. Ratum habituri & firmum, quicquid per dictos procuratores & quemlibet ipsorum, & substitutos ab eis factum fuerit in præmissis. Promittentes sub ypoth. bonorum nostrorum Ducatus nostri Aquitan. rem ratam haberi & iudicatum solvi. Et hæc omnibus quorum interest, per presentes literas intimamus. Dat. apud Westm. 22. die Maii. Et duplicatur.

Rox Vascon.  
An. 21 E. 1.  
m. 7.

What licenses to elect Bishops and Abbots in Ireland the King granted this year, and upon what certificates he gave his Royal assent thereto, these Records will inform us.

**R**obertus de Derby Clericus Coverensis nunciatus Regi mortem Petri nuper Episcopi Coverensis, habet literas Regis de licencia eligendi. T. R. apud Novum Castrum super Tynam, 28 die Decemb.

Pat. 21 E. 1.  
m. 23. De licencia eligendi

**R**EX electioni nuper factæ in Ecclesia Cathedr. Coverens de discreto viro Magistro Johanne Rectore Ecclesie beatæ Mariæ de Corriton in Episcopum Coveren. Regium assensum adhibuit et favorem; Et hoc significatum est Domino N. Archiepiscopo Ardmach. Hibernia Primate. Teste Rege apud Hudsak 16 die Febr. Per Breve de Privato Sigillo.

Pat. 21 E. 1.  
m. 22. Hibern. De assensu adhibito electioni.

**R**EX dilecto & fideli suo Willielmo de Vesey Justiciario suo Hibern. salutem. Cum nos electioni nuper factæ in Ecclesia Cathedrali Coverensi, de discreto viro Magistro Johanne Rectore Ecclesie beatæ Mariæ de Corriton in Episcopum prædictæ Ecclesie Coveren. Regium assensum adhibuimus et favorem, & velimus ad requis. dilectæ nobis Margareta Comitissæ Ulton. eidem Electo gratiam facere uberiorem in hac parte; Vobis mandamus, quod si contingat electionem, &c. In cuius, &c. Teste ut supra.

Ibid. m. 22. Hibern. Pro Electo Coverensi de Temporalibus restituendis.

Per Breve de Privato Sigillo.

**F**rater Thomas de Antro Barre Canonicus Ecclesie de Antro Barre juxta Cork, nunciatus Regi depositionem fratris Gilberti Obroy nuper Abbatis ejusdem loci, habet literas Regis de licencia eligendi. T. R. apud Westm. 21 die Aprilis.

Pat. 21 E. 1.  
m. 19. Hibern. De licencia eligendi.

**R**EX dilecto suo Willielmo de Vesey Justic. suo Hibern. salutem. Cum dilecti nobis in Christo Prior & Conventus de Antro Barre juxta Cork, nobis per literas suas patentes significaverint, quod Ecclesia sua prædicta est Abbatis & pastoris solacio destituta, supplicantes nobis, prout moris est, quod licenciam sibi alium eligendi in Abbatem et Pastorem eidem concedere dignaremur; ac nos licet prædictæ literæ aliquantulum defective existant, pro eo, quod non faciunt mentionem qualiter

Ibid. Hibern. Pro Electo de Antro Barre juxta Cork, de temporalibus restituendis.



An. 21 E. 1. qualiter p̄dicta domus vacat; nichilominus eidem Priori & Conventui caritatis intuitu, gratiam in hac parte facere volentes, licentiam illam eis duxerimus concedendam; Mandantes ipsis, quod talem, &c. Nos autem eorundem Prioris & Conventus laboribus & expensis in hac parte parcere volentes, &c. *Acceptis tamen prius literis patentibus, &c. Ne, &c. In cujus, &c. Teste Rege apud Westm. 23 die Aprilis.*

Per ipsum Regem.

Pat 21 E. 1.  
m 20. Hibern.  
De licentia eligendi.

Ibidem. Pro  
electo domus  
S. Johannis de  
Duno, de  
Temporalibus  
restituendis.

**F**rater *Willielmus de Camleston* Canonicus Domus Sancti *Johannis de Duno*, nuncians Regi depositionem Fratris *Willielmi Ruffi* nuper Abbatis ejusdem loci, habet literas de licentia eligendi. Teste Rege apud *Saham* 6 die Aprilis.

**R**EX dilectis & fidelibus suis *Willielmo de Vesey* Justic. suo *Hibern.* Magistro *Thoma Cantok*. Cancellario suo, & *Willielmo de Esden*. Thesaurario suo ibidem, salutem. Cum dilecti nobis in Christo Prior & Canonici Domus Sancti *Johannis de Duno* nobis per literas suas patentes significaverint, quod Ecclesia sua p̄dicta per depositionem Fratris *Willielmi Ruffi* nuper Abbatis ejusdem loci, pastoris est solatio destituta, supplicantes nobis prout moris est, quod licentiam sibi alium eligendi in Abbatem et Pastorem eisdem concedere dignaremur; ac nos precibus eorundem Prioris & Canonicorum in hac parte favorabiliter inclinati, licentiam illam eis duxerimus concedendam; Mandantes ipsis, quod talem, &c. Nos eorundem Prioris & Canonicorum laboribus & expensis in hac parte parcere volentes ista vice, concessimus eis de gratia nostra speciali, et vobis dedimus potestatem, &c. *Acceptis tamen prius literis, &c. Ne, &c. In cujus, &c. Teste ut supra.*

\* Flores Hist.  
P. 393: 397.

Anno 1294. (as \* *Mat. Westminster* relates) *Johannes de Samsford* Archiepiscopus Dublinensis, qui Regi in omnibus favebat, gravi aegritudine correptus, obiit in redeundo à Rege Arragonix, cui pro negotiis Regis Angliæ missus fuerat: Et Bogode Clare, germanus Comitis Glovernix, multarum rector Ecclesiarum, vel potius incubator, (a true character of Pluralists) subita necce interemptus est, quia parum boni fecerat in aperto.

\* *Mat. Parker*  
Antiqu. Eccl.  
cl. Brit. p.  
208, 209. Ex  
*Stephano Bro-*  
*kinton, Fox*  
*Acts & Monu-*  
*ments, vol. 1.*  
*p. 456, 458.*  
*Godwin's Car-*  
*logue of Bps.*  
*p. 79, 80. Mat.*  
*Westm. Anno*  
*1293. p. 391.*  
*Walsingham*  
*Hist. Angl. p.*  
*36. Ypodigma*  
*p. 98. Chron.*  
*Will. Thorne*  
*col. 194.*  
*Chronologia*  
*August. col.*  
*2273.*  
† *Mat. Parker*  
Antiqu. Eccles.  
Brit. p. 207.

After the decease of *John Peckham* Archbishop of *Canterbury*, Anno 1293. (promoted by the Popes Provision) \* cum eligendi potestas Monachis Cantuariensibus a Rege data esset, ex omnium votis & applausu *Robertus Winchelse* Archidiaconus *Essexiæ* Archiepiscopus electus est, summa doctrina, prudentia & aequitatis fama ubique notus atque conspicuus. Cumque Romam ad *Cælestinum* Papam confirmandus atque sacrandus venisset, (by the Kings special license) Papam totamque Romanam Curiam in tantam prudentia doctrinaque sua admirationem & stuporem traduxit, ut non cognovissent se in quocunque dicerent, tantam morum animique mansuetudinem, cum literis & prudentia conjunctam. Itaque eum in Cardinalium gregem cooptare Romæque secum retinere decreverint. Sed expositis multis causis necessariis, cur à Cantuariensi Ecclesia abesse non poterat, agere tandem obtinuit, ut sacratum in Angliam rediret. What a professed devoted servant he afterwards evidenced himself to the Pope and Church of Rome, but a vexatious opposite Rebel to his Sovereign Lord King *Edward*, (by whose special favour he was elected and confirmed Archbishop) will appear in its due Chronological series. I shall here only insert *Matthew Parkers* memorable passage in relation thereunto in the beginning of his Life, principally occasioned by the frequent fierce contests in that age between Popes, Popish Prelates and Kings, for Sovereign authority and Jurisdiction. † Sed omnis tum inter Pontifices atque Reges de Imperio magis atque dominatu, quam de Ecclesiæ ex divini verbi p̄scripto gerenda fuit contentio. In qua cum acres dimicationes non armorum, sed vitæ et execrationum essent concitata, P̄sules inscitia verbi ipsi cæci, ac cæcorum duces Papæ adhærebant, et abjecta obedientia Regibus non parebant, quibus divinus humanoque jure essent subjecti. Hanc illi contumaciam, constantiam, et Ecclesiæ libertatem tunc appellabant. Quique in ea pertinacia vitas aut fortunas amitterent, Martyres ac Confessores appellabant. Quæ nisi multis tunc antea ducta annis in hominum animis inveteravisset fallacia, ac multos, p̄sertim P̄sules, a fide atque cultu, quem Regibus tribuere debebant, ad Papam abduxisset, satis bene et cum laude ab Archiepiscopis et Episcopis

*Nota.*

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Episcopis gestos Magistatus existimare convenit, si quis eorum acta perpendere. Sed quia ab illa sede Romana, vel dolis insatiati, vel sceleribus et contagione inquinati fuerunt, et ab observantia Regibus debita recesserunt, ubi ex rebus gestis non modo laudem detraxerunt, sed in vita molestias ac iacturas, et post mortem infamiam atque ignominiam pepererunt. Ex horum numero fuit Robertus Winchelsea Cantuariensis Archipræsulis, cujus acta, si quo animo in patriam & rempublicam gesta sicut existimari debeant, recta iudicanda sunt; An Romanam consuetudinem probitatemque species, scelerata atque impia: Qui nonnunquam, vir bonus & amator Patriæ, nonnunquam fraudis, proditoris, superbi et rapinæ plenus varie a scriptoribus perhibetur. \* Mr. John Fox also writing of this Archbishop's promotion, and the various contests between him and his predecessor, and King Edward the 1. subjoynes this memorable observation. As this King was troubled in his time with both the Archbishops John Peckham and Robert Winchelsey, so it hapned to all other Kings for the most part, from the time of Lanfrancus, (that is from Pope Hildebrand) that every King in his time had some business with that See; Kings of England being commonly troubled with the Archbishops of Canterbury; As William Rufus and Henry the 1. were troubled with Anselmus; Henry the 2. with Thomas Becket; King Richard and all England with William Bishop of Ely, the Popes Legate; King John with Stephen Langton; King Henry the 3. with Edmund Archbishop, called St. Edmund; this King Edward the 1. with John Peckham and Robert Winchelsey aforesaid; and so other Kings after him with some Bishop or other. Whereby we give to understand, how and about what time the Church of Rome, which before time was subject to Kings and Princes, began first to take head above, and against Kings and Rulers, and so hath (by these his Instruments) kept it ever since.

An. 21 E. 1.

\* Acts & Monuments, vol. 1. p. 458.

This Archbishop Robert Winchelsey was no sooner consecrated at Rome, but he procured a Bull from Pope Calixtus the 5. by his Papal Provision to conferre the Bishoprick of Landaff (which had been void for 9. years space, and thereby devolved to the Pope by lapse, as he pretended) on any person he should think meet for that employment: Whereupon without the Kings previous authority, he conferred it by way of Provision upon John de Monmouth, as appears by this Letter and Certificate of his to the King and his Chancellor, which I lately found in a bundle of Privy Seals, Certificates and Letters (long buried in rubbish in the White Tower)

Anno 21 E. 1.

\* See Godwin Catalogue, p. 427.

Magnifico Principi Domino Edwardo Dei gratia illustri Regi Angliæ, Domini Hiberniæ, & Ducis Aquitanie, R. permissione divina Cantuariensis Archiepiscopi, totius Angliæ Primas, salutem in eo per quem Reges regnant & Principes dominantur. Cum nuper essemus apud sedem Apostolicam personaliter constituti, et ejusdem sedis auctoritate confirmati, ac etiam consecrati et paleati; Sanctissimus Pater noster Cælestinus Papa quintus, audito et intellecto, quod Cathedralis Ecclesia Landaven. metropolitica nobis jure subiecta diuturno tempore permanisset Pastoris regimine destituta: Ita quod ejus provisorio, secundum generalis statuta Concilii ad dictam sedem extitit legitime devoluta, (A clear mistake, that Decree never binding the King, exempted from lapse by his Royal Prerogative, as I have elsewhere proved) volens eandem Ecclesiam, quæ ex huiusmodi vacatione diutina gravia sustinuit in spiritualibus et temporalibus detrimenta, a dispensis a prolixe vacatione imminutibus præservare, ordinationem ipsius Ecclesiæ Landaven. hac vice nobis duxerat committendam: Concedendo nobis potestatem præficiendi eidem Ecclesiæ personam idoneam, quæ tanto congruat oneri et honori, in Episcopum et Pastorem. Tenorem autem mandati Apostolici in hac parte de verbo ad verbum presentibus duximus inferendum. Cælestinus Episcopus servus servorum Dei, venerabili fratri R. Archiepiscopo Cantuar. salutem & Apostolicam benedictionem. Militanti Ecclesiæ (disponente Domino) licet immeriti præsidentes, circa curam omnium Ecclesiarum solertia reddimur indefessa solliciti, ut juxta pastoralis officii debitum commisi nobis gregis Domini curam utiliter gerere (divina cooperante clementia) studeamus; & quanquam assidue circa singularum commoda vigilemus; tamen erga illas, quæ deplorant viduitatis incommoda

Bundela Brev. & Epist. in Turre Lond. An. 21 E. 1.

\* See Tom. 2. p. 481, 482, 563. & Here An. 13 E. 1. p. 331, 332.



*An. 21 E. 1.* moda propensiori cura & majori propulsamur instantia, ut eis præficiamus viros secundum cor nostrum, idoneos in pastores. Sanè ad audientiam Apostolatus nostri pervenit, quod Cathedralis Ecclesia Landaven. metropolitico tibi jure subjecta, per septennium jam permansit, et adhuc permagnet Pastoris regimine destituta; propter quod ejus provisio ad sedem Apostolicam est, secundum generalis Natura Concilii, legitime deboluta; (which never abrogated nor restrained the Kings Prerogative, quod nullum tempus occurrit Regi.) Nos igitur volentes eandem Ecclesiam, quæ gravis ex hujusmodi vacatione diutina sustinuisse dicitur in spiritualibus et temporalibus detrimenta, per nostræ providentiæ studium a dispendiis sibi ex prolixiori vacatione imminuentibus præferbare, ac cupientes illum eidem Ecclesiæ præesse Pontificem per quem ut utrisque (Deo auctore) valeat salubriter gubernari; gerentes quoque de tuæ circumspectionis industria fiduciam in Domino plenior, fraternitati tuæ ordinationem ipsius Ecclesiæ hac vice tenore præsentium duximus committendam. Concedentes tibi præficiendi eidem Ecclesiæ personam idoneam, quæ tanto congruat oneri et honori in Episcopum et Pastorem, ac faciendi eidem personæ a Capitulo ipsius Ecclesiæ et Clero et populo Civitatis et Dioc. Landaven. aliisque suis subditis humiliter obedire: Necnon et contradicentes super hoc (si qui fuerint) vel rebelles, per censuram Ecclesiasticam, Appellatione postposita tempestivè, plenam et liberam auctoritate Apostolica potestatem. Dat. Aquile 6 Non. Octobr. Pontificatus nostri anno primo. Nos igitur cupientes debito devotionis obsequio mandatis Apostolicis obedire, et ea executioni debitæ mancipare, ad Magistrum Johannem de Mone-muta Canonicum Lincoln. Doctorem in Theologia, multiplicibus virtutum præmiis insignitum, in spiritualibus & temporalibus circumspectum, nostra considerationis aciem convertentes, de ipso, licet tunc absente, eidem Ecclesiæ Landaven. deliberatione prædita diligenti, ut præmittitur, diutius per mortem bona memoria Magistri Willielmi de Brennes ultimo Episcopi in eadem, vacanti, auctoritate Apostolica prohibemus, et ipsum in eadem Ecclesiâ Landaven. præfeci in Episcopum et Pastorem. Sperantes quod eadem Landaven. Ecclesia per ipsius Johannis industria & circumspectionis studium præservabitur à noxiis & adversis, & spiritualibus & temporalibus proficiet incrementis. Cumque postmodum nostra provisio et ordinatio supradicta præfato Magistro Johanni fuisset notificata loco et tempore oportunitatis, nolens distinx resistere voluntati, quin potius iugo Domini satagens subicere collum suum, provisioni et ordinationi dictæ Ecclesiæ de se factæ, pure et expresse consenti coram nobis personaliter constitutus. Cum itaque sicut novis Majestatis vestre Celsitudi, sit virtutis opus Ecclesias et personas Ecclesiasticas, præsertim Pontificali prædita dignitate, benignis prosequi gratia et favore: Serenitatem Regiam rogamus attente, quatenus eidem Magistro Johanni, quem pro electo et confirmato hinc convenit, Regiam Majestatem Regalia seu Temporalia ejusdem Ecclesiæ Landaven. quæ per vos vacationis ejus tempore teneri dicuntur, liberare dignemini, ac ipsum et Ecclesiam prædictam sibi commissam ac vobis placeat habere in suis opportunitatibus commendatos, ut vestre Celsitudinis cultus auxilio, in curæ pastoralis officio sibi commissio possit (Deo propitio) ulterius prosperari; et vobis exinde a Deo perhennis vite præmium pervenire. Dat. apud Croyndon 3 Non. Martii, Anno Domini 1294. Consecrationis nostre primo.

Dorso. Johanni de Langeton Cancellar. suo. Per Regem.

† Flores Hist. p. 397, 398.

† Matthew Westminster informs us, That Anno gratiæ 1295. Robertus Metropolitanus Cantuariensis jam de Curia Romana regressus, (before his instalment at Canterbury, to evidence his Papal spirit, and advance the Jurisdiction of his Court of Arches) in Octavis Apostolorum Petri & Pauli, convocatis quibusdam Suffraganeis suis in Ecclesia Sancti Pauli London, super Ecclesiæ libertatibus et consuetudinibus tractatum tenuit specialem; & tanquam verus opilio, repagula & mania circa parietinarium, cum maceriarum injurias, adificare satagens, Constitutiones quasdam à sanctis Patribus approbatas, sed per mercenarioz incuriam a bi proptia vacillantes, in medium legitime rebocabit. Necnon et aliis Ordinationibus prioribus annexens propter gregis tuitionem, decrevit inbiolabiliter observari; (without the Kings authority or privity.) These Ordinances of his (being 47. in number) you may read at large in Sir \* Henry Spelmans Councils; wherein he prescribes

\*Tom. 2. p. 413, to 427.

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prescribes several forms of Oaths not only to the Judges, Advocates, Clerks, Regi-  
sters, Proctors in his Courts of Arches and Audience, but likewise to others conven-  
ted before them; particularly, † Quod dicitur Curia Presidem contempnere. quos-  
cumque conditos jurare faciat, sub certa poena, quod dictam Curiam scilicet non  
offendant: Together with several new Excommunications, forms of Appeals, and  
Fees to his Officers; against the Subjects Liberties, Lawes, Customes of the Realm,  
and Kings prerogative Royal: After which, Die Sancti Leodegarii Dominus Ar-  
chiepiscopus Cantuariensis ibidem inthronizatus fuit; & Magister Johannes de Mone-  
muth ab eo eodem die non altero consecratus est in Episcopum Landavensem. Which  
\* Thomas Walsingham thus enlargeth; Robertus de Winchelsea Doctor sacre Theolo-  
gia à Papa Celestino confirmatus, et in Archiepiscopum Cantuariensem in Curia  
Romana consecratus, Angliam veniens, Johan de Monemutha Doctori Theologia, Epis-  
copatum Londinensem (it should be Landavensem) auctoritate Papali contulit, qui  
jam vacuerat multis annis; beginning the exercise of his Archiepiscopal authori-  
ty with this unparalleled Papal and Archiepiscopal Usurpation on the Kings Crown,  
Dignity, and Royal prerogative, in obedience to his Sovereign Lord the Pope; for  
which and other his subsequent undutifull actions to his Sovereign, he demerited  
this short, but true character of Mr. William Lambard in his Perambulation of Kent,  
p. 93. Robertus de Winchelsey, a notable Traytor to the King, and true Servant to  
the Pope.

I cannot finde that the King was forwards to restore the Temporalities of the  
Archbishoprick of Canterbury to this Archbishop, or of Landaf to John de Mone-  
muth, thus intruded into it by the Popes and Archbishops authority against his pre-  
rogative, but detained them near 2. years after in his hands as vacant, receiving the  
profits, and presenting to the benefices belonging to them, as appears by the Pa-  
tent Rolls Annis 21 & 22 E. 1. they having no Writs of Restitution of the Tem-  
poraltes till the 23. year of his Regn, Anno 1296.

Upon the death of Robert Barnell Bishop of Bath and Wells the Kings Chancellor,  
William de Marchia (then Treasurer of England, as \* Godwin informs us) was elect-  
ed to succeed him in that Bishoprick; the manner of whose election I finde thus re-  
lated in a Letter sent to John Langton then Chancellor of England, which I met  
within the White Tower Chappell.

An. 21 E. 1.

† Spelman. ib.  
p. 421.

\* Hist. Angl.  
p. 26.

\* Catalogue of  
Bishops, p. 300

Venerandæ discretionis viro & amico suo (si placet) fidelissimo, Domino J. de  
Langton, illustris Regis Angliæ Cancellario, suus in omnibus W. de Wera-  
meniss, seipsum ad præcepta paratum. Qualiter & quomodo Magister W. de Mar-  
chia apud Bathoniam nuperrimè in Episcopum ejusdem loci canonicè electus extite-  
rat, vobis nuncio sub his verbis. Prior Bathon. & ejus Conventus ad electionem  
per viam Scrutini voluerunt libentissimè processisse, eo quod omnes Monachi suum  
Priorem eligisse putabant in Episcopum & Pastorem. Ad hujusmodi electionem  
per illam viam Canonici Wellensis Ecclesiæ suum assensum præbere penitus recusa-  
runt. Propter quod Monachi & Canonici Wellenses per viam compromissionis una-  
nimiter concordarunt, & suas literas patentes, prout postulat ordo juris, fieri &  
consignari procurarunt. Die tertia quinque Monachi Bathon. & quinque Canonici,  
videlicet Præcentor, Cancellarius & Archidiaconus Wellen. ac Decanus Eborum, &  
Malcolmus de Harlegh, per viam Compromissionis electi, in Capitulo, invocata  
Sancti Spiritus gratia, ad eligendum Pontificem concorditer accesserunt. Et cæteri  
Canonici & Monachi de Capitulo (prout justum extitit) recesserunt. Statim Mona-  
chi, videlicet quinque ad hoc electi in prædicta forma, nominaverunt suum Priorem,  
semel, secundo, tertio, & quarto: Et prædicti quinque Canonici suum assensum  
illis in nominatione illa dare noluerunt. Præfati quinque Monachi loquebantur ad  
invicem, & sciebant, quod ubi major pars, ibi electio, &c. Et quod Decanus Ebor.  
& Dominus Malcolmus venerunt apud Bathoniam pro promotione prædicti Magi-  
stri W. de Marchia, statim eundem Magistrum W. nominarunt. Et ex quo isti  
quinque Monachi, & isti duo Canonici, videlicet Decanus Eborum, & Dominus  
Malcolmus de Harlegh in personam præfati W. de Marchia consenserunt, ponendum  
esse stramen pro tribus Canonici supradictis. Et facta nominatione de prædicti  
Magistri W. persona per istos septem supradictos, statim inceperunt laudare Deum  
per Psalmum consuetum. Et post celebrationem istius Psalmi, Prior Bathon. & De-  
canus

Bundela Bre-  
vium, &c. in  
Turre Lon-  
don. Anno  
21 E. 1.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

**An. 21 E. 1.** canus *Wellen.* coram omni populo in Ecclesia commoranti pronunciavit, modum electionis de persona Magistri *Willielmi* supradicti. Et statim surrexit quidam Rusticus in Ecclesia illa, & dixit ista verba; *Cristescors and seinte Marie, hebbe hi halle that hine chose Biskop of Bathe.* Auditus Compotorum de Episcopatu *Bathon.* Dominus *W. de Hamelton* citra Quadagesimam ad Cancellar. accedere non permittit. Bene valeat, &c.

**a Mat. West.** The very same year he was made Bishop (as <sup>a</sup> *Matthew Westminster* relates)  
**An. 1295. p.** *Dominus Episcopus Bathon. & Wellen. Magister Gulielmus de Marche, villicus Do-*  
**398.** *mini Regis, videlicet Thesaurarius de Scaccario* (as incompatible with his Episcopal  
**b Mat. 9. 9.** *office, as with* <sup>b</sup> *St. Matthews Apolllethip, whom Christ called from the rectis of*  
**Mar. 2. 14.** *Custom to be an Apostle and Evangelist*) diffamatus est apud patrem familias, non quasi  
**Lit. 5. 27. 28.** *dissipasset bona illius, sed subortis variis querelis, amotus est a villicatione sua, &*  
**See the Col-** *alius Clericus, Domino Regi familiarissimus, Walterus de Langetona nomine, in ejus*  
**lect on St.** *officio subrogatur.* Soon after the same year, <sup>c</sup> *Rogerus Coventrensis & Lichetel-*  
**Matthew day.** *denfis Episcopus jam grandævus satisfaciens natura, à mundi hujus voragine est eductus.*  
**c Mat. Westm.** *Cui successit Walterus de Langetona Regis familiaris, in transmarinis partibus per*  
**p. 403.** *Regem Cardinali nunciis assignatus, à quo fuerat consecratus, p̄bilegio Cantua-*  
*riensis Ecclesiæ in omnibus statu suo salvo.*

This year *John de Langeton* succeeding *Robert Burnell* Bishop of *Bath and Wells* in the Chancellors office of *England*, the Chancellor and Regent Masters of the University of *Cambridge* sent this Letter to him, imploring his favour to protect their invaded Liberties, as his predecessor did.

Bundela Bre-  
vium & Lite-  
rarum, Anno  
21 E. 1. in  
Turre Lond.

**D**omino suo reverendo, Domino J. de Langeton, &c. sui humiles & devoti, *Gilbertus de Segrave Universitatis Cantabr. Cancellarius, ac Magistrorum ibidem regentium ceterum unanimis, quicquid sciunt & poterunt obsequii vel honoris. Ex divina dispositione nobis feliciter est prospectum, quod bona memoria Dominum R. quondam Domini Regis Cancellarium, Universitatis nostra protectorem, tantum Patrem sequitur talis proles. Pater enim vivit nobis in filio, quem prout evidentiâ facti multipliciter didicimus, ut pater quondam fuerat in nostris agendis, suum filium proprium sensimus adiutorem: de quo vestra Dominationis Celsitudini regramur totis viribus, si ad plenum non possumus ut vellemus. Quia vero contentioni filii Universitatem vestram subvertere, ac multiplicatis injuriis, contra nostra p̄bilegia perpetratis, quantum in eis est gregem Christi dispergere non formidant: ad Benignitatis vestre gremium, tanquam pueri innocentes, multiformiter afflicti ac indebitè pregravati, confugimus & concurremus, humiliter implorantes, quatenus hiis qua per dilectos nobis in Christo Magistros *Johannem de Huntingfeld & Willielmum de Chelmsiton* vestra sumus Excellentia relaturi, fidem plenariam adhibentes, salubre remedium quod Universitati vestre noveritis oportunum, nobis dignemini misericorditer elargiri. Tantum si placet facientes in premissis, ut Universitas vestra sub alarum vestrarum regimine latitando, quiete bibere, et ad honorem Christi et Ecclesiæ studendo proficere valeat in futurum. Valeat, &c.*

The Church of *Axmynstre*, formerly made a Prebendary and appropriated to the Church of *Torke*, being alienated and disappropriated from it during the vacancy in the reign of King *Henry the 3.* King *Edward* recovering it by Judgement from the Abbot of *Newenham*, restored and appropriated it this year for ever as a Prebendary to the Church of *Torke*, as formerly, by this Patent.

Pat. 21 E. 1.  
m. 7. intus.  
Pro Ecclesia  
Regni Petri de  
Ebor.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod cum nos nuper in Curia nostra coram nobis apud *Cantuar.* advocacionem Ecclesiæ de *Axmynstre* cum pertin. per considerationem ejusdem Curie nostræ versus Abbatem de *Newenham* Ordinis *Cisterciensis* recuperaverimus ut Jus nostrum, ac postmodum intellexerimus, quod sede Archiepiscopi *Eborum* per mortem *Sewalli* dudum loci ejusdem Archiepiscopi vacante, & in manu Celebris memorie Domini *H.* quondam Regis *Anglia* patris nostri existente, tuerat dicta Ecclesia de *Warthull* & de *Grendale*, in dicta *Eboracen.* Ecclesia ex concessione progenitorum nostrorum quondam Regum *Anglia* Prebendalis, & eodem vacationis tempore ab eadem *Eboracensi* Ecclesia contra iustitiam, et in Juris Regii lesionem, et dictæ *Eboracensis* Ecclesiæ dispendium

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dium elongata: Nos facta eorum progenitorum, nostrorum quatenus consona fuerint equitati, illata conferbare volentes, advocacionem ipsius Ecclesie, et ipsam Ecclesiam quantum in nobis est, cum Juribus et suis pertinent. quibuscunque p[re]sente Ecclesie Eborum reddimus pro nobis et heredibus nostris eidem Ecclesie Eborum, et Præbendaris de Waribull et Grendale nunc existentibus, & eorum successoribus in dicta Ecclesia Ebor. in statu quo ante vacationem prædictam fuerat in proprios usus possidendam, absque calumnia, contradictione vel impedimento nostri vel heredum nostrorum imperpetuum. Nolentes quod Præbendarii locorum eorundem super possessione prædictæ Ecclesie quantum in nobis est, molestentur in aliquo de cetero, seu graventur. In cujus, &c. Teste Rege apud Cantuar. 18 die Julii. Et duplicatur.

This year John Archbishop of Yorke granted this License for the Kings Justices \* See here, p. Itinerant at Yorke to hold Assises in the time of Septuagesima and Sexagesima, against the Constitutions of the Church, encroaching on the Kings prerogative, and therefore \* abrogated by the Stat. of Westm. 1. 3 E. 1. cap. 51. without such license.

Johannes permissione divina Ebor. Archiepiscopus, Angliæ Primas, dilectis sibi Hugoni de Cressingham & sociis suis Justiciariis Domini Regis apud Eboracum itinerantibus, salutem & gratiam salvatoriam. Licet pro communi salute fidelium pro-  
hibere Ecclesiasticæ dispositionis judicio (without any warrant from, and against the Scripture) ordinatum fuerit et statutum, quod certis anni temporibus contemplative devotioni deditis, secularis potestas neminem posset compellere ad jurandum; amore tamen justitiæ, quam maturarique credimus atque pium, ex quadam conniventia toleramus, quod Assisas quasunque Mortis Antecessoris, & Novæ disseisinæ, quas coram vobis ventilari contigerit, hoc instanti Septuagesimæ & Sexagesimæ tempore capiatis, & quod justum fuerit faciatis, super quo vestras conscientias oneramus. Bene valeat. Data apud Wilton. idibus Februarii Anno gratiæ 1293. & Pontificatus nostri nono.

Placita de Juratib. & Assisib. apud Ebor. a die S. Trin. in 15 dies, 21 E. 1. rot. 53. Spelmani Concilia, Tom. 1. p. 413.

The King borrowing 10000*l.* of the moneyes collected for the Holy Land in England for his own necessary affairs; and causing sundry foreign Merchants and his Brother Edmund, to enter into several Recognizances to the Collectors and Church of Rome, for repayment thereof, as if borrowed by them for their private uses, the King for their security and indemnity, declared the money to be borrowed and employed only for his own use, engaging to discharge and save them harmless against the Collectors and Church of Rome, by this Patent.

REX omnibus, &c. salutem. Sciatis quod cum nos recipi fecerimus per Charissimum fratrem nostrum Edmundum Comitem Leyc. a venerabilibus Patribus J. Wyntonien. & O. Lincoln. Episcopis, Collectozibus Decimæ in subsidium Terræ Sandæ concessæ per sedem Apostolicam deputatis, decem millia Librarum Sterlingorum de pecunia ejusdem Decimæ, pro quibusdam arduis negotiis nostris in Vasconia et alibi ex injunctiōe et p[re]cepto speciali expediendis. Et pro dictorum Collectozum securitate Mercatores de Societate Pullicum et Rembertinorum de Florentia, se in dictis decem Millibus librarum ad nostram instantiam et rogatum eidem Collectozibus obligantes, eandem pecuniæ summam se ex causa mutui a prædictis Collectozibus recepisse et habuisse recognoverunt: præfatusque Edmundus frater vester nihilominus prædictam pecuniæ summam sibi mutuatum fuisse recognoverit, et ad se pervenisse, et in utilitatem suam conversum fuisse cognoverit, et eandem reddere promiserit, prout in scriptis obligatoris fratris nostri & Mercatorum prædictorum super hujusmodi recognitionibus divisim & separatim confessi, præmissa plenius continentur, quamquam secundum rei veritatem dicta pecuniæ summa sit in nostri utilitatem conversa, et mutuum hujusmodi et obligationes tam fratris nostri quam Mercatorum prædictorum, pro nobis et nostris agendis, et de mandato nostro, ut præmittitur, sint iniusta et contracta. Nos indemnitati Mercatorum prædictorum volentes in hac parte prospicere, ut tenemur, Mercatores eosdem erga præfatos Collectores, necnon et Romanam Ecclesiam, ac quoscunque alios super obligationibus hujusmodi et prædicta summa pecuniæ, quiescentes facere et

Pat. 21 E. 1. m. 18. Cechil;



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indempnes promittimus fideliter conserbare. In cuius, &c. Teste Rege apud Westm. 6 die Maii, Anno Domini 1293. & regni nostri 21. To such shifts was the King then put to borrow these monies from the Popes Agents, though granted to him for the Holy Lands relief.

An. 22 E. 1.

\* Bundela Bre-  
vium An. 22 E.  
1. in Turre  
London.

In the Bundels of Writs in the *White Tower*, Anno 22 E. 1. I finde no less then 8. Writs brought at the suits of the parties, or at the Kings suit, for holding Plea of, or prosecuting Suits in Court Christian, de *Catalis et Debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram*: I shall render you only this brieve of them. \* *Rex Vic. Somerset, & Episcopo Bathon. & Wellen.* for Hilary de Domoer, *versus* Thomam de Conde, & Willielmum Burnwell *Archidiaconum* Taunton; 26 & 28 die Januarii. *Vic. Oxon.* for Willielmus de Erdington, *versus* Magistrum Johannem Walrand, & Magistrum Simonem de Dunketon; 17 die Maii. *Vic. Warwic. pro Domino Rege versus* Johannem Præorem de Kirkeby, &c. in lesionem coronæ et dignitatis nostræ, et contra *Prohibitionem nostram*; 17 die Maii. *Vic. Bucks.* for Alicia uxor Willielmi Cryps, *versus* Magistrum Richardum de Sancta Fryderoyda; 6 die Maii. *Vic. Bedford.* for Henricus de Marshal, *versus* Magistrum Benedictum personam Ecclesiæ de Wardon; 26 die Aprilis. *Vic. Devon.* by Richardus de la Weye, *versus* Magistrum Philippum de Exon. *Archidiaconum* de Barne staple, & Magistrum Johannem de Cuwyk, quare tennuerunt; & Stephanum personam Ecclesiæ de Cokington, quare secutus est, &c. 8 die Maii. *Vic. Huntingdon.* by Willielmus Pryde, *versus* Nicholaum de Huntingdon, quare tenuit, &c. 13 die Febr. Besides one Writ *Vic. Oxon.* brought by Rogerus de Codesford, *versus* Magistrum Rogerum de Monti Vallibus, quare tenuit placitum in Curia Christianitatis de laico feodo ipsius Rogeri de Codesford, in Oxon. contra *Prohibitionem nostram*. Teste meipso apud Cantuar. 23 die Aprilis, Anno regni nostri vicesimo secundo. To which I shall subjoyn two more Writs at large, for holding Plea of *Trespases and Adwosons*, evidencing the vexatiousness and daring contempts of Ecclesiastical Courts, against the Kings Prohibitions in that age, and the Kings, Judges resentments of, and proceedings against them for the same.

Ibidem.

Edwardus Dei gratia Rex Angliæ, &c. Vicecomitibus London. salutem. Monstravit nobis Willielmus Faure & Alic. uxor ejus, quod cum Magister Simon de Wymundham, Willielmus le Somenir, & Mattheus le Someter, in Curia nostra coram Justiciariis nostris apud Westm. à die Pasche in 15. dies, anno regni nostri 22. attachiati sunt ad respondend. eidem Willielmo Faure & Alicæ de placito, quare cum placita de Transgressionibus contra pacem nostram factis in regno nostro, ad nos et coronam et dignitatem nostram, et non ad alium pertineant in eodem regno; ac iidem Magister Simon, Willielmus le Somenir, & Mattheus, secuti sunt placitum in Curia Christianitatis super huiusmodi Transgressionibus, in lesionem coronæ et dignitatis nostræ, et contra *Prohibitionem nostram*, eidem S. W. & M. directam, ut prædictum placitum ulterius in Curia Christianitatis sequerentur. Iidem Magister Simon, Willielmus & Mattheus, nichilominus prædict. placitum in præfata Curia Christianitatis secuti fuerunt, quousque idem Willielmus & Alicia ad sextam ipsorum Magistri S. W. & M. sententia Excommunicationis in ipsos fulminata ab ingressu Ecclesiæ suspensi fuerunt; et postmodum hæc nostrum de capiendis ipsos Willielmum & Aliciam tanquam clares Ecclesiæ contempnentes, maliciose impetraverunt, ut sic eos impediunt quo minus placitum prædictum in præfata Curia nostra coram præfatis Justiciariis nostris apud Westm. inde motum prosequi possint, secundum legem et consuetudinem regni nostri, in ipsorum Willielmi & Aliciæ dampnum non modicum, et nostri contemptum manifestum. Et ideo vobis precipimus, quod capta securitate à præfatis Willielmo & Alicia de clameo suo prof. attachiatis præfatos Magistrum Simonem, Willielmum & Mattheum per corpora sua; ita quod eos habeatis coram Justiciariis nostris apud Westm. in Octavis Sanctæ Trinitatis, ad respondend. tam nobis, quam prædictis Willielmo & Aliciæ de prædictis transgressionibus et contemptu. Et interim de capiendis eisdem Willielmum & Aliciam prætextu alicujus brevis nostri de Cancellaria nostra occasione prædicta omnino supersedeatis. Et habeatis ibi hic breve. Teste J. de Meringham apud Westm. 7 die Maii, anno regni nostri vicesimo secundo. Which was accordingly executed, as appears by the Retorn endorsed thereon.

Nota.

The

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The like Writ issued *Viccomitibus* London, *pro* Willielmo de Sancto Georgio, *An. 22 E. 1.* *versus Magistrum* Henricum de Massington, *quare, &c.* tenuit placitum *de hujusmodi Transgressionibus, & quare tenuit placitum in eadem Curia Christianitatis de Advocacione Capelle de Tadham, contra Prohibitionem nostram, in laesionem capite et dignitatis nostre, &c.* Idem Magister Henricus pendens inter eos in prefata Curia nostra *prædictis* placitu, *prædicta* placita nichilominus ulterius tenuit in prefata Curia Christianitatis, quousque sententia in ipsum Willielmum ea occasione ad legem ejusdem Magistri Henrici publicata et promulgata, ipsum excommunicari fecit: Et postea hæc nostrum de ipso Willielmo sic excommunicato, tanquam elades Ecclesie contemnente, capiendo, jam vobis porrexit, ut dicitur, in capite et dignitate nostra laesionem, Curie nostre *prædictæ* contemptam manifestum, &c. as in the preceding Writ. *Teste* J. de Mettingham apud Westm. 12 die Dec. *Anno regni nostri 22.*

King Edward the 1. in this 22. year of his reign, by reason of his expensive Wars, wanting money and means to provide for and relieve his old decayed *Servants* and *Soldiers*, by virtue of his Prerogative Royal, began by his Writs to demand <sup>a</sup> *Corodies* for them, from Abbots, Priors, and Religious Houses of his foundation, which held not by *Frankalmoigne*, (as his Father <sup>b</sup> King Henry the 3. did before him for the *converted Jews*) and likewise Pensions for his *Chaplains* from Bishops, especially upon his advancing of any New Abbot, Prior, Archbishop, Bishop, and restitution of their Temporalities to them; witnesse these 4. *Corodies* granted at once this year.

<sup>c</sup> Henricus Lombard habet literas Regis de peccatoribus directas Abbati et Conventui de Abboteshur. quod ipse eum admittant in Domo sua in bis necessariis quoad dixerit exhibendum. *Teste* Rege apud Rokesford, 24 die Februarii; per breve de privato sigillo. Consimiles literas habet Johannes Castiloun directas Principi et Conventui Ecclesie Christi in Nova Foresta. *Teste* ut supra; per breve de privato sigillo. Consimiles literas habet Thomas de Lenton directas Abbati et Conventui Cestrie. *Teste* ut supra; per breve de privato sigillo. Consimiles literas habet Rogerus Frere directas Abbati et Conventui de Croxton. *Teste* ut supra; per breve de privato sigillo. The form whereof you may read in the Register and Fitzherbert.

After which, such Writs for *Corodies* for the Kings and Queens *Servants*, *Soldiers*, and Pensions to the Kings Clerks till promoted to Benefices, very frequently occur both in the Bundles of Privy Seals and Clause Rolls in the Tower, during this Kings reign and his successors; Abbots, Bishops Lands and Revenues being originally granted them by our Kings their Founders, not to spend them on their own luxury, pomp, kinred, allies, but to be bestowed in *almes, hospitality, and charity to poor distressed people*; therefore more especially on such decayed meritorious *Servants* or *Soldiers* as the King by his Writs should recommend to them, to be relieved and harbored during life; being a privilege due unto him of meer common right, of which no prescription or custome could deprive him; no wayes extinguished or restrained by *Magna Charta* c. 1. 3 E. 1. c. 1. or *Articuli Cleri* c. 11. as our Judges and <sup>d</sup> *Law-books* have since frequently resolved.

The same year, (*Anno* 1293. as *Matth. Westminster*, or 1294. as *Walsingham* computes) there fell out a new unexpected quarrel between the *English* and *French*, upon this occasion; The <sup>a</sup> *Normans* murdering and pillaging the *English*, and hanging some of them upon the masts of their ships, with dogs, in contempt, highly exasperated those of the *Cinqueports* and other *English* Mariners, who of their own accord united their ships together, to revenge themselves upon the *French*, for this indignity, and other depredations on the *English* Merchants; <sup>b</sup> *Per idem tempus* *Mercatores Angliæ variis in mari laceratis periculis, super mercium suarum amissione, Regi Angliæ conqueruntur; Qui Commisem* Lincolniz Henricum de Lacy ad Regem Franciæ transmissit, suppliciter petens, ut de assensu ipsius per Reges & eorum consilia, contra hujusmodi maritima dispendia provideretur. Interim vero dum Comes responsum expectat, classes ducentarum navium Normannicarum & amplius, quæ coadunata, ut Anglos virtuosos invaderes, & invadendo fortius propulsares, in Walsconiam profecta fuerat, quicquid de parte adversa obvium habuit, præda & mori facile destinando. Dum onusta vino reverteretur gloriosa, quæ sibi soli maris celsisset libertas, a sexaginta navibus Anglicanis capitur in portu S. Matthæi; in minori Brytannia, & in Angliam adducitur

<sup>a</sup> See Register of Writs, p. 233. Fitzherbert & Brooks Abridgements Tit. Corodi, Fitz. Natura Brev. f. 230, 231, 232. Articuli Clerici 11. Cooks 2 Inst. p. 630. L. 5 B. 4. f. 120. <sup>b</sup> See Tom. 1. p. 835, to 841. <sup>c</sup> Clause 22 E. 1. d. 11. Pro famulis Regis.

<sup>d</sup> Long. 5 B. 4. f. 120, 121, 122, &c. Fitz. Nat. 1 rev. f. 230, to 233. & Abridgement Tit. Corodie; and the Law-books in Ashes Tables, Corodie 4.

<sup>a</sup> Tho. Walsingham Hist. Angliæ, p. 23. Ypodigm. Neustr. p. 77. 78. Mat. West. An. 1293. pag. 386. to 391. Henr. de Knyghton de Event. Angl. l. 3. cap. 6. col. 1491, to 1498. See Fabian, Caxton, Holinshed, Granton, Speed, Daniel, Baker in K. Edw. 1.

feria



An. 22 E. 1. feria sexta ante vigiliam Pentecostes, submersis aut casis hominibus omnibus qui erant in navibus, absque delicti conditione, solis illi exceptis qui in scaphis vix sibi saluti fuerant fugiendo. Perdidernnt quippe Gallici quindecim millia hominum in hoc conflictu, Anglici eorum cadavera in mari proiecērunt, nec unum solum superstitem dimiserunt; & eorum vasa, vina & alia necessaria continentia, reduxerunt ad propria cum contentis, inter se navis & ipsalia dividentes. De quibus Rex Angliæ nihil recipere voluit, quasi eorum non consentiens voluntati, pro eo quod absque eius præcepto talia perpetrarunt. In illo enim tempore non erat Rex, neque lex navis posita, sed quod quisque rapere vel auferre valebat, hoc suum esse dicebat. Gernemuthensis inexpugnabilis manus lustrantes confinia Normannorum, nulli parcentes conditioni, sexus, ætati, rogo patriam illuminantes, manus prædis & discrimini laxaverunt. Francigenæ igitur territi & turbati, adiverunt Regem suum, auxilium postulantes, Rumor facti diffusus per Galliam, Regem, consiliumque suum non tam admiratione quam indignatione vehementi commovit. Mittuntur igitur nuntii inter Reges pro pace faciendâ, Ambassadors ex parte Regis Francorum ordinati, a Rege Angliæ petierunt, ut absque mora navis cum mercibus per homines suos captos, & in regno suo receptos, restitueret, si vellet sua negotia pro terra Wasconiz in Curia Regis Franciæ favorabiliter expediri. Super mandato Rex deliberans, habito consilio, Richardum Londinensem Episcopum, adiunctis eidem aliis viris prudentibus, ad Regem Francorum & suum consilium cum huiusmodi misit responso, viz. Cum Rex Angliæ curiam habeat nulli subjectam, si qui se laesos fecerint per homines regni sui, veniant ad Curiam suam, & declaratis sibi illatis iniuriis, Rex eis celerem fieri iustitiam ordinabit; quod ut securius possint facere quibuscumque conqueri volentibus, Rex de eundo & redeundo per terram suam saluum dabit conductum. Quod si sic Regi Francorum non placeat, eligentur hinc inde arbitri, qui per satis damni utriusque partis, provideant, quomodo querelantibus satis fiat, & Rex Anglorum dicto eorum & laudo sub certa obligatione se submittet, dum tamen Rex Francorum se submittat & obliget pari modo. Si vero aliquid occurrat tam arduum, quod per arbitros discindi nequeat, definiendum Regibus reservetur. Et Rex Angliæ habito conducto ad Regem Franciæ accedentem, ad aliquam villam maritimam veniet, & de assensu mutuo finis negotio imponatur: Quod si nec istud Rex Francorum acceptaverit, in summum Pontificem, cuius est inter Reges et Regna pacem fovere, transferatur de assensu mutuo negotium (not as to a sovereign Judge, but private voluntary Arbitrator chosen by them:) vel quia tunc Sedes S. Petri vacabat, ad Cardinales omnes vel aliquos, ut litis et discordiæ submotâ materia, par inter eos et eorum populos restaret ut solebat. Spernit hæc omnia consilium Franciæ, nec iniuriis instanter flagitantibus dignatum est aliquid respondere.

The King, during the Treaties with the French King for peace, by his Ecclesiastical Sovereignty issued these Writs to his Bishops, to pour forth devout prayers to God for a blessing on his conference with the King of France, that it might tend to the praise of Gods holy name, the peace, prosperity and honour of his Realm, and the common good and profit of Christianity; worthy our imitation upon occasions of this nature.

Claus. 22. E. 1.  
m. 11. dorso.  
Pro Rege de  
precibus. See  
my signal  
Loyalty and  
Devotion, &c.  
part. 2. pag 41,  
42.

**R**EX Archiepiscopo Eboracensi, &c. salutem. Cum inter magnificum Principem, Dominum Regem Franciæ illustrem, Consanguineum nostrum, & nos aliqua sint exorta, propter quæ ad partes intendimus transmarinas personaliter nos conferre, cum Domino Rege super hiis habituri colloquium & tractatum. Credentes firmiter & sperantes, quod felicioꝝ votis nostris effectus adveniret, si devotoꝝ intercessionibus adjuvemur; Paternitatem vestram affectuose requirimus et rogamus, quatinus apud Deum preces devotas suppliciter effundatis, et a vestris subditis illud fieri iungatis, ut in huiusmodi negotio prosequendo, tractando, ac etiam ordinando, sic Deus et Dominus regat et dirigat actus vestros, quod cooperante unigenito Dei filio Iesu Christo, labor noster in hac parte ita possit fructuosus haberi, quod cedat ad laudem sui nominis, ac statum quietum et prosperum Regni nostri pariter et honorem, necnon et ad totius Christianitatis commodum et profectum. Telle Rege, apud Sanctum Albanum, xiv. die Februarii.

Consimiles literæ diriguntur A. Danelmensi Episcopo, J. Episcopo Karl. O. Lin. Episcopo, W. Elyen. Episcopo, R. Norwic. Episcopo, J. Wynton. Episcopo, G. Cister. Episcopo, J. Ruffan. Episcopo, Th. Exon. Episcopo, A. Sarum Episcopo, R. London. Episcopo, W. Bath. & Will. Episcopo, R. Coveniv. & Lich. Episcopo, G. Wygorn. Episcopo, — Assavin. Episcopo, Th. Heref. Episcopo, — Bangor Con.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Consimiles literæ diriguntur Custodi spiritualitatis Archiepiscopus Cant. sede vacante, mutatis tamen mutandis, viz. ubi paternitatem, &c. ibi devotionem, &c. An. 22 E. 1.  
 Consimiles literæ Custodi Episcopus Landaven. sede vacante diriguntur.  
 Consimiles literæ diriguntur M. Menven. Electro.

The French King and his Counsel rejecting all overtures of Peace with King Edward after sundry Treaties and prayers, instead thereof, \* *Missi denique Rex* \* *Walsingham*  
 Francorum ad civitatem Agenum, quas ad Ducatum Aquitanie spectare dignosci- Hist. p. 23, 24.  
 tur, ibique nominatim citari fecit Regem Angliæ, ut die certa Parisiis compareret, de in-  
 juriis & rebellionibus in terra facta Walconie responsurus. Which † *Mat. Westmister* † *Flores Hist.*  
 thus relates; Circa festum Sancti Andree Apostoli Rex Francorum Philippus dire- An. 1293. pag.  
 xit Regi Angliæ literas citatorias, ut personaliter Parisiis ad Parliamentum suum acce- 339, 390, 391.  
 deret, responsurus, questionibus & legitimis causis, quas idem Rex & sui Pares proposituri  
 erant adversus eum, in hac verba.

Philippus Dei gratia Francorum Rex, Edwardo eadem gratia Regi Angliæ, consan-  
 guineo suo, tenenti Ducatum Aquitanie, salutem. Cum notorium sit & manifestum per  
 rei evidentiam, aded quod nulla potest tergiversatione calari, quod homines de Bajona, co-  
 adunatis sibi quampluribus aliis, qui de regno vestro Angliæ, assumptis navibus & ar-  
 mis, ac hominibus armatis in magna multitudine, ibidem palam ac publice collectis, vobis  
 non insciis, vel saltem probabiliter ignorare non valentibus, exierunt, animo nephando ho-  
 mines ac subditos nostros de Normannia, & de quibusdam aliis partibus regni nostri, tam  
 in terra quam in mari, in locis etiam nostra jurisdictioni subiectis, nequiter invaserunt,  
 innumeros ex iis inhumaniter occidendo, stragemque horribilem eis faciendo, multos ex  
 eis capiendo, & adhuc captos detinendo, ac eosdem navibus & mercibus, quasi inestimabi-  
 libus, ex diu ante concepta nequitia depraudando, confractis quamplurimis ex dictis navi-  
 bus, & submersis, spretis & contemptis prohibitionibus & mandatis nostris factis & pro-  
 positissolenniter & publice, ac palam editis Burdegali & Baionæ, & in multis aliis locis,  
 ne aliquis pradictis, vel aliis quibuscunque specialiter, per terram vel mare vehemibus  
 merces suas, transducerent forisfacere, seu alias offendere quoquo modo. Navis etiam su-  
 perflites, & omnes merces ad regnum vestrum Angliæ transvehendo, quas in vestra juris-  
 dictione acceptastis, & adhuc receptas scienter, & per nuncios nostros super eorundem exi-  
 stentium & apparentium restitutionem requisitis sufficienter, restitutionem facere non cura-  
 stis, sed potius contempsistis, licet vobis ex parte nostra fuerit oblatum; quod si qua exi-  
 stentia, vel apparentia per homines regni nostri capta detinerentur de bonis subiectorum  
 vestrorum, de his restitutionem vobis fieri faceremus. Cumque notorium sit & mani-  
 festum similiter, quod quamplurimi dictorum hominum de Baionia, adjunctis sibi nonnullis  
 malefactoribus aliis, villam nostram de Rupella proditorialiter invaserunt, insultus quam-  
 plures in eam facientes & habitatores ipsius, quosdam etiam occidentes ex eis, & alios  
 multipliciter damificantes, eosdem nos, cum excessus & facinora pradicta non possumus  
 convenientibus oculis pertransire, vobis, vel locum vestrum in Vasconia & Baiona tenenti-  
 bus, quod certum numerum dictorum hominum de Baione, per vos, vel pradictos locum ve-  
 strum tenentes, in prisona nostra Petragorum mitteretis infra terminum jam elapsam,  
 pro faciendo quæ ratio persuaderet, & justitia postulare, precepimus. Alia quadam  
 mandata super pradictis, per patentes literas nostras sufficienter fecimus injungi, quibus  
 injuntionibus & mandatis parere, contumaciter & contemptibiliter est neglectum. Cum-  
 que ex rati & legitimis causis seiviri mandaverimus civitatem Burdegalim terram Agen-  
 dici, & totam aliam terram, quam infra Seneschallia nostra Petragori metas, in Petra-  
 goniano, Caturinio, Lemovico, gentes vestra nomine vestro tenebant, & locum vestrum  
 tenentes in pradictis locis, gentibus nostris dicti mandati nostri sine armis executioni deman-  
 dantibus, inobedientes fuerunt contumaciter, & rebelles, & adhuc in rebellionem persistunt,  
 mandatu nostru & gentibus nostris non parentes. Sed quod gravius est ferendum, civita-  
 tes, castra, villas, & loca dicta terra, contra nos muniunt, inforciant, tota die volentes,  
 quasi modo hostili, justificationi nostra feodi resistere, nec quadam custodia, nec fortalicias,  
 qua ab eis ex certis & legitimis causis per gentes nostras requiri fecimus, reddere volue-  
 runt, siue ea reddere noluerunt, siue ea reddere contemptibiliter recusarunt; & gentes  
 terra illius ad resistendum nobis & nostris, in viis & itineribus concitaverunt, concitant &  
 invidant, contra nos gentes ipsas juramentis propriis astringentes, & in assis literas  
 ex parte vestra proposuerunt publice, & dixerunt, quod nobis nec gentibus nostris in  
 ullo parcat. Imo si gentes nostra justificando, sicut ad nos pertinet, aliquid seiviant, ca-  
 piant;



An. 22 E. 1. *piant, vel explelent, vel sifire vellet, capere vel explellare quod fierent, vel fiant gentibus nostris violenter recussa, qua jam in multis locis intemperabiliter infligendo, gentes nostras cum armis impiter expellendo, verberando, & de terra illa violenter ejiciendo, & alios violenter pertrahendo, in pradiis & pluribus aliis seditionem publicam contra nos, et jus regium nostrum facientes, in prajudicium superioritatis nostrae, et laesonem Regie Majestatis; qua tam diu & tam nefarie perpetrata sunt, & adhuc toto die perpetrantur, quod horum ignorantiam vos habere veresimiliter non potestis. Cumque publica referente fama ad nos pervenit, quod post appellationes multas, & a multis locum vestrum tenentibus ad Curiam nostram, interposita occasione appellationum, in magnum et grave prajudicium superioritatis et jurisdictionis nostrae contemptum, appellatos ipsos a jurisdictione nostra, propter easdem appellationes exemptos, irrationabiliter & crudeliter, nulla humanitate servata, sed spreta reverentia nobis debita, traxerunt capiendos, & districtis carceribus mancipando; videlicet Grimbaldum de Tysano, Bernardum de Raunchano, Andream de Bayfac, Bonafusium de Coceti, dictum Ros, & quamplures alios bonis suis omnibus spoliando, & de suis domiciliis, locis & hereditatibus expellendo, dictum Garciam & quamplures alios suspendendo, Arnoldum de Bordis, Bernardum Pelliternum, & quendam vocatum Formage, & in gulis eorum furcas imponendo, & aperte post omnes chordis ligando, ne loqui possent, sem appellare, aut appellationes suas renovare; inhibendo sub poena suspendii quibusdam notariis, requisitis ab ipsis appellantis, ut supradictis appellationibus publica conficerent instrumenta, ne hujusmodi instrumenta facerent, videlicet Magistro Martino Mercero & pluribus aliis; aliosque incarcerando, eos detinendo, pro eo quod dicebant, quod a Seneschallo vestro Vasconie, & de tota terra Agen. ad nos licitum erat appellare; videlicet Reymundum de Lacussano advocatum de Agen. & quamplures alios diversorum tormentorum generibus cruciando. Hinc est quod vobis precipimus, et mandamus sub poenis quas potuistis incurtere et potestis, quatenus vicefima die instantis Natalis Domini, quam vobis pretempore Parisiis assignamus, compareatis coram nobis, sicut debebatis et debetis, et sicut tantorum facinorum et excessuum qualitas exigit et requirit, super dictis omnibus, quorum cognitio ad nos pertinet, et prae dicta tangentibus, et quae possunt sequi ex eis et omnibus aliis, quae contra vos proponenda duxerimus, responsuri, jure parituri, et quod iustum fuerit audituri, et etiam recepturi. Significantes vobis tenere praesentium, quod si vice dictis die & loco compareatis, siue non, nos nihilominus procedemus prout debemus, vestra non obstante absentia. Datur. Parisiis, &c.*

\* Henry de Knyghton de Event. Angl. l. 3. c. 6. col. 2497 & c. 7. col. 2500, 2501. Walsingham Hist. Angl. p. 25. Mat. Westm. p. 392.

\* *Istud mandatum quia Rex Angliae minime est prosecutus, ad diem praefatum non comparendo, Rex Francorum in propria persona pro tribunali sedens, sententiam protulit iudicans in defectum: moxque universali Parlamento arbitrio, ab omnibus terris in regno Francorum prae habitis, extorris abjudicatur et exhaereditatur. Deinde praecipit Rex Constabulario Franciae, ut in manu armata proficiscens, Ducatum Aquitaniae Regis Francorum nomine occuparet, caperetque vel expelleret quoscunque per Regem Angliae illius custodia deputatos. Hereupon the King of France invading Aquitain, refusing all terms of Peace, or receding from them; Rex Angliae convocato Londoniensi Parlamento, cui Johannes Rex Scotorum interfuit, de consilio Praelatorum et Procerum consensum, terram sub dolo ablatam recuperandam gladio decernit. The Parliament giving him a large Subsidie towards this War, the King by their advice renounced his homage to the King of France; and sending the Archbishop of Dublin, the Bishop of Durham with others Embassadors to the Kings of Germany and Arragon with large presents and gifts, he entred into a firm league with them against the French, ancillante, imo principante summa C. M. lib. de sterlingis.*

a Flores Hist. pars 2. Anno 1294 p. 392. Polychronicon l. 7. c. 39. H de Knyghton de Event. Arg. l. 3. c. 2. col. 2471. Walsingham Hist. Angl. An. 1296 p. 29.

The King notwithstanding this Subsidie wanting monies, searched all the Monasteries and Churches throughout England, where any monies were deposited by Religious persons or others, and forcibly carried it away to supply his occasions, by the advice of his Treasurer William de Marchia Bishop of Bath and Wells, thus related by a Mat. Westminster. *Illo quoque tempore, videlicet Dominica secunda mensis Julii, factum est servitium puerablie, et sacrilegium horrentum in Ecclesia Dei, per universum regnum Angliae, quale non fuit, nec fuisse creditur multis temporibus retroactis. Fecit Rex omnia regni Monasteria perscrutari, & pecuniam inventam Londonius deportari. Quod quidem servitium, ut credimus, non emanabit a conscientia Domini Regis; sed author potius hujus facti fuit Magister Gulielmus de Marchia, tunc tempore Domini Regis Thesaurarius, qui in hoc facto non Bathoniensis Episcopus*

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward I.

caput dicit debuit, sed tyrannus, non defensor Ecclesiam sed offendens. *Iste Equi. An. 22 E. 1.*  
 dem facit cuius autoritate sit. Et quia sic Templum Domini violabit, & creat sibi ab  
 anathemate Sancti Pauli, dicentia; \* Si quis Templum Domini violaverit, disperdet \* 1 Cor. 3. 16,  
 illum Deus; (meant only of the sacred Temples of Christians bodies, defiled by  
 fornication or adultery, of which sin unmarried Priests and Monks were then most  
 guilty; not of Monasteries or Churches, as this Monk with others mistake, and mis-  
 apply it.) <sup>11 Cor. 6. 13.</sup> <sup>to 20</sup> <sup>a De Event.</sup> <sup>Angl. 1. 3. c.</sup> <sup>7. cel. 2500,</sup> <sup>2501.</sup>  
 a Henry de Kynghton stories; Edwardus quorundam frethi consilio, omnem  
 pecuniam & omne depositum in Ecclesiis Cathedralibus, Domibus Religiosis, & nosteris  
 gazophilaciis Clericorum & Laicorum Fratrum Prædicatorum & Minorum, cæterorumque  
 ordinum omnium, quibus scilicet die Julii hora tertia, per ministros suos præordinatos quasi  
 ex improviso cepit, & in ararium suum Londoniæ reponere fecit, multamq; pecuniam cen-  
 situs est, quam nunquam postea restituit. Illis tamen qui ei tenebantur in debito vel com-  
 munitate cum Clero vel populo auxilium promittebant ei, huiusmodi pecuniam accipiam in  
 solutionem aliorum iussit allocari, seu restitui. <sup>b Angl. Hist.</sup> <sup>L. 17. p. 332.</sup>  
 Polydor Virgil thus more particularly  
 relates the story: Erat p hæc bella continua jam vacuatum ararium regium, quo ma-  
 ius Gulielmus Marchianus quæstor unus, omnium alieno detrimento sanandum statuit. Is  
 enim noverat cum in Conobitis, tum in Templis pecunias esse depositas, quas si su-  
 beret tolli, non utique scelus, sed operæ præclum facturus ducebat, si pecunia prome-  
 retur solas ad usum populi, pertinere quasi omnia essent communia, quo sic pecuniam  
 militi suppeditaret, præsentemque curaret (inopiam.) Itaque prælati militum,  
 quibus ille sacrilegi patrandi negotium dederat, dispositis passim per regnum mili-  
 tibus, uno tempore quicquid pecuniarum in locis sacris reconditum fuerat, omnibus  
 de regibus indagatum ad Edwardum afferunt, gemente passim populo (or rather  
 Clero) quod Princeps non putaret manum abstinendam a pecuniis, quibus sacræ  
 res recondendæ essent. Rex autem pecunia egerens rem dissimulavit. <sup>c Page 300.</sup>  
 Francis Godwin in his Catalogue of Bishops stories, That he had seen amongst the Records of our Church  
 of Wells, the Copies of divers Letters unto the Pope and Cardinals, from the King, from  
 the Nobility, and divers of the Clergy of this Realm, commending William de Mar-  
 chia so farre forth for his holynesse, testified (as they write) by many miracles, as they  
 increated very earnestly for his canonization. I marvel much at it, for Matthew of  
 Westminster and Polydor Virgil complain much of him, as the author of an heinous  
 sacrilege, in causing the King to spoyle all the Churches and Monasteries of  
 England, of such plate and monies as lay hoorded up in them, for the payment of  
 his soldiers. It was Edward the 1. a Prince that wanted neither wit to devise,  
 nor courage to execute such an exploit, and to lay the fault upon another at last. Yet  
 likely enough it is, that such a fault stamped on him (how undeservedly soever) might  
 barre him out of the Popes Kalender, who otherwise was not wont to be overdauntie in  
 affording that kinde of honour, where fees might be readily paid in for it.

The King not sufficiently supplied with monies by this prey, or forced Loan, <sup>d Mx Westm.</sup>  
 in vigilia S. Matthæi Apostoli, condanatis Clero & populo apud Westm. postulat Rex <sup>An. 1194. p.</sup>  
 a tota Ecclesia, per totum regnum Angliæ locata, medietatem omnium bonorum, <sup>393, 394. Mat-</sup>  
 tam temporalium quam spiritualium. Quo audito, et in sæculis inaudito, Pon- <sup>Parker Antiqu.</sup>  
 tifices et Palati conturbati sunt et conterriti, et pæ angustia spiritus gementes, <sup>Ecclef. Brit. p.</sup>  
 Regemque offendere, et ei contradicere non audentes, sed votis regis annuentes, <sup>209.</sup>  
 et prædictam medietatem omnium bonorum suorum, uno anno præbentium,  
 concesserunt. Quam quidem medietatem, si prius prudentius et melius cogitasset.  
 sede Apostolica inconsulta, Regi concedere non præsumerent ullo modo; (writez  
 Mar. Westminster.) Iudicium igitur huius solutionis certis terminis & præfixis, ad  
 propria sunt reversi. Nec mora, soluta prima portione juxta taxationem Decima præ-  
 taxata, præcepit secularium militum bona taxari, & sibi decimari. Mercatoribus &  
 Civibus commorantibus in civitatibus muratis, & villulis mundinariis, senarium dena-  
 rium ex omnibus quæ possiderant, ejus necessitatibus inditit peti solvendum. Di-  
 citur etiam, quod Magister Gulielmus de Monteforti, Decanus Ecclesia Sancti Pauli  
 London. sanus & incolumis ad Curiam veniens, ut Regis animum mitigaret, aut saltem  
 tale jugum importabilis servitutis, sicut bonus Ecclesie filius ledigaret, & appro-  
 prians ante Regem, ut sermonem conceptum, pro quo venerat, exponeret, repensè labiis  
 obmutescens, viribus corporis destitutus, coram Rege corruens spiritum exhalavit. Hoc  
 vero Rege convalescentibus oculis prætervixit, & in petitione sua instantius perdurante, ad-  
 huc absconditum erat quantum persolveret quisquis Regi, hinc diversis diversa fabu-  
 lantur;



**An. 22 E. 1.** *lanes, ac in dies minuo sic ndam acerbam masticantibus: Congregatis tandem in refectorio Monachorum Westm. surgens unus Miles, Johannes de Havering dictus, in medio eorum dicebat; Viri venerabiles, postulatio Regis hæc est; scilicet, Ecclesiasticorum vestrorum proventus mæditas annualis. Cui si contradixerit quis, assurgat in medio ceto, ut agnita persona ejus, ascribatur tanquam regis pacis reus. Quibus auditis, conturbatis singuli pælati capitis protinus paruerunt.* <sup>e</sup> *Henry de Knighton* thus relates the proceedings in this affair. Eodem anno circa festum Ascensionis Domini, Rex omnes lanes terras Angliæ, tam Clericorum quam Laicorum scilicet, et sic seistas servabit quousque Pccatores data pecunia summa, eas quasi de nobis redimerent. Eodem etiam anno, vocavit Rex per literas suas Archiepiscopos, Episcopos, Decanos Ecclesiarum Cathedralium, et Archidiaconos in propriis personis, Clerumque universumque Diocesis per duos Procuratores ut in festo Sancti Matthæi Apostoli coram eo comparerent Londoniæ. Quibus existens ait Rex; Domini carissimi, jam satis constat, ut audistis, de famosa ista guerra quæ inter Regem Francorum & inter nos initium sumpsit, non nostra culpa ut novit Deus, set abique ullo dolo vel fraude casualiter sumpsit initium, & usque præsens sumptuosissime continuatur. Verum ne ex injusto bello redargui possemus vel reprehendi, optulimus ei primò pacem, & pacis formam uterque nostrum amplexatus est; Quam cum ex parte nostra, ut convenit, servare parati essemus, ipse eam renuit & contempsit, & quanto magis pacem quærimus, tantò magis ab ea eramus separati: Videntes autem nos finaliter sic illudi, hanc guerram incepimus, & si necesse fuerit pro iustitia nostra consequenda usque ad mortem continuandam. Verum quia terræ nostræ Anglicanæ non sum nisi quasi unus malus custos, & non ipsa terra nostra, set tota Anglicana Ecclesia jam in arto ponitur et movetur injuste, nec continuare possumus quod incepimus nisi de eadem terra nostra nobis auxilium tribuatur, scirco orationes vestras in præsentem expetimus, et vestrum auxilium implozantes. Et jussè debetis Domini carissimi & præcipue ista oratione impartiri auxilium, quoniam videtis Comites, & Barones & Milites nostros, quod non solum bona, sed verum etiam corpora sua pro nobis exponunt & pro terra nostra, non ad sanguinis effusionem, imò frequentius ad mortem. Et vos igitur qui corpora vestra exponere non potestis, iustum est et rationi consonum ut de bonis vestris subveniatis. Adjecitque subsequencia, ut placeret illis, scilicet enim eos esse motos pro immunitate Ecclesiæ violatæ. & ait: Quia recenter duo facta sunt in quibus admiramini; placare vobis volumus, & in hac parte respondere: Præcepimus, quod omnes lanes vestre arresterentur, et hoc non sine causa fecimus, quia nostræ voluntatis fuit, ut de bonis terræ ipsæ terra conservaretur illæsa. Aliud est: Datum fuit nobis intelligi, quod moneta terræ nostræ corrupta fuit & falsata, unde præcepimus, quod statutum monetæ in suo robore teneretur, nichil mali suspicantes; set in facto contigit sicut & accidit inter Apostolos Jesu Christi: Inter enim 12. erat unus malus qui Christum tradidit; similiter & in hoc facto fines mandati nostri quidam egressi sunt, & deceperunt nos; unde parati sumus emendas facere pro libito vestre voluntatis. Cumque loquendi finem faceret, respondit Oliverus Lincolnienfis Episcopus; Domine, istud negotium consilium requirit; detur nobis dies ad consulendum cum fratribus nostris, & ex consilio respondendum. Datusque est dies tertius. Interim verò consulentes, diversi diversa censerunt. Vacabat enim Cantuariensis Ecclesia, & membra sine capite dispersa sunt. Eboracensis verò Johannis Romanus, Regis timore perterritus, eo quod Regi in magna summa tenebatur, (upon his præmissis censure and Judgement in Parlamento, solum excommunicating the Bishop of Durham, &c.) quasi dissimulando desistit. Dunelmensis Antonius de Bek nondum reversus fuerat de Alemania. In unum tandem concordabant omnes, ut offerrent Regi duas Decimas in uno anno solvendas. Quod audiens Rex, indignatus est, et per suos satellites comminatus est, se extra protectionem suam Clerum velle ponere, nisi medietatem omnium bonorum concederent, et votis ejus annuerent in hac parte, statimque quasi stipula corda eorum dissipata sunt. Quidam enim Regi placere volentes festinanter, alii vero timore perterriti subsequencia concesserunt. Et quia immunitas Ecclesiæ, ut dictum est, læsa fuit et violata, petiit a Rege quosdam Articulus, Rege jubente. Fuit enim Rex postquam votis ipsius paruerunt, ut & ipsi ab eo peterent remedia quæ vellent: et petierunt imprimis, ut statutum de manumortuis, quod in præjudicium sanctæ matris Ecclesiæ fuit editum, deleteretur. Cui quidem articulo Rex, quod

e De Event.  
Angl. l. 3. c.  
7. col. 2502.  
2502. See Poly-  
dyor Virgil.  
Angl. Hist. l.  
17. p. 332.

\* Intimating  
that this was  
the act of the  
Bishop of Bath  
and Wells his  
Treasurer,  
who exceeded  
his commands.

† Here p. 564,  
566.

\* The cause  
why he granted  
them, and  
they received  
the ensuing  
Protections.

† See Polydyor  
Virgil. Angl.  
Hist. l. 17. p.  
332.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Quod idem Statutum de consilio Magnatum suorum fuerat editum et ordinatum, Ap. 22 E. 1. et absque eorum consilio non erat revocandum. Caterum autem articulis quod perposuerant (not specified in our Histories) respondit de facili; ita quod frustrati delusi reverts sunt ad propria; obligati tamen ad medietatem concessam. Eodem etiam anno habuit Rex a Communitate regni decimum denarium, & a civitatibus sexaginta denarium. \* Polydor Virgil, relates the story almost in the same words with Knighton, concluding it with this observation. \* Dum Edouardus ita ex Sacerdotum opibus suas eriget; Walli deficiunt, Anglos passim persequuntur, locaque aliquos capiant, multis interfecit sine ulla discrimine sexus aut aetatis. Misit Rex Edmundum fratrem cum non mediocri Militum numero, qui ut in Walliam pervenit, praelio cum hostibus commisso, prostratus est, nimirum pecunia sacrilegio quaesita egitio fuit exercitus, qua in primis illos conductus fuerat. So Polydor; who might have made the Popes sacrilegious exactions of moneys for the Holy Land, and Wars of Sicily, the sole or principal cause of the Christians overthrowes in the Holy land, and of the Popes forces in Sicily and Apulia.

The King after this Grant of the Clergy appointed Collectors in every Diocese to collect these Tithes at the several times of payment, by these Patents.

**R**EX dilecto sibi in Christo Priori Rossensis salutem. Cum Praelati & totius Clerici de regno nostro medietatem beneficiorum et bonorum suorum, de quibus Decima ultima in Subsidium Terrae concessa, fuit data nobis in Subsidium nostrum de anno praesentis, iuxta taxationem ultimo inde factam liberaliter concesserint et grantes, beneficiis Ecclesiasticis personarum plura beneficia Ecclesiastica non habentium per eandem taxationem, valorem decem Marcarum annuam non excedentibus, duntaxat exceptis; Ita quod prima tertia pars ejusdem medietatis in festo Omnium Sanctorum prox. futuro, & secunda tertia pars ejusdem medietatis in Quindena Paschae proximo sequenti, & ultima tertia pars ejusdem medietatis in Quindena Nativitatis Sancti Johannis Baptiste prox. sequenti nobis persolvatur: Nos de vestra fidelitate & diligentia confidentes, assignabimus vos ad dictam medietatem secundum taxationem illam in Episcopatu Ross. colligendam et adunandam, et in tuto loco reponendam et salvo custodiendam, donec aliud a nobis inde habueritis in mandatis; Et ideo vobis mandamus rogantes, quatinus eandem medietatem in forma praedicta colligatis, adunatis, & cum in tuto loco reponatis, & custodiat; Ita quod eam promptam & paratam habeatis juxta aequales portiones distis terminis nobis solvendam & liberandam, cum super hoc a nobis fueritis requisiti. Et hoc sicut nostrum & vestrum honorem diligitis nullatenus omittatis. Concesserunt enim nobis dicti Praelati, quod Clerum suarum Diocesium auctoritate sua, quam vobis per literas suas patentes praestabunt, ad solutionem dictae medietatis, ut praemittitur, faciendam compellere valeatis. In cuius &c. T. R. apud Westm. 30 die Sept.

Consimiles litterae diriguntur per singulos Episcopatus personis subscriptis.

Nomina Collectorum in Episcopatibus subscriptis; Heref. Decano & Cap. Heref. Landaven. Abbati de Margan. Assaven. Abbati de Aberconwey, Bangoren. Episcopo & Cap. Bangor. Meneven. Priori Lanton prime, Priori de Kaermerdyn; Linc. Abbati de Oseneys, Priori Sanctae Katerinae extra Linc. Norwiche. Priori de Sancto Edmundo, Priori de Wymundtham; Elyen. Priori Elyen, Priori de Bernewell; Coventr. & Litchf. Abbati de Burton super Trentam, Priori de Kenilworth; Dunelm. Priori Dunelm. Karl. Priori de Wobenshale; Cicestr. Dec. & Cap. Cicestr. Wygorn. Abbati de Glouc. Eborum. Priori de Thurgarion, Abbati de Seleby, Abbati beatae Mariae de Eborum, Abbati de Furnays. London. Priori Sanctae Trinitatis London. Abbati Sancti Johannis Colecestr. Exon. Decano Exon. Collectori Capituli Exon. Abbati de Taunton Collectori in Com. Cornub. Priori Sancti Nicholai Exon. Bath. & Wellen. Abbati Glaston. Cantuar. Abbati de Faverham; Sarum. Abbati Rading. Abbati de Shireburn; Wynton. Abbati de Certeys, Abbati de Hyda Wynton.

In recompence of which Grant, the King granted these ensuing protections to them both by Sea and Land, for their persons, servants, lands, rents, possessions goods and chattels.



An. 22 E. 1.

Ibid. Forma  
protectionis  
pro Prelatis  
& Clero.

**R**EX Capitan. Marinariorum & eisdem Marinariis, Vic. & omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Cum Prelati & totus Clerus de regno nostro medietatem beneficiorum et bonorum suorum de quibus Decima ultimo in subsidium Terræ Sanctæ concessa fuit data, nobis in subsidium nostrum de anno præfenti juxta taxationem ultimo inde factam liberaliter concesserint et grater, nos eorundem Prelatorum et Cleri quieti et tranquillitati ex hac causa libentius præbendere volentes; suscepimus in protectionem et defensionem nostram specialem præfatos Prelatos, et singulos de Clero prædicto, homines, terras, res, redditus, et omnes possessiones eorundem. Et ideo vobis mandamus, quod ipsos Prelatos & singulos de Clero prædicto, homines, terras, res, redditus, & omnes possessiones ipsorum in ballivis vestris manuteneatis, protegatis, et defendatis, non inferentes eis vel inferri permittentes injuriam, molestiam, dampnum aut gravamen. Et si quid eis factum fuerit, id eis sine dilacione faciatis emendari. In cujus, &c. per prædictum annum duraturus. Solumus autem set firmiter inhibemus, ne de bladis, seu aliis bonis et catallis prædictorum Prelatorum et Cleri, vel alicujus ex ipsis ubicumque consistant, ad opus nostrum aut aliorum quorumcumque, sine licentia et voluntate eorundem Prelatorum et Cleri, vel alicujus ex ipsis cujus bona fuerint, aliquid interim capiatis seu capi faciatis, quominus de eisdem bladis, bonis, et catallis suis libere disponere et ordinare, ac commodum suum facere poterunt, prout sibi melius viderint expedire. Teste Rege apud Westm. 27 die Sept.

After this general, he granted this special protection in the same form to the Abbots, Abbesses, Priors and Prioreesses of the Cisterciens, Augustines, Benedictines, and Order of Cluny in England, thus entred on record.

Ibidem.

**R**EX Capitan. Marinariorum, &c. ut supra; Cum dilectus nobis in Christo Abbas de Miravall. Ordinis Cisterciens. sicut ceteri Abbates ejusdem Ordinis de regno nostro medietatem beneficiorum, &c. Nos, &c. ut supra de verbo ad verbum usque in finem. Teste ut supra.

Consimiles literas de verbo ad verbum habent subscripti qui sunt de eodem ordine.

Pro Cisterciensibus.

Abbas de Regali loco juxta Oxoniæ, Abbas de Stratford, Abbas de Sibton, Abbas de Boxle, Abbas loci Sancti Edwardi de Lettelye, Abbas de Holmeclatram & Caldre in Conpland, Abbas de bello loco Regis, Abbas de Buldeyas, Abbas de Valle Dei, Abbas de Basingwerk, Abbas de Bella Landa & Strata Florida, Abbas de Dore, Abbas de Revesby, Abbas de Stanlowe, Abbas de Rughford, Abbas de Fontibus, Abbas de Cumba, Abbas de Gerndon, Abbas de Flexle, Abbas de Cotterhale, Abbas de Kirkefall dup. Abbas de Parco Ende, Abbas de Salleye, Abbas de Rivall, Abbas de Womburn. Abbas de Jorevall, Abbas de Waverle, Abbas de Stone, Abbas de Ford, Abbas de Dunkeswell, Abbas de Hayles, Abbas de Valle Regali, Abbas de Melsa, Abbas de Cumbermere, Abbas de Tame, Abbas de Tilstey, Abbas de Kingswode, Abbas de Hayles, Abbas de Saltreya, Abbas de Rupe, Priorissa de Appeton, Abbas de Bislefen, Abbas de Byndone, Abbas de Newenham, Priorissa de Cotum Monialium, Abbas de Warden, Priorissa de Wyne, Abbas de Ponte Roberti, Abbas de la Quarre, Abbas de Wynebyved, Abbas de Regali loco, Abbas de Curavall, Abbas de Rivall, Abbas de Bocton, Abbas de Bnkfast, Priorissa de Lekeburn, Abbas de Medideneham, Abbatissa de Morham, Abbas de Sabrin, Abbas de Crokefen, Abbas de Gerwedon, Abbas de Gracii.

Ibidem.

**R**EX Capitan. Marinariorum, &c. ut supra. Cum dilectus nobis in Christo Abbas de Neuhus ordinis Præmonstraten. sicut ceteri Religiosi ejusdem ordinis de regno nostro medietatem, &c. ut supra usque in finem. Teste ut supra.

Consimiles literas de verbo ad verbum habent Abbates subscripti, qui sunt de eodem ordine.

Pro Præmonstratensibus.

Abbas de Barlinges, Ab. de Lavendene, Ab. de Torre, Ab. de Croxton & Nesbo, Ab. de Alnewyk, Ab. de Bogeham, Ab. de Eillo Capite, Ab. de Duresford, Ab. de Teychfeld, Ab. de Wellesbek, Ab. Sanctæ Radegundis juxta Doveriam & de Langdon;

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done; Item idem Ab. Sanctæ Radegundis habet aliam seperatam, Abbates de Thun-  
bult & Haghenby, Ab. de Westderham, Ab. de Wentyng. Ab. de Langeley, Ab. de  
Leytton, Ab. de Langedene; Prior de Toubrygg. Prior de Kenyworth, Prior de No-  
vo loco juxta Gildesford, Prior Christi Ecclesie de Thwyham, Ab. de sancta Aga-  
tha, Ab. de Coverham, Frater Nicholau Salies, Abbatis de Bello portu ordinis Pra-  
monstraten. Procurator generalis, Frater Willielmus Sampson Abbatis de Blanca Lan-  
da ordinis ejusdem Procurator in Anglia generalis, Ab. de Cokerford.

**R**EX Capitau. *Marinariorum & eisdem marinariis, &c. Cum dilectus nobis in* Pro Canonicis  
*Christo Prior de Wartre ordinis Sancti Augustini, sicut & ceteri Religiosi ejus-* de ordine San-  
*dem ordinis, &c. ut supra usque in finem. Teste ut supra.* cti Augustini.

Prior de Cokerford, Prior de Muchelham, Ab. de Lescens, Prior de Bridelington,  
Prior de Merketon, Prior de Belkford, Prior sanctæ Trinitatis London, Prior de  
Wabrun, Prior de Giseburn, Ab. de Hertland, Magister Domus sancti Marci de  
Bylleswik juxta Brisfoll, Prior de Tanton, Prior de Barncestr. Prior Ecclesie San-  
cti Gregorii Canturb. Prior de Flicham, Priorissa de Garinges, Ab. de Cyrencest.  
Ab. de Sancta Ofsba, Ab. de Leycestr. Prior Ecclesie sanctæ Mar. de Suthwerk,  
Prior de Wirkesup, Prior de Siodleye, Prior de Warmesleye, Ab. de Haghemon, Prior  
de Wyrmegye, Ab. de Roncestr. Prior sancti Michaelis de Brommore, Prior sancti  
Thoma Mart. juxta Staff. Ab. de Crek, Ab. de Gressleye, Prior Ecclesie Christi  
de Thwyham, Prior de Caldewelle, Prior de sancto Oswaldo, Prior sancti Petri de  
Gippewico, Prior de Novoburgo; Frater Walterus Brykes, Prioris de Bello loco in  
Norm. ordinis sancti Augustini Procurator in Angl. generalis, Magister Ricardus  
de Werple, Dom. Custos domorum Scolarum de Merton, Prior sanctæ Fredeswice  
Exon. Prior de Bernewelle, Prior de Buttele, Prior sancti Leonardi de Brisfoll, Prior  
de Hagb, Abbas de Keyneham, Prior de la Lande, Prior de Repindon, Prior de Wrox-  
ton, Prior de Dunstaple, Prior de Kirkeham, Prior de Dunmowe, Abbas de Nusselt,  
Prior de Newenham, Prior sancti Bartholomai de Smithfeld. London.

**R**EX Capitau. *Marinariorum & eisdem Marinariis, &c. Cum dilectus nobis in* Pro Monachis  
*Christo Abbas de Hyda extra Winton. ordinis Sancti Benedicti, sicut ceteri, &c.* de ordine San-  
*iusdem ordinis, &c. ut supra de verbo ad verbum usque in finem. T. ut supra.* cti Benedicti,  
*Consimiles literas habent subscripti de verbo ad verbum qui sunt de eodem ordine.*

Abbas de Thorneys, Ab. de Burgo sancti Petri, Abbatissa Shastonia, Prior Ecclesie  
Christi Cantuar. Abbas de Malmesbir. Prior sancti Swithuni Winton. Abbas de  
de Certesey, Prior sanctæ Trinitatis Ebor. Prior de Tikeford juxta Newport Pagnel,  
Prior Dunelm. Prior de Kirkeby Monachorum, Abbas de Waledon, Abbas de Hag-  
hemon. Abbas Salop, Prior de Ely, Abbas beate Mariae Ebor. Prior de Newenton,  
Abbas de Middleton, Prior sancti Nicholai de Exon. Prior de Spalding, Abbas de  
Bella, Prior de Ware, Prior de Wyldeweton, Abbas de Persbore dupp. Prior de la Sele,  
Prior de Aundamere, Prior de Appelderehambe, Prior de Hyneleye, Prior de Carest-  
brok, Frater Johannes de Apris ordinis sancti Benedicti Procurator Abbatis de Lira  
in Anglia generalis, Prior de Wanciswotton, Prior de Sporleye, Prior de Warham,  
Prior de Folkestan, Prior de Wellys, Abbas sancti Benedicti de Hylmo, Prior de Coges,  
Prior de Warmynston, Prior sanctæ Mar. Wygorn. Prior de Spelesbury, Prior de E-  
medewell, Prior de Tost, Prior de Frampton, Prior de Eitan. Priores sanctæ Crucis  
de Insula Vella, Prior de Crasinges, Prior de Hermodesworth, Prior Sanctæ Mar.  
Lude, Prior de Ecclesfeld, Prior de Wadon Pinkney, Prior de Nojove & Novo Mer-  
cato, Prior Sanctæ Fidis de Horsham, Prior de Ostrisan, Prior de Winge, Prior de  
Wylminton, Prior de Lodres, Prior de Modbury, Prior de Iplepenne, Abbas de Mu-  
chelneye, Prior de Trulegh, Prior sancti Jacobi de Exon. Prior de Ebleye, Prior de  
Totton, Abbatissa de Berking, Abbas sancti Augustini Brisfoll. Prior de Cowyk, Pri-  
or de Monte Sancti Michaelis in Cornub. Prior de Wylminton tripl. Prior de Tywar-  
drath, Prior de Levesham, Prior de Leuton, Prior de Berdon, Abbas de Whyteby,  
Abbas de Fiscamp, Prior de Stokes, Prior de Okehampe, Prior de Symington, Prior de  
sancto Valerico, Prior de Ranton, Prior de Swanscye, Prior de Hasfeld Regis, Prior  
de Hamoley, Prior de Tuttebury, Prior de Neato, Prior de Ross. Prior de Shireburne,  
Prior



*An. 22 E. 1.* Prior de sancto *Walerico*, Prior de *Simenon*, Abbas de *Croyland*, Prior de *Anbury*, Prior sancti *Smihuni* *Winton*, Prior de *Arundell*, Prior de *Wedon* *Edyth*, Prior de sancto *Germano*, Abbas beatæ *Maria* *Eborum*, Prior Ecclesiæ sanctæ *Trinitatis* de *Norwico*.

Pro Monachis  
Cluniacen.

**R**EX Capitani. *Marinar.* & eisdem *Marinarius*, *Vicecomitibus* & omnibus *Ballivis* & fidelibus suis ad quos, &c. salutem. Cum dilectus nobis in Christo *Prior* de *Horkeleye* ordinis *Cluniacen*, sicut ceteri *Religiosi* ejusdem ordinis, &c. Nos ejusdem *Prioris* quieti, &c. ut supra, per annum prædictum duraturas, &c. ut supra usque finem cum clausulis prædictis. Teste Rege apud *Westm.* 28 die Sept.

Consimiles literas de verbo ad verbum habens subscriptis qui sunt de eodem ordine, per idem tempus duraturas.

Prior de *Hagham*, Prior de *Pritwell*, Prior de *Horizon*, Prior de *Newton Longeville*, Prior de *Wengsford*, Prior de *Clifford*, Prior de *Leusg*, Prior de *Mendham*, Prior de *Bermundesye*, Prior de *Bromholme* dupp. Prior de *Castleacre*, Prior de *Lewes*, Prior de *Farleye*, Prior de *Monte acuto*, Prior de *Norhamston* dupp. Prior de *Wenlock*, Prior de *Carfwill*, Prior de *Normannesbergh*, Prior sanctæ *Elena* de *Insula Vella*, Prior de *Therford*, Prior de *Pontefracto*, Prior de *Aldermaneshave*, Prior de *Stanisgate*.

Consimiles literas de protectione ut supra habent *Dicani*, *Archidiaconi*, *Canonici* *Ecclesiarum Cathedralium*, *Rectores Ecclesiarum*, *Vicarii*, & ceteri viri *Ecclesiastici*, quorum nomina inferius continentur, per prædictum tempus duraturas, &c. (Whereof you may observe many *Pluralists*, against the *Canons* and *Constitutions* of sundry *Councils*, and sundry *aliens*.)

*Hugo* de *Aguablanca*, *Decanus* Ecclesiæ sancti *Ethelberti* *Hereford*.

*Pocinus* de *Cors* & *Johannes* de *Ponte*, *Canonici* ejusdem Ecclesiæ.

*Jacobus* de *Bosel*, *Persona* Ecclesiæ de *Hopmaloist*.

*Martinus* de *Cambariaco*, *Persona* Ecclesiæ de *Streton*.

*Frater Edmundus*, *Magister* *Hospitalis* sancti *Antoni* *Hereford*; isti omnes habuerunt unam protectionem.

*Thomas* de *Kanc*, *Persona* Ecclesiæ de *Kirketon*.

*Magister Thomas* de *Skerning*, *Persona* Ecclesiæ de *Mapletham*.

*Magister Robertus* de *Swathorp*, *Persona* Ecclesiæ de *Appleton* in *Ridale*.

*Thomas*, *Persona* Ecclesiæ de *Barton* in *Ridale*.

*Magister Petrus* de *Insula*, *Archid.* *Exon*.

*Willielmus*, *Persona* Ecclesiæ de *Suchenham*.

*Robertus* de *Sirylington*, *Persona* Ecclesiæ de *Glatton*.

*Magister Petrus* de *Anbury*, *Persona* *Ecclesiarum* de *Godephull*, & de *Nemton* in *Insula Vella*.

*Johannes* de *Cumbe*, *Persona* Ecclesiæ de parva *Shobiry*.

*Walterus* de *Wotton*, *Persona* Ecclesiæ de *Merstien*.

*Thomas* de *Fauconer*, *Persona* Ecclesiæ de *Hadesco*.

*Johannes* de *Stancweye*, *Persona* Ecclesiæ de *Rippill*.

*Decanus* & *Capitulum* Ecclesiæ beatæ *Maria* *Linc*.

*Magister Philippus* de *Sancto Auscolo*, *Archidiaconus* *Wynton*.

*Johannes* de *Sutton*, *Persona* Ecclesiæ de *Aylmarston*.

*Godefredus* de *Acre*, *Persona* *Ecclesiarum* de *Tylne* & *Roffeshale*.

*Gocelinus* de *Kirnington*, *Archidiaconus* de *Stowe*.

*Magister Robertus* de *Cave*, *Persona* Ecclesiæ de *Kirkeby Suggeffon*.

*Adam*, *Persona* Ecclesiæ de *Rungeton*.

*Richardus*, *Vicarius* Ecclesiæ de *Abereton*.

*Martinus* de *Toryton*, *Persona* Ecclesiæ de *Rewe*.

*Magister Walterus* de *Bashon*, *Persona* Ecclesiæ de *Bracelesham*.

*Thomas* de *Langeton*, *Persona* Ecclesiæ de *Whyterothbyng*.

*Richardus* *Berard*, *Persona* Ecclesiæ de *Wodhull*.

*Johannes* de *Gaytford*, *Persona* Ecclesiæ de *Wekyndon* ad *turrim*.

*Magister Nicholaus*, *Persona* Ecclesiæ de *Wyleby*.

Magister

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Magister *Johannes de Tikeham*, Persona Ecclesie de *Weston*.  
 Frater *Johannes de Averiis*, Procurator Abbatis de *Aluto*, ordinis *Cisterciensis* in *Anglia* generalis. *An. 22 E. 1.*  
 Frater *Vigor*, Abbatis de *Fiscampo*, ordinis sancti *Benedicti* Procurator in *Anglia* generalis.  
 Frater *Laurentius*, Prior de *Morten*, ordinis sancti *Benedicti* Procurator in *Anglia* generalis.  
*Willielmus de Askeby*, Persona Ecclesie de *Walton*.  
 Magister *Willielmus de Pykering*, Canonicus, Archidiaconus *Noettingh*.  
 Magister *Robertus de Pykering*, Canonicus Ecclesie beate *Petri Ebor*.  
 Magister *Robertus de la Forde*, Canonicus Ecclesie sancti *Johannis Beverlaci*.  
*Hugo de Ronwell*, Persona Ecclesie de *Leydon*.  
 Frater *Willielmus de Gravele*, Procurator Abbatis de *Lyra*, ordinis sancti *Benedicti* in *Anglia* generalis.  
 Magister *Rogerus de Sevenok*, Persona Ecclesie de *Sevenok*.  
*Nicholaus*, Vicarius Ecclesie de *Wytham Breense*.  
*Willielmus Herbert*, & *Michael de Ingbrok*, Abbatiss de *Gynes*, ordinis sancti *Benedicti*, Procuratores in *Anglia* generales.  
 Frater *Willielmus*, Procurator Abbatis de *Saviniaco* ordinis *Cisterciensis* in *Anglia* generalis.  
 Magister *Robertus de Kynelingsworth*, Persona Ecclesiarum de *Lidinton & Kynelingsworth*.  
 Frater *Galfridus de Aqua*, Procurator Abbatis sancti *Petri de Castellano de Conchis*, ordinis sancti *Benedicti* in *Anglia* generalis.  
 Frater *Willielmus de Gravele*, Procurator Abbatis de *Lyra*, ordinis sancti *Benedicti* in *Anglia* generalis.  
 Magister *Willielmus de Berges*, Archidiaconus *Berk*.  
 Magister *Arnoldus Lupi de Tillie*, Persona Ecclesie de *Sotherok*.  
*Willielmus de la Dunz*, Persona Ecclesie de *Resham*.  
 Magister *Thomas de Burne*, Persona Ecclesie beate *Maria de Longastraton*.  
*Robertus de Lunge-ton*, Persona Ecclesie de *Cotesbok*.  
*Gilbertus de Robur*, Persona Ecclesie de *Carleton*.  
 Magister *Thomas de Suthwerk*, Persona Ecclesie de *Wesbyderleye*.  
*Hugo de Renbury*, Persona Ecclesie de *Helimelle*.  
 Decanus & Capitulum *Capella sancte Marie Magdalene de Bruges*.  
 Magister *Richardus de Gravesend*, Archidiaconus *London*.  
 Magister *Johannes de Mandale* & *Johannes de Gusholm*, Personz Ecclesie de *Linerton*.  
 Prior de *Lenton*, Ordinis *Cluniacensis*.  
 Magister *Robertus de Cisterce*, Persona Ecclesiarum de *Bakston & Hadlegb*.  
*Hericus* Persona Ecclesie de *Huggeschale*.  
*Petrus de Haverhull*, Persona Ecclesie de *Knygheton Mayne*.  
 Magister *Johannes de Gresham*, Persona Ecclesie de *Bledelowe*.  
*Egidius de Andenard*, Canonicus Ecclesie sancte *Trinitatis Cicestr*.  
 Frater *Johannes de Rokele*, Magister Hospitalis de *Farley & Lotewarshale*.  
 Magister Hospitalis sancti *Antonii Hereford*.  
*Richardus*, Persona Ecclesie de *Pentelowe*.  
*Willielmus de Bello*, Persona Ecclesie de *Kyngeffnode*.  
*Johannes de Kirkeby*, Persona Ecclesiarum de *Northwymmes & Chyselbergb*.  
*Thomas de sancto Lando*, Persona medietatis Ecclesie de *Claypal*.  
 Magister *Henricus de Wodeford*, Persona Ecclesie de *Dunkerton*.  
 Frater *Willielmus le Clerk*, Procurator Abbatis de *Mar. de Grestono* in *Anglia* generalis.  
*Johannes de Sheffend*, Persona Ecclesiarum de *Fuldon & Thorneton*.  
*Johannes de Salleby*, Persona Ecclesie de *Sutton juxta Markeby*.  
*Walterus Sauvage*, Persona Ecclesie de *Searibon*.  
 Frater *Walterus*, de *Ipre*, Procurator Abbatis de *Dunes* ordinis *Cisterce* in *Anglia* generalis.  
 Magister *Richardus de Sottenwell*, Canonicus Ecclesie beate *Maria Sarum*.  
*Johannes de Osoyill*, Persona Ecclesie de *Summersham*.

Magister



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4.*

An. 22 E. 1. Magister Edmundus de London, Canonicus liberz Capellz Regis beatz Maria de

Haftryggie.

Johannes de Sheffend, Persona Ecclesiarum de Faldon &amp; Thornton.

Johannes de Hakyng, Persona Ecclesiz de Moriston.

Thomas de Capella, Persona Ecclesiz de Blechesden.

Johannes Mannel, Persona Ecclesiz de Brynton.

Rogerus de Forset, Persona Ecclesiz de Burfeld.

Robertus de Scardeburgh, Persona Ecclesiz de Conyngton.

Magister Henricus de Northwode, Persona Ecclesiz de Wurstwell.

Magister Walterus de Stapleton, Persona Ecclesiz de Aeton Giffard.

Richardus de Marham, Persona Ecclesiz de Cynnw. R.

Gilbertus de Routhbur, Persona Ecclesiz de Stryndrop.

Thomas de Terring, Persona Ecclesiz de Stanhove.

Magister Regin. de Braundon, Persona Ecclesiz de Orpington.

Willielmus de Waleynes, Persona Ecclesiarum de Grimeston &amp; Cleye.

Alex. Persona Ecclesiz de Stapisford Abbatis.

Hugo de Valle, Persona Ecclesiz de Eddeworth.

Magister Johannes de Brideport, Persona Ecclesiz de Brideport.

Walterus de Portesmuith, Persona Ecclesiz de Norton.

Magister Richardus de Ballo, Persona Ecclesiz de Sutton in Coleffeld.

Radulphus Persona Ecclesiz de Sabam Monachorum, Capellanus Regis.

Olivernus de Byset, Persona Ecclesiarum de Wakefeld &amp; Trunch.

Henricus de Insula, Persona Ecclesiz de Westburpetra.

Willielmus de Rodistun, Persona medietatis Ecclesiz de Crak.

Bogo de Clare, Canonicus Ecclesiz Sanctz Trinitatis Cicer. Persona Ecclesiz de Forthingbrugg.

Radulphus de Stanford, Persona Ecclesiz de Aulton, Capellanus Regis.

Fratr Thomas de Monte probato, Abbatis beatz Maria super Dynam, ordinis sancti Benedicti in Anglia generalis.

Olivernus de Wyset, Persona Ecclesiarum de Wakefeld &amp; Trunch.

Magister Willielmus de Sancta Elena, Canonicus Ecclesiz sancti Petri Exon.

Fratr Willielmus Oliver, Abbatis de Sagin, ordinis sancti Benedicti Procurator in Anglia generalis. Dupl.

Magister Petrus de Askeren, Persona Ecclesiz de Haddeslok.

Willielmus de Rollesby, Persona Ecclesiarum de Suth Roppes, North Roppes, &amp; Tynningham.

Fratr Radulphus de Muscerus, Procurator Abbatis Albmari, ordinis sancti Benedicti in Anglia generalis.

Henricus de Gildesford, Persona Ecclesiarum de Cumpston, Gynelton, &amp; Brodwood.

Henricus de Disteshal, Persona Ecclesiz de Adelington.

Gerardus de Vyssens, Archidiaconus Rychemund.

Fratr Hugo de Lugdon, Procurator Abbatis de Insula Dei ordinis Pramonstrat, in Anglia generalis.

Willielmus de Tawelle, Persona Ecclesiz Omnium S. nitorum de Ryfion.

Alex. de Valeynes, Persona Ecclesiz de Dndelyngton.

Magister Rogerus de Martivall, Archidiac. Huntingd.

Magister Petrus de Sancto Mario, Archidiac. Surr.

Magister Thomas de Bodsham, Archidiac. Toton.

Thomas de Abyndon, Persona Ecclesiz de Spettebury.

Magister Willielmus de Berges, Archidiac. Berk.

Fratr Radulphus de Muscerus, Procurator Abbatis Albmari, ordinis sancti Benedicti in Anglia generalis.

Simon de Barneby, Persona Ecclesiz de Queldrik.

Magister Guydo de Tylebrok, Persona Ecclesiz de Stratham.

Galfridus de Hegham, Persona Ecclesiz de Canndel Episcopi.

Willielmus de Modburne, Persona Ecclesiz de Sutton Curtenay.

Magister Johannes de Pavely, Persona Ecclesiz de Pavely Piry.

Magister Richardus de Clifford, Canonicus Ecclesiz beatz Maria Sarum, &amp; Persona Ecclesiarum de Stokenham, Berghston, Hoghton, &amp; Eyneshury.

Magister

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

An. 22 E. 1.

Magister *Adam de West*, Persona Ecclesie de *Ideshale*.  
 Magister *Stephanus de Heppeworth*, Persona Ecclesie de *Hardingham*.  
*Adam de Bekles*, Persona Ecclesie de *Swafeld*.  
 Magister *Johannes de Morle*, Persona Ecclesie de *Wysnyston*.  
*Willielmus de Coulinge*, Persona Ecclesie de *Carleton*.  
 Magister *Gregorius de Pontefracto*, Persona Ecclesie de *Wynbodesham*.  
 Magister *Robertus de Cysterne*, Persona Ecclesiarum de *Baketon & Haselegh*.  
 Magister *Henricus Huse*, Persona Ecclesiarum de *Aikebury & Bampton*.  
*Thomas de Morton*, Persona Ecclesie de *Hausied*.  
 Magister *Henricus Huse*, Persona Ecclesiarum de *Kyngesbury, Bodecleye, Mundesford, & Liminton*.  
*Petrus de Guildesford*, Præpositus Ecclesie de *Wengham*, & Persona Ecclesie de *Burne*.  
 Frater *Willielmus de Lollynton*, Procurator Abbatis de *Bona Regis ordinis Cisterciensis in Anglia generalis*.  
*Johannes de Blunvill*, Persona Ecclesie de *Brundale*, & Persona medietatis Ecclesie de *Neuton Floreman*.  
*Willielmus Burnel*, Archidiaconus de *Taunton*.  
*Robertus de Sefeld*, Persona Ecclesiarum de *Brampton & Shakenfeld*.  
*Thomas de Insula*, Persona Ecclesie de *Esthanrethe*.  
*Willielmus* Persona Ecclesie de *Aston in Morthyng*.  
 Magister *Hugo de Colingham*, Canonicus Ecclesiarum beate *Maria Lincol.* & beati *Pauli London*.  
*Johannes de Newent*, Persona Ecclesie de *Gratlepe*.  
*Willielmus* Persona Ecclesie de *Braylesford*.  
 Magister *Galfridus de Insula*, Persona Ecclesiarum de *Chus, Wyntreburne, & Swaleweclyve*.  
*Johannes de Stoflon*, Persona Ecclesie de *Stok juxta Undele*.  
 Magister *Richardus de Sancta Frideswida* Archid. *Buk*, Canonicus Ecclesie beate *Maria Linc.* & Persona Ecclesie de *Evedenne*.  
*Hamo* Vicarius Ecclesie de *Gillingham*.  
*Willielmus de Strete*, Persona Ecclesie de *Ken*.  
*Hamo de Warena*, Persona Ecclesie de *Blachynton*, & duarum partium Ecclesie de *Aileburgh*.  
 Magister *Johannes de Apperleye*, Vicarius Ecclesie de *Selkeston*.  
*Rogerus Wele*, Persona Ecclesie de *Throuleye*.  
*Willielmus de Rodeston*, Persona tertiae partis Ecclesie de *Crok*.  
*Gilbertus Luvel*, Persona Ecclesie de *Tychemershe*.  
*Johannes le Gros*, Persona Ecclesie de *Parva Benetlegh*.  
*Johannes de Langeton*, Thesaurarius Ecclesie Sancti *Andree Wellen*, Clericus Regis.  
 Idem *Johannes* Persona Ecclesie de *Loddeswell*.  
*Johannes de Godelegh*, Persona Ecclesie de *Foxeyerde*.  
 Idem *Johannes* Persona Ecclesie de *Lonsputte*.  
 Frater *Mathaus de la Lunde*, Abbat. Sancti *Victoris* in *Caletis* ordinis Sancti *Benedicti* Procurator in *Anglia generalis*.  
 Frater *Gaufridus* Abbat. de *Insula Dei*, ordinis *Pramonstrat.* Procurator in *Anglia generalis*.  
 Magister *Stephanus*, Persona Ecclesie de *Walsokene*.  
*Thomas Ince*, Persona Ecclesie de *Goringes*.  
*Robertus de Clyderowe*, Persona Ecclesie de *Northbury*.  
 Idem *Robertus* Persona Ecclesie de *Scoveryng*.  
 Magister *Thomas de Upton*, Persona Ecclesie de *Adesham*.  
*Richardus de Heriford*, Persona Ecclesie de *Aldrington*.  
*Johannes de Bateford*, Persona Ecclesie de *Reyre*.  
*Stephanus de Malo lacu* Archid. *Clyveland*, & Persona Ecclesiarum de *Boymton & Lich*.  
*Fulco de Grauncourt*, Persona Ecclesie de *Ketelberge*.  
 Frater *Hugo de Greyvill*, Abbat. de *Gymynges* in *Norm.* ordinis Sancti *Benedicti* Procurator in *Anglia generalis*.  
*Paganus de Grauncourt*, Persona Ecclesie de *Kepstefore*.

G E E E

Hugo



K. Edward 1. *An Exact History of Popes Intollesable Usurpations, B. 5. ch. 4.*

*Ap. 22 E. 1.* Hugo de Noringham, Persona Ecclesie de Iuyckurche.  
 Magister Regia. de Brannan, Persona Ecclesie de Lislebury.  
 Falco de Grauncurt, Persona Ecclesie de Radwymer.  
 Johannes de Askeby, Vicarius Ecclesie de Magna Lymberg.  
 Willielmus de Birlay, Persona Ecclesie de Kynasmeaton.  
 Idem Willielmus Persona Ecclesie de Warsape, & Capellæ de Handsworth.  
 Magister Radulphus de Iuyngbo, Persona Ecclesie de Iuyngbo.  
 \* Bogo de Clare, Canonici Ecclesie beati Petri Ebor. Persona Ecclesiarum de Pykeshob.  
 Ceterinton, Homingburgh, Acast. & med. Ecclesie de Doncastre.  
 Johannes de Cusancia, Persona Ecclesie de Reyleys.  
 Rogers de Lee, Persona Ecclesie de Knolton.  
 Magister Hospitalis Sancti Johannis Bapt. extra portam Orientalem Oxon.

\* A great  
Pluralist.

## Protectiones Rectorum.

Pat. 21 E. 1.  
m. 6. dorso.  
Nomina Rectorum qui habent Protectionem Regis, ratione medietatis beneficiorum suorum Domino Regi concessit.

**R**EX Capitanis Marinariorum, & eisdem Marinariis, Vicecomitibus, & omnibus Ballivis & fidelibus, &c. ad quos, &c. salutem. Cum dilectus nobis Edmundus de Thweng. Persona Ecclesie de Dyghton, sicut ceteri de Clero regni nostri medietatem beneficiorum, &c. Nos ejusdem Edmundi quieti & tranquillitati, &c. suscepimus in protectionem, &c. Non inferentes, &c. In cuius, &c. patentes per prædictum annum duraturas. Nolumus autem, &c. ut supra ex alia parte ratuli, ubi consimiles Protectiones plenè irritulantur. Teste Rege apud Westm. 18 die Octobr.

Consimiles Protectiones habent subscripti de verbo ad verbum, mutatis nominibus tantum, sub eodem sigillo per prædictum tempus duraturas.

Robertus Persona Ecclesie de Morburn.  
 Frater Thomas D'ekne, Prioris de Domino Dei de Monte Carmeli in Pissavia, Procurator in Anglia generalis.  
 Rogers de Sumerton, Persona Ecclesie de Musford.  
 Gilbertus de Abernun, Persona Ecclesie de Aldobury.  
 Henricus de Colewill, Persona Ecclesie de Lollosworth.  
 Simon Persona Ecclesie de Alesby.  
 Magister Willielmus de Knapton, Persona Ecclesie de Begbanham.  
 Magister Richardus de Otringham, Persona Ecclesie de Magna Shelsford.  
 Rector Domus de Assherunge.  
 Richardus de Skegeton, Persona Ecclesie de Gyngeston.  
 Reginaldus Persona Ecclesie Sancti Petri de Dokesworth.  
 Radulphus de Albinaco, Persona Ecclesie de Brendebroghton.  
 Magister Willielmus de Bredfrete, Persona Ecclesie de Mockinge.  
 Magister Johannes de Sancto Claro, Persona Ecclesie de Fulham.  
 Richardus de Keston, Persona Ecclesie de Maltoby.  
 Adam de Glouc. Persona Ecclesie de Farindon.  
 Henr. de Swanton, Persona Ecclesie de Crantern.  
 Robertus de Ludham, Persona Ecclesiarum de Osmodeston & Knapton.  
 Robertus de Middlesan, Persona Ecclesiarum de Ufford & Lintworth.  
 Frater Petrus Magister Hospitalis beate Mariae de Ospringe.  
 Robertus de Ros, Persona Ecclesie de Hadham.  
 Nicholaus de Sparkesford, Persona Ecclesie de Wyroton.  
 Magister Thomas de Lichfeld, Persona Ecclesiarum de Blountesham & Herfordingebury.  
 Magister Johannes de Wolcote, Persona Ecclesiarum de Bardwell & Wolcote.  
 Walterus de Eton, Persona Ecclesie de Dacot.  
 Radulphus de Largo Campo, Persona Ecclesie de Everdon.  
 Henricus de Uphavene, Persona Ecclesie de Caumpeden.  
 Galfridus de Adaleston, Persona Ecclesie de Cherleton.  
 Galwinus de Thweng, Persona Ecclesie de Lytham.  
 Philippus Luvel, Persona Ecclesie de Wywicheham.  
 Hamo Peccho, Persona Ecclesiarum de Bradobrok, Ridiswell, Chamleg, Erswell, Thodeham, Weston, & Stinterlegb.  
 Lodewycus de Bello Monte, Thesaurarius Ecclesie beate Mariae Sarum.

Magister

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

An. 22 E. 1.

Magister *Johannes de Luca* Canonicus Ecclesie beati *Pauli* London.  
*Hamo de Gatele*, Persona Ecclesiarum de *Est Tudenham & Freten*.  
 Magister *Robertus de Fyleby*, Persona Ecclesie de *Middelton*, juxta *Bannebury*.  
*Willielmus de Hamelton*, Archidiaconus *Ebor*.  
 Magister *Alanus de Breton*, Persona Ecclesie de *Presecote*.  
*Ricardus de Keston*, Persona Ecclesie sancti *Petri* de *Westlenn*.  
*Jacobus de Mohun*, Persona Ecclesie de *Brumton*.  
*Willielmus de sancto Michael*, Persona Ecclesie de *Teclescumbe*.  
*Walterus de Chiltam*; Persona Ecclesiarum de *Whinison*, & beata *Maria* de *Acneye*.  
*Willielmus de Sutton*, Persona Capellae de *Sutton in Holdernesse*.  
*Philippus de Branncestre*, Persona Ecclesie de *Boketone*.  
 Magister *Rogerus de Sevenok*, Thesaurarius Ecclesie sancti *Ethelberti* Hereford.  
*Willielmus de Hanyton*, Persona Ecclesiarum de *Takelee & Woldes*.  
 Magister *Johannes de sancto Waleric*, Persona Ecclesie de *Blisham*.  
*Walterus de Langeton*, Magister Hospitalis sancti *Leonardi* Eborum, dupl.  
*Bogo de Clare*, Personarum Ecclesiarum de *Polstede, Saham, Dunmowe, Leverinton*, & medietatis Ecclesie de *Walepol*.  
 Magister *Johannes de Flemeng*, Persona Ecclesiarum de *Houghton & Peveseye*.  
 Magister Hospitalis sancti *Johannis Baptista* de *Ponte Walteri*.  
*Johannes de Bernak*, Persona Ecclesie de *Tost*.  
*Laur. de Bolsted*, Persona Ecclesie de *Whitefeld*.  
*Heur. de Rolling*, Persona Ecclesie de *Wighmersh*.  
*Johannes de Bigod*, Persona Ecclesiarum de *Cottingham & Framyngham*.  
*Robertus de Seorteford*, Persona Ecclesie de *Horle*.  
*Robertus de Drayton*, Persona \* Ecclesiarum de *Cadindon, Knefworth, Pelham Fur* \* A notable  
*neys, Pelham Arsa, Aldebury, Tillingham, & Rothyngeythorp*. Pluralist.  
*Nicholau de Bulingbrok*, Persona Ecclesie de *Germethorp*.  
*Johannes de Staford*, Persona Ecclesiarum de *Defnam, Coleby, & sanctae Trinitatis* de *Warham*.  
*Richardus de Ludham*, Persona Ecclesie de *Pampesworthi*.  
 Decanus & Capitulum Ecclesie sancti *Pauli* London.  
*Audoenus de Monte Gomeri*, Persona Ecclesie de *Burwarton*.  
*Reginaldus*, Persona Ecclesie de parva *Massingham*.  
*Rogerus de Multon*, Persona Ecclesiarum de *Chedeseye & Sproxton*.  
*Radulphus le Marechal*, Persona Ecclesie de *Eston*.  
*Stephanus de Lughieburgh*, Persona Ecclesie de *Markeshale*.  
*Hugo de Normanton*, Persona Ecclesie de *Fleteburgh*.  
 Magister *Thomas de Sutton*, Archidiaconus *Norhampt*.  
 Magister *Adam de Agmodesham*, Persona Ecclesiarum de *Burton super Trentam*, & sancti *Thoma* de *Winchelse*.  
*Willielmus*, Persona Ecclesie de parva *Granteedene*.  
 Magister *Adam de Walton*, Praeceptor Ecclesie sancti *Cedde Lieb*, Persona etiam de *Aldeuelfr*.  
 Idem *Adam*, Praeceptor Ecclesie praedictae, & Persona Ecclesiarum de *Gyselingham, Ruggham, & beatae Mariae de Felteuwell*.  
*Rogerus de Bykerwyk*, Persona Ecclesie de *Byskele*.  
*Willielmus de Mortnomari*, Persona Ecclesie de *Oherst*.  
*Nicholau*, Persona Ecclesie de *Trumpeton*.  
*Philippus de Wyleby*, Decanus Ecclesie beatae *Mariae Linc*.  
*Hugo de Eyton*, Persona Ecclesie de *Ijmynton*.  
*Walterus de Ditton*, Persona Ecclesie de magna *Waldingfeld*.  
 Magister *Gocelinus*, Archidiaconus *Stowye*.  
*Thomas de Norhampt*, Persona Ecclesie de *Wyleby*.  
*Radulphus de Banham*, Persona Ecclesie de *Takeford* juxta *Wyndham*.  
*Hugo de Frisby*, Vicarius Ecclesie de *Wilde*.  
 Magister *Johannes de Bestan*, Persona Ecclesie de *Clyve*.  
 Magister *Johannes de Weyngham*, Persona Ecclesiarum de *Shaldeford, Chetehamste, Storteford, & Essindon*.



- An. 22 E. 1.* Magister Henr. Sampson, Persona Ecclesiarum de *Walsbam*, *Erpingham*, *Fleet*, *So-*  
*ham Comitis, Epton. & Cruton.* (No small Pluralist.)  
 Magister Thomas de Bradestrete, Persona Ecclesie de *Tellesburg.*  
 Magister Robertus de Cornerde, Persona Ecclesiarum de *Puttcham*, & *Wenynon.*  
 Johannes de Stafford, Persona Ecclesiarum de *Dorinton*, *Coleby*, & sancte *Trinitatis*  
 de *Warham.*  
 Magister Thomas de Bradestrete, Persona Ecclesie de *Tillesbury.*  
 Magister Johannes de Shelveston, Persona Ecclesie de *Stebenhebe*  
 Henr. de Straston, Persona Ecclesie de *Stoker* juxta *Gildesford.*  
 Idem Henr. Persona Ecclesie de *Cotingham.*  
 Nicholaus de Tykehill, Persona Ecclesie de *Kelum.*  
 Johannes de Chysbell, Persona Ecclesiarum de *Branketre*, & *Brightlyngeseye.*  
 Willielmus de Hereford, Persona Ecclesie de *Rondes.*  
 Johannes de Bernewell, Persona Ecclesie de *Susburn.*  
 Rogerus de Merlawe, Persona Ecclesie de *Hartwell.*  
 Richardus de Overton, Persona Ecclesie de *Seham.*  
 Magister Johannes de Hengham, Persona Ecclesie de *Overton* subius *Arden.*  
 Johannes de Cave, Persona Ecclesie de *Noribburgh.*  
 Magister Willielmus de Moreburn, Persona Ecclesiarum de *Topeffeld*, parva *Trillowe*  
 & *Ferffeld.*  
 Johannes de Langeton, Persona Ecclesie de *Reycolure.*  
 Reginaldus, Persona Ecclesie de *Berton.*  
 Magister Johannes de Cadomo, Canonicus liberarum Capellarum Regis *Wolver-*  
*hampton & Pencriz*, & Persona Ecclesie de *Monte Gomeri.*  
 Gilbertus de Bosco, Persona Ecclesie de *Longeseye.*  
 Adam Poyn, Persona Ecclesie de *Ticheseye.*  
 Richardus de Rustebale, Persona Ecclesie de *Hop Say.*  
 Magister Andr. Persona Ecclesie de *Gersyndon.*  
 Magister Willielmus de Meynill, Persona Ecclesie de *Normanton.*  
 Priorissa de *Aumbresbur.* ordinis *Fontis Ebraldi.*  
 Magister Baldwynus de *Insula*, Persona Ecclesiarum de *Gatecunbe*, & *Bernyn-*  
*gcham.*  
 Edmundus de Everle, Persona Ecclesie de *Mulbiry*, & medietatis Ecclesie de  
*Tyreswill.*  
 Johannes de Affordby, Persona Ecclesie de *Castre.*  
 Magister Reymandus de *Ferar.* Canonicus Ecclesie beate *Maria Sarum.*  
 Henricus de Clerbeck, Persona Ecclesie Sancti *Johannis* de *Garbodesham.*  
 Willielmus de Regate, Persona Ecclesie sancte *Trinitatis* de *Castre* in *Fleg.*  
 Robertus de Mar, Persona Ecclesie de *Barliburgh.*  
 Walterus de Peccham, Persona Ecclesie de *Terring.*  
 Johannes de Witham, Decanus Ecclesie beate *Maria Salop*, & Persona Ecclesiarum  
 de *Stokes & Canston.*  
 Willielmus de Thorny, Persona Ecclesie de *Horton.*  
 Edmundus de *Maydenestan*, Persona Ecclesiarum de *Abbebury*, & *Walsbam* Epif-  
 copi.  
 Willielmus de *Middelton*, Persona Ecclesiarum de *Wridlington & Ranton.*  
 Magister Johannes le *Flemeng*, Persona Ecclesiarum de *Leghton* *Busard*, *Brannford*,  
*Pakston*, *Fioremed*, & *Elkefle.*  
 Johannes Rugham, Persona Ecclesie de *Leitone.*  
 Willielmus de *Middelton*, Persona Ecclesie de *Babuw.*  
 Henricus de *Lenne*, Persona Ecclesiarum de *Rysson & Assheby.*  
 Walterus de *Clavill*, Persona Ecclesie de *Aldithel.*  
 Johannes de *Lyndeseye*, Vicarius Ecclesie de *Wyham.*  
 Magister Simon de la *Neylonde*, Persona Ecclesie de *magna Horkeleye.*  
 Magister Johannes de *Colecestr.* Persona Ecclesie de *Tenderinge.*  
 Magister Willielmus de *Chyryton*, Persona Ecclesie de *Navesby.*  
 Magister Willielmus de *Wendone*, Persona Ecclesie beate *Maria* de *Hampton*, juxta  
*Arunael.*  
 Magister Richardus de *Pyrre*, Persona Ecclesie de *Chynnore.*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

- Magister Johannes de Verney, Persona Ecclesie de *Misoke* *Shethere*.  
 Magister Willielmus, Persona Ecclesie de *parva Tillebur*.  
 Johannes de London. Persona Ecclesiarum de *Horton & Bladen*.  
 Magister Robertus de Penart, Persona Ecclesie de *Kingeston*.  
 Willielmus le Parker, Persona Ecclesie de *Eccles*.  
 Robertus de Northbleck, Persona Ecclesie de *Iweleye*.  
 Johannes de Scallby, Persona Ecclesie de *Suton*.  
 Magister Gerardus de Staundon, Persona Ecclesiarum de *Styvenach & Mordon*.  
 Magister Radulphus de Luffenham, Persona Ecclesie de *Maldon*.  
 Magister \* Johannes Clarel, Canonicus Ecclesie beate *Maria de Suthwell*, Persona \* An execrable  
 Capelli Caltri de *Tikebell*, & Ecclesiarum de *Penyngeston, Hareword, Dabbeword, Pluralist.*  
*Wheteley, Estmarkhin, Northwell, Walesby, Houton, Edingeleye, Briggeford, Lud-*  
*ham, Henningesford, Staneford, & Oufston.*  
 Galfridus de Kyngeston, Persona Ecclesiarum de *Danhame Elm*, & Capellæ de  
*Eucmsth.*  
 Magister Richardus Linbald, Persona Ecclesiarum de *Shotteler & Bronteswell*.  
 Magister Johannes de Lacy, de *Marchia*, Persona Ecclesie de *Lathbury*.  
 Edmundus Bardolf, Persona Ecclesie de *Fincham*.  
 Magister Robertus de Lech, Persona Ecclesiarum de *Marsaley & Chetel*.  
 Johannes de Overton, Persona Ecclesie de *Tunstede*.  
 Magister Robertus de Douham, Persona Ecclesie de *Cotes*.  
 Hugo de Singham, Persona Ecclesia de *Grantscote*.  
 Magister Willielmus de Notingham, Persona Ecclesie de *Eppeworth*.  
 Magister Johannes de Thresk, Persona Ecclesia de *Ticheswell*.  
 Godfridus de Linc. Persona Ecclesie *Haldefworth*.  
 Magister Thomas Port, Persona Ecclesie de *Hamme juxta Sandwycon*.  
 Hugo de Cressingham, Canonicus Ecclesie sancti *Pauli London*, & \* Persona Ecclesiarum \* An infamable  
 de *Enderby, Kingclere, Hatfeld, Chalk, Berles, Barnston, Dodington, Cressingham, Pluralist,*  
 & *Reymerston*.  
 Frater Laurentius de Mercemuster, procurator Prior de *Morteyn ordinis sancti Benedi-*  
*dicti in Anglia generalis*.  
 Magister Radulphus de Balook, Archidiaconus *Midd.* Persona Ecclesie *Westhamyngfeld*.  
 Oliverus de Redham, Persona Ecclesiarum de *Stratton & Redham*.  
 Willielmus de Anemere, Persona Ecclesiarum de *Rollesby & Anemere*.  
 Magister Alanus de Esingwold, Persona medietatis Ecclesie de *Whithingham*.  
 Magister Robertus de Bekingham, Persona Ecclesie de *Hoghton*.  
 Gilbertus de Thornton, Persona Ecclesie de *Middelton*.  
 Hugo de Clopton, Persona Ecclesie de *Fobbinge*.  
 Henricus de Cherbek, Persona Ecclesie sancti *Johannis Baptista de Carboldeham*.  
 Rogerus de Saxton, Persona Ecclesie de *Aberford*.  
 Magister Rogerus de Fodringeye, Persona tertie partis Ecclesie de *Derleye*.  
 Magister Willielmus de Chirton, Persona Ecclesie de *Wotton juxta Brakelyle*.  
 Magister Dominus de Burton, sancti *Lazari*.  
 Magister Egidius Fillol, Persona Ecclesiarum de *Ardelye, Rybinghale, magna Ocle,*  
 & *parva Ocle*.  
 Adam de Rewell, Vicarius Ecclesie de *Braye*.  
 Rogerus de Brayleffood, Persona Ecclesie de *Drenesfeld*.  
 Magister Thomas de Wiferton, Persona Ecclesie de *Stanford*.  
 Henr. de Havokeli, Persona Ecclesie de *Bolgrave*.  
 Rogerus de Braylesford, Persona Ecclesie de *Dranesfeld*.  
 Magister Richardus de Boyland, Persona Ecclesiarum sancti *Martini de Shotesham,*  
 & *Saklingthorp, & Thumbrige*.  
 Thomas, Persona Ecclesia de *Sunderesfhe*.  
 Radulphus de Mare, Persona Ecclesie de *Cudington*.  
 Magister Karolus de Bellomonte, Canonicus Ecclesiarum beati *Petri Eborum, sancti*  
*Andr. Willen. & beati Johannis Beverlaci.*  
 Johannes de Grey, Vicarius Ecclesie de *nova Sherham*.  
 Willielmus Langele, Persona Capellæ de *Thweyt*.  
 Magister Johannes de Ibestak, persona Ecclesie de *Niwerberche in Insula Vecta.*  
 Robertus



*An. 22. E. 1.* Robertus de Basinge, Persona Ecclesie de Broghton.  
 Willielmus de Carlston, Persona Ecclesie de Northwell.  
 Gilbertus de Robur, Persona Ecclesie de Cristilton.  
 Petrus de Cestr. Præpositus Ecclesie beati Johannis Beverlacen.  
 Idem Petrus Persona Ecclesie de Rudeby.  
 Idem Petrus Persona Ecclesie de Whalleys.  
 Neapoles, Canonicus Ecclesiarum beati Petri Eborum, & beatæ Mariæ Linc.  
 Magister Jacobus Simbaldi, Persona Ecclesie de Kemesyng.  
 Galfridus de Causton, persona Ecclesie de Bernardston.  
 Oliverus de Sutton, Persona Ecclesiarum de Edelesbur. & Churhull.  
 Willielmus de Umfravill Persona Ecclesie de Benton.  
 Johannes de Wydhull, Persona Ecclesiarum de Warlingham, & Fitelton.  
 Magister Willielmus de Conesgrave, Persona Ecclesie de Faston.  
 Albericus de Roseris, Persona Ecclesie de Preston.  
 Galfridus de Spondon, Vicarius Ecclesie de Ledes.  
 Anselmus de Monteyller, Persona Ecclesie de Estmerseye.  
 Magister Willielmus de Hotot, Persona Ecclesie de Knyvton.  
 Johannes de Cressy, Persona Ecclesie de Langeford.  
 Magister Richardus de Plymstok, Canonicus Ecclesie beatæ Mariæ Linc. & Persona  
 Ecclesie de Blockesworih, & medietatis Ecclesie de Chale.  
 Robertus de Segre, Persona Ecclesie de Merscham.  
 Magister Willielmus de Momforti, nuper Decanus sancti Pauli London. defunctus.  
 Gilbertus Wollanynton, Persona Ecclesie de Honspill.  
 Willielmus de Bateford, Persona Ecclesiarum de Boclond & Pokeham.  
 Richardus de Hengham, Persona \* Ecclesiarum de Waleton, Prez, Bradeleye, Sharpsull,  
 Terdeley, Boseham, Stone, Wetheringefete, Sculthorp, Hydingham, Shustindon, Mid-  
 dleton, Fairford, & Ecclesclyve.  
 Decanus & Capitulum Ecclesie beati Andree Wellensis.  
 Rogerus Dorly, Persona Ecclesiarum de Misterton in le Clay, Bolton-Percy, & Plantan.  
 Galfridus, Persona Ecclesie de Thorp juxta Neunwerk.  
 Magister Willielmus Burnel, Persona Ecclesie de Downton.  
 Thomas, Persona Ecclesie de Ghyen.  
 Magister Robertus de Picheford, Canonicus Ecclesiæ sanctæ Edithæ de Tamworth, &  
 Persona Ecclesiarum de Hoginton & Picheford.  
 Robertus de Cumberwell, Persona Ecclesie de Tylorton.  
 Magister Robertus Tancard, Persona Ecclesie de Wythbyrok.  
 Magister Johannes de Cravene, Persona Ecclesie de Whytewell.  
 Magister Thomas de Cherleton, Persona Ecclesie de Puctcherche.  
 Henricus de Hales, Persona Ecclesie de Thursinton.  
 Rogerus Berhaft, Persona Ecclesie de Ribberworth.  
 Nicholaus de Seywill, Canonicus Ecclesiarum beatæ Mariæ Sarum, & sancti Eil-  
 berti Herford.  
 Magister Richardus de Specote, Persona Ecclesie de Parkham.  
 Thomas de Bilefden, Persona Ecclesie de Haversegh.  
 Oliverius, Persona Ecclesie de Eltefle.  
 Johannes de Knovill, Persona Ecclesiarum de Halregate, Cylchestr. & Mildehale.  
 Magister Radulphus de Mirtivall, Persona Ecclesie de Ambresdon.  
 Thomas de Langeton, Persona Ecclesie de Kingesleye.  
 Magister Philippus de Staunton, Canonicus Ecclesiæ sancti Andree Wellensis.  
 Magister Johannes de Ebroicis, Archid. Glouc. & Persona Ecclesie de Kemeseye.  
 Simon de Butterleye, Persona Ecclesiarum de Butterleye & Russhibury.  
 Willielmus de Saleby, Persona Ecclesie de Thornebur.  
 Magister Petrus de Periton, Persona Ecclesie sancti Petri majoris Wygorn.  
 Richardus de Bereford, Persona Ecclesie de Shenlee.  
 Decanus & Capitulum Ecclesie beati Petri Ebor.  
 Magister Thomas de Corbrigg, Canonicus Ecclesie beati Petri Ebor.  
 Magister Johannes de Ebroicis, Canonicus Ecclesiarum sanctæ Mariæ Smbwell, &  
 sancti Wilfridi Rypon.  
 Galfridus de Parco, Persona Ecclesie de Beyton.

\* An uncon-  
 scionable Plu-  
 ralist.

Johannes

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An. 22. E. 1.

Johannes de Cestr. Persona Ecclesie de Tyneshull.  
 Magister Nicholaus de Wodeford, Persona Ecclesiarum de Flatbury & Westbury.  
 Richardus, Persona Ecclesie de Norton in Hales.  
 Magister Hospitalis sancti Johannis Evangelista de Bruges.  
 Galfridus de Hoghton, Persona Ecclesiarum de Poychirke & Ingbam.  
 Willielmus Pykerell, Persona Ecclesie de Thorabur.  
 Robertus de Cesteneclade, Persona Ecclesiarum de Elkesdale, Stratton, & Cumpston.  
 Magister Robertus de Leycestr. Persona Ecclesie de Kynels.  
 Walterus de Louthorp, Persona Ecclesie de Louthorp.  
 Thomas de Dune, Persona Ecclesie de Heanton.  
 Magister Elias de Muskharn, Persona medietatis Ecclesie de Westburgh.  
 Petrus de Cestr. Canonicus Ecclesiarum sancti Celdi & Lichfeld, & sancti Ethelberti Hereford. & Persona Ecclesiarum de Arkesey, Estington, & Slayeburn; & habet inde quinque paria. (Answerable to his Pluralities.)  
 Willielmus de Perryngton, Persona Ecclesie de Sighthurst.  
 Petrus de Rudeby, Persona Ecclesie de Northburton.  
 Jacobus de Tannkerleye, Persona Ecclesie de Walsby.  
 Magister Gilbertus de Segrave, Persona Ecclesiarum de Staunton & Aylston.  
 Thomas de Nevill, Persona Ecclesie de Koppeworth.  
 Robertus de Haylok, Persona Ecclesie de Staundissh.  
 Henricus de Eyford, Persona Ecclesie de Dycheford Frayn.  
 Magister Thomas Cansok, Persona Ecclesiarum de Herdnyk & Dubricii juxta Kilpek.  
 Robertus de Halghton, Persona Ecclesie de North Clebury.  
 Richardus de Hecham, Persona Ecclesie de Farnham omnium Sanctorum.  
 Thomas filius Alani, Persona Ecclesie sancti Michaelis super Wyr.  
 Nicholaus de Mardesfel, Persona medietatis Ecclesie de Mardesfeld.  
 Johannes de Chamberleyne, Persona Ecclesie de Landbeck.  
 Magister Galfridus de Norwico, Persona Ecclesie de Noverbury.  
 Thomas de Osgatby, Persona Ecclesie de Gyngrave.  
 Magister Jacobus de Helles, Persona Ecclesie de Wippenham.  
 Magister Walterus filius Warini, Persona Ecclesie de Tradinton.  
 Galfridus de Munsofel, Persona Ecclesiarum Aston & Burbache.  
 Hugo de Dudmanwerton, Persona Ecclesie de Quatte.  
 Decanus & Capitulum Ecclesie sancti Ethelberti Hereford.  
 Magister Willielmus de Kingescote, Persona Ecclesie de Westbury.  
 Walterus de Redmerlegh, Persona Ecclesie de Lugwardyn.  
 Thomas de sancto Omero, Persona Ecclesie de Spok Ediche.  
 Magister Robertus de Pokelynton, Persona Ecclesie de Rybbelcestr.  
 Andreas de Genna, Canonicus Ecclesie sancti Petri de Wolarenhampton.  
 Brancalco de Lavannia, Persona Ecclesie de Tyrisen.  
 Willielmus de Seggewill, Persona Ecclesie de Thwyford.  
 Magister Henr. de Sumersete, Cancellarius Ecclesie beate Petri Exon.  
 Simon, Persona Ecclesie de Bageworth.  
 Magister Walterus de Heselshawe, Archidiaconus Widenfis.  
 Johannes de Hyneton, Persona Ecclesie de Paulsbofte.  
 Adam de Wellen, Persona Ecclesie de Wullaton.  
 Willielmus de Percy, Canonicus Ecclesie sancti Petri Eborum, & Persona Ecclesiarum de Cassens, Semere, Naffreton, Holm, Calverton, Brightwell, Langeford, & Pluralist, Burne.  
 Magister Hospitalis sancti Thome Martyris de Suthwerk.  
 Robertus de Hegham, Persona Ecclesie de Keston.  
 Richardus Tuchet, Persona Ecclesie de medio Wychie.  
 Willielmus de Patyndon, Persona Ecclesie de Patyndon.  
 Philippus le Yavasur, Persona Ecclesie de Thedelshorp.  
 Johannes de la Wado, Canonicus Ecclesie beati Petri de Wulverhampton.  
 Robertus de London, Persona Ecclesie de Wykewarre.  
 Magister Hospitalis sancti Egidii de Norwico.  
 Richardus de la Hays, Persona Ecclesie de Brasthenham.

Johannes



X. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4.

An. 22 E. 1. *Johannes Abel*, Vicarius Ecclesie de *Nenburn*.



Magister *Ricardus de Havering*, Persona Ecclesie de *Wemue*, & alta *Clara*.

*Reginaldus de Legh*, Persona Ecclesiarum de *Legh* & *Mucleston*.

Magister *Johannes de sancto Leopardo*, Persona Ecclesie de *Sutbhe*.

*Gilbertus de Fulmore*, Persona Ecclesie de *Bydenham*.

Magister *Tho. de Stok*, Persona Ecclesie de *Cam*.

*Willielmus de Nenton*, Persona Ecclesie de *Stokepote*.

*Rogerus de Afbale*, Persona Ecclesie de *Henneye*.

Idem *Rogerus*, Persona Ecclesie de *Ssanham Antegayne*.

*Adam de Blida*, Persona Ecclesie de *Hertbuhl*.

*Willielmus de Bevercote*, Persona medietatis Ecclesie de *Seggebrick*.

*Henr. de Hemenhalfe*, Persona Ecclesie de *Tettebury*.

*Thomas de Avenyng*, Persona Ecclesie de *Beverstan*.

*Willielmus de Danby*, Persona Ecclesie de *Humberston*.

Magister *Radulphus de Fodringeye*, Persona Ecclesie de *Wylberton*.

Magister *Johannes de Wodstok*, Persona Ecclesie de *Necham*.

*Radulphus*, Persona medietatis Ecclesie de *Mynsterton*.

*Thomas de Boertlowe*, Persona Ecclesie de *Nordham*.

Magister *Thomas de Suwerk*, Persona Ecclesie de *Steyngrome*.

*Radulphus de Swanton*, Persona Ecclesiarum de *Marcesham*, *Nenburn*, beate *Maria* de *Saxlingham*.

*Simon de Deen*, Persona Ecclesie de *Hackethorn*.

*Hamo de Alta Ripa*, Persona Ecclesie de *Burton in Kendal*.

*Thomas de Bek*, Persona Ecclesie de *Castelford*.

*Walterus de la Hyde*, Persona Ecclesie de *Brughton*.

As the King granted these Protections to the premised Abbots and Clergymen who aided him with their contributions against the French: so our of his Ecclesiastical Supremacy he desired the assistance of their devout prayers unto God for a blessing upon him and his military forces, in defence of his inheritance against their armed power, as appears by these Writts under his Privy Seal issued to his Bishops, and other religious persons, which I found in a Bundle of Writts of Privy Seal and Letters, lately rescued from the rubbish in the *White Tower Chappel*.

Bundela Bre-  
vium de Pri-  
vato Sigillo,  
&c. An. 21 E.  
1. in Turre  
London.

† Nota.

\* See here, p.  
583, 584.

Nota.

**E** Piscopo (itali) salutem. Humani generis inimico Regem Francorum & nos contra nos & nostros ad discordiam excitante, ad pacem, quam cum ipso Rege et suis optabimus semper habere, operam adhibuimus instantem, qua per nos & nostros suis sapè ac sapius procurata, & demum quos post tractatus varios habitos utrobique publice credebamus habere propitios, † latenter invenimus inimicos. Pluries enim pradiſto Regi & suis omnia qua paci erant, opulimus in spiritum lenitatis, et cum in spe firma obtinendi propositum fuisset, ipsi ad occupandam terram nostram Vascon. nequiter inbiantes, post voluntarium et iniquum \* processum contra nos in Curia ipsius Regis (ut dicitur) habitum, nos ipsa Terra exheredare pro suis viribus moluntur. Quapropter pro hereditate & hereditariis juribus nostris, qua Progenitores nostri propriè propria possederunt, defendendis pariter et tenendis, versus partes illas, omnibus pretermisſis proponimus (Deo duce) in brevi dirigere gressus nostros; ne ipsis (quod absit) neglectis, possemus à vobis & aliis fidelibus nostris instabiliter reprehendi. Cumque in homine non sit auxilium, sed infirmitas et defectus, et propter hoc oporteat imbecillitatem nostram divina manus sustentari pradiſtis, piis affectionibus vestras affectuose requirimus et rogamus, quatinus Corda vestra sursum habentes ad Dominum, debitis apud eum supplicationibus insistatis; necnon Parochianos vestros religiosos, et alios, Clerum et Populum crebris et sollicitis exhortationibus ad orandum pro nobis inducere studeatis, ut Regis Regum dextera potenter adiuti, ita possumus assumptum negotium persequi, et iustitiam nostram defendere, (pro qua corpus nostrum exponere non timemus) quod Deo cedat ad gloriam, nobis et vobis ad triumphum et laudem, et prosperum statum dicte terre, necnon ad totius Regni nostri commodum et honorem.

Ibidem.

Priori Provinciali Ordinis Fratrum Predicatorum in Anglia, necnon universis & singulis

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*singulis Prioribus omnium & singularum Domorum Ordinis vestri, in vestra Provincia An. 22 E. 1.*  
*confutatis, ad orandum pro nobis crebris et sollicitis exhortationibus injungatis, ut Regi Regum, &c. Ut supra.*

*Eodem modo ponatur in littera dirigenda Ministro Generali Ordinis Fratrum Minorum in Anglia.*

And here I deem it very seasonable, and worthy special observation, (in respect of our present publick Negotiations, Treaties with France and other Forreign States for Peace) from this clause in the Kings precedent Writs; [Demum quos post Tra-  
*batum varios habitos utrobique publicos credebamus habere propicios, latenter inveni-*  
*mus inimicos, &c.]* to render you this further account of the King of France his  
 fraudulent, yea treacherous proceedings with King Edward in these his Treaties with  
 him for a firm amicable peace between them, out of our Histories and Records, to  
 make us more vigilant, cautious in our Transactions with them & others, thus related  
 by † Thomas Walsingham. Anno gratia 1295. qui est annus regni Edwardus 1. vicesi-  
 mus secundus, Edwardus frater Regis Angliæ per Reginas Franciæ, Johannam Regis con- † Hist. Angliæ,  
 sortem, & Mariam ejusdem novercam, ut cum eisdem pacis tractatum resumeret cele- p. 24, 25.  
 riter revocatur. Denique mediantibus Reginis, post plurima interloquia, in forma  
 subscripta extitit concordatum; Ut propter honorem Regis Francorum, cui per mi-  
 nistros custodiæ Wasconia deputatos, ut videbatur nonnullis, in pluribus erat deroga-  
 tum, sex castra, videlicet, Sanctonas, Talemund, Tonru, Pomerel, Penne & Mountflau-  
 km, voluntati Regis Francia dederentur. In omnibus verò Civitatibus & Castris  
 totius Ducatus, exceptis Burdegalia, Baiona, & Regula, unus serviens nomine Regis  
 Francia poneretur. De ministris quoque Regis Angliæ in Wasconia positis, aliisque  
 per totam terram pro libitu Regis Francorum obsides ponerentur. Quibus pactis  
 Rex Francia citationem in aula Parisiensi publicatam faceret revocari. Castra verò  
 omnia, amotis servientibus in Civitatibus positis & Castris, obsidesque, ad petiti-  
 onem duarum Reginarum vel unius earum restitueret sine mora. Rexque Angliæ  
 (concesso sibi salvo conductu) Ambianis veniret, ut ibi habito mutuo Regum collo-  
 quio, pax & amicitia in posterum firmaretur: Super hiis confectis scriptis, unam per  
 Reginas signatum Edmundo traditur, aliud signatum ab Edmundo, commendatur Re-  
 ginis. Dux data fide in manu Edmundi promiserunt pacta in scriptis infra nulla-  
 tenus violanda. Certificatus super hiis Rex Angliæ, per germanum suum litteram u-  
 nam patentem directam omnibus ministris suis in Wasconia, continentem mandatum, ut  
 in omnibus Regis Francorum obtemperarent voluntati; transmisit germano suo, per  
 eum (cum sibi videretur) ulterius in Wasconiam transmittendam. Recepta littera, Edmun-  
 dus veritus eam transmittere antequam sibi constaret, an Rex ipse acceptaret quæ facta  
 fuerant per Reginas, petivit ab eis, ut per dictum Regis proprium super præmissis  
 certior redderetur. Denique presentibus Edmundo germano Regis Angliæ, & uxore  
 sua Blankia, Regina Navarræ, matre Regina Franciæ, necnon Duce Burgundiæ, &  
 Hugone de Veer filio Comitis Oxoniensis, & Clerico quodam Johanne de Lacy, Rex  
 ipse promissa Reginarum ac pacta per eas concordata, in fidelitate Regia se impletu-  
 rum respondit. Moxque Miles quidam nomine Galfridus de Langleya, de familia  
 Edmundi fratris Regis Angliæ, cum literis Regis Francorum rebocantibus Constabularium  
 Regis Franciæ, qui cum exercitu profectus fuerat ut Wasconiam expugna-  
 ret, missus est ad eum. Rex autem Angliæ, Cantuariæ solennitatem Paschalem re-  
 tenuit, ibidem ut Ambianis proficisceretur, expectabat de conductu. Johannes etiam de La-  
 cy Clericus prædictus, in Wasconiam transmissus est, cum littera ministris Regis An-  
 gliæ directæ, secundum formam prædictam. Johannes verò de S. Johanne (miles dis-  
 cretus & armis strenuus, & in rebus bellicis exercitatus, quem Rex Angliæ Wasco-  
 niæ præfecerat, qui Civitates & Castra per totum Ducatum munitat armis &  
 victualibus, & viris strenuis ad bellandum) auditis pactis initis, omnia quæ ad muni-  
 tiones Castrorum et Urbium præbiderat, vendidit, discedensque per Parisius versus  
 Angliam iter suum direxit. Et ecce procurante pacis amulo, mutatum est cor Regis  
 Franciæ, conductusque Regi Angliæ denegatur, et littera Constabularii rebocatois,  
 per posteriozem litteram irritatur. Et quia per Constabularium Wasconiam in manu  
 potius intrantem, Custodibus et ministris juxta tenorem litteræ sibi apportatæ se  
 subduntibus, in manu Regis Francorum accipitur terra tota. Ministri omnes Re-  
 gis Angliæ, terræque Custodes, obsides et captivi Parisius deducuntur. Post dies  
 tantum aliquot Edmundo Reginas rogavit, ut juxta promissa sua et pactiones initas,  
 H h h h Regem

Nota.



*An. 22 E. 1.* Regem Franciæ interpellarent, super conductu Regis Angliæ concedendo, Citatione rebocanda, terra restituenda, et obsidibus liberandis. Rex vero Francorum, per quosdam milites ad Edmundum missos, inficiatur se quicquam de talibus promissis scire. Denique pendens Edmundus se, fratremque suum Regem Angliæ delusos, reberus in Angliam Regem et Consilium suum ad plenum informat et certificat de re gesta. Igitur Rex Angliæ convocato Londoniensi Parlamento, cui Johannes Rex Scotorum interfuit, de consilio Prælatorum ac Procerum consentium, Terram sub dolo ablatam recuperandam gladio, ad Regem Franciæ misit nuncios, Hugonem de Mancestria de Ordine Prædicatorum, & Willielmum de Ginesborn de Ordine Minorum, Doctores Theologia, viros providos & discretos, mandans eis per eosdem; quod cum pacta inter progenitores eorum habita et ipsos, necnon et secretos tractatus quas mediante germano suo cum eo habuit, violasset, non videbatur sibi quod ipsum Regem Angliæ, Ducemque Aquitanie hominem suum reputabat, nec ipse homagium suo astringi ulterius intendebat. The form of which recunciation of his homage, I found in the *White Tower* in a particular Roll writ in the reign of King *Edw.* the 3. (together with the renunciation of the Homage made by the Earl of *Flanders* about the same time to the King of *France*, upon his confederacy with the King of *England* against the *French*) with this Title. \* *Forma qua Avus Domini nostri Regis reddidit homagium Franciæ Regis, ante novissimam.*

\* In Turri London.

**N**OZ Messages derront au Roy de *Franc*. Nostre Seigneur le Roy *Dengleterre*, Seigneur *Dirland*, & Ducs *Dacquitain*, vous fist Homage sur condicion, cest assavoir, solonc le fourme de la pees faite entre voz Ancestres et les Soens, la quelle vos ne li avez tenuz. Et dautre part puis les conteks & proces qui ont este entre voz gentes et les Soens a pesser, secrez tretez ont este entre vous & li par Monf. *Edmond* son frere, si combien vous doit sovener: en la queux traitez estoient certain Covenantz les queux ne li sont gardez en nul point, tout soit quil vous ad fait obeissance entre le fourme de ceo traitez. Et puis fil si vous ad fait deux foiz quere per lavantdit son frere, et le tierz foiz per aucuns de *Piers de France*, e puis autrez grantz Seignurs de vestre Roialme, que la terre de sa Duchee *Dagui*. lui fuist rendue, et sa gent, que sont en vostre arrest delivre, des quels riens ne li abez faitz, per ont il li semble, que vous ne li tenez pas pur vostre home, ne si nentent estre.

\* Here, p. 528, 529, 530.

But that which is most observable, during these very Treaties of Peace, the *French* King by his private solicitations, letters and promises, procured *John Baylis* King of *Scots*, with all the Prelates, Nobles and Commonalty of *Scotland*, (against their late \* premised solemn Oaths and Homages under their respective hands and seals made to King *Edward*) to enter into a most perfidious clandestine league, and an offensive and defensive warre with him against their Sovereign Lord, yea to invade and waste *England* with fire and sword, so soon as King *Edward* should send forces into *Gascoign* to recover his antient right therein, and to make no Peace nor Truce with him, without his concurrent assent; thus related at large in *French* in two Parchment Rolls, I found in the *White Tower*, only briefly mentioned in sundry other Records and Instruments, containing that and other succeeding Treaties of Peace with the *French* Kings, with the exceptions taken by King *Edward* the 1. and his Successors against the legality of the premised citation and arrest.

\* See here, pag. 538, 539, 540.

\* *Transcriptum Confederationis inter Franciæ Regem & Johannem de Balicolo quondam Regem Scotiæ, in Gallico.*

**P**Helip. par la grace de Dieu Roy de *France*, a tous ceux que cestes lettres verront, salut. Entre les autres choses, par les queles est procure lenhaucement des regnants & des Royaumes, & est aquis delitable de Pees & de possible quiete, & est parvenu a bon & benure estate des Subgits, celes choses par atentif regard est veu estre souveraine, que unite de ferme charite & liens de loiale amice soient noiez entre Rois & Roialmes. E ensi Roys & Princes doyvent affect damiable charite chescuna autre come benefon demande, nomement pur l'amour de Droiture a desfendre toetz, & a daunter les defasettementz des maners & impugnations de Enemis, que

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que lun se deigne voluntres a lautre en bontez, a ne faille mi e en adversetez que soncaux la doteur de pees desire amegne, & par tant soient tortinouses forces des gentz que ne volent pees desforbe par remede de covenable Dessens, en que beaute les denonz suitz de pees, tant come plus sont en equite devant peussent servir plus devoutement a fessour de pees. Dount le nobl Prince Johan Rei Descoc, nostre especial ami peussant, queytement les avandites profitablites ad envees especialment a nous les honerables Peres Wil. de S. Andren & Mathieu de Dunkeldin Evêques, & Johan de Soules, & Ingeram de Umfraville, chivalers, ses Messages & ses Procuratours a especialment faitez, pur faire profitables aillances & liens damice, sicome est plus pleinement contenuz en ascunes lettres procuratories de ce faitez, sealeez du seal meisme celi Roy: Les tenours des queles e mot en autre son: issi dessuiz escritez. Nous accordantz a les loyales desirs meisme celi Roy en ceste partie de bon volonte, que affinite de bien manere dalliance, & le contrac de seyme amice de tant soit greivour, & dire plus establimet qil serra afferme par fort lien, faite covenance & accorde feust entre nous de la volonte & lassent nostre treschier frere & feal, Charles Conte de Valoys & de Angou, & ses Procuratours avanditz, & J. le sire nre nostre frere avandite, a qn. Roy en noun de son suitz avanditz avons promis pur nous & pur noz successeurs de faire doner ov la dite fille en mariage 25000 l. de l'or nou pet z en deniers courantz. Et meisme celi Roi serra tenu de doner & assigner ov la dite fille en dowaire 1500 liveres dannele rent Desterlingz, des quant il lui asservera 1000 liveres de aneale rente Desterlings en terres ov jurisdictions, & toutes maneres des de Justices nient appartenantz a la Corone, en les lieux desouz escritez: Cest assavoir, De Bailloil, de Dampetre, de Helicourt, de Hornie en Royaume de France, & de Lanark, de Radis, de Maldisle, de Cuyngbom, de Haynton ov la Castel de Dondre en Royame Descoc, ov e les appartenances de meisme les lieux. Issint que si les Rentes des meismes les lieux passent la sune de 1000 li. per an, ce que serra surplus outre meisme la summe remeigne a lavandit Roy Descoc. Et si rien defaille de t. le summe, le Roy soit tenuz de la fourner entierment en autres rentes en Royame Descoc, ou si nous mieuz vodrons, il lui assignera celes 1000 li. & les autres 500 lures, & rescieure en bourse en certeyns lieux, d'an en an, a deux termes a lui assura bien de cel Dowaire, a ver & receiure apres le mariage fait, & apres la mort le dit suitz, tant quele vivra. Et si le suitz & la fille avanditz, apres la marriage fait, vodereint par aventure partir du dit Roy, il averont Franchement le Dowair avandit, vivant meisme celui Roi. Et si en temps avenir le dit Roi se vodroit autre fois marrier, il devra requere & avoir sur ce nostre conseil. Et meisme celui Roi par manere de Droituel Prince, qui par ardante volonte de Droiture, qui par enterme amour qil ad a nous & as gentz de nostre Royame tristement portant les greis, torts, & outrages, trespas, enemises, & felons assautz, par les quieux le Roy Dengleterre contre sa fiance, par la quele il nous ad liez & ad offendis cea en areres, safforce continuellement d'offendre nous, noz loyaux, & noz subgiz, assiben per terre come par meer en mout des maneres. Et pur ce qil allie nous e noz Successeurs a lui & a les soens plus fermement par amour d'une part & d'autre, ordenant par bone volonte dayder a la defence de torts, & de impugnations, & de tieux maneres d'assautz, il ad done poer a ses ditz Procuratours, & eux en noun de meisme celui Roi Descoc, a tout soun poer d'ordour conseil & covenable ayde e nous & a noz Successeurs en ceste presente guerre, que nous avoms contre le dit Roi Dengleterre, ses fauteurs & ses aliez, auxibien le Roi Dalemains, come tous ses autres valitours, & f. guerre soit meve en Engleterre, qil nous aideront apertement ov tout lur poer, auxibien par terre Nota. come par mere. Et que les torcenouses afforcements le dit Roy Dengleterre plus profitablement soient dessenduz, & que meisme celui Roy soit dettreint de noi retrere de ses malveises emprises par tant qil serra occupez par aillours; Le dit Roi Descoc s'obligera de mover et continuer guerre a meisme celui Roi Dengleterre a les propres Custages et despens a tot soun poer, et des gentz de soun Roialme, toutes les foiz que boisdigno serra nous pursuiantz et maintenantz la guerre commence. Eltre ce promistrent les avanditz Procuratours en noun de le avandit Roi Descoc, qil frant que auxi bien Prelatz, si avant come il purront, come Countes, & Barons, & autres Nobles, & universetez Comunaltez des Villes du Roiaume Descoc, se averont envers nous & noz Successeurs en la dite Guerre, en semblable manere sicome de sus est dit, et seront en semblable manere guerre par toutes lur forces au dit Roi Dengleterre



*An. 22. E. 1.* *Neoms est abantdit, et auribien Prelatz, come Countes et Barons, et autres Nobles et universitez et Communantez notables du dit Roialme Descote, nous envoierent sur ce l'ur lettres overtez sealees de leur seal a plus tost. Et covenance fuist entre nous & les Procuratours avanditz, qil amene & aventure qe lui Roi Dengleterre par soun poer semble assaille par lui ou par autre de Roialme Descote, apres la guerre commenee, a requeste par le dit Roi Descote, ou par enchainson de celle affinite ou alliance faite entre nous, nous lui ferroms ayde, donant a meisme celui Roi affaire par aillours, issint qe de la dite guerre commenee lui covendra recrer & sei doner par aillours, ou nous lui envoiroms covenable ayde a noz tostages, tant qil viegne en Escote. Issint totes voies qe nous soiroms sur ce garniz de par meisme celui Roi Descote en covenable temps. Et si levant nomez Roi Dengleterre issiroit par aventure personnelment la terre Dengleterre, ou la voideroit de notable nombre de gentz de pie ou des gentz a chival armez durant la guerre entre nous & lui, promistrent les abantditz Procuratours, qe nomement en ceste cas le dit Roi Descote entra ob tout soun poer la terre Dengleterre, si abant et par soun come il purra ensefant guerre, bataille champestre, assegeant, gassant et destruant le Roi Dengleterre, et la terre en totes les maneres, qil purra, a ces custages, si come est abantdit. Estre ce fait & covenance est expressement entre nous & les Procuratours avanditz, qe nous de la guerre que l'avanidit Roi Descote & ses successeurs feront pur nous, puis quil la veront faite a nostre requeste encontre le dit Roi Dengleterre, ou sil ayt fait la dite guerre par achaison de l'affinite ou de l'alliance fait ov le Roi Dengleterre entre lui & ascunes desachefons avantdites, ne de nostre guerre avantdite, ne purroms faire pees ne treube, si ne soient enclos en la pees ou en la treube qe nous ferroms de toutes les dites guerres, ne euz noulle plus, ne purront faire pees ne treube de toutes les dites guerres sanz nous. Pur toutes les queles choses de sus escrites & chescun de elles tenir, performer & garder, nous obligiroms au dit Roi Descote, & a ses successeurs, nous, noz heires, & noz successeurs, & touz noz biens & les leur moebles & noul moebles, ou qil soient, present & avenir. Et les trois, covenantz & toutes les choses sus escritz le dit Roi Descote est tenu de ratifier & aprover & renouveler en son noun; & sur ce nous envoier ses lettres overtez sealees de soun seal a plus tost qil purra. Et les tenours des les lettres Procuratories avantdites sont yceles.*

*Nota.*

**A** Tres excellent Prince, son Seignour & amy (se li plect) Sire Philip par la grace de Dieu noble Roy de France, Johan par la meisme grace Roy Descote, saluz en nostre Seignour. Sache vostre Roiale hautesse, qe nous seifons & ordonnoms par cestes presentes lettres, nos foiaix & loiaix les honorables Peeres William de S. Andreu, & Mahu de Dunkeldyn Evsques, & Johan de Soules, & Ingeram de Umframvill Chivalers, nos Attornes, Procuratours & Messages especiaux a trefier ad vous se vous plect, sur Espousailles & Mariage a faire entre tresnoble Damoiselle vostre Nyece ou Cousyn, & Edward nostre suiz esne & heir: Donantz a eux generall franc & plener poer, & mandement especial de faire & parfaire les Espousailles & le Mariage avantditz, si avant come la nature de tien manere de contract sueffre; Espousailles & Mariage estre faitz & parfaiz entre absentz, par Procuratours a ce especiaument assignez, & a totes les autres choses & chescunes de eles faire, qui a les ditz contractz ou covenances apertienent, ou porront en nule manere appartenir, & sanz les queux les ditz contractz ou covenances ne porront covenablement estre espleitez. Eantz ferme & estable quantque nos ditz Procuratours & Messages touz, ou treis, ou deux de eux seront en les choses avantdites, ou en aucunes de eles. En tesmoignance de quen chose nous avoms fait mettre nostre seal a cestes presentes lettres. Don a Esfrivelyn le 3 Non. Juy. lan de nostre Seignour 1295. & de nostre regne tiers.

**A** Touz ceux qi cestes lettres verront, Johan par la grace de Dieu Roi Descote, saluz en nostre Seignour. Sache vostre universite qe nous seifons & ordonnoms par cestes presentes lettres, noz foiaux & loiaux les honorables Peeres William de S. Andreu, & Mahu de Dunkeldyn Evsques, & Johan de Soules, & Ingeram de Umframvill Chivalers, noz Attornes, Procuratours, & Messages especiaux de trefier, ordener, faire & parfaire totes & chescunes beusignes touchantz en quicunque

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cunque manere nous, *Edward* nostre esne fuiz & heir nostre Roiaume & les gentz de nostre Roiaume, ou qe ce soit en Roiaume de *France*, ov quicunque perlonas, Clerks ou Lays, de quele condition ou estate quil soient, donantz a eux touz, treis, ou deux de eux, generall frank & plenier poer de obliger & nostre fuiz avantdit, nostre Roiaume, & les gentz de nostre Roiaume; & de jurer en lalme de nous, de nostre fuiz, & de gentz de nostre Roiaume; & de faire & parfaire totes les choses, & chescune de eles, qe a les avantditz tretiz & ordenances & beufoignes ferront necessaires ou covenables, & a faire & parfaire totes autres choses, qe nous, nostre fuiz & les gentz de nostre Roiaume peussoms faire si nous fuisseioms presentz. Eautz ferme & estable, quantque par les ditz quatre, treis, ou deux de eux serra fait ou procure en les choses avantdites, ou aucune de eles. En tesmoignance de quen chose nous auoms fait mettre nostre seal a cestes presentz lettres. Don a *Essex* le 3 Non. de *Juyl*. 1295. & de nostre regne tiers. En tesmoignance de totes les choses avantdites, nous auoms fait mettre nostre seal a cestes presentes lettres. Faites a *Paris* le 23. jour de moys d'*October*, l'an de nostre Seignour 1295.

An. 22 E. 1.

**A** Touz ceux qi cestes presentes lettres verront, *Charles* fuiz au Roi de *France*, Conte de *Valoys*, de *Alenton*, de *Chartres*, & de *Angeo*, saluz en nostre Seignour. Sache vostre universite, qe come trete, covenante & acorde soit entre le treuxcellent Prince, nostre treschier Seignour & frere, Sire *Philip* par la grace de Dieu noble Roy de *France*, & les honorables Peeres Sires *William* de *S. Andren*, & *Mabyn* de *Dunkeldyn* Evêques, & *Johan* de *Soules*, & *Ingeram* de *Umframvill* Chivalers, les Messages & Procuratours le haut Prince Sire *Jehan* par la grace de Dieu noble Roi *Descote*, a ce especiaument faitz, en le noun mesme cely R i dè mariage faire entre lesne fuiz mesme cely Roi *Descote* qi par expresse covenance faite surra son heir du Roialme *Descote*, & de ses autres terres, & nostre esnee fille, Nicce nostre Seignour le Roi de *France* avantdit; a quen Roi en noun de mesme celi son fuiz deynent estre donez en mariage oue la dite fille 25000 liveres de Turnois petitiz. Ele dit Roi *Descote* est tenuz a doner & assigner a sa dite fille en Dowair 1500 liveres dannuele rente desterlings, des queux il li assevera 1000 liveres desterlings ou terres ov juridictions & ov totes maneres de justices qui napertinent mye a la Roiale Corone, en les lieux desouz escriptz: Cestassavoir de *Baillo*, de *Dampetr*, de *Helicourt*, de *Hernoy* en Roiaume de *France*; de *Lanark*, de *Cadio*, de *Milldisley*, de *Eyngham*, & de *Hadynghont*, & en le Chastel de *Donde* en Roiaume *Descote*, oue les apurtenances de mesmes les lieux. Issint qi meismes les lieux en les queux le Dower fait estre assigne sicome est avantdit passent la somme des dites 1000 liveres par an, & qi serra sourplus, outre tele somme, remeigne au Roi *Descote*. E si rien faille de cele somme, meisme cely Roi soit tenuz de la parfourmir entierment de ses autres rentes, & il li assignera de resceure les autres 500 liveres desterlings en burse; ou si levantdit nostre Seignour le Roy de *France* mieuz voudra, il li assignera de receire ausibien les dites 1000 liveres come les autres 500 liveres en burse en certains & suffisantz lieux, dan en au a deux termes, e li asseura bien de cell Dower aver & receire, apres le mariage fait, & apres la mort le dit fuiz si longement come ele viura. E fait & expressement covenance est en le tretis del mariage avantdit, si par anienture le fuiz & la fille avantditz apres le mariage fait voudreient departir du dit Roy *Descote*, il averont Franchement le Dower avantdit en la vie de mesme celi Roy. Nous les tretitz et les covenances abantditas cantz ferm et estables selonc les maneres et les covenances dessus escriptes, tes looms, doloms et approboms expressement, promettantz que nous paieroms les dites 25000 liveres de Turnois entierment au dit Roy *Descote* en noun de son dit fuiz, ou a mesme celi son fuiz, ou a mandement de eux, ou de lun de eux, sicost come nostre dite fille serra venue al age qe ele puisse estre marrie, & le dit Dowair li soit assigne, sicome est avantdit. E a ce nous obligeoms especiaument nous, noz heirs, & noz successeurs, terres, & touz noz biens, & de noz heirs, & de noz successeurs, moebles & noun moebles, presenta & avenir. En tesmoignance de quen chose, nous auoms fait mettre nostre seal a cestes presentz lettres. Don a *Paris* le 23. jour d'*October*, l'an de nostre Seignour 1295.

This



*An. 22. E1.* This League and Alliance then made and concluded between the perfidious, treacherous Scots and French against the English contrary to their premised Oaths and Obligations, was vigorously put in execution the two next ensuing years, and very punctually observed by them in succeeding ages, the true reason whereof is thus rendered by Matthew Parker Archbishop of Canterbury, discoursing of the Treacheries and perfidiousness of the French, and their inhumane cruelties, under pretext of Treaties of peace. \* *Ac ne Scotia quidem in perjuriis, crudelitate et perfidia dissimilis censeatur Gallie. Ad quæ bitia, si stella atque sidera ex Astrologorum sententia regionibus dominantur, tato quodam dedita videri possit. Subest enim ut Astrologi censent versutissimo atque inconstantissimo sideri Scorpionis. Cujus mores in singulis pœne Scotis (& Gallis) exprimentur. Sunt enim cruces, elati, intemperantia et libidine dediti, falsi atque vasti, pacis, induciarum fœderumque fractores; natura autem tam fera & indomita, ut etsi in bellis saepe viti succubuerunt, et submissionem (Anglis) iurejurando promiserunt; redintegrata tamen contra fidem datam pœlia, et mortis atque mortis discrimina subire, quam exteri cujuscunque dominationem perferre maluit. Itaque cum Astrologi Martem Scorpionis esse dominum, eoque præfisse autumant, Scotiam crebris vastationibus, incendiis, stragibusque cruentis ex illa Martis & Scorpionis conjunctione perpetuò subesse statuant. Hæc itaque sceleratissimorum similitudo moxum Gallos atque Scotos semper indicem conciliabit. Tanta enim utriusque gentis perfidia, & feritas et immanitas in vindictis prodita est, quanta non modo inter Christianos, sed ne inter barbaros a scriptoribus ullis traditur. Of which our Histories, and the ensuing years will render you a further account.*

\* Antiq. Eccl. cl. 1. p. 294, 295, 296, 17 Joan. Cupe-  
tilli, in libro  
que n. omi-  
nabat Osten-  
for futurorum  
\* See sim. Du-  
nelm Hist. 13.  
c. 5. & de Gest.  
Regum Ang-  
lorum, col.  
201. 260.  
Hist. Richardi  
prioris Haga-  
stadenfis de  
Gestis Regis  
Steph. col.  
316, 318. E-  
thelredus Ab-  
bas de vel o  
Standardi, col.  
347. Chron.  
Joan Brom-  
ton col.  
1025, 1090,  
1091.

Bundela Bre-  
vium de Pri-  
vato 1210,  
Sec. 11. 12.  
F. 1. in Tur-  
London.

John Duke of Brabant (the Kings dear friend and kinsman) dying this year, the King by his Ecclesiastical Sovereign authority, issued these ensuing Writs to all his Bishops, and sundry Abbots and Priors, to make Prayers, and chaunt Masses for him, according to the Superstition of that age.

**R**EX, &c. Cisterciensis Spiritualitatis Archiepiscopus Cantuar. sede vacante, salu-  
tem. Conditor omnium Dominus, qui pro suo beneplacito cunctis mortalibus vi-  
vere dat & mori, prolongans & abbrevians, sicut vult, visa terminos seculares, cha-  
rissimum amicum & affinem nostrum Johannem quondam Ducem Brabantiz de pre-  
sent. Seculo (quod non sine multa mentis amaritudine nunciamus) prout sibi placuerit,  
evocavit. Cum itaque opus sanctum ac salubre, iuxta Scripturæ divinx sententiam,  
censeatur pro defunctis, ut à peccatorum solvantur nexibus exorare, paternam cha-  
ritatem vestram piis affectibus requiramus et rogamus, quatinus ejusdem Ducis ex-  
equias solempniter celebrantes, ipsius animam in Ecclesia Cantuar. cum Missarum de-  
cantationibus, & aliis divinis obsequiis Deo vivo specialiter commendatis; eamque in  
ceteris Ecclesiis ac locis religiosis per totam Diocesim Cantuar. Ditioni vestre subditis,  
faciatis devotius commendari: Ut ex hoc premium apud Deum, et a nobis condigna  
vobis præbeniat etiam gratiarum. Teste Rege apud Wrotham, 8 die Maii.

Consimiles Littere diriguntur singulis Episcopis, Abbatibus & Prioribus exemptis,  
mutatis mutandis, per totam Angliam constitutis, & Magistro Ordinis de Sempling-  
ham qui inferius in ista Cedula continentur.

Domino Linc. Episcopo, Domino Ebor. Episcopo, Domino Norwicen. Episcopo,  
Dom. Roffen. Episcopo, Dom. London. Episcopo, vel ejus locum tenenti, ipso agen-  
te in paribus transmarinis, Dom. Winton. Episcopo, Dom. Cicer. Episcopo, Dom.  
Exon. Episcopo, Dom. Sarum Episcopo, Dom. Covent. & Lyche. Episcopo, Dom.  
Heref. Episcopo, Dom. Menev. Episcopo, Dom. Bangoren. Episcopo, Dom. Asse-  
ven. Episcopo, Custodi Spiritualitatis Episcopatus Landaven. Dom. Wygorn. Epis-  
copo, Dom. Bathon. & Willel. Episcopo, Dom. Archiep. Eborum Angl. Primati,  
Dom. Dunelm. Episcopo, Dom. Karl. Episcopo. Abbati Sancti Augustini Cant.  
Abbati de Sancto Albano, Abbati de Sancto Edmundo, Abbati de Evesham, Abbati  
de Waltham, Abbati de Westm. Magistro Ordinis de Semplingham, Abbati de Valle  
Regali, Abbati de Fontibus, Abbati de Jeremall. Abbati de Novo Monasterio, Ab-  
bati de Holcote. Abbati de Rivall. Abbati de Furney, Abbati de Bella Landa,  
Abbati de Kirkstede, Abbati de Rensby, Abbati de Valle Dei, Abbati de Geredon.  
Abbati

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Abbati de *Wenburn*. Abbati de *Pipwell*. Abbati de *Rughford*. Abbati de *Bebolico*. An. 22 E. 1.  
Abbati de *Boxleye*; Priori & Conventui de *Pontefract*. Priori de *Linton*. Priori de  
*Wenlock*. Priori de *Bermundseye*.

Oliver Bishop of *Lincoln*, and Mr. *Thomas Sutton* his Nephew, gathering a great multitude together, and intrenching, besieging the Church of *Thame*, stopping all passages, and prohibiting any victuals to be carried to it, to force *Richard Saint-John* the Rector thereof to desert it by siege and famine. The King upon complaint thereof, by his Ecclesiastical Sovereignty, issued a Writ de *Vi Laica amovenda* to the Sheriff of *Oxford*, who being negligent in the execution thereof, he thereupon issued this second memorable Writ to *Masculmus de Harley*, his Echeator on this side *Trent*, and *Robert Giffard*, to raise the siege, remove the force, levell the Trenches, apprehend the Malefactors, and inquire of the Sheriffs neglect in executing the former Writ, and all the premised circumstances. After which he took the Prebendary into his hands and protection, to prevent disturbances of the peace, till the right thereof was determined in his Court, between *Thomas Sutton* and the Bishop of *Lincoln*, and *Edward* son of *John de Saint-John*, and sequestering the profits thereof pending the suit, & restoring them by his Writs, when the controversy in Law was ended.

**R**EX, &c. dilectis & fidelibus suis *Masculmo de Harley*, *Escaetori suo citra Tren-*  
*ram*, & *Roberto de Giffard salutem*. Quia, ex querela *Edwardi filii Johan-*  
*nis de Sancto Johanne*, qui se gerit pro Rectore Ecclesie de *Thame*, accepimus, quod  
*Venerabilis pater O. Episcopus Lincoln.* & *Magister Thomas de Sutton Nepos ejus-*  
*dem Episcopi*, aggregata sibi multitudine armorum, vias nostras Regias in *Villa de*  
*Thame* circumquaque ad Ecclesiam predictam ducentes, fossatis, huius, & aliis impe-  
*dimentis obstruxerunt, & Ecclesiam illam obsederunt, & adhuc obsident, inhibentes,*  
*ne qui prefato Edwardo, Clericis seu Ministris ejusdem Ecclesie in eadem existen-*  
*tibus victualia vendant vel ferant, et ipsi sibi victualia ferentibus victualia illa*  
*abstulerunt et auferunt, ut sic per huiusmodi obsidionem et factum dicto Edwardo,*  
*Clericis et Ministris predictis in eadem Ecclesia fame faciant interire, in nostri con-*  
*temptum, et lationem pacis nostre manifestam. Nos ( si ita sit ) super hoc con-*  
*gruum et festinum remedium adhiberi volentes; Assignavimus vos ad videndum*  
*Ecclesiam obsidionem & impedimenta predicta, et ad obsidionem illam, et omnem*  
*bim laicam et armatam, si qua se teneat in eadem Ecclesia amovendam, impedi-*  
*menta illa, si quae indulta fuerint delenda, et davas et fossata predicta equando,*  
*prout prius esse consueverunt, et etiam ad omnes illos quos huiusmodi obsidionem*  
*et impedimenta fecisse inveneritis attachiandos: Ita quod sint coram Nobis a die*  
*Pasche in Tres Septimanas ubicunque tunc fuerimus in Anglia, ad respondendum*  
*nobis de contemptu et transgressionem predictis. Et insuper ad inquirendum per Sa-*  
*cramentum proborum & legalium hominum de Com. Oxon. per quos, &c. qualiter Vic-*  
*nosier ejusdem Com. mandatum nostrum, ei per breve nostrum nuper factum, De vi laica*  
*ab eadem Ecclesia amovenda, fuit executus, & quo modo: & si ullam vim laicam ibi*  
*dem tunc invenerit, vel non, & de omnibus aliis circumstantiis premissa contingentibus,*  
*secundum quod vobis injunximus ore tenus. Et ideo vobis mandamus, quod ad certum*  
*diem quam ad hoc provideritis, ad Ecclesiam predictam sine dilatione personaliter acce-*  
*dentes, premissa faciatis in forma predicta. Et de eo quod inde feceritis nobis distinte*  
*& aperte quantoocius constare faciatis, remittentes nobis hoc breve. Mandavimus enim*  
*Vic. nostro Com. predicti quod vobis ad premissa facienda intendat & respondeat, pro-*  
*ut ei scire faciatis ex parte nostra. Et quod ad certum diem quem ei scire faciatis ex*  
*parte nostra, venire faciat coram vobis tot & tales probos & legal. homines de Balliva sua,*  
*per quos rei veritas in premissis melius sciri poterit & inquire. In cuius, &c. Teste*  
*Rege apud Stebenheth, 3. die Februarii.*

Pat. 22 E. 1.  
m. 25. dorso.  
Pro Edwardo  
de S. Johanne  
de obsidione  
Ecclesie de  
Thame viven-  
da & inqui-  
renda, &c.

**C**um pretextu contentionum & discordiarum aliquandiu habitatum inter venera-  
bilem patrem *O. Linc. Episcopum*, & magistrum *Thomam de Sutton Archidia-*  
*North.* ex parte una, & dilectum Clericum nostrum *Edwardum filium Johannis de*  
*Sancto Johanne* ex altera, super Præbenda de *Thame*, mala diversa perpetrata fuerint  
ibidem contra pacem Regis; per quod ne mala peiora prioribus inconsulte succede-  
rent si durarent, huiusmodi periculis Rex obviare volens, mandavit *Vic. Oxon.* quod

Cl. 22. E. 1.  
m. 3. Quod  
Vicecomes  
Oxon. se non  
intromittat de  
Præbenda de  
Thame.

Præ-



K. Edward I. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4*

*An. 22 E. 1.* Præbendam illam cum domibus, terris, fructibus, et omnibus aliis tam spiritualibus quam temporalibus ad eandem pertinentibus sine dilacione caperet in manum Regis, et ea salvo et absque destructione seu distracione custodiri faceret; Ita quod neutra partium prædictarum ad eam manum apponeret, donec Rex aliud inde præceperet. Ac jam contentiones et discorðie hujusmodi inter partes prædictas coram Rege in Curia Regis penitus sint sedata, mandatum est eidem Vicecomiti, quod de Præbenda prædicta, vel ejus pertinenciis quibuscumque ulterius se non intromittat, & omnes exitus per ipsum Vicecomitem perceptos à tempore captionis ejusdem in manu Regis, præfato *Thoma* integraliter liberet sine mora. Teste Rege apud *Westm.* primo die *Octobris*.

What Knights fees and compositions for them the Bishops of *London* and *Chichester* then owed to and made with the King for their Knights service in *Wales*, these Records in discharge of their Executors will inform us.

*Claus. 22 E. 1. m. 11.* Pro executoribus Testamenti *J. quondam London Episcopi.* **Q**UIA bone memorie *J. nuper Londoniensis Episcopus* anno Regni Regis quinti, solvit per præceptum Regis *Orlandino de Podio, & sociis suis Mercatoribus* *Lucanen* ducentas marcas, per quas finem fecit cum Rege pro servicio sex feodorum Militum, quod Regi recognovit in exercitu Regis *Wallie*, anno prædicto, de quibus quidem ducentis maris ipsum Episcopum Rex quietavit, sicut per inspectionem litterarum Regis patencium quas Rex prædicto Episcopo inde fieri fecit Regi constat; Mandatum est *Thess. & Baronibus de Scaccario*, quod executores testamenti præfati Episcopi de prædictis ducentis maris quas ab eis per summonicionem *Scaccarii* prædicti *Thess. & Barones* exigunt, ut dicitur, quietos esse faciant. Teste Rege apud *Baldock*, 18 die *Februarii*.

*Ibid. m. 12.* Pro executoribus testamenti *S. Cicestrensis Episcopi.* **Q**UIA bona memorie *S. nuper Cicestr. Episcopus defunctus*, solvit Regi anno regni Regis decimo per manus *Baruncinini Gualteri Mercatoris de Luk.* centum marcas, per quas idem Episcopus finem fecit cum Rege pro servicio duorum feodorum Militum ac dimidii, quod Regi recognovit in exercitu Regis *Wallie* anno prædicto, sicut per litteras Regis patentes quas eidem Episcopo inde Rex fieri fecit, & quas ex inspectu Regi constat: mandatum est *Thess. & Baronibus de Scaccario*, quod executores Testamenti præfati Episcopi de prædictis Centum maris, quas ab eis exigunt per summoniciones *Scaccarii* Regis prædicti pro servicio prædictorum duorum feodorum Militum & dimidii de tempore prædicto, quietos esse faciant. Teste Rege apud *Chetham* 17 die *Dec.*

This year the King to hasten his supplies of monies issued these Writs to the Collectors of the Clergies Subsidies.

*Claus. 22 E. 1. m. 6. dorso.* **R**EX dilectis sibi in Christo, *Priori & Conventui Sancti Katerine extra Lincoln.* *Collectoribus Subsidii nobis concessi per Clerum in Diocesi Lincoln. salutem.* Quia nuper tempore concessionis nobis facta de subsidio prædicto extitit ordinatum, quod propter evidentem et urgentem necessitatem, tertia pars subsidii prædicti nobis solveretur citra festum Omnium Sanctorum prox. futurum, vobis mandamus firmiter injungentes in fide & dilectione quibus nobis tenemini, quod prædictam terciam partem cum omni celeritate qua poteritis, omni dilacione postposita, nullaque excusatione prætextu, levare, & ad *Scaccarium nostrum* sub salvo & securo conductu transmitti faciatis; Ita quod cum modis omnibus habeamus citra festum prædictum; Et hoc sicut honorem nostrum & Regni nostri diligitis, & vos indemnes servare volueritis, nullatenus omittatis. Custum autem quem ad hoc posueritis vobis prout justum fuerit allocari faciemus. Teste Rege apud *Westm.* 21 die *Octobris*. Eodem modo mandatum est *Abbati & Conventui de Oseneye Collector*, in eadem *Diocesi*.

Eodem modo de verbo ad verbum mandatum est subscriptis; *Priori & Conventui de Wymundham, & Priori & Conventui Sancti Edmundi, Collectoribus in Dioc. Norwyc.* and to the others forementioned.

The King this year out of his Sovereign Ecclesiastical authority, licensed *Dionysia* de

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de Monte Canisa by his \* Letters patents, quod de Manerio suo de Waterbeche cum pertinentiis religiosis seofare, vel ibidem fundare possit domum religionis de quocunque voluerit ordine, pro anima nostri & animarum antecessorum nostrorum & suorum, &c. Nos dedimus et licentiam, quod ipsa tot sorores S. Claræ illuc a partibus transmarinis venire facere, et ipsas, &c. quot ad divinum obsequium ibidem celebrandum fore viderit oportunas. Ita quod sorores illa quæ ipsa Dionisia inde seofaverit ibidem pacifice morari et Domino famulari possint, &c. Teste Rege apud Walsingham 3. die Marci, Anno regni nostri 22.

What Clerks convicted of murder and felony before the Kings Justices, and demanded by their Ordinaries, were acquitted this year upon their delusory purgations before them, and thereupon restored to their goods and chattels; this Writ will in part inform us.

CUM Willielmus de Wabrunne, Thomas de Bayfeld, Thomas filius Thomas de Wabrunne, & Bartholomæus de Salle Clerici, in Curia Regis coram dilectis & fidelibus Regis Eliæ de Hanvill & sociis suis Justic. Regis nuper ad Gaolam Regis Norwici deliberandam assignatis, de morte Willielmi fil. Roberti le Saur. de Wabrunne rehati, & ad requisitionem Venerabilis Patris R. Norwycensis Episcopi per eisdem Justic. eidem Episcopo tanquam culpabiles de morte prædicta, juxta privilegium Clericale, prout moris est, liberati, innocentiam suam super eodem crimine sibi imposito legitime purgaverint, prout idem Episcopus per literas suas patentes Regi significavit. Et per inquisitionem quam per Vic. Norff. & Coronatores Regis ejusdem Comitatus postmodum, Rex fieri fecit, Rex acceperit, quod prædicti Willielmus, Thomas, Thomas, & Bartholomæus sunt bonæ famæ & conversationis, & nunquam extiterunt publici aut notorii malefactores. Mandatum est eidem Vic. quod eisdem Willielmo, Thoma, Thoma, & Bartholomæo, terras & tenementa, bona & castalla sua ea occasione per ipsum in manum Regis capta, nisi fugam fecerint occasione transgressionis prædictæ, sine dilatione restituat de gratia nostra speciali. Teste Rege apud Westm. 25 die Octobris.

Class. 11 E. 1  
m. 2. inus.  
Pro Will. de  
Wabrunn,  
Tho. de Bay  
feld, Thoma  
filio Thomæ  
de Wabrunn,  
& Bartho. de  
Salle Clerici  
purgatis.

The Sheriffs of London amercing Clement de Heston; and prosecuting him in the Hustings in London, for suing in Court Christian for a Contract, which an executor for lands devised to be sold, and the money distributed for the Testators soul; after a Consultation to proceed in Court Christian; the King upon complaint, issued this Writ for his relief therein, according to Law, and the Custom of the City.

REX dilecto & fideli suo Gilberto de Thorneton salutem. Ex querela Clementis de Heston acceptimus, quod cum Thomas Absolon & Matil. uxor ejus Executrix Testamenti Willielmi Allyn, quoddam Messuagium cum pertinentiis in London quod fuit ejusdem Willielmi, & quod idem Willielmus in Testamento suo legaverat vendendum; Ita quod denarii inde provenientes pro anima sua pauperibus distribuerentur, præfato Clementi vendidissent pro Tringinta & duobus Marcis, de quibus sex Marci præmanibus receperunt, & breve nostrum de Prohibitione postmodum præfato Clementi, pro eo, quod ipsos super conventionem inde inter eos innita, et per ipsos Thomam et Matildam non observata, implacitavit in Curia Christianitatis, detulissent, ne placitum illud ibidem ulterius sequeretur. Ac idem Clementis attendens cognitionem placiti illius ad forum Ecclesiasticum pertinere, petita super hoc et optenta consultatione vestra, scilicet, quod licet & semper posset in Causa illa procedere in Curia Christianitatis; placitum illud in Curia illa juxta consultationem prædictam prosecutus fuisset, Custos & Vicecomites London. nullo respectu habito ad consultationem prædictam, præfatum Clementem ea occasione atropiaverunt, ad respondendum inde coram eis, & ipsum graviter amerciarunt, & pro amerciamiento illo eis reddendo distringunt, et adhuc distringunt minus iuste, in ipsius Clementis dampnum non modicum & gravamen; Et quia præfatum Clementem in hac parte nolumus prægravari, assignavimus vos ad recordum & processum inde coram Custod. & Vicecomitibus in Hustengo nostro London. habitum, si judicium inde redditum sit, examinandum. Et si quid minus rite attemptatum fuerit in hac parte corrigendum, & partibus illis quod iustum fuerit secundum legem

Pat. 21 E. 1.  
m. 9. dorso.  
Pro Clemente  
de Heston,  
attach. post  
Prohibitionem.



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An. 22 E. 1. & consuetudinem Civitatis prædictæ faciendum. Et ideo vobis mandamus, quod ad certum diem quem ad hoc provideritis usque Sanctum Martinum magnum London. accedentes, recordum illud & processum in præsentia prædictorum Custodis & Vicecomitum, si iudicium inde redditum sit, diligenter examinetis, & defectum si quis fuerit in eisdem corrigi, & partibus inde fieri faciatis secundum consuetudinem Civitatis prædictæ celeris Iusticiæ complementum. Mandavimus enim prædictis Custodi & Vicecomitibus, quod ad certum diem quem eis scire faciatis, recordum illud & processum, cum omnibus ea tangentibus apud Sanctum Martinum magnum London. coram vobis habeant, & partes prædictas ibidem venire faciant, ad faciendum & recipiendum quod Curia nostra consideraverit in præmissis. In cuius, &c. Teste Rege apud Westm. 16 die Octobris.

The Archbishop of York Excommunicating the Prior and Subprior of Trinity in York exempt from his Jurisdiction, sequestering their goods, whereby they should live and pay their *Dismes*, and procuring a Writ of *Capias Excommunicatum* against them, the Prior thereupon exhibited this Petition to the King for releif against these and other injuries therein expressed.

Brevia Regis  
de privato Si-  
pillo, An. 22.  
E. 1: in Tur-  
re London.

**A** Nostre Seignior le Rei supplie le Priour de la Trinitie de Everwyk, que come il soit exempt de tote Jurisdiction ordenee par especiale Privilege de la Court de Rome, quil ad de ceo; ly Excevesque de Everwyk le dit Priour et sien Supprieur de jour en jour escomenee, e ses Biens sequestre, de quoy il deit vivre, e de quoy il deit soen Disme paer. Derichef il doune ses lettres a ceus, encountre qui le dit Priour plede devanuz voz Justices Erranz a Everwyk, qe le dit Priour est escomenge, e ensy ly tolt respounse. Derichef il ad purchase, Brief de Caption contre le dit Priour et soen Supprieur. E de dit Supprieur prie remedies come il seit exempt e eit appelle. Derichef come le dit Priour eit Bref de droit purchase du Patronage del Eglise de Barton en Rydale contre Sire Henry de Grey, e le dit Henry eit respondu, quil ad le Maner e la vile de Barton oue les appartenances du doun le Roy Henry pere nostre Seignour le Roy, qui ore est, e que le doun devaundit poet returnir a nostre Seignour le Roy, e pur ceo ad ia en deus delays, ne ne voet respondre; dunt le Priour prie Remedie. Derichef de sa Franchise reaver que lui ad este detinue puis le guere Dareine, de quoy le Priour ad pur luy le Domesday, e les Chartres de Conferment des Roys Denglterre, e especiaument la Charte le Roy Henry pere nostre Seignour le Roy qui ore est, Prie le dit Priour remedie. Derichef nostre Seignour le Roy tient treys acres e demy de terre gaignable, que devoyent estre tenuz du dit Priour, dunt le Priour prie remedie, a que la verite seit enquisse.

The Priory of Prestol in Anglesey becoming voyd, the King upon the Subpriors and Convents petition for a license to elect a new Prior, out of his especial grace to save their labor and expences granted a Commission to his Justice of Northwales, to give his royal assent to the Prior elect, to receive his Fealty, and restore his temporalities in the Kings name and right, upon security first given under their common Seal, that this his special favour (frequently indulged to those in Ireland) should not be drawn into example to his prejudice in future times.

Pat. 22. E. 1.  
m. 21: Intus.  
Commissio  
facta per Re-  
gem. Justic.  
Northwall. de  
Electione Pri-  
oratus de Pra-  
stol. in Angle-  
sciu approban-  
da & finitior  
expedienda  
nomine Re-  
gis.

**R**EX dilecto & fideli suo Roberto de Staundon Justic. suo Northwallia, salutem. Cum dilecti nobis in Christo Supprior & Conventus Ecclesie de Prestol in Anglesia nobis per literas suas patentes significaverunt, quod Ecclesia sua prædicta per cessionem fratris J. nuper Prioris ejusdem loci, Paltoris est solatio destituta, supplicantes nobis, prout moris est, quod licentiam sibi alium eligendi in Priorem et pastorem eisdem concedere dignaremur; ac nos prædictis eorundem Supprioris & Conventus in hac parte favorabiliter inclinati, licentiam illam eis duxerimus concedendam, mandantis ipsis, quod talem sibi eligant in Priorem & pastorem, qui Deo devotus, regimini Ecclesie suæ necessarius, nobisque & Regno nostro utilis & fidelis existat. Nos eorundem Supprioris et Conventus laboribus et expensis in hac parte parere volentes, ista vice concessimus eis de gratia nostra speciali, et vobis dedimus potestatem, quod facta electione prædicta de futuro Priore sicut dictum est, Electioni, cum Electus hujusmodi per Canonicos dictæ domus vobis fuerit præsentatus, assen-  
sum

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sum regium vice nostra prebeatis, significantes loci Dioecelano, quod in quon suum est in hac parte erequatur. Volumus etiam & vobis damus potestatem, quod si contingat electionem hujusmodi per loci Dioecelano canonice confirmari; tunc accepta ab eodem Clero fidelitate, in casu isto nobis debita, temporalia ejusdem Prioratus eadem Electo, prout moris est, liberetis vice nostra; receptis prius ab ipso Clero literis suis patentibus sigillo suo, nec non et sigillo Capituli sui signatis, quod hec nostra gratia quam eidem Clero ad presens et mera liberalitate nostra concessimus, Nobis vel heredibus nostris non cedet in prejudicium vel exheredationem, seu trahetur in consequentiam temporibus futuris: In cuius, &c. Teste Rege apud Cant. 18 die Aprilis.

Per ipsum Regem, nunciante fratre *Waliero de Wyteburn*.

Anno 1294. upon the death of the aforesaid *Johannes de Samsford Archiepiscopus Dublin.* the King committed the temporalities of the Archbishoprick by this Patent.

**R**EX omnibus ad quos &c. salutem. Sciatis quod commisimus dilecto Clerico nostro Magistro *Ric. de Abbyndon* Archiepiscopat. *Dublin.* cum pertinet, vacantem & in manu nostra existentem, custodiendam quamdiu nobis placuerit: ita quod de exitibus inde provenientes nobis respondeat ad Decretatum nostrum *Dublin.* In cuius &c. Teste Rege apud *Westm.* xx. die Octobr.

Pat. 22. H. 2. memb. 4. De custodia Archiepiscopatus Dublin. sede vacante commissa.

He likewise issued this License to elect a new Bishop of *Dere* in *Ireland*.

**M**agister *Christoforus de Ardach & Atharius*, Canonici Ecclesie *Deren.* nunciantes Regi mortem *Florentii* quondam Episcopi ejusdem loci, habent literas Regis de licencia eligendi. In cuius &c. Teste Rege apud *Westm.* xxv. die Octobr.

Pat. 22. E. 1. memb. 4. de licencia eligendi.

The Bishop of *Lysmore* in *Ireland* sequestering the fruits of *Michael de Boyton* his Prebendary in that Church, conferred on him by the King during its vacancy, and depriving him thereof, the King, as supreme Ordinary and Patron, upon his complaint thereof commanded the Bishop to certify him the cause of this his sequestration and deprivation, by this Writ, that so he might judge of their legality.

**E**dwardus &c. Venerabili in Christo Patri *R.* eadem gratia *Lysmoren.* Episcopo, salutem. Quia accepimus, quod vos & Officiales vestri fructus Præbendæ dilecti Clerici nostri *Michaelis de Boyton*, quam habet in Ecclesia vestra prædicta de dono nostro, ratione ultimæ vacationis ejusdem Episcopatus in manu nostra existentis, ex causis minus rationabilibus sequestrari fecistis, et ad privationem ipsius Clerici nostri nitimini (ut dicitur) minus fuisse; in ipsius Clerici dispendium non modicum & gravamen. Volentes igitur super modo & causa sequestri prædicti, ac etiam privationis prædictæ, si quæ fuerit, plenius certiorari, Vobis mandamus, quod nos super modo & causa prædictis, citra Quindenam Paschæ proximo futuræ, distinctè & aperte reddatis certiores; Remittentes nobis hoc Breve. Teste meipso apud *Westm.* vii. die Febr. Anno Regni nostri vicesimo secundo.

Brevia Regis 22. E. 1. de privato Sigillo, &c. in Turie Lond.

Whereupon the Bishop made and sent this humble certificate to the King of the cause of his deprivation.

**D**omino suo Excellentissimo *E.* Dei gratia illustri Regi *Anglia R.* eadem miseratione Ecclesie *Lysmor.* Minister humilis, Salutem cum reverentia & honore. Vestre Regie dignitati devotè & reverenter significamus, nos Magistrum *Michaellem de Boyton*, quondam Canonicum Ecclesie nostre, sæpius monitum et legitime citatum ad presentiam nostram, quod dispensationem super pluralitate Beneficiorum obtinere, si quam haberet, nobis exhiberet; quod facere minime curavit; Nec non quia dignitatem quam in Ecclesia nostra ex collatione nostra habuit, per literas suas nobis directas resignavit, cui annexa extitit Præbenda; quare, mediante justitia, ipsam Præbendam ex prædictis causis pronuntiavimus vacantem, et eam alii duximus conferendam: A quibus pronuntiatione & collatione per suos procuratores ad *Severum Cassalen.* Metropolitancam exstitit appellatum; quæ nostram pronuntiationem



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An. 23 E. 1. nem & Collationem rite factas confirmavit. Valeat & vigeat vestra reverenda Excellentia per tempora longeva. Dat. *Lysmor.* xvii. Kal. Maii, Anno Dom. 1294.

\* See here,  
pag. 133, 162,  
308, 340, 330,  
331.

a Mat. Westm.

Anno 1294.

Th. Walsing.

Hist. Angl.

pag. 25, 26.

Chronica Wil-

lielmi Thom.

c. 2002, 2003.

Vincetii con-

tinuator, l. 31.

Christianus

Maffius in

Chronico

Colmar. l. 9.

Platina, Vo-

laterranus, Her-

mannus Sche-

del, Onuphri-

us, Crispinus,

Balzus, Opme-

rus, Falculus

Temporum,

Lact. Cheru-

binus in Cœ-

lestino 5. &

Bonifacio 8.

Aventinus An-

nal. Boiorum,

l. 7. Erforden-

sis, Centur.

Magdeburg.

13. col. 1013,

1014. Alber-

tus Cranzius

Metropol. l. 8.

c. 44. Abbas

Urf. ergensis,

Paraleipomen.

pag. 242, 243.

Philip Mor-

nay Histor.

Papatus pag.

420, 421.

b An. 1294.

pag. 393.

c Mat. Westm.

ibid. Antiqu.

Ecclesiæ Brit.

and Godwin

the life of

Winchelsey.

d De Eventu-

bus Angliæ,

lib. 3. cap. 1.

col. 2468.

e Th. Walsing.

Hist. Angl. pag.

25, 26. Platina,

Stella, Onu-

phtius, Balzus,

Volaterranus,

Opmerus, and

others in Cœ-

lestino 5.

By which Certificate it is apparent, that a \* plurality of Benefices and Prebendaries in that age, without a special dispensation, was a good cause of deprivation.

Anno 1294. the Roman See (through the Cardinals schisms and divisions) continuing voyd about three years and three moneths after the decease of Pope Nicholas the 4<sup>th</sup>. the Cardinals at last, in die decollationis Sancti Johannis Baptista, elected Petrus de Murone an Hermit, and Monk of the Order of Saint Benedikt, whom they named Celestine the fifth. \* Post mortem Nicholai 4. Cardinales Perusium profecti sunt, ut eo liberius successorem eligere & denunciare possint: verum intestinis dissidiis res eo deducta est, ut toto triennio, atque tribus inde mensibus nihil determinarent; Et quamvis Carolus 2. Neapolitanus Rex ex Narbonense Gallia adveniret, atque ad curandam, & electionem maturandam eos diligenter saepeque adhortaretur, nihil tamen retulit nisi superbiam & superciliosum responsum; imprimis à Benedicto Cajetano, qui id interpretabatur, quasi vim ipsis allaturus videretur, quorum suffragia debebant esse libera: Tandem Caroli Neapolitani Regi & Latini Cardinali favore, Celestinus Pontifex declarabatur, (quasi per indignationem et risum, as Stella and others write) post vacationem diutinam: Vir simplex eremo paratior quam throno: hic vir simplex, reus et timens Deum, virtutibus coquebat (as Mat. Westminster stories,) De vite austeritate jam Pontifex effectus, nihil remisit. Equum vel mulum, vel currum ascendere non præsumpsit, sed asinum, Christi exemplo, & bono exemplo illum qui asello inquisitum Christi paupertatem amulari conaretur. Nicellus gives this character of him, Nihil nisi religiosus erat, & adeo probus, ut potuerat dici ipsa probitas. Ob eam probitatem videbatur non esse idoneus ad obeundum magistratum: (Honesty making men altogether unfit for the Papal Chair of Rome) sed ultro perferret abdicationem, ut locus esset beatiæ maiestatis. In primo consistorio statim Romanam Ecclesiam stricte statuit reformare; verum tamen usque adeo nihil effecit, ut etiam omnium indignationem et odium incurreret, qui jam prædictæ disciplinæ iugum et vincula ruperint; ipsumque statuum er delictum senem vocitabant: b Matthew Westminster stories, Cum de asino descendisset, & Ecclesiam ingressus esset, clamavit quidam contractus, ut ipsam dissuper asinum, super quem Papa sedere, imposerent intus charitatis. Et qui præsen es erant increpabant eum, ut taceret, ipse vero multo magis, amore filii David, qui super pullum asina Hierusalem valvas sanctificando intraverat, quatenus ipsum super dorsum asini leverent. Res mira, impositus contractu illico recipit sanitatem, & consolidans basium plantis, exiit qui claudus fuerat, laudans Deum in servi sui meritis Celestini, a quo Magister c Robertus de Winchelsey Cantuariensis electus confirmatus est, et in Archiepiscopum consecratus. Yet this miracle could not induce this humble Popes proud successors, or his Cardinals, nor yet this Archbishop of Canterbury or his successors to ride upon an Ass like this Pope or our meek Saviour; but on Kings or Princes shoulders, or the richest Chariots, the best and choicest Steeds they could procure. Pope Celestine during his short continuance in the Papacy, out of zeal to the Holy Lands releif, granted our King Edward the 1. a Disme for seven years from all the Clergy of England, as d Henry de Knyghton informs us, with the impediments that hindred the King from that undertaking he much desired. Cum Rex tot & tantas controversias in diversis plagis regni & domini sui pacificasset, deduxit in memoriam de passagio in terram sanctam contra inimicos Ihesu Christi, quod ante a Papa et multis aliis Catholicis propositum fuerat, & multum de illo in corde gravavit. Sed guerra in Gasconia & Wallia multum exhaurerant & devastaverant thesauros suos; unde Papa Celestinus videns cruciosam voluntatem in tantum positum in sancto proposito salubris itineris, ad votum cruciatu implendæ, dedit ei Decimam de tota Ecclesia Angliæ per 7 annos: et Papa Bonifacius, qui receniter venit post Celestinum, dedit ei i Decimam trium annorum; & interim Rex Edwardus de dicto itinere impeditus est, by his Wars with the French, Welshmen, and Scots; which wasted all these Dismes, c Celestinus unam ordinationem in mense Septembris faciens, creavit 12 Cardinales, inter quos duæ eremitæ erant, in order to reform the Roman Court and Church. But the Cardinals weary of this precise, humble, reforming, conscientious Pope, perswaded him to resign his Papacy, as unfit and unable to manage it without the Churches

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Churches ruine, and his own destruction. *Intellexis ista Rex Carolus, vocavit ad An. 22 E. 1.*  
*se Pontificem, & quam maximè potuit obsecrabat, ne dignitatem cælitus datam ab-*  
*siceret. At ille, Faciam (inquit) quod Deus voluerit. Hereupon Benedictus Ca-*  
*jetanus his grand Counsellor aspiring after the Papacy; omnibus modis ipsum hortatus*  
*est, ut se Pontificatu abdicaret, ne Ecclesia ob ipsius inscitiam periclitaret, non*  
*sine proprix salutis dispendio, & tandem astutem perfecit, ut existimaretur divini-*  
*um sese admoneri, ut locum alteri cuiuspiam magis idoneo concederet. \*Cajetanus quen-*  
*dam subornaverat qui falso foramine suo cubiculo, per canalem multis noctibus ipsum ad-*  
*hortaretur ac si esset angelus quispiam, Cælestine, Cælestine, cede; negotium enim supra*  
*vires est; Itemque, Si Cælestinus vult fieri salvus, Pontificium munus omnino deponat.*  
*Homo simplex, et tantorum scelerum ignarus, se cælitus per Angelum admoneri credidit,*  
*itaque postquam sedisset mensibus 5. diebus 7. Pontificatu se abdicavit. Prius tamen*  
*omnium Cardinalium consensu constitutionem fecit, Licere Pontifici abdicare se Pagi-*  
*stratu. Quam quidem Constitutionem Bonifacius 8. ejus successor postea revocavit, as*  
*some, or confirmavit as others story. <sup>b</sup> W. Thorn, a Monk of Canterbury stories, Volens in Chronica,*  
*Benedictus, qui postea Bonifacius ad Pontificatum aspirare, Dominum Cælestinum col. 1003.*  
*tunc Papam cum quibusdam Cardinalibus suis sanctoribus, cum quasi cotidie decipiebat:*  
*& quia vir simplex fuit, inter fratres suos Cardinales quasi in opprobrium factus*  
*est, pluresque literæ alba sigillo suo ipso inconscio sigillatæ sine scriptura indente*  
*erunt, ad enervationem status suæ conceptæ et fabricatæ. Unde idem Papa ma-*  
*jus periculum declinando, considerans ipsum esse insufficientem ad onus illud, tum ra-*  
*tione inscitæ, tum quia senex et impotens corpore, et quia in illo statu sine pericu-*  
*lo sui stare non possit, die Sanctæ Lucæ Virginis resignavit Papatui, oneri et bo-*  
*nozi. Et cum <sup>c</sup> Maria, optimam partem eligens, in medio fratrum se obiciens, bire-*  
*tum & pallium exuens, abrenunciando honori & oneri, favori & discrimini, propter*  
*mundanarum rerum curas, recusabat diutius præsulatum regere Romanorum, as-*  
*serens se ipsum minus idoneum in tanto opere prosequendo. Profecto, Filii hujus*  
*seculi prudentiores filiis lucis in generatione sua sunt. Veruntamen adjuravit eos in no-*  
*mine Sanctæ ac individua Trinitatis, ut sine omni dissentionis interapedine, eligerent*  
*virum industrium & utilem, qui ad honorem Dei & proprium salutem, hoc onus*  
*susciperet gubernandum. Requisitusque à fratribus de assensu, & de judicio alieni-*  
*jui digna persona, quoniam virum justum & sanctum ipsum habuerunt; nominavit*  
*quendam nomine Benedictum, virum solertissimum præ cæteris, in Curia Romana sapi-*  
*um conversatum. Erat enim iste Benedictus Galetanus, primò Procurator, deinde Ad-*  
*vocatus, postea Notarius, consequenter Diaconus Cardinalis tituli Sancti Nicholai in*  
*Carcere Tulliano. Tunc fratres, viso quod rectè judicasset, exaltatum Benedictum*  
*in seculo Sancti Hillarii, in seniorum Cathedra locaverunt, nomine Benedicti de bono*  
*mutato in melius, Bonifacius est vocatus. How unsuitable, yea contradictory his*  
*actions were to both his good names, he immediately discovered; which occasion-*  
*ed this Distich to be made of, and applied to him;*

<sup>k</sup> *Audi, tace, lege, benè dic, benè fac, Benedicte,  
 Aut hac perverte, male dic, male fac, Maledicte.*

<sup>k</sup> Cent Magd.  
 13. col. 1014.  
 & others fore-  
 cited.

No sooner was he crowned Pope, but statim Cælestinum antecessorem suum redenn-  
 tem ad eremum, sagacissimis canibus diu quassum, ex itinere & latebris quibus se  
 absiderat, retraxit, arctissimog; carcere in Fumonis arce includit, ne populus se contemp-  
 to, & qui ad seditiones intenti essent, hunc aliquando Ducem sequerentur, & de Ro-  
 manæ Ecclesiæ salute postmodum alium esset. Quam ob causam Stella ipsum vocat,  
 Ingratissimum hominum. <sup>1</sup> Quis Bonifacium ipsum, teterrimum monstrum, ac  
 hominum cunctozum impurissimum non appellet? cum simplicem virum suis arti-  
 bus delusum, à Pontificatu non solum dejiceret, sed & illum tanquam facinorosum  
 aliquem perpetuo carceri mancipatum, ante tempus præ animi dolore; mori coegerit?  
 Unde <sup>m</sup> Cælestinus, eo quod cum ad cedendum Papatui subdole induxisset, et arctissi-  
 mæ custodiæ tradidit usque ad mortem, de eo prophetavit in hunc modum, ut fertur; Hist. Angl. p.  
 Attendisti ut Vulpes; regnabis ut Leo; morietis ut Canis: Et ita sane contigit.  
 Bonifacius statim post suam creationem Episcopum Ostien. super quibusdam in præsentia  
 Cardinalium arguens durissimè, pallii usum privavit, & nihilominus ab eodem ante re-  
 situtionem pallii coronatur; as <sup>n</sup> Thomas Walsingham observes, Opera ejus verè sunt  
 papalia,

<sup>l</sup> Balzus de  
 Romano Pon-  
 tif. Actis, l. 6.  
 p. 354.

<sup>m</sup> Walsingh.  
 Hist. Angl. p.  
 26. Stella, &  
 Cent. Magd.  
 13 col. 1018.  
 Hist. Angl.  
 p. 26.



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4.*

An. 22 E. 1. *papalia, ut multis seculis vix quissiam illa sede fueris eo dignior. Duo enim quisque est scelerator, eo magis ad eam occupandam idoneus; as<sup>a</sup> Johannes Wigandus, Andreas Corvinus, and Thomas Holbiter affirm, by comparing these two Popes manners and actions: the first being the humblest, honestest man then living, and so altogether unfit: the other, the most crafty, ambitious, proud, wicked of all mortals; therefore most fit and worthy to succeed St. Peter in the Papal Chair at Rome, of whom more in due place.*

An. 23 E. 1. *Anno 23 E. 1. Among several Bundels of Writs in the White Tower Chappel, I finde no fewer then 10. Attachments and Suits upon Prohibitions, at the Kings and parties prosecutions, against Ecclesiastical persons and others, for holding, prosecuting Pleas of Chattels, Debts, Trespasses, Advowsons and Lay-fees, belonging to the King and his Courts, to the hurt of his Crown, Dignity, and contempt of his Royal Authority: On most of which there are dilatory Retorns made and endorsed.*

Bundels Bre-  
vium Regis,  
Anno 23 E. 1.  
in Turri Lon-  
don.

Edwardus, &c. Vic. Ebor. salutem. Si Ricardus de Efton fecerit, &c. pone, &c. Magistrum Robertum de Lacy, quod sit coram Justiciariis nostris apud Westm. a die Pasche in unum mensem, ostensurus, quare tenuit placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimo-  
nio, contra Prohibitionem nostram, &c. Pone etiam per vadium & saluos plegios Reynerus de Knolle, quod tunc sit ibi ostensurus, quare secutus est idem placitum in eadem Curia, contra Prohibitionem nostram, &c. Teste meipso apud Aberconewey 25 die Marci, Anno regni nostri 23.

Edwardus, &c. Vic. London. &c. quod venire faciat coram Justic. nostris, &c. 12. liberos & legales homines de parochia Sancta Mariæ de Aldermanbury, &c. quinec Adam Payn qui sequitur pro nobis, nec Simonem de la Leylond, & Hermannum le Summiner, aliqua assinitate attingunt; recognit. super Sacramentum suum, si prædict. Magistr. Simon pendente placito in Curia nostra coram Justic. nostris apud Westm. &c. tenuit placitum in Curia Christianitatis de una marca, quæ non est de Testamento vel Patrimonio, quam prædict. Hermannus à prædicto Ada exigebat, contra Prohibitionem nostram, ulterius tenuit idem placitum in eadem Curia Christianitatis, &c. Teste J. de Metingham apud Westm. 12 die Februarii, Anno regni nostri 23. To which there is a Pannel annexed.

Edwardus, &c. Vic. Devon. &c. quod non omittas propter libertatem Civitatis Exon. quin pone, &c. Rogerum Russel de Exon. quod sit coram Justiciariis nostris, &c. ad respondend. Vincentio de Oxton de placito, quare secutus est placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de, &c. contra Prohibitionem nostram, &c. Teste J. de Metingham apud Westm. 12 die Novemb. Anno regni nostri 23.

Edwardus, &c. Vic. Oxon. &c. Pracipimus tibi, quod non omittas propter libertatem Villa Oxon. quin pone per vadium & saluos plegios Magistrum Johannem de Jovere de Hybern, Johannem Sewy de Oxon. seniore, Johannem fil. ejus, & Aliciam qua fuit uxor Johannis Lynn, quod sint coram Justic. nostris apud Westm. a die S. Trinitatis in 15. dies, ad respondend. tam Nobis, quam Nicholao le Sonner de Oxon. de placito, quare pendente placito in Curia nostra coram Justic. nostris apud Westm. de eo quod prædict. Magistr. Johannis tenuit placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram: Et de placito, quare prædict. J. Sewy, J. & A. secuti sunt placitum illud in Curia Christianitatis contra Prohibitionem nostram, &c. Idem Magistr. Johannes nichilominus placitum illud in eadem Curia Christianitatis tenuit, et prædict. J. Sewy, J. & Alic. prædict. placitum in eadem Curia Christianitatis secuti sunt, quousque sententia in ipsum Nicholaum le Sonner promulgata per totum Episcopatum Lincoln. ipsum excommunicari fecerunt; et postea brebe nostrum de ipso Nicholao sic excommunicato tanquam claves Ecclesie contemnente capiendo, jam tibi porregerunt, ut dicitur, per quod quidem brevis nostrum ipsum Nicholaum le Sonner cepisti, et in prisona nostra Oxon. detines quominus

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minus placitum illud in Curia nostra coram Justiciariis nostris apud Westm. sequi *An. 23 E. 1.* posset, in eorum et dignitatis nostre lesionem manifestam, Curia nostra contemptam, predicti Nicholai le Sonner dispendium non modicum et gradamen, ut dicitur. Et ipsum Nicholaum le Sonner pacem nostram inde habere permittas, quousque predicti placitum inde inter eos in prefata Curia nostra coram Justic. nostris apud Westm. motum plenarie terminetur: Et inde tu ipse mand. Justic. nostris apud Westm. a die Sancti Hilarii in 15. dies, quod preceptis Ballivis predicta libertatis quod preceptum nostrum prius inde tibi directum exequerentur, qui nichil inde fecerunt. Et habeas ibi nomina pleg. & hic breve. Teste J. de Mettingham apud Westm. 7 die Febr. Anno regni nostri 23.

I finde the like Writ almost *verbatim*, concerning the same parties and case, dated 7 die Febr. Anno regni nostri 23. On both which the Sheriff returned, Magister Johannes de Jovere non est inventus in Balliva mea, nec aliquid habet in eadem per quod potest attachiari.

Edwardus, &c. Vic. Roteland, &c. Si Thomas Alewynne, &c. Pone, &c. Magister Thomam de Keverlee quod sit, &c. quare tenuit placitum in Curia Christianitatis de catallis et debitis, &c. Pone etiam Johannem de Rifeberghe Personam Ecclesie de Tynewell, &c. quare secutus est idem placitum, &c. contra prohibitionem nostram. T. meipso apud Lammays, 3. die Maii, An. r. n. 23. *Ibidem,*

Edwardus, &c. Vic. Stafford, &c. Pone, &c. Johannem Lukyn, &c. *offensus*, quare cum placita de catallis et debitis in regno nostro quae non sunt de Testamento vel Patrimonio, ad nos et Coronam nostram et dignitatem et non ad alium pertineant in regno nostro, &c. secutus est placitum in Curia Christianitatis de catallis et debitis Thomae de Stabbeleghe Capellani, quae non sunt de Testamento vel Patrimonio, in lesionem Coronae et dignitatis nostrae, et contra prohibitionem nostram, &c. T. meipso apud Lammays, 4. die Maii, An. r. n. 23.

Edwardus, &c. Vic. Ebor. &c. Si Willielmus Walkord, &c. Pone, &c. Magister Stephanum Decanum Christianitatis Ebor. &c. quare tenuit placitum de catallis et debitis quae non sunt de Testamento vel Patrimonio, contra prohibitionem nostram. Pone etiam, &c. Willielmum de Sadister, &c. quare secutus est idem placitum in eadem Curia, &c. T. meipso apud Lammays, 5. die Maii, An. r. n. 23.

Edwardus, &c. Vic. Lincoln. &c. Si Rogerus fil. Guidonis feceris, &c. Pone, &c. Magister Henricum de Nassington quod sit, &c. quare tenuit placitum de catallis et debitis quae non sunt, &c. contra prohibitionem nostram; Pone etiam, &c. Willielmum de Hundelby quod, &c. quare secutus est idem placitum, &c. Teste meipso apud Aberconewey, 26. die Febr. An. r. n. 23.

Edwardus, &c. Vic. Hereford. &c. Pone, &c. Richardum Episcopum Hereford. *Brevia Regis in Turre London, An. no 23 E. 1.* quod sit coram Justic. nostris apud Westm. &c. quod ibi habeat Magistrum Richardum Archidiaconum Hereford. Clericum suum, ad respond. Priori de Bathon. de placito quare tenuit placitum in Curia Christianitatis de Advocacione duarum paritum Capellae de Tokynton contra prohibitionem nostram, ut dicitur; Et ad ostendendum, quare non habuit predicti Magister Richardum Clericum suum coram Justiciariis nostris apud Westm. a die Sancti Hilarii in 15. dies, sicut ei mandatum fuit, &c. Teste J. de Mettingham apud Westm. 3. die Febr. Anno regni nostri 23.

Edwardus, &c. Vic. Derby, &c. Si Johannes de Caumpernin, &c. Pone, &c. Magister Willielmum de Sweperston quod sit, &c. *offensus*, quare cum placita de Transgressionibus contra pacem nostram factis in regno nostro, ad nos, &c. et non ad alium pertineant in eodem regno nostro, Idem W. tenuit placitum in Curia Christianitatis de huiusmodi Transgressionibus, in Coronae et dignitatis nostrae lesionem, et contra prohibitionem nostram, &c. T. meipso apud Lammays, 18. die April. An. r. n. 23.

Pope



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An. 23 E. 1.  
\* Page 623.

Pope Boniface the 8. was no sooner settled in his Pontifical throne (as \*before related) but in the very first year of his Papacy, he sent his *Italian Merchants and Usurers into England*, to return all monies from thence to the *Roman Court*, which he, his Legates, or other Agents should extort from thence or *Ireland*, by whom he sent this Bull to the King to grant them his safe conduct, favour and assistance upon all occasions, the original whereof I found in the *White Tower Chappel*.

**B**ONIFACIUS Episcopus, Servus servorum Dei, Charissimo in Christo filio Edwardo Regi Angliæ illustri salutem, & Apostolicam benedictionem. Cum dilectos filios Johannem Aldobrandinum, Nicholaum Caccaleonem, Giacum, & Vilanum Lurcheti de Societate Clarennum de Pistorio, Cameræ nostræ Mercatores, pro quibusdam Romanæ Ecclesiæ negotiis ad partes Angliæ transmittamus; Magificentiam Regiam rogandam duximus attentius & hortandum, quatenus ipsa pro nostra et Apostolicæ sedis reverentia benigne recipiens, et honeste pertractans, eorum cuilibet in terris quibus exercet dominium, de Securo conductu facias provideri. Et nichilominus in gendis ipsorum cum ab eis vel eorum aliquo fuerit requisitus, assistas eisdem favoribus Regiis et prædictis opportunis. Ita quod ex hoc Excellentie Regiæ devotionis promptitudinem dignius commendationum titulis attollamus. Datum Anagninæ 8 Idus Julii, Pontificatus nostri anno primo.

Immediately after, he sent two *Cardinal Legats à latere*, first to the King of France, and from him to the King of England, then engaged in Wars against each other, under a specious pretext of mediating a Truce, and making a firm peace between them; but in verity to usurp a Papal Jurisdiction over them and their Realms, and prey upon them both, as the sequel evidenced. These Legates being not specially sent for by King Edward, according to the \* *ancient privilege of the Realm*; thereupon, before they presumed to set foot in England, they sent a special Messenger and Letters to the King, to acquaint him with the effect of their mission, and crave his Royal license, safe conduct and protection for themselves, their followers and goods, the form whereof they sent inclosed in a Cedula to the King: who although he seemed very well pleased with the end of their Legation and coming to him to settle peace, yet he refused to grant them any safe conduct to come into England, till they first informed him, what safe conduct the King of France had granted them under his Seal; as these Records assure us.

\* See Tom. 1.  
P. 403, 403;  
454, 455.

Claus. 23 E. 1.  
m. 10. dorso.  
De adventu  
Cardinalis in  
Angliam.

**V**enerabili in Christo Patri Domino Albanensi Episcopo, Edwardus eadem gratia, &c. salutem & sinceram in Domino Charitatem. Intelleximus per literas vestras quas dilectum Clericum noster Magister Arnoldus Lupi de Tilib. ex parte vestra nobis misit, qualiter vos ad partes nostras veniend. pro negociis qua inter Regem Franciæ & Nos agitantur, hiis diebus ipsis personaliter deputati. Paternitati vestre de eo quod id fecistis ita celeriter nobis scire grates, non modicas referentes: scireque nos volumus, quod de hoc efficitur valde læti, præsentiaque vestra ad nos erit grata admodum et accepta. Adventum enim alicujus amici nostri de Curia adventu vestro habere nequibimus chariorem. Teste Rege apud Lammays in Anglæ. 28 die Aprilis.

Ibid. m. 9.  
dorso. De ad-  
ventu Cardi-  
nalem in  
Angliam.

**V**enerabilibus Patribus in Christo Domino B. Albanen. & S. Penestren. Dei gratia Episcopis, Sacrosanctæ Romanæ Ecclesiæ Cardinalibus, amicis suis karissimis; Edwardus eadem gratia, &c. salutem, & sincera dilectionis affectum. Quandam Cedula continentem formam cujusdam literæ de Conductu quam per nos facientem nobis exhibuit dilectum Clericum noster Johannes de Berewyk vidimus, ac eam intelleximus diligenter. Hanc, licet fuerimus et adhuc sumus parati et prompti vestris beneplacitis nostrum animum inclinare; Paternitatem vestram scire volumus, quod cum de prælocutis sufferentia vel respectu, ac insuper de remota literæ conductus quam a Rege Franciæ habueritis sigillo ipsius Regis signatæ plene nobis constiterit, consensilem litteram fieri faciemus. Dat. &c.

Hereupon they sent another Letter to the King for a safe Conduct, to which he returned this Answer.

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Venerabilibus in Christo Patribus, Dominis B. & S. Dei gratia Albanen. & Penestr. Episcopis, sacrosancta Romanæ Ecclesiæ Cardinalibus; amicis suis Karissimis; Edwardus eadem gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanæ salutem, & sinceram dilectionis affectum. De eo quod ad nos venire proponitis in nuncium Sanctissimi Patris in Christo Domini Summi Pontificis, ut notis per vestras literas nunciatis; Scire vos volumus, quod adventus vester et singulorum qui ex parte sua ad nos venient placens erit; literas autem vestras de Salvo conducto pro vobis, familia, bonis, et Rerum vestris, ac aliis qui necessarii vobis fuerint, quas vobis fieri petivistis; (Ita quod sub protectione nostra et tutela per terram et per mare secure transire possitis,) vobis in forma petita mittimus per vestros nuncios presentium portitores. Dat. apud Thleghython 7. die Junii.

An. 23. E. 1.

Class. ibid.  
m. 7. dorso.  
De Litera  
Conductu  
cienda.

a Anno 1195.  
p. 397. 398.  
b Hist. Angl.  
p. 28.

\* Here p. 602.

\* Walsingham  
Hist. Angl.  
p. 38.

Nos.

\* Henr. de  
Knyghton, de  
Event. Angl.  
l. 3. c. 7. col.  
2504, 2505,  
2506.

\* Henry de Knyghton thus more fully records their Negotiation, together with the Popes elegant Epistle to the King; which they brought with them, earnestly perswading him to a peace and Truce with the French, and the Kings and his Councils answers to it and the Cardinals proposals.

Eodem anno circa festum Pentecostes venerunt in Angliam duo Cardinales, missi à latere Papæ ad Regem Angliæ, cum Epistolis Papalibus in hac verba conceptis.

Bonifacium Servus servorum Dei, carissimo in Christo filio Edwardo Regi Angliæ salutem, & Apostolicam benedictionem. Movet animam, mentemque sollicitat, fili charissime, sincera & affectuosa dilectio, quam ab olim dum cura nobis officii minoris incumberet ad personam Regiam tuumque regnum inclitum gessimus, & continuas benivolis studiis gerere non cessamus, ut Celsitudinem Regiam, cujus exaltationem & gloriam summis desideriis affectamus, à Deo inducamus sollicitè, per quem in conspectu Regis altissimi, per quem Reges regnant, & Principes dominantur, de bono semper in melius reddaris acceptior, occurras gravior, carior habearis, ac

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An. 23 E. 1. in regno mundi, carior nominisque titulis copiosum proveniat incrementum. Sane ab ipsis nostræ promotionis auspiciis, ad generalem statum fidelium mentis aciem extendentes, & considerantes gravem, inimo gravissimam & ideo contrariam votis nostris, inter te & charissimum filium nostrum Philippum Regem Franciæ illustrem proxima tibi consanguinitate conjunctum, procurante pacis æmulo incentore malorum, discordiam inscitam, firma et stabili dispositione decrevimus, ut super hujusmodi negotio cordi nostro possim, solemnes nuncios ad præsentiam Regiam et literas mitteremus. Sed propter nostrum de Civitate Neapolitana discessum, ubi tunc Romana curia præsidebat, nostrumque accessum ad urbem quem viarum periculosa discrimina non modicum retardabant, ac etiam ad nostra inibi celebrata consecrationis solempnia impediti, nequivimus citius nuncios prædictos & literas destinare. Revera fili nequaquam sumus immemores, quin potius tenaci memoria retinemus, quod nos hactenus dum essemus in minori officio constituti, sinceris affectibus dilexisti, plenis favoribus prosequens. Idemque dum solerter attendimus quantis et quam grandibus prædicta discordia noscitur onusta dispendiis, quæ et quanta pericula secum trahit, quam dampnosa fidei redditor, quam graviter turbat et impedit negotium Terræ Sanctæ, quantumque præterea Deo displicere dinoscitur, auxiamur ut pater, sauciamur ut mater, in animo turbamur amarius ut amator, nec possumus quietis refoveri dulcedine, donec prælibatum negotium opratum et celerem exitum juxta cordis nostri desiderium scizatur. Cumque venerabiles fratres nostros Berardum Albinensem, & Simonem Prencestinum Episcopos, sedis Apostolicæ Nuncios, exhibitores præsentium, viros utique profundi consilii, literarum scientia præditos, ac diversarum virtutum titulis insignitos, necnon pacis angelos, licet eorum inviti careamus præsentis, destinamus; Excellentiam Regiam rogamus, hortamur, & obsecramus in Domino Jesu Christo, quatinus ad obsequium et Apostolicæ sedis reverentiam memoratos Episcopos, magnas utique columnas Ecclesiæ, tuique honoris et famæ serbidas amatores, tanquam filius benedictionis et gratiæ respiciens, bonestique prosequens, et honorificentia condigna pertractans, attente audias, diligenter intelligas, et efficaciter studeas adimplere, quæ ipsi et eorum quilibet coram te super eodem negotio duxerint proponenda. Sic te in hiis debate ac prompte habiturus ut speramus et cupimus, ut difficultatis et repulsæ cuiuslibet mora profugata, Regiæ devotionis sinceritas et inde clarius illucescat, tuque famæ præconium, quamvis amplum et diffusum in sæculo, propensius augeatur, ac sedis Apostolicæ gratiam quæ circa filios debotos ejuberrat, habundantius merearis. Dat. Laterani 10 Kal. Martii, Pontificatus nostri anno primo.

Cumque in adventu Cardinalium nondum reversus esset Rex à Wallia post guerram quam ibi finierat, præcepit Rex, ut honorifice tractarentur, Londoniisq; moram facerent usque ad vincula Sancti Petri, ipsius Regis aduentum præstolantes. Ad quem diem ipse Rex, pacificata Wallia, et omnes Magnates tam Cleri quam populi specialiter ad hoc vocati comparentes, ipsos Cardinales honorifice cum gaudiis susceperunt. Cumque facto silentio uterque Cardinalis pacis sermonem faceret, & multa vicissim de bono pacis introducerent, in fine tandem concludentes, ipsum Regem pacis zelatorem & catholicum rogaverunt; ut tanquam Princeps piissimus & pacis filius dignaretur animum ad pacis bonum inclinare. Responsum est eis ex parte Regis. Quod deliberato consilio ad interrogata & rogata responderet die tertia. Erat enim thema unius Cardinalis, Da pacem Domine in diebus nostris. Alterum verò; Adaperiat Dominus cor vestrum in lege sua, & in præceptis suis, & faciat pacem. Adveniens die tertio, & congregato Concilio, frater Willielmus de Hotham predicavit in Latino sicut Cardinales fecerant, assumpto themate hoc, Audiam quid loquatur in me Dominus, quoniam loquetur pacem in plebem suam. Reducens in parte sic, Quod Rex noster tanquam veræ obedientiæ filius, pacis zelator, paratus erat audire Apostolica mandata, tanquam etiam cælitus emissa. Finitoque sermone brevi, statimque ex præcepto Regis recitabatur in Gallico totus processus superscriptus, quomodo inter Reges ipsos guerra orta est, & usque ad eundem diem continuata; ut ipsi qui mediatores pacis existerent & promotores videre possent & dinoscere, quis Regem justitiam haberet in causa, vel injustè causam confoveret. In fine vero totius longæ recitationis superscriptæ, surrexit Antonius de Bek Episcopus Dunelmensis, & ex parte Regis respondit sic in Gallico. Vos Domini Cardinales rogastis & requisistis Domipum nostrum

\* The relation of the cause of the warr, with the proposals & demands of the Cardinals, with the Kings & Councils answers to them in several Articles, are at large recorded in French in a Parchment Roll I found in the Tower, which being much torn and decayed, I thought fit to omit.

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strum Regem pro plena pace concedenda, vel bonis saltem treugis diutius amplectendis; & licet unusquisque Christianus & Fide catholicus pacem velle debeat, & eam amplecti ratione bonorum quæ ex ea sequuntur, & propter ejus contraria & immensa mala quæ ex guerra proveniunt, & ex seditione nascuntur, tamen fidelitatem & promissa tenere debent homines universi, unde ipse Dominus Rex vobis respondet sic; Quod talis confederatio inter Regem *Alemannia* & ipsum jam nunc inita est, & per Sacramentum confirmata, quod neuter eorum absque altero cum Rege *Francia* pacem faceret, vel treugas concedat quoquo modo: cujus rei causa ipso non requisito vel dissentiente, nec pacem facere potest, nec treugas concedere vult. Quo cessante loqui, confestim Cardinales ipsum Regem rogaverunt, ut ex clementia Regia annuere dignaretur, nuncios super hoc Regi *Alemannia* destinare; Et datum est dies crastinus ad respondendum. Crastino autem die convenirent iterum universi, idem *Danelmensis Episcopus* in Gallico sic ait; Domini charissimi requisiti hesternæ die Dominum nostrum Regem de duobus, scilicet, quod ex gratia sua mera dignaretur nuncios mittere ad Regem *Alemannia*, ut ejus animum alliciat ad pacem annuendam & plenè confirmandam; De alio, scilicet, quod treugas concederet usque ad certum tempus, infra quod de plena pace tractare posset, vel ipsas saltem treugas ulterius prorogare. Ad primum articulum respondet vobis Dominus noster Rex sic; Quod ratione et reberentia Romanæ Ecclesiæ, quæ totius orbis caput est, et magistra, et occasione personarum vestrarum, qui illius Ecclesiæ estis membra, habitaque consideratione vestri laboris et longi itineris, liberaliter concedit vobis Rex nuncios suos super hoc ibidem destinare. Ad aliud sic; Satis vobis constat & omni populo, quod exercitus Regis *Francia* & gens sua tota jam parati existant ut sibi & suis inferant mala quæ possunt, sicut buculque fecerunt in terra & in mari; unde Regi non esset securum suis præcipere ne se defenderent, nisi ex parte altera esset inhibicum, ne ulterius persequerentur. Propter quod vobis respondet, Quamcito constiterit ei Regem *Francia* ex parte sua inhibuisse vel inhibere velle, statim & ipse suis hoc illud idem præcipiendo mandabit, sed ante non. Fatigue tali responso, et accepta licentia, rebersti sunt Cardinales in Franciam, unde prius venerant, set non vacui, immo buras vacuantes. Ex unoquoque Cathedrali Capitulo vel Collegiato per totam Angliam nomine procuratorum et expensarum sex marcos Argenti habuerunt; et hoc ex concessione papali, præter alia multa, ut affolet cupiditati Romanorum Cardinalium, sicut pensare scitis multipliciter. Et ubi religiosorum pauperum, vel sanctorum montium propter exilitatem non sufficerent per se, adjungebantur eis circumjacentes Ecclesiæ parochiales ad solutionem peragendam, ita quod papale privilegium non emaneret vacuum, nec deficeret obolus in summa. Such was their infamous rapine and extortion.

An. 23 E. 1.

† Nota.

Hereupon the Dean of *Pauls*, and Bishop of *London* Official exacting Procurations from the Dean and Prebends of *St. Martins le Grand* in *London*, for these two Legates sent into *England* to the King by the Pope about the Peace with *France*, endeavouring to compell them to pay the same by Ecclesiastical censures, against their privileges, and the Kings prerogative, (being his Free Chapel, exempt from all Episcopal Jurisdiction and Procurations) the King thereupon issued this Prohibition to them to inhibit their proceedings, as derogatory to his Crown and Royal Dignity.

**R**EX dilectis sibi Magistro Radulpho de Bandak Decano Ecclesiæ Sancti Pauli London. & Johanni de Sancto Claro Officiali Episcopi London. salutem. Cum libera Capella nostra Sancti Martini Magni London. sicut et ceteræ liberæ Capellæ nostræ ab omni jurisdictione ordinaria, necnon et ab omnibus exactionibus, contributionibus, et procuratoribus quibuscunque, sint exemptæ, liberæ penitus et immunes, vos (sicut accepimus) a relictis nobis in Christo Decano et Capitulo prædictæ Capellæ nostræ procuraciones, ad opus venerabilium Patrum B. Albanensis, & S. Penestr. Episcoporum, Sanctæ Romanæ Ecclesiæ Cardinalium ad nos nuper a Sede Apostolica transmissorum, exigitis, et ipsos, ad procuracionem eandem solvendam graviter compellitis, in nostri et ipsius liberæ Capellæ nostræ præjudicium manifestum. Nos igitur attendentes per hoc, nobis et nostræ Regiæ dignitati posse de facili derogari, nisi citius in hac parte apponamus

Chas. 13 E. 1.  
m. 7. inas.  
Pro Decano  
& Capitulo  
liberæ Capellæ  
S. Martini  
Mag. London.

Kkkk 1



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

*An. 23 E. 1.* ponamus remedium opportunum; vobis mandamus firmiter inhibentes, ne a p[re]latis Decano et Capitulo hujusmodi procuraciones vel alias exactiones, in m[on]ast[er]io et d[omi]ni Capell[an]e nostr[re] p[re]judicium aliquant[er] erigere p[re]sumatis, per quod oporteat nos manum ad hoc apponere gravio[re]m. *Teste Rege apud Westm. 25 die Augusti.* By which it is apparent, That the Kings Free Chappels were exempt from all Procurations, even to the Popes own Nuncios and Legates à l[et]tre sent by him into England, which priviledge the King was very vigilant to maintain.

These avaritious Cardinals to fill their purses yet fuller, not contented with procurations from the Clergy of England, sent their Agent and Chaplain into Ireland, with the Kings Letters of Safeconduct and assistance, to collect Procurations from the Irish Clergy, (though they went not thither) as this Record attests.

Pat. 23 E. 1.  
m. 2. Pro  
Albanensi &  
Penestrensi  
Cardinalibus  
de procuracio-  
nibus.

**R**EX dilectis & fidelibus suis Justic. suo Hibern. Cancellar. Thes. de Scaccaria suo Dubl. Justic. Vicecomitibus & omnibus Ballivis & Ministris suis de terra Hibern. ad quos presentes littere pervenerint, salutem. Cum venerabilis pater Beraldus Albanensis, & Simon Penestrinus Episcopi, Sacrosanct[ae] Roman[ae] Eccles[ie] Cardinales, Magistrum Johannem de Boniehy de Senis Capellanum eorundem, ad partes Hibern. p[ro] procuracionibus eorundem Cardinalium jam transmittant; Vobis mandamus, quod p[re]fato Magistro Johanni cum ad partes illas venerit ex parte Cardinalium eorundem, occasione p[re]dicta, consilium et auxilium impendatis in hac parte, quociens ab ipso Capellano ex parte dictorum Cardinalium fueritis requisiti. In cujus rei testimonium, &c. duraturus quamdin nobis placuerit. *Teste Rege apud Westm. 26. die Aug.*

How importunate the Cardinals (to colour their rapines) were with the King to procure a Truce and Cessation of arms, appears by 3. Writs I found in a Bundle in the White Tower Chappel, An. 23 E. 1. then ingrossed & filed; one of them directed to the Kings Lieutenant, and other Officers in Gascoigne and foreign parts; the other general to all men; the third, to the Wardens of the Ports, and all other his Officers and Ministers to whom they should come; wherein he declared, that by these two Cardinals importunate zeal, to settle a firm Peace between him and the King of France and their Subjects, (toward which a present truce, and cessation of all acts of hostility between them both by Sea and Land would much conduce) he had condescended out of honour to the Cardinals, and reverence and obedience to his Mother the Church of Rome, to such a Truce and Cessation of all acts of hostility between them, till the Feast of All Saints next, and obliged himself, his goods and chattels to the Cardinals to perform it; so as the French King would oblige himself in like manner for himself and his Subjects; which he (it seems) refusing, these Writs were thereupon cut and cancelled with a penknife, but not taken off the file: which I shall here present you withall, to declare King Edwards readinesse to peace, and avoid wars with the French King.

Brevia Regis,  
de privato sigil.  
An. 23. & 24.  
E. 1. ista li-  
teræ cultello  
scinduntur.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania; dilectis & fidelibus suis, Johanni de Britannia nepoti suo Capiteo, & Johanni de Sancto Johanne Senescallis suis in Ducatu Britannia, & omnibus aliis ministris & fidelibus suis in eodem Ducatu ad quos presentes littere pervenerint, salutem. Venientes ad p[re]senciam nostram venerabiles Patres, Domini B. Albanensis, & S. Penestrinus Episcopi sacrosanct[ae] Roman[ae] Eccles[ie] Cardinales, pro sedanda dissensione seu guerra inter illustrem Principem Franc[ie] Regem & nos exorta, per sanctissimum Patrem Dominum Bonifacium divina p[ro]videntia summum Pontificem destinati, ex parte ipsius summi p[re]sulis et sua apud nos, tanquam pacis et concordie fideles et serviti zelatores, instanter et sollicitè institerunt, ut reformationi pacis nostrum vellemus animum inclinare. Et quia ut dixerunt, treugarum initio pacis hujusmodi posset esse plurimum instructiva, supplicaverunt, ut super treugis ineundis nostrum p[re]stare vellemus assensum; Instancia nichilominus magna petentes, ut consentire vellemus, quod donec plenus tractatus cum hiis quos res tangit, super dictis treugis ineundis posset haberi, tam per terram quam per mare hinc inde inter gentes p[re]fati Francia Regis et nostras, ac inter ipsius Regis Francia et nostros omnino a quibuscumque

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buscumque processibus bellicis et invasionibus hostilibus cessaretur. Nos autem devote parere *Romana Ecclesie* matri nostræ, necnon et dictos Cardinales honozare volentes, ob ipsius *Romana Ecclesie* reverentiam et Cardinalium ipsorum honorem eorum petitionibus quantum possumus annuentes, in ipsorum Cardinalium præsentia assensimus, et consensimus, si dictus Rex *Francia* velit idem concedere, & concedat quod ulque ad instans festum Omnium Sanctorum tam per terram quam per mare, inter præfati *Francia* Regis gentes & nostras, & inter suos & nostros valitores quoscumque, à quibuscumque bellicis actibus & hostilibus aggressionibus hinc inde cessetur omnino. Promittentes eisdem Cardinalibus, et nos ac bona nostra obligantes, quod ita faciemus per gentes nostras inviolabiliter observari. Quare vobis omnibus & singulis districte precipimus & mandamus, quod à die receptionis præsentium & litterarum Cardinalium prædictorum usque ad dictum festum inclusive, tam per terram quam per mare à quibuscumque bellicis actibus & hostilibus aggressionibus, insultibus & offensis quibuscumque contra ipsum Regem *Francia*, vel gentes suas, & valitores suos aqualiter faciendis cessetis omnino, & gentes nostras vestro commissas regimini, necnon & quoscumque valitores nostros, omni fraude & quacumque simulatione deductis cessare penitus faciatis, sicut dampnum nostrum volueritis evitare. In cujus rei testimonium has literas nostras fieri fecimus patentes. Dat. apud *Westm.* xiv. die *Aug.* anno Regni nostri vicesimo tercio.

*An. 23 E. 1.*

**R**EX universis præsentibus literas inspecturis, salutem. Venientes ad nostram præsentiam venerabiles Patres, Domini *B. Albanensis*, & *S. Penestrinus* Episcopi sacrosanctæ *Romana Ecclesie* Cardinales, pro sedanda dissensione, (&c. verbatim as in the former.) A quibuscumque bellicis actibus & hostilibus invasionibus hinc inde cessetur omnino; eisdem Cardinalibus auctoritate præsentium committentes, quod si dictus Rex *Francia* velit idem facere et effectu complere prosequente, libere Cardinales vice et auctoritate nostra gentes nostras ubicumque tam per terram quam per mare in *Anglia* et *Walesia*, et in potestate nostra alibi constitutas, omnino cessare faciant a præmissis; Ac mandantes nichilominus omnibus gentibus in terris nostris prædictis, ut in præmissis prædictis Cardinalibus sicut nobis pareant et intendant. Promittimus eisdem, et nos ac bona nostra auctoritate præsentium obligamus, si dictus Rex *Francia* idem et eodem modo fecerit, quod si postquam præfatis Cardinalibus gentibus nostris mandatum fuerit, et mandatum hujusmodi pervenerit ad eadem, ut ab hostilibus aggressionibus absterent, ut superius est expressum; aliqua dampna per mare sive per terram gentibus dicti Regis *Francia* vel valitoribus suis, per gentes seu valitores nostros in personis vel rebus dari seu inferri contigerit, nos de dampnis hujusmodi plenam emendam fieri faciemus. In cujus, &c. Dat. apud *Westm.* xiv. die *Aug.* Anno regni Regis xxiiij.

*Ibidem.*

This Writ is likewise enrolled Pat. 2. 3. E. 1. m. 10. in the margin, whereof there is this note, *Ista littera non fuit restituta. De potestate commissa Cardinalibus tractandi de Treuga.*

**E**dwardus Dei Gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, Capitaneis marinariis *Anglia*, *Wallia* & *Hibernia*; & Custodibus Portuum, & aliis Ballivis, Ministris & fidelibus suis ad quos præsentibus literarum pervenerint, salutem. Venientes ad præsentiam nostram venerabiles Patres, Domini *B. Albanensis* & *S. Penestrinus*, Episcopi sacrosanctæ *Romana Ecclesie* Cardinales, pro sedanda dissensione, &c. (as before.) Promittentes eisdem Cardinalibus, & nos ac bona nostra obligantes, quod ita faciemus per gentes nostras inviolabiliter observari. Quare vobis omnibus & singulis districte precipimus & mandamus, quatinus à die receptionis præsentium & litterarum Cardinalium prædictorum, usque ad diem festum inclusive, tam per terram quam per mare, à quibuscumque bellicis actibus, & hostilibus aggressionibus, insultibus & offensis quibuscumque, contra ipsum Regem *Francia*, vel gentes suas & valitores suos aqualiter faciendis cessetis omnino, & gentes nostras vestro commissas regimini, necnon & quoscumque valitores nostros, omni fraude & quacumque simulatione deductis, cessare penitus faciatis, sicut dampnum nostrum volueritis evitare. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste meipso, apud *Westm.* xiv. die *Augusti*. Anno Regni nostri vicesimo tercio.

*Ibidem.* Hæc litteræ cultello kinduntur.

I finde likewise this Letter of the Kings in the *Clause-Roll* of the same date, sent to Pope *Boniface*, to the like effect.

Sanctissimo



An. 23 E. 1.

Claus. 23. B. 1.  
m. 7. dorlo.  
De treugis in-  
eundis inter  
Regem Fran-  
cia & Regem  
Angliz.

**S**anctissimo Patri in Christo Domino, Domino *Bonifacio* Divina providentia sacrosanctæ *Romane* ac universalis Ecclesiæ summo Pontifici, *Edwardus* ejusdem Gratia, Rex, &c. Devota pcedum oscula beatorum. Venientes ad nostram præsentiam, Venerabiles Patres, Domini *B. Albanen.* & *S. Penestr.* Episcopi, sacrosanctæ *Romane* Ecclesiæ Cardinales, pro sedanda dissensione, seu guerra inter illustrem Principem, *Francie* Regem & nos exorta, per vestræ Sanctitatis sollicitudinem ad regna *Francie* & *Anglia* destigati, ex parte vestra & sua apud nos, tanquam pacis & concordiz Zelatores, instanter & sollicitè insisterunt, ut reformationi pacis nostrum vellemus animum inclinare. Et quia ut dixerunt, treugarum initio pacis hujusmodi posset esse plurimum inductiva, supplicaverunt, ut super treugis ineundis nostrum præstare vellemus assensum; instantia nichilominus magna petentes, ut consentire vellemus, quod donec plenus tractatus cum hiis quos res tangit super dictis treugis ineundis posset haberi, tam per terram quam per mare hinc inde inter gentes præfati *Francie* Regis & nostras, ac inter ipsius *Franc.* Regis quoscunque valitores & nostros omnino à quibuscunque processibus bellicis & invasionibus hostilibus cessaretur. Nos autem devote parere *Romane* Ecclesiæ matri nostræ, necnon et dictos Cardinales honorare, ob ipsius Ecclesiæ *Romane* et vestri reverentiam, et Cardinalium eorundem honorem, ipsorum petitionibus quantum possumus annuentes, in ipsorum Cardinalium præsentia concessimus, si præfatus Rex *Francie* idem velit concedere & concedat, ut juxta ipsorum petitionum Cardinalium usque ad festum *Omnium Sanctorum* proximò venturum, tam per terram quam per mare, inter gentes prædicti Regis & nostras, ac inter ipsius Regis *Francie* quoscunque valitores & nostros, à quibuscunque bellicis actibus, & hostilibus invasionibus hinc inde cessetur omnino: eidem Cardinalibus autoritate literarum nostrarum committentes; quod si dictus Rex *Francie* velit idem facere, & effectu compleat prosequente, iidem Cardinales vice & autoritate nostra, gentes nostras ubicunque tam per terram quam per mare in *Anglia*, *Vasconia*, & in potestate nostra alibi constitutas, omnino cessare faciant à præmissis. Promittentes eisdem, et nos, ac bona nostra per nostras literas obligantes, si dictus Rex *Francie* idem & eodem modo fecerit; quod si postquam à præfatis Cardinalibus gentibus nostris mandatum fuerit, & mandatum hujusmodi pervenerit ad easdem, ut ab hostilibus aggressionibus abstineant, ut superius est expressum, aliqua damna per mare sive per terram gentibus dicti Regis *Francie*, vel valitoribus suis per gentes, seu valitores nostros in personis vel rebus dari vel inferri contigerit, nos de dampnis hujusmodi plenam emendam fieri faciemus, prout in nostris literis super hoc confectis plenius continetur. In quibus, sanctissime Pater & Domine, nostri honoris integritas magnam pati videtur reputatione plurimum læsionem, quamquam nobis non videatur, quod ista vel alia quæ pro Sanctitatis vestræ suasionibus reverentia & honore fecimus, nobis ad malum vel dedecus debeant imputari. Conserve vos Altissimus. Dat. apud *Westm.* 14. die *Aug.* Anno Regni nostri 23.

He likewise issued and sent these further Letters to the Earl of *Lancaster*, his Lieutenant in *Aquitaine*, and to the King of *Romans* concerning this Truce, and requiring them to treat with the Cardinals concerning it.

Rot. Vascon.  
An. 23 usque  
31 E. 1. m. 16.  
dorlo.

**R**EX karissimo fratri & fideli suo *Edmundo* Comiti *Lanc.* tenenti locum nostrum in Ducatu nostro *Aquit.* salutem. Veniens ad præsentiam nostram venerabilis pater Dominus *B.* Episcopus *Albanensis*, Sanctæ *Romane* Ecclesiæ Cardinalis, amicus noster karissimus, pro sedanda dissensione seu guerra inter illustrem Principem *Franc.* Regem, & nos dudum exorta, per Dominum summum Pontificem destinatus, ex parte ipsius & sua apud nos tanquam pacis & concordiz zelator servidus & fidelis sollicitè insistit & instanter, ut reformationi pacis nostrum vellemus animum inclinare. Et quia, ut dixit, treugarum initio pacis hujusmodi posset esse plurimum inductiva, rogavit, ut super treugis ineundis nostrum præstare vellemus assensum, cum sollicitudinis intentæ studio multiplicatis instantiis, nichilominus supplicando, ut donec plenus tractatus cum illis quos res tangit super dictis treugis ineundis posset habere, tam per terram quam per mare hinc inde inter gentes præfati *Franc.* Regis & nostras, ac inter ipsius *Franc.* Regis quoscunque valitores & nostros, omnino à quibuscunque processibus bellicis & invasionibus hostilibus

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hostilibus cessaretur; exponens dispendia, pericula & dampna quibus propter guer-  
ram prædictam mundus subjacet his diebus, potissimè propter vos & alias gentes  
nostras in *Vasconia* existentes, ac gentes Regis *Franc.* ex adverso. Hanc licet ob  
prædictam Romanæ Ecclesiæ reverentiam, et dicti Cardinalis honorem, ipsius pe-  
titionibus quantum possumus annuentes, propter præmissas causas et alias oc-  
cupationes nostras in ipsius Cardinalis præsentia concesserimus, si præfatus Rex  
*Franc.* idem velit concedere & concedat, ut usque ad festum Nativitatis Domini  
proximo venturum, tam per terram quam per mare inter gentes præfati Regis  
*Franc.* & nostras, ac inter ipsius Regis *Franc.* quoscumque vultores & nostros,  
à quibuscumque bellicis actibus & hostilibus invasionibus hinc inde cessaretur om-  
nino, ac eidem Cardinali & Episcopo *Penestr.* Collegæ suo commiserimus, si Rex  
*Franc.* velit idem facere et effectu compleat prosequente, ut iidem Cardinales  
dice et auctoritate nostra gentes nostras ubicumque tam per terram quam per  
mare in *Anglia*, *Vasconia*, et alibi in potestate nostra constitutas, omnino cessare  
faciant a præmissis; ac etiam vobis ac omnibus gentibus & subditis nostris manda-  
verimus, ut prædictis Cardinalibus in præmissis pareatis et intendatis, prout in  
illis nostris patentibus literis dicto Episcopo *Albanensi* traditis plenius continen-  
tur: Solumus tamen ad tractatum ipsarum trengarum procedere trengarum  
consilio Nobilium et aliorum fidelium nostrorum prædicti Ducatus nostri *Aquit.*  
qui nobis hæcenus constanter et fideliter adhererunt. Quare vobis mandamus,  
quatinus vocatis Comite *Lincoln.* *Amaneno de Lebeto*, & aliquibus aliis de regno  
*Anglia* & terra *Vasconia* Nobilibus vobiscum in illis partibus constitutis; & aliqui-  
bus Civibus de *Baion*, & aliorum locorum parcium earundem habitatoribus, quos ad  
hoc videritis evocandos, habitisque cum eis super negotio hujusmodi deliberatione  
plenaria consilio & tractatu cum dictis Cardinalibus, vel cum præfato Domino  
Episcopo *Albanensi* solo, si alium ibidem venire non contingat, ac etiam cum  
electis et fidelibus nostris Comite *Sabaudia* consanguineo nostro, *Ottone de Gran-*  
*disseno*, & *Waltero de Langeton* Thesaurario nostro, cum duobus ipsorum quibus super  
his per literas nostras commisimus potestatem, si eos ad partes illas contigerit decli-  
nare, tractetis, et in eodem negotio deliberato consilio ordinetis, prout ipsius  
negotii qualitas erigit, et honori nostro et commodo videbitis convenire: Si verò  
ad partes illas non venerint certis de causis forsitan impediti, tunc aliquos de præ-  
dictis Nobilibus & Civibus, si pro eis sufficiens haberi possit conductus, informatos  
plenius de tractatu quem inter vos super hoc haberi contigerit, ad ipsorum præ-  
sentiam, die & loco de quibus vobis constare facient, transmittatis ad tractandum  
cum eis super præmissis, iuxta quod de consilio eorum vestro et aliorum proce-  
deret, prout superius est expressum. Et si per illos de *Vasconia* conductus veniendi ad  
locum pro dicta trenga tractanda & ineunda deputandum haberi non possit, deli-  
berationem super negotio prædicto quam inter vos & alios, quos consulendos duxe-  
ritis ordinatam, per literas patentes vestro & eorundem consulendorum sigillis pen-  
dentibus sigillatas, & postmodum sub vestro secreto sigillo inclusas, prædictis  
Comiti *Sabaudia* & suis consociis transmittatis. Dat. apud *Rokesburgh*, 14 die *Maii*.

Ar. 23 E. 1.

Serenissimo Principi Domino *A.* Dei gratia Regi *Romanorum* semper Augusto, Rot. Valeri.  
Amico suo karissimo, *Edwardus* eadem gratia, &c. salutem optatis successibus An. 23 ultque  
affluentem. Venerabilis pater specialis amicus noster Dominus *B. Albanensis* Epif-  
copus, noviter ad præsentiam nostram accedens, apud nos devota precum instantia  
& supplicationibus intimis institit, nobisque ex parte Domini Summi Pontificis atque  
sua instantissimè supplicavit, ut reformationi trengarum & pacis nostrum velle-  
mus inclinare, cum sollicitudinis attenta studio nos rogando, ut ante omnia aliqualem  
sufferentiam à bellicis actibus, donec plenus tractatus cum hiis quos res tangit super præ-  
missis posset haberi, sibi concedere dignaremur, ob honorem sedis Apostolicæ atque  
suum: enarrans immensa dispendia, diversaque pericula, ac irreparabilia dampna  
quibus propter guerram quæ inter vos, nos, & *Francorum* Regem nunc vertitur,  
mundus subjacet universus, potissimè hiis diebus propter gentes nostras in *Vasconia*  
existentes, actus exercentes armorum, & gentes dicti Regis *Franc.* ex adverso.  
Nos autem prædictum imminens periculum advertentes, & de concessa dicto Cardi-  
nali & Episcopo *Penestr.* Collegæ suo, in hujusmodi negotio per Dominum Summum  
Pontificem deputato sufferentia in aliquorum ex vestris gentibus præsentia, sicut  
Serenitatem

32 E. 1. m. 16.  
dorfo.



**An. 23 E. 1.** Serenitatem vestram latere non credimus, recolentes, ob reverentiam dictæ sedis Apostolicæ, cuius suborbo vobis et nobis in huiusmodi negotiis posset esse (prout nobis) plurimum fructuosus, ejusdem Cardinalis precibus annuentes concessimus, ut præfati Cardinales prædictam sufferentiam nomine nostro possint facere et firmare, usque ad præfatum festum Patricii et Martini Dominici duraturam. Dantes nichilominus dilectis & fidelibus nostris *A. Comiti Sabaudia* consanguineo nostro karissimo, *Ottoni de Grandisfons* Militi, & *Waltero de Langton* Thesaur. nostro, vel duobus eorum potestatem tractandi & firmandi, simul cum vestris nunciis ad hoc à vestra sublimitate mittendis, treugas inter vos & vestros & nostros valitiores ex parte una, & dictum *Franc.* Regem cum suis valitoribus ex adversa, sub forma et conditionibus quibus excellentia vestra voluerit assentire: Ad prædictam siquidem sufferentiam concedendam ex eo facilius prædicti *Albanensis* Episcopi votis & precibus devotis existimamus annuendum, quod vos in quibusdam partibus regni vestri circa magna & ardua intelleximus occupatos: Nosque in partibus *Scotia* propter *Scotorum* rebellionem sumus armorum exercitio intendentes. Hinc est quod ad ejusdem Episcopi *Albanensis* affectuosas preces ab ipso super hoc nobis factas, Celsitudinem vestram requirimus & rogamus, quantinus ad diem et locum quos prædicti Cardinales magnificentia vestra duxerint intimandos, vestros nuncios destinatis cum quibus nostri conveniant, & unanimiter tractent & procedant in negotio supradicto. Super hiis autem Celsitudo vestra voluntatem suam & statum utinam semper ad vota prosperum, nobis non differat intimare. Dat. apud *Rokesburgh* in *Scotia*, 16 die *Maii*.

Rot. Valscon.  
An. 23 uique  
31 E. 1. m. 16.  
intus.

**U**niversis Christi fidelibus ad quos, &c. *Edwardus* Dei gratia, &c. salutem: Noverit universitas vestra, quod nos ob reverentiam sedis Apostolicæ, et ad instantem requisitionem venerabilis patris Domini *B. Albanensis* Episcopi, Pontificis *Romanæ Ecclesiæ* Cardinalis, amici nostri, damus & concedimus per presentes dilectis & fidelibus nostris *A. Comiti Sabaudia* consanguineo nostro karissimo, *Ottoni de Grandisfons*, & *Waltero de Langton* Thesaur. nostro, seu duobus ipsorum absente tertio, plenam & liberam potestatem ac speciale mandatum tractandi nomine nostro de treugis inter Regem *Franc.* & valitiores suos ex parte una, & Regem *Romanorum* & valitiores suos, & nos & valitiores nostros ex parte altera, super gueris, dissensionibus & discordiis quibuscumque inter Dominum Regem *Franc.* & valitiores suos, & ipsum Regem *Romanorum*, & nos ac valitiores nostros exortis, & etiam easdem treugas ineundi & firmandi, ac omnia alia & singula faciendi quæ ad præmissorum expeditionem fuerint oportuna. Ratum habituri & firmum quicquid per prædictos Comitem, *Ottonem* & Thesaur. seu duos ipsorum, sicut præmittitur, tractatum, ordinatum, initum, firmatum & factum fuerit in præmissis. Et ad hæc omnia fideliter observanda, obligamus nos & omnia bona nostra, præsentia & futura. In cujus, &c. Datum apud *Rokesburgh*, 12 die *Maii*. Ista litera triplicata fuit.

Consimilem potestatem habent prædicti Comes, *Otto* & *Walterus*, per alias literas patentes ejusdem tenoris, eo tantum mutato, quod in illis literis Rex *Franc.* & valitiores sui postponebantur, & Rex *Romanorum* & Rex *Angl.* & valitiores eorum præponebantur. Dat. ut supra. Et erant triplicatæ.

That this Pope and his two Cardinals had some other designs upon the King, Kingdom and Church of *England*, then to settle Peace, and gain Procurations, even to deprive the King of the Rights of his Crown, by inducing him to condescend to the Popes and Cardinals appropriating of Prebendaries and Churches in *England* to their Churches in *Rome*, and dispose of Benefices and Promotions belonging to his Presentation, Crown, dignity, (which although he, his Council, Judges, Parliament had \* formerly opposed, yet was he now earnestly pressed by this Pope and his Cardinals to assent unto) will most clearly appear by the Kings Letters and Answers to them, implying his willingness to grant their requests, so as any expedient could be devised to save the dishonour and hurt of the Rights of his Crown, Royal dignity and Prerogative, which might ensue thereupon by his condescension.

\* See here, p.  
289, 416, to  
419.

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

**S**anctissimo Patri in Christo & Domino, Domino Bonifacio divina providentia Sacrosanctae Romanae ac Universalis Ecclesiae Summo Pontifici, Edwardus Rex Angliae, &c. Ea qua venerabilis pater in Christo Dominus B. Dei gratia Episcopus Albanen. super quodam negotio duarum Praebendarum in Ebor. & Lincoln. Ecclesiis consentientium, quarum quidem Praebendarum appropriationem Ecclesiae Sancti Petri de Urbe, et Hospitali Sancti Spiritus faciendam, venerabilis pater Dominus M. Sanctae Mariae in Porticu Diaconus Cardinalis prosequitur, et prosecutus est temporibus retroactis, ex parte dominationis vestrae latius nobis curabit exponere, intelleximus diligenter. Sane Sanctissime Pater ob vestram reverendam instantiam ad dicti Domini Cardinalis optenta, necnon et contemplatione praedicti Domini M. Cardinalis amici nostri charissimi ab antiquo, praedictum negotium quantum cum Deo et absque exheredatione nostra, et Coronae regni nostri laesione fieri poterit desiderantes scilicet expediri, si aliqua via sana et competens quae nec in exheredationem neque laesionem Coronae regni nostri, sicut praedicitur, nec alias redundet in praedictum nostrae Regiae dignitatis adinveniri valeat per quam idem negotium deduci possit commode ad effectum, illam erimus parati admittere, et vestris ac praefati Domini Cardinalis condescendere in hac parte beneplacitis atque votis. Conserve vobis Altissimus, &c. Teste Rege apud Westm. 12 die Augusti.

An. 23 E. 1.

Claus. 23 E. 1. m. 7. dorlo. De appropriatione duarum Praebendarum in Ebor. & Lincoln. Ecclesiis Ecclesiae Sancti Petri de Urbe faciendae.

**V**enerabili in Christo Patri Domino M. Sanctae Mariae in Porticu Diacono Cardinali, amico suo charissimo, Edwardus Dei gratia, &c. salutem & sincera dilectionis affectum. Ea qua venerabilis pater in Christo Dominus B. Dei gratia Episcopus Albanen. super quodam negotio, &c. (ut supra, to the Pope, usque ibi) faciendam prosequemini et prosecuti estis temporibus retroactis, ex parte Domini Summi Pontificis latius nobis exposuit, intelleximus diligenter. Sane reverende Pater ob ipsius Domini Summi Pontificis reverendam instantiam, ac dicti Domini Cardinal. obtentu, necnon et vestri consideratione praedictum negotium quantum cum Deo, absque exheredatione nostra, &c. (ut supra, usque ibi) erimus parati admittere, et praefati Domini Summi Pontificis, et vestris condescendere in hac parte beneplacitis atque votis. Dat. ut supra.

Ibidem.

The Prebendary of \* Nassinton, belonging to the Church of Lincoln, was one of those mentioned in these Letters to be appropriated to a Church in Rome, concerning which (when first set on foot Anno 1288.) I found this memorable Letter by way of caution, then writ by one of the Kings Council to Edmund Earl of Cornwall the Kings Lieutenant, and the rest of his fellow Counsellors and Friends, strenuously to oppose this Innovation, as a direct disinheriting of the King and Kingdom, repugnant to the ancient Rights and Customs thereof, admitted by Popes themselves in all ages, which I shall here insert.

\* See here, p. 389, 416, 417, 418.

**S**ociis & amicis suis, salutem, & bonum amorem. Dignitas Regia et Coronae Angliae, ac consuetudo regni instant semper, ut observetur in eis quod est ab antiquo usitatum, et a Summis Pontificibus concessum perpetuo, ac a tempore quo non existat memoria (eo quod sola Anglia utitur consuetudine et non iure scripto) approbatum. Ne igitur in Praebenda de Nassinton in Ecclesia Lincoln. quae est de Corona et Patronatu Domini Regis, exhereditatio Regis et Regni interveniat manifesta, expedit quod Punctis Curiae Romanae, ex hac causa venientes, effectum nequaquam sortiantur in praemissis, contra Coronam et consuetudinem praedictam; et mandetur Dioeclesiano per breve Domini Regis firmiter et expresse, ne praetextu litterarum Domini Papae seu quorumcumque Iudicium Ecclesiarum aliquid faciat, quod Regi aut Coronae in Baronia sua esse poterit praedictale seu damnosum; ac aliis quorum interest in hac parte. Nos igitur qui legem, consuetudinem, et ea quae Coronam et officium contingunt, melius nostris, facietis quod honori Regis decet, et quod est hactenus in causa consimili consuetum. Et ista praemunio pro statu officii et vestro procedat, Deus nobis. Bene valeat, &c. Which advice was \* accordingly executed.

Bundela Brev. de Privato sigillo An. 16 E. 1. in Turre London.

\* Here p. 416.



K. Edward 1.

*An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 23 E. 1.

Yet such was the insolency of this New Pope and his Legates, after several precedent Prohibitions, resolutions of the King, Council, Parliament, and Letters from the King to Pope Nicholas and his Cardinals against it, as now to revive and importunately prosecute this dangerous project afresh, in hope to accomplish it, under a pretext of friendship and settling Peace; which the King modestly declined by his Epistles to them.

These Cardinals likewise solicited the King to exempt some of the Cardinals Nephews who had Benefices in England, from paying the moiety of their Goods towards the maintenance of his Wars, to which all the rest of the Clergy were liable, as this Letter of the King imports.

Claus. 23 E. 1.  
m. 7 dorso.  
Pro Nepotibus  
Episcopi Tusculan.

**V**enerabili in Christo Patri Domino J. Dei gratia Episcopo Tusculan. amico suo charissimo, Edwardus, &c. salutem & sincera devotionis affectum. Ea qua venerabilis pater in Christo Dominus B. Episcopus Albanen. super negotio Nepotum vestrorum, medietatem videlicet bonorum Ecclesiasticorum quae in regno nostro Angliae possident contingente, ex parte vestra plenius nobis exposuit, intelleximus diligenter. Sanè reverende Pater consideratione vestri ac ob dicti Cardinalis instantiam, ac de ipso negotio deliberato consilio disponere intendimus, et in ipso etiam taliter nos habere, quod rationabiliter se contentam debet vestra paternitas reputare. Dat. ut supra.

He likewise writ these Letters to the Earl of Savoy, and Otto de Grandison, to obey these Cardinals commands.

Ibidem.  
Pro B. Albanen. & S. Penestren. Cardinalibus.

**R**EX dilecto consanguineo & fideli suo Amadio Comiti Sabaudiae, salutem cum dilectione sincera. Cum venerabiles patres Domini B. Albanen. & S. Penestren. Episcopi, Sacrosancta Romanae Ecclesiae Cardinales, quorundam habeant negotia pertractare, ad quae vestra praesentia fore poteris opportunum, volumus & rogamus, quatinus ad diem & locum quos iidem Cardinales vobis duxerint intimandos, modis omnibus accedatis, facturi quod vobis injunctum fuerit per eosdem. Et hoc nullatenus omittatis. Teste Rege apud Westm. 14 die Augusti.

Ibidem.

**R**EX dilecto & fideli suo Othoni de Grandissono, salutem. Cum venerabiles patres Domini B. Albanen. & S. Penestren. Episcopi, &c. ut supra. Volumus et mandamus, quatinus ad diem & locum quos iidem Cardinales vobis duxerint intimandos, modis omnibus accedatis, facturi quod vobis injunctum fuerit per eosdem. Et hoc nullatenus omittatis. Teste ut supra.

The Popes Legatés under pretext of settling a Truce, having extorted great sums of money from the Clergy and Religious persons, to transport it securely beyond the Seas procured divers Foreign Merchants to passe over with them out of England into Foreign parts with monies, under colour of being Members of their Train and Attendants; to prevent which fraud and exportation of monies, the King issued this Writ to the Constable of Dover Castle and others.

Pat. 23 E. 1.  
m. 10. De  
Mercatoribus  
transfretare  
volentibus  
cum Cardinalibus.

**R**EX dilectis & fidelibus suis Stephano de Penestren. Constabulario Castri sui Dovor. Roberto de Belinges, & Johanni le Blund, Civibus suis London. salutem. Quia datum est nobis intelligi, quod Mercatores extranei et alii homines diversi parant se ad transeundum in Comitibus Cardinalium ad partes transmarinas, sine licentia nostra, licet de ipsorum familia non existant, volentes hujusmodi cautela cautum obviari, assignavimus vos ad videndum & ordinandum, quod nullus Mercator extraneus seu alius quicumque in Comitibus ipsorum Cardinalium transeat ad partes transmarinas, seu aliqua pecunia deferatur ibidem, nisi Mercatores et homines illi fuerint de familia Cardinalium praedictorum, et ipsos et pecuniam illam advocaverint iuxta formam litterarum nostrarum de Conducu eisdem Cardinalibus confectarum, quarum transcriptum vobis fecimus liberari. Et ideo vobis mandamus, quod praemissa ita discretè & circumspicè faciatis, quod circumspicè & discretio vestra in hac parte meritis debeant commendari. In cujus, &c. Teste Rege apud Westm. 16 die Augusti.

Et

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*Et mandatum est per litteram clausam prefato Stephano, quod ad premissa facienda An. 23. E. 1. una cum prefatis Roberto & Johanne intendat. Teste nos supra.*

The King still wanting moneyes, procured one of the Cardinals to obtain from the Pope a grant to himself and this Cardinal of the *Firstfruits* of all vacant *Bene- fices* within the Province of *Canterbury* for 3. years space, to be equally shared between them; as is evident by this his gratulatory Letter to the Cardinal for his assistance and favour in this, and other his affairs in the Court of *Rome*.

**V**enerabili in Christo Patri & amico suo Charissimo, Domino J. Dei Gratia San- *Ibidem, m.*  
cta Mariz in via lata Diacono Cardinali; Edwardus eadem Gratia, &c. *salu-*  
*tem, & suaver dilectionis affectum: Super voluntate sincera quam erga nos habetis &*  
*illis temporibus habuistis, & etiam super diligentia sollicita circa negotia nostra singula*  
*semper hactenus adhibita, necnon super impetratione per vos facta a Sum. Pontif.*  
*de primis fructibus Ecclesiarum vacantium in Provincia Cantuar. Vobis et Nobis*  
*votis ad triennium et concessis, Paternitati vestre referimus magnas grates:*  
*pro certo tenentes, quod de Vobis in hoc Vobis talem socium habentis, Domino*  
*concedente, quod inde reputabit et vos contentos; Aliquid autem pro vobis vo-*  
*lueritis nos facturum, id nobis significetis cum stancia optinendi. Dat. apud Aber-*  
*conweye, 6. die Aprilis.*

He likewise sent two other Letters to two Cardinals to promote his affairs in the Court of *Rome*.

**V**enerabili in Christo Patri Domino M. Dei gratia Portuensi, &c. & sancto Ruffi- *Cl. 23. E. 1.*  
no Episcopo, amico suo Charissimo, Edwardus eadem gratia, &c. *m. 10. Pro*  
*salutem & suaver dilectionis affectum. Inspectis literis vestris per dilectum Clericum nostrum Magi-*  
*strum Dalemund nobis missis, detegentibus immensum dolorem & compassionem quos vos*  
*super turbatione & discordia inter Regem Francie & nos nuper motis, caritatis vestra*  
*visceribus pio concepistis affectu, quantum erga nos in prateritum concepistis affectionem*  
*perpendimus manifeste, super quo gratias vobis referimus speciales; pro certo tenentes,*  
*quod ad pacem & concordiam semper bonam voluntatem habuimus & habemus, & dulces*  
*exhortationes vestra causa ad bonam pacem, nostro honore & Regni nostri statu salvo, tri-*  
*mus favorabilius inclinati. Quocirca Paternitati vestra charissima supplicamus; qua-*  
*tinus negotia nostra habere degnemini recommendata, quantum cum Deo poteritis;*  
*eo quod hactenus magis ardua non habuimus, seu majora, et magis in eisdem vestro*  
*egentes auxilio, quod semper nobis utile reperimus in agendis; super quibus statu*  
*et negotiis nostris credere velitis caro Clerico nostro Magistro Bertrando del Got,*  
*Domini Papa Capellano, & prefato Radulpho, vel alteri eorundem. Dat. apud Aber-*  
*conwey 6 die Aprilis, Anno gratia, M. CC. Nonog. quinto, Regni vero nostri vici-*  
*simo tertio.*

**V**enerabili &c. & amico suo charissimo, Domino Jacobo Dei gratia Sancta Mariz *Ibidem.*  
in via lata Diacono Card. Edwardus eadem gratia, &c. *salutem.* Paternitati  
vestra volumus esse notum, quod dilectus Clericus noster, Magister Radulphus Dale-  
maunt nobis plenius intimavit, quod vos similes litteras quales nobis transmisit, venerabilis  
pater Dominus Albanensis Episcopus nobis per ipsum misisset, si easdem debuit expedisset;  
super qui vobis ut illi per quem non stetis quo minus nobis huiusmodi litteras mandassetis,  
tantas grates referimus quantas vobis sciremus, si ad nos per ipsum huiusmodi vestra littera  
pervenisset; vos intime requirentes, quatinus super statu nostro, et negotiorum no-  
strorum charis Clericis nostris, Magistris Bertrando del Got, domini Papa  
Capellano, & prefato Radulpho velitis credere, vel alteri eorundem. Dat.  
ut supra.

King Edward to prevent all intelligence, and exportation of monies into *France*, to enrich his Enemies during his wars with the *French*, seized the Lands, Tenements, goods and chattels of all Religious Houses in *England* belonging to *Frenchmen*, or to those in *France*, especially in the *Ile of Wight*, and committed the custody of them and of that *Iland* with the Castle therein to *Richard de Affeton* by these two Commissions, which I found in the *White Tower* under the Great Seal, yet affixed to them.



An. 23 E.1.

In Turre  
London.

**E**dwardus Dei gratia Rex Angliæ, &c. Omnibus Ballivis & fidelibus suis ad quos presentes littere pervenerint, salutem. Quia nolumus quod Terræ et Tenementa, seu Bona et Catalla Religiosorum de terra et potestate Regis Franciæ quæ sunt in regno nostro, occasione guerra inter nos et Regem Franciæ jam subortæ, distrabantur per aliquos seu vadentur; nec etiam volumus, quod exitus de terris illis et tenementis provenientes, seu etiam aliqua bona vel catalla eorum extra regnum nostrum ad inimicos nostros ditandos in partibus transmarinis, ducantur; Assignavimus dilectum & fidelem nostrum Ricardum de Affetone, ad capiendum in manu nostram omnes Prioratus et alias Domus prædictorum Religiosorum, cum omnibus terris, tenementis, et bonis et catallis suis in Insula de Wygh; et ad ea, una cum Priore vel alio Superiore singularum domorum, salvo custodienda. Ita quod de exitibus inde provenientes nobis respondeant ad Decretarium nostrum, durante guerra prædicta. Salva eisdem Religiosis rationabili sustentatione sua de exitibus & bonis prædictis, sicut idem Richardus inde duxerit ordinandum. Et ideo vobis mandamus, quod præfatus Ricardo in præmissis & omnibus quæ ad præmissa pertinent, intendentes sitis & respondentes; prout vobis scire faciet ex parte nostra. In cuius, &c. Teste venerabili patre W. Bathon, & Wellen. Episcopo, Thesaurario nostro apud Westm. secundo die Augusti, Anno regni nostri 22.

Ibidem.

**E**dwardus, &c. Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Militibus, liberè tenentibus, & omnibus aliis de Insula Vecta, salutem. Sciatis, quod commissimus dilecto & fideli nostro Ricardo de Affetone Insulam prædictam cum Castro ibidem custodienda, una cum Humfrido de Donesterre Constabulario nostro Castri prædicti, quamdiu nobis placuerit. Et ideo vobis mandamus, quod præfatus Ricardo in omnibus quæ ad custodiam illam pertinent, intendentes sitis & respondentes, consulentes & auxiliantes, prout idem Ricardus vobis scire faciet ex parte nostra; & quociens ab eodem super hoc fueritis requisiti; Ita quod pro defectu vestro nobis vel regno nostro dampnum vel periculum aliquod non imminuat vel contingat. In cuius, &c. Teste (ut supra) 26. die Novembris, anno regni nostri viceffimo tertio.

The King and his Counsil likewise made these ensuing Ordinances for removing all Priors aliens of France, with those related to them, 20 miles from the Sea side, and Navigable Rivers, and seising their persons, goods, livings, temporalities, to prevent intelligence during the wars; to which this passage of \* Matthew Westminster relates; *Monachi alienigenæ à propriis excluduntur domiciliis, singuli per hebdomadam ad victum 18. denariis deputatis.*

\* Flores Hist.  
An. 1295.  
p. 398.

*Forma ordinata de Religiosis alienigenis.*

Fines 23 E.1  
& revia Re.  
p. An. 23 &  
24 E. 1. In  
Turre Lon-  
don. Cedul. 2.

**O**rdene est par le Roy et son Conseil, que les Religions estrangees du pover le Rey de France e de ses aliez, ou que soient de leur affinite, ou a eus par obedience, e quenque manere tenuz, qui sont a 13. liwes ou meins pres de la mer, ou ewe que port navie ou vessel a la mer, que il seynt remuez, e mis en leur mesons, ou en leur maners demeine, si len les trouve, a 20. liwes loinz de la mer, ou de ewe que navie ou vessel porte a la mer, ou en autres mesons de meismes lordre, e de de meimes la launge que autant soient loigreins de la mer, ou de ewe que porte navie ou vessel a la mer, sicome dit est. E en chescune meson ou tieux moygnes demorunt, le chef gardein qui est assigne en le Counte mette un pro d'home, person ou vicair, ou autre Clerk fuffisaunt a la garde de chescune mesoun, e des moygnes que y demorunt, e cely gardein preingne ses resnables estouers du chef gardein des issues des mesons que sont en la garde. E chescun gardein face sa garde en la forme que siwt. Ce est asavoir, que ceus gardeyns mettent Engleys, e nul autre, pur les moygnes servir Clers ne leys en Eglise ne de hors, e tieux pur queus les gardeins voudrunt respoundre. E ceus que issi servent soient sustenuz entre eaus de la comune que les moygnes pernent.

E que les gardeins soient chargez de leur garde au peryl que y apent.

E que il seynt en teles mesouns demorunt sauntz Clerks garcon, e sauntz cheval, fors que en la manere que est desus dit.

Cq

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Et que nul estrange ne prieue secular, ait repeirer a parler a eus, mes que en la presence de gardein. *An. 23 E. 1.*

Et que il ne enveient Lettres ne Messages, nene receivent de nulz, sil ne soit en la presence de leur gardeins, e que il sachent que y est contenu.

E eient sustenance des biens de leur mesons dount il sont venuz, ceo est a savoir, chescun de eus 18. deners la semaine par les meins des chiefs gardeins, issi que il vivent solonc la Rywle del ordre.

E que il ne aillent nule part hors du clos de la meson ou il demorront. E eient de leurs mesons dont il sont venuz vesture e changure solom ceo que il son purrent passer, cest a savoir chescun de eaus dis souz par an par les meins des chiefs gardeins.

E est ordenez, que puis que len sauera le nombre des moyngnes qui ferront issi remuez, soient enuiez hors custages e a munture de leur mesons, oue leur litz, e oue liures par leur servise as lius ordenez. E leur soient certeyn jour assigne de aler a luis qui ler ferront ordenez solom ceo que les lieus ferront pres ou loignteins, outre que jour si nul soit troue alaunr ou wakeraunt par pais, en quel habut que il soit troue, soit pris e areste des que le Roy eit dit sa volente.

En chescun Counte ou en plusors solom ce que il avera mesons de tiens moyngnes, soit assigne par le Tresorer un gardein ou plusors, solom ceo que la garde est grande ou petite, e veignent al Eschequer pur fere le serment, e recevoir lur commissions.

E celi chef gardein face inventaire endentee, dont lune partie demorge vers le Tresorer e lautre vers le gardein, de toutes maneres des biens que ferront trouez en la baillie que il avera par tut.

Veslele, come des autres biens moebles, en queus mains que il soient divenuz ou translatez puis le jour de cest ordenement: Ensi ne pur quant que si troue sent que les moyngnes en les lieux demorraunt, soient aliene, ouste, ou misce or, argent, ou autre tresor puis la pasque ont un an, ou si dettes soient ore dewes de queu tens que le contract soit fet, soit aussi enquis, seisi e pris en la meyn le Kex, e faubement garde de si que le Kex ait autre chose ordene ou commande.

E de ceo que len troueue, que est a loigne e ne puet estre troue, le face le gardein a saver a Tresorer, e que le gardein qui serra assis assigne respoigne al Eschequer pleinement de toutes maners des issues de toutes les terres, rentes, aussi bien des Eglises, pensions, e autres profitz dont les ditz meynngnes sont ore aparmennes seifz de temporeute.

E pur mieuz saver la value des terres, rentes, eglises, e de toutes autres maneres des issues, le Tresorer face assigner lele gentz e certains autres que ceaus que enseront gardeins a estendre les, e taxer. E fet a savoir que four la Counte des ditz gardeins al Eschequer, leur ferront allowes les custages des moyngnes de sontz ditz.

E ensement est ordene, que les certaines liuerisons que soleient estre rendues de tieux mesons par escritz, soient leaument rendues, issi que celui que ad pris liuerison de monyngne pregne aussi come monyngne prent par la semaine, e selonc le plus e le meins a leur afferant.

Ensement, les pensions e les Robes que sont dewes par escrits, soient rendues selum ceo que les escritz purportent a ceus que en ont este seisi.

E ensement est ordene, que la ou tieux religious aliens ont commun seal de Chapitre, ou autre seal de autorite, soit le seal mis en la garde des moyngnes es biens ou il ferront demorront, ensemblement oue les chartres, fins, e munements de leur mesons desouz le seal le chef gardein de leur mesons, ouesque les seaus de deus prodesthomes e leaus demesme le visne. De reliques, libreire, vestementz, e de toutes maneres de autres aournementz que ferront trouez en tieux maneres de mesons remeinent en saue garde par assurement de moyngnes de meisme les mesons, e en meismes les mesons par tesmoignance e vewe de deus prodesthomes de meisme le visne par Cirographie endentee entre les gardeins e les moignes, saue les bestementz, e aournementz des Eglises necessaires pur la servise de meismes les Eglises. En meson de Religion ou il y ad Eglise conventuele ou parochiale servie par monyngne, soit le servise sustenu en chescun de tieux lieux par un prestre Engleis, bonet e suffisant, la ou il n'y ad nul monyngne Engleis.

E sil y ait moigne ou moignes Engleis dumorgent en pees, e facent le servise e perignent



**An. 23 E. 1.** preignent par leur sustenance chescun par luy taunt aome un des autres aliens remuez, sicome il est desoutz dit. E la ou plus prestres seculers soleint estre bosoyng. nablement come par aumesne establie, seit lamefne sustenue solom ceo qe ele fu au. cienement ordene e establie, e jesque en ca usee.

Des aumesnes ensement ancienement ordenes e establies, e jesque a ore usees, come en puture ou vestir de pouvres en le lien meismes; solom ceo qe homme purra res. nablement leaument et certainement par bon aprise savoir, soient sustennes al honur de Deu.

Ensement est ordene de seculiers persones des Eglises qui sont du pour Le Rey de France, ou de ce alliez e soient residentz en *Engleterre*, sil soient pres de mer ou ewe menaunte navie ou vessel a la mer, et tresze lieues sicome desus est dit, Maunde seit as Eveskes des leus, qil les facent remuer e mettre en leus plus lun. teignes, ou il purrunt demozrer sauns suspection, e eient eus persones la garde e les issues de leur benefices par les meins de lour procuratours qui soient Engleys, e a ceo par eaus assignez.

E si tieux persones ne seint en *Engleterre* demoraunt, maunde seit a leur Eveskes, qil facent prendre bone garde des teles Eglises, e des issues pleinement e enterement respoignent al Eschequer duraunt la guerre. Issi tottesneys qe les dites Eglises soient duement servies.

I pretermitt the Writs, de Terris alienigenarum laicorum capiendis in manum Regis; and pass to those de Secularibus personis alienigenis ab agris amovendis, & beneficiis non residentium custodiendis.

**Fines 13. E. 1.**  
memb. 2.

**R**EX venerabili in Christo patri R. eadem gratia Cantuar. Archiepiscopo, tocius *Anglia* Primati, salutem. Cum ob aliquas certas causas sit per nos & nostrum Consilium ordinatum, quod personæ seculares alienigenæ, sive Canonici fuerint, seu Rectores Ecclesiarum, aut alias beneficiati in regno nostro in quibuscumque Ecclesiis Cathedralibus seu Collegiatis, quocumque nomine censeantur, de potestate Regis *Francia*, & alibi ad hærentium existentes, vel qui sint de affinitate & amicitia illorum, aut eis alio modo qualicumque affecti, ad tresdecim milliaria vel infra, prope mare, vel aquis navigium quodcumque ducentes ad mare morantes, per Diocesanos suos transferantur ad loca remotiora, in quibus absque suspitione aliqua poterunt commorari. Et quod ceteræ hujusmodi personæ morantes in prædicto regno vel tresdecim milliaria à mari, vel aquis navigium ut permittit ducentibus in locis in quibus prædictæ pacifice commorentur; ita viz. quod tam personæ illæ quam personæ prædictæ quas sic transferri contigerit, sustentationem habeant de bonis beneficiorum suorum, scilicet quilibet eorum decem & octo denarios qualibet septimana, & pro vestitu & calciatura quadraginta solidos annuatim, per manus procuratorum suorum, qui *Anglici* fuerint ad hoc per Diocesanos suos proprios deputandi. Et si hujusmodi Canonici et Rectores seu beneficiati in regno nostro non fuerint residentes, quod Diocesani sui bonam curam habeant de beneficiis et Ecclesiis suis prædictis, et eisdem honeste faciant deserviri, et de fructibus et proventibus tam illorum non residentium, quam aliorum residentium; (salva dumtaxat eisdem residentibus iude sustentatione sua in forma parte prædicta) plene et integre ad Saccharium nostrum respondeant, guerra nostra durante, nisi aliud super hoc duxerimus ordinandum. Paternitatem vestram rogamus mandantes, ac vobis in fide et dilectione quibus nobis tenemini, firmiter injungentes, quatinus omnia et singula suprascripta in Diocesi vestra quoad personas Ecclesiasticas antedictas exequamini, et cum diligencia faciatis in superius annotata. Et hoc sicut nos & commodum Regni nostri diligitis, nullatenus omittatis. Teste Rege apud *Odymer*, 5 die *Novembris*.

Consimiles literæ diriguntur *Ebor.* Archiepiscopo, *Angl.* Primati, & Episcopis subscriptis, videlicet;

*A. Dunelm. &c.* and all the other Bishops in *England* and *Wales*, there named.

Pope *Cælestine* 5. the year before conferring, by his Papal Provision, the Church of *Monkton* on *James*, Nephew of *Francis* Cardinal of *S. Lucy* in *Rome*, afterwards confirmed by Pope *Boniface* 8. belonging to the Kings presentation in right of his Crown, by the vacancy of the Archbishoprick of *Canterbury*, the Pope and Cardinals imported

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tuned the King to admit of this Papal provision to him; who thereupon advising with his Prelates, Counsellors, Nobles and great men assembled together at *Berwick* about it, after due examination of the business, upon consideration of many presidents and reasons agreed and resolved, that this Papal provision and usurpation would evidently tend to the apparent prejudice, and enormous exheredation of h.m, his heirs and Crown, which he being obliged by his Oath to maintain inviolable in all things, could no wayes condescend to this their request, desiring them to excuse him for not granting it, as appears by this memorable Letter of the Kings then sent to several Cardinals underwritten, I found in the *White Tower*.

**T** Ali Cardinali, &c. Litteras vestras pro Magistro *Jacobo* Nepote venerabilis in Christo Patris, Domini *Francisci Neapolensis*, sanctæ *Lucie in silice* Diaconi Cardinalis specialis amici nostri, super negotio collationis Ecclesiæ de *Monketon Cantuariensis* Diocesis, per felicis recordationis *Celestinum* Papam quintum in *Roma* na Curia sibi factæ, ac confirmationis per sanctissimum patrem Dominum *Bonifacium* summum Pontificem super hoc subsequens, nobis per latozem præsentium præsentatæ affectione plena recepimus, & earum tenorem intelleximus diligenter. Sanè quia in ipsarum litterarum receptione circa expeditionem guerræ nostræ *Scotiæ* eramus plurimum occupati, nec tunc etiam nobis aderat præsentia peritorum, responsum, (prout casus illius qualitas exigebat) super hoc dandum, usque ad prædictæ guerræ sedacionem & regressum nostrum apud *Beremycum* super *Twedam* oportuit nos differre; ubi cum Prælati et quibusdam aliis Consiliariis nostris, necnon Magnatibus et Proceribus Regni nostri ibidem specialiter congregatis, habito super hoc consilio et tractatu, examinatoque prædicto negotio plenius et discussio; fuit nobis per ipsos consultum, et pluribus rationibus ac exemplis evidenter ostensum, quod in grave præjudicium et manifestum nostri et hæredum nostrorum exheredationem ac enormem Cozonæ nostræ regis (cujus Jura illæsa in omnibus observare vinculo Juramenti attingimur) lesionem manifestius redundaret, si effectum hujusmodi collatio sortiretur. Porro scire vos volumus, quod si viam aliquam potuissemus accommodam invenisse, per quam absque præjudicio Juris nostri Regis, quo nos et antecessores nostri Reges *Angliæ* semper hactenus usi sumus, et Cozonæ nostræ prædictæ lesione, et juramenti per nos præstiti violacione, et quæ nos incurrere vestre fidelitatis integritas nobis, ut credimus, nullatenus suaderet, collationem hujusmodi possemus æquanimiter tolerare, vestri consideratione ac aliorum Cardinalium pro præfato *Jacobo* speciali intercedentium interventu, annuissemus in hoc favorabiliter votis vestris; unde, cum ex rationibus et causis præmissis ad præsens fieri nequeat quod rogastis, Paternitatem vestram attente requirimus et rogamus quatinus tam super hoc quam super dilacione responsionis hujusmodi providentia vestra nos habeat excusatos. Intendimus autem vestri & Cardinalium prædictorum intuitu præfato Magistro *Jacobo* loco & tempore opportunis, si nostræ memoriæ tunc occurrat, de alio competente beneficio providere, &c.

*Dorso.* Domino *Francisco Neapolensis*, sanctæ *Lucie in silice* Diacono Cardinali, nepoti vestro, dirigatur ei.

Domino *G. Sabiniensi* Episcopo.

Domino *M. Portuensi*, & sanctæ *Ruffinæ* Episcopo.

Domino *B. Albanensi* Episcopo, sub breviori forma.

Domino *N. sancti Adriani* Diacono Cardinali.

Domino *B. sanctorum Cosmæ & Damiani* Diacono Cardinali.

The King, upon complaint of the Abbot of *Westminster* against the Justices, for imposing a fine upon him for the escape of Clerks convict, delivered to him to make their purgation, issued his Writ to the Treasurer, to inform and certifie him the truth of the case, who made this Certificate to him.

**E**xcellentissimo Principi, Domino suo reverendo, E. Dei gratia Regi *Angliæ* illustri, Domino *Hiberniæ*, & Duci *Aquitaniæ*, suus Clericus *Barthoniensis* & *Wellensis* Episcopus Thesaurarius suus, salutem & fidele semper servitium. Mandatum vestrum recepi in hæc verba. *Edwardus Dei gratia Rex Angliæ*, Dominus *Hiberniæ*,  
Brevia Regis de Privato Sigillo, in Tur London.



K Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4.*

An. 23 E. 1. bernia, & Dux Aquitanie; venerabili in Christo patri, W. eadem gratia Bathoniensi & Wellensi Episcopo, Thesaurario suo, salutem. Dicitur quod cum dudum infra libertatem dilecti nobis in Christo Abbatis Westmonasterii de Westmonasterio, Johannes de Eborum, Johannes Ballard, Rogerus de parva Frome, Robertus le Clerk, & Eustachius de Royston, Clerici, quibusdam criminibus irrepti, capti fuissent, & subsequenter gaole ejusdem libertatis mancipati; ac postmodum personaliter constituti coram dilecto & fidele nostro Radulpho de Sandwico, & sociis suis Justiciariis nostris ad eandem gaolam deliberandam assignatis, requisitisque per Archidiaconum Westmonasterii, ut ei tanquam Ordinario loci dictos Clericos liberarent, secundum ecclesiasticam libertatem, iidem Justiciarii id quod literas patentes super hoc de warranto dictus Archidiaconus non habebat, prefatos Clericos ad pristinam custodiam simpliciter judicant. Quibus gentibus aliquantulum in eadem, gaolam illam temere contragentes, ab eadem clanculo evaserunt. Deinde, sicut accepimus, coram dilecto Clerico nostro Johanne de Berewyk, & sociis suis Justiciariis nostris ultimo itinerantibus in Com. Midd, in quo eadem libertas consistit, extitit per quosdam ipsius Abbatis amulos presentatum, quod idem Radulphus, & socii sui memorati, dictos Clericos eidem Archidiacono, promoris est, liberarunt, juxta libertatem Ecclesiasticam conservandos, ipso Abbate contrarium asserente; unde dictus Abbas ad quingentas libras, videlicet pro evasione cuiuslibet ipsorum Clericorum ad centum libras, quæ ab eodem per summonitione Decretarii nostri eriguntur ad opus nostrum, amerciatu fuerat, sicut fertur: Nos igitur certis de causis scire volentes veritatem totius negotii supradicti, mandavimus prefato Radulpho quod Recordum & processum inde habitum, sicut præmittitur, coram, sub sigillo suo, sine dilatione vobis mittat. Cumque recordum & processum hujusmodi receperitis, tunc illis, una cum recordo & processu presentationis prædictæ inspectis & diligenter examinatis, quatenus videritis opportunum certitudinem inquiratis sollicitè præmissorum, & inquisitam nobis per litteras vestras nunciatis, ut super hiis plenius nostri vobis beneplacitum demandemus. Et interim eidem Abbati ab exactione prædictæ pacem habere faciat. Dat. sub privato sigillo nostro apud Aberconwey, 29. die Martii, Anno Regni nostri vicesimo tercio. Quocirca excellentiæ vestræ significo, quod inspectis & examinatis recordo & processu deliberationis gaolæ prædictæ michi missis per prædictum Radulphum, vos inde plenariè certiorar. non possum, sine recordo & processu presentationis inde factæ coram Justiciariis vestris in Itinere suo prædicto, eo quod Rotuli sui adhuc in custodia eorundem existunt, unde recordum & processum deliberationis prædictæ vobis mitto sub sigillo meo, ut vos ulterius inde fieri jubeatis quod vestræ excellentiæ videbitur faciendum. Valeat excellentia vestra per tempora diuturna.

The King sending special Messengers to the Pope about his publick affairs in the Court of Rome, sent these Letters of Credence to several Cardinals by name, together with other Letters to the Pope and them, desiring their favours upon his account to expedite their affairs, and to grant them licenses to receive and retain Pluralities of Benefices, notwithstanding the manifold Constitutions against them, and those newly promulged in our forecited English Councils.

Clauſ. 23 E. 1.  
m. 10 dorſo.

Venerabili in Christo Patri & Domino M. Sanctæ Maria in Porticu Diacono Cardinali, Edwardus, &c. salutem. Literas vestras nobis per dilectum Clericum nostrum Magistrum Radulphum Dalemaunt delatas, intelleximus, & quam bonæ voluntatis & affectus sinceri erga nos existatis, plene perpendimus per eandem, super quo vobis quantum possumus gratiarum referimus actiones. Paternitatem vestram corditer deprecantes, quatinus claris Clericis nostris Magistris Bertrando del Gor Domini Papæ Capellano, & præscripto Radulpho super statu nostro, nostrorum negotiorum velitis fidem credulam adhibere. Dat. apud Lammam in Angliæ. 23 die Aprilis, Anno regni nostri 23.

Consimiles literæ diriguntur Cardinalibus subscriptis;

Domino Petro Sancti Eustachii Diacono Cardinali.  
Domino Petro titulo Sancti Marci Presbytero Cardinali.  
Domino Gerardo Sabina. Episcopo.  
Domino Beraldo Episcopo Albanensi.

Domino

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Domino Johanni titulo Sancti Vitalis Presbytero Cardinali, & Sanctæ Romana Ecclesiæ Vicecancellar. An. 23 E. 1.

Domino Petro Archiepiscopo Montis Regal.

Magistro Matheo de Neapoli Domini Papæ, &c. mutata amicitia pro paternitate, &c.

Memorandum, quod prædicti Magistri Bertrandus del Got, & Radulphus Dalmant à Rege apud Aberconwey licentiati, versus Curiam Romanam disvertunt, secum deferentes literas istas usque Cestr. ad Cancellar. sigillandas; quas sigillatas receperunt per manus Domini Magistri Radulphi, una cum uno pari literarum scriptarum in Gallico, & Regi Sicilia per Regem Angliæ per eosdem transmissarum. Cujus literæ transcriptum irrotulatum est in Garderoba Regis, & non hic. His Letters to the Pope were these following.

Sanctissimo in Christo Patri Domino B. divina providentia Sacrosanctæ Romana & Universalis Ecclesiæ Summo Pontifici, Edwardus ejusdem gratia, &c. devota pedum oscula beatorum. De benignitatis Apostolicæ habundantia plenam donam obtinentes, eidem inter devotos nostros illos recommendando præferimus, quos ex causa multiplici favore prosequimur pleniori. Hinc est quod Bonifacium de Saluciis consanguineum nostrum charissimum latorem præsentium, sub spe gratiæ Apostolicæ impetrandæ ad vestræ Sanctitatis præsentiam accedentem alimæ paternitati vestræ plenis affectibus commendamus; intentis precibus supplicantes, quatinus negotium prædictum ad exauditionis gratiam, si placet, taliter admittere dignemini nostri intuitu et favore, quod hanc nostram instantiam in hiis quæ jussu deponit sibi sentiat fructuosam. Dat. apud Lannas in Angliæ. 23 die Aprilis, Anno Domini 1295. regni vero nostri 23.

Claus. 23 E. 1.  
m. 1. dorso.  
Pro Bonifacio de Saluciis.

Per ipsum Regem.

Venerabili in Christo Patri Domino M. Dei gratia Sanctæ Mariæ in Porticu Diacono Cardinali, Edwardus eadem gratia Rex Angliæ, &c. salutem cum dilectione sincera. Bonifacium de Saluciis Clericum, consanguineum nostrum charissimum, ad Curiam Romanam accedentem, quem ex causa multiplici favore prosequimur speciali, Paternitati vestræ affectione plenissima commendamus, et coram vobis rogantes, quatinus eidem in hiis quæ in Curia prædicta de gratia Apostolica, sub mediationis nostræ fiducia imploranda duxerit & laudabiliter prosequenda, favorem vestri prædicti impertiri dignemini hujus intuitu precis nostræ, pro quo vobis uberius ad gratias alligemur. Dat. ut supra prox.

Ibidem.

Copiosiores literæ dirigantur G. Sabino. B. Albanen. M. Portuen. & Sanctæ Rufinæ Episcopis, Dominis J. Sanctæ Mariæ in via lata, Petro Sancti Eustachii Diacon. Cardinal. de verbo ad verbum, mutatis tamen mutandis. Dat. ut supra. Who all expected particular rewards (as well as Letters) for their favours, from the King and his Clerks.

Domino Papæ, (ut supra per Regem.) Inter domesticos & familiares nostros nobis devotione deditos illos, in adulescentis honoribus et commodis præsertim, et non immerito prosequimur favore Regio pleniori, quos mores et virtutum merita recommendant; quique nobis jure sanguinis sunt affecti. Hinc est quod eorum consanguineum nostrum P. de Sabaudia Clericum, Sanctitati vestræ specialiter commendamus, affectuosis precibus supplicantes, quatenus cum ejusdem promotione ardentius insueat votis nostris, cum ipso nostri consideratione gratiose dignemini dispensare, ut præter beneficia Ecclesiastica quæ obtinet in præsentia, alia beneficia si sibi canonice offerantur, recipere possit usque ad ætimationem Pille Librarum juxta taxationem Norwicum. et cum obtentis licite retinere. Conservet, &c. Dat. apud Lannas in Angliæ. 23 die Aprilis, Anno regni nostri 23.

Ibidem.  
Pro Petro de Sabaudia.

Per ipsum Regem.

Whence we may observe; 1. The insatiable covetousness of this Pluralist and Foreigner, to accumulate more Benefices to those he had before, to the value of 1000 l. a year; and his pains in travelling to Rome to purchase a Dispensation for that

M m m m

that



K. Edward 1. *An Exact History of Popes Intolterable Usurpations*, B. 5. ch. 4

An. 23 E. 1. that end, instead of feeding the souls before committed to his cure. 2ly. The Popes readiness to dispense with such execrable Pluralities for money and favour, contrary to the manifold Canons, Constitutions, Decrees made against this inveterate mischief.

Claus. 23 E. 1. m. 10. dorso. **V**enerabili in Christo Patri, &c. Domino G. Dei gratia *Sabinen. Episcopo*, *Edwardus* eadem gratia Rex *Anglia*, &c. salutem cum dilectione sinceram. Inter domesticos, &c. (*ut supra, usque astrichi.*) Cum igitur Domino Summo Pontifici pro charo consanguineo nostro *P. de Sabaudia* Clerico, cujus promotionem ardenti desiderio affectamus, nostras dirigamus literas rogativas, ut cum eodem nostri consideratione, &c. (*ut supra, usque retinere.*) Paternitatem vestram affectuose requiramus & rogamus, quatinus ad dictum negotium erga dictum Dominum Summum Pontificem feliciter promovendum, sic efficaciter bellitis interponere partes vestras, quod proinde vestris beneplacitis et honoribus, vestrorumque commodis in his quæ Regis potestatis existunt, gratanti animo futuris temporibus fortius astringamur. Dat. apud *Lammas* in *Anglia*. 23 die *Aprilis*, Anno regni nostri 23.

Consimiles literæ diriguntur de verbo ad verbum, mutatis tamen mutandis, Domino *B. Albani* Episcopo, & *J. Sanctæ Mariæ* in via lata Diacono Cardinali. Teste ut prox. supra.

The Popes and Cardinals Dispensations granted to these covetous ambitious Pluralists, upon the Kings Letters to them on their behalfs, was a principal cause of their encroachments upon the Kings Crown, Rights and Prerogative by their Provisions, and promoting their Nephews, Kinred to many Deaneries, Prebendaries, Benefices, Pensions in *England*, almost to the ruine of our Church, Religion, and great prejudice of the Realm.

The King likewise sent these Letters to the Pope and several Cardinals, on behalf of the Bishop elect of *Leodun*, whose election (it seems) was questioned in the Court of *Rome*.

Claus. 23 E. 1. m. 10. dorso. Pro W. Præposito *Lovanien.* **S**anctissimo in Christo Patri Domino B. &c. (*ut supra.*) Regiam concedet Majestatem illos favore prosequi gratiore quos literarum scientia, et alia clara virtutum merita laudabiliter recommendant. Hinc est quod pro venerabili viro *W. Præposito Lovanien. in Episcopum Leodien.* Electo, quem morum probitas & literalis scientiæ eminentiæ condecorant, Sanctitati vestræ humiliter supplicamus, quatinus eidem Electo in negotio electionis ejusdem sic vos nostrorum interventu præstaminum exhibere. dignemini gratiosos, favorabiles et benignos, quod nostra sibi sentiat rogamina fructuosa. Conserve vos Altissimus, &c. Teste Rege apud *Lammas* in *Anglia*. 23 die *Aprilis*.

ibidem. **V**enerabili in Christo Patri Domino M. Dei gratia *Sanctæ Mariæ* in *Portici* Diacono Cardinali, salutem & sinceræ dilectionis affectum. Venerabilem virum *W. Præpositum Lovanien. in Episcopum Leodien.* Electum, quem literarum scientia & alia clara virtutum merita recommendant, Paternitati vestræ pleno recommendamus affectu; instantius supplicantes, quatinus sic sibi nostræ recommendationis hujusmodi preces prosint quod eas sentiat in effectu. Dat. ut supra.

Consimiles literæ de verbo ad verbum diriguntur Dominis *G. Sabinen. Episcopo*, *P. Albanen. Episcopo*, *M. Portuen. & Sanctæ Rufinæ Episcopo*, Domino *J. Sanctæ Mariæ* in via lata Diacono Cardinali, Domino *P. Sancti Eusebii* Diacono Cardinali, &c. ut supra. Dat. ut supra.

The King issued this Writ to all Collectors of the Subsidie granted him by the Clergy, not to levy it of any Clergyman whose Benefice exceeded not the value of Ten Marks, unless he had more Livings then one, according to their grant.

Claus. 23 E. 1. m. 7. dorso. De beneficiis decem Marc. non taxandis. **R**EX Collectoribus subsidii nobis à Clero in Diocesi *London.* concessi, salutem. Cum in concessione subsidii prædicti concesserimus Clero prædicto, quod de Beneficiis quæ valore decem *Marcarum* annuarum attingerent, et valore illam

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illam non excederent, subsidium illud nullatenus lebaretur, nec, nobis solberetur, *in. 23. h. 1.*  
 dum tamen hujusmodi beneficia optinentes plura beneficia Ecclesiastica non habe-  
 rent. Nos dictam concessionem nostram observari volentes; Vobis mandamus,  
 quod ab illis qui hujusmodi beneficia valorem decem marcarum non excedentia,  
 licet summam illam attingant, optinent in Diocesi predicta, dum tamen alibi non  
 fuerint beneficiati, nihil ratione Subsidii predicti exigatis, nec aliquid inde leva-  
 tis contra formam concessionis predictæ: Et hoc pro aliquo brevi de Scaccario  
 vobis inde directo nullatenus omittatis. Teste Rege apud *W. Westminster* 23.  
 die *Augusti*.

Eodem modo mandatum est universis Collectoribus ejusdem Subsidii per *Angli-*  
*am, &c.* constitutis, &c.

*David Martyn*, Bishop elect of *St. Davids*, being questioned before the Pope  
 concerning his election, the King sent him this Royal Testimonial of his life, con-  
 versation, parentage, and loyalty of him and his ancestors, entreating his favour  
 on his behalf.

**S**anctissimo Patri in Christo *B.* Divina Providentia Sacrosanctæ *Romana* ac uni-  
 versalis Ecclesiæ Summo Pontifici, *Edwardus*, &c. devota pedum oscula bea-  
 torum. Ne personam vel statum dilecti nobis in Christo Magistri *David Martini*  
*Menevensis* Electi pro negotio Electionis suæ apud Sedem Apostolicam constitui  
 penes dominationem vestram obtenebraverit alicujus sinistra suggestio, ad serenatio-  
 nem vestræ Conscientiæ in hac parte vestræ cupimus innotescere Sanctitati, quod  
 predictus Electus, qui de nobili prosapia duxit originem, semper fuit ut veraciter  
 datum est nobis intelligi, bonæ conversationis & vitæ, cujus progenitores hucus-  
 que progenitoribus nostris & nobis laudabiliter servierunt, & erga nos fideliter se  
 gesserunt. Nos igitur præfatum Electum favore benivolæ prosequentes, vestræ  
 Clementiæ supplicamus instanter, quatenus eundem Electum in negotiis suis hu-  
 jusmodi nostri contemplatione rogatus habere dignemini favorabiliter commen-  
 datum. Conserve vos Dominus ad regimen Ecclesiæ suæ Sanctæ per tempora pro-  
 spera & longæva. Dat. apud *W. Westminster* 16 die *Augusti*.

*Cl. 23. B. 1.  
 m. 7. dorso  
 Pro Electo  
 Martini.*

The King likewise sent this Letter to Pope *Bonifacius*, on behalf of the Nunnes of  
*St. Clare* in *England*.

**S**anctissimo in Christo patri, Domino *B.* Divina providentia sacrosanctæ *Romana*  
 ac universalis Ecclesiæ summo Pontifici; *Edwardus* eadem gratia Rex *Angl.* de-  
 vota pedum oscula beatorum. In Regno nostro novella succrescit Religio, videlicet  
 ordo Sororum sanctæ *Clare*, unde noster inducitur & excitatur affectus, ut spi-  
 ritum ipsum in quo virtutum domino præbitis laudis conspicimus deferri, favore  
 benivolæ prosequamur. Hinc est quod Sanctitati vestræ humiliter supplicamus, qua-  
 tenus divinæ pietatis intuitu, nostrorumque præcaminum interventu; sic in his quæ  
 status prædictarum Sororum quietem & consolationem respiciunt, necnon & Or-  
 dinis monumentum, vos eis in suis petitionibus exhibere dignemini gratiosos, favo-  
 rabiles & benignos, quod nostra sibi sentiant rogamina fructuosa. Conserve vos  
 Altissimus Ecclesiæ suæ sanctæ per tempora longiora. Dat. apud *Abernethy*,  
 14 die *Martii*, Anno Domini M. CC. nonagesimo quarto.

*Cl. 23. B. 1.  
 m. 10. dorso.  
 De recom-  
 mendatione  
 pro sororibus  
 ordinis sanctæ  
 Clare.*

*Per litteram de privato Sigillo.*

The Bishop of *Llandaff*, being promoted thereunto by the Archbishop of *Can-*  
*terbury* by \* vertue of the Popes provision, to which the King condescended at last,  
 he received his Fealty, and thereupon issued these Writs to restore his Temporalities,  
 which the Earl of *Gloucester* detained from him notwithstanding the Kings Writs.

\* See here, p.  
 575, 576, 577.  
 Pat. 23. B. 1.  
 m. 85. Do

**R**EX dilecto Clerico suo *Malcolmo de Harley*, Escaet. suo citra *Trentam* salutem.  
 Cum venerabilis pater *R. Cant.* Archiepiscopus, totius *Angliæ* Primas, Cathedra-  
 li Ecclesiæ *Landavensi* de venerabili viro Magistro *Johanne de Monemuth* prohibi-  
 derit, et ipsum in ejusdem loci præfecerit Episcopum et pastorem, sicut per litteras  
 ejusdem Archiepiscopi patentes Regi constat. Rex hujusmodi prohibitionem et præ-  
 fectionem

Temporalibus  
 Episcopatus  
*Landavensis* re-  
 stituit.



14. 23 E. 1. Sectionem acceptans, cepit fidelitatem ipsius Magistri *Johannis*, & temporalia Episcopatus prædicti, prout moris est, restituit eidem. Et ideo mandatum est præfato *Malentmo*, quod eidem Magistro *Johanni* Temporalia Episcopatus prædicti haberet, sicut prædictum est. Teste Rege apud *Aberconwey* 4. die April.

Rex Milibus, &c. de Episcopatu *Landaven*. &c. In cujus rei, &c. Teste ut supra.

Claus 23 E. 1.  
m. 6. dorlo.  
& Pat 23 E. 1.  
m. 15. De  
Temporalibus  
Episcopatus  
Landaven.  
restituend.

**R**EX dilecto & fideli suo *Gilberto de Clare* Com. *Glouc. & Herif.* salutem. Cum nuper versus vos exigereimus et vendicareimus Advocacionem et Custodiam Episcopatus *Landavenfis* cum pertinentiis, una cum Collationibus præbendarum et dignitatum Episcopatus prædicti tempore vacationis ejusdem; Ac vos postmodum id quod ad vos pertinuit de advocacione et custodia, & collationibus prædictis nobis reddideritis per vestras patentes Literas, ut jus nostrum. Nos qui postmodum vobis ac charissimæ filie nostræ *Johanna* Consorti vestræ concessimus custodiam Episcopatus prædicti, necnon omnium terrarum & tenement. ad Episcopatum illum in dominio & feodo vestro existentium. Habendam vobis & eidem filie nostræ ad totam vitam vestram tempore vacationis prædictæ, salva nobis fidelitate *Eiecti*, quem in ejusdem loci Episcopum contingeret confirmari, prout in literis nostris patentibus vobis et dictæ Consorti vestræ inde confecta plenius continetur. Cumque venerabilis Pater *R. Cantuar.* Archiepiscopus prædictæ Ecclesiæ *Landavenfis* de venerabili viro Magistro *Johanne de Monemuth* auctoritate Apostolica præbiderit, et ipsum in ejusdem loci præfecerit Episcopum et Pastorem, sicut per literas patentes ejusdem Archiepiscopi nobis inde directas, nobis constat; per quod cepimus fidelitatem ipsius Magistri, et Temporalia Episcopatus prædicti in manu nostra existentia, prout moris est, restituimus eidem; & vobis mandavimus, quod Temporalia Episcopatus prædicti in manu vestra, infra dominium & feodum vestrum ex concessione nostra existentia, sicut prædictum est, eidem Magistro *Johanni* sine dilatione liberaretis, quod ad mandatum nostrum hactenus facere distulistis, sicut idem Electus nobis suggestit, de quo non modicum miramur, præsertim cum postquam fidelitatem suam ceperimus, & Temporalia illius Episcopatus sibi restituerimus, ut est dictum, nihil in Temporalibus prædictis ratione concessione nostræ prædictæ, ultra mandatum nostrum prædictum quod inde recepistis, vendicare possitis quomodolibet, vel habere. Vobis iterato mandamus firmiter injungentes, quod Temporalia Episcopatus prædicti in manu vestra ex concessione nostra in forma prædicta existentia, præfato Magistro *Johanni*, prout alias vobis mandavimus, sine ulteriori dilatione restituantis. Taliter vos habentes in hac parte, ne in defectum vestri manum ad hoc aliter apponere debeamus. Teste Rege apud *Westm.* 24 die Augusti.

Ibidem.

\* See here, p  
413, 413, 414,  
415.

Cum Electus *Landavenfis* Domino Regi sapientius supplicaverat, quod seisinam terrarum & tenementorum quæ sunt temporalitate Episcopatus prædicti sibi reddere faceret, ex quo fidelitatem suam ceperat. Et Dominus Rex super hoc *Gilberto de Clare* Comiti *Glouc. & Heriford.* cui & *Johanna* uxori suæ filie ipsius Domini Regis Custodiam prædicti Episcopatus tempore vacationis ejusdem concessit ad terminum vitæ eorundem Comitum & *Johanna*, tam viva voce injunxerant, quam per literas suas eidem postea mandaverat; quod seisinam prædictarum terrarum & tenementorum cum pertin. eidem Electo redderet, tandem coram ipso Domino Rege in Consilio suo apud *Westm.* in Crastino decollationis Sancti *Johannis Baptista*. Anno Regni ipsius Domini Regis vicesimo tertio, præfatus Comes audito scripto suo, per quod præfato Domino Regi id quod habuit in advocacione & Custodia prædicti Episcopatus tempore vacationis ejusdem reddidit jus suum, & etiam audito tenore scripti, per quod idem Dominus Rex postea de gratia sua speciali concessit prædictis Comiti & *Johanna*, advocacionem & Custodiam prædicti Episcopatus ad totam vitam utriusque ipsorum Comitum & *Johanne*. Habend. & tenend. de ipso Rege & hered. suis; ita quod post decessum eorundem Comitum & *Johanna* imperpetuum, & salva ipso Domino Regi & heredibus suis in singulis vacationibus prædicti Episcopatus fidelitatem ipsius quem in Episcopum ejusdem loci contingeret confirmari, prout in prædicto scripto ipsius Regis eidem Comiti & *Johanna* inde confecta plenius continetur; concessit, quod seisinam terrarum & ten. quæ sunt Temporalitatis prædicti

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prædicti Episcopatus, & quæ in custodia sua fuerunt per concessionem Domini An. 23 E. 1. Regis, prædictam plenariè & integrè prædicto Electo redder, et habere faciat ad mandatum ipsius Domini Regis.

The King having retained the Temporalities of the Archbishoprick of *Canterbury* in his hand about two years or more after his Consecration at *Rome*, taking all the profits, and presenting to all the livings and benefices that belonged thereto, at last issued this Writ for their restitution;

**R**EX dilectis & fidelibus suis, *Radulpho de Berners & David le Grant*, salutem. Cum Dominus *Cel.* summus Pontifex electionem nuper celebratam in Ecclesia Christi Cant. de Magistro *Roberto de Winchelsey*, Archidiacono *Essex.* in Archiepiscopum Ecclesie prædictæ, cui prius regium assensum addidimus et favorem confirmaverit, sicut per litteras bullas ejusdem summi Pontificis nobis inde directas nobis constat; nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, et temporalia Archiepiscopatus prædicti, prout moris est, restituisse eidem. Et ideo vobis mandamus, &c. Teste Rege apud *Aberconwey*, 4 die Febr.

Pat. 23. E. 1.  
memb. 16.  
De temporali-  
bus Curatur.  
restituendis.

Per littera de privato Sigillo.

Et mandatum est Militibus, &c. In cujus, &c. T. ut supra.

Per littera de privato Sigillo.

The King this year granted this special license and safe conduct to some Freers Minors to pass beyond the seas to their general Chapter at *Assizes*.

**R**EX omnibus amicis & fidelibus suis ad quos, &c. salutem. Cum dilectus nobis in Christo & fidelis noster frater *Willielmus de Geynesburgh* de ordine Minorum, una cum fratre *Johanne de Wilton*, ejusdem Ordinis socio suo, ad generale Capitulum suum apud *Assisium* ppor. congregandum, sit de nostra licencia profecturus; vos rogamus, quatinus præfato fratri *Willielmo*, una cum socio suo prædicto, familia & rebus suis in eundo per partes vestras ad Capitulum suum prædictum, ibidem morando & inde redeundo, non inferatis, vel quantum in vobis est, inferri permittatis injuriam, molestiam, dampnum, impedimentum aliquod seu gravamen, sed potius eidem fratri *Willielmo*, cum sic per partes vestras transitum fecerit, saluum & securum conductum habere faciatis, quotiens ab ipso super hoc ex parte nostra fueritis requisiti. In cujus, &c. usque ad festum sanctæ *Michaelis* proximo futuro duraturas. Teste Rege apud *Aberconwey*, primo die *Marci*.

Pat. 23. E. 1.  
memb. 16.  
De conduct.  
pro fratre Willielmo de Geynesburgh.

Per litteram de privato Sigillo.

The Dean of the Isle of *Gernesey* complaining that *Henry de Cobham*, Guardian of the Isle, did hinder him from exercising some things belonging to his Jurisdiction, the King thereupon issued this Writ on his behalf, so as he acted nothing to the prejudice of his Regal dignity.

**R**EX eidem Custodi, salutem. Quia accepimus quod Decanus Insule nostræ de *Genereye* prædictæ, super aliquibus quæ spectant ad jurisdictionem suam in eadem insula per vos hactenus extitit impeditus, quominus eam exercere potuit vel debeat; nolentes eidem Decano injuriari in hac parte, vobis mandamus, quod ipsum Decanum jurisdictione sua pacifice uti permittatis, prout ea uti debet, et hactenus uti consuevit. Ita tamen quod nichil exerceat in præjudicium nostræ Regiæ dignitatis. Nosque super causa impedimenti prædicti per vos eidem Decano sic illati in proximo Parlamento nostro sub sigillo vestro distinde et aperte reddatis certiores, Teste Rege, 26 Aug. Anno prædicto.

Cl. 23. E. 1.  
m. 6. Cedul. 1.

The King also granted this Presentation to *St. Martins Church* in *Gerseye* this year, by reason of the Temporalities of an Abbey then in his hands.

**G**Alfridus de *Cartereto* Clericus habet litteras Regis de præsentacione ad Ecclesiam Sancti *Martini* veteris in Insula *Gerseye* vacantem, & ad donationem Regis spectantem, ratione terrarum & ten. Abbatis de *Ciriseo* in Insula de *Gereseo* & *Gernef.* in

Pat. 29. E. 1.  
memb. 15.  
De præsentacione.



K. F. *Marra* 1. *An Exact History of Popes Intolerable Usurpations*, B. 5. ch. 4.

An. 23 E. 1. in manu Regis existentium, & diriguntur literæ Regis Episcopo *Constance*, vel ejus vices gerenti in Insulis prædictis. Teste Rege apud *Lammas*, 16 die *Aprilis*.

\* Pat. 23. E. 1.  
memb. 13.

*John de Saundford* Archbishop of *Dublin* deceasing this year, thereupon; \* *Frater* *Adam de Balsam* Canonicus *Ecclesie sancte Trinitatis Dublin*. & *Thomas de Snyterby* Canonicus *sancti Patricii Dublin*. nunciantes Regi mortem bona memoria *J. nuper Archiepiscopi Dublin*. habent literas Regis de licencia eligendi; & diriguntur literæ *Priori & Conventui sancte Trinitatis*, & *Decano & Capitulo sancti Patricii Dublin*, &c. Teste Rege apud *Thlegh*, in *Keynmer*, 20 die *Decembris*.

*Per litera de privato Sigillo.*

Hereupon the Prior and Convent of *St. Trinity* and Dean and Chapter of *St. Patrick* in *Dublin*, proceeding to elect an Archbishop before they received the Kings license, though issued to them, the King thereupon enforced them to take a new license, and make a new election; as this Writ and *Memorandum* assures us.

Pat. 23. E. 1.  
mem. 13.  
De assensu ad-  
hibito electi-  
oni.

**R**EX dilectis sibi in Christo, *Priori & Conventui sancte Trinitatis*, & *Decano & Capitulo sancti Patricii Dublin*. salutem. Accedentes ad nos frater *Richardus de Staunford* Canonicus *sancte Trinitatis Dublin*. & *Magister Henricus de Rath-* *man* Canonicus *sancti Patricii Dublin*. cum literis patentibus Capitulorum vestrorum, nobis ex parte vestra humiliter supplicarunt; quod cum *Ecclesia Dublin*. per mortem bonæ memoriæ *J. nuper Archiepiscopi*, ejusdem loci pastoris sit solacio destituta, alium vobis eligendi in Archiepiscopum et pastorem licentiam concedere dignaremur. Nos igitur precibus vestris in hac parte favorabiliter inclinati, licentiam illam vobis duximus concedendam; Mandantes, &c. In cujus, &c. Teste Rege apud *Aberconwey*, 24 die *Marcii*.

*Memorandum*, quod prius habuerunt licentiam eligendi ad supplicationem fratris *Ade de Balsam* Canonici *sancte Trinitatis*, & *Th. de Snyterby*, Canonici *sancti Patricii Dublin*. qui ad Regem accesserunt; et quia in adventu *Magistri Th. de Chadworth* electi sui ad Regem, compertum fuit, quod Canonici præcesserunt ad electionem priusquam habuerunt literam Regis de licencia eligendi, remissi sunt ad partes suas cum ista nova litera licentiæ ad iterato eligendum; & pro habenda ista litera detulerunt supranominati in litera ad Cancellarium, breve Regis de privato Sigillo, quod residet in filaciis.

After this, the Prior and Convent of *St. Trinity*, and Chapter of *St. Patrick* unanimously elected *Thomas de Chaddesworth* Dean of *St. Patrick* for their Archbishop, as this their common Certificate thereof to the King, and petition for his Royal assent thereto under their seals attests.

Bundela Pet-  
tic. & Cer-  
tif. in Tur-  
re  
London.  
Anno 23. E. 1.

**E**xcellentissimo Domino ac Principi, victoriosissimo Domino suo (si placet) Domino, *Edwardo Dei gratia Anglorum illustri*, &c. sui (si placet) semper & ubique humiles & devoti, frater *Johannes de Oxon*, Prior *S. Trinitatis Dublin*. & ejusdem loci Conventus humilis, & Capitulum *Ecclesie S. Patricii* ejusdem civitatis, salutem, & robore accingi fortitudinis & virtutis. *Ecclesia nostra* dudum per mortem felicis recordationis *Johannis de Saundford* quondam Archiepiscopi *Dublinensis*, Pastoris solario destituta, optentaque a Regia vestra Celsitudine (sicut mox et consuetudinis est approbatæ) licentia nobis eligendi, Patrem & Pastorem, nos die ad eligendum præhæa, post debitas solemnitates adhibitas, in Capitulo nostro *S. Trinitatis* convenimus, ibique divina inspirante gratia, unanimi assensu voluntate et concordia omnium Canonicozū tunc præsentium, Regi vestre Majestati (ut tenemur) merito complacentes, *Thomam de Chaddesworth*, *Ecclesie S. Patricii* Decanum, virum utique meritis præclarum, prudenti probitate circumspectum, vitæ, morum honestate, ac convenienti literarum scientia affluentem, Regno vestro necessarium et perutilem, nobis elegimus in Patrem et Pastorem. Quapropter vestre Regiæ Celsitudini humiliter supplicamus, quatinus electioni nostre memoratæ assensum Regium, prout mox est, si placet, præbere dignemini. Faventes insuper electo nostro præfato benignius in hiis quæ sibi fore necessaria ad consummationem suæ promotionis videbuntur, sicut ipse et sui vestre Celsitudini luculentius explicabunt. Dominus

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vos conservet, &c. Dat. in Capitulo S. Trinitatis prædictæ, 4. Kal. Maii. Anno An. 23 E. 1. Domini 1295.

Hereupon the King gave his Royal assent thereto, which he certified to the Pope by this Writ.

**S**anctissimo in Christo patri, Domino B. Divina providencia sacrosanctæ Romanæ ac universalis Ecclesiæ summo Pontifici, Edwardus ejusdem gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanie, cum omni reverencia et honore devota precum oscula beatorum, sciat vestra paternitas reverenda, quod electi nuper celebratæ in Ecclesia Conventuali sanctæ Trinitatis Dublin. de discreto viro, Magistro Thoma de Cheddeworth, Decano Ecclesiæ sancti Patricii ejusdem civitatis in Archip. Dublin. regium assensum adhibuimus et favorem, et hoc Sanctitati vestræ, &c.

Pat. 23. E. 1. memb. 15. De licencia eligendi.

Upon the death of the Bishop of Derry in Ireland, the King issued this Writ for a new Election, confirmation and restitution of Temporalities to him who should be elected and confirmed by his Chief Justice there in his name, by his Royal authority.

**R**EX dilecto & fideli suo Willielmo de Oddingeseles Justic. suo Hibern. vel ejus locum tenenti, salutem. Cum dilecti nobis in Christo, Petrus Decanus Ecclesiæ Derry, & ejusdem loci Capitulum nobis nuper per literas suas patentes supplicaverint, quod cum Ecclesia sua prædicta per mortem bonæ memoriæ Floræncis quondam Episcopi ejusdem loci, pastoris solacio esset destituta, licentiam alium eligendi sibi in Episcopum et pastorem eis concedere dignaremur: Ac nos precibus ipsorum Decani & Capituli in hac parte favorabiliter inclinati, licentiam illam eis duxerimus concedendam, mandantes ipsis quod talem, &c. & ipsi postmodum religiosum virum fratrem Henricum de Ardach Monachum Cisterciensis ordinis in postuland. elegerint in Episcopum suum & pastorem, per literas suas patentes nobis supplicantes, ut eidem electioni regium assensum præbere dignaremur: Nos licet literas illas in quibusdam sensibus defectivas, eisdem nichilominus Decano et Capitulo, ac etiam Cleto caritatis intuitu gratiam facere, et laboribus et expensis ipsorum in hac parte parceret volentes, concessimus eis ista vice de gratia nostra speciali, et vobis dedimus potestatem, quod, &c. temporalia Episcopatus prædicti eidem Cleto, prout moris est, liberetis, &c. acceptis tamen prius literis, &c. In cujus, &c. Teste Rege apud Abercornay, tercio die Martii.

Pat. 23. E. 1. memb. 16. Pro Derry, de temporalibus restituendis.

*Per litteram de privato Sigillo.*

This year Oliver Bishop of Lincoln made two certificates to the King of a Lay force held in Churches within his Diocese, which hindred him from exercising his Spiritual function on them, desiring the King to remove them by his Writs, De vi Laica removenda.

**E**xcellentissimo Domino suo Edwardo Dei gratia Illustri Regi Angliæ, Domino Hiberniæ, & Duci Aquitanie; Oliverus ejusdem permissione Lincoln. Episcopus, salutem in eo per quem Reges regnant, et regnorum omnium gubernacula sustentantur. Cum nonnulli viri Laici Ecclesias de Scamelesby & de Melton nostra Diocesis temerè sint ingressi, quas vi et armis occupatas nequiter detinent, quo minus officium nostrum spirituale exercere valeamus in eis; Excellentiam vestram attentius rogamus, quatinus hujusmodi vim laicam et temerariam, ob reverentiam sacrosanctæ Ecclesiæ, facere velitis penitus amoveri. Valeat Regia Excellentia vestra in Christo Jesu per tempora diuturna. Dat. apud Ware, sexto Idus Octobris Anno M. CC. Nonag. quinto.

Ex Bundela Petic. & Certific. de Anno, 23 E. 1. in Turri London.

The like Petition was made by him to remove a Lay-force out of the Parish Church de Magna Cotes in dicta Dioc. Dat. apud Huggefeld juxta Cantuar. quinto Non. Octobr. Anno ut supra. Whereupon Writs De vi Laica removenda, were accordingly issued.

The same Bishop likewise made this Certificate of a Clerk convicted & demanded by him,



*An. 23 E. 1.* him, and afterwards canonically purged before his Official, desiring restitution of his lands, goods, and chattels seized into the Kings hands; in this form, then used in such cases.

In eadem  
Bundela.

**E**xcellentissimo Domino suo Domino Edwardo, Dei gratia Illustri Regi Angliæ, &c. Oliverus, &c. Lincoln. Episcopus, Dominationis vestra Celsitudini patefacimus per presentes, quod Johannes de Croyndon Rector Ecclesiæ de Thorle London. Dux. super eo, quod domum Willielmi Bridde de Horle causa peccandi cum uxore ejusdem vi intravit, ipsamque uxorem cum bonis & catallis dicti Willielmi usque ad Civitatem London. abduxit, à quibusdam notatus, & ideo captus & infra Diocesi nostram incarcerationatus, ac nobis per Dominos, Henricum Grappinell. & Willielmum de Lamburne, Excellentia vestra Justiciarios secundum libertatem Ecclesiasticam liberatus, in foro Ecclesiastico secundum Canonicas sanctiones uno modo vel alio libere judicandus: Demum, post plures Proclamationes in omnibus locis huius negotio oportunis solemniter & publice promulgatas, cum nullus esset qui per viam Accusationis vel alio modo tantum facinus contra ipsum in forma debita prosequi attemptaret, coram certo Commissario super hoc canonice se purgavit; propter quod dictus Commissarius noster Officii sui debitum exequens in hac parte, eundem Johannem ab infamia Criminis huiusmodi absolbit, et restituit integraliter samam suam. Quocirca Excellentia vestra attentius supplicamus, quatinus Ballivis vestris, qui Terras, Possessiones, & Bona dicti Johannis occasione premissa detinent occupata, dare dignum mandatis, quod huiusmodi Terras, Possessiones et Bona sibi restituant indilate, ac ipsum in se aut suis nullam dicta de causa inferentes molestiam seu grabamen. Valeat Regia Excellentia vestra in Christo Jesu per tempora diuturna. Dat. apud Warford, 7. Kal. Octobris, Anno Dom. 1295.

The like Certificate was made by the Prior of *Christ-Church Canterbury*, Guardian of the Spiritualities of the Archbishoprick during the vacancy, of the purgation of *William de Homersham* Clerk, attained for stealing two Oxen and a Cow, desiring restitution of their goods and chattels seized.

The Bishop of *Norwich* likewise made this Certificate of a *major Excommunication* denounced by him against a parson of a Church within his Diocese, procuring a *Capias Excommunicatum* thereon.

In eadem  
Bundela.

**E**xcellentissimo Principi ac Domino, Domino Edwardo Dei gratia Regi Angliæ Illustri, Domino Hibern. & Duci Aquitaniz, R. ejusdem permissioni Norwiche. Ecclesiæ Minister, salutem in eo per quem Reges regnant, et Principes dominantur. Cum Willielmus de Berdewell Rector Ecclesiæ de Merton nostra Diocesi. auctoritate nostra Ordinaria, propter suam contumaciam multiplicatam pariter et offensam manifestam, majoris Excommunicationis sententia sit innodatus, & in eadem per Quadraginta dies & amplius perseveraverit, & adhuc perseverare non formidat, (animo indurato) Claves sanctæ matris Ecclesiæ pertinaciter contempnendo, et erga Dominicum nequiter contaminando; ac Ecclesiæ Dei nil habeat ultra quod faciat in hac parte. Celsitudinem vestram Regiam rogamus attente, quatinus dictum Excommunicatum per potestatem brachii secularis compescere dignemini, ut quem Dei timor a malo non reprobet, potestatis severitas secularis cohibeat a peccato. Vigeat & valeat Excellentia vestra per tempora semper prospera & longeva. Dat. apud Eccles 15 Kal. Octob. Anno ut supra.

There are several other like Certificates of Purgations, Lay-forces, and Excommunications that year almost in the self-same form.

In the same Bundle there are these Certificates of Monks turning Apostates and forsaking their orders, desiring Writs of *Apostata capiendo* from the King to apprehend and punish them.

**E**xcellentissimo Principi Domino E. Dei gratia, &c. sumus in omnibus, Frater Henricus Prior Provincial. & servus Fratrum Ordinis beatae Mariæ de Monte Carmeli in Angliā, salutem in eo qui dat salutem, &c. Cum Radulphus de Snytterell noster frater noster in ordine nostro professus, sperto habitu Ordinis ejusdem de patria in habitu

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habitu seculari discurrat instinctu Diabolico et vagetur, in animæ suæ periculo. *An. 23 E. 1.*  
 lum, et ordinis nostri prædicti scandalum manifestum; Vestram Regiam Excel-  
 lentiam humiliter requirimus et rogamus, quatenus Vic. Norff. & Suff. Ballivis,  
 & aliis Ministris vestris ejusdem Com. per literas vestras jubere velit, ut ipsum  
 Radulphum, cum in Ballivis suis inveniri contigerit, sine dilatione arrestari, et nobis  
 liberari fac. juxta Ordinis nostri disciplinam et regulam, prout salutis animæ ejus-  
 dem Radulphi convenit, castigandum. Bene & diu valeat Excellentia vestra Regia  
 per tempora longiora. Dat. Londini Vigil. Sancti Laur. Anno Domini 1295.

Consimilis Petitiō Regi presentatur ab J. Abbate Sancti Augustini de Bristol. ad  
 arrestandum fratrem Johannem Gourda Canonicum dicti Ordinis, in seculari ha-  
 bitu vagabundum, ubicunque inveniat. Dat. apud Bristol. die Sancti Laurencii,  
 Anno Dom. 1295.

By all which Certificates and Petitions to the King (whereof there are several Bun-  
 dles in the Tower under Archbishops, Bishops, Ordinaries, Abbots, and others seals,  
 as likewise of Archbishops, Bishops, Abbots, Priors, Abbesses deaths, desiring his  
 licenses to elect new ones, and his Royal assent to those they certified they had  
 elected by his license and authority, during the reigns of K.H. the 3. & Edw. the 1.)  
 it is apparent, That the King was Supreme Governor within his Dominions over all  
 Ecclesiastical persons, causes, to whom Bishops, Ordinaries, Abbots, Deans, Chapters,  
 Officials, Covents, and Clergymen of all sorts had recourse upon all occasions, to re-  
 dress, correct those grievances, abuses, exorbitances in the Church by his Sovereign  
 Royal authority, which they by their Ecclesiastical swords, censures, jurisdictions  
 could not reform, which were altogether invalid and ineffectual when contemned  
 by any refractory persons, as frequently they were.

\* Matthew Westminster, Anno 1295. stories, That after the execution of Tho- \* Flores Hist.  
 mas Turbervil, (that Archtraytor to his King and Country) in vigilia S. Andreæ, P. 400.  
 Rex accersito Clero, Magnatibus & populo apud Westmonasterium, de substantiis  
 suis, ad tuitionem regni petiit iterum sibi Subsidium exhiberi: Et concessa est ei undeci-  
 ma pars, à quibus anno præterito decima solvebatur: de quibus autem sexta, nunc ve-  
 rò septima est collata (by the Temporalty.) Porro Archiepiscopus Cantuariensis, in-  
 dulta sibi conferendi cum Suffraganeis suis super hac re licentia, unanimi assensu offe-  
 rebat Regi decimam Ecclesiasticorum bonorum. Qua etiam oblata, sed minime ad-  
 missa, redierunt iterum Episcopi super his tractaturi. Cernens igitur Rex eorum  
 constantiam, misit ad eos quinquagenarium magnum, videlicet Justiciarium de Banco,  
 & eos qui sub eo fuerunt, qui dixerunt, Episcopi, hæc dicit Rex, oblatum vestrum ne-  
 que accepto, neque acceptabo, sed festinanter descendite voluntatem ejus supplendo,  
 saltem quartam partem vel terciam concedendo. Helias autem noster, Archie-  
 piscopus, cum Clero de loco suo non descendit, nec recalcitrabant boves ad dextram vel ad  
 sinistram, arcam fœderis sustentantes. Interim misit Rex alium quinquagenarium,  
 sc. Cancellaria sua, & eos qui sub ipso erant, petierunt & hi, quæ prædestinati posce-  
 bant: At in omnibus non est Clerus motus a proposito suo, sed quoniam præcon-  
 cesserunt decimam, iterum obrulerunt. Videns ergo Rex suam petitionem vices Cleri  
 excedere, nolens eos contristare, in crastino Conceptionis beata Mariæ, eorum gratum  
 acceptabit oblatum. Quod accipiens Clerus pro omine, ad tabernacula sua secessit  
 Israel.

The same year, as he relates, † die Sancti Gregorii Papa, Cardinalis Albinen- † Mat. West.  
 sis præsul, cum quibusdam nunciis de Cambray regressus, apud Dartmoe vento- Anno 1295.  
 rum pulsus celeriter est evectus. Die Dominica in Ramis Palmarum Cardinali a- P. 402.  
 pud Novum Templum London hospitante, lite mota inter suos & Templariorum scur-  
 ras, occisus est Nepos Cardinalis, ultro se immiscens. Ipse vero iram deferens, usque  
 Scotiam properavit Regi Angliæ Concilium de Cambray, quod vel quale fuerit ostensu-  
 rus: Oras \* Henry de Knyghton stories, ut de præmissis trengis responsum acciperet.  
 Et interim Nuncii missi Regi Alemanniæ reversi sunt, nunciantes, quod nec pacem vo- \* Henry de  
 luit, nec ullum amorem. Sicque reversus Cardinalis, & tamen reliquit apud Bere- Event. Angliæ  
 wicum octo personas de suis interfektas à Scotis, qui ad quarendum fenum & paleas l. 3. c. 3. col.  
 die quadam cum aliis processissent, & incantè procederent, à Scotis circumspetti sunt 2507.  
 & interfekti. Iterumque expensas accepit idem Cardinalis, videlicet secundum  
 N n n n taya.



K. Edward I. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4.*

An. 23 E. 1. tarationem Wyntoniensem et Lincolnensem, de unaquaque marca 3 d. (the main cause for which he returned) although *Eodem anno Clericus decimum, Cibes sex-*  
tum, populus 12. denarium Regi contulerant.

\* Tho. Stubbs  
Actus Pontif.  
Eborac. col.  
1718.  
† De Event.  
Angl. l. 3. c. 7.  
col. 2507.

\* *Quinto Idus Martii 1295. regni vero Edwardi I. 23. Johannes Romanus Archiepiscopus Ebor. obiit in manerio suo apud Burton; of whom † Henry de Kynghton hath left us this true character; Johannes Romanus Archiepiscopus Eboracensis à Johanne Romano quondam Eboracensi Thesaurario & quadam pedissequa procreatus; & bene Romanus, quia a Romano patre cupiditatem Romanam extraxit. Et cum magnus esset Theologus & homo valde literatus, non tamen multa litera, sed avaritia maxima eum fecit quasi insanire. Ditabit enim pecuniam et substantiam; unde iusto Dei iudicio contigit, ut qui subditozum bona, et maxime ab intestatis stiret, subita quasi morte præventus, nullum vel modicum ex Testamento suo proprio consecutus est emolumentum. Executores enim sui se intrinittere noluerunt; ita quod non proprio, set potius alieno fiebant expensa funerum, & in Ecclesia sua cum bonore simplici repositus est, non enim panis vel obolus pro anima ipsius dabatur. By which passage it seems to me; 1. That this Archbishop John de Roman (a bastard, begotten of a covetous Roman) was the first Archbishop, who out of Roman covetousness (in imitation of the Popes of Rome) usurped a power to dispose of the goods of persons dying intestate within his Diocese, which he secretly thirsted after, under pretext to distribute them to pious uses for the good of their souls; 2ly. That for this his avaritious practise and innovation, he was by Gods just judgement stricken with sudden death, yea although he made his Testament, yet his Executors refusing to administer, he was buried dishonourably, there being not one loaf or farthing distributed for his soul, to pious uses or the poor: He adds, Illustrationem hic Ecclesie Dunelmensis, quam prædecessor suus jure et jurisdictione Eboracensis Ecclesie benedixerat, accepta, ut dicebatur, pecunia dormire sustinuit. Obdientiam, quam primo pompose de Dunelmensi petiit, appellatione interposita segniter prosecutus est. Huic successit Henricus de Newerk, ejusdem Ecclesie Decanus, electus à fratribus Anno Domini 1296. Qui propter guerram inter Reges Romanam adire non valens, missis ad Curiam Romanam procuratoribus suis (no doubt with a good sum of money) impetravit gratiam et licentiam consecrandi a Papa Bonifacio 8. in Ecclesia Eboracensi: per Bullam confirmatus est, etiam ex dispensatione Papæ in Ecclesia sua Eboracensi consecratus est per Antonium Dunelmensem Episcopum.*

\* See Tho-  
mas Stubbs,  
Actus Pontif.  
Ebor. col.  
1718. God-  
wins Catal. of  
Bishops, p.  
450.

An. 24 E. 1.  
Bundelæ Bre-  
vium, An. 24  
B. 1. in Tur-  
re London.

An. 24 E. 1. In the Bundles of Writs of this year I found in the *White Tower Chapel*, there are no lesse then 21. Writs of Attachment issued out against several persons, for holding and prosecuting suits in Court Christian of Lay-fees, Chattels and Debts, which concerned not Testament or Matrimony, Trespasses, Advowsons, belonging to the Kings Courts, against the Kings Prohibitions, Crown, Dignity, brought at the Kings or injured parties suits; whereof I shall render you this brief account: viz. Richardus de Righlesthorn, Vic. Ebor. versus Tho. de S. Botolpho. T. J. de Mettingham apud Westm. 26. die Jan. An. r. n. 24. Johannes de Everwys Vic. Norht. versus Gilbertum de Kneden (quare tenuit placitum de Laico feodo, &c.) & Thomam de Lynberewe, quare secutus est, &c. T. & c. 13 die Febr. Robertus de Rothe-  
well, Vic. Linc. versus Magistr. Nicholaum de Whytcherche, Magistr. Walterum de Wotton, & Magistr. Henr. de Benyngworthe, & Magistr. Robertum de Harington, Magistr. Johan. de Haryngton, Radulphum de Rothewelle Capellanum, Sayerum le Personessierant, & Thomam Vicarium Ecclesie de Cokewald, T. & c. 13 die Februarii. Thomas de Cave, Vic. Ebor. versus Magistr. Robertum de Lascy, Magistr. Robertum de Salghorp, & Magistr. Robertum de Lannion, & Thomam Fishe, Ivellan de Lyndeseye, & Adam de Retford Capellanum, T. & c. 23 die Febr. and an Alias against the same persons. Teste 16 die Maii. Rogerus de Colevill, Vic. Suff. versus Magistr. Willielmum de Gardenne (quare tenuit placitum de medietate ad-  
vocationis Ecclesie de Carleton Colevill) & Willielmum de Brembre Capellanum, quare secutus est idem placitum. T. & c. 10 Julii. Henricus Underwode Custodi-  
bus Spiritualitatis Archiepiscopus Ebor. versus Thomam de Corbriggs Clericum, & c. 29 Junii. Henricus Gurnet, Vic. Essex, versus Herveium de Gelham perso-  
nam Ecclesie de Wyche, T. & c. 29 Junii. Hugo Bardolfe Vic. London. versus Magistr.

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*Magist. Willielmum de Sarden, & Magistr. Henr. de Nassinton, quare tennent An. 24 E. 1.*  
*placitum de advocacione quartæ partis Ecclesiæ de Tilneye, &c. T. 8 die Julii. Robtus*  
*de Rothewell, Vic. Linc. quod capias Radulphum de Rothewell Capellanum, & Say-*  
*erum de Pleulessman, &c. T. 3 die Julii. Robertus Rothewell O. Episcopo Linc.*  
*quod venire faciat, &c. Magist. Nicholaum de Whiteburche, Magist. Walterum de*  
*Wotton, & Magistr. Henr. de Heringworth Clericos suos, &c. T. 4 die Julii. Adam*  
*de Welle Vic. Linc. vers. Willielmum Vicarium Ecclesiæ de Farlesthorp, quare tennit,*  
*& Hugonem Personam Ecclesiæ de Wyleghby, quare securus est placitum, &c. de ca-*  
*tallis et debitis, quæ non sunt de Testamento vel Patrimonio in Curia Christi-*  
*anitatæ, contra prohibitionem nostram. T. &c. 25 die Augusti: with another writ*  
*of the same date between these parties. Simon fil. Walteri, Vic. Linc. vers. Ro-*  
*bertum Vicarium Ecclesiæ de Thorp juxta Weynflet, T. 26 die Augusti. Edwardus*  
*Rex, Vic. Northumbr. vers. Willielmum fil. Matil. & Johannem fil. Matil. de*  
*Staunton. ostensuri quare, cum placita de catallis et debitis in regno nostro, quæ non*  
*sunt, &c. ad coronam et dignitatem nostram specialiter pertineant, &c. secuti sunt*  
*placitum in Curia Christianitatæ de catallis et debitis, &c. quæ non sunt de Te-*  
*stamento vel Patrimonio, in lesionem Coronæ et dignitatis nostræ, et contra pro-*  
*hibitionem nostram, T. meipso, &c. 16 die Sept. Edwardus Rex vers. Willielmum*  
*de Bygneham pro consimili placito, T. meipso 12 die Decembr. Adam de Camerhus,*  
*Rogerus de Unghams, & Nicholaus de parva Rykyll, Vic. Northumbr. vers. Willielmum*  
*de Scanhop, quare tennit; & Agnetam fil. Henr. de parva Rykill, &*  
*Johannam sororem ejusdem Agn. quare secuta sunt placitum, &c. T. 28 die Sept.*  
*Humfridus de Kael, Vic. Somerset. vers. Magist. Hugonem de Pencriz, quare tennit*  
*placitum in Curia Christianitatæ de laico feodo prædicti Humfridi in villa de Monte*  
*acuto: & Johannem de Monte acuto, & Christianam uxorem ejus, Rosiam Dun-*  
*bare, Johannam Dunbare, & Magistr. Thomam de Tymtelville quare secuti sunt*  
*idem placitum contra prohibitionem nostram, Teste &c. 5 die Decembr. Ed-*  
*wardus Rex, & Willielmus Vic. Lond. vers. Henr. de Nassyngton; ostensuri qua-*  
*re cum placita Transgr. &c. ad nos et coronam et dignitatem nostram specialiter*  
*pertineant, &c. tenuit placitum in Curia Christianitatæ de hujusmodi transgressioni-*  
*bus, in lesionem Coronæ et dignitatis nostræ, et contra prohibitionem nostram, &c.*  
*Teste, &c. 17 die Decembr. Anno regni nostri vicesimo quarto. To which I shall*  
*adde these two Writs more at large.*

**E**dwardus Dei gratia Rex Angliæ, &c. Vic. Kanc. salutem. *Præcipimus tibi,*  
*quod distingas Petrum de Goldeford per omnes terras & catalla sua in Balliva*  
*ria, ita quod nec ipse nec aliquis per ipsum ad ea manus apponat, donec aliud à*  
*nobis inde habueris præceptum, & quod de exitibus eorundem nobis respondeas. Et*  
*quod habeas corpus ejus coram Justiciariis nostris apud Westm. in Octabis Sancti*  
*Martini, ad respondendum tam nobis, quam Alano de Helles Clerico, de placito,*  
*quare penitente placito in Curia nostra coram Justiciariis nostris apud Westm. de eo*  
*quod idem Petrus secutus fuit placitum in Curia Christianitatæ de exitibus man-*  
*erii de Hothelr, qui non sunt de Testamento vel Patrimonio, contra Prohibitio-*  
*nem nostram; placitum illud in prædicta Curia Christianitatæ nichilominus in*  
*tantum prosecutus est versus prædictum Alanum, quod sententia in ipsum Ala-*  
*num ea occasione ad sextam ejusdem Petri promulgata, ipsum excommunicari fe-*  
*cit, et postea breve nostrum de ipso Alano sic excommunicato, tanquam Claves Ec-*  
*clesiæ contemne, capiendo jam tibi porrexit, ut dicitur, in Coronæ et dignitatis*  
*nostræ lesionem, et Curie nostræ contemptum manifestum, et ipse Alani dispen-*  
*ditum non modicum et gravamen, prout ex grabi querela ipsius Alani accepimus.*  
*Et ad reddendum judicium suum de pluribus defaltis. Præcipimus etiam sicut aliis*  
*tibi præcipimus, quod si tibi constare possit quod prædictus Alanus occasione prædicta,*  
*& non alia excommunicatus sit, tunc ab ipso Alano capiendo per aliquod breve nostrum*  
*quod tibi inde venit penitus desistas. Et habeas ibi hoc breve. Teste W. de Bere-*  
*ford apud Westm. 6 die Julii, Anno regni nostri 24.*

There issued out a former VVrit against this *Peter de Goldeford*, at the suit  
of this *Alanus de Helles*, reciting his Excommunication, &c. And then adding,  
*Et quia tanta contemptum et malitiam si commissa fuerint transire nolumus*  

N o o o 2

*impunita,*



*An. 24 E. 1. impunita, (omitted in this latter VVrit.) Teste J. de Metingham apud VVestm. 6. die Julii, Anno regni nostri 24.*

Brevia Regis  
de Anno 34  
E. 1. in Turre  
London.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanie, Custod. Spiritualitatis Episcopatus Coventrensis & Lychesfeldensis, salutem; Mandamus vobis quod venire faciatis coram Justic. nostris, apud VVestm. à die Sancte Trinitatis in 15. dies Johannem de Brodon, Personam Ecclesiæ de Lyington. Clericum vestrum, ad respondendum notis de placito, quare cum placita de catallis et debitis in regno nostro quæ non sunt de Testamento vel Patrimonio, ad coronam et dignitatem nostram specialiter pertineant. Idem Johannes sicut ex relatu plurium accepimus, tenuit placitum in Curia Christianitatis de catallis et debitis Prioris de Erbury, quæ non sunt de Testamento vel Patrimonio, in lationem Coronæ et Dignitatis nostræ, et contra prohibitionem nostram, ut dicitur: Et unde Vicecomes noster VVar. mandavit Justic. nostris apud VVestm. à die Sancti Hillar. in 15. dies, quod prædictus Johannes Clericus est, & non habet Laicum feodum in balliva sua per quod potest attachiari. Et habeatis ibi hoc Breve. Teste J. de Metingham apud VVestm. duodecimo die Febr. Anno regni nostri vicelesimo quarto.

On which Writ, the Custos of the Spiritualities endorsed this return;

Dorso, Distixi Johannem de Brodon. Personam Ecclesiæ de Lenintone per sequestrationem bonorum suorum Ecclesiasticorum, & per citationem, quod sit coram Justiciariis de Banco Domini Regis ad diem in hoc brevi contentum, ad faciendum id quod in eodem brevi plenius continetur.

Thus did the Ecclesiastical Courts continually encroach upon the Kings Courts, Crown, Dignity, and Subjects Liberties, notwithstanding the manifold Complaints, Writs, Attachments issued out against them by the Kings Justices and Chancellors, to the Subjects insufferable vexation. Besides these VVrits, in a fragment of Plea Rolls in the *White Tower Chappel*, Anno 24 E. 1. I finde these Writs and Attachments upon Prohibitions both at the suit of the parties, and of the King, for holding Pleas and prosecuting Suits in *Court Christian* for Chattels and Debts, not of Testament or Matrimony. The first of them concerned the Vicechancellor and University of *Oxford*, who pleaded the Kings Charter of Priviledges granted to them, by way of Justification, as Chancellor only, not as Ordinary.

Placita Anno  
24 E. 1. in  
Turre Lond.  
Oxon.

**M**agister Rogerus de Mortivall, & Magister Robertus de Kydelawe attachiati fuerunt ad respondendum Stephano del Lurder, & Thomæ le Marefcall de placito, quare tenuerunt placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et unde queruntur, quod cum quidam Stephanus Aget traxisset ipsos in placitum in Curia Christianitatis coram præfatis Magistro Rogero & Roberto apud Oxoniam, de quodam equo precii quinque marcarum, qui non fuit de Testamento vel Patrimonio, &c. Et iidem Stephanus & Thomas die Luna proxima post festum Nativitatis beate Mariæ, anno Regis nunc vicelesimo secundo apud Oxoniam, in præsentia Rogeri le Clerk & aliorum, præcessissent eis Regiam Prohibitionem, ne prædictum placitum ulterius tenerent, &c. prædicti Magister Rogerus & Robertus spreta Prohibitione illa, nichilominus tenuerunt prædictum placitum in prædicta Curia Christianitatis, &c. Unde dicunt quod deteriorati sunt, et dampnum habent ad valentiam viginti librarum, & inde produciunt sellam, &c.

Et Magister Rogerus & Robertus veniunt & defendunt vim & injuriam quanda, &c. Et dicunt, quod prædicti Stephanus & Thomas injustè queruntur ipsos Rogerum & Robertum contra Prohibitionem, &c. in hac parte processisse, quia dicunt, quod prædictus Rogerus prædictis die et anno fuit Cancellarius Universitatis Oxoniæ, cujus quidem Universitatis Scholaribus Dominus Rex nunc de gratia speciali concessit, quod de omnibus actionibus personalibus Burgenses, et omnes Laicos coram Cancellario ejusdem Universitatis possint implacitare, &c. Et quod per Prohibitionem Domini Regis non impediantur, &c. Et dicunt, quod quia prædictus Stephanus tunc Scholaris Universitatis prædictæ, quæstus fuit de prædictis Stephano

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Stephano de Larder & Thoma le Marescall de predicto equo, &c. coram ipso Magistro Rogero tunc Cancellario, &c. tenuerunt ipsi predictum placitum prout eis bene licuit, &c. de qua libertate tenendi huiusmodi placita, &c. proferunt littere Domini Regis in hac verba. \* Edwardus Dei gratia, &c. Omnibus ad quos presentes littere pervenerint, salutem. Sciatis quod de gratia nostra speciali concessimus Scholaribus Universitatis Oxon. quod de omnibus actionibus personalibus possint convenire Burgenses, & alios Laicos municipii Oxon. coram Cancellario ejusdem Universitatis, et quod per prohibitionem nostram super hoc nequaquam impendantur. In cuius rei testimonium has litteras nostras fieri fecimus patentes pro nostre libito voluntatis duraturas. Teste meipso apud Westm. 30 die Octobris, anno regni nostri tercio, &c. Et predicti Stephanus & Thomas dicunt, quod ipsi ratione predicta libertatis predictis Scholaribus concessa non fuerunt coram predicto Cancellario ad inveniendum ad sectam ——— predicto Stephano Aget cum suis Scholaris Universitatis predicta ——— tenentur, nec habitus, &c. Et hoc parati sunt verificare per patriam, &c. Et predicti Rogerus & Robertus dicunt, quod predictus Stephanus predictis die & anno fuit Scholaris Universitatis predicta, & Scholarum se probavit ——— : Et de hoc ponit se super patriam. Et Stephanus de Larder & Thomas similiter. Ideo preceptum est, &c.

An. 24 E.1.

\* See here p. 162.

Willielmus de Esthorp qui sequitur pro Domino Rege, optulit se 4 die versus Thomam Vicarium Ecclesie Sancti Laurencii de Suburbio Eborum, de placito, quare cum placita de catallis et debitis in regno Regis, quæ non sunt de Testamento vel Patrimonio, ad Regem et Coronam et dignitatem Regis, et non ad alium pertineant in eodem regno, predictus Thomas, sicut ex relatu plurimum accepit Dominus Rex, tennit placitum in Curia Christianitatis de catallis et debitis Roberti le Graunt Capellani Magistri Hospitalis S. Nicholai Ebor. in honorem Coronæ et dignitatis Regis, et contra prohibitionem Regis, &c. Et ipse non venit, & preceptum fuit Vicecomiti, &c. Et Vicecomes nichil inde fecit, set mandavit, quod predictus Thomas Clericus est, & non habet laicum feodum, &c. Ideo mandatum est Archiepiscopo Ebor. quod venire faciat eum a die S. Martini in quindecim dies, &c.

Ibidem. Ebor.

Henricus de Brae per attornatum suum optulit se 4 die versus Magistrum Willielmum de Tremegate, & D. Vicarium de Ministre, de placito, quare ipse simul cum Alano de la Hac fecerunt placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem Regis. Et ipsi non venerunt, & preceptum fuit Vicecomiti, quod attachiaret eos. Et Vicecomes nichil inde fecit, set mandavit quod Clerici sunt nec habent laicum feodum in Balliva sua, &c. Ideo mandatum est Episcopo Exoniz, quod venire faciat predictos Willielmum & D. hic a die Sancti Hilarii in 15. dies. Et Vicecomes mandavit, &c.

Ibid; Cornub.

The Abbot of St. Agatha prosecuted this year at the Kings suit, for prosecuting a Plea in Court Christian for Chattels and Debts, which concerned not Testament or Marriage, had this Writ and license to make an Attorney.

Edwardus Dei gratia Rex Angliæ, &c. dilecto & fidei suo Johanni de Lithgreynes, salutem. Sciatis quod dedimus vobis potestatem recipiendi Attornatos Abbatis de Sancta Agatha, quos coram vobis loco suo attornare voluerit, ad lucrandum vel perdendum in loquela qua est coram Justiciariis nostris apud Westm. per breve nostrum inter nos et predictum Abbatem, de eo quod idem Abbas secutus est placitum in Curia Christianitatis de Catallis et Debitis Magistri Galfridi de Langeton Personæ Ecclesiæ de Langeton, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram. Et ideo vobis mandamus, quod cum Attornatos illos receperitis, de nominibus eorundem Attornatorum nobis sub sigillo vestro distinctè & aperte constare faciatis. Remittentes nobis hoc breve. Teste meipso apud Rokesburgh 12 die Maii, Anno regni nostri 24.

Brevia Regis de Priv. sigillo An. 23 & 24 E. 1. in Turre London.

Anno 1295. 25. Mar. Westminster stories, Scoti rupto pacis vinculo quod cum ligio Domino suo Rege Angliæ pepigerant, cum Rege Franciæ fœdus aliud inierunt, quod quidem in autentico scripto utriusque partis inde confecto, legentibus clarius illucescit.

a Flores Hist. p. 398. 399. \* See here p. 601, 602, 604.



An. 24. 1. *Conspiratione facta, insurrexerunt in Regem eorum, sprete ejus simplicitate, & super-  
vici ut contempta. Circumdantesque eum in interiora loca Scotiæ, illic eundem in  
quodam Castro abruptis circumsepso montibus incluserunt, assignantes militibus qui re-  
gulum custodirent. Post hac elegerunt sibi more Francorum, pares 12. quatuor Epis-  
copos, (the ring-leaders in this Rebellion and perjury), quatuor Comites, & qua-  
tuor Proceres, ad quorum ordinationem cuncta regni negotia sancirentur. Hoc autem  
totum factum est in ignominiam Regis Angliæ, quia quodammodo reclamantibus Scotis,  
& nonnullis occulte murmurantibus, Johannes de Baliol per Regem Angliæ Scotorum  
Rex fuerat ordinatus. <sup>b</sup> Henry de Knyghton, and <sup>c</sup> Thomas Walsingham thus relate  
their Rebellion and confederacy with the French, against the King of England,  
Scoti homines inquieti, leves & instabiles contra Regem Angliæ rebellare ceperunt,  
credentes excutere jugum servitutis debite; Inprimis suo Regi simplici suggererunt,  
occasione expensarum alleviandarum, ut omnes Anglicos suos, quos sumptuosissime in  
Curia sua retinebat, a Curia sua removeret. Et quidem hoc ne seductio eorum per  
Anglicos in primo suo fomite panderetur. Interim dum Rex Edwardus ad Regem Sco-  
torum literas dirigeret, ut in guerram suam contra Regem Franciæ robur exercitus in  
parte mitteretur, excusatoria impotentia & responsio brevis datur. Multiplicantur ite-  
rum preces & precepta, & non tantum ad Regem, immo & ad Magnates terra, & sem-  
per responsiones fivola quærebantur, eo quod conjurationes eorum valida nondum com-  
plerentur ad votum. Which Thomas Walsingham thus amplifies.*

Anno 1296. (23 E. 1.) <sup>d</sup> Johannes Rex Scotiæ homagii et fidelitatis suæ im-  
memor, destinatis ad Regem Francorum nunciis, Willielmo Sancti Andree & Wil-  
helmo Dunelmensi Episcopis, (two firebrands of Rebellion, treachery, per-  
jury, against their Oathes and Allegiance to King Edward) Johanne de Soules,  
& Ingelrame de Umfravile Militibus, clam contra Regem Angliæ sedes inlit,  
petens in affirmationem negotii matrimonium contrahi inter filium suum Edwardum &  
nobilem puellam Johannam filiam Caroli germana Regis Francorum, spondens, se  
velle regnum Angliæ totis viribus impugnare, et a Werra cum Rege Franciæ im-  
pedire, sicut in scriptis inter utrosque Reges confectis plenius continetur. Scoti vero  
per idem tempus primò tenuerunt Parliamentum apud Scone, & ordinarunt ac elige-  
runt sibi duodecim Pares ad modum Francorum, quatuor videlicet Episcopos, qua-  
tuor Comites, & quatuor Barones, quorum consilio Rex regnum suum gubernare debebat,  
fecerunt etiam sibi sigillum commune; per quos etiam ut in hanc consentiret pro-  
positionem fuit inductus. Nempe eorum consilio, et præcipue Abbatis de Menros.  
Deinde mandant certos nuncios cum literis procuratoriis sigillatis cum sigillo Regi, &  
totius Communitatis Scotorum ad Regem Franciæ Philippum. Cum ad Parliamentum  
venisset regni Angliæ, clam accessit tanquam fugitivus, ad magnum dedecus persona  
sua. Ob quam causam Rex Angliæ iussit omnia bona sua mobilia & immobilia qua  
habebat in Anglia confiscari, qui eo tempore multas villas & prædia pinguis in Anglia  
possidebat. Rex Angliæ per idem tempus à Rege Scotiæ (ignozans eorum prohibitio-  
nem) cum auxilium pro Werra sua instanter petisset, & sibi semper responderetur in  
dubiis, suspectum habens negotium, rogavit, ut ob securitatem usque ad finem Werra sua,  
Castra tria, videlicet Berwici, Edinburgi & Rokesburgæ traderentur in manu sua  
qua post Werram restitueret, si eos sibi comperisset fideles. Quod cum Scoti facere ve-  
nissent, Rex de prohibitione eorum certior, (by the premised Letters he intercepted)  
cum exerce in versus Scotiam progressus, disposuit eam vi subicere, nisi ab his qua  
refererantur, & qua jam in opere ostendebantur se possent legitime excusare.

In pursuit whereof, Anno 1297. (24 E. 1.) <sup>e</sup> Rex Angliæ immenso coadunato  
exercitu, venit ad Novum Castrum super Tynam, ad quem locum Johannem Regem  
Scotorum citari fecerat edicto publico, ut de hiis quæ sibi debeant obijci responderet;  
quo ad diem præfixum nec per se comparente, nec per nuncium se excusante; Rex de  
suorum consilio decrevit ulterius procedendum. Interim Miles quidam Robertus de  
Roos, Dominus Castri de Werk, non obstante fidelitate quam Regi Angliæ jur-  
verat, ad Scotos transfugit. Quo audito, Rex mox ad illud Castrum properat, &  
apud prædictum Castrum Paschalem solennitatem peregit. Quo tempore septem Comites  
Scotiæ, videlicet, de Bouvan, de Menteth, de Straderberne, de Lewenes, de Roos, de  
Athel, de Mar, & Johannes filius Johannis Conyn de Badenau, collecto exercitu  
valido in valle Anandæ, feria secunda Pascha Angliam ingressi, vastabant omnia castra  
& incendio, non parcentes ætati vel sexui. Circa ingressum mensis Aprilis venerunt ad  
Regem

b De Event.  
Angl. l. 3. c. 2.  
col. 2471.  
2472.  
c Hist. Angl.  
p. 28. 29. Ypod.  
Neutr.  
p. 81, 82.

d Tho. Wal-  
singham Hist.  
Angl. p. 28. 29.  
Ypod. Neutr.  
p. 80, 81, 82.

\* See here p.  
538, to 542,  
602, to 606.  
See Henry de  
Knyghton de  
Event. Angl.  
l. 3. c. 2. col.  
2472, to 2477.

e Walsingham  
Hist. Angl. p.  
30, 31, 32, &c.  
Ypod. Neutr.  
p. 80, 81, 82.  
Mar. Westm.  
p. 423, 424.  
405, &c. See  
Henry de  
Knyghton.  
Fabian. Cax-  
ton, Polydor  
Virgil. Graf-  
ton, Holin-  
shed, Stow,  
Daniel, Speed,  
Laker, in B. 1.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward I.

Regem Edwardum Gardianum & lesior fratrum Minorum de Roksburg. deferentes An. 24 E. I. literas Johannis Regis Scotiz, (\* forecited, and printed in Walsingham) tenorem hujusmodi continentes. Magnifico Principi, &c. Nos dictas injurias, contemptus, gravamina ac dampna, necnon & hostiles impugnationes ulterius sustinere non valentes, nec in fidelitate & homagio vestro, licet per violentam impressionem impressam extortis, &c. fidelitatem et homagium tam a nobis quam ab aliis quibuscunque regni nostri incolis fidelibus nostris, ratione terrarum quas in vestro regno tenebant, et etiam ratione menagii seu retentionis vestre, nomine nostro et nomine eorundem omnium et singulorum vobis reddimus per presentes. Rex Angliz audita presenti litera, resignationi homagii sui admittit, & Cancellario precepit, hanc literam \* registrare ad perpetuam memoriam. Interim Comes Scotiz nominati superius, profecti sunt in Angliam, & vastantes omnia cade & incendio usque ad Prioratum Hagustaldensem. Mane vero facta Prioratum cum tota villa incendio destruxerunt: Progressi deinde ad domum Monialium de Ramefay, domibusque quibusdam (salva Ecclesia) combustis, cum ingenti prada in Scotiam revertuntur. After which King Edward and his forces routing the Scots Army, slaying ten thousand of them at Dunbar, taking Berwick, with the Castles of Dunbar, Roksburgh, Mayden, and other Towns and Castles from them, wherein many of their Earls, Nobles, chief Commanders were taken prisoners, and recruiting his Army with many fresh forces from Wales and Ireland, (at large related in our Historians) thereupon, Videns Johannes Rex, quia non haberet potestatem resistendi, missis ad Regem Angliz nunciis, pacem & misericordiam imploravit. Cui Rex benigne annuens, remandavit, ut ad Castrum de Brichin cum Magnatibus terra sua veniret, cum his quos Rex illuc mitteret nuncios, infra dies quindecim tractaturi. Misitque illuc Rex Anthonium Dunelmensem Episcopum, cum plena potestate regia: ad quem venerunt infra prescriptum tempus Rex Scottorum Magnatesque sui. Qui post multos variosque tractatus, nude et pure subjecerunt se et regnum Scotiz regis voluntati, \* absque conditione quacunque, & concesserunt frangere suum commune sigillum, quod contra Edwardum fecerant. Pro qua submissione observanda, Johannes Rex Scotiz filium suum obsidem tradidit, literasque confecit continentes in Gallico hunc tenorem.

Johannes Dei gratia Rex Scotie, omnibus presentes literas visuris vel auditis, salutem. Quia nos per malum consilium falsumque, simplicitatemque nostram graviter offendimus et provocamus Dominum nostrum Edwardum Dei gratia Regem Angliz, Dominum Hibernie, Ducem Aquitanie, videlicet, in eo, quod erigentes et manentes in fide sua, et suo homagio, alligabimus nos Regi Francie, qui tunc hostis ejus erat et adhuc est; Patrimonium procurantes fieri cum filia Domini Caroli fratris ejus, et ut Dominum nostrum gravaremus, Regemque Francie inbaremus cum omni potestate nostra per Terram mobilisque alii. Deinde per nostrum perversum consilium antedictum diffidabimus Dominum nostrum Regem Angliz, et posuimus nos extra fidem et homagium suum, et misimus gentes nostras in terram suam Angliz, ad incendia faciendo et pradas abducendas, homicidia et alia dampna plurima perpetranda; et terram Scotiz quæ est de feodo suo, contra eum muniendo, ponentes et stabiles gentes armatas in Vallis, Castris, et alibi, ad defendendum terram contra eum de feodo suo; pro quibus transgressionibus, Dominus noster Rex Angliz antedictus, ingressus terram Scotiz in fortitudine sua, eam conquiescit et cepit, non obstante omni eo quod facere potuimus contra eum, sicut potest de jure facere tanquam Dominus de feodo suo, quia nos ei homagium nostrum reddidimus, et fecimus rebellionem antedictam. Nos igitur existentes in plena potentia nostra et libera voluntate, reddidimus ei terram Scotiz et gentem totam cum homagiis. In cujus rei testimonium fecimus fieri has literas patentes. Datum apud Brichin decimo die Julii; regni nostri anno quarto. Consignata litera factoque sigillo communi regni Scotiz, processit Rex ut videret montana Scotiz, procedente cum semper per unam diem Episcopo Dunelmensi. Cumque transisset Moraviam, & pervenisset usque Eilgni, omnia videns esse parata, converso itinere revertitur Berewicum.

In redeundo autem Rex Edwardus transiit per Abbatiam de Scone, ubi sublato lapide quo Reges Scottorum tempore coronationis solebant uti pro throno, usque Westmonasterium transfudit illum, jubens inde fieri celeberrimum cathedram Sacerdotum. Eo tempore, Rex apud Berewicum convocato Parlamento omnium Magnatum

An. 24 E. I.  
Here p. 541,  
542.

\* Which was done accordingly, See Here p. 541, 542.

\* Henry de Knyghton de Event. Angl. l. 3. c. 3. col. 2481.

a Walsingham l. 1. Henry de Knyghton de Event. Angl. l. 3. c. 3. col. 2481.

\* Walsingham Hist. Angl. p. 33.



An. 24 E. 1. tum Scotiae fidelitates recepit et homagia, qui ad rei gestae memoriam perpetuam, confecerunt super hoc literas patentes eorum sigillis munitas, continentes in Gallico hunc tenorem.

\* Tho. Walsingham, *Ibid.*

\* Omnibus praesentes literas visuris vel audituris, Johannes Comyn de Badenach, &c. qui ad fidem & voluntatem illustrissimi Principis ac charissimi Domini nostri Edwardi Dei gratia Regis Angliae, Dominus Hiberniae, ac Ducis Aquitaniae, venimus, promittimus pro nobis et heredibus nostris, sub poena corporum nostrorum, et Castellorum ac omnium quae habere possumus, quod nos serviemus ei bene et fideliter contra omnes gentes, quae vivere et mori possunt, omnibus vicibus quibus requiremur vel praemonemur per antedictum Dominum nostrum Regem Angliae vel heredes suos. Et quod non sciemus damnum eorum, quin illud impediemus omnibus viribus nostris, et eos praemonemus. Et ad ista tenenda et servanda, obligamus nos et heredes nostros, et omnia bona nostra. Insuper et iuramus, tactis Sacrosanctis Evangelis, et postea nos omnes, et quilibet nostrum per se fecit homagium dicto Domino nostro Regi Angliae in hac verba. Ego vester homo ligius efficior de vita & membris, ac terreno honore, contra omnes homines qui possunt vivere & mori. Et idem Dominus noster Rex recepit hoc homagium sub his verbis. Nos illud recipimus pro terris quibus estis seisin, salvo jure nostro, & alterius, & exceptis terris quas Johannes de Balliolo quondam Rex Scotiae nobis contulit, postquam nos ei regnum Scotiae liberavimus, si forte aliquas terras dedit. Insuper nos omnes et singuli nostram per se fecimus fidelitatem Domino nostro Regi praedicto in his verbis. Ero fidelis & legalis, fidemque & legalitatem servabo Edwardo Regi Angliae & heredibus suis, de vita & membris & terreno honore, contra omnes qui possunt vivere & mori; & nunquam pro aliquo portabo arma, nec ero in consilio vel auxilio contra eum, vel heredes suos in aliquo casu qui possit contingere; sed fideliter recognoscam, & fideliter faciam servitium, quae pertinent ad tenementum, quod de eo tenere clamito: Sic me Deus adjuvet, & omnes Sancti ejus. In harum rerum testimonium factae sunt istae litterae patentes, & sigillis nostris signatae. Dat. apud Berwicum, Anno regni Regis Angliae Edwardi Domini nostri vicelimo quinto.

The Records of these their respective submissions, abjurations of their Leagues and Covenants with the French King, and Letters patents of their new Fealties and Homages made to King Edward, both in Scotland and in the Parliament at Berwick, are extant upon record in the Tower of London, in Rotulis Scotiae, An. 23 and 24 E. 1. but more largely and particularly recorded in four large Parchment Rolls thereof, fairly written by Andreas (a sworn Notary,) by the Kings special command, who was present at all those Transactions as a witness thereunto, with sundry persons of note, which Rolls delivered by him to Adam de Osgoby, then Master of the Rolls of the Chancery, July 25. Anno 24. E. 1. to be carefully kept, are yet remaining in the Tower; I shall present you with the beginning and chief parts of the Rolls at large, and a Breviat only of the remainder of them.

Rot. Scotiae, An. 24 E. 1. De juramentis homagii & fidelitatis Edwardo Regi Angliae nominatim praestitis, per unamquamque individuum personam regni Scotiae.

\* A good evidence, argument against Oral and Popish Traditions.

IN nomine Domini Amen. Quoniam pium esse creditur, meritorium, ac honestum veritati testimonium perhibere, licet illud facere ratione officii rogatus, corporalis teneat vinculo juramenti, & quia plerique praeterita memoriter retenta futura facere nos instruant & informant; ideo, ad perpetuam rei memoriam, super quodam qua in mei infra scripti Notarii & testium subscriptorum ad hoc vocatorum, specialiter et rogatorum fiebant praesentia, rogatus cum ea qua potero diligentia propono scribere quae sunt veritatis, ut sic futuris temporibus, cum necesse fuerit, et sciri voluerit quorundam factum Regni Scotiae tangencium, veritas in hac parte per praesens Instrumentum publicum subscriptum huiusmodi scire volentes veritatem recursum habere poterint opportunum, super contentis quae in eodem aliqualem praeteritorum informationem circa ea quae per humanam labilitatem, necnon et temporis lapsum a memoria recesserunt, in scripturam redacta, per ipsius inspectionem instrumenti memoratae reducantur. Sane suborta dudum inter excellentem Principem, Dominum Edwardum Dei gratia Regem Angliae illustrem; & Johannem eadem gratia Regem Scottorum, ac utriusque regni nobiles & incolae, seminante pacis amulo contensione & discordie materia, ac instantum procurante superbia Principe suscitata, quod provocatis ad guerram

contra

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

contra dictum Dominum Edwardum Regem, suosque iam nobiles quam regnicolas dicto Scotorum Rege cum nobilibus suis & regni sui incolis, redditoque Regi Angliæ prædicti Regi Scociæ homagio per ipsius patentes literas sub sigillo pendente consignatas; deinceps post depredaciones varias, villarum, maneriorum, & Ecclesiarum combustiones, terrarum vastaciones & depopulaciones, populique Christiani diversis supplicii generibus interfectiones, per exercitum gentis Scotorum, nulli parcendo sexui vel ætati, loca in regno Angliæ quampluribus perpetratas inhumaniter, prædicti regni Scociæ nobiles, una cum Rege prædicto, Ecclesiarum Prelatis, et totius regni incolis, civitatibus et villarum communitatibus ad memoriam redeuntes, et de perpetratis contra dominum suum, Dominum Regem Angliæ prædictum et suos, ut præmittitur facinoribus quodammodo convolentes, et eidem (ut videbatur) reconciliari volentes, ad ipsius fidem et voluntatem, non vi nec metu coacti, ut dicebant, sed spontanei venerunt, seque eidem ut Domino suo, Domino Regi Angliæ prædicto reddiderunt, et ipsius gratiæ ac voluntati alte et basse se submiserunt, locis tamen et diebus diversis, fidelitatem et homagium sibi fecerunt, super fidelitatibus suis et homagiis sic factis, suas patentes literas suis singillis pendentibus consignatas fecerunt, prout infra paret, et præsentis instrumenti, sive processus subscripti inspectione super hiis seriatim sicut agebantur confecto, intuitibus constare poterit evidenter.

IN nomine Domini Amen. Anno à nativitate eiusdem, Millesimo ducentesimo nonagesimo sexto, Indictione nona, mensis Maii die decimotercio; Præsentibus venerabili in Christo patre, Domino Antonio permissione divina Episcopo Dunelm. ac nobilibus viris, Dom. Johanne Waren, Rogero Northfolch, Umtredo Herford, W. de Warewyk, Patricio de Dunbar & Marchia, & Gilberto de Anegos Comitibus, testibus vocatis & rogatis, cum aliis tum Baronibus & Militibus, quam Clericis & laicis in multitudine copiosa; præsentem etiam me Notario subscripto; nobilis vir, Dominus Jacobus, dictus Seneschallus Scociæ, Miles; non vi nec metu coactus, ut dicebat, sed spontanea sua et libera voluntate, venit ad fidem et voluntatem Domini Regis Angliæ memorati, et confederaciones, contractus, convenciones, et pacta quocunque nomine censeantur, siquæ ipsius nomine vel consensu cum prædicto Rege Francorum vel sibi adherentibus contra dictum dominum suum, Dominum Regem Angliæ unquam initæ extitissent, quantum in ipso fuit, et ipsum contingebant vel contingere poterant quovismodo, pro se et suis perpetuo annullavit, et invalida et nulla fore pronuntiavit, sponteque pure et absolute; quatinus de facto processerant, eisdem cum omni commodo quod exinde sibi vel suis poterit aliquantulum provenire, expresse renunciavit organo vocis suæ, & tactis sacrosanctis et osculatis Dei Evangeliiis, dicto domino suo, Dom. Regi Angliæ fidelitatem fecit in subscripta forma, & super fidelitate sua sibi facta, suas patentes literas sub nomine suo conceptas, consiciens, veri sui sigilli impressione pendente consignavit; quarum literarum in omnibus & per omnia tenor est talis.

A touz ceaus qui cestes lettres verront ou orront James Seneschal Descoce, salut. Pur ceo que nous sumes venutz a la foi e a la volunte du tresnoble Prince nostre chier signeur sire Edward, par la grace Dieu Roi Dengleterre, Signeur Dirland, e Ducs Daquitaigne, nous promettons pur nous, e pur nos heirs, sur peine de cors e davoit, e sur quantque nous peussions encoure, que nous ferroms en sa eide, e li serviroms bien e leaument contre totes gentz, qui purront vivre & morir, totes les foiz que nous ferroms requis ou garniz de par nostre Signeur le Roi Dengleterre avantdit, ou de par ses heirs, e que nous leur damage ne scauoms que nous nel desforbeoms a tot nostre poer, e le leur faceoms assavoir, e a cestes choses tenir e garder obligeoms nous & nos heirs, e tous nos biens, e outre ceo atoms jurez sur seintes Evangelies. En tesmoigance de que chose nous avoms fait faire cestes lettres ouertes seales de nostre seal. Donees a Rokesburgh le trezime jour de May; lan du regne nostre Seigneur le Roy Dengleterre avantdit vintisme quarr.

Anno Dom. & Indictionis prænotatis, 15 die Maii, apud Rokesburg, venit Dominus Johannes, quondam Seneschallus prædicti Domini Jacobi Germanus miles, & Thomas de Somervyll, Chivaler. Die decimo apud Edenburgh, venit Willielmus de Douglas miles, & Walterus Logan. Julii die 12. Robertus Muschaunce. Die Julii 17. Johannes de Calantyr miles, Willielmus dictus de Colnebach, Johannes de Lamberton; Willielmus de Rathen; Dominus Willielmus de Gardino, miles; 13 Die Julii, Malisius Comes de Struthern; Walterus de Corry miles; Dom. Michael de

Pecia prima.

Pecia secunda.

Pecia tertia.

Pecia quarta.

O o o o

VVeves



An. 23 E. 1. Weves miles. 22 Die Julii, apud sanctum Johannem de Perth, Robertus de Cambro-  
 bron, Dominus de Balingrenach miles, Johannes de Haya miles, Hugo de Urre.  
 Ibidem 25 die Junii, Johannes de Moncrof chivaler, Robertus Cambro-  
 Pecia quinta Balnely chivaler, Alexander de Abrenethy miles. Apud Cluniaci 27 die Junii,  
 Gilbertus de Glenkerny miles, Dom. Erchebaldo de Levingston miles, Eustachius de  
 Bickerton, Rector Ecclesia de Hutremokedy, Johannes de Strivelyn miles. Apud  
 Pecia sexta Lonsare 4 Julii, Petrus de Campaña, Rector Ecclesia de Kynkel; Willielmus Fraun-  
 ceys miles. 5 Julii, Magister VVilhelmus de Kygorn, Rector Ecclesia de Lystona,  
 Pecia septima 6 Julii, Hugo de Moravia, Hugo de Arroy, Andreas de Bretoine chivaler. 6 Julii  
 apud Aberbrothock, Frater Henr. Abb. de Aberbrothock, & conventus ejusdem  
 loci. 7 Julii apud Fernel, VVilhelmus Fraser fil. quondam Alex. Fraser. 8 Julii  
 Pecia octava apud Monros, VVilhelmus Byset miles; made the same Abjurations and Oathes as  
 the first forecited under their hands and seals, before sundry Commissioners and  
 witnesses, specified in the Record at large.

\* See Henry  
 de Knyghtron,  
 de Eventibus  
 Angliæ, l. 3.  
 c. 3. col. 2481,  
 2842. Here,  
 p. 647.

Eodem die (viz. mensis Julii die septimo) hora vespertina. Anno Domini & Indictio-  
 ne, & mense ultimo præscriptis, in præsentia mei infra scripti Notarii constitutus, &  
 testium subscriptorum ad hæc vocatorum specialiter & rogatorum, egregius Princeps Do-  
 minus Johannes Dei gratia Rex Scociæ, in plena sui & libera Regia potestate existens,  
 palam, publice, sponte, & expresse cognovit organo vocis sue, quod seductus tam te-  
 meritate propria quam quorundam consilio perbersorum, per quosdam suos procu-  
 ratores et nuncios transmissos in Franciam, cum Domino Philippo Rege Francorum  
 & quibusdam aliis regibus Franciæ, contra serenissimum Principem Dominum su-  
 um Dominum Edwardum, eadem gratia Illustræ Regem Angliæ, quosdam con-  
 federaciones, convenciones, contractus et illicitas pactiones suo, Edwardi filii sui,  
 et incolarum regni sui nomine de facto contraxit, contra homagium suum et fide-  
 litatis sue debitum, quæ pro regno suo Scociæ dicto Regi Angliæ prius fecit: quod-  
 que confederaciones, contractus, et pactiones prædictas nomine suo, Edwardi filii  
 sui et incolarum regni sui nomine initas, postea ratas habuit, easque approbavit,  
 et per suas patentes literas confirmavit. De malefactis cujusmodi behebement  
 condolere et ex corde penitere se dixit, asserensque se velle dicto Domino suo Regi  
 Angliæ reconciliari, et deinceps in omnibus adherere, spretis et pro nullis habitis  
 confederacionibus, conventionibus et pactionibus prædictis, eadem confederacio-  
 nes, convenciones, contractus et pacta, et quicquid ex eis fuit quomodolibet sub-  
 cutum, vel extunc subsequi poterat ullo modo, quatenus de facto præcesserant, re-  
 vocabit, cassabit, irritabit, et annullabit, revocatas, cassas, irritas, et nullas pub-  
 lica nuntiabit, ac sponte, pure, expresse et absolute renunciabit eisdem. Renun-  
 ciabit insuper specialiter et expresse omni commodo quod exinde sibi, aut filio suo  
 prædicto, vel regni sui incolis posset aliquoliter provenire. Acta in Cimiterio de  
 Stroukatherach coram venerabilibus in Christo patre Domino Antonio permissi-  
 Dunolm. Episcopo, præsentibus venerabilibus viris, Domino Umfredo Comite Here-  
 ford, Domino Johanne Comyn Comite de Bouchan, Domino Hugone le Dispenfer,  
 & Domino Johanne Comyn de Badenach seniore, Militibus, testibus ad hoc vocatis  
 specialiter & rogatis. Anno Domini & Indictione prædictis, mensis Julii die decimo,  
 egregius Princeps Dominus Johannes Dei gratia Rex Scociæ prædictus ad benivolentiam  
 Magnifici Principis Domini Edwardi eadem gratia Regis Angliæ Illustris, non  
 vi nec metu coactus, ut dicebat, sed spontaneus rediens, in præsentia mei Notarii & tes-  
 tium subscriptorum ad hoc vocatorum specialiter & rogatorum, semetipsum, reg-  
 numque suum Scociæ, et totum sua quod in eo habuit, vel ad illud, populumque  
 suum regni sui prædicti, et omnia bona sua præfati Domini Regis Angliæ vo-  
 luntati sponte, pure et absolute submitte, dita et membris, absque corporis incar-  
 ceratione tantummodo sibi salvis: ac demum \* regnum suum prædictum, cum ho-  
 magiis et aliis suis iuribus et pertinenciis unibersis, suamque Regiam dignita-  
 tem honoremque Regium, necnon omnes terras et possessiones suas, cum omnibus  
 bonis suis mobilibus, immobilibus, ac se mobentibus prædicto Domino suo Domi-  
 no Regi Angliæ, gratanti animo et spontanea voluntate, pure et absolute reddidit:  
 præmissaque et eorum singula organo vocis sue patenter expresse, et prædicta reg-  
 num suum, et alia superius annotata in manu venerabilis patris Domini Antonii,  
 permissi-  
 Dunolm. Episcopi, vice et nomine dicti Domini Regis Angliæ  
 recipientis

\* See, p. 647.

Reddicio  
 Scociæ.

*Upon the Liberties of the Kings and Subjects of Engl. & Ireh.* K. Edward 1.

recipientis eadem, una cum sigillo suo Regio, quod paulo ante in quadam bursa suo secreto sigillo significabit, tradidit et dimisit; michique Notario infrascripto, precepit pariter et injunxit in virtute prestiti juramenti, quod premissa omnia et eorum singula publicarem in forma predicta, indeque facerem publicum instrumentum ad perpetuam rei memoriam, fidemque et testimonium premissorum. Acta in Castro Brechinensi, anno, indictionis, mense & die proximo prenotatus, presentibus venerabili in Christo patre Domino Antonio permissione divina Dunelm. Episcopo, ac Nobilibus viris Domino Johanne Comyn de Badenagh seniore, & Domino Briano filio Alani Militibus, ac Magistro Alex. Kenedy Clerico, predesti Regis Scotie tunc Cancellar. testibus ad hoc vocatis specialiter & rogatis.

Ap. 24. Et.

Eodem die (7 Julii) apud Monros coram Serenissimo Principe, Domino Edwardo Rege Angliæ, &c. Nobilibus viris Dominum Johannes Comyn Comes de Boughan, Dovenaldus Comes de Mar, Alexander de Balliolo Miles, Johannes Comyn de Badenagh senior. Miles, Dominum Herbertus de Makeswelle Miles, Dominum Johannes de Tosketon dictum Marecallus Miles, Dominum Johannes de Moravia Miles, Dominum Alexander Kenedy Canonicum Glasguensis, Dominum Nicholaus de Haya Miles, Dominum Johannes Seinoler de Hurmaneston, Andreas de Chartres, Willielmus de Silkesworth, Alex. de Erth, Dominum Hugo Rydel Miles, Johannes Comyn de Straesburgh, Johannes dictum le Botillier, Dominum Nicholaus de Rotherford, Radulphus de Eglinton Miles, Thomas de Wyncestria, Johannes de Elsingifston, Johannes le Botillier Chivaler, Fergundus dictum Marecallus, Nicholaus de Rothirford Chivaler, & Godefridus de Ardrossan. 12 Julii. Dominum Willielmus de Balliolo Rector Ecclesie de Kirkpatrick, Walterus de Schierwinglawe. 15 Julii. Dominos Normannus de Lechelyn, Alexander de Lambreton, Johannes de Glennesk, Johannes de Strivelyn de Moravia, Patricius de Eggilumvyn, Johannes de Garmagh, Willielmus de Cluniaco, & Thomas dictum le Usher, predesti regni Scotie Miles, Alexander de Stratton, Gilbertus de Mar, Dominum Willielmus Comyn Prapostus Sancti Andree, Gilbertus de la Haya, Johannes de Cambo, Johannes fil. Johannis de Kynros Miles, Jacobus de Malevill, Galfridus de Venaly. 17 Julii. Robertus de Elmeleya, Duncanus de Ferndragh, Patricius de Berkeleya, Hugo de la Haye, Reginaldus le Cheen, Johannes fil. Herberti de Makewelle, & Willielmus de Monte Alto Miles, Dominus Hervyus de Crambath Decanus Dunkeldensis, Johannes fil. Ranulphi de Petscoryn, Robertus de Walghop, Robertus le Fauconer, Willielmus de Ivays. 19 Julii. Burgeses & Communitas Villæ de Abirden. Venerabilis pater Dominus Henricus Episcopus Abirden. Dominum Johannes Flemingum, & Dominum Willielmus de Moravia Miles, Dominum Walterus dictum Blackwatre Decanus Ecclesie Aburden. Dominum Johannes de Malevill Miles, 22 Julii apud Banke, Dom. Thomas de Torthorald Miles. 26 Julii apud Elgyn in Moravia. Robertus permissione divina Episcopus Glasguensis, Nobilibus viris Dominum Alex. Comes de Meneith, Dominos Thomas de Soules, Johannes Wycharde, Gervasius de Rate, Alex. de Ergayel, Alex. Comyn, & Nicolaus de Soules Miles, Burgeses de Elgyn in Moravia, & ipsius Civitatis Communitas, necnon & quidam Alanus de Morref. 28 die Julii. Dominum Johannes de Sancto Michaeli, Dominum Robertus de Normanville, Dominum Dovenaldus fil. Can. & Dominum Adam Gurdon Miles, Willielmus dictum Wisman, Johannes de Monteforti, Alex. de Hateley, Jac. filius Godefridi de Ros senior, Reginaldus de Sancto Michaeli Clericus, Jacobus fil. Godefridi de Ros junior, Robertus de Trembleye, Audomerus Comyn, Willielmus de Lafceles, Gilbertus de Southeyk. 29 Julii, Henr. dictum Cor, Johannes Wychard del Miernes, Andr. fil. Godefridi de Ros, Alex. de Hougeston, VWillielmus de Tactenel, VWillielmus de Rothenayk, Rogerus dictum Pater noster. 1 Augusti. Johannes Tresour, Burgeses villa Sancti Johannis de Perth. 2 Aug. Ranulphus de Kellorum, Thomas de Colly. 3 Augusti. apud Kynkardyn. Richardus de Neutobyry. 4 Aug. Radulphus de Kinnard. 5 Aug. apud Aberbrothok. Marcus de Clapham, on the several daies and in the places forespecified, made the self-same renunciations, and took the same Oath of Fealty to King Edward, attested by the said Notary, by several witnesses, and their own deeds under their respective Seals, as John Seneschal of Scotland did before them, all particularly recorded at large in this Roll in their Order, which thus proceeds,

Pecia nona.

Pecia decima.

Pecia 11.

Pecia 12.

Pecia 14.

Pecia 15.

Pecia 16.

Pecia 17.

Pecia 18.

Pecia 19.

Pecia 20.



An. 24 E. 1.  
Parliamentum  
in Octabis  
Assumptionis.

Posthac verò, indicto prefati Domini Regis Angliæ Illustris Parlamento, consensibus utriusque regni Nobilibus & Prælatiis, in Octab. Assumptionis beate Mariæ Virginis Anno Domini & Indictione prænotatis apud Berwyk super Twed, congregatisque ibidem prædicti regni Scotiæ, tam Episcopis, Abbatibus & Prioribus, cum aliis Ecclesiarum Prælatiis, quam Nobilibus viris, Comitibus, Baronibus, & aliis Militibus & Proceribus dicti regni, cum Communitatibus Civitatum & Villarum, vicesimo octavo die Augusti, Anno Domini à Nativitate Millesimo, Ducentesimo, Nonagesimo sexto, & Indictione nona, Præsentibus Nobilibus viris Domino Johanne VVarenia, Domino Rogero de Northfolch. Domino VVillielmo de VVarrewyke, Patricio de Dunbar & Marchia, & Domino Gilberto de Anegos Comitibus, Domino Johanne de Haltinges, Domino Johanne VVake, Domino Hugo le Despenfer, Domino Briano fil. Alani, Domino Petro Corbet, Radulpho fil. VVillielmi, Johanne Marmedoci, VValtero de Huntrecumbe, & Roberto de Hilton Baronibus, cum Domino Rogero Brabantson Milite, & Magistro Johanne de Cadomo publico auctoritate Papa Notario, testibus ad subscripta vocatis specialiter & rogatis, cum aliis, tam Militibus & Clericis quam Laicis in multitudine copiosa, & me Notario subscripto, venerunt in pleno dicti Domini Regis Angliæ Parlamento memorato, non vi nec metu coacti, sed spontanea & libera sua voluntate supradicti Nobiles & Prælati dicti regni Scotiæ, necnon & Milites, Proceres & regnicola, qui prefato Domino Regi Angliæ fidelitatem fecerant (ut præmittitur) diebus & locis superscriptis, una cum omnibus & singulis inferioribus nominatis, et fidelitatem eandem prædicto Domino Regi Angliæ prius factam, ut prædicatur, cum revocatione, cassatione, irritatione et annulatione confederationum, contractuum, conventionum et pactorum quorumcumque nomine censentur, si quæ unquam suo nomine vel consensu clam vel palam cum Domino Philippo Rege Francorum, contra dictum Dominum Regem Angliæ initæ fuerant qualitercumque, sive per ipsum, vel Dominum Johannem de Balliolo quondam Regis Scottorum procuratores vel nuncios generales vel speciales in Franciam destinatos, et renunciationes eisdem factas, ut superscribitur, innovarunt, omologarunt, laudarunt et etiam approbarunt, et de communi omnium Prælatorum et Nobilium dicti regni Scotiæ, et aliorum Procerum, regnicolarum et communitatum Villarum totius regni Scotiæ consensu unanimi et voluntate, præfato Domino Regi Angliæ fidelitatem iterato et homagium pro omnibus terris suis infra dictum regnum Scotiæ existentibus fecerunt, et tactis sacrosanctis et osculatis Dei Evangelis in forma subscripta, fidelitatem suam firmarunt corporalis vinculo juramenti, et super fidelitatis suis et homagii sic factis, sicut infra patet, iterum suas patentes literas fecerunt suis sigillis pendentibus consignatas. Quarum literarum incipiendo primo ad Prælatos, Episcopos, Abbates et Priores, subsequenter vero ad Nobiles, Comites, Barones et alios Milites, et sic ultimo descendendo ad Communitates Villarum et alias Incolas regni Scotiæ memorati, statim in omnibus et per omnia tales sunt tenores.

Pecia 27.  
De Fidelitate  
& Homagio  
iterato ex  
communi consensu regnicolarum Scotiæ factis Regi Angli.

\* See Henr. de Kington, de Event. Angl. l. 3. c. 3. col. 2482.

† Here p. 648, 649.

\* A touz ceaus qui cestres lettres verront ou orront, Robertus Evesque de Glacou, Henry Evesque de Abirden, Thomas Evesque de Candida Casa, salut. Pur ceo que nous sumes venuz a la foi, e a la volente du tresnoble Prince nostre chier Seigneur sire Edward par la grace Dieu Roy Dangleterre, Seigneur Dirland, e Ducs Daquitaigue, nous promettons pur nous e pur nos successours, sur peine de corse davoit, &c. (verbatim, asin that before of † James Seneschal of Scotland) E a cestres choses tenir e garder nous oblegions nous e nos successours, e touz nos biens e outre ceo auoms jurez sur Seints Evangelists, &c. En tesmoignance des queus choses, nous auoms fait fair Cestres lettres ouertes de nos Seals. Dones a Berwyk sur Twede le vinteutisme jour Daugust, l'an du regne nostre Seigneur Roy Dangleterre avauntedit vintisme-quart.

A touz ceaus qui cestres lettres verront ou orront, Johan Abbe de Douzquer e le Covent de mesme le leu, Wautier Abbe de Passelay e le Covent de mesme la lu, Alisaundre Abbe de Tungeland e le Covent de mesme la lu, Wautier Abbe de Dundreyvan e le Covent de mesme la lu, Adam Abbe de Seinte Croice de Edeneburgh e le Covent de mesme la lu, Patrik Abbe de Cambuskenel e le Coveine de mesme la lu, Gilbert Abbe de Kylros e le Coveine de mesme la lu, William Abbe de Seint Edward de Balmurinagh e le Coveine

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*Covent de mesme le lu, Rauf Abbe de Dunfermelyn e le Covent de mesme le lu, Andreu Abbe de Coupre e le Covent de mesme le lu, Thomas Abbe de Scone e le Covent de mesme le lu, Dungald Abbe de Saint Boyse e le Covent de mesme la lu, Robert Abbe de Holmcoltram e le Covent de mesme le lu, Johan Abbe de Neubottle e le Covent de mesme le lu, Thomas Abbe de Lindors e le Covent de mesme le lu, Bernard Abbe de Kylwynin e le Covent de mesme le lu, Brice Abbe de Dere e le Covent de mesme le lu, Brice Abbe de Saint Columb e le Covent de mesme le lu, ut supra.*

*A touz, &c. Johan Abbe de Jeddeworth e le Covent de mesme le lu, William Abbe de Dryeburgh e le Covent de mesme le lu, Patrik Abbe de Menvos e le Covent de mesme le lu, Richard Abbe de Kelshou e le Covent de mesme le lu; saluz.*

*A touz, &c. Henry Abbe de Abirbrothok e le Covent de mesme le lu, William Priour de Canonby e le Covent de mesme le lu, Adam Priour del Idle de Saint Colmoth e le Covent de mesme le lu, Pieres Priour de Ercattan e le Covent de mesme le lu, Henry Priour de Coldingham e le Covent de mesme le lu, Richard Priour de Dureme e le Covent de mesme la lu, Morice Priour de Whiterne e le Covent de mesme le lu, Johan Priour de Saint Andreu e le Covent de mesme le lu, Eve Prioreffe de Hadington e le Covent de mesme le lu, Alice Priorisse de Manuel e le Covent de mesme le lieu, Ade Prioreffe de Saint Boythau e le Covent de mesme le lu; saluz, &c.*

*A touz, &c. Malys Counte de Strathern, Johan Comyn Counte de Bouchan, Johan Comyn de Badenagh, Dovenald Counte de Mar, Alisaundre Counte de Meneteth, James Seneschal Descoce, Maucolum Counte de Levenaus, William Counte de Southerland, Johan de Strivelyn de Morref, William de Morref, Seigneur de Bothevill, Alisaundre Comyn, Brian fiz Aleyn, Renaud le Cheen, William de la Haye, Nicol Cambel, Phelippe de la Leye, Johan de Calentyr, Andreu le Monttour, Alisaundre Fresel, Phelippe de Lindeseye, Johan de Cantelou, e Alisaundre de Lindeseye chevalers; saluz, &c.*

*A touz, &c. Robert Priour de Rostynnot du Comte de Forfare, e le Covent le mesme le lu.*

*A touz, &c. Patrik Counte de la Marche e de Dunbar, Gilbert de Humfranvill Counte de Anegos, Robert de Brus le veil, e Robert de Brus le Jeouene Counte de Carryk, saluz, &c.*

*A touz, &c. Johan de Perth Burgoys e Aldreman de la vile de Saint Johan de Perth, Johan fiz Richard de Perth, Dulkan del Celer, Richard de Neville de Perth, Rauf Tundeman, William Alight, Johan Tresour, William fiz Johan de Perth, Bernard le Mercer, Johan Serle de Perth, Dovenald Bryd, Robert Fouk, Phelipp Tuket, Waryn de Whiteby, Wadyn de Perth, Thomas With, e Symon le Glover Burgoys e tote la Communante de la vile de Saint Johan de Perth, saluz, &c.*

*A touz, &c. Richard Brice de Stryvelyn Burgoys e Aldreman de mesme le Burk, Laurence de Dunblan, William Servatour, Reynaud de Malevill, Richard Prestre, Robert le Taillour, Morice le Rous, Gilbert Teketer, Adam le fiz Richard, Rauf le Wright, William le Lardyngr, e Johan de Dryelawe, Burgoys e tote la Communante del avantdis Burk; saluz, &c.*

Pecia 13.

*A touz, &c. Wautier le Orfeure de Roksburgh, Burgoys e Aldreman de mesme le Burk, Richard le Forblour, Richard Vigrans, Michel le Seeler, William le Bosevill, Adam de Myndrum, Adam Knout, Geffrey de Berewyk, Adam de Eurewyk, Adam Corbrand, Austyn le Mercer, e Johan Knout de Roksburk, e tote la comune de mesme le Burk; William de Dederyk Burgoys e Aldreman del Burk de Edenburk, James de Edneburgh, Wautier fiz Martin, Wautier le Arblastre, Henry le Scoter, Johan Hoger, William le Taillour, Waltier de Rypon, Waldef de la Rethe, William de Leicestre, Richard fiz Wautier de Edneburk, e Johan Wyggemere de Edneburk, e tote la comune de mesme le Burk; saluz, &c.*

*A touz, &c. Johan Damesone Aldreman e Burgoys de Jeddeworth, en le Counte de Roksburk, Symon de Rennyngton, Huwe de Lindeseye, Robert le Mareschal, Robert Fremansone, Rauf le Spicer, Stevene le Mareschal, Thomas le Tayllur, Symon le Tayllur, Richard le Clerk, Ewy le Clerk de Jeddeworth, e Huwe de Watton Burgoys, e tote la Communante de Jeddeworth; saluz, &c.*

*A touz, &c. Alisaundre le Barker Provost del Burk de Hadington, en le Counte de Edneburk, Johan le Scor, William le fiz Geffrey, Adam le fiz Fernyn, Adam de Skrogges, David de Penkarlond, William Bicheler, Johan Derok, William le Barker*



X. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 24 E. 1. ker, Duncan le Rous, Henry de Ayton, & Johan Crokefchank, & tote la comune de mesme le Burk; saluz, &c.

*A touz, &c.* William de la Chaumbre Baillyf & Burgoys de Pebbles, Johan Viscount del Eglise de Pebbles, Adam de Hord, David le fiz Andreu, Nicol de Northincheton, Renaud Hardegreyes, Johan le fiz Wautier Gretheved, Henry Ranekraugh, Symon le Frere Wautier, Symon le fiz Gessrai, Pieres le fiz Gessrey, & Rogier Blynd Burgoys, & tote la Comunante de Pebbles; saluz, &c.

*A touz, &c.* Johan Rabuk, & Johan de Mar, Baillyf del Burk de Linliscu, Andreu le Serjaunt, William Othehull, Johan le Porter, Matheu de Kynglas, Henry del Wro, Phelipp de Abrenithy, Gilbert de Haldeclyve, William le fiz Ernand, Michel le Lardiner, & Nicol le Serjaunt Burgoys, & tote la comune de mesme le Burk; Adam Gold, Baillyf del Burk de Monros, Wautier de Rossy, Johan de Thornton, Johan fiz Aleyn, Huwe le fiz Mancolum, Thomas Cuffok, Phelipp de Logyn, Johan Tror, Henry de Hakely, Wautier le Mercer, Johan fiz Adam, & William Strang Burgoys, & tote la comune de Monros avandit; saluz, &c.

Pecia 24.

*A touz, &c.* Alisaundre le Saufer, & Gessrey Caland, Baillyf & Burgoys de la vile de Ennerkechyn, & le Counte de Fyf, Adam le Marechal, William Dod, Pieres de Petravy, Johan del Ile, William le fiz Eve, Andreu de Strivelyn, William le fiz Johan, Rauf le fiz Norman, Johan Bertram, & William de Rydale Burgoys, & tote la Comunante de mesme la vile; saluz, &c.

*A touz, &c.* Henry de Mundevill, Thomas de Colevill, Andreu de Chartres, David le Marechal, Humfrey du Gardyn, Mariot de Button, Patrik de Botyl, Dovenald fiz Can, Wautier de Twynham, William de la Chaumbre, Johan de Geneleston, Wautier fiz Richard de Twynham, Steven de Kilpatrick, Wautier Durant, Matheu de Legh, Thomas de Kirtonnel, Thomas de Bardonan, Robert de Muffet, Rogier de Faussyde, Duncan de Coningesburgh, Gilmighel Mac Eih, Matrach ap Molegan, Johan Murchok del Counte de Dunfres, Johan le Marechal de Tosketon, Thomas de Torthorald, Fergus Mac Dowill, Roland Mac Gaghan, Thomas Matulagh, William Polmalot, Andreu de Cogan, Johan de Meynreth, William de Champaigne, Dongal Mac Dowyl del Counte de Wyggeton, Alice de Ormeston, Mariot de Godyn, William de Fenton, Alisaundre de Boukhill, Johan de Vaus del Counte de Edneburg, Thomas de Somervill, Wautier Logan, Dervorgoyl qe fu femme Robert Carnot, Steven de Robertson, Margarete de Colbanston, Isabele de Colbanston, Richard Lescot de Murchoxton, Steven le Wafre, Andreu de Levingeston, Wautier le fiz Roger de Odeston, Hamund de Trouper, William de Morref de Romfingard, Rauf Maulenter, William de Douglas, Alisaundre de Strivelin del Counte de Lannark, Huwe Grey, Johan de Seint Cler de Hirdmaneston, & William le Broun de Laweder del Counte de Berewyk, Roger de Almere, Michel de Witton, & Adam de Wytton del Counte de Selkirk, Johan de Montfort, William de Rammeffe, William de Bailliol, Johan le Botiler de Gramund, Alisaundre de Stratton, James de Stratton, Henry de Brade, William de Grenlawe, Johan de Lafliryk, Thomas le Noble, Patrik le Noble, Elice de la Longemore, Huwe Rydel, Andreu de Crageston, William de Ros, William le Flemmyng de Seton, Wautier de Longeston, Huwe de Morref, Rauf de Langton, William de Drilowe, Huwe de Penicok, Nicol de Knyghton, Edward de Whitewelle, William Byset, William de Cramund Clerk, Aleyn de Lyberton del Counte de Edneburg, William Frefer, Thomas de la Chaundel, William de Malevill del Counte de Pebbles, Robert de Normanvill, Johan de Strivelyn de Cars, Gilbert Malherbe, & William le Servetour del Counte de Strivelyn, Johan le Botiler, Nicol de la Haye, Robert Cambroun de Balnygrenagh, Johan de Montref, Roger de Methfenner, & Maucolum de Glendughred del Counte de Perth, Thomas de la Tour, Richard de Warwyk, Gilcrist More, Huwe de Keshowe, Godefray de Ardrossan, Fergus Fostresone, Mestre Gilbert de Templeton, William Kerre, Robert de Ros, Johan de Parys, Dovenald fiz Gilbert, Patrik de Comenagh, Thomas de Gelghagi, Mestre Neel Cambel, Adam le Taillour de Coningham, Ingram de Umfrauvill del Counte de Are, Johan de Glennysk, Morgund de Glennesk, Patrik de Oggehull, Randulf de Keloure, Adam de Inrepeffre, Johan de Kynros, Rauf de Dundee, William de Anand, William de Garlay de Bagally, Alisaundre de Lambreton, Johan Haunsard, Robert de Betnyn, Eve de Anegos, & David de Breghyn del Counte de Forfare, & Johan Bruyp del Counte de Linliscu, Johan

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Johan de Ormeston, Robert de Wodeford, Johan Lock, VVilliam de Bosevill, *An. 23 E. 1.*  
 Johan Normaunt, Andreu de la Garderobe, Adam de Maxpoffel, VVilliam de  
 Hessewell, Huwe Eyr, Symon de Cressevill, Robert de Hodolm, Johan de  
 Grymeslawe, Alisaundre de Baillol, e Thomas de Chartres *del Counte de Roksburk*;  
*saluz, &c.*

*A touz, &c.* Adam de Hep, Johan de Harden, Richard de Chesehelm, Wautier  
 Burghon, Robert Grundy *de Neuton*, Robert Walgh *de Hep*, Thomas de Roule,  
 William de Farningdon, Roger de Mideiburgh, Johan Fraunceys *de Longa Neuton*,  
 Reynard de Dolfineston, William de Rucaftel, Johan le fiz Johan *de Anesleye*, Je-  
 han le Mareschal, Aymer de Rotherford, Robert de la Graunge, Aleyn Gurney,  
 Philip Stiward, Adam de Chathon, Nicol. Fanfy, William Scot, Marie de Synton,  
 William de Chartres, Richard le Furbour, Johan de Lillefclyf, Symon de Holden,  
 Guy de Denum, Johan de Echereston, Ingram de Toftes, William le Bradeleye, Ri-  
 chard de Flex, William de Toftes, Henry le Chapeleyn, Johan de Heton, Johan de  
 Scounselegh, William de Yetham, Johan de Malkartelton, Wautier Merpym, Wau-  
 tier de Holcote, Johan le Mareschal, Adam de Rukelton, William de Prendrelath,  
 Gilbert Moffin, Gilbert fiz Beatrice, Robert de Edenham, Johan le Seneschal *de*  
*Jeddeworth*, Johan Knout, Adam de Rykelden, Alisaundre Servys, Robert de  
 Huntelegh, William de Prendrelath, Wautier le Clerk *de Roksburk*, Adam la Per-  
 sone *de Souldon*, Phelipp de Briden, Henry de Hommes, Robert de Toftes, Adam le  
 Taillour *de Chesseworth*, Freskums *de Laundeles*, Rogier Corbet, Johan Benoghryn,  
 Johan Comyn *de Skiresburgh*, William de Faussyde, Robert de Hanewyk, Patrik de  
 Blenkanfon, Thomas de Joneston, Gilcrist fiz Patrik, Thomas de Cokeburn, William  
 Oicherebure, Robert de Maleville, e Bernard *de Hauden del Counte de Roksburk*,  
 Andreu de Bretton, Johan de Makswelle, Syvan le Mare, Huwe de Foderingeye,  
 Maucolum de Rosky, Maucolum fiz Maucolum, Johan de Lanyn, Gilemore Maclyn,  
 Johan de Kyntowar, Wautier de Kyntowhar, Maucolum de Kynbuk, Patrik de Glen-  
 doghrad, Thomas de Kyngarth, Mestre Matheu de Monros *Clrk*, Isaac de Kelwiny,  
 Lorn de Ardebethy, Thomas Tutte *de Strathern*, la *Priorisse de saint Leonard juxte*  
*la vile de Saint Johan de Perth*, Rogier de Miggel, Gilbert de Thoruk, Kilschyn Gil-  
 crist, Huwe de Balmenagh, Malys de Moliefard, Ego de Strathath, Robert de Stra-  
 thern, Monagh fiz Alpyr, Morice de Tyrcey, Conan de Bethweder, Margarete le Eng-  
 leys, Haldan de Emelster, William de Morref *de Tulybardy*, Maucolum *de Strathern*  
*Clrk del Counte de Perth*; *saluz, &c.*

Pecia 25.

*A touz, &c.* Johan de Swyreburn, Reynaud de Craunford *del Counte de Are*,  
 Gilbert de Glynkerney *del Counte de Elgyn*, Gilbert de Lakenheved *del Counte de*  
*Lanark*, Christine de Mar *que fu la femme Duncan de Mar del Counte de Ildernesse*,  
 Maucolum de Ergad *frere sire Alisaundre de Ergad*, Duncan Cambell *del Illes*, e Gil-  
 bert de Mar *del Counte de Fyf*; *saluz, &c.*

*A touz, &c.* Anneys Prioress *de South Berewyk e lo Covent de mesme le lu*,  
*saluz, &c.*

*A touz, &c.* Isabele Knout *del Counte de Roksburk*, Johan de Montgomery,  
 Reynaud Mor *de Cragge*, David de Waugh *del Counte de Lanark*, Margerie Comyn,  
 dame *de Gurdon del Counte de Berewyk*, Wautier de Caran *del Counte de Fyf*, Duncan  
 fiz *le Counte de Mar del counte de Perth*, Johan Haughenros *del Counte de Elgyn*, Henry  
 Hogger *del Counte de Roksburk*, Eve *que fu la femme Maucolum de Fernyndraugh*  
*del Counte de Abirden*; *saluz, &c.*

*A touz, &c.* Matheu le Naper *de Aghelek*, Alisaundre de Sanfer *de Innerkethyn*  
*del Counte de Forfare*, Johan del Hage *del Counte de Berewyk*, Rauf de Chaumpayne  
*del Counte de Wygeton*, William Prat, Adam de Gibeloteston *del Counte de Fyf*, Ro-  
 bert de Ogthergeven *del Counte de Perth*, VVilliam de Malevill *del Counte de Rokse-*  
*burk*, Johan de Hirdmaneston *del Counte de Berewyk*, VVilliam le Taillour *de Bal-*  
*shamvulle del Counte de Forfare*, Alisaundre de Dalmahoy *del Counte de Edenburk*,  
 e Johan de Cragyn *del Counte de Linlescu*; *saluz, &c.*

*A touz, &c.* Wautier Byset, Wautier de Benavelyn, William de Gurleye, Adam de  
 Garmagh, Wautier de Balernaugh, Johan de Haneworth, Phelipp le Mareschal, Ri-  
 chard del Idle, Robert de Muscaumpe, Aylmer de Handen, Barthelmeu *Mestre de la*  
*meson de Saint Germeyn*, William le Harpur *de la Lauwe*, Pyeres de Lysours, Simon  
 de la Scalerik, Robert de Pylemor, VVilliam Schelle, Thomas de Boys, Thomas de  
 Carkon,



An. 24 E. 1. Carkon, Iohan de Crak, Iohan Lesquier de VVhyhop, Andreu de Haldanston, Richard de Holaston, Phelipp VValran, Alisaundre Bertholmeu, Robert de Hedeye, Johan de Cambok, Bernard Frisel, VVilliam de Fasington, Matheu de Hauthornden, Iohan Fraunceys de Benefston, Iohan Pygaz de Lynton, Adam de Fouwelden de Horton, William de Cornhal, William Avenel, Henry de Ormeston, William Fryfel, Aleyn de Wynton, Thomas de Stratton, Nicol de Preston, Crichty de Carnant, William de Preston, Adam de Lynton, Rugier Gourlay, Adam de Lynton, William de Sideserft, Robert de Weepunt, Pieres de Horton, William fiz Geffray de Boulton, Patrik de Hirdmanneston, Adam le Clerk de Colginton, Iue de Elebotle, Michel de Hale, *Frere Iohan mestr del Hospital de Seirs Trinitie de Huweston*, Iames de Neuton, Hue fiz Geffrey de Elbotle, Wautier de Northberewyk, Geffrey de Chaldecote, Adam de Reynfr, Henry de Kidelowe, Wautier de VVerderburn, William de Pokeby, Robert de Langemore, e Eymmer de Handen *del Counte de Edeneburk*; *saluz, &c.*  
*A touz, &c.* Phelipp de Fyndon *del Counte de Kyncardyn*, e William de Meyster-  
*ton del Counte de Fyf*; *saluz, &c.*

*A touz, &c.* Penicok, Aleyn de Lyberton, David de Lyberton, VVautier de Loghdon, Randolf de Loghdon, Huwe Rydel, Gunnyd Brun, Gilbert de Dunmanyn, Edward de Couton, Iohan de Agdokeston, Richard de Erth, William de Kynemuth, Henry de Lysours, e William de Drilawe *tenantz le Roi du counte de Edneburk*, Elys *le porter de Rugan*, e Roger *le fiz Richard de Cadrogh, tenantz le Roi du counte de Lanark*, Richard Fossart de Ieddeworth, e Reyner de Clonas Lumbard, *tenantz le Roi du counte de Roksburk*, William Onthehull, Thomas de Karibe, Henry del Wro, Michel le Lardiner, Nicol Serjant *de Linlescu*, Phelipp de Abernyd, Gilbert de Hildeclyve, Will. de Kenenmuth, William le fiz Arnaud, Andreu de Croston, Adam de Whiteburn, Gilcrift de Whiteburn, Iordan del Orchard, Will. Bretun, e Iohan de Kelput, *tenantz le Roi de counte de Linlescu*, Rauf Doghlyn *de Hadington*, Rob. de Eghlyn, Alce *qe fu la femme Aleyn de Ormeston*, William Peshun *de Tynygham tenantz le Roi du counte de Edneburk*, Henry de Haliburton, Huwe *le fiz Moyses de Spor*, William de Abernithy, Pieres de Prendelgust, Alice *qe fu la femme Phelipp de Haliburton*, e Margerie *qe fu la femme Thomas Bangsleve, tenantz le Roi du counte de Berewyk*, Patrik de Malevill, William Perel, Rogier le Mareschal, William de Malevill, VVilliam de Crelinger, VVautier Lillok, Thomas Lillok, Rogier de Mohant, Rauf del Pont de Pebbles, Huwe Ofcheleigger, VVilliam de Hopkeliogh, Johan le Naper, Adam le Feure de Erceldoune, VVilliam Porneys, *tenantz le Roi du Counte de Pebbles*, Iohan de Drilowe, Robert de Normanvill, Iohan de Lambreton *tenantz le Roi du Counte de Strivelyn*, Maucolum de Glindoghred, Iohan de Botirgast, Robert Cambroun *de Balnely*, Henry de Fresseleye, Teobaud Pittor, VVilliam de Kilmoneith, Robert de Ostergaven, Thomas Cambel, Alisaundre de Argeyl, Maucolum fiz Inneyre, Patrik de Rothenayk, Rauf de Gilgirston, Iohan Ewinsone, Mac Gilcrift, Rauf de Kynard, Gilbert de la Haye, e Iohan de Malere *tenantz le Roi du Counte de Perth*; e Eve *la Prioresse de Hadington tenantz le Roi du Counte de Edneburgh*, Nicol de Tripponeye, VVilliam de Scheles, VVilliam *tenant de Creston*, Iohan le Porter *de Linlescu*, Serle de Dundas, Michel Lardiner, Nicol le Serjaunt *tenantz le Roi du Counte de Linlescu*, Iohan de Crauford, Thomas de VVinclestre, Aleyn VValeys, Robert Eoyt, Adam fiz Grimbaud, Nicol de Slaves, e Patrik le Archer *tenantz le Roi du Counte de Are*; *saluz, &c.*

*A touz, &c.* Thomas le Husher *del Counte de Anegos*, VVautier Comyn *del Counte de Pebbles*, VVautier de Greyden, Gilbert de Estnesbyt, Adam fiz Nicol, Adem Belle, Thomas le Muller, Edward fiz Richard le Prestre, Laurence de Morref, Patrik de Byly, e Aleyn Belle *del Counte de Berewyk*, VVilliam de Baudreston *del Counte de Linlescu*, Enime de Ailmer *del Counte de Selkirk*, Maucolum de Kynspinedy, Richard *Person del Eglise de Torry del Counte de Fyf*, Mestr VVilliam de Rochesford *Person del Eglise de Lilleclyve*, Richard de VVyttton *Person del Eglise de Hawyk*, VVilliam de Blakelawe, Iohan de Lynton, Gilbert Haunches, VVilliam de Ianun *del Counte de Roksburk*, Robert de Chartres, Alisaundre de Keth, *Person del Eglise de Hodolme del Counte de Dunfres*, Adam *Person del Eglise de Lallalugg del Counte de Edneburk*, William *Vicaire del Eglise de VVyston*, VVilliam le Taillur, VVautier le Fleming, Kynlay de Twydyn *del Counte de Lanark*, *Frere Iohan de Sautre, Mestr de la Chivalerie del Temple en Escocce*, *Frere Alisaundre de Welles*  
 Gardeyn

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*Gardeyn del Hofpital de Saint Johan de Jerusalem en Escote; saluz, &c.*

An. 24 E. 1.

*A touz, &c.* Duncan fiz Avelyn Chivaler, Henry de Vypunt Chivaler, Wmfr de Kilwhowe Chivaler, William le Fleming, Aleyn le fiz Avelyn, Morice de Arn-cappel, Johan Makelmothan, Duncan le fiz Nelges, e Johan le Naper del Counte de Dunbretan, Johan de Joneiton Chivaler, e Johan le Blunt de Eskeby, del Counte de Dunfrys; Hectur Askeloc, e Arthur de Galbrath del Counte de Wygeton, Wautier Sproul del Counte de Dunbretan, Roger de Burghdon de Blakeder, Rauf de Egerhop, Adam Bernak de Hilton, Gregoire de Saint Cler, Edith de Goldingham, Anneys de Mollesworth, Rogier le Hauper de Homer, Rauf de Hauden *Personne del Eglise de* Whitelum, William Caffurlong, Robert Mantalent, Henry de Ellom, Nicol del Despenfe, e Robert Cogan del Counte de Berewyk, Donald le fiz Ancol del Counte de Dunbretan, Johan de Haukerston, William le Fraunceys, Johan de Elfinston, Wautier de Congelton del Counte de Edneburk, Gilbert de Kilbride, Alisaundre de Stravelyn del Counte de Lanark, Henry del Orchard, Matheu de Gurle, Johan de Graham, Henry le Ferour de Granernen, Constance de Kyphop, Rauf Eghlyn, William le Mareschal, Henry Ker, Wautier de Berkelegh, Michel Hippereyson, Aleyn le Litteffre, Henry del Lardere, Robert del Fansyde, Johan de Wytelowe, William *Personne del Eglise de* Barwe, Johan de Harkerston, Richard Steward de Cranetton, del Counte de Edneburk, Gilbert de Dromund del Counte de Dunbretan, Henry de Graham, Johan de la Leye, Johan de Seton, Pieres de Graham, Beatrice de Karlel, Adam de Hodolm, Eutace de Boyvill, Ive le Messager, Richard de Seton, e James de Forthorald del Counte de Dunfres, Nicol de Biddeby, Johan Oter, William le fiz le Styward, Robert de Spottefwode del Counte de Berewyk; saluz, &c.

*A touz, &c.* Michel de Wymer, Henry de Haliburton, Anegos Makerath, Dugoldus Gregyns, Wautier de Ruffy, Nicol Mtkwheshapp, Maucolum fiz Nicol, Pieres de Cokeburn, Andreu le Jigger, Nicol de Veupount de Tyndaz; saluz, &c.

*A touz, &c.* Duncan de Fernyndrogh Chivaler, Norman de Lesselyn Chivaler, Johan L. ppe del Counte de Abirden, Thomas de Morham *pufte de Counte de Striye-*lyn, Johan Wyghe del Counte de Lanark, William Breton del Counte de Linlescu, William de Abercron by del Counte de Fyf, Huwe de Urre del Counte de Dunfres, Roger de Crauford del Counte de Ate, Thomas le Ewer, e Johan le Skene del Counte de Edneburk; saluz, &c.

*A touz, &c.* Johan de Stowe *Personne del Eglise de* Glemkerny del Counte de Kincardyn en Miernes, Jone de Laundeles, Symon Fraunceys, Robert du Val de Esk, Richard le fiz Gefrai de Ekford, del Counte de Rokburk, David *Vicaire del Eglise de* Foghon, Johan *Vicaire de* Langeton, del Counte de Berewyk, Andreu de Garvagh, Richard de Leghindy, Elizabeth de Rosseneth del Counte de Abirden, Robert de Graunt del Counte de Fyf, Henry le fiz Arnand, William Gocelyn del Counte de S. ikyrk, Johan de Dunbretan *Personne del Eglise de* Nig del Counte de Rosse; saluz, &c.

*A touz, &c.* Fynlawe de Huston Chivaler, William le Flemyng Chivaler, Huwe Kenedy Chivaler, Huwe de Dalmefton Chivaler, Johan le Seneschal Chivaler, Aleyn le Glasireth, William de Shawe, William de Conyngburgh, Henry de Manfpeith, Robert de la Chaumbre, Aleyn le fiz Nicol, Marie de Glengevel, Alisaundre de Kircomtolagh, Gilbert de Kilbride, Richard de Creling, Thomas de Raulfefton, Wautier Spreul, Herbert de Glodeston, William Dongulfone, Johan de Irskyn, Johan del Glan, William Fyn, Adam le Taillur, William de la Chaumbre, Johan Frode, Gyles del Estwode, Ughtred Seman, Laurence de Petyn, Henry de Arthurshull, Robert de Kent, Patrik de Selvenland, Alisaundre Akeman, William Crokta de Kilbride, Gefrai de Home, e Henry fiz Phelipp del Counte de Lanark; saluz, &c.

*A touz, &c.* Adam de Bakepol del Counte de Rokburk, Johan de Hedlam *South-*chanour del Eglise de Ros, Thomas de Jarum *Provendrer de mefme Leglise, del Counte de* Ros; William *Vicaire del Eglise de* Carnok, del Counte de Miernes, Richard de Furdal, Dongal Cambel, Edmund de la Haye, Marjorie de Graham, Johan Lanmansone, Laurence de Flisk, Arthur Cambel, David de Blare, Duncan Cambel, Robert Gerland, Thomas de la Haye, Eugene fiz Loghlave del Counte de Perth,

P p p p

Wautier



*An. 24. E. 1.* Wautier Lescot, David Eyr de Stichehull, Thomas de Fulcon *Vicaire del Eglise de* Irnnewyk *del Comte de* Pebbles, Rokburk & Edneburk, William de Redepeth *del Comte de* Berewyk, Wautier le Engleys *del Comte de* Lanark, Thomas de Hayton *Vicaire del Eglise de* Cambosneythan, *del Comte de* Lanark, & Aleyn Albe de Alnewyk *del Comte de* Berewyk; *saluz, &c.*

*A touz, &c.* Johan de Rammefeye, Adam de Rammefeye, Johan fiz Nece de Rammefeye, William de Rammefeye, William de Kyndellogh, William de Laghmanoveny, William de Letton, Gilbert de Kymmok, Ive de Bringsholles, Richard de Lasceles, William de Laskresk, Robert Gernald, Gregoire de Juredonet, Robert de Waghop, Thomas Kayter, Robert de Ortok, Henry de Ayneferother, Pieres Chaumpaigne, William de Petkery, Johan de Cambhou, Bartholmew de Kyldunham, Johan de Abercromby, Adam de Lumbyny, Patrik de Dundemer, William de Fresseleye, Symon de Orrok, Pieres de Pettarne, Brice fiz Johan, Elys de Orky, Richard de Bismakemore, William de Kuere, Henry Grey, Ele de Fyff, Huwe de la Haye, Lambard *Vicaire de* Caral, Henry de Mominel, Johan de Hadyn-ton, Johan Frefel, David Arnot, Andreu Balmalkyn, Richard de Skadaghy, Adam Clouny, Ifabele Scot, Wauter de Logy, Thomas de Balkasky, Johan de Randolfeston, Adam de Peticlank, William de la Haye de Drumranagh, David de la Garderobe, Ele de Ardros, David de Hadington, Robert de Dundas, Wautier *Vicaire de* Forgrant, William Dobervill, & Johan le Waleys fiz Thomas le Waleys *del comte de* Fif, *saluz, &c.*

*Pecia 29.*

*A touz, &c.* Dovenald Makachelshou, Nicol le fiz Adam de Dunbretan, Gilbert de Iurelauran, Dovenald Gasbrath de Kildbride, Duncan Mac Gilcrist de Levenagh, Dovenal le fiz Michel More de Levenagh, Duncan Alpynsone de Aughrul, Patrik Flemeng *del comte de* Dunbretan, Iwyn de Garghill, Duncan Maggadelf de Cambroun, Malcolin de Bongheannian, Gilbert de Buthernok, Duncan Bard, Brice Fynlawesone de Nerbolg, Thomas le fiz Waucolum de Garthgeveron, Robert Crochet, Richard de Pessun de Strivelyn, Robert de Irland, Thomas de Montgomery, Gille Rosan le Rous, & Ende le fiz Morice, *del comte de* Strivelyn, & Gilbert Haanethe, Fergus Askolo, Gilbert de Hannethe, & Thomas de Kitchilt *del comte de* Wigeton, & Gilbert Wischard, Jone de la Haye, Angos de Neutober, Robert de Kenros, Ricard de Nentebere, Johan de Strathern *del comte de* Forfare, & William le fiz Aleyn le Clerk de Louweder, Robert del Hospital, Rauf Phelipp de Berewyk, Thomas de Selkyrk, Alice de Dunbar, & Robert de Kynbriggeham *del comte de* Berewyk, & Robert de Cribbes, Johan de Bykerton, Michel Scot, Phelip de Carriber, Johan Cragy, Saer de Dundas, Gerveys de Loughill, Henry de Dalmehay, Richard Ernoud, Huwe de Dursidere, Alifaundre de Purdevyn, Freskin de Douglas, Marjorie del Fairhalugh, & Patrik le fiz Johan le Marechal *del comte de* Linlescu, *saluz, &c.*

*A touz, &c.* Alifaundre Fossard de Tynningham, David de Timerham, Richard le Barker de Tynningham, Gilbert fiz Henry de Tynningham, William de Lessewade, Wautier Scot, Robert del Brunhus, William le Keu, Gilbert le Messager, Michel le Messager, Adam de Cartiz, & Robert del Brunhus, Elys de Obrinkel & Thomas VValghope, *tenant le Evesque de* Saint Andreu *del comte de* Edneburk, & Symon de Liston *tenant le Evesque de* Saint Andreu *del comte de* Linlescu, Johan Lasceles, *Mestre* Richard le Ken, Eude de Kynnemuth, Henry de Tarneth, Marc de Clapham, Andreu Frefer, Lambe fiz Austyn de Nibreim, & Maucolum de Kynspinedy, *tenant le Evesque avantdis, del comte de* Fyff, Johan de Morhall *tenant le Evesque avantdis del comte de* Perth, & William le Ken *del Knoll, tenant le Evesque avantdis del comte de* Lanark, *saluz, &c.*

*A touz, &c.* Gilbert fiz Roland, Johan de Knoudolyan, Gilbert Maklurk, *Mestre* Neel Cambel, Johan fiz Neel de Carryk, Duncan de Carleton, Patrik Beg, Johan le Clerk, Aleyn de Wynton, Adam le VValeys, Reynaud de Kilmernon, Arthur de Donon, William de Kachkerk, Robert le Harpur, Johan de Langemor, Nicol le Waleys, Pieres de Butgh, Wautier de Ros, William fiz Gervays, Gilbert le Conynburk, Renaud del More, Roger de Crauford, Huwe Oftheblare, Renaud de Crauford, Robert de Boyvill, William fiz Lorence, Aleyn le Flemyng, William Bule, Ailmer le Hunter, Thomas Galsagy, Adam de Hom, Rauf de Eglynton, Roger de Rath, Alifaundre de la Butlerie, Thomas de Cregeyn, Neel fiz Robert de

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de Dullop, Robert de Pitton, Adam de la More, Aleyn le Barbur, Gilmor *fiz* Edward, Rauf Faureye, William de Craunford, Wautier de Lynne, Thomas de Wyn-ton, James de Ros, Johan *Vicaire del Eglise de* Garvan, Murchauch de Montgome-ry, Duncan *fiz* Gilmor, Edward, Renaud More, Nichol de Achitheleg, Aleyn de Keres, Symon de Spaldyng, *persone del Eglise de* Ogheltre, Maucolum Lockare *del counte de* Arc, e Richard Wert, Thomas de Muscamp, Alisaundre de Paunton, Ma-rie de Glangenel, Iohan de Maxwell, Phelipp le Engleys, e Symon del Schawe *del counte de* Lanark, Nicol de Corry, Iohan de Dordof, Rauf de Eryngton, Sy-mon de la Chaumbre, Robert de Dunbretan, Robert Freyser, William de Helle-bek, Henry de Gillonby, Giles *persone del Eglise de* Eggleffeyan, Robert de Perre-fax, Iohan de Kirkpatrick, Thomas de Mossfet *del counte de* Dunfres, *saluz, &c.*

*A touz, &c.* Adam de Barton, Alisaundre de Boudington, *chapeleyn*, Iohan le Harpur, Iohan de Eccles, Robert de Askeby, Roger de Westlominelton *del counte de* Berewyk, Patrik de Polewe *del counte de* Fyf, Geffrai *le fiz* Wautier, Alisaun-dre *le fiz* Henry de Caverton, Roger del Grene, *del counte de* Rokbnrk, Thomas Walgh *del counte de* Pebbles, Robert de Elmelegh *del counte de* Abirden, *Mestre* Henry de Strivelyn *del counte de* Strivelyn, Maucolum Mac Cuffok, Barthelmeu de Egglefham *chapeleyn*, *Gardein de novel leu de* Seneware, VWilliam le Taillur, Patrik *fiz* Matheu de Parton *del counte de* Danfres, Mabille de Cungilton, Martin del Chaundeil *del counte de* Edneburk, Patrik de Aghlek, Patrik de Morington, Pieres Kenyn, VWilliam del Gernerig, Fergus de Bard *del counte de* Lanark, *saluz, &c.*

*A touz, &c.* Matheu de Grenlawe *fiz* VWilliam de Grenlawe, Nicol Campyon, VWilliam *Vicaire del Eglise de la Trinite de* Berewyk, VVautier de Fenton, Henry de Swynton, Iohan del Park *chivaler*, Iohan *fiz* VVautier de Kymbrogam, Tho-mas de Creghton, Richard Norreys, Aleyn de Elfinelton, Adam de Badby de Lam-bretan, Henry de Prendregalt, Wautier le Moigne, *Mestre* Duncan de Carrik, Ade de Fraier *Prioreffe de* Eccles, Nicol de Paxton, Adam de Luminesden, Rogier Elyssone, Thomas de Nesbyt, Iohan de Southlynton, Iohan le Engleys, Aleyn Dunwythye, Iohan *le fiz* David, Adam Spollard, VVauter de la Chaumbre, Adam Belle, Iohan de Hilton, Iohan de Boneke, Adam Mounland, Roger de Luminesden, Iohan Dammefone de Overayton, VWilliam Pourays, Iohan Grithman, VWilliam Ravessone, VWilliam de Billingham, Oliver de Ryfton, Adam Swyn de Ryfton, Adam Sel de Ryfton, Thomas Floriesone, Adam de Lamberton, Adam Collan, VVautier Pieressone, Nicol Lamb, Iohan Adamsone, Coleman VVyrok, Huwe de Britherstanes, Robert de Blakeburn, Johan Ayr de Ayton, Richard Belle, Wautier de Lamberton, Richard de Kyngeffsyde, Aleyn de Pylmor, Adam Corbet, Marjorie de Danfier, Rauf Brun, Eliz *fiz* Robert de Novel Chastel, Robert de Biddesden, Jone de Nesbyt, Huwe Giffard, Aleyn *fiz* Maucolum, Thomas de Bonequil, Willi-am Lange, Rauf Ofstrebrun, Adam Sammok de Trebrun, Thomas de Pylmor, Hen-ry de Naythanthern, William *le fiz* William de Trebrun, William le Feure, Pieres de Litreitere, Wautier Jonesone, Nicol Corour, Roger de Harkars, James Gif-fard, Johan de Chesolm, William de Eyton, Johan de Kynburn, Robert Russel, Pa-trik Alicefone, Adam Frere, Geffray Isabelsone, Eliz Britun, Symon Malcomeffone, William Godeflyme, Symon Coupere, Johan de Kynbrigham, Aleyn Sammoksfone, Johan le Waleys de Overton, Aleyn de Herteshede, William le Clerk de Witton, William de Lamberton, William de Boseville, Richard de Coldingham, Robert de Rammeseye, Robert Grimbald, Steven *le fiz* Johan Greve de Hayton, Adam de Kirkby, Loel de Liolleffton, William *le fiz* Renaud de Eyton, William le Marefchal de Morthington, Thomas de Harkars, William de Blythe *Persone de* Chirnesyde, William de Swynton *Vicaire del Eglise de* Swynton, Huwe *Vicaire del Eglise de* Ald-cambhouse, Robert de Stichehull, Nicol Perre de Bonekel, Bernard de Lynton *Persone de Eglise de* Mordington, Huwe *le fiz* Adam de Hilton, Margarete la Tielle Nicol de Rotherford, Saer *le fiz* Thomas Freyfel, Johan de Lodham, Randolf de Creyes, Johan Gourley, Elyz del Molyn, William de Chatton *Vicaire del Eglise de* Ederham, Thomas de Derchestre *del Counte de* Berewyk, *saluz, &c.*

*A touz, &c.* Robert de Hastings, Adam Pendenam, Johan Flemyng, Erchebaud de Morref, William de Appeston, Johan de Hatal, Johan de Meldon, William Wy-mondessone, Laurence Fresel, Johan Hope, Malcolm Erchebaudessone, Thomas Buntyn, Osbern de Chartre, William Baret, Thomas de Ledyard, Alisaundre Du-dyn,



*An. 24 E. 1.* dyn, Lorence atte Bure, Nicol Kerre, Andreu le Seeler, Stevene de Glenwhym, Thomas le Louerd, Bernard de Mohaut, Alisaundre de Droghkil, Jacob Freman, Johan Gilberdessone, Adam Luvely, William le Wache, Cristine Lockard, Gilbert Darel, Johan Eyr de Messeson, Robert de Theepeland, Stevene de Steveneston, William de Erth, William Frisith, Anable de Cambos, del counte de Pebbles, Robert de Betun, Johan de Arrat, William de Mouncref, Richard Muscher, Thomas de Rammefeye, David de Enredeffre del counte de Anegos, saluz, &c.

*A touz, &c.* Johan de Garmagh del counte de Aberden, Aleyn fiz Thomas de Fulton, Nicol de Fulton, Urtius le Harpur del counte de Lanark, Johan Skene, Patrik de Skene, Johan Lyp, del counte de Aberden, Thomas le Ewer del counte de Edneburk, Johan fiz Randolf de Fodice del counte de Fyf, Wautier Byset del counte de Aberden, Thomas Punodayn, Patrik Gilcristeffone, Johan Manuel, Adam Gurdon, Johan de Bondington Clerk del Counte de Strivelyn, William de Cluny Chauntar de Bregghyn del counte de Forfare, Patrik de Blauntire del counte de Strivelyn, Henry de Strivelyn Person del Eglise de Upsetelington, Symon de Licharodeswode, Personal de Veupont, Adam de Kirketon del counte de Berewyk, Cristiane del Greneheved del counte de Selkirk, Johan de Pedgrogeny del counte de Perth, Gessrei le Baxtere, de Loffiche, Laurence de Lekathy, Adam fiz David del counte de Forfare, Johan Legun de Rothegle del counte de Lanark, Johan Broun del counte de Berewyk, Thomas de Boghan, Robert Foreman del counte de Edneburk, Robert de Chatton, Huwe de Hexildespeth del counte de Rokburk, William Gardeyn del counte de Forfare, William fiz Andreu de Duglas del counte de Linliscu, frere Adam Ministre del order de la Trinite de Berewyk, Patrik Lescot, Cristiane atte Gothe de Berewyk del counte de Berewyk, frere Thomas Abbe de Inchanfran, saluz, &c.

Pecia 31.

*A touz, &c.* Wautier Vicair del Eglise de Licharodeswode, Robert de Douns, Frere William Mestre de la meson de Seins Austyn de Seggeden, William Othebill, Johan le Letham del Counte de Berewyk, Gilbert Person del Eglise de Kildehavena del Counte de Perth, Pieres de Dewere, Huwe de Gurlegh, Patrik de Gurlegh Person del Eglise de Loghorward, Huwe Vicair del Eglise de Craneston, Margarete de Penicok, Eleyne de Dudingeston, Adam de Lynton le Ioenene, Johan Cheen del Counte de Edneburk, Johan Vicair del Eglise de Edenham, Huwe Body del Counte de Rokburk, Morice Unthank, William le Clerk del Counte de Lanark, Henry Vicair del Eglise de Laurineton, Robert de Tyndale Person del Eglise de Graunt-Dalton del Counte de Dumfres, William del Skegges, Patrik del Gyle, William fiz Richard del Counte de Pebbles, e Adam Prior de Cardoyl del Counte de Are, Nicol de la Despenfe del Counte de Berewyk, Frere Thomas Mestre de la meson de la Trinite de Soltre del Counte de Edneburk, Aleyn Person del Eglise de Roule, Johan fiz Randolf del Counte de Rokburk, Johan de Lillefelyve del Counte de Pebbles, Huwe de Dunom Person del Eglise de Lyberton del Counte de Lanark, William Vicair del Eglise de Laneta Gardeyn de la Priorite de Northberewyk, Isabele qe fu la femme David le Taillour del Counte de Forfare, Wautier Cammays Clerk del counte de Rokburk, William Parker Person de Kilmon, Richard Vicair del Eglise de Selkirk del Counte de Perth, Johan de Horreden del Counte de Lanark, Eleyne Papele del Counte de Berewyk, Anneys del Crag, William du Gardyn del Counte de Edneburk, Wautier de Bar, Emme Spende-lone del Counte de Lanark, e Johan le Forester del Counte de Berewyk; saluz, &c.

*A touz, &c.* Wautier Curry, Henry Crak, Johan de Normanvill del Counte de Dumfres, Laurence de Scorton, Johan le Mareschal, Thomas le Mareschal, Symon Person del Eglise de Middeby, Adam de Gurle, Roger de Rainaldeston, Johan fiz William de Fastfurlang, Thomas de Haunches, Johan de Annecombe, Randolf de Derum, Robert de Merleye Person del Eglise de Westker, Wantier Aumbler, Aleyn Person del Eglise de Roule, Thomas de Killewode, Thomas de Ston, Alisaundre de Hirmaneston, Huwe de Shotton, Alisaundre de Cauerton, Henry de Scorton, Adam de Roule, Richard de Perth de Rokburk, Richard Cambays, William de Birhop, Johan Bayard de Hoten, Alisaundre de Maxton del Counte de Rokburk, Gode de Wynton, Robert fiz Adam de Drelton, Thomas le Mareschal de Crostorfyn, Johan de Daventre, Johan de Lambreton, Pieres le Clerk, Isabele qe fu la femme Thomas Steward, Aleyn de Suthstanes, Thomas de Dewere, Huwe Ayer de Caluden, Johan de Hanewort del Counte de Edneburk; saluz, &c.

*A touz, &c.* Wautier Oghterloveny, Adam de Valoyns, Henry de Dundemor, VWilliam

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William de Lamberton, Matheu de Balran, Randulf de Ronays, Wautier de Bkerton, William Fraunceys, Johan de Cuere, Richard de Malevill, Morthak de Cairyk, Huwe de Loghore, William de Valoynes, Johan de Morref, Johan de la Haye, Johan de Kuere, David le Wymes, Richard Cuyot, William de Lafceles, Nicol de Soules, Andreu Fresel, Johan Manipeny, Patrik de Pedglassy, David de Meskedrum, *del Counte de Fyfe*, e Maucolum le Engleys *del Counte de Perth*, Ace de Kynros, Alisaundre de Abernithy, Alisaundre del Ile, Gilascop fiz Rouland *del Counte de Perth*, Margarete de Ramefeye, Thomas de Harecarres *del Counte de Berewyk*, Johan de Lindefeye, Thomas de Soules *del Counte de Rokburk*, Wautier Comyn *del Counte de Pebbles*, Gilbert Maccoignathe *del Counte de Dumfres*, William Macvlagh *del Counte de Wygeton*, Maucolum *Counte de Levenaux*, David de Berkele, Edmund de Hastings *del Counte de Fyf*, Robert Cambron *de Balnely*, David de Bregbyn, e Alisaundre de Lamberton *del Counte de Forfare*, Johan Wyscard, Alisaundre de Allerdash, Humfrey de Middelton, Robert le Fauconer, Michel le Flemyng, Robert de Trembleye, Johan de Thornton *del Counte de Kincardyn en Miernes*, William de Melkedrom, James de Mar, e James de Malevill *del Counte de Abirden*, Eymer Comyn *del Counte de Bauf*, William de Rotheneth, William Wisman *del Counte de Elgyn*, Johan Prar, Gilbert de Glymcarny, Rouland fiz Aleyn, Mac Rotherik *del Counte de inner-nys*, e Gervays Rath *del Counte de Innerauryn*; *saluz, &c.*

A touz, &c. Richard de Boyvile *del Counte de Are*, William de Kyngorn *Person* *Pech 33.* *del Eglise de Kyltierre del Counte de Inthorneffe*, Johan de Araz, Patrik de Bardennan, Morice Mac Salny *del Counte de Dumfres*, Andreu del Ker *del Counte de Strivelyn*, Laurence de Wedale, Nicol le Chapeleyn *Gardien de la maison dieu de Rokburk*, Adam de Softlawe *del Counte de Rokburk*, Aylmer de Softlawe *Person del Eglise de Kyrnighel del Counte Lanark*, Gregoire de Malevile, Henry de Smitheton, Robert de Walughton *del Counte de Edneburk*, Margrete *qe fu la femme Pieres de Lundy del Counte de Fyf*, Nicol de Pynkerton *del Counte de Hadington*, Johan de Hayton *del Counte de Dumfres*, Thomas de Hynkerstan, Johan Prendegeft *de Over-Eyton*, Rauf le Messager, Aleyn de Langeton, Robert de Dunbar, Stevene Eyr *de Eyton*, Jone *qe fu la femme Randulf Wiscard*, et Robert de Howeden *del Counte de Berewyk*; *saluz, &c.*

A touz, &c. Humfrey de Boys *Chivaler*, Rogier de Kirkpatrik *Chivaler*, Huwe Maulerer, Gilbert de Joneston, Huwe de Orre, Cuthbert Makelmwyn, Gilbert Makenaght, Johan de Bundeby, Fergus le Mareschal, Rouland le Mareschal, Morice de Estubille, Gilbert de Sutheyk, Gilbert de Carlel, Wautier le fiz Wautier de Gurneston, Thomas de Coleville, Adam Colven, Thomas de Sutheyk, Michel de Candelneste, Duncan fiz Andreu, Dongal fiz Gothrik, Aleyn de Rossa, Robert de Drufquem, William de Heriz *del Counte de Dumfres*, e Johan Bard, Nicol Bard, William fiz Roger *de Strathaveiryn*, Adam de Ardwykeston, Huwe Croket *de Kameslank*, Fergus del Shawe *del Counte de Lanark*; *saluz, &c.*

A touz, &c. Michel de Mobaut *Chivaler*, Ewyn fiz Duncan, William de Mongale, Johan Manuel, Anegoz de Aghenros, Robert de Redebege, Johan de Lunetot, Robert fiz Rauf *Person del Eglise de Saint Cuthbert de Ewytesdale*, Nicol de Camp *Vicaire del Eglise de Grenlawe*, Johan de Coneneth *Person del Eglise de Alneecrom*, Mestre Walram *Person del Eglise de Yetham*, Robert de Dene *Person del Eglise de Wilton*, Huwe Urry, Thomas Dabergaldyn, Renaud de Cranford, Johan fiz Johan *de Langemor del Counte de Are*, Pieres de Montfort, Henry Galighly *de Aberden*, Johan de Greyly *Chivaler*, Wautier Byset, Maucolum de Ouvere *del Counte de Abirden*, William de Knokyntynnon, William fiz Stevene *de Arde del Counte de Innerneffe*, Henry de Preston, Gilbert le Messager, Michel le Messager, Edward *Vicaire del Eglise de Weddale*, Pieres de Graham, Richard *Person del Eglise de Rathen del Counte de Edneburk*, Thomas de Blauerna, Aleyn le Ferur *de Kellawe*, William Witherthurd, Johan le Greive, Nicol de Lychardeswode *Chapeleyn gardeyn del Hospital de Lychardeswode del Counte de Berewyk*, Alewynus de Kalentyn *del Counte de Strivelyn*, William Brun *de Gamelscheles*, Alisaundre fiz William Estrevill, William *Vicaire del Eglise de Dunmyn*, Nicol *Vicaire del Eglise de Lesseward*, Michel de Enderkelyn, Marjorie de Sydesert, Marjorie de Ricardston, Robert de Faudon *del Counte de Edneburk*, Andreu de Rat *Chivaler del Counte de Innernay*, Maucolum frere Alisaundre de Ergayl, Andreu de Rammeseye *del Counte de Ergayl*, Stevene le Ryche, Johan



*149. 2. E1.* Johan de Kynemore *del Counte de Strivelyn*, Thomas de Balmehard *del Counte de Linliscu*, David Muschet *del Counte de Anegos*, Robert de Ravenesgraf, Thomas de Foughelton, Johan le Marechal *del Counte de Lanark*, Thurbrand de Logan, Johan de Kerdernefle *del Counte de Dumfres*, Wautier de Merlegh, Johan Corbet, Alisaundre Furbur, Henry del Ferye, *Meſtre Edmund de Ledham del Counte de Rokburk*, & Johan le fiz Adam de Estneitbyr, *saluz, &c.*

*A touz, &c.* Sire Herbert de Makiwell, Sire Richard Frefer *del Counte de Dumfres*, Dougal Gotherykeffone, Michel Mac Ulagh *del Counte de Wygeton*, *Meſtre William de Kynghorn Persone de Lyſton del Counte de Linliscu*, Sire William de Mohant, Sire Wautier de Sherwynclawe, James de Lindeſeye, Sire Alisaundre de Lindeſeye *del Counte de Rokburk*, Sire Johan de Seint Michel, William de Malevill, *Seignor de Retrevyn del Counte de Rokburk*, Aleyn de Morref *del Counte de Foreys*, Sire Dovenal Cambel *del Counte de Dunbretan*, Laurence de Cramound *del Counte de Forfare*, Sire Michel de Wymes *del Counte de Fyf*, Aleyn de Colilawe, VVautier de Lindeſeye *del Counte de Berewyk*, Sire VVautier de Lindeſeye, Sire VVilliam de Rothenan, Sire Archebaud de Levingeston, Johan de Montfort, Sire VVilliam de Rameſeye, Alisaundre de Seton Vallet, VVilliam de Pylmor, Patrik de Hylton, VVilliam de Gourley *del Counte de Edneburk*, Roger de Mortimer, Johan Curryk, VVilliam de Cluny, Henry de la Despenſe, Johan de Contegarny, Thomas de Catton, Adam de Stywardeston *del Counte de Perth*, Sire Nicol de Graham *del Counte de Linliscu*, & Johan de Baddeby *del Counte de Pebbles*, *saluz, &c.*

Pecia 33.

*A touz, &c.* Johan Pollok, Johan de Derlingtod *Persone del Eglise de Dunlop*, James de Viccie *Persone del Eglise de Edenyn*, *Meſtre Nicol de Merton Persone del Eglise de Kynatches*, *Meſtre Johan Erceadyakne Breghinens. del counte de Forfare*, Robert de Montfort *del counte de Kyncardyn en Miernes*, Andreu *Persone del Eglise de Filorth*, VVautier *Meſtre del Hoſpital de Kyncardyn sur Neel*, *A. eſtre VVilliam de Dunde Persone del Eglise de Alnith*, Ferghar Chanoigne de Abirden *del counte de Abirden*, Johan de Aberkerth, VVilliam de Kirkuthbright, *Meſtre del Hoſpital de Turryth del counte de Bauſ*, Anegos de Rothenek, VVautier Herok *Dean de Morref*, Austyn *Vicaire del Eglise de Bakehetyn*, *Meſtre Henry de Bauſ Chancellor de Morref del counte de Elgyn*, Marie la Reyns de Man, *Meſtre Hervy Dean de Dunkeldy*, Duntan de Rameſeye *Persone del Eglise de Loghore*, Nicol de la Huye *Persone del Eglise de Crol*, Thomas de Preston Chanoigne *del Eglise de Dunkeld*, *Meſtre VVilliam Tyllvill Chanoigne de meſme le Eglise*, VVauter de Kergill, Henry de Lematon *Persone del Eglise de Douns*, Adam Bernard de Hylton *del counte de Perth*, Johan Rymour, Agneys de Twyfel, Anneys la Gynnere, Rauf *Meſtre del Hoſpital de Laweder*, Dovenal *Vicaire de Dunkeld*, Rauf de Hoveden, *Persone del Eglise de VVhironſue*, David *Persone del Eglise de Hylton*, Thomas *Persone del Eglise de Hylton*, Thomas de Hunſingoure *Persone del Eglise de Adnamſtoke*, Adam Lamb *Persone del Eglise de Foulisworth*, Connel *Persone del Eglise de Canboſſano*, Johande Baddeby *del counte de Berewyk*, Morice Lovel *Persone del Eglise de Petyt Cares*, Johan de Conneth *Persone del Eglise de Alnecrom*, Phelip Brugu *del counte de Rokburk*, James de Crak *del counte de Selkirk*, Michel de Dunde *Persone del Eglise de Snibhohak*, frere Thomas *Meſtre de la maiſon de la Sainte Croice de Pebbles*, *Meſtre Richard de Bouldon Persone del Eglise de Edalſton*, Thomas Lillok *del counte de Pebbles*, Thomas de Daliell, Huwe de Chastel Bernard *Persone del Eglise de Colbanſton*, *Meſtre VVilliam de Lamberton Chancellor del Eglise de Glaſcu*, David de Morref *Persone del Eglise de Bothevill*, Renaud *Vicaire del Eglise de Daliell*, Johan Silvestre *Persone de Doluſton*, Aleyn *Vicaire de Glaſcu*, *Meſtre Peres de Tillol Persone de Culre*, Robert de Lamberton *Vicaire de VValleſton del counte de Lanark*, VVautier *Persone del Eglise de Morton*, & *Meſtre de Caldeſtrem*, Pieres de Jarum *Persone de Killos*, Johan *Vicaire de Urres*, VVauter de Dernynton *Persone de Patton*, *Meſtre VVilliam de Goſeford Persone de Chastelnulke*, Robert de Carſan *Persone de la moyte del Eglise de Kirkaudres del counte de Dumfres*, *saluz.*

*A touz, &c.* Johan de Lindeſeye, Robert de Coningham, Thomas Petykren, Johan Stevenſton, Adam de Modernal, Osbern de Clivelond, Johan de Coteſford, Aleyn fiz Roger de Glaſriith, VVilliam fiz Nicol de Stragryf, Pieres de Canwedry, VVautier fiz Gilbert de Hameldon, Peres de Pollok, Henry de VVanewyk, Johan de VVinceſtre, David de Creſſewell, VVilliam Cutte de Strathawen, Johan Brun de Kilbride,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Kilbride, Wautier de Strathawan, Henry de Wincestre, Stevene de Cormanough, *Ap. 24 E. 1.*  
 Richard le Engleys, Robert de Burgh, David fiz Canan de Carduf, VVilliam le Porter, Henry de Foulton, Huwe de Bigge, Alisaundre de Belgaven, Robert Cruk de Fingaldeston, Johan Hunter de la Foreste de Passelay, Baldewyn de Edmerston, David Sibbald de Anganfouth, Johan de Anesleye de Crucfut, VVilliam fiz Peres de Strathafayn, Adam de Dowan, Robert de Cribbes, Symon de la Souche, VVilliam de Coughran, Peres fiz Gerard de Stragris, Huwe le Hunter de Stragris, Richard le Hunter de Stragris, Alisaundre de Foward, Thomas le Brenefster de la Foreste de Passelay, Robert le Machun de Strathafan, Phelipp de Perthay, Symon de la More de Thangarston, Thomas le VVright de la Blakehalle, Symon de Ayneston, Adam fiz Matheu de Rugon, Nical de Benancy, Erchebaud de Harpenfeld, Gilbert fiz Gregoire de Crontotheryk, Gotheric fiz Matheu de Cronrotheryk, VVilliam Knightessone de Eglestham, Johan del Cragge, Johan Petyt del Miernes, *Frere* William Priour de Blauntyr, William de Maghan, Patrik de Maghan, Edmund de Colbenston, Isabele de Calrewode, Alisaundre Scot de Perthayk, Rouland de Cromkam, Richard Lausone de Bykre, Gilbert de Leppeme, Huwe de Grenhok, Thomas de Clenel, Rogier le Orfeure de Berewyk, Adam de Donan, Richard de Horsleye, VVilliam Hardy, VVilliam de Elgerik, Gille Homedy, Rogier de Merleye, Patrik de Comenok, Patrik fiz Johan de Boys, Patrik fiz Johan Neiwen, William fiz Gode de Seint Fey, Aleyn de Cadiou, Roger de Glafford, Christiane Semlaund de Cadiou del Counte de Lanark; *saluz, &c.*

*A touz, &c.* Rauf de Lasceles, Adam de Gloggeston, Huwe de Neuton, Austyn de Morref, Adam de Gybeloteston, Aline de Veepount, Adam de Kirketon, Richard de Passenandeshull del Counte de Edneburk, Henry *Person* del Eglise de Monimel del Counte de Fyf, Druwet de Kylbrid del Counte de Arc, William de Sulby del Counte de Lanark, Alianore *Priouresse* de Lenccludan del Counte de Dumfres, Maucolum Wyet del Counte de Anegos, Alisaundre de Harcars del Counte de Fyf, Aleyn Fraunceys, *Pecia 34.*  
 Henry Braceor de Ieddeworth del Counte de Rokeburk, William *Person* del Eglise de Aldham del Counte de Edneburk, Phelipp de Lynton del Counte de Berewyk, David de Breton *Chivaler* del counte de Forfare, Eultace de Byketon del Counte de Fyf, Alisaundre *Person* del Eglise de Logy del Counte de Forfare, Morice de Ughterardogh del Counte de Ughterardoure, Iohan de Sharperton de Edneburk, Alisaundre de la Garderobe del Counte *avantdis*, Alisaundre de Creighton de *mesme le Counte*, Patrik fiz Iohan Mevyn del Counte de Lanark, Saer de Dundas, & Gervays de Langhild del Counte de Linliscu; *saluz, &c.*

*A touz, &c.* Adam *Person* Eglise del Chastel de Rokeburk, Thomas le Pestour de Rokeburk, Thomas Dirland, Maut de Mounceans del Counte de Rokburk, *Mestre* Nicol de Balmyl *Person* de Kaleder Comitiss, Johan de Lany del Counte de Edneburk, Marjorie *Priouresse* de Halistan del Counte de Berewyk, VVilliam le Parker *Person* de Killum, Anable *qe fu la femme* Patrik de Gratham, Muriele de Inchebeoky del Counte de Perth, Eliz de Spot del Counte de Edneburk, Thomas de Barton, Johan de Cranford del Counte de Arc, Eufemme *qe fu la femme* William de Horndene, William de Weston, Johan de Mundevill *Person* de *Moffet*, William de Strivelyn, Nicol de Swaffham *Person* de graunt Dalton, William de Buskeby del Counte de Wiggeton, Andreu fiz Godefrey de Ros del Counte de Arc, Johan de Seton del Counte de Dumfres, Margarete *qe fu la femme* William de Abernythyn, Adam fiz Henry de Tortherigg del Counte de Berewyk, Johan de Seint Michel del Counte de Rokeburk, Johan de Hayton *Gardein* del Hospitall S. Leonard in Torrens, Rogier de Jarum del Counte de Lanark, William de Hamstede del Counte de Elgyn, Wautier de Lagenheved del Counte de Abirden, William Tornall *Gardein* del Hospitall de Seint Cuthbert de Balneecryf del Counte de Edneburk; *saluz, &c.*

*A touz, &c.* Richard *Frefer Chivaler* del counte de Strivelyn, *Mestre* Wautier de Kerington *Person* del Eglise de Dunnoter del Counte de Kyncardyn en Miernes, & William de Rouley del Counte de Rokeburk; *saluz, &c.*

*A touz, &c.* *Frere* Huwe *Ministre* del ordre de la Trinite de Abirden del Counte de Abirden, Marie *qe fu la femme* Huwe de Erth del Counte de Strivelyn, Rese de Chilham del Counte de Rokesburgh, & Gilbert de Hauguydeschawe de *mesme le Counte*; *saluz, &c.*

*A touz, &c.* Duncan Bretnagh, & Richard de Kynnard del Counte de Fyf; *saluz, &c.* *Pecia 35.*

*A touz*



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4.

An. 24 E. 1. *A touz, &c. Robert de Paxton, Henry le fiz Thomas de Prendegest del Counte de Berewyk, Rogier de Foderingeye Vicaire del Eglise de Kylmor del Counte de Ree, William le fiz William de Federd del Counte de Elgyn en Morref, & Anneys qe fu la femme Henry Lovel del Counte de Rokburk, salut, &c.*

*A touz, &c. Richard de Horsleye del Counte de Lanark, salut, &c.*

All these Abbots, Abbesses, Priors, Parsons, Freers, Earls, Lords, Knights, Citizens, Burgeses, Communalities, and Commoners of Scotland, in the Parliament held at Berwick the 20. day of August in the reign of King Edward the 1. (entred at large in this memorable Record) made the self-same renunciation of their solemn League and Covenant with the French King, and took the self-same Oath of Fealty and Allegiance to the King of England, as \* those premised: whose names I have here inserted at large, to gratifie those of the Scottish Nation who delight in Heraldry, or their own pedegrees; as also to evidence their most execrable perjury, treachery, disloyalty to King Edward, in revolting from, and confederating with, adhering to the French Kings, rebelling against him and his posterity Kings of England, soon after these their most solemn doubled, yea trebled Abjurations, Oaths, Homages, Leagues, Covenants, ratified with their respective publike and private Deeds and Seals to the contrary, recorded in these Rolls to all posterity; which thus conclude.

*Et ego Andreas quondam Gulielmi de Tang Clericus Eborum Dioc. Sacrosanctæ Sedis Apostolicæ publica auctoritate Notarius, qui præmissis omnibus et singulis una cum superscriptis testibus, diebus et locis prænotatis quibus facta fuerant, ut præmittitur interfui, eaque omnia et singula sic fieri vidi et audiui, ab excellenti Principe Domino Edwardo Dei gratia Rege Angliæ Illustri, & Domino Johanne eadem gratia quondam Rege Scottorum, necnon & venerabilibus in Christo Patribus Dominis, Antonio permissione divina Dunelm. & Waltero eadem permissione Covent. & Lich. Episcopis, nomine tamen et vice ipsius Domini Regis Angliæ, præfati I menti virtute rogatus, præmissa omnia et singula sicut agebantur in istis triginta quinq; Cartarum: precibus simul satis, manu propria scripsi, una cum tenoribus litterarum super fidelitatis et homagii tam Episcoporum, Abbatum, Priorum, Monachorum, et aliorum omnium Ecclesiarum, Prelatorum, quam Nobilium virorum, Comitum, Baronum, Milium, Communitatum, Villarum, et aliorum Procerum et regnicolarum prædicti regni Scottiæ ad fidem et voluntatem præfati Domini Regis Angliæ vententium, ut præmittitur, et fidelitatem et homagium sibi faciendum confectarum, et sigilloz suorum impressionibus pendentibus consignatarum, de verbo ad verbum, nihil addens vel minuens quod sensum mutaret, vel corrumpere intellectum, et in hanc publicam formam redegi ad perpetuam præmissorum memoriam, et cum Domino Roberto de Osbaldewyk Capellano, & Thoma de Welleburn Clerico prædictarum litterarum tenores diligenter examinavi, & correctiones prædictas, & verba quæ per diligentem præsentis instrumenti cum prædictis originalibus literis examinationem inveni per oblivionem omissa, manu propria feci, correxi, scripsi & interlineavi. Et quia præfatum instrumentum post diligentem ipsius cum protocollo. et literis originalibus super jam dictis fidelitatis et homagii factis, ut prædicitur, examinationem et correctionem, inveni in omnibus et per omnia concordare, tam in futuris perforum prædictarum, quam tunc signum meum apposui consuetum in præmissorum omnium et singulorum fidem, et testimonium veritatis.*

After which I finde this special Memorandum recorded in the dorse of the Clause Roll of An. 34 E. 1.

Clauſ. 34 E.  
1. dorf. 9.  
Pro Rege.

\* Memorandum, quod vicesimo die Julii quoddam Instrumentum publicum super fidelitatis et homagii, tam Episcoporum, Abbatum, Priorum, Monachorum, et aliarum Procerum et regnicolarum regni Scottiæ, una cum Johanne de Balliolo nuper eorum Rege guerram movencium contra Regem Angliæ Dominum suum superiorem, & post varias depradationes, combustiones, vastaciones & interfectiones per exercitum suum in regno Angliæ pluribus locis perpetratis, ad fidem & voluntatem prædicti Regis Angliæ venientium, et fidelitatem et homagium sibi faciendum, per Andream quondam Gulielmi de Tang Clericum Eborum Dyocesis, Sacrosanctæ scilicet Apostolicæ

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*Polica auctoritate publicum Notarium confectum, & ipsius Notarii manu propria scriptum liberatum fuit Adz de Ofgoteby, tunc Custodi Morulorum ipsius Domini Regis apud Westm. custodiendum: Yet intirely preserved in the Tower of London.*

\* *Hic ita gestis, ordinavit Rex in Parlamento suo apud Berwyk Custodem Scotiz, Johan. de Warenna, Surrix & Southsexiz Comitem; novum Thesaurarium, Hugonem de Cressingham, novum Sigillum, & novum Cancellarium, Walt. de Agnodelham, novum Justiciarium Willielm. de Olmesby, cui mandavit Rex, ut omnes tenentes de Rege terras aliquas vocaret, et eorum homagia fidelitatesq; reciperet, & ceteri omnes tenentes aliunde, fidelitatem jurarent, et hac per scripta Angulorum recognoscere se suo domino extunc esse subjectos, in perpetuam conquesti memoriam; Johannem vero Scotiz quondam Regem misit Londonias ad Turrim, assignata sibi decem familia, liberumque concessit exitum ad viginti miliaria circa urbem. Johannem vero Comin de Badeham & aliorum de Lowan, ceterosque terra illius Magnates, transfudit in Angliam usque Trentam; sub poena capitis reditum in Scotiam interdictus, quousque terra sua cum Rege Franciz fineretur.*

\* Henry de Knyghton, de Eventib Angl. l. 3. c. 3. col. 2483. & Tho. Walsingham, Hist. Angl. p. 33. Ypodigma Neustria, p. 82.

I shall cloze up the precedent Relation of the execrable perjuries, perfidiousness and rebellion of the Scots against King Edward, with this character John Bailiol their own King and Countreyman gave of them soon after the resignation of his Crown; which I found recorded in a special Instrument in Parchment in the White Tower, thus attested by a publike Notary in perpetuam rei memoriam, not unworthy consideration.

**I**N Nomine Domini Amen. Anno à Nativitate ejusdem Millesimo ducentesimo nonagesimo octavo, Indictione undecima, prima die Mensis Aprilis, in Camera Hospitii venerabilis Patris A. Episcopi Dunelmensis extra London. ipse, de statu & conditione Regni Scotia & Inhabitantium idem Regnum, coram Nobili viro Domino Johanne de Balliolo verba faciens, .... Idem Johannes motu proprio, in presentia mei Notarii & Testium subscriptorum; inter alia quædam verba dixit & protulit sermone Gallico, hunc habentia intellectum; *Videlicet, quod dum ipse dictum regnum Scotiz ut Rex et Dominus ipsius regni tenebat atque regebat, tantam inveni in hominibus ejusdem regni malitiam, fraudem, proditorem, et dolum, propter eorum malignitatem, nequitiam, dolositates, et alia nonnulla execrabilia et detestabilia facta ipsorum, qui eum tunc Principem eorum potionari, sicut veraciter intellexerat, machinabantur, intentionis suæ non est prædictum regnum Scotiz ingredi vel intrare aliquo tempore in futurum; seu de ipso Regno aut pertinentiis suis per se vel per alium, aut alios intromittere ullo modo. Nec etiam didis et aliis multis de causis aliquid habere commune cum Scotis. Adjiciens idem Dominus J. quod alias rogaverat præfatum Dominum Episcopum Dunelmensem, ut magnifico Principi & Domino suo, Domino Edwardo Regi Anglia illustri, hanc suam esse intentionem, voluntatem, et firmum propositum explicaret, et adhuc sibi cum instantia supplicat, quatenus præmissa eidem Domino Regi ex parte sua dignetur et velit exponere ac plenius aperire. Actum Anno, Indictione, die et loco prædictis, presentibus memorato Domino Episcopo Dunelmensi, & Nobili viro Radulpho de Sandwyco, Constabulario Turris London, & nonnullis aliis existentibus tunc ibidem.*

In Turri London. An. 1298.

\* See here, p. 406.

Et Ego Johannes Erturi de Cadomo, Apostolicæ sedis auctoritate Notarius Publicus, hiis omnibus interfui, propria manu scripsi, & mei signi annotatione, in hanc publicam formam redegi.

After the Scottish Bishops, Abbots and Clergy-men had made their premised Abjurations of their League with France, and Oaths of fealty and Allegiance to the King under their hands and seals, he was pleased out of his Royal grace to issue forth Writs, to restore to them all their lands, tenements and profits he had formerly seized in Scotland, for their perjury and rebellion against him.

Rot. Scotiz de annis 24, 25, 26 E. 1. n. 26. Pro Abbatibus, Prioribus, & aliis personis ecclesiasticis de terris suis sibi liberandis.

**R**EX Vic. de Edinburgh, salutem. Quia dilecti nobis in Christo, Prior Sanctæ Andree ad pacem nostram existens, nobis fidelitatis præstitit juramentum, tibi præcipimus, quod omnes terras et tenementa ipsius Prioris in manu nostra in bal-



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4.

An. 24 E. 1. liba tua existencia, una cum bladis in terris et tenementis illis existentibus eidem  
 W Priore sine dilacione reddi et deliberari facias de gratia nostra speciali. Teste Rege  
 apud Berewyk super Twedam, secundo die Septembris.

Consimiles literas habent subscripti Vicecomitibus subscriptis, videlicet, Prior  
 Sancti Andrea, Vic. de Clakmanan; Prior de Wythorne, Vic. de Wyggeon; Prior de  
 Kard, Vic. de Are; Priorissa de Sancta Boyhanna, Vic. de Berewyk; Priorissa Sancti  
 Leonardi juxta villam Sancti Johannis, Vicecomitibus Perth, Edinburg, Hadinggeton,  
 Fyf, Priorissa de Manawell, Vic. de Berewyk, Edinburg, Linlisk, Are; Prio-  
 rissa de Northberewyk, Vic. de Fyf, Hadinggeton, Edinburg, Berewyk, Rokesburgh;  
 Priorissa de Eccles, Vic. de Berewyk; Priorissa de Leuchdan, Vic. de Dumfries; Prio-  
 rissa de Hadyngton, Vic. de Berewyk, Fyf, Hadyngton; Abbas de Insula Sancte Co-  
 lumba, Vic. de Fyf, Rokesburgh, Perth, Edinburg; Abbas de Sancta Cruce, Vic. de  
 Strivelin, Dumfries, Edinburg, Berewyk; Abbas de Coupre, Vic. Forfars, Perth; Ab-  
 bas de Neubotle, Vic. de Edinburg, Berewyk; Abbas de Dryburgh, Vic. de Fyf,  
 Berewyk, Rokesburgh, Edinburg; Abbas de Skaniskivel, Vic. de Strivelin, Eden-  
 burgh, Fyf, Perth; Dungallus Abbas de sacro Nemore, Vic. de Dumfries; Abbas de  
 Jedderworth, Vic. de Berewyk; Abbas de Kilwynnin, Vic. de Are; Abbas de Keldian,  
 Vic. de Berewyk; Abbas de Neubotle, Vic. de Strivelin; Abbas de Lundis, Vic. de  
 Berewyk; Abbas de Meuros, Vic. de Berewyk, Are, Jedderworth, Peebles, Edinburg,  
 Rokesburgh, Northumb. & Cumberl. Abbas de Skamskynel, Vic. de Berewyk; Abbas  
 de Bonquere, Vic. Karli. Abbas de Dundernan, Vic. de Berewyk, Cumber. Abbas de  
 Seont, V. c. Innerys, Forfars, Perth, Edinburg, Aberdeen, Strivelin; Abbas de Dum-  
 ferllyn, Vic. de Forfars, Perth, Clackmalan, Peebles, Edinburg, Rokesburgh, Berewyk,  
 Fyf; Abbas de Jedderworth, Vic. de Rokesburgh.

The like Writs issued for all other Ecclesiastical Parsons and Vicars in Scotland, who swore fealty to the King, particularly named in this Roll of Scotland, and in the forementioned Roll of their Abjurations of their League with France and Fealty to the King of England as their sovereign Lord.

The King likewise granted this Writ for a Cardinals Chaplain residing in Rome, who had a Prebendary in Scotland, to restore his Tithes, though he made no such abjuration or Oath.

Rot. Scotiz,  
 Anno 24 E. 1.  
 m. 16.  
 De Osberto de  
 Castro veteri  
 de Lombardia  
 Canonicis  
 Dunkeldensi.

R EX Vic. de Edinburg salutem. Quia testificatum est coram nobis per dile-  
 ctum Clericum nostrum Johannem de Cadomo, quod Osbertus de Castro veteri de  
 Lombardia, Canonicus Ecclesie Dunkeldensis, est de familia Illustri Patria  
 Domini G. de Parma Episcopi Sabiniensis, Sancte Romanze Ecclesie Cardinalis  
 et in Curia Romana in Comitibus ejusdem Cardinalis moram fecit; Tibi precipi-  
 mus, quod Decimas Villarum de Lanyn, ad Canonicatum ejusdem Osberti spectantes  
 in manu nostra in Vallibus tua existentes, prefato Osberto vel ejus certo Attornato  
 sine dilacione reddi facias et deliberari, dummodo ad Canonicatum eundem eas  
 tibi constiterit pertinere. Teste Rege apud Berewyk super Twedam, 13 die De-  
 cembrii.

The King to oblige the perfidious Bishops of Scotland more firmly to him, granted them and their successors this privilege to make their wills, as freely as the Archbishops and Bishops in England might do, which before they could not.

Pat. 24 E. 1.  
 m. 3. Cedula,  
 Pro Episcopis  
 regni Scotiz,  
 quod possint  
 condere Te-  
 stamenta.

R EX omnibus ad quos, &c. salutem. Ecclesiarum Praelatos Dei Ministros  
 majoris libertatis privilegio eo libencius honoramus, quo per hoc apud De-  
 um, qui se in suis honorari facit, ampliozem gratiam promereri speramus. Ad  
 ipsius itaque Dei omnipotentis reberenciam, et totius Ecclesie Scoticanze hono-  
 rem, concedimus per presentes, quod omnes Episcopi Regni Scotiz et eorum suc-  
 cellores, de bonis suis libere possint de cetero sua condere Testamenta, et eandem  
 quoad hoc habeant libertatem quam Archiepiscopi et Episcopi regni Anglie ha-  
 bent, et hactenus habuerunt. In cujus &c. Teste Rege apud Dunelmum quinto  
 die Octobris.

The

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

The King by his Ecclesiastical right, as Sovereign Lord of Scotland, authorized his Warden thereof by this Patent (with the advice of his Chancellor and Treasurer of Scotland) in his name and authority to present to all Ecclesiastical benefices and livings in Scotland, that then were or afterwards should be in his gift to the value of 40 Marks, any fitting persons then in his service in Scotland, so as they were Englishmen, and resident there.

An. 24 E. 1.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod de circumspectione & industria dilecti & fidelis nostri *Briani fil. Alani*, Custodis nostri regni & terrarum Scotia plenius confidentes, sibi plenam concessimus et commisimus potestatem, quod ipse de dilectorum Clericorum nostrorum *Walteri de Agnodelham* Canc. & *Hugonis de Cressingham*, Thes. dilectorum Regni & terrarum presentare possit ad Ecclesias et alia quaecunque beneficia ad collationem seu donationem nostram spectantia quæ vacant ad presentem, et quæ in prædictis regno et terra in posterum vacare contigerit usque ad balorem quadraginta Marcarum, personas idoneas in servitio nostro videlicet existentes ibidem, seu personas alias, prædicti *Briani* et ipsorum Cancellarii et Thes. discretionis Arbitrio, dummodo Anglici fuerint, et in regno commorentur eodem: seu etiam Ecclesias et beneficia huiusmodi personis conferre in forma prædicta, donec aliud super hoc duxerimus ordinandum. In cuius, &c. Teste *Edwardo* filio Regis apud Tunbrigg. 28 die Augusti.

Rot. Scotie, An. 24, 25 E. 1. Quod *Brianus* filius *Alani* presentare possit ad Ecclesias in regno Scotie.

The like \* Patent was made, and power granted to *John de Warren* Earl of Surrey, Gardian of Scotland the same year, Teste Rege apud Morpeth 1. die Octobris, To whom he also issued this Writ, to present *Gilbert de Grymmesby* to the next vacant benefice in his gift, of the value of 20 marks or pounds, that should fall void in Scotland, for bringing the Banner of St. *John of Beverley* to the King into Scotland, and there continuing with it during the wars; He and his † predecessors attributing much of their good success in their Warrs against the Scots to this Saint and his ensigne.

\* Pat. 24 E. 1. m. 4. inus.

† See here, p. 495, 496.

**R**EX dilecto & fideli suo *Johanni de Warrenna* Comiti Surr. Custodi suo Regni & terrarum Scotia salutem; Cum nos ob reuerentiam Sancti *Johannis de Beverlaco* Gloriosi Confessoris Christi, concesserimus dilecto Clerico nostro *Gilberto de Grymmesby*, qui bejillum ejusdem Sancti ad nos usque partes Scotie detulit, et ibidem de præcepto nostro cum bejillo illo durante guerra nostræ Scotie moram fecit, quandam Ecclesiam viginti marcarum vel librarum balorem annuum attinentem, ad nostram donationem spectantem, et in regno Scotie præp. vacaturam, vobis mandamus, quod præfato *Gilberto* de huiusmodi Ecclesia in prædicto regno Scotia prohiberi faciatis quampertimum ad id optulerit se facultas. Teste Rege apud Kirkham 13 die Octobris.

Pat. 24 E. 1. m. 1. inus. Pro *Gilberto de Grymmesby* de Ecclesia in regno Scotie sibi providenda.

The King likewise, for the honour of Saint *Cuthbert* of *Durham*, whose Ensign was carried before him in his Wars against the Scots, granted them an Annuity of 40 L. a year out of his Exchequer at *Berewyk*, till he should settle on them a Benefice of that value in Scotland, upon condition to perform the Almes, and discharge the superstitious uses therein mentioned.

**R**EX omnibus ad quos, &c. salutem. Ut Creatori nostro in beneficiis gratificemur acceptis, Sanctos suos quos ipse honorat dignatio, & in quibus eum honorare iubemur, promptis devotionis humanæ nos decet studiis honorare, & inter alios præcipue beatum *Cuthbertum* gloriosum Christi confessorem eo dignius venerari, quo pater æternus qui in Sanctis suis vere mirabilis ipsum majorem splendore miraculorum illustrans, manifeste monstravit quantum sibi honoris et reverentiae debeatur. Volentes igitur ut æternum in Ecclesia *Dunelmensis* in qua ipse Sancti corpus venerabile requiescit memoriale remaneat, per quod futuris temporibus nostri recordatio vigeat in eadem: ad laudem Dei, & ejusdem gloriosi Confessoris sui *Cuthberti*, concessimus pro nobis & hæred. nostris, dilectis nobis in Christo Priori & Conventui dictæ Ecclesiæ *Dunelmensis* quadraginta libras singulis annis ad Scaccarium nostrum *Berewyci* super *Twedam* duobus terminis percipiendas; unam videlicet medietatem ad festum Sancti *Martini* hyemalis, & alteram medietatem ad festum *Pentecostes*,

Pat. 24 E. 1. memb. 4. Pat. 30 E. 1. 7 Martii, The King appropriated the Church of *Hemmyngburg* to the Prior and Monks of *Durham*, for these uses.



*An. 24 E. I.* *costes*, quousque per nos vel heredes nostros eidem Priori & Conventui vel eorum successoribus de competenti Ecclesiastico beneficio, ex quo quadraginta libras annuatim, deductis sumptibus & expensis, percipere & habere valeant imperpetuum in Regno *Scotie* sit provisum. Quam quidem concessionem facimus conditionibus quæ sequuntur; videlicet, quod præfati Prior & Conventus, & eorum successores qualiter duarum festivitatum Sancti *Cuthberti*, scilicet in principali festivitate, & in festo translationis ejusdem, distribuant tribus millibus pauperum, cuilibet videlicet unum denarium; & habeat idem Conventus in qualibet ipsarum festivitatum quinquaginta solidos pro pitancia sua; & quod prædicti Prior & Conventus, & eorum successores inveniant dictis festivitatis duos magnos cereos, quolibet de viginti libris cereæ, juxta magnum altare ante seuerum dicti Sancti decenter postos, et arduentes, (to lighten their blind and dark superstitious devotions) quamdiu *Missæ* vel aliud obsequium in eisdem festivitatis celebrabitur seu decantabitur in Ecclesia supradicta. Necnon inveniant duos minores cereos formæ seu staturæ decentis et ponderis congruentis ante verisum ipsius Sancti, prout decentius fieri poterit, collocatos; et arduentes singulis Dominicis et Apostolorum, et in præcipuis festivitibus, quamdiu *Missæ* in prædicto altari, et matutina vel alia hora Canonice in præfata Ecclesia cantabuntur. Et insuper inveniant unum Sacerdotem *Missalem* de prædicto sancto in Ecclesia memorata, in loco qui dicitur *la Galilee*, diebus singulis celebrantem; et duos alios cereos ibidem arduentes quamdiu ipsam *Missam* contigerit celebrari imperpetuum. Cui quidem Sacerdoti libros, indumenta, sacerdotalia, ornamenta altaris, et alia ad celebrandum necessaria ministrare nichilominus perpetuo teneantur. In cujus, &c. Teste Rege apud *Berewyk super Twedam*, sextodecimo die Septembr.

He likewise issued this Writ to the Sheriff of *Dumfries*, to summon the Bishop of *Sodor* to repair to him to *Berwyke*, there to do his fealty and service due unto him as his Lord.

*Pat. 24 E. I.*  
*nr. 4. inus.*  
De venire fac.  
ad Regem usque  
Berewyk  
Marcum Episcopum  
Sodoren.

**M**andatum est Roberto de *Foveby* Ballivo Regis de *Dumfries*, quod venire faciat ad Regem usque *Berewyk* venerabilem Patrem Marcum Episcopum Sodorensem, ad faciendum ibidem Regi tanquam Domino suo quod facere debet. Teste Rege apud *Berewyk super Twedam*, 22 die Augusti.

The Bishop of *Glasgow* in *Scotland* tortiously casting a Minister there out of his Living, *John Comyn* presented this Petition to the King, to restore him to it, by his letters to the Gardian of *Scotland*, without going to *Rome* to the Pope for relief.

In Bundela  
Brevium &  
Petit. in Tur-  
re Lond. An.  
24. E. I.

**A**ltreshonourable Prince e noble, e a son trescher Signur lige Sire Edward par la grace Dieu, noble Roy *Dengleterre*, le se ou, si luy plect, *Johan Comyn*, Kaunk il set e poet de honur e de reverence com a seon Seignur lige. Chire Sire si vus plect, io vus pri especialment ke vus deynget mander vostre Lettre au Gardeyn de *Escocce* pur mettre Mestre Robert *Mousfeytten* portur de ceste lettre en la Eglise de *Graunt Dalton*, de la quele Sire Robert *Evesk* de *Glasgow*, luy ad ouste atort e a saunz forme de dreit si com tut le pays siet bien; ne io ne puis suffire qe il voyt a *Rome* pur purchacer encountre le *Chesque*, pur ceo qe il pzent garde de mon coze. Et pur ceo Sire, si vus plect, vus pri vostre speciale grace pur luy, ke vus facet maunder vostre lettre au Gardeyn de *Escocce*, ke dreiture luy seit fet, et de ceo vus duyse io ever prie a *Londres* kaunt vus y fustes, si les graunz bofoynes missent este ke io avey a fere. Sire ke Deu vus doint bone vie e lunge, e vus sauve e gard de mal a tuz jours. Which the King accordingly ordered.

*Robert Winchelsey* Archbishop of *Canterbury* was no sooner installed in his See, but he revived the former Controversie began by his predecessors, with the Abbot and Convent of *S. Augustines*, concerning their new acquired appropriate Churches exemptions from his Archiepiscopal Jurisdiction, and the Abbots and Covents obedience to his See; which occasioned long suits for divers years, and sundry Appeals to the Court of *Rome* by the Abbots and Monks, thus related by *William Thorn*.

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

Anno Dom. 1295. Dominus Robertus de Winchelese Archiepiscopus Cantuar. su-  
pradieto Johanni immediate succedens, de Ecclesiis de novo adquisitis, obedientiam  
petuit ab Abbate; unde idem Abbas metutus sibi & Monasterio suo ex hujusmodi petitisio-  
nibus Episcoporum posse prejudicium generari in futurum, ac commemorans, quod jacula  
prævisum minus latus; susceptas rationes petitioni Archiepiscopi obstitentes, ad me-  
moriam futurorum in scriptura qua sequitur, providè redegit.

An. 24. E. 1.

\* Chron. W.  
Thorn. col.  
1964, &c.

Let in vestra Diocesi appropinquatas nobis Ecclesias a sede Apostolica teneamus,  
obedientiam tamen vel alia jura Episcopalia vobis inde solvere non tenemur, nec nos  
illis iuribus conuenit defraudari. Super quibus summus Pontifex qui bene potuit  
scienter sic voluit, et in literis appropinquationis expressit, quod Vicarii nostri in illis  
Ecclesiis per Ordinarium instituti, omnia jura Episcopalia vobis inde solvere tenean-  
tur. Unde secundum prædicti Domini summi Pontificis intentionem expressam, &  
tenorem Commissionis ejusdem juxta modum prædictum usi continuo super hiis pa-  
cificè sic fuerit retrò tantis temporibus à vestris temporibus observatum, humiliter  
petimus, quatinus vos velitis, si placet, modò fore de observantia prædicta contenti,  
& sic in futurum teneri, à nostris molestiis benevolè desistentes.

Anno quo supra fuit pensio decem librarum Domino Beraldo Albanensi Episcopo  
Cardinali concessa ad terminum suæ vitæ pro suis beneficiis nobis multipliciter im-  
pensus, (in this Controversie with this Archbishop and his predecessor.)

ibidem col.  
1966, 1967.

Anno Dom. 1297. citra festum Purificationis beatæ Mariæ idem Archiepiscopus  
suam Diocesim visitare inchoavit. Et Dominus Thomas Abbas ad manerium de Wing-  
ham ad illum personaliter accessit; supplicavitque eidem, quod si quæ in visitatione in-  
veniret quæ ad statum dicti Monasterii in aliquo eidem offenderet, illa eidem Abbati  
ob reverentiam Romanæ sedis notificare dignaretur. Quod idem Archiepiscopus li-  
benti animo concedebat. Unde licet ex habundanti aliquando per Priorem, aliquando per  
alios, & aliquando per ipsum Abbatem idem Archiepiscopus sapius requisitus fuisset, ut  
munimenta & alia privilegia hujus Monasterii vellet inspicere, illi tamen hæc videre  
vel audire omnimodo recusavit; & eundem Abbatem et conventum notorie exemptos  
evocavit. Et quædam cito hujusmodi citatio ad notitiam Abbatis pervenisset, misit ad eum  
rogans, quod placeret eidem hujusmodi citationem revocare, et sine figura judicii  
videre privilegia et munimenta sua. Qui respondit, quod noluit aliquo modo revoca-  
re citationem suam; sed dixit, quod cito post veniret ad Cantuariam, & tunc posset  
Abbas habere colloquium cum ipso de eodem. Et licet dictus Archiepiscopus concessisset  
Abbati & firmiter promississet, se eadem privilegia & munimenta inspicere voluisse,  
disiulit tamen per multum tempus sub dissimulatione ea videre; & tandem asseruit, se  
nolle ea videre nisi judicialiter. Et cum Dominus Abbas allegasset, se et Monasterium  
suum in tantum esse privilegiatum, quod non tenebantur nec debebant coram dicto  
Archiepiscopo judicialiter comparere vel respondere, idem Archiepiscopus fecit eos  
citari peremptorie, ut certo die ubicunque tunc in Diocesi vel provincia Cantuariæ  
coram ipso sufficienter comparerent, titulum seu jus speciale, si quæ haberent, per  
quæ possent ipsas Ecclesias & Hospitalem sancti Laurentii sic tenere; non obstante  
Compositione dudum inter Archiepiscopum Cantuariensem prædecessorem suum ex parte  
una, & dictos religiosos ex altera, & per Capitulum Cantuariense approbata, & per  
sedem Apostolicam confirmata super quibusdam de prædictis Ecclesiis cum Capellis suis,  
prout in compositione super hæc confecta, & Sigillis partium consignata, plenius continetur.  
Asserens etiam minus veraciter, se in sua Visitatione invenisse dictos religiosos Deci-  
mas et pensiones annuas in diversis Ecclesiis suæ Diocesis contra jus commune perci-  
pere, ipsos citavit responsuros, quo jure ista sic percipiebant; licet in veritate nullas un-  
quam pensiones præterquam in Ecclesiis sui patronatus vel Decimas percepissent. Insuper  
citavit eundem Abbatem, ut ostenderet quare sibi obedientiam facere non deberet?  
Propter quæ omnia idem Abbas & Conventus sentiens se per prædictum Archiepiscopum in-  
debitè prægavari, ad Sedem Apostolicam appellarunt; sed idem Archiepiscopus hu-  
jusmodi Appellationi non deferens, ipsos fecit iterum citari coram se, ubicunque esset  
in Civitate, Diocesi, vel provincia Cantuar. super Ecclesiis de Tanderdene, Len-  
ham, de Sellyng, de Pærlton, de Littleborne, de Sheldwich, & Sancti Pauli Cant. nec  
non & super Hospitale Laurentii, & super Decimis et Pensionibus prædictis, jus spe-  
ciale, si quod haberent præcise et peremptorie proposituri et ostensuri. Subscripsit ta-  
men processum insertum super prænominatis Ecclesiis in compositione contentis, faciendo ta-  
men mentionem de Ecclesia de Sheldwich, quæ est Capella Ecclesiæ de Faversham, non ob-  
stante



*An. 24 E. 1.* *Stante quod in dicta Compositione continetur.* Pro quibus iterum ad prædictam Sedem est appellatum. Quibus appellationibus non obstantibus, dictus Archiepiscopus fecit eos citari peremptorie ad alium brevem diem, quod comparerent coram eo ubicunque, &c. super Ecclesiis prænomina- tis præcisè & peremptorie ostensuri, ut supra; & priores continu- micias ut dicebat legitime fulminaturus; non tamen ultra processit contra nos, super Ecclesia de Scheldwich, nec de D. cimis & pensionibus supra dictis. Et quia idem Abbas judicialiter non comparuit, Archiepiscopus reputavit dictos Religiosos contumaces; & pro- nuntiavit dictas Ecclesias præter Scheldwich esse vacantes, mandando et faciendo eos moneri per Magistrum Martinum Commissarium suum Cant. ut infra quinquaginta septima- nas proximè sequentes, personas idoneas sibi tanquam Diocessano præsentarent ad Ecclesiam prænomina- tas; a qua quidem pronuntiatione & mandato fuit iterum per procuratorem Ab- batis in præsentia dicti Archiepiscopi ad Sedem Apostolicam legitime appellatum.

Thus did the Pope and Court of Rome by these Suits and Appeals between the Abbot and Archbishop not onely exhaust their wealth, but enlarge and exercise their Jurisdiction over both of them from year to year; as appears by this Bull of Pope Boniface to the Archbishop upon the Petition of *Thomas Case*, to provide an Ecclesi- astical Benefice for him with or without Cure, belonging to the Abbot and Convent of Saint *Augustines Canterbury*; notwithstanding all former Bulls of exemption or pri- viledges indulged to them: by pretext whereof the Archbishop this year issued his Mandate to denounce a sentence of Excommunication against them in case of disobe- dience, worthy consideration, thus registred to posterity by *William Thorne*.

*Chronica, col. 1968.*

\* A Copy of this Bull I found in the White Tower Chappel, torn and imperfect.

*Anno Dom. 1298.* Bonifacius Papa misit literas executorias Roberto Archiepiscopo in hac verba: "Bonifacius Episcopus, servus servorum Dei, venerabili fratri R. Archie- piscopo Cantuariensi, salutem & Apostolicam benedictionem. Constitutus in præ- sentia nostra dilectus filius *Thomas dictus Case de Maydstone*, pauper Presbyter cur Diocesis, nobis humiliter supplicavit, ut cum ipse, sicut asserit, nullum sit Ecclesiasti- cum beneficium assensus, provideri sibi de benignitate Apostolica mandavimus; Quia igitur illi, &c. Fraternitati tue per Apostolica scripta mandamus, quatinus, &c. de aliquo beneficio Ecclesiastico secundum prohibitionis suæ merita competenti, cum cura vel sine cura consueto ab olim Clericis secularibus assignari, spectante ad colla- tionem vel præsentationem dilectorum filiorum Abbatis et Conventus Monasterii sancti *Augustini* extra muros Cant. ordinis sancti *Benedicti*, communiter vel divisim, si quod in Civitate vel Diocesi Cant. vacat ad præsens, vel quamprimum ad id optu- lit se facultas, per te, vel per alium, seu alios providere procures, inducens eum in corporalem possessionem ejusdem beneficii, et defendens inductum, &c. non obstante, si nos vel Romani Pontifices predecessores nostri de beneficiis ad prædictorum Ab- batis et Conventus collationem vel præsentationem spectantibus, sub ea forma in qua pro pauperibus Clericis beneficiendis interdum Sedes Apostolica scribere consue- vit, seu quavis alia fecimus aut mandavimus, quodcunque fuerint, provideri; dum- modo non nisi unus ex eis pro quibus in eadem forma pauperum per nos scriptum forsitan extitit, quibus omnibus nullum volumus per hoc præjudicium generari, be- neficium ratione hujus pauperum provisionis expectet; vel si eisdem Abbati & Con- ventui, aut personis ipsius Ecclesiæ a Sede Apostolica sit indultum, quod ad receptio- nem et provisionem alicujus minime teneantur, quodque ad id compelli, aut quod interdici, suspendi vel excommunicari non possint; vel quod alius nequeat de bene- ficiis ad eorundem Abbatis et Conventus præsentationem vel collationem spectanti- bus, alicui providere per literas Apostolicas, non facientes plenam et expressam de indulto hujusmodi mentionem, qualibet alia præfatæ Sedis indulgentia generali vel speciali cujuscunque tenoris existat, per quam effectus præsentium impediri valeat vel differri. Contradictores per censuram Ecclesiasticam appellatione postposita com- pescendo, &c. Mandatum nostrum in hac parte taliter impleturus, quod in eo impen- disse lauderis misericordiam pauperi, & obedientiam mandato.

Prætextu hujus mandati scripsit Archiepiscopus Abbati in hac verba: Robertus per- missione Divina Cantuariensis Archiepiscopus, &c. Executor in negotio provisorio *Thomas dicti Case de Maydstone* Presbyteri à Sede Apostolica deputatis, Religiosis vi- ris Abbati & Conventui sancti *Augustini Cantuariensis*, salutem in omnium Salvato- re. Sanctissimi patris nostri Domini *Bonifacii Papæ octavi* literas nos noveritis rece- pisse; quas vobis inspicendas transmissimus, et eorum portitori sub pena Excom- municationis majoris, quam ernunc in rebelles proferimus in hiis scriptis illico re- tradendas.

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trahendas. Quia igitur diligenti inquisitione præmissa, juxta mandatum hujusmodi Apostolicum nobis in hac parte directum, invenimus dictum Thomam liberum esse & legitimam, vitamque laudabilem, ac conversationis honestam, nec quicquam sibi obitare, quo minus sibi valeat de beneficio Ecclesiastico congruè provideri. Volentes mandatum hujusmodi reverenter exequi, ut tenemur, auctoritate Apostolica nobis in hac parte commissa, præfato Thomæ Cuse providimus de beneficio Ecclesiastico competentem cum cura vel sine cura, cujus redditus seu proventus estimationem in dictis litteris Apostolicis contentam non excedunt, si quod ad vestram præsentationem seu collationem communiter vel divisim spectans, vacat ad præsens in Civitate vel Diocesi nostra; illudque eidem Thomæ contulimus, ac eum de ipso per nostrum vicarium præsentialiter investimus, alioquin beneficium proximo inibi vacaturum collationi nostræ reservamus, eidem Thomæ per nos seu illum, vel illos cui vel quibus in hac parte vices nostras committendas duxerimus conferendum. Quocirca Apostolica auctoritate qua fungimur in hac parte vos monemus, vobisque auctoritate præsentium inhibemus, ne ad præsentationem, collationem, seu ordinationem hujusmodi beneficii per vos, aut per alium vel alios aliquatenus procedatur, seu procedi consentiatis, nec quicquam in nostræ provisionis, investituræ, ac reservationis hujusmodi præjudicium per vos aut per alium attemptetis vel attemptari consentiatis. Alioquin in præsentantem et conferentem ac aliquem aliam seu alios provisionem, et collationem, investituram, reservationem, et inhibitionem præfatas quomodolibet perturbantes, seu perturbari procurantes, exnunc in hiis scriptis excommunicationis sententiam promulgamus: decernentes nihilominus irritum et inane, si secus de beneficio hujusmodi per quemcunque quavis auctoritate contigerit quomodolibet attemptari. Vobis etiam mandantes, quod si quod tale beneficium ad præsens vacet vel quam cito vacaverit in futurum, nos de ejusdem vacatione certificare curetis plenius sine mora.

Quia littera Abbati oblata & ibidem perlecta, idem Abbas privilegia contra hujusmodi prohibiciones sibi et Monasterio suo indulta incontinenti recitari fecit. Quibus perlectis & auditis, cum idem Capellanus expressè videns dictam impetrationem suam non valere pro privilegiis antedictis, jam suum quod habuit super impetratione provisionis prædictæ in manibus Domini Abbatis totaliter resignavit per publicum instrumentum; which I pretermitt, referring the subsequent contests between the Archbishop and Abbot to succeeding years, wherein they were transacted.

The goods of the Villains of the Bishop of London and other Bishops being Taxed to the Undisme granted by the Clergy to the King, against his gracious grant to them; he issued this Writ to the Taxers and Collectors for their discharge.

**R**EX Taxatoribus & Collectoribus Undecimæ in Com. Essex. salutem. Cum in concessione Undecimæ a Clero regni nostri nuper nobis facta, concesserimus Archiepiscopis et Episcopis ejusdem regni de gratia nostra speciali, quod bona Villanorum suorum occasione Undecimæ prædictæ nullatenus taxarentur, nec undecima illa de bonis Villanorum prædictorum ad opus nostrum levaretur; Vobis mandamus, quod taxationi, collectioni & levacioni faciendis de bonis Villanorum venerabilis patris R. London Episcopi in Com. prædicto ratione undecimæ prædictæ supersedeatis. T. R. apud Sanctum Albanum 30 die Decembr.

Clauſ. 14 E. 1.  
dorſo, m. 11.  
Pro R. London. Episcopo  
de Undecima.

**M**EMORANDUM, quod Archiepiscopus Cantuar. Archiepiscopus Eborum, W. Eliensis. O. Linc. & R. London. Episcopi habent litteras Regis de provisione undecimæ pro villanis suis.

ibid. m. 11.  
dorſo Pro  
quibusdam Episcopis de  
pardon. 112.

The King granted these special licenses for the Bishop of Winchester and two Italians his servants; and likewise to one of the Legates Chaplains to cross the Seas to the Court of Rome, without any hindrance by the Keeper of Dover port.

**R**EX Custodi Portus sui Doverr. salutem. Quia concessimus venerabili patri J. Wynton. Episcopo ad Curiam Romanam de nostra licentia profecturus, quod Magistrum Albertum de Bononia Notarium publicum, & Jakelinum de Barber de Bononia Valetum suum secum ducere possit ad Curiam supradictam; Vobis mandamus

Cl. 24 E. 1.  
m. 11. dorſo.  
Pro Wynton.  
Episcopo.



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An. 24 E. 1. mandamus, quod prædictos *Albertum & Jakeminum* per portum prædictum in comitiva dicti Episcopi ad partes prædictas transire permittatis. Teste Rege apud *Sanctum Albanum*, primo die *Januarii*.

m. 8. c. Vi. recia. lano. i ad un. **R**EX dilecto & fideli suo *Stephano de Penestry*: Constabul. Castri sui *Devorr*. salutem. Quia *Vitalis de Preciato* venerabilis patris Domini — *Albanensis* Episcopi Sacrosanctæ *Romane* Ecclesiæ Cardinalis ut dicitur Capellanus, post recessum ipsius Cardinalis, apud *Eborum* infirmus morabatur, Vobis mandamus, quod eundem *Vitalem* cum *Runcinis* rebus, & *Hernesii* suis propriis ad partes transmarinas transire liberè permittatis. Dum tamen vobis constet per literas dicti Cardinal. seu alio modo sufficienti, quod de propria familia idem *Vitalis* sit Episcopi prædicti. Teste Rege apud *Rokesburgh*, tercio die *Junii*.

Per Breve de Privato Sigillo.

The King issued this special Writ this year for electing an Abbess for the Abbey of *Wilson*, notwithstanding the want of form in presenting their Certificate.

E. 1. An. 14 De licencia eligendi. **R**EX dilectis sibi in Christo — Priorissæ & Coventui de *Wylton* salutem. Accedentes ad nos *Henricus de Tydolnesbude*, & *Walterus Heroy* Clerici Domus vestræ, cum literis patentibus Capituli vestri, nobis ex parte vestra humiliter supplicarunt, quod cum Ecclesia vestra prædicta per mortem *Juliane* nuper Abbatis, ejusdem loci sit pastoris solacio destituta, vobis aliam eligendi in Abbatisiam licentiam concedere dignaremur. Nos igitur, licet dictæ literæ nobis per aliquas de comonialibus vestris, secundum consuetudinem in regno nostro in hujusmodi casu hæcenus observatam debuerint præsentari, vestris tamen precibus, ob devotionem quam erga Sanctam *Editham*, cujus corpus in dicta Ecclesia requiescit, gerimus & habemus in hac parte favorabiliter inclinati. Vobis concedimus, &c. In cujus, &c. Teste Rege apud *Forfere*, 7. die *Julii*.

Ibid. De assensu præfate electioni adhibenda per Edwardum filium Regis.

**R**EX *Edwardo* filio suo karissimo, salutem. Ad supplicationem Priorissæ & Conventus Monasterii de *Wilson*, vacantis per mortem *Juliane* nuper ejusdem Monasterii Abbatis, optentu devotionis quam erga Sanctam *Editham*, &c. concessimus eisdem licentiam hac vice sibi eligendi, &c. Et nichilominus ob honorem ipsius Sanctæ, & ut parceretur laboribus eorundem, damus vobis tenore præsentium potestatem ut, &c. assentum eidem electioni nomine nostro faciatis, &c. In cujus, &c. Teste ut supra.

\* See here, p. 571.

What great \* lovers of Venison our pretended mortified Abbots and Monks then were, and how much given to the flesh, instead of mortifying it, and to feasting instead of fasting, these Petitions of the Abbot of *Westminster* to the King in the midst of his Wars in *Scotland*, for the arrears of his 8. Bucks a year out of *Windsor* Forest, to be carried and offered at the High Altar at *Westminster* at the Kings costs, and of the Prior and Covent of *Carlisle*, for the Tith of all Venison taken in the Forest of *Englewood*, and these Writs issued thereupon, will inform us.

An. 24 E. 1. memb. 6. Pro Abbate Westmonasterii, de Damis.

**R**EX dilecto & fideli suo *Galfrido de Pycheford* Constabulario Castri sui de *Windsor*. salutem. Cum celebris memorie Dominus *H.* quondam Rex *Anglie* pater noster per Cartam suam, quam confirmavimus, dederit et concesserit Deo et Ecclesiæ *Sancti Petri*, et Abbati *Westmonasterii* et successoribus suis imperpetuum, octo Damos singulis annis capiendos in foresta nostra de *Windsore*, ad cultum ipsius patris nostri et hæredum suorum per manus Constabularii Castri prædicti qui pro tempore fuerit, deferendos per eundem Constabularium usque *Westmonasterium*, in vigilia *Sancti Petri* ad vincula, ita quod his qui dictam venationem illuc deferrent, singulis annis faciant duas meneas ante magnum Altare *Sancti Petri Westmonasterii*, ac quatuordecim Dami eidem Abbati de annis regni nostri vicesimo primo, vicesimo secundo, & vicesimo tercio aretro sint, ut idem Abbas asserit: Vobis mandamus, quod eidem Abbati id quod et aretro est de Dami prædictis de tempore prædicto, una cum octo Dami de anno præsentis habere faciatis, juxta concessionem prædictam.

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dicti patris nostri, et confirmationem nostram prædictam. Et cum quod ad hoc posueritis cum illud sciverimus, vobis in compoto vestro ad thesaurarium nostrum allocari faciemus. Teste Rege apud Villam Sancti Johannis de Perib, 34 die Junii.

**R**EX dilecto & fideli suo *Wilhelmo de Vescy* Justiciar. Forestarum suarum citra *Trentam*, vel ejus locum tenenti, salutem. Mandamus vobis, quod in Foresta nostra de *Englewod*. habere faciatis dilectis nobis in Christo Priori & Conventui de *Karlisle* Decimam venacionis capte et capiende in foresta nostra prædicta, de anno præfati, prout ipsi eam habere debent, et ipsi et prædecessores sui decimam venacionis ibidem singulis annis hucusque percipere et habere consueverunt. T. Englewode. R. apud *Berewyk* super *Tweedam*, 10 die Septembris.

Cl. 24 E. 4. m. 4. 1<sup>ro</sup> Priore & Conventu de Karl. de venacione in Foresta de Englewode.

*Walter de Langeton* being by the Kings license elected Bishop of *Coventry* and *Lichfield*, and his election confirmed by the King, he thereupon issued this *dedimus potestatem* to *John de Meringham* to receive his fealty.

**R**EX dilecto & fideli suo *Johanni de Meringham* salutem. Cum nos electioni nuper factæ in Cathedrali Ecclesia *Lichfeld* de venerabili viro *Waltero de Langeton* in *Coventr.* & *Lychef.* Episcopum Regium assensum adhibuerimus et favorem, & mandaverimus venerabili patri *R. Cantuar.* Archiepiscopo totius Angl. Primate, ut quod suum est in hac parte exequatur: Nos eidem Electo pro nostris & regni nostri negociis ad partes transmarinas profecturo volentes gratiam facere specialem, dedimus vobis potestatem recipiendi vice nostra fidelitatem ipsius Electi, postquam per literas patentes præfati Archiepiscopi vobis contigerit ipsum fuisse canonicè confirmatum; Et ideo vobis mandamus, quod capta fidelitate ipsius Electi in forma prædicta, Cancellario nostro inde sub sigillo vestro distincte et aperte constare faciatis literas præfati Archiepiscopi antedictas una cum vestris eidem Cancellario transmittendo. In cujus, &c. Teste Rege apud *Rokesburg.* 14. die Maii. After which confirmation by the Archbishop, and fealty received, he issued a Writ to restore his Temporalities; Teste Rege apud *Stryvelyn*, 16. die Junii.

Pat. 24 E. 1. m. 15, & 16. & 19. De potestate data Joh. de Meringham recipiendi fidelitatem W. Coventr. & Lych. Electi.

*Oliver* Bishop of *Lincoln* and his servants being assaulted, abused, beaten and shot at by some of their Tenants and others in a riotous manner, as he was going to preach Gods Word, and exercise his Episcopal function in the Church of *Gosberchurch*, the King thereupon out of his Sovereign care to preserve and defend the Churches Liberties, issued this Commission to inquire of, hear and punish these riotors and offenders according to the Law and Custom of the Realm, upon the Bishops complaint thereof.

**R**EX dilectis & fidelibus suis *Elya de Berkingham*, *Petro Malore*, & *Wilhelmo Inge* salutem. Ex parte Venerabilis Patris *O. Lincoln.* Episcopi nobis est ostens. quod cum ipse gressus suos versus Ecclesiam de *Gosberchurch* nuper direxisset, ut Parochianis ejusdem Ecclesie et aliis causa devotionis ad Ecclesiam illam consequentibus verbum Dei ad ædificationem animarum prædicaret; (A rare act in Bishops in that age) et alia quæ ad Officium suum spirituale pertinebant exerceret ibidem, *Rannulphus de Rye* contra debitum homagii & fidelitatis suæ quæ præfato Episcopo pro terra quam de eo tenet, fecit ut dicitur, & *Laurentius de Hoddesack* aggregata sibi malefactorum & pacis nostræ perturbatorum multitudine, in ipsum Episcopum apud *Gosberchurch* bi et armis insultum fecerunt, et ei sagittaverunt, et quosdam de hominibus suis sagittando percusserunt, et alia enormia ei intulerunt, ad grabem libertatis Ecclesiasticæ læsionem, et ipsius Episcopi dispendium non modicum, et contra pacem nostram; Nos igitur qui libertates et jura Ecclesiastica manuteneri et tueri volumus, ut tenemur, transgressionem hujusmodi relinquere nolentes impunitam; Assignavimus vos ad inquirendum per Sacramentum proborum ac legalium hominum de Com. *Line.* per quos veritas rei melius sciri poterit super præmissis plenius veritatem, & ad transgressionem illam audiendam & terminandam, & justiciam inde faciendam, secundum legem &

Cl. 24 E. 1. m. 23. De transg. facta Line. Episcopo audiend. & terminand.

Rrrr

con-



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*An. 24. E. 1.* consuetudinem regni nostri. Et ideo vobis mandamus, quod ad certos, &c. præmissa faciatis, &c. Mandavimus enim, &c. quod ad certos, &c. venire fac præfatos *Rannulphum & Laurentium*, & tot & tales probos & legales homines de Balliva sua, per quos, &c. In cujus, &c. Teste Rege apud *Westm.* decimo die Decembris.

The same B. shop of *Lincolne* having by the Kings command sequestred the Ecclesiastical goods of *Roger de Insula* a Clerk, late keeper of the Kings Wardrobe, for debts due by him to the King at his death; the King upon his Executors giving security to his Treasurer to satisfy those Debts, issued this Writ to the Bishop to discharge the Sequestration, and deliver the goods to his Executor to perform his Testament.

Cl. 24 E. 1.  
m. 8. i. utus.  
Pro Executoribus Testamenti Rogeri de Insula, de sequestro relaxando.

**R**EX venerabili in Christo Patri O, eadem gratia Episcopo *Lincolniensi* salutem. Quia *Johannes de Hufstait* Executor Testamenti *Rogeri de Insula* Clerici, nuper Custodis magnæ Garderobæ nostræ defuncti, & Coexecutores ejusdem *Johannis* Testamenti prædicti sufficientem invenerunt securitatem coram dilecto Clerico nostro *Waltero de Langeton* Thes. nostro de debitis si quæ præfatus *Rogerus* nobis debuit die quo obiit, de tempore quo fuit Custos Garderobæ prædictæ nobis ad Scaccarium nostrum reddendis, sicut ex testimonio ejusdem Thes. nostri accepimus. Vobis mandamus, quod sequestrum quod de bonis Ecclesiasticis ipsius *Rogeri* in *Dioc.* vestra pro debitis prædictis fieri fecistis relaxantes, Executors de bonis illis plenam et liberam administrationem habere permittatis, ad executionem testamenti prædicti inde faciendam. Et hoc non omittatis. T. R. apud *Haddington*, 4. die *Maii*.

The Custos of the Temporalities of the Archbishoprick of *York*, seising the Manor of *Thorp* into the Kings hands, by reason of the vacancy, against a former settlement thereof by *Walter de Grey* Archbishop, on the Dean and Chapter of *York*, to maintain an Obijt and Chaplain to say Masse; the King issued this Writ to restore it, wherein the settlement is recited.

Cl. 24 E. 1.  
m. 5. Pro Decano & Capitulo Eborum, de Manerio de Thorp, & Haya de Langewath.

**R**EX *Johanni de Lithegreynes* Custodi Archiepiscopatus *Eborum* sede vacante, salutem. Quia accepimus per inquisitionem quam per vos nuper fieri fecimus, quod *Walterus de Gray* quondam Archiepiscopus *Eborum* perquisivit manerium de *Thorp* Sancti *Andree* juxta *Ebor.* sibi & hæred. vel assignatis suis imperpetuum de diversis feoffatoribus, & postea processu temporis idem Archiepiscopus per ordinationem inter ipsum & Decanum & Capitulum beati *Petri Eborum* factam, concessit & dedit idem manerium cum pertin. eisdem Decano sub hac forma, scilicet, quod iidem Decanus & Capitulum solverent singulis annis quamdiu manerium illud tenerent *Thesaurario* ejusdem Ecclesie viginti marcas, pro obitu ipsius Archiepiscopi in eadem Ecclesia singulis annis semel per annum de sua dispositione imperpetuum faciendo, & pro sustentatione unius Capellani in capella infra manerium de *Thorp*, pro anima Domini *J.* quondam Regis Angliæ, & pro anima ipsius Archiepiscopi, & animabus omnium fidelium defunctorum imperpetuum celebrandi. Ita videlicet, quod iidem Decanus & Capitulum post decessum ipsius Archiepiscopi traderent & admitterent ad firmam cuilibet Archiepiscopo *Eborum* sibi succedenti, Manerium prædictum pro firma prædicta singulis annis reddenda; Tenendam ad terminum vite tantum ipsorum Archiepiscoporum, & quid in qualibet vacatione post mortem cujuslibet Archiepiscopi eisdem Decano & Capitulo manerium prædictum revertetur; & in seipsum illorum remaneret, quamdiu sedes *Eborum* vacaret, pro prædicta firma singulis annis modo prædicto reddenda; Et quod Dominus *H.* quondam Rex Angliæ pater noster postea prædictas concessionem, donacionem & ordinationem per cartam suam confirmavit, Et quod prædicti Decanus & Capitulum perquisiverunt hayam de *Langewath*, cum pertin. de Priore & Coventu de *Wartre*, & postmodum dimiserunt illud *Willelmo de Wyke* quondam Archiepiscopo *Eborum* ad terminum vite Archiepiscopi \* pro uno Damo tempore pinguedinis, et una Damo tempore serinesonæ eisdem Decano & Capitulo per annum reddendis; Ita quod post mortem ipsius Archiepiscopi, prædicta haya cum pertin. prædicti Decano & Capitulo

\* They loved fat venison very much, as well as Abbots and Monks, See p. 672, 673.

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pitulo integrè reverteretur; Et quod iidem Decanus & Capitulum post consecra-  
cionem *Johannis* ultimi Archiepiscopi *Eborum* dimiserunt, ei ad terminum vite ipsius  
Archiepiscopi prædictum Manerium de *Thorpe*, una cum prædicta haya, per præ-  
dicta servicia reddenda & facienda; Ita quod post mortem ipsius Archiepiscopi  
prædictum manerium & haya prædicta cum pertin. eisdem Decano & Capitulo in-  
tegrè reverterentur. Et quod nos confirmavimus eisdem Decano & Capitulo per  
Cartam nostram concessionem & donacionem quas prædicti Prior & Conventus eis  
de prædicta haya fecerunt; Et quod prædicti Decanus & Capitulum à tempore con-  
cessionis & donacionis prædictorum manerii & hayæ extiterunt semper hucusque in  
qualibet vacatione in seifina habendi custodiam tam prædicti manerii quàm præ-  
dictæ hayæ cum pertin. suis, per prædictas viginti marcas Thesaurario *Eborum* an-  
nuatim solvendas; Vobis mandamus, quod de prædictis manerio et haya quæ ratio-  
ne præsentis vacationis Archiepiscopatus in manu nostra existentis nuper cepistis  
in manum nostram, ut dicitur, si ea occasione et non alia in manu nostra existent  
ulterius non intromittatis. Telle Rege apud *Iwerkeyrach* 31 die Jul.

Am. 24 E. 1.

*Henry de Newarke* Dean of *Yorke* being elected Archbishop thereof by the Kings  
license, and his election approved by the King. He (according to the encroach-  
ment and usage of that age) certified this his election to the Pope, desiring his fa-  
vour to confirm him Archb. shop, by this Patent.

SANCTISSIMO in Christo Patri & Domino, Domino *B.* divina providentia Sacro-  
sanctæ *Romane* ac Universalis Ecclesiæ Summo Pontifici; *Edwardus*, &c. cum  
reverentia & honore devota pedum oscula beatorum. Noverit vestra paternitas  
reverenda, quod Electioni nuper celebratæ in Ecclesiâ Cathedrali *Ebor.* discreto bi-  
ro Magistro *H. de Newarke* Decano ejusdem Ecclesiæ in Archiepiscopum lecti illius  
Regium assensum adhibuimus et favorem. Et hoc Sanctitati vestræ significamus  
per presentes, ut quod vestrum est in hac parte exequi dignemini cum favore. In  
cujus, &c. Telle Rege apud *Edenburgh* 5 die Junii.

Pat. 24 E. 1.  
m. 14. intus.  
De assensu  
electioni adhi-  
bita.

The King by this Patent authorized his Constable of *Kermerdyn* in *Wales* in his  
name and right for that turn, to present two Clerks to two several livings in *Wales*,  
one of them by reason of the Temporalities of the Bishoprick of *St. Davids*, late in  
his hands.

REX Dilecto Clerico suo *Waltero de Pederton* Constab. Castri sui de *Kermerdyn*,  
salutem; Ut Præbendam apud *Aberwyly*, quæ vocatur *Blaynlederal* vacan-  
tem, & ad donacionem nostram spectantem, ratione Episcopatus *Menevensis* nuper  
vacantis et in manu nostra existentis, si valorem quadraginta solidorum per an-  
num, & ad Ecclesiam de *Penbehyr* similiter vacantem, & ad donacionem nostram  
spectantem mero jure, si valorem decem marcarum annuatim non excedant, duobus  
Clericis idoneis juxta vestram discretionem conferre, seu nostro nomine præsentare  
valeatis hac vice, vobis plenam et liberam concedimus facultatem. In cujus, &c.  
Telle Rege apud *Sanctum Edmundum*, 21 die *Novembris*.

Pat. 24 E. 1.  
m. 1. intus.  
Pro *Waltero*  
de *Pederton*,  
quod possit  
conferre Præ-  
bendam de  
*Aberwyly* &  
Ecclesiam de  
*Penbehyr*.

Pope *Boniface* by his usurped Papal power, Bull, appropriating the Church of  
*Wermyngron* to the Abbey of *Peterburgh*, whereof they had the Patronage, the King  
out of his special grace, authorized them accordingly to appropriate it by his Sovereign  
authority, and to hold it appropriate to them and their successors against him  
and his heirs, notwithstanding the Statute of *Mortmain*, by this Patent.

REX omnibus ad quos, &c. salutem. Sciatis, quod cum sanctissimus Pater  
Dominus *Bonifacius* Summus Pontifex per suas Patentes literas Bullatas  
concesserit dilectis nobis in Christo Abbati et Conventui de Burgo *Santi Petri* Ec-  
clesiam de *Wermyngron* *Lincoln.* Dioc. quæ est de ipsorum patronatu, sibi et succes-  
soribus suis imperpetuum in usus proprios possidendam, prout in eisdem literis  
plenius continetur, volentes eidem Abbati & Conventui gratiam in hac parte facere  
specialem, concessimus eis pro nobis et heredibus nostris, quantum in nobis  
est, quod ipsi Ecclesiam prædictam cum pertin. appropriare, et eam appropriatam  
tenere

Pat. 24 E. 1.  
m. 1. Pro Ab-  
bate & Con-  
ventu de Bur-  
go *S. Petri* de  
Ecclesia de  
*Wermyngron*  
eis in proprios  
usus appropri-  
anda.



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*An. 24 E. 1.* tenere et habere possint sibi et successoribus suis in proprios usus, sine occasione vel impedimento nostri vel heredum nostrorum imperpetuum; Statuto nostro de terris et tenem. ad manum mortuam non ponendis edito non obstante. In cujus, &c. Teste Rege apud *Binsley*, 26 die *Octobris*.

\* Here, p. 631. In *Claus. 24 E. 1. m. 6. dorso*, the Kings \* premised Letters to the Cardinals, concerning the Popes provision to the Church of *Monkton*, is enrolled with this other to the same effect, but shorter, to Cardinal *Bernaldus Albanensis*, which I found likewise in another Record by it self in the *White Tower*.

*Claus. 24 E. 1. m. 6. dorso.*

**R**EX venerabili in Christo patri, Domino *Bernaldo*, Dei gratia Episcopo *Alban.* amico suo charissimo; &c. salutem & sinceræ dilectionis affectum; literas veitras pro Magistro *Jacobo*, nepote venerabilis in Christo patris Dom. *Francisci Neapolensis Sanctæ Lucie in silice* Diaconi Card. specialis amici nostri, super negotio collationis Ecclesiæ de *Monkton Cantuar.* Dioc. per felices recordationis *Celestini* Papam quintum in *Romana Curia* sibi factæ, et confirmationis per sanctissimum Patrem Dominum *Bonifacium* summum Pontificem super hoc subsecutæ, nobis per litteras præsentium præsentatas, affectione plena recepimus, et earum tenorem intelleximus diligenter. Dant quia in grave præjudicium, et manifestum nostri et heredum nostrorum exheredationem, ac enormem Cozonæ nostræ *Megiz* (cujus iura illa in omnibus oblerbare vinculo juramenti asstringimur) læsionem evidenter redundaret, si effectum in præfato casu dicta collatio sortiretur, prout per Consiliarios nostros ac Magnates et Proceres Regni nostri pluribus rationibus et exemplis evidentibus consultum nobis extitit, contemplatione collationem eandem non possumus nec debeamus æquanimiter tolerare. Verum vestri consideratione, ac aliorum Cardinalium pro præfato *Jacobo* specialiter intercedentium, et offensum intendimus eidem *Jacobo*, loco et tempore opportunitis, si nostræ memoriæ tunc occurrat, de alio compententi beneficio providere. Dat. apud *Alnwick*, 25 die *Septembris*.

In a bundle of several original Letters in the *White Tower* from *Adolphus* the Emperour, *Rodolphus* Earl of *Flanders*, the Bishop of *Leige* and others to King *Edward* the first, *Anno 24* of his reign, I found this Epistle to him from a *Roman* Cardinal, for his favor and assistance concerning another Provision granted by Pope *Boniface* to one *John a Roman*, of a Canonry or Prebendary then vacant, or which should first fall void, in the Church of *Lincoln*.

*Bundela Episcoporum, &c. An. 24 E. 1.*

**S**erenissimo Principi, amico charissimo, Domino *Edwardo*, Dei gratia Regi *Angliæ* illustri; *Matthæum* miseratione Divina, *S. Mariæ in porticu* Diaconus Cardinalis, salutem in eo per quem Reges regnant. Cum sanctissimus Pater et Dominus noster, Dominus *B.* divina providentia summus Pontifex, charissimo Consanguineo nostro *Johanni* nato Nobilis viri, Consanguinei & amici nostri Karissimi Domini *Landulphi de Columpna*, de *Canonicatu* *Lincolniensis Ecclesiæ* ac *Præbende*, dignitate, seu personatu, quam vel quem duxerit acceptandum, si in ipsa Ecclesia vacant ad præsens, gratiose duxerit providendum: Alioquin præbendam dignitatem seu personatum proximo in eadem Ecclesia vacaturos conferendos eidem *Johanni* cum vacaverint duxerit reserbandos, prout in literis Apostolicis super hoc confectis plenius continetur, licet ad hoc tanti sufficiat auctoritas mandatoris, quia tamen eundem *Johannem* specialis dilectionis affectu prosequimur & favore, adficiamus efficaciter preces nostras. Serenitatem Regiam affectuose rogantes, quatinus eundem *Johannem*, ob reverentiam præfati Domini nostri, ac obtentu nostrorum precaminum recommendatum habentes, penes venerabilem in Christo Patrem Dominum *O.* Dei gratia Episcopum, ac Decanum & Capitulum *Lincolniensem*. vestris efficaciter interponere preces vestras, quod ipsum *Johannem*, vel Procuratorem suum ejus nomine, ad pacificam possessionem *Canonicatus* dictæ Ecclesiæ, necnon ad *Præbendam*, dignitatem, seu personatum hujusmodi, si vacant ad præsens, vel quamprimum ad id optulerit se facultas, juxta litterarum Apostolicarum tenorem benigne recipiant in *Canonicum*, et in fratrem, et sincera caritate pertrahant; preces nostras hujusmodi taliter in hac parte (si placet) ad exauditionis vestræ (gratiam) admitturi, quod dictus *Johannes* eas sibi sentiat in favoris augmentum, nosque

Serenitati

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Serenitati Regiz amplius astringamur cum dignis actionibus gratiarum. Datum Roma apud S. Petrum, &c. An. 24 E. 1.

There was another Epistle to the same effect to the King, from *Mathæus miseratione divina Portuensis Ecclesia Diaconus Cardinalis*, Datum Romæ die 5. Maii. But these Provisions entrenching on the Rights and Prerogatives of his Crown, and privileges of the Church of *England*, the King gave the like answers to them, as in the premised cases of the *Prebendaries of Nassington and Monkton*.

The King to please the Cardinals whose unjust suits he had denied, and to effect his affairs the better in the *Roman Court*, where all things were procured by bribes and pensions to Cardinals and other Officers, granted these Pensions this year to these *Roman Harpies*.

**R**EX omnibus ad quos, &c. salutem. Obsequia fructuosa quæ venerabilis pater B. titulo Sanctorum *Cosmæ & Damiani* Diaconus Cardinalis, sicut speramus, exhibebit futuris temporibus attendentes, quinquaginta *Marcas Sterlingorum* eidem annuam concedimus Pensionem, percipiendam quamdiu vixerit, ad Scaccarium nostrum; unam videlicet medietatem ad Scaccarium nostrum Sancti *Michaelis*, & aliam medietatem ad Scaccarium nostrum *Pasch.* In cujus, &c. Teste Rege apud *Rokes*. 14 die *Maii*. Pat. 24 E. 1. m. 15. intus. Pro D. B. tit. S. Cosmæ & Damiani, Diacono Cardinali.

**R**EX omnibus ad quos, &c. salutem. Grata obsequia quæ venerabilis Pater Dominus *Beraldo* Episcopus *Albanensis*, Sanctæ *Romane* Ecclesiæ Cardinalis nobis olim in minori constitutus officio laudabiliter impendit diligentius attendentes, fructuosaque subsidia quæ nobis impoſterum ab ipso speramus firmiter exhiberi perspicacius advertentes; concedimus eidem ducentarum *Marcarum Sterlingorum* annuam Pensionem ad Scaccarium nostrum quamdiu vixerit percipiendam; unam videlicet medietatem ad Scaccarium nostrum *Pasch.* & aliam medietatem ad Scaccarium nostrum Sancti *Michaelis*, primo termino solutionis incipiente ad Scaccarium nostrum *Pasch.* prox. jam transactum. In cujus, &c. Teste ut supra. Ibid. Pro Beraldo Episcopo Albanen. S. R. E. Cardinali, de annua pensione.

He likewise granted Protections to others, at the Cardinals request, who no doubt had gratuities for procuring them, as these Records inform us.

**F**ratr *Aluicium* Prior sive Custos Ecclesiæ *Omnium Sanctorum de Writel London.* Dioc. ad instantiam venerabilis Patris Domini B. *Albanensis* Episcopi Sacrosanctæ *Romane* Ecclesiæ Cardinalis, amici Regis charissimi, habet litteras Regis de protectione simplices sine Claus. per biennium duraturas. Teste Rege apud *Berewyke* super *Twedam*, 27 die *Aprilis*. Pat. 24 E. 1. m. 16. intus. De Protectione.

**M**agister *Henr.* persona Ecclesiæ de *Sherham*, ad instantiam venerabilis patris Domini B. *Albanen.* Episcopi, Sacrosanctæ *Romane* Ecclesiæ Cardinalis, amici Regis charissimi, habet litteras Regis de protectione simplices sine claus. per biennium duraturas. Teste ut supra. Ibidem.

These Cardinals Grand design upon their return into *England*, being to collect and return what monies they could thence extort for new Procurations, as *Legates à latere*, from all the Clergy and religious Houses in *England* and *Ireland*, procured this safe Conduct and Protection from the King for their *Italian Merchants*, *Usurers*, and *Collectors* to come into *England*, to collect their Procurations and other monies throughout *England* and *Ireland*, and transport the same into *France*; together with a command to *Sheriffs* and other Officers to assist them therein, and if any were excommunicated by the Cardinals for refusing to pay Procurations, to compell them, thereunto by distresses or imprisonment, which the King to obtain their favour granted, as this Record informs us:

REX



An. 24 E. 1.

Pat. 24 E. 1.

m. 23. intus.

**R**EX Vicecomitibus & omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Sciatis quod ob reberentiam sedis Apostolicæ et considerationem Patrum amicrozum nostrorum specialium, suscepimus in salbum et securum conductum nostrum Johannem Alabrandini, & Gyani Lynchetti, Mercatores Cameræ Domini Papæ et ipsorum Cardinalium de Societate Clarentum de Pistorio, pro negotiis sedis prædictæ, et ipsorum Cardinalium per ipsos ad partes Angliæ destinatos, in eundo per totum regnum nostrum, pecuniam eisdem Cardinalibus de procurationibus suis in eodem Regno debitam colligendo, ibidem morando, et inde cum pecunia sic collecta ad partes Franciæ redeundo; Ita tamen, quod sub colore huiusmodi nullam pecuniam propriam vel alienam, præterquam de procurationibus dictorum Cardinalium extra regnum nostrum ducent, vel deferant quoquomodo. Et ideo vobis mandamus, quod eisdem Mercatores in eundo per totum regnum nostrum pecuniam præfatis Cardinalibus de procurationibus suis in eodem regno debitam colligendo, ibidem morando, et inde cum pecunia sic collecta ad partes Franciæ redeundo, sicut prædictum est, non inferatis, vel quantum in vobis est inferri permittatis, injuriam, molestiam, dampnum, impedimentum aliquod seu gravamen, set potius illos quos in solutione procurationum prædictarum Contradictores inveniunt contigerit et rebelles, postquam ea occasione excommunicati fuerint ad solutionem procurationum earundem eisdem Mercatores vel eorum alteri faciend. modo debito compellatis, quotiens necesse fuerit, et a Mercatores prædictis, vel eorum altero super hoc fueritis requisiti. In cujus, &c. usque ad festum Nativitatis Sancti Johannis Baptista prox. futur. duratur. Teste Rege apud Sanctum Edmundum, 16 die Novembris. Which Protection the next year was renewed to them for a longer time, as Pat. 25 E. 1. m. 2. assures us, where it is inrolled. The like Patent issued to his Chief Justice and all other Officers, persons in Ireland, to assist their Chaplain John Bonichi de Senis (sent a second time into Ireland, to collect their Procurations from the Clergy there, with power to excommunicate those who refused to pay them) and enforce excommunicate persons to pay the same.

\* See here, P. 630.

Pat. 24 E. 1. m. 4. intus. De Procuracionibus Cardinalibus debitis in partibus Hyberniciæ exigendis & levandis.

**R**EX dilectis & fidelibus suis Justiciario suo Hyberniciæ Cancellar. Thesaur. Vicecomitibus, & omnibus aliis Ballivis & fidelibus suis de terra Hyberniciæ ad quos, &c. salutem. Cum venerabiles patres Domini B. Albanensis et S. Penestr. Episcopi, Sacrosanctæ Romanæ Ecclesiæ Cardinales amici nostri charissimi, ad nos et Regem Franciæ per Dominum Summum Pontificem Nuncios destinati, Magistrum Johannem Bonichi de Senis Capellanum eorundem mittant ad dictas partes Hyberniciæ ad procuraciones eis in partibus illis debitas exigendas. Vobis mandamus, quod eidem Magistro Johanni cum ab ipso requisiti fueritis, salbum et securum conductum præstantes in levandis seu erigendis dictis procuracionibus, et contradictoribus seu rebellibus, ut Justitia suaserit compescendis, impendatis eidem sabozem, consilium et jubamen, Excommunicatos etiam ob eandem causam postquam in ipsa excommunicatione statuto tempore contumaciter persistierint, et de hoc vobis legitime constiterit ad debitam inde satisfactionem modo debito compellatis hac vice de nostra gratia. In cujus, &c. usque ad festum Pasche prox. futur. dur. Teste Rege apud Berewick super Twed, 30 die Augusti.

Thus did these Cardinals under pretext of making a Truce between England and France, twice prey upon the English and Irish Churches, Clergy, and transport their Treasure into France to enrich themselves and our French Enemies.

The King this year sending forces into France to recover his right to Vascogny, and after that Commissioners to Cambray to the Cardinals, to treat and conclude a League between him and the French King; by his Sovereign Ecclesiastical authority, issued these pious Writs to his Archbishops, Bishops, Abbots and Priors, to make devout and hearty prayers to God in all their Churches and Diocesse, for his blessing upon his forces to recover and defend his right, and also on that Treaty, to put such a period to the Wars, and settle such a Truce as might redound to the praise of God, his own honor, and the profit of his Realm.

REX

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**R**EX Venerabili in Christo patri R. eadem gratia *Cantuar.* Archiep. scopo, totius *Anglia* Primati salutem. Evidentem causæ nostræ iusticiam, quam vos latere non credimus, fervente studio hæcenus prosecuti, & adhuc summo opere prosequentes, pro recuperatione & defensione terræ nostræ *Vascon.* tanquam *Cozonæ* Regiæ, et honori Regni nostri *Angliæ* hæreditario jure annexæ, de qua Rex *Franciæ* nos injustè exheredare conatur, ad partes ipsius Ducatus gentes nostras nuper cum potentia, quàm tunc commode potuimus, & nunc demum *Edmundum* fratrem nostrum cum honorabili comitiva Nobilium dicti Regni duximus destinand. Sane cum in homine non sit auxilium, sed e cælo, ac propter hoc oporteat impotentiam nostram divinæ manus præsidio sustentari, Paternitatem vestram requirimus et rogamus, quatenus non solum nostram sed vestram iusticiam intuentes, et corda vestra sursum habentes ad Dominum, apud eum, ut hæc et alia quæ negotio expedire cognoveritis antedicto procedant salubriter, et in manibus nostris prospere dirigantur, debitis supplicationibus insistatis. Cumque ob reberentiam sedis Apostolicæ, et ad venerabilium Patrum *B. Albanen.* et *S. Penestrin.* Episcoporum, Sanctæ Romanæ Ecclesiæ Cardinalium requisitionem instantem, ad tractandum de Treugis et Pace cum Rege prædicto super guerris, dissensionibus, et discordiis quibuscumq; inter ipsum et nos exortis et motis, solennes Runcios nostros ad partes miserimus transmarinas ad præsentiam Cardinalium prædictorum, piam affectionem vestram ericet quæsumus debitum caritatis, ad divinam misericordiam vestris intercessionibus implozand. ut præsentis temporis tempestuoso procellarum turbine quiescente, uberiora tempora sub tranquillioris auræ serenitate succedant, quodque ad feliciter hæc et alia peragenda, quæ cepimus, dextera Regis Regum potenter adjuvi, ea ad laudem ipsius et honorem nostrum, ac commodum regni nostri ad optatum effectum deducere valeamus. Præmissa hero omnibus viris subditis in vestra Dioc. constitutis, specialibus orationibus facienda, per vos injungi petimus et mandari. Teste Rege apud Sanctum Albanum, primo die Januarii.

Consimiles literæ diriguntur, *J. Eborum* Archiepiscopo *Angl.* Primati, & Episcopis subscriptis, videlicet,

*J. Episcopo Roff.* *R. Episcopo London.* *O. Episcopo Lincoln.* *R. Episcopo Norwycen.* *W. Episcopo Elyen.* *G. Episcopo Cycestr.* *J. Episcopo Wynton.* *Tho. Exon.* *Episcopo.* *N. Episcopo Sarum.* *W. Bathon.* & *Willen.* *Episcopo.* *G. Wygorn.* *Episcopo.* *R. Hereford.* *Episcopo.* *A. Episcopo Bangor.* .... *Assaven.* *Episcopo.* *J. Electo Landaven.* *J. Karleolen.* *Episcopo.* *A. Episcopo Dunholmen.* Custodi Spiritualitytis *Coventr.* & *Lych.* sede vacante, Electo *Meneven.* vel ejus vice gerenti, ipso agente in partibus transmarinis. (A pattern worthy imitation by Protestant Kings, Prelates, in times of Warr, and Treaties of Peace.)

**R**EX dilecto sibi in Christo Abbati Sancti *Augustini Cantuar.* salutem. Evidentem causæ nostræ iusticiam, &c. ut supra, usque ibi præsidio sustentari. Et tunc dicitur, Vos requirimus & rogamus quatinus, &c. ut supra. Præmissa vero omnibus vestris subditis specialibus orationibus facienda, per vos injungi petimus et mandari. T. R. apud *Crucem Roef.* 7. die Januarii.

Consimiles literæ diriguntur Abbatibus subscriptis, videlicet;

Abbati de Sancto *Albano*, Abbati de *Waltham*, Abbati de Sancto *Edmundo*, Abbati de *Evesham*, *Exempti*; Abbati de *Furneys*, Abbati de *Salley*, Abbati de *Novo Monasterio*, Abbati de *Jeroyal*, Abbati de *Fonsibus*, Abbati de *Bella Landa*, Abbati de *Milfa*, *Cisterc. Ordinis*. Abbati de *Nenhom*, Abbati de *Croxton*, Abbati de *Alnewyk*. Abbati de *Egleston*, Abbati de *S. Agatha*, *Pramonstrat. Ordinis*. Magistro Ordinis de *Sempingham*, Fratri *Willielmo de Hothum* Priori Provinciali de Ordine Fratrum Prædicatorum in *Anglia*, Ministro Ordinis Fratrum Minorum in *Anglia*, &c. quod ipsi in singulis Domibus suis specialibus orationibus, &c.

Clauſ. 24 E. 1.  
m. 10. dorſo.

He likewise by his Ecclesiastical prerogative sent these Writs to his Archbishops, Bishops, Abbots, and others, to make Prayers, sing Masses, and doe other works of piety for the Soul of his Brother *Edmond*, and after that of *Margaret* Queen of *France*, then lately deceased, according to the superstition of that age.

REX

An. 24. E. 1.  
Cl. 24 E. 1.  
dorſo 10. See  
the ad Part  
of my Signal  
Loyalty and  
Devotion of  
Gods true  
Saints & Pi-  
ous Christi-  
ans towards  
their Kings, p.  
42, 43.



An. 24. E. 1.

Claus. 14. E. 1.  
m. 8. dorso.  
De orationi-  
bus & suffra-  
giis pro anima  
Edmundi fra-  
tris Regis.

**R**EX Venerabili in Christo Patri R. eadem gratia *Cantuar.* Archiepiscopo toti-  
us *Angliae* Primati salutem. Altissimus creator omnium ad hoc humanam na-  
turam ad sui similitudinem & ymaginem creavit, ex anima & corpore constitutam,  
& in hoc mundo miserabili collocavit, ut finito pro suae voluntatis arbitrio hujus vi-  
tae velut cujusdam peregrinationis cursu, ipsum compositum in sua principia re-  
solvatur, & ad terram de qua est corpore redeunte, ad Dominum à quo datus est  
Spiritus revertatur. Quam quidem peregrinationem nemo potest sine multarum  
coinquinationum contagione peragere, sicut nec pedes itinerantium iter suum abs-  
que pulveris adhaesione transire; quare summè indigent à praesenti seculo transeun-  
tes vivorum suffragiis adjuvari: Cum itaque vir illustris *Edmundus* unicus frater  
noster carissimus, qui nostris & regni nostri negotiis semper promptus, devotus  
exitit & fidelis, et in quo virtutum & gratiarum dona multiplicia prae lucebant, ab  
hac luce prout ipsi plasmatori placuit sit substractus, ex qua subtractione reputamus  
nos & ipsum regnum plurimum desolatos, quod vobis non sine gravi cordis a-  
maritudine nunciamus, Paternitatem vestram affectuosis precibus attente requiri-  
mus et rogamus, quatinus ipse frater nostri exequias cum devotione sollemp-  
niter celebrantes, ejus animam cum decantatione missarum et aliis debotarum  
orationum suffragiis ipsi Deo altissimo commendetis. Illud idem ad universis et  
singulis Religiosis, et aliis personis Ecclesiasticis subditis vestris per totam ve-  
stram Diocesim fieri specialiter injungendo. Teste Rege apud *Aberdeen*, 15 die  
*Julii*.

Consimiles literae diriguntur singulis Episcopis per *Angliam*. T. ut supra.

Consimiles literae diriguntur Abbatibus subscriptis, usque ibi paternitatem, &c.  
Abbati de Sancto *Edmundo*, &c. asin the other Page.

Ibid. m. 10.  
dorso. De  
orando pro  
anima Marga-  
retae quondam  
Reginae Fran-  
ciae.

**R**EX Venerabili in Christo Patri R. eadem gratia *Cantuar.* Archiepiscopo, to-  
tius *Angliae* Primati, salutem. Cum clarae memoriae *Margarita* quondam Re-  
gina *Franciae* amita nostra jam viam universae carnis, prout conditori omnium pla-  
cuit, sit ingressa, cujus animae piis orationibus devotozum coram Deo cordis et  
intimocupinus subbeniri; Paternitatem vestram sincera mente requirimus et ro-  
gamus, quatinus animam praefatae Reginae in missarum celebrationibus et alia-  
rum orationum suffragiis aliisque pietatis operibus specialiter commendetis, ip-  
sam a Religiosis et aliis subditis vestris per vestram Dioc. constitutis similiter  
adjuvari per hujusmodi suffragia facientes. Teste Rege apud *Thetford*, 22 die  
*Januarii*.

Consimiles literae diriguntur 7. Archiepiscopo *Angliae* Primati, & Episcopis sub-  
scriptis, videlicet;

7. *Roffen.* R. *London.* O. *Lincoln.* R. *Norwycen.* W. *Elion.* G. *Cicestr.* I. *Wynton.*  
Th. *Exon.* N. *Sarum.* W. *Bathon.* & *Willen.* G. *Wigorn.* R. *Hereford.* A. *Bang-*  
*ren.* .... *Assaven.* Electo *Landaven.* vel ejus vices gerenti, I. *Karlolen.* A. *Du-*  
*Dunelm.* Custodi Spiritualitatis *Covenr.* & *Lych.* Electo *Meneven.* vel ejus vices  
gerenti.

The King by his Letters patents appointed special Collectors in all Bishopricks of  
the *Dismes* given to him by the Clergy \* the year before, according to their grant  
made to him.

\* See here,  
pag. 641.  
Par. 14. E. 1.  
memb. 12.  
De decima 2  
Prelatis &  
Clero Domi-  
no Regi con-  
cessa in singu-  
lis Episcopati-  
bus Angliae  
colligenda.

**R**EX dilecto sibi in Christo Priori *Roffensi*, salutem. Cum Praelati & totus Cle-  
rus de regno nostro decimam beneficiorum et bonorum suorum, de quibus de-  
cima ultimo in subsidium terrae sanctae concessa fuit, data nobis in subsidium nostrum  
de anno praesenti, iuxta taxationem ultimo inde factam liberaliter concesserint et gra-  
tanter, beneficiis Ecclesiasticis personarum plura beneficia Ecclesiastica non habentium  
per eandem taxationem valorem sex marcarum annuarum non excedentibus  
dumtaxat exceptis; ita quod una medietas ejusdem decimae primo die *Marci* proxi-  
mo futura; & altera medietas in festo sanctae *Trinitatis* proximo sequenti nobis per-  
solvantur. Nos de vestra fidelitate & diligencia confidentes, assignavimus vos ad  
dictam decimam secundum taxationem illam in Episcopatu *Roff.* colligendam, ad-  
mandam, et in tuto loco reponendam, et salvo custodiendam, donec aliud a nobis  
inde

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inde habueritis in mandatis. Et ideo vobis mandamus, rogantes quatinus eandem *An. 24 E. 1.* decimam in forma prædicta colligatis, adunetis, & eam in tuto loco reponatis & custodiaris, ita quod eam promptam & paratam habeatis, juxta æquales portiones dictis terminis nobis solvendam & liberandam, cum super hoc à nobis fueritis requisiti. Et hoc sicut nostrum & vestrum honorem diligitis nullatenus omittatis. Concesserunt etiam nobis dicti Prælati, quod Clerum suorum diocesum auctoritate sua, quam vobis per litteras suas patentes præstabunt, ad solutionem dictæ decimæ, ut præmittitur faciendam compellere valeatis. In cujus, &c. Teste Rege apud *Westm.* 11 die Decembr.

Eodem modo assignantur subscripti in Episcoparibus subscriptis, viz. *Eljen*, Prior *Eljen*, Prior de *Bernwell*, &c.

After which Subsidy granted, sundry of the Bishops, Abbots, Abbesses, Priors, Deans, Archdeacons, Parsons and Vicars of *England*, to secure their persons and goods from seizure, renewed the former \* Protections granted them *Anno 22 E. 1.* \* See here, thinking thereby to preserve their lands, persons goods from seizure, though they de- p. 588 to 600. nyed to grant the King any future Subsidie or supplies. A catalogue of which Protections, and those religious persons & Clergy-men who sued for them I shall here present you with out of the Records of 24 E. 1. which will inform you of what Order every Monastery and Priory therein specified were, and to what Monasteries any of them appertained as Cells.

**R**EX Capitan. marinariorum & eisdem marinariis, Vicecom. & Ballivis & *Par. 24. E. 1.* fidelibus suis ad quos, &c. salutem. Cum Prælati et totus Clerus de regno *m. 21 & 22.* nostro decimam beneficiorum et bonorum suorum, de quibus decima ultimo in sub- *De protectio-* sidium Terræ sanctæ concessa fuit data nobis in subsidium nostrum de anno præfenti *ne pro Præla-* iuxta taxationem ultimo inde factam liberaliter concesserint et grante; nos eo- *tis & toto Cle-* rumdem Prælatorum et Cleri quieti et tranquillitati ex hac causa libentius providere *ro regni* volentes, suscepimus in protectionem et defensionem nostram specialem præfatos Prælatos et singulos de Clero prædicto, &c. Teste Rege apud *Westm.* 11 die Decembr.

Et postmodum factæ fuerunt litteræ consimiles in omnibus, hoc excepto, quod nomina Prælatorum in eisdem fuerunt specificata, & hujusmodi litteras habuerunt subscripti, viz.

*G. Wygorn.* Episcopus, *J. Karliolen.* Episcopus, *J. Wynton.* Episcopus, *R. Hereforden.* Episcopus, *O. Lync.* Episcopus, *R. Northwycen.* Episcopus, *R. London.* Episcopus, *Th. Roffen.* Episcopus, *R. Cantuar.* Archiepiscopus *Anglia* Primas, *J. Ebor.* Archiepiscopus *Anglia* Primas.

Consimiles litteras habent subscripti de verbo ad verbum, viz.

Abbas de sancto *Edmundo*, Abbas *Westmonasterii*, Abbas de *Waltham*, Abbas de sancto *Albano*, Prior de *Elsham*.

Consimiles litteras de protectione habet Magister ordinis de *Sempringham* pro se & Prioribus suis ejusdem ordinis. Teste Rege apud *Westm.* 11 die Decembr.

Consimiles litteras de verbo ad verbum habent subscripti, qui sunt de eodem Ordine, viz. *Cisterci.*

Abbas de *Bellalanda*, Abbas de *Gervall*, Abbas de *Straisford*, Abbas de *Dukeswell*, *Cistercienses*. Abbas de *Valle Regali*, Abbas de *Stanlowe*, Abbas de *Rupe*, Abbas de *Holmcoltran*, Abbas de *Cumbermere*, Abbas de *Furneys*, Abbas de *Rufford*, Abbas de *Ryevall*, Abbas *Novi Monasterii*, Abbas de *Swyneshoved*, Abbas de *Ford*, Abbas de *Melfa*, Abbas de *Bildewas*, Abbas de *Warden*, Abbas de *Newenham*.

Ordinis sancti *Benedicti*. Abbas de *Pershore*, Prior *Dunelm*, Prior de *Bretton* *Mo-* nachorum, Abbas de *Walden*, Abbas de *Henshaw*, Prior de *Ely*, Abbas *Salop*, Abbas de *Burgo* sancti *Petri*, Abbas beati *Mar.* *Ebor.* Prior Ecclesiæ *Christi Cant.* Abbatissa de *Godeshowe*, Prior sanctæ *Bege*, Abbatissa de *Berkyng*, Abbas de *Shireburn*, Prior sanctæ *Fidu*, Prior de *Spaldyngg*, Abbas de *Abyndon*, Abbas de *Horrefild Regis*, Abbas de *Croyland*, Abbas de *Bynham*, Abbas de *Thornye*, Prior de *Sharesheke*, Prior de *Belvero*, Priorissa de *Cotun*, Prior de *Pontefracto*, Abbas *B. Maria* *Ebor.* Prior de *Wederhall*.

Sancti *Augustini*. Prior sancti *Oswaldi*, Prior sancti *Gregorii Cantuar.* Abbas de *Augustini*.  
S f f f *Haghemon*,



An. 24 E. 1. Hagbemon, Prior de Wartre, Prior de Westacre, Abbas de Grymesby, Prior de Gysburn, Abbas de Ofency, Prior beatæ Mariæ Karl. Prior de Brydlyngton, Prior de Donenlavy, Abbas sancti Jacobi extra Norht. Prior sancti Baribol. de Smethefeld London, Prior de Merton, Prior de magna Malingham, Prior de Flutham, Prior de Bernewell, Prior de Tremenhalle, Prior de Petreston, Abbas de Crulund, Prior de Kirkeham, Prior de Newenham, Prior de Huntirton, Prior de Thurgerton, Prior de Besson, Prior de Lauretost, Abbas de Cvek, Prior de Waburn, Abbas de Thorneton, Prior de Shelford, Prior de Synnesbeved, Prior de Brinton, Abbas de Brunne, Prior de Novo loco juxta Staundford, Prior de Boulton in Cravene, Prior de Hexildesham.

Præmonstra-  
tiones.

De protectione  
pro Alienigenis.

Præmonstracen. Abbas de bello Capite, Abbas de Heppes, Abbas de Coverham, Abbas de Topholm, Abbas de Begeham, Abbas de Croxton, Abbas de Westderham, Abbas de Nenbo, Abbas sanctæ Agatha, Abbas de Neweham, Abbas de Eglesston.

Prior de Okeburn, quæ est Cella Abbaciæ de Becco Harlewyni, in potestate Regis Franciæ existentis. Prior de Priestwell, quæ est Cella Abbaciæ Cluniacen. Prior de Frompton, quæ est Cella Abbaciæ de Cudamo. Prior de Nowne & Novo mercato, quæ sunt Cellæ Abbaciæ sancti Ebrulphi. Prior de Ware, quæ est Cella Abbaciæ sancti Ebrulphi. Prior de Bresete, quæ est Cella Prioratus Nobiliaci in Lymoches. Prior de Estle, quæ est Cella Abbaciæ sancti Taurini Ebroyen. Prior de Heston, quæ est Cella Abbaciæ Cluniacen. Prior de Godeclif, quæ est Cella Abbaciæ de Becco Harlewyni. Prior de Thesford, quæ est Cella Abbaciæ Cluniacen. Prior de Stenynghon, quæ est Cella Abbaciæ de Becco Harlewyni. Prior de Carinton, quæ est Cella Abbaciæ de monte Sancti Michaelis in periculo maris. Prior de Stanegate, quæ est Cella Abbaciæ Cluniacen. Prior de Lodres, quæ est Cella Abbaciæ de Monte Burgi. Prior de Newton Lungwyll, quæ est Cella Abbaciæ Cluniacen. Prior de Wenslok, quæ est Cella Abbaciæ Cluniacen. Prior de sancto Neoro, quæ est Cella Abbaciæ de Becco Harlewyni. Prior de Merssey, quæ est Cella Abbaciæ sancti Audeni Rothomagi. Frater Robertus de la Vall, Procurator Abbatis sancti Nicholai Andegavia in Anglia. Frater Galfridus de Aqua, Ballivus Abbatis de Conchis in Anglia. Frater Johannes de Alneto, Ballivus Abbatis de Alneto in Anglia. Frater Willielmus de Saviniaco, Ballivus Abbatis de Saviniaco in Anglia. Willielmus Oliver, procurator Abbatis de Sagio in Anglia. Magister Domus sancti Marci de Billeswyk. Prior sancti Trinitatis Norwyci. Prior de Lewis. Petrus Prior de la Sele, quæ est Cella Abbaciæ de sancto Florentio de Salinuro. Prior de Lanton, quæ est Cella Abbaciæ Cluniacen. Prior de Castelaere Ordinis Cluniacensis. Priorissa de Wallandewelles. Prior sanctæ Trinitatis Ebor. quæ est Cella majoris Monasterii in potestate Regis Franciæ existentis. Frater Richardus Procurator sanctæ Andree Northampton, quæ est Cella Prioratus Caritaten. ordinis Cluniacen. Frater Vigor, Ballivus Abbatis de Fyscampo in Anglia. Prior de Wylminton, quæ est Cella Abbaciæ beatæ Mariæ de Grestono. Prior de Ravensdale. Prior de Cameringham. Prior de Lenton. Prior de Paunfeld & Welle. Prior de Hagb. Frater Dionysius Prior de Arundel. Frater Hugo Custos Ecclesiæ de Uppchurch. Prior de Patrikeburn. Prior de Triwle. Frater Walterus de Dunes, Custos Ecclesiæ de Estchurch in Shetp. Agatha, Priorissa de Leominstre. Frater Petrus de Folkeston. Nicholans Prior de Toftes. Prior de Lancastr. Prior de Weston. Galfridus de Tottenys. Frater Johannes, Prior de Kirkeby Monachorum. Prior de Wylford. Prior de Tutchebur.

Pat. 24. E. 1.  
m. 22. dorso.  
Protectiones  
pro personis  
Ecclesiasticis.

Consimiles Protectiones de verbo ad verbum habent subscripti, &c. (many of them Pluralists, notwithstanding all Canons against Pluralities.)

Walterus Curzan, Persona Ecclesiæ de Buggecasterton. Willielmus de Byrlaco, Persona Ecclesiæ de Kyngesneuton. Magister Richardus de Hereford, Archidiaconus Hereford. Walterus de Rudmurlaye, Canonicus Ecclesiæ sancti Ethelberti Hereford. & Persona Ecclesiæ de Lugwardyn, & Magister Willielmus de Kyngescote, Canonicus Ecclesiæ prædictæ sancti Ethelberti Hereford. & Persona Ecclesiæ de Westbury. Willielmus de Byrlaco, Persona Ecclesiæ de Warfop & Handesworth. Henricus de Lenn, Persona Ecclesiæ de Ryfson & Assheby. Nicholans de Sprinton, Persona Ecclesiæ sancti Jacobi Lond. & Beatæ Mariæ de la Rye, & Præbendarius Præbendæ de Werthings in Ecclesiæ de Hastynges. Richardus de Marnham, Persona Ecclesiæ de Lamley. Willielmus de Cornub. Persona Ecclesiæ de Toncestre. Magister Petrus de Insula, Arch. Wellen. Johannes de Aqua Blanca, Decanus Ecclesiæ sancti Ethelberti Hereford. Robertus de Lond. Persona Ecclesiæ de Wykware. Magister Willielmus de Grexfeld, Canonicus Ecclesiæ Beati Petri Ebor. & Sancti Wilfridi de Rypon, & Persona

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Persona Ecclesie de *Stratford super Avenam*. Magister *Johannes de Sancto Leofardo*, An. 24 E. 1.  
 Persona Ecclesie de *Egremunt*. *Johannes de Langeton*, Thes. Ecclesie *Willelmi*, & Per-  
 sona Ecclesie de *Lodeswello*. *Johannes de Godelegb*, Persona Ecclesiarum de *Louppote*  
 & *Bocland*. Magister *Henr. Sampson*, Persona Ecclesiarum de *Fyskerton*, *Haryngby*,  
 & *Ingesworth*. *Willielmus de Dale*, Persona Ecclesie de *Dale* juxta *Sandwyk*. Magi-  
 ster *Hugo Sampson*, Persona Ecclesiarum de *Byrkyn* & *Landesford*. Magister *Henricus*  
*Sampson*, Persona Ecclesiarum de *Eston*, *Croton*, *Flite*, *Walsham*, *Epyngbam*, & *Sa-*  
*ham Comitis*. Magister *Johannes de Crancumbr*, Persona Ecclesiarum de *Gonsla*, *Ma-*  
*piston*, *Burton*, *Wyverthorp*, *Grendale*, *Byrton*, & *Aymynistr*. Magister *Rogerus de As-*  
*pale*, Persona Ecclesie de *Statham antegeyne*. Magister *Rogerus de Asple*, Persona  
 Ecclesie de *Hennoye*. Magister *Petrus de Ambur*, Canonicus Ecclesie *Willelmi*, & Per-  
 sona Ecclesiarum de *Godeshull* & *Nanton* in *Insula Vella*. Magister *Jacobus de Moun-*  
*ton*, Persona Ecclesie de *Brompton*. *Johannes de Scalleby*, Persona Ecclesie de *Mumby*.  
 Magister *Robertus de Redeswelle*, Archid. *Cestr.* & *Richardus de Roulsham*, Per-  
 sona Ecclesie de *Grepnhale*. *Henricus de Stratton*, Persona Ecclesie de *Coryngbam*.  
*Hugo de Eyton*, Persona Ecclesie de *Lymynton*. *Johannes de Godeslegb*, Persona Ec-  
 clesie de *Foxhyrd*. *Henricus de Upavene*, Persona Ecclesie de *Cannpeden*. *Henricus*  
 de *Stratton*, Persona Ecclesie de *Stokes*. *Braculus de Lavanne*, Canonicus Ecclesie  
 Sancte *Cedde Lich.* & Persona Ecclesie de *Tyrington*. *Guydo de Shenedone*, Persona  
 Ecclesie de *Weston*. *Walterus de Wormyngton*, Persona Ecclesie de *Middleton*. *Rich-*  
*ardus* Persona Ecclesie de *Kyngeston*. Magister *Johannes de Bogbis*, Persona Ec-  
 clesie de *Kyrkelenyngton*. Magister *Petrus de Fylnel*, Persona Ecclesie de *Mithynges*.  
 Magister *Walterus de Watton*, Archid. *Huntyndon*. *Hugo de Normanton*, Persona Ec-  
 clesie de *Flisburgh*. Magister *Gocelinus* Archid. de *Stowe*. *Willielmus* Persona Eccle-  
 sie de *Bokland*. Magister *Henricus de Newerk*, Decanus Ecclesie beati *Petri E-*  
*bor.* *Robertus de Langeton*, Persona Ecclesie de *Cotherstok*. *Radulphus de Breghton*,  
 Persona Ecclesie de *Wyteleford*. *Adam de Novo Castro*, Persona Ecclesie de *Kirk-*  
*land*. *Johannes* Persona Ecclesie de *Tunsted*. Magister *Richardus de Tinton*, Person-  
 na Ecclesie de *Stylton*. *Godefridus* Persona Ecclesie de *Digneswell*. *Laurentius* de  
 Sancto *Michael*, Persona Ecclesie de *Dogmaresfeld*. Magister *Johannes de Sancto*  
*Leofardo*, Canonicus Ecclesie Sancte *Trinitatis Cicestr.* *Willielmus de Askeby*,  
 Persona Ecclesie de *Ilkeleye*, & medietatis Ecclesie de *Westwalton*. *Johannes de Sbef-*  
*send*, Persona Ecclesie de *Fuldon*. *Willielmus de Clere*, Persona Ecclesie de *Brassfer-*  
*ton*. *Willielmus de Clare*, Persona Ecclesiarum de *Brasserton*, & de *Beauver*. Magi-  
 ster *Reymundus de Ferraria*, Canonicus Ecclesie beate *Maria Sarum*. *Egidius de An-*  
*denard*, Canonicus Ecclesie Sancti *Wilfridi Ripon*. *Johannes de Stotton*, Persona Ec-  
 clesie de *Stokes* juxta *Undele*. *Willielmus de Stotton*, Persona Ecclesiarum de *Whet-*  
*hamsted*, *Lafford*, & *Omnium Sanctorum Derbye*. *Nicholaus* Persona Ecclesie de *Wyn-*  
*cheffild*. *Rogerus* Persona Ecclesie de *Welwies*. *Galfridus de Whethamstede*, Personā  
 Ecclesie de *Hunnisdon*. *Simon de Grelleye*, Persona Ecclesie de *Godmerham*. Magi-  
 ster *Johannes de Well*, Canonicus Ecclesie beate *Maria de Sutwell*, & Persona Ec-  
 clesie de *Kaldebek*. Magister *Johannes de Pyelesdon*, Persona Ecclesie de *Siradesel*.  
*Ivo* Persona Ecclesie de *Wadehou*. *Edmundus de Neubur*, Persona Ecclesie de *Shetham*.  
*Willielmus de Bevereote*, Persona medietatis Ecclesie de *Seggebrek*. Magister *Lauren-*  
*tius* Persona Ecclesie de *Ardleshorp*. *Johannes de Shesfeld*, Persona Ecclesie de *Thorn-*  
*ston* in *Craven*. *Alanus* Persona Ecclesie de *Oleiseye*. Magister *Radulphus de Ebor.*  
 Canc. Ecclesie beate *Maria Sarum*. Magister *Stephanus* Persona Ecclesie de *Walsa-*  
*ke*. Magister *Robertus de Grymesby*, Persona Ecclesie de *Belesby*. *Gilbertus de Waka-*  
*nington*, Persona Ecclesie de *Hamsvill*. *Thomas de Perers*, Persona Ecclesie de *Kirke-*  
*byn Ashfeld*. *Thomas* Persona Ecclesie de *Godelyng*. *Nicholaus de Ros*, Persona Ec-  
 clesiarum de *Effinton* & *Stokeraubency*. *Johannes de Wychem*, Persona Ecclesie de *Ty-*  
*tingham*. *Alanus* Vicarius Ecclesie de *Dunston*. *Thomas* Persona Ecclesie de *Westra-*  
*sen*. *Willielmus de Caples*, Persona Ecclesie de *Laysby*. Magister *Simon de Luda*,  
 Persona Ecclesie de *Alasby*. *Rogerus de Alto Monasterio*, Persona Ecclesie de *Dene-*  
*ford*. Magister *Willielmus de Pikeriug*, Archidiaconus *Notingh.* *Radulphus de Pyke-*  
*ryug*, & *Robertus de la Forde*, Canonici Ecclesie beati *Petri Ebor.* *Richardus de*  
*Jakesle*, Persona Ecclesie de *Croyby*. *Willielmus de Oxwyk*. *Walterus de Langeton*,  
 Magister Hospitalis Sancti *Leonardi Ebor.* Magister *Willielmus Burnl*, Præpositus Ec-  
 clesie Sancti *Andree de Well*. Canonicus Ecclesiarum *B. Maria Sarum*, & *B. Petri*  
*Ebor.*



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An. 24 E. 1. *Ebor. & Persona Ecclesie de Downton. Magister Johannes de Suaynton, Persona Ecclesie de Rodesteyn. Magister Adam de Coupland, Persona Ecclesiarum de Kykeby in Clyveland & Foxholes. Willielmus de Hamelton, Persona Ecclesie de Sabrichesworth. Willielmus de Sancto Oswaldo, magister Hospitalis Regis de Newton. Magister Hospitalis beate Maria de Wofgate de Novo Castro super Tynam. Magister Johannes de Cadamo, Canonicus Ecclesie sancti Petri Ebor. Magister Arnaldus Lupi de Tilis, Persona Ecclesiarum de Suthereke & Marsham. Johannes de Langeton, Persona Ecclesie de burgo subtus Staynmore. Radulphus de Stanford, Persona Ecclesiarum de Bulston, Wotton, & Stepel Morden. Petrus de Taunton, Persona Ecclesie de Kirkeby Ravenswath. Robertus Herun, Persona Ecclesie de Ferde. Gilbertus de Arden, Persona Ecclesiarum de Hauxwell & Aldeford. Rogerus de Asherugg, Persona Ecclesie de Kynges Ripton. Robertus de Benhole, Persona Ecclesiarum de Ripton, Bichhamwell, & Kelsdale. Gilbertus de Mesa, Persona Ecclesie de Northcave. Magister Thomas de Eshalle, Persona Ecclesie de Ashersfeld.*

But these Protections, being expired or forfeited soon after by their double denial of a Subsidy to the King, in obedience to Pope Boniface his Bull, for which they were put out of the Kings protection, stood them in no stead at all,

Upon complaint of the Bishop of Ely that his Tenants of divers Manors belonging to his Bishoprick were distrained both in *Thetford* and *Norwich* for toll of their goods, from which they were exempted by his and his progenitors Charters; the King issued forth sundry Writs to discharge them from the payment thereof, or to certify the causes why they did it not: whereupon they made these returns and Certificates into the Chancery, which I found in the White Tower Chappel.

Brevia Regis,  
Anno 24 E. 1.  
in Turri London.

**E** *Dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, Ballivis Johannis de Wareuna Comitis Surry de Thetford salutem. Ex parte venerabilis patris W. Elyensis Episcopi nobis est ostensum, quod cum ipse & homines sui per cartas progenitorum nostrorum Regum Anglia quieti sint & esse debeant, & ipse & predecessores sui Episcopi ejusdem loci ac eorum homines a tempore consecrationis cartarum illarum semper hactenus quieti existerint a prestatione Theolonii per totum regnum nostrum, vos ab hominibus ejusdem Episcopi de Brigham, Felteuwell, Brandon & Northwolve Theolonium exigitis, & ipsos ad Theolonium de bonis & mercimoniis suis prestandum in villa vestra predicta distringitis, in enervationem libertatis predictarum, minus justè, propter quod pluries mandavimus quod si ita est, tunc ab exactione quam facitis predictis hominibus de Theolonio predicto desistentes ipsos inde pacem habere permetteretis, & distractionem si quam eis ea occasione fieri feceritis penitus relaxaretis eisdem, Vos mandata nostra predicta parvipendentes, nichil hactenus inde facere curastis, de quo miramur. Et quia prefatum Episcopum vel homines suos predictos indebite pręgravari nolumus in hac parte; Vobis mandamus, sicut pluries mandavimus, quod ab exactione predicta desistentes homines predictos a prestatione Theolonii predicti quietos esse permitatis juxta tenorem predictorum mandatorum nostrorum vobis inde directorum, vel causam nobis significetis, quare dictis mandatis nostris parere nolueritis vel non potueritis. Teste meipso apud Sanctum Albanum 28 die Decembris, Anno regni nostri vicesimo quarto.*

Dorso. *Cancellario Domini Regis per Ballivum Thetford;*

Ad mandatum vestrum vobis significamus, quod de propriis bonis Episcopis *Elyensis*, & de mercimoniis emptis vel emendis in Villa de *Thetford* Theolonium non exigimus, sed de hominibus ejusdem Episcopi manentibus in *Brandon*, *Brigham*, *Felteuwell* & *Northwolve* Theolonium exigimus ea ratione, quia Dominus Comes de *Wareuna* & antecessores sui de tempore a quo non extat memoria fuerunt seisciti & adhuc sunt de Theolonio predicto de hominibus & de tenentibus ejusdem Episcopi *Elyensis*, de omnibus mercimoniis emptis vel venditis in Villa predicta.

**E** *Dwardus Dei gratia Rex Anglia, Dominus Hybernica, & Dux Aquitania, Ballivis suis de Norwico salutem. Ex parte venerabilis patris W. Episcopi Elyensis*

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sis nobis est ostensum, quod cum ipse & homines sui per cartas progenitorum nostrorum Regum *Anglia* quieti esse debeant, & idem Episcopus & predecessores sui Episcopi *Elyenses* et eorum homines semper hactenus quieti esse consueverint à præstatione Theolonii per totum regnum nostrum, ac pro eo, quod vos homines ejusdem Episcopi de *Pulham*, cum bonis & mercandis suis ad villam nostram de *Norwyco* venientes, ad Theolonium vobis ibidem præstandum graviter distrinxistis, & multipliciter ea occasione indebitè inquietastis, vobis pluries præceperimus, quod ab hujusmodi distractionibus eisdem hominibus occasione prædicta faciendis desisteretis, vel causam nobis significaretis, quare mandatis nostris in hac parte parere noluitis vel debuistis, Vos nichilominus mandata nostra in hac parte parvipendentes, à distractionibus & inquietacionibus hominibus prædictis occasione prædicta faciendis desistere, vel saltem quare hoc facere noluitis vel non debuistis nobis significare hactenus non curastis, in nostri & mandatorum nostrorum contemptum manifestum, & prædicti Episcopi & hominum suorum prædictorum dispendium non modicum & gravamen, & contra tenorem cartarum prædictarum. Et quia nolumus quod idem Episcopus aut homines sui prædicti indebitè graventur in hac parte, vobis præcipimus sicut pluries præceperimus, quod ab hujusmodi distractionibus et inquietacionibus prædictis hominibus occasione prædicta de cætero faciendis penitus desistentes, ipsos de Theolonio præstando sicut inde quieti esse debent, & idem Episcopus & predecessores sui & eorum homines semper hactenus quieti esse consueverunt, quietos esse permittatis, vel vos ipsi sitis coram nobis à die *Pasche* in 15 dies, ubicumque tunc fuerimus in *Anglia*, ostensuri quare mandatis nostris tocies vobis inde directis parere contempsistis. Et habeatis ibi hoc Breve. Teste meipso apud *Walsingham*, 30. die *Januarii*, anno regni nostri 24.

*To which they made this memorable return and Certificate;*

Non contempsimus, prout nec debemus, mandatis vestris nobis directis in omnibus parere. Et vobis significamus, quod eo tempore quo istud breve nobis liberatum fuit, liberatum fuit nobis aliud breve per quod causam alias vobis significavimus, quare ab exactione Theolonii hominibus Domini Episcopi *Elyensis* de manerio suo de *Pulham* de mercandis ipsorum hominum desistere non potuimus; videlicet, Quia omnes homines præfati Domini Episcopi de manerio suo prædicto sunt mercatores bladi, illud in Comitatibus *Norff. & Suff.* & alibi de Militibus, personis Ecclesiasticis & aliis à præstatione Theolonii non quietis per diversa loca euentes, & blada sic empta ter vel quater in septimana in Civitate *Norwici* ducentes, & ea diversis hominibus pro voluntate sua ut mercatores vendentes, & cum Civitas vestra prædicta nomine vestro à tempore quo non extat memoria seiscita sit de Theolonio ab hujusmodi mercatoribus capiendo, tanquam pertinente ad firmam ejusdem Civitatis, quæ quidem firma extenditur ad Cxv. l. & quæ de hujusmodi Theolonio bladi maxime provenit, & Dominus *H. Rex* pater vester toto tempore suo, & vos toto tempore vestro, tam per Custodes tempore quo dicta Civitas fuit in manu dicti Domini *H. Regis* patris vestri & in manu vestra, quam tempore quo nos & antecessores nostri inde per vos custodiam habuimus nuper seisciti fuistis, & adhuc existitis, Et quia Jura vestra alicui in præjudicium vestrum concedere non balemus, nos statum vestrum et progenitorum vestrorum Regum *Anglia* continuantes, prædictum Theolonium a præfatis mercatoribus de *Pulham* in forma prædicta capimus et exigimus, Vobis ulterius significantes, quod si dicti mercatores de *Pulham* de Theolonio bladi sic empti quieti fuissent, fere quarta pars totius firmæ prædictæ decideret, nec esset aliquis qui de firma prædicta vobis respondere posset. So much did these exemptions procured by the Bishops, prejudice the King and his Farmers.

This year there arose a great sedition and combat between the Scholars and Townsmen in the University of *Oxford*, wherein many were slain on both sides, and the goods of the Scholars plundered and carried away; upon complaint whereof to the King by the Scholars, he sent his Justices thither to punish the Malefactors, and repair the Scholars damages: which \**Thomas Walsingham* thus relates.

Hoc anno suborta est discordia grandis Oxoniæ inter Clericos et Laicos propter duos garciones diversarum patriarum, qui pro levi causa ad pugnandum sunt accensi. Nam cum quidam ratione patria unum juvare laborarent, quidam aliam nitantur manutene- & fovere, translata est pugna ad faustos oves partium diversarum. In tantumque crevit

\* Hist. Angl.  
p. 34. Anno  
24 E. 1.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 24 E. 1. crevit seditio, ut tam Clerici quam Laici ebacuatīs domibus ad pugnam accurre-  
rent glomeratim. Dum autem Clerici de suis hospitibus egressi fuissent, cognosce-  
res vesperationes Laici nullos vel saltem paucos remansisse domi apud hospitia Cleri-  
corum, intrant habitacula, et bona diversimoda asportant; damnum Clericis irre-  
cuperabile ingerentes. In hac pugna preceptus est Dominum Fulco de Neyrmoth  
Rector Ecclesie de Pychelestone, et plures alii de utraque secta. Audita hujus  
facti querela, Dominus Rex iussit Iusticiariis suos villam adire, pacem restor-  
mare, homicidas judicialiter condemnare. Qui venientes Oxonias; Burgenses  
compulerunt solvere pro damnis factis Clericis ducentas libras.

The Lands and livings of the Prior and Convent of *Farley*, and some other per-  
sons being seised on by the Kings precept as aliens, under the power or obedience  
of the King of *France*, and found by Inquisition or good testimony not to be so, the  
King issued these Writs to restore them; the first being a special Case, worthy  
observation.

Clauſ. 24 E.  
1. m. 8. Pro  
Prior &  
Conventu de  
Farleye.

**R**EX Thesaur. & Baronibus suis de Scaccario salutem. Quia compertum est  
per Inquisitionem quam per dilectum & fidelem nostrum *Petrum Malore* fi-  
eri fecimus, quod Prior & Conventus de *Farleye* sunt *Anglici* & non alienigenæ  
de potestate Regis *Francie*, vel sibi adherentium, & quod censum seu pensionem  
aliquam alicui de potestate Regis prædicti non solvant, nec alicui de potestate præ-  
dicta affinitate, vel aliquo alio modo sunt astricti, nisi in hoc, quod Abbas *Cla-*  
*niac.* aliquando cum ipsum ad partes *Anglia* venire contigerit, in prædicto Prioratu  
visitare consuevit, nihil nisi tantum expensas suas inde percipiendo, et quod ii-  
dem Prior & Conventus de prædicto Abbate in hujusmodi visitationibus suam re-  
ceperunt professionem, sicut per prædictam Inquisitionem quam vobis sub pede si-  
gilli nostri mittimus, plenè liquet; Vobis mandamus, quod inspecta inquisitione  
illa, Prioratum prædictum cum omnibus ad illum spectantibus, si prætextu mandati  
nostri de domibus et maneriis Religiosorum alienigenarum de potestate Regis præ-  
dicti et sibi adherentium existentium, vel qui eis obediencia, affinitate, vel aliquo  
alio modo astricti essent, in manum nostram capiendis, et non alia de causa captus  
sit in manum nostram, præfatis Priori & Conventui sine dilatione restitui facia-  
tis. Tenend. sicut illum ante capcionem ejusdem in manum nostram tenuerunt.  
Teste Rege apud *Castelacre*, 25 die *Januarii*.

Ibid dorf m.  
11. De qui-  
busdam perso-  
nis Ecclesia-  
sticis quæ non  
sunt de pote-  
state Regis  
*Franc* ut dici-  
tur, de benefi-  
ciis suis in pace  
habendis.

**R**EX, &c. venerabili in Christo Patri *R.* eadem gratia *Norwic.* Episcopo salu-  
tem. Licet nuper vobis mandaverimus, quod de beneficiis Ecclesiasticis per-  
sonarum secularium alienigenarum, sive Canonici fuerint seu Rectores Ecclesia-  
rum, aut alias beneficiati in Diocesi vestra, in Ecclesia vestra Cathedrali seu aliis  
Collegiatis Ecclesiis quibuscumque quocumque nomine censerentur, de potestate  
Regis *Francie* et sibi adherentium, vel de affinitate aut amicitia eorundem existen-  
tium, curiam et custodiam gereretur. Quia tamen testificatum est coram nobis per  
dilectum & fidelem nostrum *Guidonem Ferre*, quod *Reymundus* Persona Ecclesie de  
*Norton* juxta *Fakham* vestre Diocesis de potestate Regis *Franc.* vel sibi adherenti-  
um, seu de ipsorum affinitate aut amicitia non existit, set pro anima claræ memo-  
rie *Alianora* quondam Regine *Anglia*, matris nostræ apud *Ambresbyr.* divina ce-  
lebrat cum die; Vobis mandamus, quod ipsum *Reymundum* Ecclesiam suam prædi-  
ctam habere & tenere pacificè permittatis, prout ante receptionem mandati no-  
stri prædicti ipsam tenuit & possedit. Teste Rege apud Sanctum *Albanum* 27  
die *Decembris*.

Consimiles literas habet *Johannes de Cusance* Persona Ecclesie, &c. quod præ-  
fatus *Johannes* de potestate Regis *Franc.* &c. (ut supra) non existat. Teste  
ut supra.

What licenses for elections of Abbesses and Abbots in *Ireland* the King granted  
this year, these Records attest.

Pat 24 E. 1.  
memb. 3.  
De licencia  
eligendi.

**F**ater *Willielmus* Canonicus sanctæ *Maria* de *Trum*, nuncios Regi resignacio-  
nem *Derborgyll* quondam Abbatisse beatæ *Maria* de *Clonardie*, habet litteras  
Regis de licencia eligendi. Teste Rege apud *Thornagh*, secundo die *Novembris*.

REX

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* salutem. Cum dilectis nobis in Christo, Priorissa & Conventus beate *Maria de Cleonardia* nobis per literas suas patentes significaverint, quod Ecclesia sua predicta per resignacionem *Derborgyll*, quondam Abbatis illius loci pastoralis est solacio destituta, supplicantes nos, prout moris est, quod licenciam sibi aliam eligendi in Abbatissam eisdem concedere dignaremur; ac nos precibus earundem Priorissæ & Conventus in hac parte favorabiliter inclinati, licenciam illam eis duxerimus concedendam; Mandantes ipsis quod talem, &c. existat. Nos earundem Priorissæ & Conventus laboribus & expensis in hac parte parcere volentes, ista vice concessimus eis de gratia nostra speciali, & vobis dedimus potestatem, quod, &c. assensum regium vice nostra prebeatis, &c. receptis tamen prius, &c. Teste Rege apud *Thornhagh*, 2 die *Novembr.*

An. 24 E. 1.  
De assensu  
adhibendo, per  
Johan. Wogan  
Justic. Hib.

**F**rater *Thomas* Canonicus Ecclesiæ sanctæ *Mariae de Kenlis*, nuncios Regi resignacionem fratris *Malachie* quondam Abbatis loci illius, habet litteras Regis de licencia eligendi. Teste Rege apud *Dunelm.* 5 die *Octobris*.

Pat. 24 E. 1.  
De licencia  
eligendi.

**E**T idem frater *Thomas* habet litteras Regis directas *Joh. Wogan* Justic. Regis *Hib.* quod facta electione de futuro Abbate, si contingat electionem per loci Dioecesanum canonicè confirmari, tunc accepta vice Regis fidelitate ab eodem Electo, hac vice eidem Electo temporaria Abbatix illius literet, prout moris est; receptis prius literis patentibus ipsius Abbatis sigillo suo, necnon et sigillo Capituli sui signatis, quod hac gratia non cedet Regi in prejudicium vel exheredacionem, seu trahetur in consequenciam temporibus futuris. In cujus, &c. Teste ut supra.

Ibidem,  
De temporali-  
bus post ele-  
ctionem fa-  
ctam, per Jo-  
han. Wogan,  
Justic. Hib.  
restitu-  
endis.

The Bishop of *Clonfert* in *Ireland* being translated to the Archb. shoprick of *Beneventum* in *Italy* by Pope *Boniface* the 8. the King thereupon issued this Writ to seise the Temporalities into his hands, the See becoming void in Law by this his Translation.

**R**EX dilecto & fideli suo *Waltero de la Hays* Esc. suo *Hibern.* salutem. Quia Episcopus *Clonfertensis* per translationem venerabilis patris *Johannis* nuper Episcopi illius loci ad Archiepiscopatum *Beneventan.* vacavit ut accepimus, vobis mandamus quod Episcopatum predictum cum pertin. sine dilacione capiat in manum nostram, & illum salvo custodiri faciat, donec aliud inde preceperimus; ita quod de exitibus inde provenientibus nobis ad Scaccarium nostrum *Dublin.* plenè possitis respondere. Teste Rege apud *Berewyk* super *Tweedam*, 27 die *April.*

Fines 24 B. 1.  
memb. 12.  
De Episcopatu  
Clonfertensi  
capiendo in  
manum Regis.

The Pope upon this his Translation, by his Papal usurpation and provision confirmed this Bishoprick upon *Robert* a Monk of *Canterbury*, whereof he certified the King by his Bull: he assenting thereunto, received his Fealty, and issued this Writ to restore the Temporalities.

**R**EX dilecto & fideli suo *Waltero de la Hays*, Escaetori suo in *Hibern.* salutem. Cum Dominus summus Pontifex venerabilem patrem *Robertum* nuper Pontificem Ecclesiæ Christi *Canuar.* in Episcopum Ecclesiæ *Clonfertensis* vacantis, per translationem venerabilis patris *Johannis* Archiepiscopi *Beneventani* nuper Episcopi predictæ Ecclesiæ *Clonfertensis*, ad predictam Ecclesiam *Beneventanam* prefecerit, sicut per literas ipsius summi Pontificis bullatas nobis inde directas nobis constat; Nos prefacionem illam acceptantes, cepimus fidelitatem ipsius *Roberti*, & temporalia Episcopatus predicti, prout moris est, restitimus eidem: Et ideo vobis mandamus, quod eidem *Roberto*, vel ejus certo attornato has litteras deferenti temporalia Episcopatus predicti sine dilacione liberatis, sicut predictum est. Teste Rege apud *Alnewyk*, 24 *Septembr.* Consimiles literæ diriguntur *Johanni Wogan* Justic. *Hibern.*

Pat. 24 B. 1.  
memb. 5.  
De temporali-  
bus Episco-  
patus Clonfer-  
tensis resti-  
tuendis.

† Pat. 24 E. 1.  
memb. 6.  
De licencia  
eligendi pro  
Canonicis Ec-  
clesiæ Elphi-  
nensis in Hib.  
Et de assensu  
eidem electi-  
oni adhibendo  
per Joh. Wo-  
gan, Justic.  
Hibern.

Et mandatum est Militibus, &c. quod respondentes, &c. in forma predicta. In cujus, &c. Teste ut supra.

† **R**EX *Johanni Wogan* Justic. *Hibern.* salutem. Accedentes ad nos *Trinotus Othe-  
melty*, & *Dionysius de Roscoman* Canonici Ecclesiæ *Elphynensis*, vobis ex parte De-  
cani & Capituli ejusdem Ecclesiæ supplicarunt, quod cum Ecclesia sua predicta per mortem



**An. 24 E. 1.** mortem fratris *Gillafii* nuper Ep. scopi illius loci pastoris sit solacio destituta, alium sibi eligendi in Episcopum et pastorem eis licentiam concedere dignaremur: Nos licet prefati Canonici literas patentes sigillo Capituli Ecclesie predictae signatus, & vacationem Ecclesie illius testificantes nobis non detulerunt, ut est moris, petitioni eorum nichilominus ob paupertatem dictae Ecclesie annuentes, et eis gratiam facere volentes specialem, vobis dedimus potestatem, quod cum prefati *Trinotus & Dimysius*, seu alius Canonicus dictae Ecclesie ad vos accesserit ex parte praedictorum Decani & Capituli cum literis patentibus sigillo Capituli sui signatis huiusmodi licentiam petitori, eidem Decano et Capitulo licentiam illam nostro nomine concedendi. Ita quod cum Clericus ille in forma debita vobis postmodum fuerit presentatus, electioni de ipso factae assensum Regium vice nostra praebatis: significantes, &c. In cujus, &c. Teste Rege apud *Berewyk* super *Twedam*, 10 die *Septembris*.

**Pat. 24 E. 1. m. 8.** De licentia eligendi **W**ilhelmus Canonicus de Insula *Melanfeld*, nuncians Regi cessionem fratris *Philippi* nuper Abbatis illius loci, habet literas Regis de licencia eligendi, Teste Rege apud *Berewyk* super *Twed*, 5. die *Septembris*.

**ibid.** De assensu prefate electioni adhibendo per *Johannem Wogan* Justic. suo *Hibern.* **R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* salutem. Cum dilecti nobis in Christo Prior & Conventus de Insula de *Melanfeld* nobis per literas suas patentes significaverint, quod Ecclesia sua praedicta per cessionem fratris *Philippi* nuper Abbatis ejusdem loci, pastozis est solacio destituta, supplicantes nobis, prout moris est, quod licentiam sibi alium eligendi in Abbatem et Pastorem eidem concedere dignaremur: Ac nos precibus eorundem Prioris & Conventus in hac parte favorabiliter inclinati, licentiam illam eis duxerimus concedendam. Mandantes ipsis, quod talem, &c. Nos eorum Prioris & Conventus laboribus et expensis in hac parte parcere volentes ista vice, concessimus ei de gratia nostra speciali, & vobis dedimus potestatem quod, &c. assensum Regium vice nostra praebatis, significantes, &c. Receptis prius, &c. In cujus, &c. Teste Rege apud *Berewyk* super *Twedam*, 7. die *Septembris*.

The predecessors of the Abbot of *Saballo* in *Ireland* having alienated divers lands, tenements, and rents, to the prejudice of the Alms and Canons thereof, the King granted the Abbot and Covent this license to re-purchase them, notwithstanding the Statute of *Mortmain*:

**Cl. 24 E. 1. m. 1.** Pro Abbate & Conventu de *Saballo* in *Ultonia*. de terris alienatis sibi requirendis. **R**EX dilecto & fideli suo *Johanni Wogan* Justiciario suo *Hibern.* salutem. Supplicarunt nobis dilecti nobis in Christo Abbas & Conventus de *Saballo* in *Ultonia*, quod cum Abbates domus praedictae tam *Hibernici* quam alii praedecessores praedicti Abbatis, diversas terras & tenementa, ac redditus eidem Abbacie in partem & perpetuam elemosinam, ad sustentacionem Canonicorum ibidem Deo servientium, a diversis dudum collata alienaverint, in diminucionem elemosinarum & dispersionem Canonicorum Domus praedictae, eis ut terras illas et tenementa sic aliena sibi et successoribus suis Canonicis domus praedictae emere, et iterato adquirere ac recipere possint, non obstante Statuto nostro de terris et tenementis ad manum mortuam non ponendis edito, licentiam concedere dignaremur. Nos igitur eorum precibus in hac parte favorabiliter annuentes, Vobis mandamus, quod ipsos Abbatem & Conventum omnem terrarum & tenementa ac redditus de quibus vobis legitime constare poterit Ecclesiam suam praedictam aliquibus retroactis temporibus pacifice fuisse seistam, & per praedecessores praedicti Abbatis, sive *Hibernicos*, sive alios a praedicta domo translata vel alienata esse, ut praedictum est, emere, et iterato sibi et successoribus suis praedictis imperpetuum adquirere ac recipere permittatis, Statuto praedicto in aliquo non obstante. Teste Rege apud *Morpach*, 30 die *Septembris*.

**Pat. 24 E. 1. m. 19.** Pro Magistr. *Johanne de Cadomo* de Archidiaconatu de *Glyndelan*. The King likewise by his Sovereign Authority, conferred the Archdeaconry of *Glyndelan* on *John de Cadomo*, as this Writ informs us.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod dedimus et concessimus dilecto Clerico nostro Magistro *Johanni de Cadomo* Archidiaconatum *Glyndelan*

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delan cum suis juribus et pertinentiis quibuscumque, quem Magister Ricardus de An 24 E. 1. Gryndam nuper defunctus habuit in Ecclesia Sancti Patricii Dublin, vacantem per mortem ejusdem Ricardi, & ad nostram donacionem spectantem, ratione Archiepiscopatus Dublin, vacantis, & in manu nostra existentis. In cujus, &c. Teste Rege apud Sanctum Albanum 4. die Januarii.

Et mandatum est Custodi Spiritualitatis Archiepiscopatus Dublin, sede vacante, quod, &c. in corporalem possessionem, &r. inducat. In cujus, &c. Teste ut supra.

Et mandatum est Decano & Capitulo Ecclesie Sancti Patricii Dublin, quod, &c. stallum in choro, & locum in Capitulo, &c. assignent. In cujus, &c. Teste ut supra.

This year there happened one of the highest and most memorable contests between the King, Prelates and Clergie of England, mentioned in our Histories, being backed by Pope Boniface the 8. the whole series whereof, continuing near two years space, or more, I shall faithfully relate at large out of our Records and Chronicles. King Edward being reduced to great want of moneys to carry on his wars against the French, Scots, and other Enemies, issued out Writs to the Archbishops of Canterbury, York, and their respective Suffragan Bishops, Priors, Abbots and Clergy, summoning them to a Parliament and Convocation, to grant him a considerable Ayde to recover Gascoigne, fraudulently seized by the French King, who then intended likewise to invade England; and extirpate the English Nation, by Writs running in this form.

REX venerabili in Christo Patri R. eadem gratia Cantuarien. Archiepiscopo, totius Anglia Primati salutem. Sicut lex iustissima provida circumspectione factorum Principum stabilita hortatur, Ut quod omnes tangit ab omnibus approbetur; sic & inquit evidenter, Ut communibus periculis per remedia prebisa communiter obviatur; Sane satis nobis & jam est, ut credimus, per universa mundi climata divulgatum, qualiter Rex Francie, de terra nostra Gasconia nos fraudulenter & cautelosè decepit, eam nobis nequiter detinendo. Nunc vero predictis fraude & nequitia non contentus, ad expugnationem regni nostri, Classe maxima & Bellatorum copiosa multitudo congregatis, cum quibus Regnum nostrum & Regni ejusdem incolae hostiliter jam invasit, linguam Anglicam, si concepta iniquitatis proposito detestabili potestas corespondere, (quod Deus averiat) omnino de terra delere proponit. Quia igitur prebisa jacula minus laedunt, et res vestra, sicut ceterorum ejusdem Regni communiter agitur in hac parte; Vobis mandamus, in fide & dilectione quibus nobis tenemini firmiter injungentes, quod die Dominica proxima post festum Sancti Martini in hieme prox. futurum, apud Westm. personaliter interficiis. Premonuentes Priorem et Capitulum Ecclesie vestra, Archidiaconos, totumque Clerum vestrae Diocesis, facientes quod idem Prior et Archidiaconi in propriis personis suis, et dictum Capitulum per unum, idemque Clerus per duos Procuratores idoneos, plenam et sufficientem potestatem ab ipsis Capitulo et Clero habentes, una vobiscum interficiis modis omnibus tunc ibidem, ad tractandum, ordinandum, et faciendum nobiscum, et cum ceteris Prelatis et Proceribus, et aliis incolis regni nostri, qualiter sit hujusmodi periculis et excogitatis malitiis obviandum. Teste Rege apud Wingham, 30 die Septembris.

Where they granting him a present, and promising him a further supply of monies if no Truce were made in the mean time, the French refusing a Truce, he issued these new Writs of Summons to the Prelates and Clergy, to make good their promise.

REX, &c. R. &c. Cant. Archiepiscopo, &c. Vestra Paternitas planè novir, qualiter Nos et alii Prelati et Clerus Regni nostri apud Westm. ultimo congregati, in concessione pecuniarum, reddituum et beneficiorum vestrorum Ecclesiarum pro defensione Regni ejusdem, usque ad festum Sancti Michaelis prox. futur. nobis facta, et sub spe ulterius Subsidi in futuro vobis et aliis prestandi admitti, bonum et sufficiens nobis pro futuro tempore Subsidium ob eandem causam, nisi interim inter Regem Francie & Nos Pacem reformari vel Treugas iniri contingeret, dare promissis unanimiter, liberaliter et libenter: cui quidem reformationi Pacis vel initioni Treugarum dictus Rex Francie hætenus non consensit. Quocirca vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quod in crastino Animarum prox. futur. apud Sanctum Edmundum personaliter interficiis. Premonuentes, &c. Priorem, &c. Archidiaconos; totumque

Clauſ. 24 E. 1. m. 4. dorſo. DeParliamen- to tenendo. See my Brevia Parliamentaria Part 1. p. 6, 7, 8.

Ibidem. m. 7. dorſo. See the first Part of my Brief Register of Parliamentary Writs, p. 7, 8.



An. 24 & 25 que Clerum vestra Diocesis, (as before) quod tunc sint ibidem, ad ordinandum  
 Edw. 1. de quantitate et modo Subsidii memorati. Teste Rege apud Berewyk super Tweede  
 26 die Augusti.

In the mean time this Archbishop of Canterbury most perfidiously and trayte-  
 rously procured an Antichristian Bull from Pope Boniface the 8. prohibiting all  
 Archbishops, Bishops and Clergymen, to grant any *Tenth*, or other *Aydes* to any  
 King, Prince, or Potentate, or for them to demand or levy any from them, without his  
 previous consent, under pain of the greater Excommunication, &c. thus related by  
 H. de Kynghton out of Ranulphus Cestrensis his Polychron. l. 7. c. 40. Rex fecit seiscire  
 omnia temporalia Clericorum, eximens eos protectione sua, pro eo, quod anno  
 elapso nollent eum respicere de bonis suis contra Scotos. Nam Robertus Archie-  
 piscopus de consensu Cleri procuraverat a Papa inhibitionem, ne quis Clericorum  
 Regem respiceret de bonis Ecclesiarum. Unde et plures Prelatos timore taci  
 quassarent protectionem Regiam. After which he addes, \* *Interea* Papa misit  
 Bullas Papales inhibitorias, Quod nulla persona Ecclesiastica cujuscunque condi-  
 tionis foret, daret seculari personæ, sive Regi, sive alteri personæ Decimam, Quin-  
 tam-decimam, Vicesimam, nec quamcunque aliam contributionem, atque specia-  
 li licentia a Curia Romana in hac parte concessa: similiter nulla persona secularis  
 majoris aut minoris conditionis caperet sub colore cujuscunque causæ de personis  
 Ecclesiasticis majus vel minus, absque speciali licentia a Curia petita et optenta,  
 et hoc sub pœna Excommunicationis majoris inde latæ et ipso facto incurrendæ,  
 et capiens et tribuens, et hoc absque absolutione præter in mortis articulo, citra  
 Curiam Romanam consequenda. Similiter, ne quis per vim aut extorsionem ca-  
 peret quicquid depositum in Ecclesia ubilibet sub eadem pœna. Eodem tempore cum  
 audisset Papa non solum Anglicanæ, sed etiam universalis quasi Ecclesia afflictiones va-  
 rias & oppressiones multas quæ per omnia mundi regna, eo quod Reges et Principes  
 affligebant eam; Cogitavit sollicitè per quam posset viam aliquod remedium adhibere.  
 Unde consilio fratrum Constitutionem subscriptam ad universas mundi provinci-  
 as bullatam misit, perpetuis temporibus observandam.

† Bonifacius, &c. ad sempiternam rei memoriam, &c. & infra. Clericis Laicos  
 infestos oppidè tradit antiquitas, Quod & presentium experimenta temporum manifestè  
 declarant, dum suis finibus non contenti, nituntur in vetitum, & ad illicita sua fræna  
 relaxant, nec prudenter attendunt, quomodo sit eis in Clericos Ecclesiasticasque personas  
 et bona interdicta potestas; quinimo Ecclesiarum Prelatis Ecclesiasticisque personis  
 regularibus et secularibus imponunt \* onera gravia, ipsos talliant, et eis collecta  
 imponunt, et ab ipsis suoque probentium vel bonorum dimidiam, decimam, seu  
 vicesimam, vel quambis aliam portionem aut quotam erigunt et extorquent, eos-  
 que moluntur multipharè subicere servituti et suæ subdere ditioni. Et quod do-  
 lendo referimus, nonnulli Ecclesiarum Prelati, Ecclesiasticæque personæ trepidan-  
 tes ubi trepidandum non est, transitoriam pacem querentes, plus timentes Pa-  
 statem temporalem offendere quam æternam, talium abusus non tam remerarie  
 quam improvide adquiescunt, sedis Apostolicæ auctoritate non optenta. Nos igitur  
 talibus actibus obviare volentes, de fratrum nostrorum consilio † Apostolica au-  
 thoritate statuimus, Quod quicumque Prelati Ecclesiasticæ personæ, Religiosi vel  
 Seculares, quocumque ordinum, conditionis sive status, collectas vel tallias,  
 dimidiam, decimam, vicesimam seu centesimam suorum et Ecclesiarum suarum pro-  
 bentium vel bonorum Laicis solberint, vel se soluturos concesserint, aut quambis  
 aliam quantitatem, portionem, aut quicquam ipsorum probentium vel bonorum,  
 estimationem vel halorem ipsorum, sub adjutorio, mutui, subventionis, subsidii vel  
 doni nomine, seu quovis alio timore vel modo vel quæsto colore, absque auctori-  
 tate sedis ejusdem. Necnon † Imperatores, Reges, seu Principes, Duces, seu Co-  
 mites vel Barones, Procures, Caviranei, Officiales, vel Bædotes quocumque no-  
 mine censcantur, Cibitatum, Castrozum, vel quocumque locorum constituto-  
 rum ubilibet, et quibis alius cujuscunque Provincie conditionis et status qui talia  
 imposuerint et eregerint, vel receperint, aut apud ades sacras deposita Ecclesiarum  
 vel Ecclesiasticarum personarum ubilibet arrestaverint, seiserint seu occupare præ-  
 sumperint, vel arrestari, seisciri, vel occupari mandaverint, aut occupata, seiscira,  
 seu arrestata receperint, necnon omnes qui scienter in prædictis deberint consilium,  
 auxilium vel favorem, publice, vel occulte, eo ipso Sententiam Excommunicationis

\* Henry de  
 Kynghton de  
 Event Angl.  
 lib. 3. cap. 4.  
 & p. 2489,  
 to 2494.

† See Mr. Fox  
 his AEs and  
 Mon. Vol. 1.  
 p. 458. Ex  
 Chronica Ro-  
 geri Gislebur-  
 nensis.

\* Did not he  
 & other Popes  
 impose heavier  
 burdens on  
 them than any  
 Kings or Prin-  
 ces, without  
 their consents?

† Apostolica  
 auctoritas fru-  
 stra obtendi-  
 tur, ubi Apo-  
 stolica scriptu-  
 ra contemni-  
 tur.

† Nota.

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nis incurrant. Universitates quæ in his culpabiles fuerint, Ecclesiasticæ sup-  
ponimus interdicto. Prelatis et personis ecclesiasticis in virtute obedientiæ, et sub de-  
positionis pœna districte mandantes, ut talibus absque expressa licentia dictæ sedis  
nullatenus adquefiant. Quodque prætextu cuiuscunque obligationis, promissio-  
nis et concessionis factarum hactenus vel faciendarum in antea priusquam huiusmo-  
di Constitutio, Prohibitio seu præceptum ad notitiam ipsorum pervenerit, nil sol-  
vant, nec supradicti seculares aliquid quoquo modo recipiant. Et si solverint, vel  
prædicti recipiant, in sententiam Excommunicationis incidant ipso facto. A su-  
pradictis autem excommunicationis et interdicti sententiis nullus absolvi valeat,  
præterquam in mortis articulo, absque sedis Apostolicæ auctoritate et licentia spe-  
ciali; cum nostræ intentionis existat, tam horrendum secularium potestatum abu-  
sum nullatenus sub dissimulatione transire, non obstantibus quibuscunque privi-  
legiis sub quibuscunque tenoribus, seu modo aut verborum conceptione concessis Im-  
peratoribus, Regibus, et aliis supradictis, quæ contra præmissa in nullo volumus  
alicui vel aliquibus suffragari. Nulli igitur hominum liceat hanc paginam nostræ  
Constitutionis, Prohibitionis seu præcepti infringere, seu ausu temerario contraire.  
Dat. Romæ ad Sanctum Petrum 6. Kal. Martii, Pontificatus nostri Anno secundo.

A right Antichristian, Antievangeliſtical Decree, destructive to all Kings, Monarchs  
Sovereignty and Government, whereof the Archbishop of Canterbury and English  
Clergy who procured it, presently made this ill use, to oppose and defraud the King  
of their promised and expected ayde against his Enemies; thus related by the  
same Historian in these words.

An. 24 & 25

Edw. I.

Eodem anno in crastino Animarum ejusdem anni tenuit Rex Parliamentum suum apud  
Sanctum Edmundum, ubi ad rogatum ipsius concessus est 12 denarius à populo, & à  
Civitibus & Burgis octavus denarius. A Clero vero responsum est, quod nec ipsi dare  
vel concedere, nec ipse quicquam accipere posset, nisi uterque eorum sententiam Ex-  
communicationis incurreret in Bulla lata; quod tamen Regem velle non crede-  
bant, nec ubi expedire sciebant. Unde advocati sunt ad aliud Parliamentum Londo-  
niense in crastino Sancti Hilarii, ut interim cum deliberatione consimili melius respondeant.  
Adveniente tandem die, & ibidem Clero congregato, Cantuarien. Archiepiscopus Ma-  
gister Robertus de Winchelsea communicato Consilio, his qui à facie ejus mittebantur,  
respondit in hæc verba; Satis vobis constat Domini mei, nec latere potest, quod sub  
omnipotenti Deo duos etiam Dominos habemus, spirituales et temporales; spiri-  
tualem vero Dominum Papam, et temporalem Dominum nostrum Regem; &  
quamvis utrique obedientiam debeamus, maiorem tamen Spirituali quam Tempo-  
rali. Verum ut placere possimus utrique, concedimus, & mittere volumus sumpti-  
bus nostris nuncios nostros speciales ad ipsum patrem spirituales Dominum Pa-  
pam, ut licentiam aliquid concedendi habere possimus, vel saltem responsum habea-  
mus ab ipso quid facere debeamus. Credimus etiam Dominum nostrum Regem  
sicut et nos, ipsam Excommunicationis sententiam imbullatam, et timere, et effu-  
gere velle. Ad hoc ordinate ex vobis Domini nostri charissimi personas certas qui  
taliam Domino Regi ex parte nostra renuncient. Nos enim scientes indignationem  
ejus accensam, veremur taliam nunciare omnino. Quod cum ipsi fecissent, mox furo-  
Regis insedit, et excandens in iram, ipsum Cantuariensem Archiepiscopum cum toto  
Clero Anglicano extra suam protectionem et defensionem posuit; præcepitque, ut  
omnes terræ etiam dotales totius Ecclesiæ Anglicanæ in manum ipsius scirentur.  
Et tamen, ut creditur, miraculose contigit, quod eadem die qua Clerum extra protec-  
tionem suam posuerat, confusi sunt milites sui in Vasconia a Francis, et turpiter victi,  
ut infra patet. Iusticiarius etiam Regis in Banco ex parte Regis pro tribunali se-  
dens, omnibus circumstantibus dixit publice; Nos Domini Attornati Archiepisco-  
porum, Abbatum et Priorum, ceterarumque personarum omnium ex Clero, nun-  
ciate Dominis vestris et dicite, quod de cetero in Curia Domini Regis nulla fiet eis  
iustitia de quacunque re, etiamsi illata fuerit eis injuria atrocissima, iustitia tamen  
de eis fiet omnibus conquerentibus et eam habere volentibus. O mirabile & inau-  
ditum auribus horribile! Communis iustitia quæ omnibus patere deberet tam inco-  
lis quam alienigenis, quæ spiritum nescio, Clero Christi denegatur; ancillaturque et  
servit ac subpeditatur ipsa mater Ecclesiæ, quæ solebat antiquitus filiis dominari, pe-  
des super caput elebantur; et quæ solebat cunctis splendescere fomento miserationis,  
jam a misericordia dejicitur, et obscuratur umbraculo crudelitatis. Elitiss au-

Henry de  
Knyghton ibi-  
dem, col. 1491  
2492.

\* See here,  
694, 695.



An. 24 & 25  
Edw. 1.

tem Eboracensis Henricus de Newerk, & Dunelmensis, Eliensis & Sarisburiensis Episcopi, & quidam alii timentes iram Regis maximam, & conjuncturantes grave periculum imminere, ordinaverunt se deponere velle in xpe sacra quintam partem bonorum Ecclesiasticorum illius anni ad tuitionem Ecclesie Anglicane et defensionem urgentissimæ necessitatis, ut sic iram Regis evaderent, et sententiam in Bulla non incurrerent. Quicquid tamen ponebat Clerus, tollebat fiscus. Et sic ordinantes et sub colore quintam partem concedentes, protectionem Regis consecuti sunt. Cantuariensis vero Archiepiscopus animum non mutans, nec concedere nec deponere quicquam voluit: elegitque potius iram Regis quam sententiam Excommunicationis incurere, unde seista sunt omnia bona sua, et vasa ejus aurea et argentea occupata sunt, et equi omnes; recesseruntque ab eo familiares ejus, nec remansit quicquam nudè pauper Christi aleretur. Præceptumque est sub gravi forisfactura Regis, ne quis eum hospitio susciperet in Monasterio vel extra; evacuatumque est illud Apostoli, Suscipite invicem, sicut & Christus suscepit vos; mansitque sic in domo cujusdam simplicis Religiosi cum solo sacerdote & uno clerico, non habens ex toto Archiepiscopatu ubi caput reponeret. Constantiter tamen egit in verbo Domini, publice mendicans; ubique protestans, omnes qui vel Regi vel personæ seculari præter voluntatem Domini quicquam concederent in canonem latæ sententiæ ex facto proculdubio incidisse, semper existens paratus ad moriendum pro Ecclesia Christi. Such was his oblinacy, and obedience to the Popes Antichristian Bull, against Christs and the Apostles commands, presidents to the contrary, and his own Oath and allegiance to the King. Amici vero Lincolnienfis Episcopi Olivari, etiam ipso voluntatem vel positionem Regis non ratificantes, procuraverunt tamen, quod Vicecomes Lincolnienfis levata quinta parte de bonis ipsius Episcopi, extunc ei possessiones et terras restitueret. Omnia etiam Monasteria Episcopatus ipsius, et totius Provincie Cantuariensis seista fuerunt in manu, et ex præcepto ipsius Custodes apposti, qui ipsis religiosi solummodo necessaria ministrarent, et reliqua converterent in fiscum. Unde Abbates et Priores necessitate compulsi, Curiam Regis adierunt, non peccata set bona propria redimendes data quarta. Nulla tunc temporis fiebat Justitia Clero, et passi sunt Clerici injurias multas. Religiosi etiam in via regia equis suis spoliabantur, et nullam consecuti sunt justitiam, quousque redemptione facta eis daretur regia protectio. In festo autem Sancti Matthæi Apostoli, quibusdam convocatis optimatibus regni, absque Clero Rex tenuit Parliamentum suum apud Sarisberiam.

Mat. Westm.  
An. 1196,  
1197. pag.  
405, 407, 408.

Matthew Westminster a Monk of that Abbey, stories; Rex apud S. Edmundum Primates ac magnates sui regni ad suum Parliamentum invitavit in festo Sancti Martini; à quibus nonnum Tallagium postulavit, cui concessus est à civibus & burgensibus, octonarius denarius, à ceteris duodenarius est extoritus, Clerus quippe nihil tunc temporis illi obtulit vel concessit. Quo commotus Rex, indixit eis tempus consultandi super meliori responso, sua voluntati gratius acceptando. Interim fecit Rex sigillari omnia Ecclesiasticorum hogrea. Qua dum fierent, mandavit Archiepiscopus Bullam Apostolicam, jubentem sub poena Excommunicationis aliquam collectam ex Ecclesiasticis proventus Regi vel cuivis alii Principi concedi, per cathedrales Ecclesias divulgari: (a high daring contempt against his Sovereigns prohibitions.) Die Sancti Hillarii celebravit Archiepiscopus Concilium suum cum corpiscopis suis suffraganeis London. in Ecclesia Sancti Pauli. Quibus tractantibus per dies octo super postulatis regia, non invenierunt iter rectum, nec modum exclusivæ sententiæ, si aliqui vel quascunque colore, vel aliquo titulo quippiam contulissent, etiam plurimi Clerici, Autici, Curialesque accessissent, qui postulatis consilium dederant et favorem. Qua omnia Regi per Episcopos aliosve nuncios, sunt relata. Qui statim mutatus in crudelem, perveria Regali æqualitate in tyrannidem, licentiatibus suis famulis, obviantium Clericorum religiosorum virosum, quasi modo hostili, equitaturas sibi arripere meliores, prohibitis insuper placitatoribus in lege sua peritis, coram Baronibus de Beaccario, seu ante quemvis alium Justiciarium secularem, pro personis Ecclesiasticis allegare, Ecclesiasticos Ministros censuit sua pace indignos. Mandavit etiam singulis ordinatis, sponte sibi offerre suorum proventus quintam partem, aut invito cedere omnibus bonis suis. Quic mandato primitus obtemperaverunt quidam tonsorati, in Curia regali Prælati, in cura vero animarum Pilati manifesti, ut inducerent pari modo animos ceterorum. Quo facto, seista sunt protinus per manus Vicecomitum omnia bona Clericorum mobilia et immobilia, super laicum seodum inventa, atque fisco Regio

\* See here,  
p 694, 695.

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Regio titulata, cum superabundanti molestia suis ablatis libertatibus, quas predecessores Reges, Christianitatis conservatores, Ecclesiis contulerant, authores bonorum. Et quod nequius est ferendum, appropinquabant ipsorum facultates, emptoribus quantocius exponendæ, nec securi audebant Clerici equitare, nisi in maiori conventu, propter militum in Clericos violentiam, a Rege licentia data. Sed et omnia bona Archiepiscopi mobilia et immobilia capta sunt in manu Regis. Igitur Clero, sicut predictum est, passio in corpore, passus est & Rex in animo. Hinc dolor et metus omnium Prelatorum. Hi namque in perplexitate maxima constituti sunt, ut si quicquam conceberent, sententiam excommunicationis incurrerent ipso facto, et si non darent, non effugerent inimicorum manus ipsorum prædonum. His madefacti adversitatibus, pro seipsis anxii, pro grege sibi commisso inconsolabiliter incescunt, tanquam non habente alimoniam, ingruente fame, necessario seculum repetere quæsierunt, protectionem Regis facultatibus suis, ratiocinio magno, redemptis. Et statim post redierunt quidam nuntii de Vasconia, referentes, qualiter in quo loco conflictu in Anglos & Gallos adversascente jam die, conferto, dilabente turba Vasconenium, soli equites Anglici resistentes ab hostibus cingebantur. Inter quos primicerius exercitus, Johannes de Sancto Johanne captus, cum aliis commilitonibus circiter duodecim, Parisiis esse adductus, applaudentes de ipso Francigenis, prout quoddam Philistinæ de Sampson.

Anno Gratia 1297. congregatis Archiepiscopo Cantuar. & quibusdam aliis Coepiscopis, Suffraganeis suis apud Sanctum Paulum London. 26 die Martii, iterum pro statu Ecclesiæ consulturis, insurgentes proinus duo Causidici, & duo de ordine Predicatorum fratres, regalem et temporalem favorem aucupantes, conati sunt argumentis probare, Clerum ipso Regi in tempore belli, non obstante prohibitione Apostolica, de suis facultatibus posse licite subvenire. Insuper prohibito sub poena incarcerationis, ne quis contra ipsum Regem et eos, qui jam pridem suam protectionem quæsierant, Excommunicationis sententiam promulgarent, provocatione facta pro se ad Romanam Curiam et pro ipsis. Reversus igitur omnes, oneratis suis conscientias per Archiepiscopum, sic dicentem, Salvet suam animam unusquisque.

\* William Tborn, a Monk of Canterbury; thus registers this Quarrel and the proceedings therein to posterity.

Anno M. CC. xvj. recepit Robertus Archiepiscopus mandatum Papale publicandi constitutionem Bonifacii Papæ octavi, de non dando aliquid Laicis. Et eodem anno tenuit Dominus Rex Parliamentum apud S. Edmundum, convocato illic toto Clero, & indicta Laicis duodecima omnium benorum, & à Clero subsidium sibi habundanter elargiri. Unde Archiepiscopus cum Clero super his consilium habuit; & deliberationem habita, propter novam constitutionem super editam, viam nescierunt invenire per quam sana conscientia, Romana Ecclesia inconsulta, hoc facere possent, negotio incompleto de subsidio præstando, singuli ad propria redierunt. Et ecce mor Edm. dum erit per totum regnum, ut omnia temporalia Archiepiscoporum, Episcoporum, Abbatum et Religiosorum, vel quorumcunque Clericorum, ubique per Regnum Angliæ existentia, in manus Regis caperentur. Et habito Rex Parlamento cum suis Baronibus (Clero excluso) statutum est, ut bona Clericorum sententialiter adjudicaretur tanquam forisfacta. Unde multi propter timorem Statuti redemptionem fecerunt, et litteras de protectione Regis receperunt. Et Monasterium istud redemptionem fecit pro ducentis libris et CC. summis Bladi diverſi generis. Archiepiscopus vero nec aliquid dare, nec protectionem regiam vellet adquirere; unde omnia temporalia ejus confiscata sunt, et (quod horrendum est) quicquid habeant Monachi ibidem intra portas Ecclesiæ suæ secesserunt, ita quod non haberent ad quod manus apponerent pro vita necessariis, nisi secundum quod vicini eorum religiosi & alii mittebant eis intuitu charitatis. Et hoc tam diu duravit, donec Prior et Capitulum necessitate compulsi redemptionem fecerunt. Archiepiscopus vero nec Regis protectionem nec sua voluit redimere quocumque modo; sed amota majori parte familiarum suarum cum uno Clerico vel duobus et simplicissima familia apud Chertam morabatur, & fere singulis diebus Dominicus & festivia circumibat per loca, verbum Dei predicando. Which he did not before.

† Tho. Walsingham (a Monk of St. Albans) renders us this account thereof.

Clerus ob constitutionem Bonifacii hoc anno editam, quæ prohibet sub poena Excommunicationis, ne Laicis vel Exactiones a Clero per seculares Principes quocumque modo erigantur vel eis solvantur de Rebus Ecclesiæ, Rege pro Terra sua petenti,

An. 24 & 25  
Edw. 1.

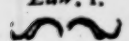
Mat. Westm.  
p. 408, 409.

\* Chron. Wil.  
Thorn. col.  
1985.

† Hist. Angl.  
An. 1297,  
1298. pag. 34,  
35, 36. Ypo-  
digma Neu-  
stræ. p. 82, 83.



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petenti, subsidium tenebavit. Rex autem ut de meliori responso deliberarent negotium in Parliamentum tenendum Londoniis in crastino sancti Hillarii distulit. Parliamentum conatum est Londoniis post festum sancti Hillarii; in quo Clero persistente in negatione Subsidii, Rex ipsum a sua protectione exclusit. Pro qua tamen redimenda, multi per se, multi vero per mediatos, Regi bonorum suorum dederunt postea quantum partem. Rex Archiepiscopum rigidiorum comperiens, terras ejus omnes sequestravit, et de bonis ejusdem debita in Rotulis Decretarii inventa precepit cum celeritate levare. Nam idem Archiepiscopus de consensu Cleri procuraverat a Papa Inhibitionem, ne quis Clericorum Regem respueret de bonis Ecclesiarum. So that this Inhibition and Decree was procured from Pope Boniface by this Archbishop, with the consent of the English Clergy, for which they very justly deserved to be put out of the Kings protection, and to forfeit all their lands, goods and chattels to him, if not their lives

\* Angl. Hist.  
l. 17. pag 336.  
337.

\* *Polydore Virgil* (the last Collector of the Popes Peter-pence in England) thus informs us of the occasion and necessity of Pope Boniface his Decree, and the ill consequence it brought upon the English Clergy. *Per idem tempus Bonifacius octavus Rom. Pontifex animadvertens Principes Christianos avaros, & pererebre sine justa causa, nova quotidie Sacerdotiorum fructibus imponere vectigalia, atque sine fine arbitram suo, decimam vigesimoque eorum partem tributi nomine imperare, immunitati ordinis sibi consulendum statuit; itaque habito Lugduni Concilio, interdixit ne posthac Principes Sacerdotibus imponerent, neve illi imposita conferrent iniussu Romani Pontificis. Id prescriptum extat in libro tertio libri sexti, De immunitate Ecclesiarum, capite tertio; quod tamen non erat iniquum, fuit tamen apud Anglos magna causa discordie. Enimvero non multo post Edoardus in Angliam ex Scotia reversus, Concilium habuit Burie, ad Cænobium divi Edmundi; quo in Concilio cum indigeret, primum populo, deinde Sacerdotibus tributum indicendum curavit. Populus qui negare non poterat, pecuniam impetratam se soluturum dixit: Sacerdotes vero responderunt, id sibi facere per Pontificis Romani prescriptum minus licere. Quo responso Rex iracundia permotus, bona Sacerdotum passim publicari venireque iussit, qui indicium tributum pendere pernegassent. Quod factum est, et tunc multi quibus pre quiete nihil satis cordi erat, tantum incommodi diutius ferre nolentes, alii alio modo injustam verationem redimerent. Solus Robertus Cantuariensis Antistes fortiter animo post multas acceptas iniurias, bonaque omnia amissa, Principis voluntati resistebat, predicabatque palam sciens illud Apostolicum, Obedire oportet Deo magis quam hominibus. At Rex nihil sanctissimi Pontificis aut constantia deterrensus, aut salubribus monitis flexis, in dies magis cuncto generatim populo succensebat, & Sacerdotes ut ingratos duriter premebat, & reliquis qui gravate imperatam pecuniam solverent, uno vel alio modo nocebat. Quibus rebus (by the Prelates and Clergies instigation, but yet upon another account of foreign services demanded from them, illegal Purveyances, and seising their Wools without paying for them) ita omnium animi incitati sunt, ut neque in agris neque in urbibus silebant. Quid quod nec jam ullus locus tale regnum ferre posse videbatur.*

a Chron. part.  
7. p. 142.  
b Script. Brit.  
Cent. 4. c. 71.  
Append. pag.  
358 & de vitis  
Pontif. lib. 6.  
in Bonifacio, 8.  
c Antiq. Eccles.  
Brit. p. 209 to  
223.  
d Acts & Mo-  
numents, vol. 1  
London 1610.  
p. 320, 321.  
e Chron. pag.  
302, 303.  
f Catalogue of  
Bishops, pag.  
127, 126, 127.

I shall not recite the several Relations of <sup>a</sup> *Fabian*, <sup>b</sup> *John Bale* Bishop of *Os-  
sory*, <sup>c</sup> *Archbishop Parker*, <sup>d</sup> *Mr. John Fox*, <sup>e</sup> *Ralph Holinshed*, *Grasian*, *Speed*, *Daniel*, *Baker*, and others in the life of King *Edward the First*, or of <sup>f</sup> *Godwin*, to the like effect, but rather present you with such Records, Writs in the *Tower*, which evidence the Kings proceedings against those rebellious Prelates and Clergie, together with his Protections granted to them upon their submissions to, or ready compliance with his demanded Aids against the public enemies of the Church and Realm of *England*, mentioned by the premised Historians.

The Writs the King then issued to all the Sheriffs of *England*, the Chief Justice of *Chester*, and *Northwales*, and his Officers in *Westwales*, to seise their lay-fees, goods and chattels, are thus recorded to posterity.

Claus. 2. E. 1.  
m. 23. De  
Laicis feodis  
Clericorum  
capiendis in  
manum Re-  
gis.

**R**EX Vic. *Lincoln*. salutem. Propter aliquas certas causas tibi precipimus, quod omnia Laica scoda totius Cleri de Balliva tua, tam Archiepiscoporum, Episcoporum, et Religiosorum, quam aliorum quorumcumque cujuscunque status existant, una cum bonis et catallis in eisdem inventis, sine dilatione capias in manum nostram, et ea salvo custodiri facias; ita quod nec ipsi nec aliquis per ipsos manum

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manum ad ea apponant, donec aliud inde præceperimus. Et hoc nullatenus omit-  
tas. Teste Rege apud *Ely*, 12 die *Februarii*. *An. 24 & 25*

Eodem modo mandatum est singulis *Mitrecomitibus* per *Angliam*. Teste Rege  
apud *Clarend.* 28 die *Februarii*. *Edw. 1.*

**R**EX dilecto & fideli suo *Reginaldo de Grey* Justic. suo *Cestrie* salutem. Propter  
aliquas certas causas vobis mandamus, quod omnia *Laica* feoda totius *Cleri*  
de *Balliba* vestra, &c. \*ut supra. una cum bonis et catallis in eisdem inventis sine  
dilatione capiat in manum nostram, &c. ut supra. Et hoc nullatenus omitatis.  
Teste Rege apud *Clarendon*. 27 die *Februarii*. *Cl. 25 E. 1.*

*m. 21.*  
These Writs  
are all entered  
at large in the  
Record.

Consimiles literæ diriguntur *Johanni de Havering* Justic. Regis *Northwall*. & *Roberto Tibbot* Justic. Regis *Westwall*. vel ejus locum tenenti per diversa. Teste ut  
supra.

Consimiles Literæ diriguntur *Waltero Hakebute*, Custodi suo terrarum de *Glamorgan*, Claus. 25 E. 1. m. 12. iatus. T. R. apud *Westm.* 22 die *Junii*.

The King considering that he, others, and the whole Realm might receive great  
damage, if the arable Layfees and Lands of the Clergy seised into his hands, should  
not be sown in the Spring, issued these Writs to the Sheriffs to sow them.

**R**EX Vic. *Eborum* salutem. Licet nuper tibi præceperimus, quod omnia *Laica*  
feoda *Archiepiscoporum*, *Episcoporum*, et totius *Cleri* de *balliba* tua, una  
cum bonis et catallis in eisdem inventis, in nostram manum caperes, et ea salvo  
custodires, quousque aliud inde præcepissemus. Quia tamen aperte perpendimus,  
quod si *Terræ* seminandæ non seminarentur hoc anno in ista seisona *Quadagesima*-  
li, possit nobis, *Prelatis*, *Clero*, et toti regno futuris annis damnum magnum  
evenire; Tibi præcipimus, quod terras prædictorum *Prelatorum* et *Cleri* in *bal-*  
*liba* tua, sic in manum nostram captas, et adhuc existentes, de bonis illorum quo-  
rum terræ fuerunt, sine dilatione aliqua facias seminari. Teste Rege apud *No-*  
*vum Sarum*, 7. die *Martii*. *Cl. 25 E. 1.*

*m. 21.* De  
terris Clerico-  
rum seminan-  
dis.

After which, the King out of his special grace issued several Writs to restore the  
Lands, goods and chattels of some Clergymen and other persons so seised, for se-  
veral reasons therein expressed.

**R**EX Vic. *Surr.* salutem. Licet nuper tibi præceperimus, quod omnia *Laica*  
feoda, *Archiepiscoporum*, *Episcoporum*, et totius *Cleri* de *Balliba* tua sine  
dilatione caperes in manum nostram, et ea salvo custodires, quousque aliud inde  
præcepissemus. Quia tamen dilectus Clericus noster *Willielmus de Carleton* in obse-  
quio nostro per præceptum nostrum in partibus *Brabancie* moratur: Tibi præcipi-  
mus, quod omnia *Laica* feoda ipsius *Willielmi*, una cum bonis & catallis in eisdem  
inventis quæ prætextu mandati nostri prædicti cepistis in manum nostram, *Attorna-*  
*tis* prædicti *Willielmi*, usque ad *Pascha* proximo futurum absque diminutione aliqua  
deliberes indilate. Teste Rege apud *Clarendon* 28 die *Februarii*. *Ibid. m. 21.*

Pro quibus-  
dam Clericis  
in obsequio  
Regis in *Br-*  
*bancia* existen-  
tibus.

**R**EX Vic. *London.* salutem. Licet nuper vobis præceperimus, &c. (as before.) vo-  
lentes tamen dilectis nobis in Christo *Abbatissæ* & sororibus *Ordinis Sanctæ*  
*Clare*, extra *London.* gratiam facere specialem, Vobis præcipimus, quod eisdem  
*Abbatissæ* & sororibus omnia *Laice* feoda sua quæ prætextu mandati nostri prædicti  
cepistis in manum nostram, una cum bonis & catallis in eisdem inventis, absque di-  
minutione aliqua restituatis indilate. Teste Rege apud *Ipsington*, 7. die *Aprilis*. *Ibid. m. 19.*

Pro *Abbatissa*  
*Ordinis San-*  
*ctæ Clare* ex-  
tra *London.*

**R**EX Vic. *Susht.* Licet nuper tibi præceperimus, quod *Laica* feoda *Archiepif-*  
*coporum*, &c. (ut supra.) Quia tamen intelleximus, quod tu prætextu man-  
dati nostri hujusmodi quædam *Laica* feoda in *Essex* ad communam *Sarum* perti-  
nentia, et in usus pauperum deputata, quæ una cum *Laicis* feodis ad eandem *Com-*  
*munitatem* in *Wilton*, *Duryn-ton*, *Putton*, *Farle*, *Offecote*, *Sarum*, *Fisberton*, *Knigh-ton*,  
& *la Hnrst*, in *Com. Wyltes* pertinentia, camera *Dominæ* nuncupantur, & quæ se-  
cundum verum valorem nisi ad undecim libras quatuor solid. & octo denar. non  
taxantur *Ibid. m. 20.*

Pro *Communi-*  
*nario Ecclesiæ*  
*Sarum.*



An. 24 & 25 taxantur, cepisti in manum nostram. Tibi præcipimus, quod si ita est, tunc prædicta Laica feoda, una cum bonis & catallis in eisdem inventis, Radulpho de Stevenbach ejusdem Ecclesiæ Communario, sine diminutione aliqua restituas indilate. Teste Rege apud Brummort 12 die Marcii.

Cl. 25 B. 1.  
m. 21. Pro  
Willielmo  
Imalacen. Episcopo.

**R**EX Vic. Bedford. salutem. Præcipimus tibi, quod si tibi constiterit, venerabilem patrem Willielmum Imelacen. Episcopum Ecclesiasticum Beneficium, aut terras vel tenementa, alicui Spirituali annexa in balliva tua habere, tunc terras & tenementa sua, una cum omnibus bonis & catallis in eisdem inventis, quæ prætextu mandati nostri nuper tibi directi, De Laicis Feodis Archiepiscoporum, Episcoporum, et totius Cleri, de balliva tua, una cum bonis et catallis in eisdem inventis, in manum nostram capiendi, cepisti in manum nostram, eidem Episcopo sine diminutione aliqua deliberes indilare. Teste Rege apud Clarndon. 6. die Marcii.

Ibid. m. 22.  
Pro Priore  
Hospital. S.  
Johannis Jerusalem.  
in Angl.

**R**EX Vicetomiti Westmerland, salutem. Licet tibi nuper præceperimus, quod Laica feoda Archiepiscoporum Episcoporum, et totius Cleri in Balliva tua, una cum bonis et catallis in eisdem inventis, in manum nostram caperes, &c. Quia tamen dilectos nobis in Christo, Priorem & fratres Hospitalis Sancti Johannis Jerusalem. in Anglia, per literas nostras patentes dur. usque ad Festum Omnium Sanctorum proximo futurum, suscepimus in protectionem] & defensionem nostram specialem, omnibus & singulis inhiibentes, ne de equis vel aliis averiis suis, carectis vel cariagio, seu bladis lardario, aut aliis bonis vel rebus suis quibuscunque ubicunque consistant, ad opus nostrum, aut aliorum quorumcunque sine licentia & voluntate ipsorum Prioris & fratrum, aliquid interim capiant, seu capi faciant, quo minus, de eisdem equis, & aliis averiis suis, carectis, cariagio, Blad. Lardario, & aliis bonis & rebus suis liberè disponere & ordinare, ac commodum suum facere possint, prout sibi melius viderint expedire. Tibi præcipimus, quod Laica feoda ipsorum Prioris et Fratrum in balliva tua, in manum nostram prætextu mandati nostri prædicti, una cum bonis et catallis in eisdem inventis, eidem Priori et fratribus sine diminutione aliqua restituens, nichil de Equis vel aliis Avertiis, carectis, cariagio, blad. lardario. aut aliis bonis seu rebus suis prædictis capias, seu capi facias, contra tenorem protectionis nostræ prædictæ. Teste Rege apud Ambresbur. 25. die Febr.

Consimiles literas habent idem Prior & Fratres singulis Vic. per Angliam. Teste ut supra.

Ibidem.  
Pro Magistro  
Militiæ Templi  
in Anglia.

**R**EX Vic. Bedford. & Bucks. salutem, Licet tibi nuper præceperimus, quod Laica feoda Archiepiscoporum, &c. (ut supra usque ibi.) Quia tamen dilectos nobis in Christo Magistrum Militiæ Templi in Angl. per literas, &c. suscepimus in protectionem, &c. ut supra. Teste Rege apud Odiham, 22. die Febr. Per Breve de Privato Sigillo.

Consimiles literæ diriguntur singulis Vic. per Angliam. Teste ut supra.

The Kings Writs of *Prohibition* directed to the Archbishops, Bishops, and Clergy in Convocation, with his Letters of Procuration for appealing against and preventing their antimonarchical proceedings, were issued in this form.

\* Ex Rot. Patentium 25 E. 1. pars. m. 9. intus See Spelmanni Concil. Tom. 2. p. 427. 428. Defensio Regis ne Prælati aliquid ordinarent in præjudicium Regis.

**E**Dward par la grace de Dieu Roy Dengleterre, &c. As honorables Peers en Dieu, Ercevesques, Evêques, as autres Prelaz, ea tous ceus de la Clergie qui a celle demy quaresme prochain avenir serront a Londres assemblez, salut. Nous defendons a vous touz e a chescun de vous sur quant qe vos nous peussiez faire, qe vous ne nul de vous nulz choses ne ordeignez, ne faciez, n'assentez a nul ordeignement a la dite assemblee qe peussent tourner a pzejudice ou a grebance de nous, ou de nul de nos Ministres, ou de ceux qui sont a nostre pze, e a nostre loy, et en nostre protection, ou de nos adherantz, ou a nul de eux. Donec a Sturminstre, le xx. jour de Mars.

Edward

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

**E**Dward par la grace de Dieu, &c. a Monf. Hughe de Despenfer salut. Sachiez que nous vous abons done pleyn poer per cestes nos lettres ouertes a defendre en nostre noime, as honozables Peres in Dieu, Ercevesque, Chesque, & autres Prelatz, & a touz ceuz de la Clergie de nostre Roiaume qui seront assemblez a Londres a ceste demy quaresme, que eus ne facent, ne ordeignent, ne assentent a nul ordeinement en tel assemble que pussent tourner en prejudice ou en grebance de nous ou de nous ministres, ou de ceuz qui sont de nostre pees, & a nostre loi, & souz nostre protection, ou de nos adberdantz, au de null de euz, si come plus pleinement est contenu en nous lettres ouertes, les queles nous enueons as prelatz avanditz. E pur ce vous mandoms, que lavandit jour a la dit assemble de Prelatz, obeque ceuz de nostre Conseil que vous ibodrez appeller, en vostre propre persone faciez le defens en la fourme de souzdit. Recevantz vers vous les dites lettres que sont escrites a Prelatz & cestes aient. Donces a Sturminisir le xxi. jour de Marz.

An. 24 & 25

Edw. 1.

De defendendo nomine Regis Prælatos aliquod ordinare in præjudicium Regis.

**E**Dward par le Grace de Dieu Roy D'angleterre, Seigneur d'Irlande, & Ducs de Daquitain, as honorables Peeres en Dieu, Robert par la mesme Grace Ercevesque de Canterbir. & a ses Suffragans, & a touz autres Prelatz de nostre Royaume, qui seront a ceste mpe quaresme assemblez a Londre salut. Pur ceo que par aucunes evidentes reisons et presumptiones, et pur aucunes voluntes que nous aboms veues de vous desrenables, semble a nous que per vous ou par aucuns de vous purroient estre ordinez par aventure a la dite assemblee, aucunes choses a prejudice de nous & de nostre Roiaume de siet, come ce ne peusiez ne de devez faire de droit. Nous pur eschier que ce ne peusse a grebance de nous estre fait, teisons et establissons nostre certain procureur, Iter de Engoiesme nostre Clerk, a faire provocation ou appellation de vous ou de chescun de vous a la Pape, et a proposer rotes et chescunes choses et reisons, pur nous et pur les noz qui sont de nostre loy, & a nostre pees, et souz nostre protection, et pur touz nos adberdantz sicome nous triens si nous feussions illeques present en propre persone. E aboms ferme & estable, et averons quanque terra fait par nostre dit procureur ou purra estre fait en les choses avandites. E ce signefions a vous, et a chescun de vous, et a touz autres a queur cestes choses appartient au purront apartenir per ces presentes lettres seales de nostre Reial. Done a Wymburn mensire le vintime jour die Marz.

Pat. 25 E. 1. m. 10. inus. De provocatione et appellatione faciend. a Cantuar. Archiepiscopo & Suffraganeis suis, ad D. Papam, ex parte Domini Regis.

**R**EX omnibus ad quos, &c. Salutem. Sciatis quod nos facimus, constituimus & ordinamus dilectum Clericum nostrum Johannem de Borhun exhibitorum presentium procuratorem nostrum, ad notificand. suffraganeis Ecclesie Cantuar. quibus viderit expedire, vel eorum officialibus, provocationes & appellationes pro nobis, Consiliis, Justiciis, Clericis & Ministris, ac laicis nostris, et etiam nobis adherentibus, et ad sacrosandam Sedem Apostolicam interpositas; primo coram venerabili Patre R. Cantuar. Archiepiscopo & suffraganeis predictis, & ceteris Prelatis provincie Cantuar. nuper in media Quadragesima London. congregatis per dilectum Clericum nostrum Iheronimum de Ingolisma, & postmodum in festo Sancti Egidii prox. præterito in Ecclesia Cantuar. coram dicto Archiepiscopo per Hugonem de Fernemuth Clericum nostrum, & ad innovand. easdem provocationes & appellationes coram eisdem suffragan. vel eorum officialibus & singulis eorundem; necnon ad provocandum & appelland. ad dictam Sedem Apostolicam nomine nostro, et omnium nobis adherentium, ab eisdem suffragan. vel eorum offic. et eorum quolibet, si dicto Johanni expedirent videatur. Et ad faciend. omnia & singula que in præmissis fuerint opportuna, Ratum habituri & gratum quicquid per dictum Johannem notificatum, innovatum, appellatum vel factum fuerit in præmissis & singulis præmissorum. Et hoc omnibus quorum interest significamus per has literas quas patentes fieri fecimus, In testimonium præmissorum. T. Edward. filio Regis, apud Sanctum Paulum London. 12 die Septembr. Per Consilium.

Ex Rot. Pat. 25 E. part. 2. m. 5. pro Rege, de procuratore constituto ad innovandam appellationem coram suffraganeis Ecclesie Cantuar.

Eodem modo constituitur Marcus de Kanc. procur. &c. ad notificand. coram Suffraganeis predictis appellationes, &c. Teste ut supra.

The Archbishops, Bishops and Clergy proceeding obstinately in their Council to  
Uuuu execute



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4.

An. 24 & 25 execute Pope Boniface his Bull, the King thereupon issued this further Writ of  
 Edw. 1. Procuration and Appeal against their proceedings.

Pat 25 E. 1.  
 pars 2. m. 6.  
 Pro Rege de  
 procuratore  
 constituto ad  
 innovandum  
 appellationes  
 coram Cant.  
 Archiep. vel  
 aliis quibuf.  
 cunque.

**R**EX venerabili in Christo patri R. eadem gratia *Canuar.* Archiepiscopo, & ejusdem suffraganeis ac omnibus aliis Prælati, & aliis quibuscunque Clericis & Laicis in Regno *Anglia* constitutis ad quos, &c. salutem. *Meminimus* quod nuper vobis dictis Archiepiscopo, Episcopis et Prælati *London.* congregatis, quia aliis quibus evidentibus rationibus, præsumptionibus et voluntatibus quas de vobis Archiepiscopo discretionabiles videramus, videbatur vobis quod per vos possent in congregatione illa in nostri et totius regni nostri præjudicium per vos indebite aliqua ordinari; Nos volentes hujusmodi periculum evitare, per dilectum Clericum nostrum *Iterium de Ingol.* procuratorem nostrum ad hoc literatorie constitutum ad Sedem Apostolicam certas probationes et appellationes Episcoporum nostrorum, et omnium nobis ad hærentiam nomine, lectimus interponi; Nos vos dictæ Archiepiscopo vel suffraganei vestri, vel quibus alias Prælatus, vel aliter quispian superiorem vestra, vel cujusvis vice, nomine, auctoritate vel mandato contra nos aut regnum nostrum, aut ejus incolas, aut ad hærentes nobis attemptaretis aliquo vel conjunctim aut divisiim saceretis aliquo aliter attemptari. Verum quia ex relatione fide dignorum accepimus jam de novo, quod vos dictæ Archiepiscopo dictis appellationibus non obstantibus, (*such was their obedience to the Pope before the King.*) ex virtute cujusdam Constitutionis Sedis Apostolicæ, et ex aliis causis quæ in necessitate in qua Regnum *Anglia* positum est his diebus, locum sibi vendicare non possunt, sumpto colore aliqua propositionis promulgari, vel facere declarari summe præjudicialia nobis, Consiliariis, Episcopis, et ceteris incolis Regni nostri, et etiam toto Regno nostro. Nos volentes nobis et dicto Regno et omnibus incolis contra prædicta præjudicia providere, dilectum Clericum nostrum, *Hugonem de Jeremuth* procuratorem nostrum facimus, constituimus et ordinamus per præsentes literas ad innovandum appellationes et probationes prædictas, et ad faciendum alias denno coram quibus, et in locis et super causis quibus viderit expedire; ratum et gratum habituri quicquid per eundem *Hug.* innovatum et appellatum fuerit in præmissis; et hoc omnibus quorum interest seu interesse potest per præsentes literas significamus. In cujus, &c. Teste *Edw.* fil. Regis, tenente locum Regis, in *Anglia* apud *Tunbrigg*, 31 die *Augusti*.

Consimiles literæ factæ fuerunt sub nomine *Thoma de Boyvill*, quas idem *Thomas* portavit usque *London.* Teste ut supra.

The King likewise issued these memorable Prohibitions to the Archbishop of *Canterbury*, and all other Bishops of *England*, not to excommunicate or trouble any of his Officers or Ministers, for seizing their or other Clergymens corn and goods, for the necessary defence of the Realm and Church of *England*, against his enemies of *France*, by his command, in case of inevitable necessity, under pain of forfeiting all they could forfeit to him, for the reasons therein expressed.

Claus. 15 B. 1.  
 m. 8.  
 Prohibito Re-  
 gis contra ex-  
 communica-  
 tiones.

**R**EX venerabili in Christo patri R. eadem gratia *Canuariensi* Archiepiscopo, totius *Anglia* Primati, salutem. Cum nos inevitabili necessitate cogente pro regni et hæreditarii juris nostri per Regem *Francia* et alios inimicos nostros inbasi, et hostiliter impugnati, defensione, et Ecclesiæ *Anglicana* et personarum tam Ecclesiasticarum quam aliarum ejusdem regni præsidio, de blatis et aliis bonis earundem personarum capi fecerimus, ad capiendum seu capi faciendum pro saluatione nostra et sua dictique regni adhuc eadem necessitas nos compellat; De quibus blatis et bonis volumus et firmiter proponimus satisfactionem, ut res exegerit facere congruam et condignam. Et jam intellexerimus, quod vos contra Episcopos nostros bladorum et bonorum prædictorum de mandato nostro captos, intenditis quandam Excommunicationis sententiam salutare, vel ipsos Excommunicatos facere nunciari. Quod si sic fieret in gravem et enormem dignitatis et coronæ nostræ regis læsionem, ac populi scandalum manifestius redundaret, et nichilominus ex hoc ejusdem Ecclesiæ destructio, et totius regni subversio verisimiliter sequi posset. Vobis prohibemus sub debito fidelitatis et juramenti quibus nobis tenemini, ac satisfactionem omnium quæ de nobis tenetis firmiter injungentes, Ne

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De in Epistolas nostros Clericos aut Latcos aliquam Excommunicationis sententiam promulgatis, seu etiam publicatis, aut promulgari seu publicari aliquatenus occasione huiusmodi captionis factatis vel eisdem Epistolis gravamen aliquod inferatis maxime cum parati simus satisfacere, ut est dictum. Teste Rege apud Winch. 19 die Augusti.

Consimiles literæ diriguntur singulis Episcopis Anglia. Teste ut supra.

Moreover the King issued these ensuing Writs to Commissioners and Sheriffs in all Counties, for the apprehending and imprisoning all persons whatsoever who should excommunicate any of the Kings Ministers, or others of the Laity or Clergy adhering to him, by virtue, or in pursuance of Pope Boniface his premised Bull.

Edward, &c. a Mons. Adam de Welles, & au Viscount de Nicole, salutem. Nous apercevantz qe trobeurs de nobelles, par les queur descoib purreit surdoze entre nous nos Prelatz, nos Contes, nos Barons, & nos autres grantz gentz la forcent a la subbercion de nostre Roiaume & a la destrubance de nostre pees nient meyns qe ceux qui suffoient dastaller nous & nostre Roiaume par moztele enemiste & par force darmes, se boillantz ten manc de malice passere saunz estre refrenne, Assignoms vous par enquire et serchier en totes les maneres qe vous poussez plus diligeaument, queux meseseours & destrubeours de nostre pees conteront nobelles & destracions en la fourme abanteditte, ou qd destruberont ou boudront ou procuront destruber l'execution de nos maundementz, ou qui dirront sentences de escumenge, ou seront monitions, ou les sentences donnees un monitions saltz prevement ou apertement pronuncieront, ou boudront pplier contre nos ministres, & nos sugges, ou contre queux autres qil seient aerdantz a nos, & a nostre soi qil seront execution de nos maundementz par le profit de nostre Roiaume, ou contre personea de Sepate Eglise qui se mettent en nostre protection par sauber & defendre enr, & lur Eglises ou qui seront rien, ou boudront faire par art un par engyn, par quel la paisiblete de la pees & du Roiaume sett destrubee, & l'execution de nos maundementz, qui nos eoms commande par le pri du Roiaume, & de tot nostre peuple sot arerie un empesche en nule manere: & par ces vous maundoms qe touz ceux de quel estat ou conditton qil soient qui des choses abantdittes un dancune de eles troeffez copables preignez, & en nostre prison saubement gardez tant qe vous eneez autre maundement de nous. E veloms qe si vous ambedenz ny peussiez entendre, adonk lautre de vous qui setra plus pres des parties un nules des choses abantdittes auendront face reddement & sanz delay l'execution de cestes bosoignes en la fourme abantditte.

Pat. 25 E. 1. m. 12. intus. De promulgantibus sententias Excommunicationis in Ministros Regis capiend. & imprisonand.

E feat a remembrer qe les Chivalers en les Viscountes de sons-estritz, sont assignez en aueus fourmes de sus escriptes en les Contez de souz escriptz, cest asavoir.

Alwyn Ploket & le Viscount de Sumers. & de Dorset. en memes les Counteez.  
Bueges de Knoville & le Viscount de Salopshire & de Stafford en memes les Counteez.  
Johan Tregor & le Viscount de Hereford. en meme la Countee.  
Thomas de Berkeles & les Viscountes de Glouc. & de Wyrecestre. en memes les Counteez.  
John de Segns & le Viscount de Warr. & de Leyce. en memes les Counteez.  
Robert Fitzpaine & le Viscount de Wiltshire en meme la Countee.  
Rauf Pipard & le Viscount de Bedeford & de Bucks en memes les Counteez.  
Johan Lovel & le Viscount de Oxensford & de Berks en memes les Counteez.  
Thomas de Furnival & le Viscount de Durb. en meme la Countee.  
Johan le Breccun & le Viscount de Middlesex en meme la Countee.  
Robert de Tateshale & le Viscount de Norfolk & de Suff. en memes les Counteez.  
Johan Engayne & le Viscount de North. & de Roteland en memes les Counteez.  
Henry Tregor & le Viscount de Surr. & de Suffex en memes les Counteez.  
Robert fitz Roger & le Viscount de Essex & de Hertf. en memes les Counteez.  
Reynald de Argentein & le Viscount de Camtebrig. & de Huntingdon en memes les Counteez.  
William de Leybourn & le Viscount de Kent en meme la Countee.  
Henry Tieys & le Viscount de Suthr. en meme la Countee.

Uuuu 2

Geffrey



An. 25 E. 1.

Geoffrey de Cammille et les Viscontes de Cornwayill et de Deveneshire en memes les Counteez.

Johan de Lancast. et le Visconte de Lancast. en meme la Countee,  
 Reynaud de Grey en la Countee de Cestr. oue les quatre Cantredz.  
 Johan de Havering en Northwales.  
 William de Brehuse, et Walter de Pedersen en Westwales.

He likewise gave them these ensuing Instructions and Commissions to execute, recorded in the same Roll.

*Eft a remembrer que les avantdiz Chivalers et Viscountes frount les choses sus escriptes solome les Articles qe sensivent.*

*Ordene est qe les Baneretz et les Viscountez qui sont a ceo assignez en les Counteez pzeignent plegges de gentz lays tiours qe seient suffisanz pur les sommes reconues: Et qe les Clerks qui plegges lays ne poent trober laissent en le poer le Viscounte de lur chatens taunc com le graunt q'il frount amontera sehes atant q'il eent palez.*

*Et sett la chose demandee et prise en ceste fourme pur la defense de ens memes et de lur Egilles, et pur le commun profit de Reaume, et pur la protection aver cest assaver et chescun Prelat ou persone de Eglise ou Clerke beneficie a amundance du double delepde, que chescun fist darrein an Roy pur taunt qe la besoigne est oze dallez gre gmitre qe adonk ne fu.*

*E facent les Baneretz et les Viscountes enrouller les sommes reconues et chescun, nonu, et les nouns des plegges ou de la seurete qe serra prise issint qe sel Roul sett livre al Eschequer par les deniers fere lever.*

*E facent les Baneretz et les Viscountes a chescun Clerk q' avera reconu en la fourme avantdite, bille seale de lur seaus au Chancelier pur la proteccion le Roy aver et pur les autres brifs qui leur couvrent.*

Hereupon these Commissioners and Sheriffs pursuing their authority and instructions, first seized and imprisoned all such Priests, Vicars and Chaplains who published Pope Boniface his Bull of Excommunication against the King or his Officers, and such Clergymen who complied with them, till they made their peace with the King, and were released by his special Writs; as this Writ to the Sheriff of Cornwall for their manucaption informs us.

Clau. 29 E. 1.  
 m. 18 De  
 Clericis libe-  
 randis a priso-  
 na per manu-  
 captionem.

**R**EX Vicecomiti Cornubie, salutem. Præcepimus tibi, quod si dilectus nobis in Christo Willielmus de Bodrigan Archidiaconus Cornubie velit manucapere coram te ac habendo Magistrum Clementem de Rupe, Magistrum Radulphum de Treverdenk, Willielmum Vicar. Ecclesie de Sancta Senara, Magistrum Marsilium, Johem Vicar. Sancti Pauli, Reginald Vicar. de Sancta Crewenna, David Capellanum Ecclesie Sancte Briane, Radulphum Capellanum Ecclesie Sancti Winiuri, Richardum Vicar. Ecclesie de Lannantha, Johannem le Petit Personam Ecclesie Sancti Melani, Richardum Vicar. de Morwinstove, Petrum Capellanum de Kylampton, Robertum Vicar. Ecclesie de Stratton, Sampsonem Vicar. Ecclesie de Pockewilli, Philippum Vicar. Ecclesie de Launcelles, Robertum Capellanum de Marwinchurche, Richardum Capellanum de Wyke, Willielmum Capellanum de Jacobstowe, Thomam Capellanum de Wyteffon, Richardum Capellanum de Tamerton, Paganum Capellanum de Boyton, Magistrum Richardum de Tolisford, Simonem Capellanum de Eglesfor, Nicholaum Vicar. Ecclesie de Sancto Anstolo, Johannem Vicar. Ecclesie de Sancto Claro, Philippum Vicar. Ecclesie de Sancto Wynnoco, Gilbertum Vicar. Ecclesie de Dynloo, Reginald Capellan. de Lanreythor, Willielmum Glyse Capellanum de Antone, Johannem Capellanum de Esse, Johannem Oliveri Capellanum de Sancta Dominica, Vincentium Capellanum de Sathylle, Richardum Vicar. Ecclesie de Sancto David, & Willielmum Vicar. Ecclesie de Sancto Genasio, captos et detentos in priso nostra de Launceneton pro publicatione cujusdam Littere Papalis, ut dicitur, coram nobis ad voluntatem nostram pro emendis de transgressionibus, quas contra nos fecerint; in hac parte, nobis sciendis, tunc ipsos Rectores, Vicarios, Presbyteros & Clericos a priso pradiata a ea occasione et non alia detineantur in eadem, sine dilatione factas liberari per manucaptionem pradiatam. Et hoc pro alio brevi nostro de manucaptione ab ipsis prius

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prius pro facto illo capienda tibi directo nullatenus emittatis. Teste Rege apud Plympton 17 die Aprilis. An. 25 E. 1.

The Bishops, Clergy, Abbots, Priors, and Religious persons terrified with the Kings resolute proceedings against them, in putting them out of his Royal Protection, seizing their temporal Lands, Goods, Chattels, and imprisoning the persons of those who published or executed the Popes Bull to regain the Kings favour, protection, and restitution of their Lands, Goods, Chattels, not only condescended to grant him a Subsidie for defence of himself, and of the Church and Realm of England, double to that they had formerly granted, but likewise every one of them entered into particular Recognisances with sureties for the due payment thereof at certain dayes, before the Kings Commissioners and Sheriffs in every County authorized to receive them; who certified them under their respective Seals into the Chancery; two Bundles of which original Recognisances and Certificates, with the Seals annexed to them, I lately found in the White Tower; whereupon they had particular Protections granted them under the Great Seal, to secure them from all future violence and wrongs, and Writs to restore their Temporalties, Goods, Chattels to them. These Certificates for the most part run in these formes.

*Au noble Peere descret Chancelier nostre Seigneur le Roy, ou a son Lieutenant le seon* Pundele Re-  
Gilberd de Knovill Viscount de Devon, si luy plest, salut; e quant quil poet e set cognitionum  
de reverence, e donnr; sachez sire que le Abbe de S. int Dogmael per ses Procurators Ro. An 25 E. 1.  
berd de la Pitte, e Willame de Culecumbe vint a moy le prim. r jour de Aueril, e ad in Turre Lon-  
grante a nostre Seigneur le Roy le double del cyde que il fist dereinement, par la de- don.  
fense de luy memes e de ses Eglises, e par le commun profit du Roiaume, e  
par le p[ro]tection abeyr, e de ceo ma il trobee meinspernour. Et testimoniance  
de quen chose jeo mis ennoy ceste ma lettre patente e close.

*A Sire Johan de Langeton Chancelier nostre Seigneur le Roy, Johan le Megrave,*  
e le Viscount de Warrewyc e Leyrc. salut. Sachez nus oier recia Mestre Robert de  
Craft Personne de Bedeworth, e de Eylmerthorp, a la Protection nostre Seigneur le Roy.  
Entemoygne de quele chose nus vos enuioimus iste Bille ensele de nostre Seil.

Willame de Plymton Personne de Westbedesford dev. nt Sire Aleyn de Plogenet,  
e le Viscount de Somersset, ad fet fin de viij s. ke est a double de sa Dyme solome sa  
reconusance, par la Protection le Roy aver, et par le defense de lui e sa Eglise,  
et par le common p[ro]fit du Roiaume. Plegg. de la fin Thomas de Kynghammere  
e Adam Vincen lays. Entemonance de ceste chose le avant dist Sire Aleyn ad mis  
sua seel a ceste Bylle.

*Veneranda discretionis viro Domino J. de Langeton Domini Regis Cancellario,*  
Adam de Welle, & R. le Vener Vic. Linc. ad recognitiones Cleri in Com. Linc.  
accipiendas deputati, salutem. Sciatis quod Willielmus de Brumpton finem fecit  
cum Domino Rege pro Protectione habenda, et laico feodo rehabendo. Et hoc  
vobis significamus.

*A Sire Johan de Langeton Chancelier nostre Seigneur le Roy, Henry de Thistel-*  
den Viscount de Oxenford, salut. Cum naggeres ke Willame Vikere del Eglise de  
Wyteneye vint devaunt moy a Oxenford a la foy nostre Seigneur le Roy, e sa  
syn fist par disset souz e quatre deners, ke est au double de la Dyme de sa chartre  
a ce ke il dit. Jeo a memes cely William ceste bile ay done par la Protection  
nostre Seigneur le Roy aver seles de moun seel. Done a Oxenford le 12 jour de  
Mars, le an du regne le Roy Edward Vintyme quint.

The several fines and sums, not mentioned in sundry of the Certificates, are ex-  
pressed in distinct Tables at the end of the Bundles of Certificates, in this form.

Henricus de Gudeford dat Domino Regi pro Protectione habenda x l.

Philippus de Willugby recognovit se satisfacturum Regi pro curru & tenement. suis,  
& catallu in eis inventu, et habeat Protectionem pro se et hominibus suis.

Hug. Personne de Kyngeston pres de Genelle devant Sire Aleyn de Plogenet, e le  
Viscont de Somers. ad fet fin de viij s. ke est a double, &c.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

*An. 25 E. 1.* In the same Bundle of Writs I found these Certificates made by Sheriffs and others, of the Names of several Parsons, Vicars, Abbots, Priors and Clergymen, who had entred into Recognisances and Obligations to the King with Lay-pledges or sureties, if they had no Lay-fee of their own, to pay him several fines and sums of money towards his Wars, to procure his Writs of Protection for their Persons, Goods and Lands, and to have their Lands and Goods (seised by the King) restored to them.

Bundela Brev.  
An 25 E. 1.  
in Turre Lon-  
don.

Dors. *Thomas de Eteky* recogn. & oblig. se Regi pro *Rogero Wele* Persona Ecclesiaz de *Thourlegh*, Exon. Dioc. 9 s.

Devon. *Johannes le Deney* recogn. & oblig. se Regi pro *Richardo Gmlewyn* Persona Ecclesiaz de *Bradford*, Exon. Dioc. 16 s.

Devon. *Adam le Jeu* Persona Ecclesiaz de *Leveneston*, Exon. Dioc. recogn. Regi 9 s. per pleg. *Richard de Brankescumbe*.

Devon. *Richardus de Brankescumbe* & *Henry le Noreys* recogn. & oblig. se Regi pro *Rogero de Cherleton* Canonico Ecclesiaz *Sancta Crucis* de *Cridyton*, Exon. Dioc. 15 s.

Devon. *Petrus de Chalons* recogn. & oblig. se Regi pro *Reginaldo de Campo Arnulphi* Persona Ecclesiaz de *Ilfrydecumbe*, Exon. Dioc. 8 mar. 3 s.

Devon. *Johannes de Bickeby* de *Londesende* recogn. & oblig. se Regi pro *Drogone* Vicar. Ecclesiaz S. *Brneredi*, Exon. Dioc. dimid. mar.

*Hamelinus* Persona Ecclesiaz de *Witbiel*, Exon. Dioc. habens laicum feodum recogn. Regi 18 s.

*Willielmus de Leicestr.* Persona Ecclesiaz de *Hereford*, Exon. Dioc. recogn. Regi dimid. mar.

*Richardus de Porteland* Vicar. Ecclesiaz de S. *David*, Exon. Dioc. habens laicum feodum recogn. Regi dimid. mar.

Devon. *Andr.* Vicar. Ecclesiaz de *Alfynon Bafles*, Exon. Dioc. recogn. Regi 15 s. per pleg. *Johannis de Lulleham*.

Wyltes. *Philippus de Cumpion* recogn. & oblig. se Regi pro *Johanne* Persona Ecclesiaz de *Manyngford Drewosa*, Sarum Dioc. 24 s.

Devon. *Walterus* Persona Ecclesiaz de *Sydeham Albemarle*, Exon. Dioc. recogn. Regi 9 s. per pleg. *Ranulphi de Assheleye*.

Devon. *Ranulphus de Middleton* Vicar. Ecclesiaz de *Middleton*, recogn. Regi dimid. mar. per pleg. *Walteri de la Forde*.

Devon. *Richardus* Persona Ecclesiaz de *Tams Sancti Petri*, Exon. Dioc. recogn. Regi 8 s. per pleg. *Ranulphi de Ashleleye*.

Devon. *Johannes de Bradestone* recogn. & oblig. se Regi pro *Willielmo* Persona Ecclesiaz de *Parva Hameston*, 9 s.

Prior S. *Jacobi* de *Bristol*, per *Robertum Lunecok* Clericum Attorn. suum recogn. Regi 11 mar.

Sumerf. *Richardus de S. Claro* Persona Ecclesiaz de *Asshe Britel*, Bath. & Well. Dioc. recogn. Regi habens laicum feodum 40 s.

Sumerf. *Willielmus de Lucumbe* Persona Ecclesiaz de *Nettelcumbe*, Bath. & Well. Dioc. habens laicum feodum recogn. Regi 30 s.

Cornub. Magister *Robertus de la Roche* recogn. & oblig. se Regi pro Magistro *Philippo de Cornub.* Persona Ecclesiaz de S. *Iusto*, Exon. Dioc. 18 s.

Cornub. *Reginaldus de Moysek* recogn. & oblig. se Regi pro *Radulpho* Persona Ecclesiaz de S. *Manguano*, Exon. Dioc. 18 s.

*Johannis de Penkenell* recogn. & oblig. se Regi pro *Radulpho de Pridias* Persona Ecclesiaz de S. *Winyero*, Exon. Dioc. 24 s.

*Johannes Halveknygh* Persona Ecclesiaz S. *Jacobi* juxta Castrum *Winson*. habens laicum feodum recogn. Regi 2 mar.

Devon. *Robertus de Bremesrigg* de *Beauford* recogn. & oblig. se Regi pro *Henrico* Persona Ecclesiaz de *Beauford*, Exon. Dioc. 16 s.

*Richardus de Brankescumbe* recogn. & oblig. se Regi pro *Simone de Releg* Persona Ecclesiaz de *Warkeligh*, Exon. Dioc. dimid. mar.

Devon. *Walterus de Legh* Persona Ecclesiaz de *Jacobestowe*, Exon. Dioc. recogn. Regi 13 s. per pleg. *Walteri de la Forde*.

Wyltes.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Wilt. *Robertus de Blakesford* recogn. & oblig. pro *Willielmo de Lemone* Persona Ecclesie de *Somerford Mandus*, *Sarum* Dioc. 40 s. *An. 25 E. 1.*

Devon. *Willielmus de Molis* Persona Ecclesie de *Mekesburn*. *Exon.* Dioc. recogn. Regi 16 s. p. pleg. *Radulphi de Bageston*.

*Petrus* Persona Ecclesie de *Selle Monachorum*, *Exon.* Dioc. recogn. Regi 18 s. per pleg. *Thoma de Stotescombe*.

*Nicholaus* Persona Ecclesie de *Clonenbergh*. *Exon.* Dioc. recogn. Regi dimid. marc. per pleg. *Thoma de Stotescombe*.

Devon. *Nicholaus* Persona Ecclesie de *Kelly*, *Exon.* Dioc. recogn. Regi 8 s. per pleg. *Walteri de la Ford*.

Cornub. *Rogerus de Treglothenon* recogn. & oblig. se Regi pro *Willielmo* Vicar. Ecclesie *S. Genesi*, *Exon.* Dioc. dimid. marc.

Magister *Hamlynus de Wythel* recogn. & oblig. se Regi pro *Gilberto* Vicar. Ecclesie de *Dulo*, *Exon.* Dioc. dimid. marc.

Devon. *William Luvel* porcionar. Ecclesie de *Ermyn-ton*. *Exon.* Dioc. recogn. Regi 24 s. per pleg. *Johannis de Killebury*.

Cornub. *Robertus de S. David* Clericus recogn. & oblig. se Regi pro *Roberto* Vicar. Ecclesie de *Stretton*, *Exon.* Dioc. dimid. marc.

Buks. *Johannes de Boudon* recogn. & oblig. se Regi pro Magistro *Rogero de Boudon* Persona Ecclesie de *Undel*. *Linc.* Dioc. C. s.

Oxon. *Philippus de Turedon* recogn. & oblig. se Regi pro *Roberto de Everdon*. Persona Ecclesie de *Ludeton*, *Sarum* Dioc. 42 s.

Devon. *Guydo le Bret*, recogn. & oblig. se Regi pro Magistro *Thoma de Lettbridge* Persona Ecclesie de *Wympe*. *Exon.* Dioc. 1. m.

Hertf. *Rogerus de Norton* Persona Ecclesie de *Brantefd.* habens Laicum feodum recogn. Regi 28 s. per pleg.

Devon. *Galfrydus Splot* Persona Ecclesie de *Mtwey*, *Exon.* Dioc. recogn. Regi 20 s. per pleg. *Laur. Splot*.

Cornub. Magister *Willielmus de Wymundham* Persona Ecclesie de *Barton Linc.* Dioc. & portionar. Ecclesie *S. Teth in Cornub.* *Exon.* Dioc. per *Willielmum le Rou* Attorn suum recogn. Regi, 5 l. 6 s. 8 d.

Eborum. *Aymo de Quarto* Præpositus *Beverlacen.* & *Hugelinus de Wychie* recogn. & oblig. se Regi, pro *Willielmo de Billeme* Persona Ecclesie de *Hambury*, *Lichf.* & *Coventr.* Dioc. 10 mar.

Devon. *Galfrydus de Byrthorp* & *Henricus de Lappesade* recogn. & oblig. se Regi pro Magistro *Roberto de Cumbe* Persona Ecclesiarum de *Morton*, *Exon.* *Winterstowe Sarum*, & *Aldesfelde*, *Winton.* Dioc. 6 l.

Devon. *Willielmus de Rannell*. recogn. & oblig. se Regi pro *Thoma de Canteb.* Persona Ecclesie de *Luton*, *Exon.* Dioc. 40 s.

Devon. *Adam de Muribo* recogn. & oblig. se Regi pro *Willielmo* fil. *Bogonia* Persona Ecclesie de *Hautebray*, *Exon.* Dioc. 12 s.

Somerfet. Idem *Adam* recogn. & oblig. se Regi pro *Waltero* Persona Ecclesie de *Perlok*, *Bath* & *Will.* Dioc. 33 s. 4 d.

Devon. *Willielmus de Luscumbe* recogn. & oblig. se Regi pro *Waltero* Persona Ecclesie de *Godetry*, *Exon.* Dioc. 10 s.

Prædictus *Willielmus de Luscumbe* recogn. & oblig. se pro *Radulpho Doe* Persona Ecclesie de *Stok Ryvers*, *Exon.* Dioc. 10 s.

Cornub. *Johannes de Penran* recogn. & oblig. se Regi pro *Ricardo* Persona Ecclesie de *S. Pynnock*, *Exon.* Dioc. dimid. marc.

Cornub. *Willielmus de Glymon* recogn. & obtulit se Regi pro *Johanne de Wolnedon*. Vicar. Ecclesie de *S. Unelo*, *Exon.* Dioc. dimid. marc.

*Robertus de la Roche*, recogn. & oblig. se Regi pro Vicar. *S. Idy*, *Exon.* Dioc. dimid. marc.

Cornub. *Willielmus de Trewynt*, recogn. & oblig. se Regi pro Magistro *Adam Haym*, Persona Ecclesie de *Mahaymet*, *Exon.* Dioc. 8 s.

Cornub. *Ricardus de Pudford* recogn. & oblig. se Regi pro *Ricardo* Vicar. Ecclesie de *S. Austolo*, *Exon.* Dioc. dimid. mar.

*Alanus de Kernyk* recogn. & oblig. se Regi pro *Alano Blyon* Persona Ecclesie de *Ludewent*, *Exon.* Dioc. 2. m.

Devon.



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4.*

- An. 25 E. 1.* Devon. *Willielmus Gode* recogn. & oblig. se Regi pro *Rogero Blojon* Persona Ecclesiaz de *Monok Okhampton*, Exon. Dioc. 19 s.
- Ricardus Russell* recogn. & oblig. se Regi pro *Benedicto de Plymstok* Persona Ecclesiaz de *S. Melano*, Exon. Dioc. 16 s.
- Devon. *Ranulphus de Aisbelye* recog. & oblig. se Regi pro *Roberto* Persona Ecclesiaz de *Sannford Peverel*, Exon. Dioc. 11 s.
- Oxon. *Willielmus de Minelcestr.* Vicar. Ecclesiaz de *Sutton*, Exon. Dioc. recogn. Regi 18 s. per pleg. *Philippi de Everdon*.
- Devon. *Johannes de Boyvill* recogn. et oblig. se Regi pro *Martino* Persona Ecclesiaz de *Peartembe*, Exon. Dioc. 18 s.
- Sutht. *Willielmus de Gloucest.* Persona Ecclesiaz de *Berton Sacy*, Winton. Dioc. recogn. Regi, 6. m. et dimid.
- Salop. *Thom. de Peshale* Persona Ecclesiaz de *Frompton*, Wygorn. Dioc. habens Laicum feodum recognovit Regi, 2. marc.
- Devon. *Ricardus Burdet* Vicar. Ecclesiaz de *Eke Bukelond*, habens Laicum feodum dimid. marc.
- Johannes* Vicar. Ecclesiaz de *Halberton*, Exon. Dioc. recogn. Regi, dimid. marc.
- Cornub. *David* Vicar. Ecclesiaz de *Lescarret*, Exon. Dioc. recogn. Regi, dimid. marc. per pleg. *Benedicti Reyneward*.
- Henr. le Deney* Persona Ecclesiaz de *Lysnewyth*, Exon. Dioc. recogn. Regi 18 s. per pleg. *prædicti Benedicti*.
- Devon. *Johannes* Vicar. Ecclesiaz de *Tanton Episcopi*, Exon. Dioc. habens Laicum feodum, recogn. Regi, dimid. marc.
- Hugo de Ryfom.* Vicar. Ecclesiaz de *Bolre Wynton*. Dioc. per *William Tely* Attorn. suum recogn. Regi, 2. mar.
- Magister *Gilbertus de Arderne* Persona Ecclesiaz de *Aldeford*, Coventr. & Lychf. Dioc. recogn. Regi 30 s.
- Surr. Magister *Johannes de Gloucest.* Persona Ecclesiaz de *Chikewell*. London. Dioc. recogn. Regi 6. mar. per pleg. *Hugonis de Jernemuth*.
- Prior de la *Ministr.* in Cornub. recog. Regi 24 s.
- Cornub. *Rogerus de Brightwell* Persona Ecclesiaz de *Laudkynnok*, Exon. Dioc. recogn. Regi 20 s. per pleg. *Philippi la Wenshe de Lestwythiell*.
- Devon. *Hugo Lengleys* Persona Ecclesiaz de *Talston*, Exon. Dioc. recogn. Regi 33 s. 4 d. per pleg. *Simon le Ken*. Exon. Dioc.
- Cornub. *Reginaldus* Portionar. in Ecclesiaz *S. Endeliente*, Exon. Dioc. habens laicum feodum, recog. Regi 17 s.
- Devon. *Edwardus Lengleys* Vicar. Ecclesiaz de *Bovy Tracy*, Exon. Dioc. recogn. Regi, dimid. marc. per pleg. *Jacobi de Mobun*.
- Prior de Hospital *S. Johannis de Welles* recogn. 46 s. 4 d.
- Johannes* Vicar. Ecclesiaz de *S. Claro*, Exon. Dioc. recogn. Regi dimid. marc. per pleg. *Rogeri de Polleskogh*.
- Oxon. *Willielmus de la More*, recogn. & oblig. se Regi pro *Johanne de Wambergi*, Vicar. Ecclesiaz de *Cudalyngton Linc.* Dioc. dimid. Marc.
- Cornub. *Johannes fil. Roberti* recogn. & oblig. se pro Magistro *Marfilo* Persona Ecclesiaz *S. Trinitatis*, Exon. Dioc. 2. marc.
- Devon. *Henr. de Raleigh* recogn. & oblig. se Regi pro *Henrico* Vicar. Ecclesiaz de *Celyton Nonants*.
- Exp. *Willielmus* Parsona Ecclesiaz de *Thellebrigg*. Exon. Dioc. quæ taxatur ad 30 s. tantum, ut jurabit, recogn. Regi pro protectione habenda per pleg. *Johannis de Thellebrig.* de Com. Devon. 6 s. 8 d.
- Exp. *Johannes de Chyn* Vicar. Ecclesiaz de *Motbury*, Exon. Dioc. quæ taxatur, ad 40 s. tantum, ut jurabit, recognoscit Regi pro protectione 6 s. 8 d. per pleg. *Willielmi de Edmerston* de Com. Devon.
- Exp. *Thom. de —* Vicar. Ecclesiaz de *Carampton*, Bathon: & *Wells*: Dioc. habens Laicum feodum recogn. Regi pro protectione habenda, 20 s.
- Exp. *Rogerus de Abbernonn* Persona Ecclesiaz de *Thornebury*, Exon. Dioc. & Ecclesiaz de *Haselbergh*, Sarum Dioc. habens laicum feodum recogn. Regi pro protectione habenda, 40 s.

Exp.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1:

Exp. *Benedictus de Lincoln* Persona Ecclesie de *Kirkeby*, *Lincoln*. Dioc. habens laicum feodum recog. Regi pro protectione habenda, 5 marc. An. 25 E. 1.

Exp. *Egidius de Bittidon* Persona Ecclesie de *Henton Bluet*, *Bathon*, et *Wellen*. Dioc. recog. pro protectione 10 s.

Exp. *Willielmus de Wymeson* Persona Ecclesie de *Bokelond*. *Exon*. Dioc. recog. Regi pro protectione habenda, 13 s. 4 d. per pleg. *Ada de la Forde* de Com. *Devon*.

Exp. *David de Estakepele* Persona Ecclesie de *Ankford*, *Exon*. Dioc. recog. Regi pro protectione habenda 2 marc. per pleg. *Johannis de Evesham* de Com. *Devon*.

Exp. *Thom. de Evesham*, Vicar. Ecclesie de *Talmeton*. *Exon*. Dioc. quæ taxatur ad 40 s. tantum, &c. recog. Regi pro protectione habenda dimid. marc. per pleg. *Magistri Roberti de la Pytte* de Com. *Devon*.

Exp. *Rogerus* Vicar. Ecclesie de *Ermyngton*, *Exon*. Dioc. recog. Regi pro protectione habenda, dimid. mar. per pleg. dicti *Magistri Roberti*.

*Walterus* Persona Ecclesie de *Bradeston*, *Exon*. Dioc. habens laicum feodum recog. Regi, 10 s.

Exp. *Martinus* persona Ecclesie de *Blake Aneton*, *Exon*. Dioc. habens Laicum feodum, recog. Regi 28 s.

Exp. *Walterus de Neweton* Persona Ecclesie de *Bradeston* et *Henr. de Lobberwyl*. recognoscunt & obligant se Regi, pro *Willielmo Trenchard* Vicar. Ecclesie de *Stowe* *Devon*, beatæ *Maria* *Exon*. Dioc. dimid. mar.

Exp. *Philippus de Everdon*. Persona Ecclesie de *Broughton*, *Linc*. Dioc. recog. Regi pro protectione habenda, 10 l.

Exp. *Johannes Dru* Persona Ecclesie de *Shyperford magna*, *Sarum* Dioc. recog. Regi 32 s. per pleg. *Johannis de Candeme* de Com. *Suthon*.

Exp. *Kicardus* Persona Ecclesie de *Maneton* *Exon*. Dioc. habens laicum feodum recog. Regi, 20 s.

Exp. *Johannes de Everdon* Persona Ecclesie de *Stoke Basses*, *Linc*. Dioc. recog. Regi pro protectione C s.

*Philippus de Everdon* prædictus recog. & oblig. se Regi pro *Roberto de Everdon* Persona Ecclesie de *Bertun Benedych*. 5 marc.

Exp. *Thom. de Doune* Persona Ecclesie de *Heannton Punchardoun*, *Exon*. Dioc. recog. Regi pro protectione, 42 s. per pleg. *Walteri de Tarpeleye* de Com. *Devon*.

Exp. *Willielmus de Strete* Persona Ecclesie de *Ken*, *Exon*. Dioc. habens laicum feodum, recog. Regi 62 s.

Exp. *Henry* Persona Ecclesie de *Rydmore*, *Exon*. Dioc. recog. Regi 13 s. 4 d. per pleg. *Johannis de Stokton* de Com. *Devon*.

*Magister Robertus de la More* Persona Ecclesie de *Wishampton*, *Sarum* Dioc. habens laicum feodum recog. Regi 15 s.

Exp. *Jacobus Franney*s Persona Ecclesie de *Whitechurch*, *Exon*. Dioc. recog. 30 s. per pleg. *Willielmi de Neweton* de Com. *Devon*.

*Philippus* Persona Ecclesie de *Caddesley*, *Exon*. Dioc. quæ taxatur ad 40 s. recog. Regi dimid. marc.

Exp. *Godefridus* Persona Ecclesie de *Chanleye*, *Exon*. Dioc. habens laicum feodum recog. Regi 40 s.

Exp. *Stephanus de Molis* Persona Ecclesie de *Northill*. *Exon*. Dioc. habens laicum feodum recog. Regi 2. marc.

Exp. *Johannes* Persona de *Mesdon*, *Exon*. Dioc. recog. Regi xviii. s. per pleg. *Walteri de Tarpeleye* de Com. *Devon*.

Exp. *Willielmus de Stokes* Persona Ecclesie de *Exford*, *Bath. & Wellen*. Dioc. habens feodum laicum feodum recog. Regi 30 s.

Exp. *Robertus Fromund* Persona Ecclesie *S. Thoma*, *Sar*. Dioc. & Præbendar. in Ecclesia *S. Maria Magdalena* de *Chylmelegb*, *Exon*. Dioc. per *Johan. de Exon*. Clericum, & *Johannem de Dentworth* Attorn. suos recog. Regi pro protectione habenda 40 s.

Exp. *Walterus de Ferar*. Persona Ecclesie de *Byr*. *Exon*. Dioc. recog. Regi 38 s. 4 d. per pleg. *Reginald. de Ferar*. de Com. *Devon*.

Exp. *Robertus* Persona Ecclesie de *Clift S. Laurentii*, *Exon*. Dioc. habens feodum recog. Regi 15 s.

X x x x

Exp.



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4.*

*An. 25 E. 1.* Exp. *Henr. de Budeton* de Com. *Devon.* recogn. & oblig. se Regi pro *Richardo de Seccana* Persona Ecclesie de *Tissebury, Sarum* Dioc. 30 s.

Exp. *Robertus de Stokeye* de Com. *Devon.* recogn. & oblig. se Regi pro *Thoma de S. Albano* Persona Ecclesie de *Holne, Exon.* Dioc. 2 marc.

*Somerf.* Abbas de *Bokelond* recogn. & oblig. se Regi pro Abbate de *Neib* pro laico feodo suo spiritual. annexo in Dioc. *Bathon. & Wellen.* quod taxatur ad 11 l. 13 s. 4 d.

*Wiltes.* Exp. *Frater Thomas* Prior de *Farleye* per Magistrum *Robertum* de Attornatum suum recogn. Regi pro protectione habenda 20 l.

*Devon.* *Johannes de Kyllibury* recogn. & oblig. se Regi pro *Laurentio V. car.* Ecclesie de *Aulecumbe, Exon.* Dioc. dimid. marc.

*Devon.* *Willielmus de Hornford* recogn. & oblig. se Regi pro *Luca* Vicar. Ecclesie de *Brixham, Exon.* Dioc. 2 marc.

*Hereford.* *Willielmus de S. Johanne* Canonicus praeclat Ecclesie *S. Esthelberti*, & Persona Ecclesie de *Wylandesbyry, Linc.* Dioc. per praeclatum *Adam de la Berwe* recogn. Regi 5 marc.

*Thomas de la Dane* Persona de *Hampton, Heref.* Dioc. per praeclatum *Adam* Attorn. suum recogn. Regi 22 s.

*Devon.* *Hamelinus* Persona Ecclesie de *Halgbwel, Exon.* Dioc. recogn. Regi pro protectione habend. 18 s.

Exp. *Robertus de Hendrez* Persona Ecclesie de *Lantreithon, Exon.* Dioc. habens laicum feodum recogn. Regi 2 marc.

*Rogerus de Morbo & Richardus de Sparkwyll* de Com. *Devon.* recogn. & oblig. se Regi pro *Willielmo de Tracy* Persona Ecclesie de *Morbo, Exon.* Dioc. 2 marc.

*Hugelinus de Wichio* recogn. & oblig. se Regi pro Abbate *S. Andr. Vessellens* in *Lumbardia*, Persona Ecclesie *S. Andrae de Cestreson, Elyen.* Dioc. 11 l.

*Suffex.* Magister *Robertus de Lewes*, Persona Ecclesie de *Wynwelle, Linc.* Dioc. habens laicum feodum recogn. Regi pro protectione habend. 21 s.

*Devon.* *Warinus de Penilles* Persona Ecclesie de *Westlegh, Exon.* Dioc. recogn. pro protest. 21 s.

*Devon.* *Richardus Neel* Persona Ecclesie de *Afsofteigim, Exon.* Dioc. recogn. Regi 40 s.

*Cornub.* Magister *Thom.* Persona Ecclesie *S. Rinnom* majoris *Lakerried, Exon.* Dioc. recogn. Regi 17 s.

*Cornub.* *Robertus de Stokheye & Warinus de Alusto* recogn. & oblig. se Regi pro Magistro *Willielmo de S. Elena* Canonico *Exon.* dimid. marc.

*Devon.* *Richardus de Brangescombe* recogn. & oblig. se pro *Nicholao de Jen* Persona Ecclesie de *Whyteton, Exon.* Dioc. 10 s.

*Devon.* *Robertus* Persona Ecclesie de *Lappeford, Exon.* Dioc. habens laicum feodum recogn. Regi 25 s.

*Devon.* *Johannes de Biry* recogn. & oblig. se Regi pro *Henrico* Vicar. Ecclesie de *Celtrigg, Exon.* Dioc. dimid. marc.

*Devon.* *Stephanus de Cokington* Persona Ecclesie de *Humesghage, Exon.* Dioc. recogn. Regi pro protectione 10 s.

*Devon.* *Henr. le Moreys* recogn. & oblig. se Regi pro *Tho. le Bret* Persona Ecclesie de *Hywyshe, Exon.* Dioc. 1. marc.

*Devon.* *Robertus Giffard* recogn. & oblig. se Regi pro *Willielmo Dunnyng* Persona Ecclesie de *Bideford, Exon.* Dioc. 55 s. 4 d.

*Devon.* *Willielmus de Halton* Persona Ecclesie de *Shewyk, Exon.* Dioc. recogn. Regi 24 s.

*Devon.* *Robertus Giffard* recogn. & oblig. se Regi pro *Willielmo de Bramton* Persona Ecclesie de *Alnerdescote, Exon.* Dioc. 18 s.

*Bundela Bre-* In two bundles of Writs of Privy-seals and Certificates, *Anno 25 E. 1.* I found  
*vium in Turre* *Nomina Religiosorum de partibus Transmarinis infrascripti. Qui fecerunt finem, et*  
*London.* *inbenerunt securitatem ad Dom. Regem apud Westm. secundum formam ordinationis,*  
*An. 25 E. 1.] & illis debet fieri Protectio in forma provisa, writ in this form.*

*Suffex.* *Ballivis de Fiscampo* invenit, &c. *Suffex.* Prior de *Wilminton, Esp.* invenit, &c.

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1

ni, &c. which follows after every of the Names in one of the Copies. Dorſ. Frater Martinus Prior de Frompton, Exp. invenit, &c. Oxon. Norſt. Lincoln. Frater Johannes procur. Abbatis de Alneto. Linc. Norſ. Eſſex. Nott. Frater Willielmus procur. Abbatis de Seminaco. Suffex. Frater Willielmus procur. Abbatis de Seas in Anglia. Dorſ. Prior de Lodres, Exp. Buck. & Linc. Frater Robertus procurator Abbatis S. Nich. Andeg. Devon. Prior de Ovington Exp. Ebor. Frater Hugo de Molendinis, Cultos Molendinarum Richemund. Kanc. Frater Petrus Prior de Trimle. Kanc. Frater Petrus Prior de Folkeſtan. Kanc. Frater Walterus Prior de Patukburn. Kanc. Frater Walterus de Dunes, Cultos Eccleſie de Eſſelinge in Shepeie. Kanc. Frater Hugo Cultos Eccleſie de U pechurch. Salop. Frater Henricus Prior de Wink. Suffex. Frater Johannes Prior de Lewes. Norſ. Prior Sancta Fidia de Horford. Wilts. Frater Theſbaldu Prior de Okeburn. Berk. Frater Willielmus Prior de Eſſiventon. Suths. Frater Johannes Prior de Antoune. Linc. Frater Petrus Prior de Burghwell. Ebor. Frater Johannes Prior de Sancta Trin. Ebor. Norſ. Frater Vincentius Prior de Theſford Monachorum. Kanc. Frater Jacobus Prior de Horton. Kanc. Frater Johannes Prior de Leveſham. Ebor. Prior de Alverton Mauleverer. Norſ. Prior de Spote invenit, &c. Nott. Frater Walterus Prior de Blyda. Roſ. land. Frater Johannes Prior de Weſton. Heref. Frater Radulphus Prior de Ware. Hereford. Frater Johannes Prior de Clifford. Middl. Frater Willielmus Prior de Ermondeſworth. Glouceſt. Frater Willielmus de Bekeford, Attorn. Prioris de Bekeford, Exp. Buk. Frater Willielmus, Cultos domus de Iykeford. Oxon. Frater Mattheus Prior de Coges. Eſſex. Frater Alexander Prior de Staueſgate. Suff. Robertus procurator Prioris de Breſete. Heref. &c. Frater Gaſfridus procurator Abbatis de Ceunclu. Heref. Frater Willielmus de la Gravelle, procurator Abbatis de Lya. Cantabr. Frater Johannes Prior de Swanſeye. Somers. Frater Gaſfridus Prior de Montacuto. Nott. Frater Willielmus Prior de Lenton. Stafford. Frater Reginaldus Prior de Lappeley. Northt. & Berk. Frater Johannes Prior de Nagon & de Novo Mercato, Exp. Wygorn. Frater Guido Prior de Aſtle. Suth. Frater Willielmus Prior de Hamle Anglicus. Cornub. Frater Philippus de Tuadred. Eſſex. Frater Petrus Prior de Priſewell. Glouc. Frater Oſbertus Prior de Goldelive, Exp. Warr. Frater Johannes Prior de Kirkeby Monachorum. Glouc. Frater Simon Prior de Newent, Exp. Oxon. Frater Radulphus Prior de Miniſtro Lovel. Suffex. Frater Petrus Prior de la Sele. Eſſex. Frater Gilbertus Prior de Mereſeye. Northt. & Suff. Frater Willielmus Prior de Creting & Everdon. Suff. Frater Jacobus Prior de Wanſford. North. Frater Richardus procur. Prioris S. And. Northt. Hunt. Frater Johannes Prior de S. Necto. Buk. Frater Richardus Prior de Newinton Longiule. Suffex. Frater Laurentius, procurator Prioris de Morſeyn & Wideham. Ebor. Prior de Buſſalle. Suffex. Frater Dionyſius Prior de Arundell. Suffex. Agatha Prioriſſa de Leminiſſr. Wilt. Frater Warena Cultos de Cherlton. Warr. Frater Thoma procurator Prioris de Wolarcheſton. Norſ. Frater Petrus Prior de Paunfeld & de Wells. Linc. Frater Walterus Prior de Wyleford. Devon. Frater Robertus Prior de Mobur. Staff. Frater Willielmus procurator Prioris de Tuttebur. Wilts. Frater Johannes Prior de Oppenhavene. Wilts. Frater Willielmus Prior de Avebir. Cant. Frater Rowland Prior de Linton. Derb. Frater Petrus, Prior de S. Jac. de Derby de Aldenna. Linc. Frater Nicholaus Prior de Ravenſdale. Linc. Frater Johannes Prior de Hogh. Suth. Frater Nicholaus Prior de Aneſdelle. Wilts. Frater Maſib. Prior de Clatford. Linc. Frater Gaſfridus Prior de Wengham. Linc. Frater Willielmus Prior de Cameryngham. Glouc. Robertus Prior de Brumſend & Middleton. Somers. Nicholaus Prior de Stock Corby. D. von. Bartholomeus Prior de Carrmelle. Suth. Hugo Prior de Heyling. Suth. Frater Johannes Prior de Cariſbrok. Suth. Frater Johannes procurator Abbatis de Lyma Suth. Frater Gaſfridus Prior S. .... in Inſula Vecta. Suth. Frater Stephanus Prior de Appelire, Exp. Suth. Henricus Prior S. Elena, Exp. Devon. Frater Gaſfridus Prior de Toteneys. Suff. Johannes Prior de Mendham. Bedf. Frater Johannes Magiſter Domus de Farleye & Luttegreſhall. Linc. Frater Henricus Prior de Hagham. Cornub. Frater Gaſfridus Prior de Monte S. Michaelis. Linc. Frater Petrus Prior de Covenham. Hereford. Frater Gaſfridus procurator Abbatis de Tirona, qui eſt Prior de Tutela. Devon. Frater Paſcaſeus Prior de Barnaſtapolia, Exp. Devon. Frater Petrus Prior S. Jacobi juxta Exon. Exp. Norſ. Frater Nicholaus Prior de Toſtes, Exp. Suff. Frater Henricus Prior de Stok. Heref. Frater



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 25 E. 1. ter Petrus de Bosco Prior de Monemuts. Warr. Frater Johannes de Brocia Prior de Wotton. Leyc. Frater Hernus Prior de Hykele. Lancast. Frater Johannes Prior Lancast. Devon. Frater Adam Prior de Comyk, Exp. Linc. Frater Theobaldus Prior de Mynting. North. Frater Hugo Prior de Weden. Pinkney, Exp. Ebor. Prior de Echeffend, Exp. Essex. Prior de S. Walerico.

The Protections granted them by the King for these fines, were of two sorts; one for the Clergy of the Province of York, directed to the Sea Officers, Mariners, Bayliffs and others, which I found in a Bundle of Writs and Privy Seals in the White Tower, with this direction to the Chancellor to issue them.

Bundela Brev.  
An. 25 E. 1.  
in Turre Lon-  
don.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniz, dilecto & fideli suo Johanni de Langeton Cancellario suo, salutem. Placet nobis, ut Clerus tam Ebor. quam Karl. Diocesum quam aliunde volens quintam partem Beneficiorum et bonorum suorum ad Regni et Ecclesiæ defensionem ponere, Protectionem nostram in forma quam misistis Johanni de Benslede Clerico nostro consequatur. Quam quidem formam vobis sigillo nostro privato remissionem configuratam. Dat. sub privato sigillo nostro apud Dynesse 16 die Februarii, Anno regni nostri 25.

Ibidem,

**E**dwardus, &c. Capitaneis Marinariorum, & eisdem Marinariis, ac omnibus Ballivis & fidelibus suis, ad quos presentes littere pervenerint, salutem. Cum Prelati et Clerus Ebor. & Karliolen. Civitatum et Diocesum prudenter influentes inevitabilis necessitatis angustias, quibus Ecclesiæ suæ et totum regnum Angliæ occulata fide exponuntur et subjacent hiis diebus, usque ad quintam partem Beneficiorum et bonorum suorum istius anni, juxta taxationem nuper factam de Beneficiis Ecclesiasticis de quibus decima, ultimo in subsidium Terræ Sanctæ concessa, data fuit, ordinaverint et constituerint se ponere ad defensionem suam et Ecclesiarum suarum, et ad resistendum machinationibus et invasionibus hostium, qui alias applicantes in dictum regnum, Dei timore postposito, Ecclesias combusserunt, \* basasacra et alia ornamenta divino dedicata cultui rapuerunt, personas Ecclesiasticas etiam decrepitas in eisdem inhumaniter trucidarunt, quique reparatis prioribus et nobis et incognitis eidem regno navium et armorum machinamentis generibus, ad invadendum regnum illud se fortius solito prepararunt. Nos ipsorum circumspiciam providentiam commendantes, suscepimus in protectionem et defensionem nostram specialem predictos Prelatos et Clerum, et singulos eorundem, homines, terras, res, redditus, et omnes possessiones suas: Et ideo vobis mandamus, quod predictos Prelatos et Clerum, et singulis eorum homines, terras, res, redditus, et omnes possessiones suas manuteneatis, protegatis et defendatis, non inferentes eis, vel inferri permittentes iniuriam, molestiam, dampnum aut grabamen. Et si quid eis forisfacium fuerit, id eis sine dilatione emendari faciatis. In cuius, &c. usque ad festum Omnium Sanctorum futur. prox. duratur. Nolumus autem sed firmiter inhibemus, ne de blavis seu aliis bonis et catallis predictorum Prelatorum et Cleri, seu aliquibus eorum ubicunque consistant, ad opus nostrum aut aliorum quorumcunque sine licentia et voluntate eorundem Prelatorum et Cleri aliquid interim capiat, seu capi faciat, quominus de eisdem bonis et catallis suis libere disponere et ordinare, ac commodum suum facere possint, prout vbi melius viderit expedire. Teste meipso apud Wallyngham 6 die Februarii, Anno regni nostri vicesimo quinto. Which Writ of Protection was passed under the Great Seal 18 Februarii, and recorded in Rot. Pat. An. 25 E. 1. m. 14. intui.

\* Vid. Henr.  
de Knyghton  
de Event. Angl.  
l. 3 c. 10 col.  
2520, 2521.

Consimilis littera fiet cuilibet de Clero si Rex consensiat isti forma.

The other sort of the Kings Protections were granted to particular Abbots, Abbesses, Covents, Priors, Deans, Chapters, Archdeacons, Prebends, Freers, Parsons, Vicars, Chaplains of Churches and Chappellries throughout the Province of Cantuariæ, thus recorded to posterity in the Patent and Clause Rolls of 25 E. 1.

REX

**R**EX omnibus Ballivis & fidelibus suis, &c. salutem. Sciatis quod suscepimus in protectionem et defensionem nostram specialem dilectum nobis in Abbatem de *Hida Winton*, homines, terras, res, redditus, & omnes possessiones suas. Et ideo vobis mandamus, quod ipsum Abbatem, homines, terras, res, redditus, & omnes possessiones suas, manuteneatis, protegatis, & defendetis; non inferentes eis vel inferri permittentes injuriam, molestiam, dampnum, aut gravamen. Et si quid eis forisfactum fuerit, id eis sine dilacione faciatis emendari. In cuius rei testimonium has literas nostras fieri fecimus patentes, duraturas usque ad festum omnium Sanctorum proximo futurum. Volumus autem set firmiter inhibemus, ne de bladis seu aliis bonis et catallis ipsius Abbatis, ubicunque consistent, ad opus nostrum seu aliorum quorumcunque, sine licentia et voluntate ejusdem Abbatis, aliquando interim capiat, seu capi faciat, quo minus de eisdem bladis, bonis et catallis suis libere disponere et ordinare, ac commodum facere possit prout sibi melius viderit expedire. Teste Rege apud *Odyham* 22 die Febr.

*Consimiles literas de protectione habent subscripti, qui finem fecerunt eorum Domino Cancellario pro huiusmodi Protectionibus habendis; viz.* Richardus de Overton Clericus, Magister Philippus de Cornub. Prior Sancti Swythini Winton. & tripl. Abbatissa Sancta Mariæ Winton. & tripl. Emericus Rabotel, Petrus de Sancto Mario Archid. Surr. Petrus Callandi, Gilbertus de Chalfunt, Robertus Bertrandi Persona Ecclesia de Clandon Abbatis, Gilbertus de Ardene Persona Ecclesia de Hawewelle, Gerricus de Fago Procurator generalis Theobaldi de Baro Præbendarii Præbenda de Bannebury, & Persona Ecclesia de Pageham, Edwardus Persona Ecclesia de Croyton, dupl. Gerricus de Fago generalis Procurator Petri Persona Ecclesia de Hambur. juxta Wychem, Willielmus de Torn Clericus, Magister Adam de Botyndon Persona Ecclesiarum de Penne, Bodisford & Cobinton, & tertia partis Ecclesia de Botydon, tripl. Magister Thomas de Logor Canonici Ecclesia Sancti Andree Wellen, Magister Rogerus la Force Persona Ecclesia de Berfeld, Willielmus de Ippele Persona Ecclesia de Fouleston, Magister Andr. la Force Persona Ecclesia de Bocland, Johannes de Hineton Persona Ecclesia de Paulesholt, Prior de Burcestr. Walterus de Dene Persona Ecclesia Omnium Sanctorum de Westden, Prior de Motesfunte, dupl. Abbatissa de Wherewell, dupl. Willielmus de Sadington Persona Ecclesia de Saxeby, Johannes de Lanfare Persona Ecclesia de Sanecaumpe, Magister Jacobus de Cobeham, & Magister Thomas frater ejus Clerici, dupl. Prior Hospitalis Sancti Johannis de Creckelade, Nicholaus de Ely Persona Ecclesia de Cranley, Willielmus Abell Persona Ecclesia de Linley, Henricus de Bluntesdon, dupl. Magister Petrus Doncet Persona Ecclesia de Aveninges, dupl. Abbatissa Shafton, dupl. Johannes de Scardeburgh Persona Ecclesia de Systan, & Sancti Michaelis de Stanton, dupl. Nicholaus de Luvetot, Thomas de Newton Persona Ecclesia de Knoll, Johannes de Cumbe Clericus, Prior Ecclesia Christi de Twynham, Magister Willielmus de Crundwell Clericus, Johannes de Upton Persona Ecclesia de Fifehide, Magister Johannes de Keuleye Persona Ecclesia de Sokyndon, Galfridus de Bromham Clericus, Galfridus de Wretton Persona Ecclesia de Henxhull & Codham, Rogerus de Shulton, Robertus de Hareden Persona Ecclesia de Aldington, Radulphus de Stanford, dupl. Rogerus de Sutton Persona Ecclesia de Heyden, dupl. Robertus de Askeby, dupl. Magister Willielmus de Chirmtan, Henricus de Tidelsyde Persona Ecclesia de Northnewendon, Willielmus de Bettles Persona Ecclesiarum de Barsham & Ditchingham, Priorissa de Nunneton, Priorissa de Nunne Eton, Bartholomæus de Sutton Persona Ecclesia de Sutton, Prior Domus Mulierum Leprosarum de Maydenbradeleg, Hugo de Clepton Clericus, Galfridus de Hegham Persona Ecclesia de Cannel Episcopi, Johannes Bacun, Prior de Brummore, Hug. de Spineto Persona Ecclesia de Thurtleston, Willielmus Abel Persona Ecclesia de Lindley, Maur. Lunel Persona Ecclesia de Aluinsford, Humfridus de Lye Persona Ecclesia de Laneford, Henr. Beaufiz Persona Ecclesia de Asshe, Magister Reyner de Wychie Canonici Ecclesia Sancti Cedde Lych. Guido de Wychie Persona Ecclesia de Ele, Henr. de Ponte Clericus, Willielmus de Hamelton, dupl. Willielmus de Holt Persona Ecclesia de Allekanynge, Richardus de Kyneburle, Johannes de Spaldington Persona Ecclesia de Thorpedmor, Robertus de Benhale Clericus, Prior de Brionton, Magister Hugo Trypacy Clericus, Stephanus Provot Clericus, Abbas de Tycheheld dupl. Magister

An. 25 E. 1.

Pat. 25 E. 1.  
m. 15. dorso,  
& bundela  
Brevium de  
privato Sigil.  
lo, Sec. An. 25  
E. 1. in Turro  
London.

\* By this Catalogue we may discern not only the Names of the Abbots, Abbesses, Priors, Archdeacons, Prebends, Parsons, Vicars, &c. in that year, and that many of them were Italian, but likewise which were then Prebendaries, Parochial Churches, Parsonages and Chapels, which continue so, or have since been altered; one end for which I have here specified them.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 25 E. 1. *gister Robertus Searlet Persona Ecclesia de Elme, Magister Robertus de Strode Canonicus Ecclesia beata Mariæ Sarum, Antonius de Bradeneye Clericus, Stephanus de la Prisa Persona Ecclesia de Boyton, Prior de la Grave, tripl. Radulphus de Ebor. Cancellar. Ecclesia beata Mariæ Sarum, Willielmus Baynard Persona Ecclesia de Irstode, Matthæus de Hamme Persona Ecclesia de Staunton Sancti Quintini, Priorissa de Ambresbury, dupl. Johannes de Bradenham Persona Ecclesiarum de Fennum, Sutton, & Kenburnleye, dupl. Stephanus Malore Persona Ecclesia de Draghton, Magister Willielmus de Chirinton, Abbas de Hida Winton, dupl. Richardus Malore Persona Ecclesia de Lindwode, Richardus de Eyleston Persona Ecclesia de Barkeston, Willielmus le Deneys Canonicus Ecclesia beata Mariæ Sarum, Henr. de Colingburne Persona Ecclesia de Telre, Richardus de Winton Persona Ecclesia de Penyton, Willielmus de Middleton Persona Ecclesia de Bradelegh juxta Grymesbye, Johannes de Winton Persona Ecclesia de Enham, dupl. Willielmus de Welpton Canonicus Ecclesia sancti Andreæ Wellen. Magister Willielmus de Appirlee, Persona Ecclesia de Est-Brightwell, Magister Hospital sancti Nicholai Sarum, Richardus de Preston Persona Ecclesia de Longa Brydie, Abbatissa de Romefeye dupp. Johannes de Newent Persona Ecclesia de Gracele, Propositus Domus sancti Edmundi Sarum, Johannes de Romefeye Persona Ecclesiarum de Edinton & Iclunestok, Johannes de Spersholt Clericus, Abbatissa de Wilton, Magister Radulphus de Odyham Persona Ecclesia de Bradeford Penere, Willielmus de Wermeinstr. Persona Ecclesia de Tidolneshide, Robertus de Benhale Clericus, Robertus de Leicestr. Persona Ecclesia sancti Oswaldi & Vicar. Ecclesia beata Mariæ Sarum, Johannes de Witham Capellanus, Rogerus de Essex Persona Ecclesia de Wulfreton, Prior de Poghelee, Robertus de Aldington Vicar. Ecclesia de Sturministr. Marechal. Abbas de Muchelnye, Abbas Glaston tripl. Magister Willielmus de Perham Persona Ecclesia de Romefeye, Robertus Persona Ecclesiarum de Ashteton Somervill & Burghton, Robertus Burton Persona Ecclesiarum de Horsenton & Derham, Custos Domus Scholarum Sarum, dupl. Prior de Longa Leta, Magister Robertus de Strode Canonicus Ecclesia beata Mariæ Sarum, Petrus de Sancto Martino Persona Ecclesia de Ulbeton, Gilbertus de Wellanynton, Magister Willielmus de la Wyle Arch. Dorf. Prior de Standelford, Petrus Maundevill Persona Ecclesia de Cheshbury, Robertus de la Wyle Persona Ecclesia de Brideton, Petrus Bolymer Persona Ecclesia de Norrig. Frater Willielmus Lyencurt Procurator Priorissa de Claro Rivo Ordinis fontis Ebrardi, Magister Willielmus de Shireburn Vicar. Ecclesia beata Mariæ Sarum, Walterus Bakun Persona Ecclesia de Eudegate, Laur. de Clifford Persona Ecclesiarum de Wynterburn & Thoresby dupp. Prior sancti Dionisii dupp. Radulphus de Vasto Parco Persona Ecclesiarum de Wyndindon & Bekynton, Willielmus fil. Roberti de Stokes Persona Ecclesia de Buddesdon, Ricardus le Engleys Persona Ecclesia de Farnham, Willielmus de Motesfonte Persona Capella de Whepelegh, Hubertus de sancto Quintino Persona Ecclesia de Belle, Johannes de Shypton Vicar. Ecclesia beata Mariæ Sarum. Abbas de Corne, Willielmus Attewyle Persona Ecclesia de Staplebrig. Ricardus de la Wyle Persona Ecclesia de Haukebirche, Nicholaus Attewyle Persona Ecclesia de Childefrome, Willielmus Gascelyn Persona Ecclesia de Hiuepiddele, Magister Willielmus de Wederhale dupp. Abbatissa de Lacock dupp. Willielmus de Boclond Canonicus libera Capella de Tettendale, Prior de Southwok, Hugo de Goldeston Persona Ecclesia de Gestlingthorp, Frater Willielmus de Lyencurt Prior de la Grave, generalis Procurator Abbatissa Fontis Ebraudi in Angl. dupl. Ricardus Brian Persona Ecclesia de West Grymitede, Willielmus de Burton Persona Capella de Whadden, Richardus de Wilton Persona Ecclesia de Cumpston-Chamberleyn, Abbas de Middleton, Richardus le Engleys Persona Ecclesia de Farnham, Robertus de Leicestr. Persona Ecclesiarum de Tarente Vylers & Pencrith, Petrus de Baiona Persona Ecclesia de Shapwyke, Robertus de Micheldeure firmarius Ecclesia de Ebbelesburnwak, Prior de Staffordale, Nicholaus de Bassingburn dupp. Prior de Monasterio Ederoso, Willielmus de Molis Persona Ecclesia de Maperton, Robertus de Burbach Persona Ecclesia de Westdoene, Priorissa de Hington, Prior Bathon, Johannes de Hyneton Persona Capella de Stanebrigg, Robertus de Cliderhowe, Iterius de Engolisma Canonicus Ecclesia sancti Patricii Dublin. Hibern. Baldewynus de Caundell Vicar. Ecclesia de Horton, Stephanus de Assthebur. Persona Ecclesia de Wyly, Andr. de Lincolnia, Richardus de Roteland Persona Ecclesia de Prestschur, Richardus de Socwell Canonicus Ecclesia beata Mariæ Sarum*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K: Edward 1.

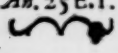
Sarum, *Abbas de Athelwigne*, *Galfridus Magistr. Hospital. sancti Johannis de* *An. 25 E. 1.*  
*Brigewater, Magister Robertus de sancto Quintino Capellanus, Frater Benedictus*  
*electus de Abbotesbur. Richardus Fromund Persona Ecclesia de Thornfagun, Johan-*  
*nes de Exonia Clericus, Abbatiss de Godestowe, Johannes de la Ryvere Persona*  
*Capella de Allerleye, Thom. de sancto Johanne Persona Ecclesiarum de Brienston &*  
*Chanto, Episcopus Sarum, Magister Michael de Wodeford Persona Ecclesia de Lon-*  
*ga Chelburn.*

\* *Willielmus de Staunton, Vicar. Ecclesia de Stepel Lauynton, Teste Rege apud* \* *Pat. 25 E. 3.*  
*Clarendon 6. die Martii. Priorissa de Westwode, Osbertus de Baggelton Canonici* *m. 13. dorlon*  
*Sarum, Portionar. Ecclesia sancte Tectæ, & persona Ecclesia de Burnington, Henri-* *Protection.*  
*cus de Kemeseye Cusos Domus sancte Mariæ de Suthampton, & Persona Ecclesia de*  
*Dumner, VWillielmus de Cotenham Vicar. Ecclesia de Creppery, Stephanus de*  
*Rommesbur. Clericus, Willielmus de Taunton Persona Ecclesia de Badekynton, Wal-*  
*terus de Cheltenham Persona Ecclesiarum de Dineneye & Whyntinton, Tho. de Anna*  
*Persona Ecclesia de Sulthorn, Johannes de Keyneham Persona Ecclesia de Abbodes-*  
*don, Willielmus de Braybrok Persona Ecclesia beata Mariæ Sarum, Michael de Gode-*  
*shall Persona Ecclesia de Sutton Walerand, Galfridus de Pymperley Persona Ecclesia*  
*beata Mariæ de Orthiston, Nicholaus de Engleys Persona Ecclesiarum de Staunton*  
*Abbatiss & de Sideling, Walterus de sancto Austolo Persona Ecclesia de Patyngbam,*  
*Johannes de Drax Persona Ecclesia de Neweton, Thomas de Ripton Canonici Ec-*  
*clesia beata Mariæ Sarum, & Persona Ecclesia beata Mariæ de Dunheued, Magister*  
*Willielmus de Kerchebull, Aymo de Quarto Propositus Lanson generalis Procura-*  
*tor Johannis Judicis Domini Papa Notarii, Canonici Ecclesia beata Mariæ Lincoln,*  
*Prior de Merton. duup. Abbas de Oseneye duup. Robertus de Brok Persona Ecclesia*  
*de Clopham, Godefridus Episcopus Wygorn. duup. Nicholaus fil. Lamberti Canoni-*  
*cus Ecclesia beata Mariæ de Nova Sarum; Ricardus de Horton Vicarius de Mulle-*  
*ford, Reymundus de Threscum Persona Ecclesia de Chilemark, Johannes de Tre-*  
*nedit Persona Ecclesia de sancti Chederi, Prior de Badenestok duup. Prior sancta*  
*Frydeswyde Oxon. Ricardus de Osgodby Persona Ecclesia de Graynesby, Barthus*  
*de Mere Persona Ecclesia de Graynesby, Barthus de Mere Persona Ecclesia de Fintel*  
*Giffard, Hugo de Wenlok Magister Capelle de la Hidehall de Clivedon, Priorissa*  
*de Stadlegh duup. Priorissa de Garinges, Willielmus de Haddon Persona Ecclesia de*  
*Melebury in Bubbe, Robertus de la Baire Vicarius Ecclesia de Elyngg. Henricus de*  
*Haddon Persona Ecclesia de Lydehuch, Magister Radulphus de Odiham Persona Ec-*  
*clesia de Bradeford Peverel, Thomas de Verdun Persona Ecclesiarum de Farnham &*  
*Milham; Prior Hospital. sancti Bartholomæi de Neubury, duup. (Rex precepit gratiose*  
*quia pauper est) Bogo de Knowill Persona Ecclesia de Dene, Priorissa de Bromhale,*  
*(precepit Rex gratiose quia pauper est) Eustachius de Henton Persona Ecclesia de Inerne*  
*Curteneye, Radulphus de Torny Persona Ecclesia de Heringeswell, Abbas & Con-*  
*uentus de Bello loco Regis duup. postmodum habuit aliam, Regin. Persona Ecclesia de*  
*Wynterburn Abbatiss, Priorissa de Rueffarre, Ricardus le Blund Persona Ecclesia de*  
*Tappelawe, Johannes Mignot Persona Ecclesia de Thirnyng, Robertus de Cote-*  
*begh. Persona Ecclesia de Werdeford, Petrus Poleyn Persona Ecclesia de Guffith,*  
*Petrus de Averille Persona Ecclesia de Kyngtetonemayn, Galfridus Persona Ecclesia*  
*de Maynemartell. Rogerus Persona Ecclesia de Staunton, Nicholaus Vicar. Ecclesia de*  
*Suthstok, Willielmus Persona Ecclesia de \*Sweyneswyk, Johannes Persona Ecclesia*  
*de Langrygg. Willielmus de Batesford Persona Ecclesia de Lakestone, Prior de Dun-*  
*steine, Nicholaus Persona Ecclesia de Priston, Jordanus Vicar. Ecclesia de Weston,*  
*juxta Bathon, Willielmus de la Dunne per billam de Scaccario tripl. Malculmus de*  
*Harleye, Simon Persona Ecclesia de Wimburn Minstre, Magister Henr. de la Hyde*  
*Persona Ecclesia de Melebury, Magister Willielmus de Wentling Persona Ecclesia*  
*de Burgbelere, Walterus de Falleye, Persona Ecclesia de Wolurington duup. Vica-*  
*rius de sancto Lucio, Vicar. Ecclesia de Areton duup. Abbas & Conuentus de Dunke-*  
*welle duup. Henr. de Moy Persona Ecclesia de Blankford forum duup. Willielmus*  
*de Puntington Persona Ecclesia de Hardington, Thomas de Norrigg Persona Eccle-*  
*sia de Wyntreburn. Thomaston. Willielmus Persona Ecclesia de Langetrichell, per*  
*testim. Alani de Plogener, Frater Johannes de Byrne Prior Cella beata Mariæ Mag-*  
*dalenæ extra Lincoln. Ricardus Vicarius de Nethrewollo, Thom. de Corf Persona*  
*Ecclesia sancti Petri Shafton, Robertus de Rympton Persona Ecclesia de Longa*  
*Blaneford,*

\* The Parish  
 where I was  
 born.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 25 E. 1.  Blanford, *Abbas de Forde dupp.* Franciscus de Stockley *Persona Ecclesia* Neuton *sancti Landi*, Stephanus *Persona Ecclesia* de Costone, Jordanus de Insula *Persona Ecclesia* de Wrington, Prior de Fakenhamdam, Philippus de Vasto prato *Persona Ecclesia* de Westdenehhs, Robertus de S. Nicholao *Persona Ecclesia* de Estkoker, Magister Robertus de Craft *Persona Ecclesiarum* de Bedeworth & Eylmeltthorp, Brianus de Compton *Persona Ecclesia* de Twynerton, Nicholaus *Persona Ecclesia* de Walecote, Alanus *Persona Ecclesia* de Hampton *juxta* Bathon. Alexander *Persona Ecclesia* de Paddeworth, Henr. *Persona Ecclesia* de Wasinges, Thoma *Persona Ecclesia* de Silhamstede Banastr. Willielmus de Estaniaco *Arch. Lincoln.* & *Persona Ecclesia* de Grensted, dupp. *Abbas* de Torre, Gerardus de Wyppeyns *Canonicus Ecclesia sancti Cedde Lycheveld*, & *Persona Ecclesiarum* de Croystock & Wadynton. Gulielmus de Peiletree *Clericus Procurator Magistri Lodowici de Bello monte The-saurarii Ecclesia beata Mariæ Sarum*, & *Canonicus Wellen*, in Angliæ generalis, habet protectionem pro ipso Procurat. & bonis pradiſti Lodowici in forma communi. Magister Johannes de Ibestok *Persona Ecclesia* de Newebirche, Nicholaus Bynet Prior de Warham, Thom. de Capella *Persona Ecclesia* de Blechedon. & Sevenak, Tho. de Frollesbur. *Persona Ecclesia* de Willehale, Hugelinus de Lavanna *Canonicus Ecclesia beata Mariæ Sarum*, *Abbas* de Dorkceſtre, Ricardus *Vicar. Ecclesia* de Domerham, Willielmus de Preston. *Vicar. Ecclesia sancta Mariæ de Cettre*, *Abbas* de Quaroria, Johannes *Vicar. Ecclesia* de Goteſdon, Prior de Noketon Park, Willielmus le Goy *Persona Ecclesia* de Horblanton, Henr. de Esſhe *Canonicus Ecclesia beata Mariæ Sarum*, Ricardus Pay *Persona Ecclesia* de Bledon dupp. *Abbas* de Wyndon, dupp. Clemens de Stanford *Persona Ecclesia* de Freshwater, Walterus de Tycheſend *Persona Ecclesia* de Colingeburn Comitibus dupp. Prior de Repindon dupp. Walterus de Winton *Persona Capella* de Staundon, Willielmus *Persona Ecclesia sancta Crucis Suthr.* Magister Henr. de Wodeſtok *Persona Ecclesia* de Botteleggh, Johannes de Insula *Persona Ecclesia* de Diretone, Willielmus Cotterel *Persona Capella sancti Johannis Baptistæ de Senitlyng*, Rogerus *Persona Ecclesia sancti Mich. de Suthr.* Supprior & *Conventus* de Monte Acuto, Brunus de Monte Revelli *Persona Ecclesia* de Sheper-ton, Priorissa de Winteneye, Petrus de Bruges *Persona Ecclesia* de Lanpeter in Wall. & sancta Brigide de Nytherwent, Willielmus *Persona Ecclesia sancta Hebbz Oxon.* Radulphus de Oxon. *Persona Ecclesia* de ——— Nicholaus de Bundesden *Persona Ecclesia* de Chakyndon, Willielmus *Vicar. Ecclesia sancti Petri in le Est, Oxon.* Ricardus de Lyons *Persona Ecclesia* de Beckelnok, Henr. de Preselond, *Persona Ecclesia* de Wynesfeld, Regin. *Persona Ecclesia* de Annæ Abbatis, Johannes *Persona Ecclesia* de Scure Prewes, Willielmus de Babeton *Persona Ecclesia* de Selton, Bernardus *Persona Ecclesia sancta Crucis in Cornub.* Stephanus *Persona Ecclesia* de Godmanſton, Robertus de Littlebur. *Clericus*, Ricardus de Hertrigge *Persona Ecclesia* de Suthmorton, Willielmus de Berewyk *Persona Ecclesia* de Calvedon Harang. Robertus de Berewyk *Vicar. Ecclesia* de Henton. Johannes de Sheffeld, *Abbatissa* de Canonleggh, Robertus Smalesman *Persona Ecclesia* de Yatebur. *Abbas* de Nyweham, Nich. *Vicar. Ecclesia* de Rondes, Johannes de Wynelesford *Persona Ecclesia* de Suthperet, Rogerus Prior *sancti Nicholai Exon.* Robertus de Norwico *Persona Ecclesia* de Kyneſaré, Coventr. & Lychſ. Dioc. VWillielmus de VVoelcwyk *Persona Ecclesia* de Chyriton, Robertus de Donam *Persona Ecclesia* de Anyngton, Jordanus *Persona Ecclesia* de Alresford, Johannes *Vicar. Ecclesia* de Sutton, Johannes *Vicar. Ecclesia* de Berthon. *juxta* Kenewertheſton, Hugo de Eyton *Persona Ecclesia* de Lymyngton, Michael de Bernewell *Persona Ecclesia* de Kingeston Bagepuz Sarum Dioc. Ricardus del Espine *Persona Ecclesia* de Sevenhampton, VWillielmus Man *Persona Ecclesia* de Cruket Malheby, Johannes de Legh *Persona Ecclesia* de Suthlegh, Walterus *Persona Ecclesia* de Soneberge, Robertus de Pydele *Persona Ecclesia* de Farweye, Willielmus de Conry *Persona Ecclesia* de North Peret, Ernaldus de Monry *Persona Ecclesia* de Meriet, Ricus Tuk *Persona Ecclesia* de Merthuke, Willielmus *Persona Ecclesia* de Knyghtleton, Nicholaus Moynn *Persona Ecclesia* de Amme Moynn, Her-vicus *Persona Ecclesia* de Manſton, Willielmus le Bruton *Persona medietatis Ecclesia* de Atford Skelling, Matthias *Persona medietatis Ecclesia* de Childeatford, Robertus de Derneford *Vicar. Ecclesia* de Northperton, *Abbas* de Boclaunde, Ricardus de Wyggehall *Persona medietatis Ecclesia* de Childeatford, Johannes Iraunke *Persona Ecclesia* de Bernolby, *Abbas* de Buſſeſtr.

An. 25 E. 1.

Pat. 25 E.

I. m. 12.

**R**EX Capiteo Marinariorum, & eisdem Marinariis, Vicecomitibus, & omnibus Ballivis & fidelibus suis, ad quos, &c. salutem. Cum per breve nostrum de Scaccario restitui fecerimus dilecto nobis in Christo Priori de Oxeburne Prioratum predictum, cum omnibus Terris & Tenementis, Bonis & Catallis, ad Prioratum illum spectantibus, tenend. ad voluntatem nostram; Ita quod nobis inde reddat per annum, quamdiu Prioratum predictum sic tenuerit, quandam certam pecuniam summam, ad Scaccarium predictum, iuxta ordinationem in eodem Scaccario inde factam; Nos quieti & tranquillitati ejusdem Prioris ex hac causa providere volentes, suscepimus in Protectionem et Defensionem nostram predictum Priorem, homines, terras, res, redditus, et omnes possessiones Prioratus predicti; Et ideo vobis mandamus, quod ipsum Priorem, homines, terras, res, redditus, et omnes possessiones Prioratus predicti in Ballivis vestris manuteneatis, protegatis, et defendatis; non inferentes eis vel inferri permittentes injuriam, molestiam, dampnum aut gravamen: Et si quis contrisfactum fuerit, id eis sine dilatione faciat emendari. In cujus, &c. dur. usque ad festum sancti Michaelis prox. futur. nisi aliud interim duxerimus ordinand. Nolumus autem, set firmiter inhibemus, ne de bladis seu aliis bonis et catallis ad predictum Prioratum spectantibus, ubicunque in Anglia consistant, ad opus nostrum aut aliorum quorumcunque, sine licentia et voluntate predicti Prioris, aliquid interim capiatis, seu capi faciat, quo minus de eisdem bladis, bonis et catallis libere disponere et ordinare, ac commodum suum facere possit, prout sibi melius viderit expedire. Teste Rege apud Shafstoniam 23 die Martii. Per billam de Scaccario. Et habuit inde sex paria.

*Consimiles literas habent subscripti, videlicet; Frater Willielmus Prior de Hermodsworth dupe. Prior de Barneftaple, Frater Johannes Prior de Andeure, Prior de Wylmyngton, Prior de Frumton dupe. Prior de Otriton, Prior de Totteney, Prior de Cowyk, Prior sancti Jacobi juxta Exon, Prior de Estnienton dupe. Prior de Lodres, Frater Nicholaus Prior de Toftes, Prior de Upaven, Prior de Birkstall, Prior de Weston, Prior de Ecclesfeld, Prior de Blida, Prior de sancta Cruce in Insula Vecta, Prior de sancta Elena, Prior de Apeltretumbe, Prior de Caresbrok, Prior de Brumefeld, Prior de Anebur, Prior de Mobury, Prior de Tuardreyd, Prior de Cliffford, Prior de sancto Neoto. Teste Rege apud Plympton 19 die Aprilis. Simon Prior de Newent, Osbertus Prior de Goldeclive & dupe. Willielmus Attorn. Prior de Bekeford, Frater Radulphus Prior de Ware. Teste Rege apud Westm. 26 die Junii. Frater Mattheus Prior de Coges. Teste ut supra. Frater Johannes procurator Abbatis de Alneto, Frater Robertus procurator Abbatibus sancti Nicholai Andegavis, Prior de Newton Longevill, Frater Willielmus procurator Abbatis de Sees in Anglia, Frater Hugo Prior de Wedon, Prior de Noiona & novo Mercato, Frater Petrus Prior de Pritwell, Frater Jacobus Prior de Norton qui est cella Abbacia Cluniacen. Teste Rege apud Westm. 24 die Julii. Magister de Specote Persona Ecclesia de Parkham. Teste Rege apud Clyft Episcopi 4 die Aprilis. Thomas Exon Episc. dupe. Decanus & Capitulum Ecclesia sancti Petri Exon, Magister Willielmus Bloxon Persona Ecclesia de Puntelok, Paganus de Exon, Persona Ecclesia de Dunesford, Magister Johannes le Petit Persona Ecclesia sancti Melani, Richardus de Mayesmor Persona Ecclesiarum de Sutton, Montisacuti, & Sparkeford, Magister Henricus de Sumerlete Persona Ecclesia de Cury Rivel, Nicholaus Persona Ecclesia de Thurnerton, Priorissa de Pollo, Johannes Persona Ecclesia de Cheriton Pagan, Johannes Persona Ecclesia Stodeleye, Walterus de Mellond praeceptor Ecclesia sancta Crucis de Cridinton, Johannes de Arderne Persona Ecclesia de Stawell, Robertus de Wichio Persona Ecclesiarum de Alvethechirche & Tyderinton, & Canonici Sancta Trinitatis de Westbur. Prior de Plympton, Johannes Tolliro Persona Ecclesia de Tarente Gundevyle, Clemens de la Rothe Persona Ecclesia de la Roche, Walterus Persona Ecclesia de Combe Templar. Thomas le Brett Persona Ecclesia de Pegghill, Abbatissa de Tarenta, Walterus de Cantilupo Persona Ecclesia de Sayteford, Wigorn. Dioc. Philippus de Shillingeford Persona Ecclesia de Legh, Thomas Persona Ecclesia de Spectabur, Philippus de Exon. Archid. de Barneftapel, Johannes Vicar. Ecclesia de Jenele, Alexander de Munestock Persona Ecclesia de Farligh, Philippus Persona Ecclesiarum de Kuentlesbyar. & Sancto Tudio, Alexander Vicar. Ecclesia de Welington, Abbas de Cumbermere,*



X. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 25 E. 1. mere, Walterus *Persona Ecclesia de Joyford*, Magister Walterus de Stapelton *Persona Ecclesia de Aneton Giffard*, Abbas de Tavistok, Hugo *Persona Ecclesia de Kingeston juxta Genele*, Robertus de Lodres *Custos Heremitagii de Lencombe*, Philippus de Sancto Albino *Persona Ecclesia de Alrington*, Prior de Plympton, Johannes de Grosewolde *Persona Ecclesia de Parva Dersete*, Covent. & Lichf. Dioc. Simon de Wybbebur *Persona Ecclesia de Chaghford*, Magister Johannes *Persona Ecclesia de Puderham*, Alanus de Bancumbe *Persona Ecclesia de Wemmeworthy*, Johannes Tracy *Persona Ecclesia Sanctæ Mabene*, Willielmus de Chamberleyn *Præbendarium in Ecclesia Sanctæ Crucis*, Galfridus *Persona Ecclesia de Fyneton*, Magister Hamo Perlebeu *Persona Ecclesia de Wyk Sanctæ Mariz*, Willielmus Malet *Persona Ecclesia de Aure*, Galfridus de Malleston *Persona Ecclesia de Cherleton*, Magister Clemens de Rupe *Persona Ecclesiarum de Rupe & de Sancto Mewano*, David de Sulghene *Præbendar. in Ecclesia Sanctæ Beriane*, Magister Johannes Wele *Persona Ecclesia de Wodeleye*, Magister David *Persona Ecclesia de Shirewell*, Henr. *Persona Ecclesia de Chilterne Dommor*, Prior de Launceneton, Johannes de Middleton *Persona Ecclesia de Weston*, & Vicar. *Ecclesia de Otry beatæ Mariz*, Henr. de la Linde *Persona Ecclesia de Chescumbe*, Thomas de Evesham *Persona Capella de Blake-lond*, Willielmus de Flore *Persona Ecclesia de Blake Toriton*, Abbas de Hertilonde, Magister Willielmus de Ditton *Persona Ecclesia de Tanstok*, Johannes *Persona Ecclesia de Farendon*, Robertus *Persona Ecclesia de Tetteburne*, Abbas de Clive, Thomas de Stapelton *Persona Ecclesia de Suttecumbe*, Willielmus Vicar. *Ecclesia beata Mariz Majoris Exon*, Prior de Frythelestok, Walterus *Persona Ecclesia de Torrebryon*, Magister Radulphus de Bikebir. *Persona Ecclesia de Bikebir*, Johannes Vicar. *Ecclesia*, Hugo de Exton *Persona Ecclesia de Dune Sanctæ Mariz*, Thomas *Persona Ecclesia de Bretton*, Richardus *Persona Ecclesia de Spertegrave*, Willielmus Bonde *Persona Ecclesia de Pultimore*, Johannes de Glasneya *Persona Ecclesia de Cliftwyk*, Willielmus de Lamnton *Persona Ecclesia de Sancta Ewa*, Willielmus de Plumpton *Persona Ecclesia de Westludford*, Nicholaus Strange *Persona Ecclesia de Clyft Fumycum*, Willielmus *Persona Ecclesia de Giddesham*, Robertus Gove *Persona Ecclesia de Affherston*, Robertus *Persona Ecclesia de Cumbe Coffyn*, Henricus de Pynkeny *Persona Ecclesia de Duppeford*, Johannes de Exton *Persona Ecclesia de Afteton*, Hugo *Persona Ecclesia de Neweton*, Willielmus de Debenham Vicar. *Ecclesia de Westhanney*, Nicholaus le Chamberleyn *Persona Ecclesia de Morcestre Episcopi*, Rogerus de Cruke *Persona Ecclesia de Benanger*, Rogerus de Minilaunde *Persona Ecclesia de Brodewode*, Willielmus de Treyner Vicar. *Ecclesia de Lanescely*, Johannes de Clendon *Persona Ecclesia de Neweton*, Johannes de Escone *Persona Ecclesia de Colemere*, Johannes le Bygod *Persona Ecclesiarum de Framlingham*, Ertham, Akele, Teberton & Dyke, Elias *Persona Ecclesia de Camelegh*, Abbas de Malmesbur. Isaac le Rous Vicar. *Ecclesia de Porteseye Sanctæ Mariz*, Magister Willielmus de Grenefeyld *Persona Ecclesia de Gillingham*, Jacobus de Cumbe *Persona Ecclesia Sancti Stephani Exon*, Edward *Persona Ecclesia de Tarente Kaynes*, Galfridus Vicar. *Ecclesia de Cadebyry*, Adam Vicar. *Ecclesia de Portbyry*, Prior de Daventre, Abbas Sancti Augustini Bristoll, Richardus de Erwes *Persona Ecclesia de Morchard Erwes*, Willielmus *Persona Ecclesia de Dunshydiok*, Willielmus *Persona Ecclesia de Wulfardesworthy*, Adam *Persona Ecclesia de Lockesbere*, Richardus Cotel *Persona Ecclesia de Corcumbe*, Nicholaus Abbas de Kaynesham, Robertus de Bello Campo *Persona Ecclesia de Stoke*, Thomas *Persona Ecclesia de Uppetton Pyn*, Petrus *Persona Ecclesia de Estwoggewill*, Richardus *Persona Ecclesia de Luketon*, Johannes de Hulle *Persona Ecclesia de Daunteseye*, Adam *Persona Ecclesia de Brompton*, Abbas de Eynesham, Thomas de Bradeford *Persona Ecclesia de Dertington*, Johannes de Trillawe Clericus, Willielmus *Persona Ecclesia de Filelegh*, Philippus *Persona Ecclesia de Hamme*, Johannes *Persona Ecclesia de Boclande*, Prior S. Barth. Glouc. Abbas de Cirencestr. dupl. Willielmus Neel *Persona Ecclesia de Eshereygny*, Nicholaus de Berewyk *Persona Ecclesia de Coldashton*, Adam de Wasford *Persona Ecclesia de Wasford*, Elias Vicar. *Ecclesia de Cristenestowe*, Willielmus de Cerdestok *Canonicus Ecclesia beata Mariz Sarum*, Priorissa demus beata Mariz Magdalene Bristoll, Magister Willielmus de Ewel *Canonicus Ecclesia Sancti Pauli London*, Willielmus Vicar. *Ecclesia de Cerdestok*, Thomas *Persona Ecclesia de Suth Melton*, Richardus *Persona Ecclesia de Est Wolrington*, Petrus Vicar. *Ecclesia de Yetementstr.* Adam

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Adam le Blund *Persona Ecclesia de Eglesthey*, Johannes *Vicar. Ecclesia de Bukerell*, An. 25 E. 1.  
 Andr. de Staunton *Persona Ecclesia de Staunton*, *Abbas de Sancto Dogmaele*,  
 Mattheus *Vicar. Ecclesia de Pahembury*, Maur. de Cammull *Persona Ecclesia de*  
 Nymetracy, Radulphus *Persona Ecclesia de Polham*, Odo *Persona Ecclesia de Alinton*,  
 Willielmus de Ripton *Persona Ecclesia de Bemell*, Hugo *Persona Ecclesia de Wryth-*  
 lington, Robertus *Vicar. Ecclesia de Kingesteyton*, Johannes *Persona Ecclesia de*  
 Lillington, Henr. de Shinholt *Persona Ecclesia de Porlemuth*, Johannes de Hare-  
 cumbe *Persona Ecclesia de Clifthydon*, Willielmus de la Perce *Persona Ecclesia de*  
 Winterburn, Prior de Pilton, Johannes *Persona Ecclesia de Nimeth Sancti Georgii*,  
 Magister Richardus *Persona Ecclesia de Esse*, Willielmus de Cherleton *Succentor*  
*Ecclesia Wellen. & Persona Ecclesia de Cherleton Makerell*, Magister Johannes le  
 Waleys, Walterus fil. Thom. Stephanus de Wellington, Richardus de Sanford,  
 Simon de Stockelegh, Adam de Sydemuch, Richardus Dufchaunt, Johannes de  
 Anttygh, Richardus de Penbrok, Johannes de Evisham, Edmundus Dufchaunt,  
 Johannes Sydemuth, Richardus de Brankyscumbe, Johannes de Lokinton, Rob-  
 ertus Pees, Johannes Fraunceys, Gervasius de Poghebull, & Walterus le Tayllur,  
*Vicarii Ecclesia Sancte Crucis de Cridinton*, Willielmus de Oxton *Persona Ecclesia*  
*de Creucumbe*, Hugo *Persona Ecclesia de Toddebere*, Walterus *Persona Ecclesia de*  
 Nithermelecumbe, Andr. *Persona Ecclesia de Morleghe*, Walterus de Bridewell  
*Persona Ecclesia de Whiteston*, Thomas de Cherlton *Persona Ecclesia de Pokele-*  
*chirche*, Thomas de Henton *Persona Ecclesia de Chireton*, Magister Rogerus de  
 Ottery *Persona Ecclesia de Istlington*, Johannes *Persona Ecclesia de Cumbe in Tyn-*  
 hyde, Johannes de Clopham *Persona Ecclesia de Clopham*, Richardus Sydeners de  
 Alincesters *Persona Ecclesia de Waterstok*, Johannes de Chicklade, Willielmus *Per-*  
*sona Ecclesia de Fromenoghechirche*, Johannes de Cristemalford *Persona Ecclesia de*  
 Crudewell, Richardus de Felmyngham *Persona Ecclesia de Hengham*, Stephanus  
*Vicar. Ecclesia de Mucheldener*, Priorissa de Cornworth, Magister Willielmus de  
 Eton *Persona Ecclesia de Chiton*, Capitalum Wellen. Hugo de Welewick *Persona*  
*Ecclesia de Hampton*, Ricardus *Persona Ecclesia de Bonechirche*, Ricardus *Persona*  
*Ecclesia sancti Laurentii de Wa. Prior de sancto Germano*, Petrus de Donneslonde  
*Persona Ecclesia de Launfant*, Robertus *Vicar. Ecclesia de Lakynton*, Radulphus  
 de Ferrar *Persona Ecclesia de Thurstleton*, Johannes *Persona Ecclesia de Orchard*  
*juxta Tantone*, Hugo de Egredon *Persona Ecclesia de Winterburn West*, *Persona*  
*Ecclesia de Cubderleye*, Robertus *Persona Ecclesia de Offewell*, Galfridus Polland  
*Clericus*, Johannes *Vicarius Ecclesia de Redborn*, Willielmus *Persona Ecclesia de*  
*Cumbe sancti Nicholai*, Willielmus *Vicar. Ecclesia de Inglescumbe*, Nicholaus de  
 Terre *Persona Ecclesia de Stok in Tynhide*, Stephanus *Persona Ecclesia de Blakebergh*,  
 Walterus de Turiton *Vicar. Ecclesia de Dene*, Willielmus Poleyn *Persona Ecclesia*  
*de Est Anestly*, Petr. de Boyvill, *Persona Capella de Tengbruere*, Thom. de Bockote  
*Capellanus Capella de Heanton Punchardun*, Willielmus de Bolton *Capellanus*, Wil-  
 lielmus de Broghton *Vicar. Ecclesia de Lamerton*, Henr. de Langeton *Persona Ec-*  
*clesia de Stoke Magdalene*, Jemminanus de Wadelond *Persona Ecclesia de Ashebur.*  
 Johannes *Vicar. Ecclesia de Lambton*, Johannes *Vicar Ecclesia de Hobbogheton*,  
 Magister Johannes de Drayton, Robertus *Persona Ecclesia de Hunycherch*, Will-  
 ielmus *Vicar. Ecclesia de Okhampton.*

Magister Richardus *Persona Ecclesia de Whytton & Thes. Ecclesia sancte Crucis* Pat. 25 E. 1.  
 de Credinton; *Teste Regis apud Birstast*, 8 die April. Robertus de Cadamo *Persona* memb. 10.  
*Ecclesia omnium Sanctorum de Kirkeby*, Galfridus de Farnham *Vicar. Ecclesia de*  
 Stokynhamme, Magister Albertinus de Lavana *Canonicus Ecclesia beate Marie*  
 Sarum, Robertus *Persona Ecclesia de Radestok*; Radulphus de Botiller *Persona*  
*Ecclesia de Henyton sancti Georgii*, Johannes *Persona Capella de Curilond*, Wil-  
 lielmus de Brumpton *Persona Ecclesia de parva Bytham*, Adam *Persona Ecclesia de*  
 Chepstapele, Walterus de Scoutorre *Capellanus*, Thomas *Persona Ecclesia de Be-*  
 verstone, Mattheus *Persona Ecclesia de Westwalverington*, Robertus de Coting-  
 ham *Persona Capella Castri Regis Salop.* Michael de la Stane *Persona Ecclesia de Re-*  
 genesford, Johannes de sancto Amando *Persona Ecclesia de Northcadbury*, Gal-  
 fridus *Persona Capella de Estham*, Thomas *Persona Ecclesia de Wondestr.* Ri-  
 chardus de Alba Marlia *Persona Ecclesia de Northlegh*, Willielmus de Ayleston  
*Persona Ecclesia de Walkhampton*, Magister Blasius de Anaghina *Canon. Ecclesia*



Ar. 25 E. 1. B. Maria Sarum, Richardus de la Grane Prior de Horsleye, Richardus Subdecanus Wellen. Godefridus de Lands Persona Ecclesia de Haldeworthi, Alanus de Aston Persona Ecclesia de Berford, Richardus de Porettok Persona Ecclesia de Acford Auri, Willielmus Persona Ecclesia de Cornwode, Thomas de Evesham Persona Ecclesia de Yalinton, Rogerus de Abernou Persona Ecclesia de Thornbur. Egidius de Byteden Persona Ecclesia de Henton, Magister Johannes Dren Persona Ecclesia de Shifford, Johannes Persona Ecclesia de Polc, Willielmus Trenchard Vicar. Ecclesia de Stowe beata Marix, Thomas de Gorgis Praeceptor Wellen. Walterus de Nywerton Persona Ecclesia de Bradestone, Benedictus de Lincoln. Persona Ecclesia de Kirkeby, Thomas Persona Ecclesia Sancti Pancratii juxta Lyn, Johannes de Colethull Persona Ecclesia de Northbovy, Walterus de Ferrar. Persona Ecclesia de Byry, Willielmus Persona Ecclesia de Ekenesford, Jacob Faunceys Persona Ecclesia de Whitechirche, Willielmus Persona Ecclesia de Thelebrigg, Henricus Tylly Persona Ecclesia de magna Lillington, Thomas Vicar. Ecclesia Carampton, Stephanus de Molis Persona Ecclesia de Northfull, David de Stakepole Persona Ecclesia Okeford, Rogerus Vicar. Ecclesia de Ermyngton, Willielmus Persona Ecclesia de Laurhoern, Rogerus de Abernoun Persona Ecclesia de Halesbergh, Willielmus de Nymeton Persona Ecclesia de Boklonde, Johannes de Wonyngwill Persona Ecclesia de Chirchstowe, Johannes de Chien Vicar. Ecclesia de Modbyry, VVillielmus de Whiteley Capellanus, Willielmus de Shireburne Persona Ecclesia de Tollepudele, Michael Vicar. Ecclesia S. Egidii de Redyng, Richardus Persona Ecclesia de Manceton, Philippus de Everdon, Robertus de Everdon Persona Ecclesia de Derton, Adam de Chaumpeans Persona Ecclesia de Bovelegh, Magister Thomas de Salesbury Persona Ecclesia de Merwenecherche, Magister Johannes de Everdon Persona Ecclesia de Stoke Basslet, VVillielmus fil. Johannis Persona Ecclesia de Stoke juxta Mare, Herbertus de Ferrar Persona Ecclesia de Neuton Freres, VVillielmus de Stoke Persona Ecclesia de Exford, Martinus Persona Ecclesia de Blakeaneton, VVillielmus Persona Ecclesia de Bacwell, Prior de Bodune, Rogerus Vicar. Ecclesia de Pyrniton, Prior de Bodeleye, Laurentius Vicar. Ecclesia de Aulescumbe, Magister Robertus de la More Persona Ecclesia de VVychampton, Hugo de Caldewell Persona Ecclesia de VVytelye, Robertus Fromund Persona Ecclesia de S. Thomx de New Sarum, Guydo Persona Ecclesia de VVeston juxta mare, Thomas Persona Ecclesia de Heauton, Thomas de Berewe Persona Ecclesia de Arleye, Johannes Persona Ecclesia de Meldon, Johannes de VVycham Persona Ecclesia de Stoke, Prior de Harlegh, Hillarius Persona Ecclesia de Nanfuit juxta Ponton, Philippus Persona Ecclesia de Cadelégh, Abbas de Neth, Lucas Vicar. Ecclesia de Braxham, Johannes de Ubeton Persona Ecclesia de Kydermestr. Richardus Portionar. Ecclesia S. Eudelyeute, Philippus de Colbeleghe Canonici Ecclesia de Criditon, Philippus de Micheldeure Persona Ecclesia de Froyle, Th. de Froymere Persona Ecclesia de Haggeleye, Magister VVillielmus de la Gare Praebendar. in Ecclesia de Nonyngton, Gabriel de Camamille Praebendar. de Grimeston, Magister Richardus de Hertford Archid. Hereford, Nigellus de Kingeston Vicar. Ecclesia de Chirchhamme, Johannes Vicar. Ecclesia VVestbury, Magister Rogerus de Holf Persona Ecclesia de Kirkeby, Johannes Persona Ecclesia de Nethre Crompton, Magister de sancto Omero, Praebendar. in Ecclesia de Syene, Henricus de Colecote Persona Capella de Rym, VVillielmus de VVyntereshulle Persona Ecclesia de Compton Poundelarge, Richardus de Derteford Persona Ecclesia de Shokebroke, Laurentius fil. VVarini Persona Ecclesia de Alwyngton, Robertus Vicar. Ecclesia de Forde, Richardus de Kingefnode Persona Ecclesia de Colewelle, Rogerus de Siapelbrigge Persona Ecclesia de Stok Abbatis, Gilbertus Folior Persona de Herfeild, VVillielmus Vicar. Ecclesia de Cherdestok, VValterus de Eveham Vicar. Ecclesia de Caniggs Episcopi, Walterus Persona Ecclesia de Ake in Tamidene, Prior de Calewyck, Magister VVillielmus de Kingescote Persona Ecclesia de VVestbyry super Sevarne, Johannes de Punz Praebendar. Ecclesia de VVelinton, & Magister Rogerus de Cantuar. Arch. Salop. Thomas de Kirkeby Persona Ecclesia de Stockton, Decanus & Capitulum Hereford, Prior de Berlich, Henricus Persona Ecclesia de Shepton, Johannes de Punz Praebendar. Ecclesia de VVelinton, Magister Rogerus de Cantuar. Archid. Salop. Richardus de Burington Persona Ecclesia de Were, Richardus de Dune Persona Ecclesia de Putteford, Radulphus Blakbury Capellanus, Saerus

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K: Edward's.

Sterus *Capellanus* de Kynkesbury, Regin. fil. Gilberti de Letcheworth de *sancto* Albano *Capellanus*, *Magister* Rogerus de Sevenak *Thef.* de Hereford, *Magister* Ricardus de Swynefeld *Præbend.* *Ecclesia* de Bromyard, David de Alberhale *Persona Ecclesia* de Landmabo, Johannes de Effington *Persona Ecclesia* de Mordeford, *Magister* Gilbertus de Wynefeld *Canc.* Hereford. Willielmus de Strete *Persona Ecclesia* de Ken, Rogerus *Vicar.* *Ecclesia* de Eitbrente, Laur. de Grimeston. *Persona Ecclesia* de Chirchellafield, *Magister* Robertus de Glouc. *Canonicus Ecclesia sancti Ethelberti* Hereford. *Magister* Willielmus de *sancto* Johanne *Canonicus Præbend. sancti Ethelberti, Præbendar.* de Wyhinton. Tho. de la Dane *Persona Ecclesia* de Hampton, Ricardus de Cettano *Persona Ecclesia* de Tyssbury, Henr. de Moneketon *Porcionar. Ecclesia sancta* Endeliente, *Magister* Walterus Giffard, Johannes de Hinkete *Vicar. Ecclesia* de Eton. Warinus de Pemples *Persona Ecclesia* de Westleye, *Magister* Willielmus de *sancta* Elena *Canonicus Ecclesia beati Petri* Exon. Regin. de Campo R. nulpfi *Persona Ecclesia* de Ilfridecumbe, Robertus de Lewes *Persona Ecclesia* de Wywelle, Stephanus de Cokinton *Persona Ecclesia* de Honyshawe, Henr. de Lyneton *Persona Ecclesia* de Rydymore, Thom. de *sancto* Albano *Persona Ecclesia* de Holne, Robertus de Hendre *Persona Ecclesia* de Lanreithem, Ricardus Neel *Persona Ecclesia* de Asphereigny, Willielmus de Braunton *Persona Ecclesia* de Aluerdescote, Willielmus de Halton *Persona Ecclesia* de Shenyokey, Rogerus de Cherleton *Persona Ecclesia sancta* Crucis de Criditon, Thom. le Bret *Persona Ecclesia* de Hywisth, Prior de Sondwell. Walterus Tracy *Persona Ecclesia* de Mortaho, Adam le Jen *Persona Ecclesia* de Halghewylle, Walterus de Rodmarlegh *Præbend.* de Morton, Rogerus *Persona Ecclesia* de Candel Marcy, Godefridus de Renham *Persona Ecclesia* de Chalnele, Rogerus Wele *Persona Ecclesia* de Schroulegh, Robertus de Umframvill *Persona Ecclesia* de Lappeford, Willielmus Dunnyng *Persona Ecclesia* de Bidesford, Nicholaus Jen *Persona Ecclesia* de la Whiteton. Robertus de Oldelond *Persona Ecclesia* de Anton. Thom. de Benhanger *Custos Henr. Persona Ecclesia* de Tymbresberge, Philippus de Everdon. Robertus *Persona Ecclesia* de Clift *sancti* Laur. Robertus *Persona Ecclesia* de Duclton, Thom. de Torny *Persona Ecclesia* de Aulton Berner, Ricardus *Vicar. Ecclesia* de Monkely, *Magister* Thom. de Brerlawe *Persona Ecclesia* de Norham, Thom. de Lutinton *Canonicus Ecclesia* de Heghtredebir, *Magister* Jacobus de Buckingham *Canonicus ejusdem Ecclesia*, *Magister* Simon de Miggeham *Dekanus Ecclesia beata* Mariz arum, Ricardus de *sancto* Claro *Persona Ecclesia* de Asshe Britell, Robertus la Wayte *Persona Ecclesia* de Chiltecombe, Robertus de Muchegros *Persona tercia partis Ecclesia* de Leye, Philippus Taleboth *Persona Ecclesia* de Credenhull, Johannes de Wodeford *Persona Ecclesia* de Fladebyr. Jacob *Persona Ecclesia* de H. Heleye, Johannes de Saberton *Persona Ecclesia* de Walleworth, *Magister* Rogerus de Boudon. *Persona Ecclesia* de Undel. Drogo *Vicar. Ecclesia* de *sancto* Brueredo, *Dekanus & Capitulum Ecclesia beata* Mariz Sarum, Ricardus de Porlonde *Vicar. Ecclesia* de *sancto* David in Cornub. Johannes Burgoyne *Persona Ecclesia* de Rolneston. Ricardus *Persona medietatis Ecclesia* de *sancto* Gerendo, Thom. de Glen. *Persona Ecclesia sancti* Runoni majoris in Kerier, Ricardus de Staunford *Persona Ecclesia* de Kaylethorp, Priorissa de Feyrwell, Simon de Raleigh *Persona Ecclesia* de Warkelegh, Michael de Clare *Persona Ecclesia* de Hogefete, Johannes de Clare *Persona Ecclesia* de Sumerton, Willielmus de Clare *Persona Ecclesia* de Hinclesham, Johannes *Persona Ecclesia* de Melebur. Osmond, Willielmus de Midelwode *Vicar. Ecclesia sancti* Genesii, Johannes *Persona Ecclesia* de Pennedemor. Johannes *Vicar. Ecclesia* de Axemuth. Radulphus *Persona Ecclesia* de *sancto* Manguano, Walterus de Stranthale *Vicar. Ecclesia* de Hidon, Srephanus *Persona Ecclesia* de Bingham, Robertus de Everdon *Persona Ecclesia* de Ludeton, Andr. *Persona Ecclesia* de Alfrington Biles, Philippus de Cornub. *Persona Ecclesia* de *sancto* Justo, Hamelinus *Persona Ecclesia* de Withiel, Willielmus *Persona Ecclesia* de Parva Hameston, Petrus *Persona Ecclesia* de Sele Monachorum, Radulphus de Prydias *Persona Ecclesia* de *sancto* Winyero; Henr. *Vicar. Ecclesia* de *sancta* Nevellina, Henr. *Vicar. Ecclesia* de Calragge, Nicholaus *Persona Ecclesia* de Calvenebergh, Rogerus Gervays *Persona Ecclesia* de Wykham, Peter *Persona Ecclesia beata* Mariz de Wyltone, Ricardus Gundewyne *Persona Ecclesia* de Bradeford, *Abbas sancti* Andree Werfellin in Lumbardia *Persona Ecclesia* de Cestencen, *Magister* Robertus de Cumbe *Persona Ecclesia* de Morton, Winterflare & Aldesfled, Gilbertus *Persona Ecclesia* de Balbecur.



X. Edward 1. *An Exact History of Popes Intollerable Usurpations, B.5.ch.4.*

An. 25 E. 1. becur. Thom. de Letthelade *Persona Ecclesia de Wypell*, Waudricus *Persona Ecclesia de sancto Landoco*, Willielmus de Lomeno *Persona Ecclesia de Sumerford Mandur*, Abbas de Teukesbur. *Persona Ecclesiarum sancta Crowenne, & sancta Wennæ in Com. Cornub. &c.* Willus de Wylleme *Persona Ecclesia de Hambury*, Andr. *Vicar. Ecclesia de Cerde*, Rogerus de Norton *Persona Ecclesia de Brantefeld*, Willielmus *Persona Ecclesia de Sydenham Albemarle*, \* Prior de Plympton, Johannes *Persona Ecclesia de Layneston*, Magister Henr. de Roghedene *Persona Ecclesia de Eston*, Magister Michael de Haleston *Persona Ecclesia de Wordi Mortmer*, Egidius *Persona Ecclesia de Bromedene*, Walterus *Vicar. Ecclesia de Hayling*, Willielmus Lovel *Portionar. Ecclesia de Ermynton*, Henr. de Lyskeret *Persona Ecclesia sancta Fidis de Sparkford*, Walterus de Mercet *Persona Ecclesia de Wydecumbe*, Adam *Persona Ecclesia de Andevere*, Magister Jacobus de Florentia *Persona Ecclesia de Brighteston*, Magister Willielmus de Wymundesham *Persona Ecclesia de Dydesham*, Ricardus *Persona Ecclesia de Tanye sancti Petri*, Willielmus Lude *Vicar. Ecclesia sancti Petri atte Whytebrede de Wynton*, Hugo de parva Rydeward *Capellanus*, Ranulphus *Persona Ecclesia de Middelton Abbatis*, Willielmus de Leucumbe *Persona Ecclesia de Nettelcumbe*, Prior sancti Jacobi Bristol. Radulphus *Persona Ecclesia de Chisshalle*, Radulphus de la March *Persona Ecclesia de Hatch*, Ricardus *Vicar. Ecclesia de Portsmouth*, Willielmus de Froyle *Persona Ecclesia sancti Petri de Calebrokestre*, Robertus de Chyrewyle *Persona Ecclesia sancti Johannis de Mons*, Robertus *Persona Ecclesia de Minstede*, Hugo *Vicar. Ecclesia de Imbethete*, Simon *Persona Ecclesia sancti Martini de Partheminstret Wynton*, Willielmus de Leycestr. *Persona Ecclesia de Hereford*, Prior de Plympton, Thom. *Persona Ecclesia de Teynton Dreu*, Thom. de Badnnton *Persona Ecclesia sancti Andree de Perthore*, Magister Galfridus de Norwyco *Persona Ecclesia de Overebury*, Hugo Decanus *Ecclesie de Wellbur*, Magister Ricardus de Vienna *Persona Ecclesia de Olveston*, Petr. *Vicar. Ecclesia de Cumbe Episcopi*, Willielmus de Legh *Persona Ecclesia de Jacobestowe*, Nicholaus de Kelly *Persona Ecclesia de Kelly*, Magist. Johannes le Flemmeng *Persona Ecclesiarum de Penestye & Hoghton*, Gilbertus *Vicar. Ecclesia de Dulo*, Prior Hospital. Sancti Johannis de Lycheheld. Henricus *Persona Ecclesia de Beauford*, Johannes de Chen *Persona Ecclesia sancta Marie*, Willielmus de Molis *Persona Ecclesia de Tokesburne*, Johannes de Halseknyght *Persona Ecclesia sancti Jacobi juxta Castrum Wynton*, Willielmus de Strauthale *Persona Ecclesia de Wyddeworth*, Ricardus *Vicar. Ecclesia de Bury Pomeray*, Rogerus *Vicar. Ecclesia de Manyngfeld Brewese*, Rogerus de Ascherugge, *Persona Ecclesia de Kingesripton*, Magister Willielmus de Wymundeham *Persona Ecclesia de Barton*, Magister Thom. de Cantebriegg. *Persona Ecclesia de Leston*, Rogerus de Clare *Persona Ecclesia de Deverell*, Rogerus *Vicar. Ecclesia sancti Bartholomæi*, Nicholaus *Persona Ecclesia de Asselowe*, Johannes *Persona Ecclesia de Henle*, Abbas de Alenecestr, Johannes *Persona Ecclesia de Ekynton*, Walterus de lweleye *Clericus*, Magister Adamus Heym *Persona Ecclesia de Meuxet*, Martinus *Persona Ecclesia de Pearcumbe*, Johannes de Wolncdon *Vicar. Ecclesia sancti Uvelis*, Gervasius de Horton *Persona Ecclesia de Ruweberewe*, Johannes de Odynseles *Persona Ecclesia de Longhichinton*, Willielmus *Vicar. Ecclesia de Sumbur*, Willielmus *Persona Ecclesia de Newenton Robertus Persona Ecclesia de Flarel*, Walterus *Persona Ecclesia de Northpidele*, Magister Robertus de Codinton *Clericus*, Rogerus *Vicar. Ecclesia de Chelurescote*, Prior de Kenelworth, Prior de Coventre, Johannes *Vicar. Ecclesia de Ofsechirche*, Willielmus *Vicar. Ecclesia de Bykenhull*, Edmundus de Langele *Persona Ecclesia de Wolshamcote*, Radulphus *Persona Ecclesia de Lodbrik*, Ricardus *Persona Ecclesia sancti Pynnoti*, Robertus *Persona Ecclesia de Monek Okhampton*, Walterus *Persona Ecclesia de Godelegh*, Willielmus fil. Bogonis *Persona Ecclesia de Hautebray*, Ricardus *Vicar. Ecclesia de Sancto Ido*, Radulphus Do *Persona Ecclesia de Stokri-vers*, Alanus de Bloion, *Persona Ecclesia de Ludewent*, Johannes Rogonis *Persona Ecclesia de Porlok*, Willielmus de Yewelcestr. *Vicar. Ecclesia de Sutton*, Benedictus de Plymstok *Persona Ecclesia de sancto Melano*, Robertus *Vicar. Ecclesia de Stetton*, Gilbertus de Faryndon *Clericus*, Laur. *Vicar. Ecclesia de Spertholte*, Rogerus *Persona Ecclesia sancti Stephani*, Willielmus de Chinham *Persona Ecclesia de Stonham*, Johannes de Rople *Persona Ecclesia de Wurthy Regis*, Willielmus de Turon *Persona Ecclesia de Nywetton*, Ranulph. *Vicarius Ecclesia de Habbelenche*, Henr.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Henr. *Persona Ecclesia de Sheldesleye*, Hugo *Persona Ecclesia de Adbrighton*, Ra- *An. 25 E. 1.*  
 dulphus *Persona Ecclesia de Stockton*, Robertus de Aure *Capellanus*, Robertus *Per-*  
*sona Ecclesia de Iweleye*, Magister Johannes le Sage *Persona Ecclesia de Stanleye*,  
 Magister Henr. de Neuton *Persona Ecclesia de Wymfred*, Walterus *Vicar. Ecclesia*  
 de Berkeley, Willielmus de Staywell *Persona Ecclesia de Torinton*, Henr. de la  
 Hull de Lydenye *Capellanus*, Magister Radulphus de Leicester *Persona Ecclesia de*  
 Suthham, Johannes *Vicar. Ecclesia de Lackesley*, Henr. *Persona Ecclesia de Ilme-*  
 don, Robertus de Marston *Botiller Capellanus*, Thom. Tankard *Clericus de Wair*,  
 Ricardus *Persona Ecclesia de Alcestr.* Magister Ricardus de Staneford *Clericus*, Jo-  
 hannes de Bervil *Vicar. Ecclesia de Wolfrichesten*, Prior de Stodleye, Willielmus  
 de Haullee *Persona Ecclesia de Morton Bagod*, Willielmus *Vicar. Ecclesia de Eding-*  
 ton, Willielmus de la Plaunche *Persona Ecclesia de Witchirche*, Richardus de Clare  
*Persona Ecclesiarum de Ebrighton & Camelerton*, Oliverus *Persona Ecclesia de*  
*sancti Hug. de Cornub.* Johannes de Staneweye *Persona Ecclesia de Rippel*, Ricar-  
 dus de Swanemere *Persona Ecclesia de Grecham*, David *Persona Ecclesia sancti Mi-*  
 chaelis de Penkenel, Gilbertus du Boys *Persona Ecclesia de Kirkelongeleye*, Willi-  
 elmus *Persona Ecclesia de Ilkesdon*, Magistr. Thom. de Stok *Persona Ecclesiarum de*  
 Kemeseye & Stanedisse, Radulphus de Salue de Wherewell *Capellanus*, Relenius  
*Persona Ecclesia de Wodecote*, Henr. *Persona Ecclesia de Ludefulne*, Johannes de  
 Froyle *Persona Ecclesia de sancti Johannis de la Forde de Winton*, Johannes de  
 Haverynge *Persona Ecclesia de Cresham & de la Leye*, Willielmus *Vicar. Ecclesia*  
 de Witteneye, Th. de Peshale *Persona Ecclesia de Frompton*, Willielmus de Glouc.  
*Persona Ecclesia de Berton Sacy*, Magister Johannes de Radeberg. *Persona Ecclesia*  
 de Hertlebyry, Walterus *Persona Ecclesia sancti Martini Wygorn*, Eustach. *Vicar.*  
*Ecclesia de Tateinton*, Elias de Uske *Vicar. Ecclesia de Hereford*, Ricardus de Cre-  
 deleye *Vicar. Ecclesia de Hereford*, Johannes de Bolyngop *Capellanus*, Gilbertus  
*Persona Ecclesia de Bruge Selers*, Willielmus de Alleflay *Persona Ecclesia de Stoke*  
 Lacy, Philippus ap Howell *Persona Ecclesiarum de Mockeys & Thlambyster*, Hu-  
 go Donerons *Persona Ecclesia de Kynardesleye*, Johannes le Werur & Johannes  
 le Marefchall. *Capellani*, Willielmus de Foleville *Persona Ecclesia de Malmeshull*, La-  
 cy, Magister Stephanus de Monte Gomeri *Persona Ecclesia de Donure*, Walterus  
*Capellanus Ecclesia de Mordeford*, Walterus *Capellanus de Byford*, Walterus Plumer,  
*Vicar. Ecclesia de Maddeley*, Johannes de la Punde *Vicar. Ecclesia sancti Ethelber-*  
 ti Hereford, Ricardus de Wys, *Vicar. Ecclesia de Urfelane*, Ranulphus de Eve-  
 sham, Hugo le Carpenter, & Willielmus Mallet *Vicarii Ecclesia sancti Ethelberti*  
 Hereford, Thom. *Vicar. Ecclesia de Homme Lacy*, Hugo de Rysebury *Persona Ecc-*  
*lesia de vetri Radenore*, Hugo de Brewest *Persona Ecclesia de Penebagg*, Galfridus  
 de Balcote *Persona Ecclesia de Kingeslowe*, Prior de Kilpet, Bartholomæus *Persona*  
*Ecclesia de parva Martley*, Jacobus de Solers *Persona Ecclesia de Hope Solers*, Hu-  
 go *Vicar. Ecclesia de Upton*, Henr. de Brom *Persona Ecclesia de Norton*, Galfri-  
 dus Shylling *Vicar. Ecclesia de Ladne*, Rogerus de Hales *Persona Ecclesia de*  
 Norton, Johannes *Vicar. Ecclesia de Halberton*, Radulphus *Persona Ecclesia de*  
*sancti Justo in Penewith*, David *Vicar. Ecclesia de Laskaret*, Henr. le Deneys de  
 Lisnewith, Willielmus de Mortuo Mari *Prabendar. Prabenda de Gorew* — Pe-  
 trus de Langone *Prabindar. Prabenda de Præston*, Robertus de Hemyngton *Persona*  
*mediet. Ecclesia de malo Parco*, Normannus de Brannford *Vicar. Ecclesia de Harde-*  
 lee, Willielmus *fr. Roges Prapostus de Glasenye*, Thom. de la Lude, Ricardus  
*Persona Ecclesia de Analtacy Winton*, Johannes *Persona Ecclesia de Barneftaple*,  
 Hugo de Leminister *Persona Ecclesia de Southtanton*, Abbas de Basingwerk, Ro-  
 bertus le Waleys *Persona Ecclesia de Clenchewarton*, Robertus Burdet *Vicar. Ecc-*  
*lesia de Ekedukelond*, Willielmus de Brickhull *Persona Ecclesia de Monte alto*,  
 Robertus de Pulford *Persona Ecclesia de Codinton*, Philippus Gerard *Persona Ecclesia*  
 de Bebington, Prior de Birkehened, Stephanus *Persona Ecclesia de Tilston*, Ricardus  
 de Blechelegh *Persona Ecclesia de Northwrthin*, Magister Gilbertus de Arderne  
*Persona Ecclesia de Aldeford*, Johannes *Vicar. Ecclesia de Tanton Episcopi*, Rogerus  
 Ingolt *Persona Ecclesia de Haworthin*, Decanus & Capitulum *Ecclesia sancti Jo-*  
 hannis Cestr. Abbas Cestr. Prior de Norton, Benedictus *Porcionarius Ecclesia de*  
 Northope, Willielmus Duyn *Persona medietatis Ecclesia de Malo Passu*, Robertus *fil.*  
 Bernardi *Persona Ecclesia de Lothamsted*, Petrus de Primyngton *Clericus, Ab-*  
 bas



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An. 25 E. 1. *bas de Valle Regali, David Persona Ecclesia de Kilkenny, Thomas Vicar. Ecclesia de Lerky.*

Pat. 25 E. 1.  
m. 15. De  
Protectioni-  
bus.

**R**EX omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Sciatis quod suscepimus in protectionem & defensionem nostram specialem dilectum Clericum nostrum *Iserium de Ingolisma* Archidiaconum *Bathon.* homines, terras, res, redditus, & omnes possessiones suas. Et ideo vobis, &c. *ut supra.* Teste Rege apud *Langelay* 18 die Febr.

*Consimiles literas de protectione habent subscripti; v. z.* Johannes de Mettingham, *Teste ut supra;* Lambertus de Trickingham, *Magister* Johannes de Lascey, & *triplicatur;* Radulphus de Staunford *Capellanus,* *dupl.* Johannes de Drogenesfeld, *dupl.* Henr. de Lenn, Robertus de Walmesford, Thomas de Hoyvill *Clericus,* Robertus de Scardeburgh *dupl.* Richardus de Ross, Willielmus de Burneton *dupl.* *Magister* Edm. de London, *Magister* Thomas de Sodinton, *Magister* Adam de Audemesham, Henr. de Gudeford *Clericus,* Elias de Bekingham, *Magister* Thomas de Hale *Clericus,* Humfridus de Waleden, Adam de Waldinsfeld, Johannes de Certesey *Clericus,* *Magister* Petrus Aimerici *Persona Ecclesia de Pecham,* *Magister* Guido de Tillebrok *Clericus,* Johannes *Episcopus* Winton. *dupl.* Philippus de Willughby *dupl.* Willielmus de Burn *Clericus,* Richardus le Hostage de Louthburgh, Galfridus de Norwico *Clericus,* Egidius de Barenton, *Magister* Thomas de Erlee, Richardus de Merton *Clericus,* Audoenus de Monte Gomeri, Johannes Skyp de London, Robertus de Bardelby, Henr. de Thurston *dupl.* Henr. de Lychesfeld, *Magister* Thomas de Abberbir, Nicholaus Tutwyn de Lonsceby, David le Graunt, Henr. de Stanton, *Magister* Thomas de Lichesfeld, W. Bathon, & Wellen, *Episcopus,* Willielmus de la Dune, Nicholaus de Bolingbrok, Willielmus de Felstede, Nicholaus de Misterton *Clericus,* Johannes de Berewyk, Adam de Osgodby, Willielmus de Langele, Henr. de Dunolm. *Prior de Wymundham,* Radulphus de Alegate, *Magister* Robertus de Sancto Albano, Nicholaus de Misterton, Robertus de Middelton *dupl.* Richardus de Keston *dupl.* Hugo de Hengham *dupl.* Andr. de Kenbolton, Johannes de Staford, Robertus de Aete *Clericus,* Henr. de Shenholt, Thomas de Lavenham, Walterus de Leycestr. Rogerus de Leycestr. *Clericus,* *Magister* Simon *Persona Ecclesia de Heyfordwaryn,* Henr. de Hales, Walterus de Felstede *Clericus,* Willielmus de Byrlay, Willielmus de Tronbrugg *Clericus,* Hugo de Nottingham *Clericus,* & *dupl.* *Magister* Henr. de Bray *Clericus,* *Magister* Petrus de Dene, Simon de Wovecote *Clericus,* Hugo de Roubury *Clericus,* W. Elien, *Episcopus,* Johannes de Kirkeby *Persona Ecclesia de Northmimmes,* Robertus de Mar, Robertus de Cornherth, Johannes de Wengham *Præsentor Ecclesia Sancti Pauli London,* *Magister* Johannes de Sancto Claro, Willielmus de Persoure, Henr. de Rolling, Henr. de Fodringeye, Johannes de Reda, Edmundus de Hoo, *Magister* Richardus de Gravesend *Archid.* London, Walterus de Norwyck, *Magister* Reginaldus de Braundon, Radulphus de Rimnale, Petrus de Lyrdefeie, Richardus Bernard de Hunnewyk, & Johannes fil. Johannis de Arderne. *Et idem Reginaldus habet aliam protectionem pro nomine suo solum;* Bartholomæus de Florentino, *Magister* Jacobus Smeband, *Priorissa de Haliwell,* Willielmus de Cannill, *Magister* Radulphus de Ivingho, Gilbertus de Roubyri, Walterus de Wengham, Johannes Baldock, *Magister* Thomas de Abberbury, Willielmus de Norwico, Thomas de Basing *Clericus,* Robertus de Herierd, Galfridus de Farham, Simon de Farham, *Priorissa Sanctæ Elenæ London,* Rogerus de Skyrmyng *Clericus,* Johannes de Silveston, *Magister* Walterus de Dounbrigg, Egidius de Andenardo, *Magister* Andr. de Farentino, *Magister* Willielmus de Essex *Clericus,* *Magister* Thomas de Skirminge *Clericus,* Henr. de Bathorp *Clericus,* Nicholaus le Romeyn *Clericus,* Nicholaus de Hatfeld *Clericus,* Johannes Chaynel, Nicholaus de Burton, Nicholaus de Sparkford *Clericus,* Johannes de Lovetot *Clericus,* *Magister* Edm. de London *Persona Ecclesia de Witcifford;* *Idem* Edm. *Canonius libera Capella Regi beata Mariæ in Castro Regi Hastings,* Richardus de Bereford *Clericus.*

What Writs of Protection and restitution were granted by the King to other Parsons, Vicars, Abbots, Abbesses, Priors, Freers, Bishops, Ecclesiastical or Religious persons, and to what Sheriffs they were directed, those who please may peruse in *Claus.* 25 E. 1. m. 22, to 26. where they are recorded.

Sundry

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Sundry Clergymen, not being able or willing to purchase particular Protection from the King, upon the Archbishops and Bishops supplications, (after their submission and reconciliation to the King) had this general Protection issued to the Sheriffs of London, and other Sheriffs on their behalf.

An. 25 E. 1.

**R**EX Vicecomitis London. salutem. Licet aliqui de Clero qui sunt infra Ballivam vestram Protectionem nostram forsan non habuerunt tempore retroacto, ad instantiam tamen et rogatum venerabilium patrum R. Archiepiscopi Cantuar. & aliorum Episcoporum & Pralatorum regni nostri, nobis pro eodem Clero supplicantem, volentes Clerum eundem ab omni molestia et inquietatione indebita protegi et defendi: Vobis mandamus, quod omnes et Angulos de Clero predicto, homines, terras, res, redditus, et omnes possessiones eorumdem in Balliva vestra deinceps manuteneatis, protegatis et defendatis: non permittentes quantum in vobis est, quod predicto Clero aut eorum alicui in personis et rebus inferatur injuria, dampnum, molestia vel gravamen, non obstante quod aliqui de Clero predicto Protectionem nostram non habuerunt, sicut predictum est. Teste Rege apud Sanctum Paulum London. 26 die Julii.

Claus. 25 E. 1.  
m. 9. dorso.  
Pro Clero  
protectionem  
Regis non ha-  
bent.

The Archbishop of Canterbury (who procured Pope Boniface his premised Bull, and was most peremptory, stout in the prosecution of it, for which all his Temporalities, Goods, Chattels were seised) being forced to hide his head, and reduced to great extremities, was likewise restored to the Kings favour and protection at last, through the earnest prayer and mediation of his Suffragan Bishops on his behalf, upon hopes of his future loyalty: whereupon the King out of his special grace issued these Writs to restore his Temporalities, with all his Oxen, Goods and Chattels formerly seised, in the state they now were.

**R**EX Vic. Kanc. salutem. Licet tibi nuper preceperimus, quod omnia laica feoda Archiepiscoporum, Episcoporum, et totius Cleri de Balliva tua, nam cum bonis et catallis in eisdem inventis, sine dilatione caperes in manum nostram, et ea salvo custodires donec aliud inde preceperimus. Volentes tamen ad instantem requisitionem Pralatorum Cantuariensis Provinciae, venerabili patri R. Cantuar. Archiepiscopo, totius Anglie Primati, gratiam facere specialem. Tibi precipimus, quod eodem Archiepiscopo omnia laica feoda sua, una cum bonis, carucis, et omnibus aliis bonis et catallis suis in eisdem existentibus, que preceptum mandati nostri predicti in manum nostram cepisti, in eo statu quo nunc sunt restitui facias indilate. Teste Rege apud Westm. 21 die Julii.

Claus. 25 E. 1.  
m. 12.  
Pro Cantuar.  
Archiepisc. de  
laica feodis  
restituendis.

Consimiles littera diriguntur Vic. Surr. Suffex. Midd. & Essex.

From this premised Bull of Pope Boniface, prohibiting Clergymen to give or pay any Taxes to Kings for their Kingdoms necessary defence against publick enemies, without his special license, under the penalties therein expressed, and the premised contests arising thereupon between K. Edward, his Prelates and Clergy, our Kings, Nobles, and all others may now observe. 1. That this Popes Constitution made in *Cathedra*, by the advice and assistance of his Brethren, was not only *erroneous* and *antimonarchical*, but *antichristian* and *diabolical*, diametrically contrary to *Christi*, *St. Peters* and *St. Pauls* expresse precepts and presidents, recorded in the Gospel for all Prelates, Christians conscientiously to obey, practise, imitate upon all emergent occasions, *Mat.* 17. 25, 26, 27. *Mat.* 22. 16, to 22. *Mar.* 12. 13, to 18. *Luk.* 20. 22, to 27. *Rom.* 13. 5, 6, 7. *1 Pet.* 2. 11, 13, 15, 16. *Tit.* 3. 1. 2ly. That our Archbishops, Bishops, Clergies procuring of, and submission thereunto, was not only an high contempt against *Christi* and his Apostles precepts, presidents, as *Christians*, but a most seditious, trayterous, rebellious practice, against their duties, Oathes, Allegiance as *Subjects*, of very dangerous president to all Lay-Subjects in like cases. 3ly. That King Edwards heroical opposition against this Papal Decree, and his strenuous severe proceedings against his Archbishops, Bishops, Clergy, in putting them out of his Protection, and seising all their Lands, Goods, Chattels for this offence, whereby he crushed this Cockatrice in the shell, was not only an act of great courage, justice, but also of policy and prudence, without which he could

zzzz

never



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4.

*An. 25 E. 1.* never have preserved his Royal dignity, Jurisdiction, Crown, against the Popes and Prelates Usurpations on them, nor his Person, Kingdoms, Dominions against his Foreign Enemies invasions. 4ly. That this his turning his Bishops, Clergy out of the Parliament-house, holding a Parliament, and making Laws with his Temporal Lords and Commons without them, is not only justified to be lawfull by our <sup>a</sup> *Law-books*, but likewise by two of our learnedest late Bishops, <sup>b</sup> *Jewell of Salisbury*, and <sup>c</sup> *Bilfen of Winchester*, in their authorized Books in defence of the Doctrine of the Church of England against Papists and Jesuits; where they assert, That the King and Temporal Lords and Commons in Parliament, may lawfully make Laws, Statutes, even in matters of Religion, not only by the more part of voyces, although the Archbishops and Bishops were never so earnestly bent against it; and that Statutes so passing in Parliament only by the voyces of the Lords Temporal, without the agreement and consent of the Lords Spiritual, have nevertheless been alwayes confirmed, ratified by the Royal assent of the Prince; but likewise when they were excluded the Parliament, as in the Statutes of King Edward the 1. <sup>d</sup> *In a Parliament held at St. Edmondsbury, (and after that at Sarum)* the Archbishops and Bishops were quite shut forth, yet the Parliament held on, and good and wholesome Laws were there enacted, the departing, or absence, or malice of the Spiritual Lords notwithstanding. May not the Kings Highness (addes *Bilfen*) serbe Christ in making Laws for Christ, without your (Popes and Bishops) liking? Claim you that interest or prerogative, that without you nothing shall be done, by the Laws of God, or by the Charters of the Realm? By the Laws of the Land you have no such priviledge. Parliaments have been kept by the King and his Barons, the Clergy wholly excluded, and yet their Aas and Statutes good. And when the Bishops were present, their voyces from the Conquest till this day were never Regative, but Aas passed without and against their votes and protestations; witnesse 20 H. 3. c. 9. 3 R. 2. c. 2. 7 R. 2. c. 11. 11 R. 2. c. 3. Rot. Parl. nu. 9, 10, 11. 21 R. 2. Rot. Parl. nu. 9, 10. 6 H. 6. Rot. Parl. nu. 27. and other Aas. 5ly. That there is no other means for Kings to support their Crowns against Popes, Prelates, Clergymens Usurpations, but by resolute, rigorous proceedings against them, till they reduce them to due subjection, obedience, and force them to renounce their Antimonarchical Decrees and Innovations against their Prerogatives, as King Edward here did, and then received them into his special protection.

And here it is very observable, That as our King Edward thus strenuously opposed Pope Boniface his Antimonarchical Constitution, against demanding or imposing Subsidies on the Clergy without his previous consent, in England, so King \* Philip the 4th. (though his mortal enemy) encouraged by his heroick previous example, did the like in France, publishing this special memorable Remonstrance against it; and thereupon extorted a Dispensation from this Pope, for the Prelates and Clergy of his Realm to assist him with Subsidies and their Armes in his Wars against King Edward and the Flemings, which I shall here insert out of the Charters of France, published by Pierre de Pitbou, and others.

\* Pierre de Pitbou Preuves les Libertez de l'Eglise Gallicane, chap. 39. sect. 8. p. 1497, to 1499. m. Treasor des Chartres Registre, c. 29. p. 12.

\* Responsiones nomine Philippi Regis ad Bullam Bonifacii P. P. 8. Datam Anagnia 11 die Octobris, Pontificatus sui anno secundo.

**A** Ntequam essent Clerici, Rex Francie habebat custodiam regni sui, & poterat statuta facere, quibus ab inimicorum insidiis & nocumtibus sibi & regno praeceperet, & per quae inimici subtraheret omnino subsidia, quibus ipsum & regnum possent gravius impugnare. Hac de causa Dominus Rex qui nunc est, equos, arma, pecunias et similia generali edicto prohibuit extrahi de regno suo, ne forsitan talia per malignorum fraudulentiam ad manus inimicorum in Domini Regis & regni praedictum devenerent; nec hoc simpliciter prohibuit, sed adjecit, haec non debere fieri absque ejus licentia speciali: super hoc habens rectam intentionem, quod quando sibi constaret pro certo, quod talia sic ab ipso prohibita essent bona Clericorum, & quod extrahi de regno, sibi & regno non obessent, nec inimici prodesse, nulli sic petenti, & praemissa probanti, licentiam denegaret. Et videtur satis mirabile, quod carissimus filius Papae (our King Edward the 1. then in hostility with King Philip) non solum Clericorum bona,

<sup>a</sup> *Keilways Reports*, f. 184. *Cromptons Jurisdiction of Courts*, f. 19. *Cooks 4 Inst.* p. 25. <sup>b</sup> Defence of the Apology of the Church of England, part 6. ch. 1. divis. 1. <sup>c</sup> The true difference between Christian Subjection, & Unchristian Rebellion, part 3. p. 540, to 543. See my Antipathy, &c. part 2. p. 458, to 565.

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1

bona, sed etiam personas detinet violenter, (for submitting to this Constitution of his) nec propter hoc Dominus Papa ipsum denuntiat sententiam Excommunicationis incurrisse. Sancta mater Ecclesia, sponsa Christi, non solum est ex Clericis, sed etiam ex Laicis; imò sacra testante Scriptura, <sup>a</sup> sicut est unus Dominus, una fides, unum baptisma, sic à primo usque ad ultimum ex omnibus Christi fidelibus, <sup>b</sup> una est Ecclesia ipsi Christo coelesti sponso, annulo fidei desponsata, quam ipse à servitute peccati, à iugo veteris legis, ac dominio hostis antiqui per mortem suam misericorditer liberavit, qua libertate gaudere voluit omnes illos, tam Laicos quam Clericos, <sup>c</sup> quibus debet potestatem Alior. Dei Aeri, iis videlicet qui credunt in nomen ejus, & susceperunt Christiana fidei sacramenta. Nunquid solum pro Clericis Christus mortuus est, et resurrexit: absit. <sup>d</sup> Nunquid est personarum acceptio apud Dominum, ut solum Clerici in hoc mundo gratiam, et in futuro gloriam consequantur: absit. Sed per indifferentiam <sup>e</sup> omni credenti operanti bonum, per fidem et dilectionem aeternae retributionis premium repperit. Et quia Clerici in Ecclesia, ut patet per praedicta, sunt & merito & munere potiores, non debent, nec possunt, nisi forsitan per abusum, sibi appropriare, quasi alios excludendo, Ecclesiasticam libertatem, loquendo de libertate <sup>f</sup> qua Christus nos sua gratia liberavit. Multa vero sunt libertates singulares, non universales Ecclesiae, sponsa Christi, scilicet solum ejus ministrorum, qua cultus divino ad adificationem populi sunt, & esse debent <sup>g</sup> spiritualius deputati. Quae quidem libertates per statuta Romanorum Pontificum, de benignitate vel saltem permissione Principum secularium, sunt concessae; quod quidem libertates sic concessae vel permittae, ipsi Regibus suorum regnorum gubernationem ac defensionem auferre non possunt; nec ea quae dictae gubernationi et defensioni necessaria, seu expedientia, <sup>h</sup> et deliberata bonorum ac prudentium consilio subvertantur, dicente Domino Pontificibus Templi; <sup>i</sup> Reddite ergo quae sunt Caesaris Caesari, & quae sunt Dei Deo. Et quia turpis est pars qua non suo congruit universo, & membrum inutile & paralyticum, quod corpori suo subsidium ferre recusat, quicunque sive Clerici, sive Laici, sive Nobiles, sive ignobiles, qui capiti suo vel corpori, hoc est Domino Regi et regno, imò etiam sibi, auxilium ferre recusant, semetipsos partes incongruas et membra inutilia, et quasi paralytica esse demonstrant: Unde si a talibus pro rata sua subventionum auxillis requiruntur, non exactiones, vel extortiones, vel gravamina dici debent; sed potius capiti, et corpori, et membris, debita subsidia; sed et pro defensoribus et pugilibus ipsorum, quibus non licet, vel qui non possunt pugnare per seipsos, stipendia praeparata: <sup>j</sup> Nemo siquidem tenetur pro aliis propriis stipendiis militare. Et quod si inimicorum rabies invalesceret contra regnum, constaret quod bona Clericorum penitus dissiparentur; quare, multo plus aliis, indigent ab hostili impugnatione defendi. Ideoque in naturalis iuris injuriam esse videtur, prohibere cuicumque serbo, vel libero, vel Clerico, vel Laico, nobili vel ignobili, stipem defensionis obficere contra hostilem gladium, aut stipendia solvere defensori. <sup>k</sup> Nonne merito Deus tales tradidit in reprobum sensum qui ius naturale et antiquum nuntantur subvertere, pro suae libito voluntatis? Et quis sapiens et intelligens haec, non incidit in vehementem Anpojem, audiens Vicarium Jesu Christi prohibentem tributum dari Caesari, et sub anathemate fulminantem, ne Clerici contra injustae persecutionis incursum, Domino Regi et regno, imò sibi metipsis, pro rata sua manum porrigant adjuvatricem: Dare vero histrionibus, et amicis carnalibus, et neglectis pauperibus, expensas facere superfluas in robis, equitatis, comitibus, comraestationibus, et aliis pompis secularibus, permittitur eisdem, imò conceditur, ad perniciosae imitationis exemplum. Hoc enim natura et ratio, ius divinum et humanum pariter detestantur, ad illicita scena laxare, et licita, imò necessaria, cohibere. Quis enim sanae mentis iudicaret licitum et honestum sub anathemate cohibere, ne Clerici, ex devotione Principum incrassati, impleti et dilatati, pro modulo suo eisdem Principibus assistant, contra ingruentes iniquorum persecutionum aduersitates, quocumque celoze excogitato, donec vel mutui, vel subventionis pro seipsis, pro Rege et regno pugnantibus, et resistentibus inimicis vi armorum, alimenta praebendo vel stipendia persolvendo? Non enim prudenter attendunt qui talia perhibent, vel renuunt, quod hoc nihil aliud est quam inimicos subare, et crimen laesae Majestatis incurrere, et quasi velle prode ipsam Republicae defensorum; ad quod crimen puniendum

Nom.



**An. 25 E. 1.** intendimus plus solito, volente Deo oculos apertre. *Deum siquidem fide & devotione colimus, & Ecclesiam Catholicam & Ministros ejus multipliciter veneramus in terris, sicut & omnes patres nostri; sed hominum minas, minus rationabiles et injustas, minime reformidamus; nam coram Deo, favente ejus clementia, semper iustitia invenietur in nobis. Nonne Rex Angliæ, quondam homo noster ligius, vocatus ad iudicium coram nobis, cum omni solemnitate quâ decuit, ad imperium Domini sui venire contempsit? Quare necesse habuimus terras quas à nobis tenebat ad manum nostram trahere, iudicio & iustitia mediante; cujus occasione dictus Rex Angliæ homagio & fidelitate quibus nobis tenebatur, ratione terrarum quas à nobis tenebat in feudum, renunciavit expressè, & postea contra nos insurgens crudeliter, pradiatas terras sibi est usus acquirere, non tam vi armorum, quam dolo, via iustitia, & rationis, & consuetudinis approbata penitus pratermissa. Quis Rex, quisve Princeps terras feudales sic à vassallo suo dimissas, & tum multipliciter forisfactas, ad se non traheret, & non defenderet, tanquam suas? Nec super hoc debetur ab aliquo increpari, sed potius de contrario reprehendi. Et Regi Theutoniarum quid potuit vel debuit plus offerri, quod esset rationis aut pacis, quam quod quatuor viri eligerentur idonei, duo pro nobis, & duo pro ipso, qui de limitibus Regni & Imperii cognoscere & tractarent, & quicquid super hoc ordinarent ambo Reges in perpetuum observarent. Et si pradiati quatuor discordarent, ipsi possent eligere quintum, qui eorum discordiam revocaret: Et si dictus Rex Theutoniarum de Comitatu Burgundiarum conqueratur, sua querimonia nulla ratione fulcitur. Nam notorium est omnibus, quod post guerram apertam & dissidationem superbam, à dicto Rege nobis factam, dictum Comitatum nobis duximus acquirendum. Nam in dissidatione sua contra nos graviora facere minabatur, & jam forsitan fecisset, si adhuc sibi se opulisset sacra. Nonne sanctæ matri Ecclesiæ nos et antecessores nostri, multa grata servitia ab antiquis, et immensa beneficia contulimus, quibus optinistri ejusdem multo pinguius et gloriosius, quam in aliis regnis temporalibus exaltantur? Super quo velit Deus, quod ingrattitudinis vitium non incurrant; non enim debent debitas subventiones negare, sed ultro quicquid habent offerre, præsertim cum videant manifeste, quod prædicti Reges injuste, et sine causa rationabili, nos impugnant. Quare modo non fuissetis ab Ecclesiâ amplioribus injuriis præbocandi, sed potius ab ea, tanquam a pia matre, sobendi et placandi, et a malis imminentiis efficaciter consolandi.*

Moreover the Archbishop of Rheims with the Suffragans and Abbots of his Province (of a different temper from our English Prelates) made this supplication to Pope Boniface against this his new Constitution.

\* Pierre de Pithou, ibid. p. 1499. Au treasor Registre B. 28. fol. 235.

**S**anctissimo Patri ac Domino suo, Domino Bonifacio, divina providentia Sacrosanctæ Romanæ ac Universalis Ecclesiæ Summo Pontifici, devoti ejus filii, missionis divina Petrus Remensis Archiepiscopus, & Episcopi Remensis Ecclesiæ Suffragantes, & Abbates, cum humili sui recommendatione, devota pedum oscula beatorum. In hac terrestri patria Ecclesiam militantem constituit providentia Conditoris, eam ex alto providit sic commoda substitutione Vicarii gubernandam, qui, ne ipsam tempestuosa hujus sæculi fluctuationes confunderent, in turbatione sibi consilium impenderet, in tribulatione solatium, & in adversitate succursum, ut sic hujusmodi solatii præsidio solita Vicarii, triumphantis Ecclesiæ, qua est Christi, ad salutem humani generis, id devotius, quò tranquillius, deserviret. Ad ipsius quippe Vicariatus apicem, diebus nostris, quod læti referimus, divine gratia provisionis assumpti, qualiter ad salubre regimen, statum prosperum, & exaltationem felicem ipsius Ecclesiæ, desideriis summis aspirantes, paternam curam, studium efficax, & indefessæ sollicitudinis operam duxeritis impendendam, universalis jam notio publicat, & ipsa rei experientia manifestat. Et hujus siquidem desiderii fervente affectu, quem ad felicem statum universalis Ecclesiæ paterno more solliciti geritis, Beatitudinem vestram nobiscum constitutionem edidisse cognoscimus, per cuius beneficium Ecclesiarum periculis remediare, salubriter obviare dispendiis, et Ecclesiasticæ libertati voluit utiliter præbidere. Verum quia excellentissimus Princeps, Dominus noster Rex, ac Principes, Barones, et Domini Temporales, ceterique regnicolæ Franciæ, occasione ipsius Constitutionis, quam onerosam, gravem, et præjudicalem nimis asserunt juri suo, cum omnes, tum singulos incolas dicti regni, ad defensionem Regni et Patriæ, omni præbilio, excusatione et exceptione cessantibus, vocare prætendunt, præsertim feudatarios et fideles

\* Here, p. 684.

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les Regis ejusdem, nosque et alios Prælatos de Regno, quorum quidam per homa-  
gium, et fere omnes juramento sumus fidelitatis adstricti eidem Domino nostro  
Regi, ad jus et honorem ipsius et Regni servandum, absque cujus necessario de-  
fensionis præsidio vivere tute non possumus, nec defendi a nostrorum, quorum non  
deest copia, persecutione continua æmuloz: dura turbatione commoti, per ma-  
jores in unum consilio inito, quoad remedium utile benivolentia paterna provideat,  
irreparabilis causæ præjudicium, quod non sine multa cordium amaritudine reci-  
tamus; extorquere disponunt; sicque Gallicana Ecclesia, quæ retroactis tempori-  
bus in pacis pulchritudine, et libertatis plenitudine conquebit; diversis jam ex-  
positis fluctuationibus tempestuatur, fremunt scandala, excreverunt angustia, et  
finalis ruinæ pericula sunt in promptu. Ad Apostolicæ sanctitatis providentiam  
circumspectam propterea duximus fiducialiter recurrendum, quanta possumus devota  
& unanimi instantia supplicantes, ut opportune et salubriter prohibitionis remedium  
in hac parte clementius adhibere dignetur, per quod sedat scandala, et cum præsa-  
to Domino Rege, suisque Principibus, et cæteris Temporalibus Dominis dicti  
Regni, eadem Gallicana servet Ecclesia pacis et caritatis solitæ unionem, ac sub  
alarum suarum belamine, et protectionis oportuna suffragio suo, nostris tempori-  
bus, uni semper impendat creatori devoto debitum famulatum. Et ecce venera-  
biles patres Episcopos ad Sanctitatis vestræ præsentiam propter hoc speciale desti-  
namus, qui frequentia scandala et imminencia, immo instantia in januis, hujus-  
modi discriminosa pericula, sensibus vestris perfectius explicabunt oraculo vobis  
votis.

Pope Boniface, upon reception and consideration of the premised Declaration  
and Supplication, sent this ensuing explanatory Bull to King Philip, by which he  
declared, that his Bull extended not to voluntary grants of aydes by the Clergy, &c.  
that the Kings of France (and by consequence the King of England, and all other  
Kings, Princes) might in cases of necessity of the State, constrain Ecclesiastical persons  
who were their Subjects, to contribute for the defence of their Realm without sen-  
ding to the Pope for his precedent consent thereto.

**B**onifacius Episcopus Servus servorum Dei, charissimo in Christo filio, Philippo  
Regi Franciæ Illustri, ad perpetuam rei memoriam. Etsi de statu regni ejus-  
libet, in quo Catholicæ fidei cultus viget, paternæ sollicitudinis studio cogitemus,  
ad statum tamen Christianissimi Regni Franciæ, in quo semper antea actis tempori-  
bus erga Romanam Matrem Ecclesiam viguit devotionis integritas, reverentiæ  
plenitudo resplenduit, servuit obedientiæ promptitudo, tanto solertius aciem con-  
siderationis extendimus, et circa illud cogitationis nostræ versatur instantia, quan-  
to ipsum uberiori favore prosequimur et sincerius gerimus in visceribus caritatis.  
Dudum siquidem Pastoralis officii debitum exequentes in favorem Ecclesiæ et Ec-  
clesiasticæ libertatis auctoritate Apostolica duximus statuendum, ne Prælati et per-  
sonæ Ecclesiasticæ, cujuscunque dignitatis, status, aut constitutionis existant sub  
advocati, mutui, vel doni nomine, Imperatoribus, Regibus, Principibus, aut  
Præsentibus cæteris præsent, absque Apostolicæ sedis auctoritate subsidia, quo-  
cunque nomine censeantur: neque Imperatores, Reges, seu Principes, aut aliter  
Præsententes ea imponere, erigere, vel recipere ab eisdem Prælati, et personis Ec-  
clesiasticis audeant, certis poenis adjunctis nichilominus in hac parte. Verum non-  
nulli nostræ intentionis ignari, suæque prudentia innitentes, hujusmodi Constitutionem  
nostram non rationabili, aut æquitati consonæ, sed voluntariæ interpretationi sub-  
jicere moluntur: non attendentes, quod ad eum qui condidit, interpretatio noscitur  
pertinere. Posigitur huic morbo congruam intendentes adhibere medelam, &  
ut cujuscunque ambiguitatis scrupulus in hac parte tollatur, & veritatis puritas elucescat,  
auctoritate præsentium declaramus, quod Constitutio ipsa, vel ejus prohibitio ad do-  
naria vel mutua, seu quævis alia voluntaria Prælatorum vel personarum Ecclesi-  
asticarum ejusdem Regni, cujuscunque status, ordinis, vel conditionis existant,  
omni propterea coactione aut exactione cessante, se aliquatenus non extendat, licet ad  
id forsitan tua, vel successorum tuorum, qui pro tempore fuerint, aut tuorum vel eorum-  
dem Officialium, seu Ducum, Comitum, Baronum, Nobilium, vel aliorum Dominorum  
Temporalium de Regno prædicto requisitio curialis & amica præcedat. Quodque feu-  
dalia, censuaria, sive jura qualibet in rerum Ecclesiasticarum datione retenta, vel  
alia

An. 25 E. 1.

\* Pierre de  
Pithou, ibid.  
n. 10. p. 1500.

\* Here, p 684,  
685.



**An. 25 E. 1.** alia servitia consueta tibi, tuisque successoribus, Ducibus, Comitibus, Baronibus, Nobilibus, et aliis temporalibus Dominis supradictis, tam de jure quam de consuetudine a personis Ecclesiasticis debita, prefata Constitutio non includat, vel aliquatenus comprehendat. Et quod Personæ Ecclesiasticæ pro Ecclesiarum suarum utilitatibus compositionis aut transactionis titulo, vel alio quovis modo, seu pro libertatibus acquirendis tecum, et cum tuis successoribus, Ducibus, Comitibus, Baronibus, Nobilibus, et aliis temporalibus Dominis prælibatis, prout conscientiis eorum videbitur, et ante constitutionem eandem poterant, libere valeant convenire, nec illas per ipsius Constitutionis bigorem in iis contingat aliquatenus impediri. *Quodq. Constitutio eadem Clericos clericaliter non viventes, sed se mercationibus & mercimoniis, præsertim inhonestis & vilibus, vel sævis immiscentes actibus non defendat. Adiciamus insuper hujusmodi declarationi nostræ, Quod si tibi et successoribus tuis pro universali vel particulari ejusdem Regni defensione, periculosa necessitas immineret, ad hujusmodi necessitatis casum se nequaquam extendat Constitutio memorata; quin potius tu et successores tui possitis a Prælati et personis Ecclesiasticis dicti Regni petere ac recipere pro hujusmodi defensione subsidium vel contributionem, illudque vel illam Prælati et personæ prædictæ tibi et successoribus tuis, \* inconsulto etiam Romano Pontifice, teneantur et valeant sub quorū nomine, aut alias etiam impetiri; non obstantibus Constitutione prædicta, seu quovis exemptionis, aut alio quolibet privilegio, sub quacunque verborum forma confecto a Sede Apostolica impetrato. Quodque necessitatis declaratio supradicta tuæ et successorum tuorum conscientiis, dummodo successores ipsi vicissimum ætatis annum exegerint, relinquatur. Super quo tuam et successorum prædictorum conscientias onera i, ac tibi et eisdem successoribus innotescere volumus, quod quicquid recipi ultra ipsius defensionis casum contigerit, tu et libem successores in vestrarum recipietis periculum animarum, super quo nisi tu et dicti successores vobis salubriter providere curetis; attendere poteritis, in quo periculo vos contigerit remanere. Si vero defensionis prædictæ tempore hujusmodi ætatis annum præfati non exegerint Successores, declaratio necessitatis ejusdem Prælatorum, Clericorum et Laicorum, qui de ipsorum successorum stricto Concilio, seu majoris partis ipsorum fuerint, conscientias relinquatur. Quorum similiter conscientias onerari volumus, eisque plenum apriri; quod si quid ultra casum defensionis reciperetur ejusdem, in dispendium salutis Consiliariozum reciperetur ipsorum, illudque restituere teneantur. Quodque præterea intentionis nostræ non extigit, nec existit per constitutionem prædictam seu declarationem præsentem, jura, libertates, franchisas seu consuetudines quæ tibi et regno, Ducibus, Comitibus, Baronibus, Nobilibus et quibuscumque aliis Temporalibus Dominis, editionis præfate Constitutionis tempore, ac etiam ante illud competere noscebantur, tollere, diminuere, vel quovis modo mutare, aut eis in aliquo derogare, seu novas servitutes vel submissiones imponere. Sed jura, libertates, franchisas et consuetudines supradictæ, tibi et aliis prælibatis illata et integra conservare. Nulli ergo omnino hominum liceat hanc paginam nostræ declarationis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare præsumpserit, indignationem omnipotentis Dei, et beatorum Petri et Pauli Apostolorum ejus se noverit incursurum. Datum apud Urbem veterem 11 Kal. Aug. Pontificatus nostri anno tertio.*

\* Nota.

Moreover the Pope sent this Bull to the Archbishops of Rhean, Auxerre, and the Abbot of Saint Denys in France, that they might constrain (and therefore our English Archbishops, Bishops, Abbots, by like reason) the Clergy and religious persons under their Jurisdictions, to yield aids and Subsidies to the Kings of France, to defend or rescue them or their sonnes from their enemies, especially if taken prisoners by them, notwithstanding his Constitution, without any license from him or his successors, which our K. Edward did without any such Bull, license or declaration.

\* Pierre de Pithou Preuves des Libertez de l'Eglise Gallicane, ch. 39. sect. 11. pag. 1503.

\* Bonifacius Episcopus, servus servorum Dei, venerabilibus fratribus, Archiepiscopo Rothomagensi, & Episcopo Antissiodorensi, dilecto filio Abbati Monasterii sancti Dionysii Parisiensis Diocesis, salutem & Apostolicam benedictionem. Ab olim ante nostra promotionis primordia generosam & inclitam Domum Franciæ, filios devotionis, & fidei Christi que aibletas, & Christianitatis pugiles producentem, sincera & intima charitate dileximus, ac diligere non cessamus, ad sui honoris & exaltationis incrementa felicia ferventibus studiis intendentes. Sane volentes hactenus, prout debitum nostri requirit

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quirit officii, Ecclesiarum et Ecclesiasticæ libertatis statui providere, ut ad divini numinis gloriam quietis stabilis commodis pericvantur, Constitutionem quandam edictimus; per quam prælati & personis Ecclesiasticis, cujuscunque dignitatis, status, aut conditionis existant, sub adjutorii, mutui, vel doni nomine Imperatoribus, Regibus, Principibus aut Præsidenribus cæteris præstent, absque Apostolicæ Sedis autoritate, subsidia, quocunque nomine censeantur; neve Imperatores, Reges, seu Principes, aut aliter Præsidentes ea imponere, exigere, ac recipere audeant, certis pœnis appo-  
 hitis, inhibetur. *Verum quia nonnulli sequentes animi sui motus, & volentes plus sapere quam sit opus, constitutionem prædictam multifarie multisque modis exponere ac interpre-  
 tari conantur: Nos qui processus nostros per callem justitiæ, tramitem aequitatis, & cer-  
 titudinis semitam dirigi, captiosis verborum oracula omnino postpositis, affectavimus,  
 ut omne in hoc tollatur ambiguum, omneque dubium subducatur, ac nostra intentionis pro-  
 positum clarius elucescat, per nostras literas duximus declarandum, Quod si charissi-  
 mus in Christo filius noster Philippus Franciæ Rex illustris, vel ejus filius aut filii,  
 Rege ipso vivente, seu dicti Regi successores, siue ipsorum filius aut filii, successo-  
 ribus ipsis viventibus, ab eorum (quod absit) hostibus caperentur, Prælati et per-  
 sonæ Ecclesiasticæ supradicti pro dictorum Regis et filiorum ipsius, ac successorum,  
 suorumque natozum redemptione seu recuperatione, non obstante constitutione  
 prædicta, præstare subsidia teneantur. Quocirca discretionis vestre per Apostolica  
 scripta mandamus, quatinus vos, vel duo, aut unus vestrum per vos, vel alium, seu  
 alios Prælatos, et personas Ecclesiasticas supradictas ad huiusmodi Subsidium eis-  
 dem Regi et ejus successoribus exhibendum auctoritate nostra, spiritualiter et tem-  
 poraliter, prout utilius expedire videritis, appellatione postposita, compellatis;  
 invocato ad hoc, si opus fuerit, auxilio brachii secularis, \* non obstantibus si eis aut  
 quibusvis aliis exemptis, et non exemptis per specialia privilegia, seu literas sub  
 quavis forma seu tenore verborum concessa, a Sede Apostolica sit indultum, quod  
 ad huiusmodi subsidia præstanda minime teneantur, quodque ad id compelli, seu quod  
 interdicti, suspendi vel excommunicari non possint, per literas dictæ Sedis non facien-  
 tes plenam et expressam de indulto huiusmodi mentionem, et quolibet alia præfata  
 Sedis indulgentia generali vel speciali, cujuscunque tenoris vel expressionis exis-  
 tat, per quam præsentibus non expressam, vel totaliter non insertam, effectus ea-  
 rum impediri possit quomolibet vel differri, et de qua in nostris literis plenam et  
 expressam, ac de verbo ad verbum oporteat fieri mentionem. Datum apud Urbem vete-  
 rem, 6 Idus Augusti; Pontificatus nostri anno tertio.*

\* Nota.

What further oppositions this French King, his Nobles and Subjects made against this proud Popes Bull and usurpations, I shall relate in its due series of time.

Whiles our King Edward was busied in proceeding against his undutifull Prelates and Clergy, to reduce them to obedience, by putting them out of his Protection, seising their Temporalities, goods, chattels, and imprisoning the persons of those who published the Popes Bull, or excommunicated his Officers for executing his Writs issued against them, the Archbishop of Canterbury, with some other Prelates and Clergy-  
 men, by their clandestine instigations and disobedient refractory examples, stirred up sundry of the Nobility and Commons of the Realm against the King, by reason of divers extorsions, which the Clergies denial of a timely ayd to supply his want of Monies to carry on his Wars, enforced him to exercise, against the Laws of the Realm, and the liberties and properties of his Subjects, thus related by \* our Historians;  
*Hoc anno auxit Rex tributum de lanis, accipiens de quolibet sacco quadraginta solidos, cum prius ultra marcam dimidiam non daretur. Illo quoque tempore voce præconaria proclamatum fuit per Angliam, ut possessores lanarum exponerent eas venditioni infra mensem in civitatibus assignatis, alioqui, tanquam forisfactura cederent ipsi Regi. Que quidem in die S. Georgii quasi modo prælocuto callide congregata, pro forisfactura Regis in Flandriam sunt transvectæ, (or as Henry de Knyghton expres-  
 serit it) Ministri Regis omnes saccos lane quinarium numerum excedentes, datis tal-  
 lis, ad opus Regis acceperunt. Et ab unoquoque sacco quinarium numerum non excedente, ab eis nomine malæ tollis 40 s. extorserunt. Et multæ oppressiones fiebant in hunc modum in populo. Rex quoque habuit de quolibet Comitatu duo millia quarteria frumenti, et totidem de avenis, et carnes salas similiter, ad gra-  
 vem oppressionem populi, videlicet, porcinas, bovinas, vaccinas, multonum sal-  
 las, nulla solutione cuiquam inde facta. Ipsis et aliis extorsionibus turbati Comi-  
 tes*

\* Th. de Wal-  
 singham Hist.  
 Angl. p. 35.  
 Ypodigma,  
 pag. 83. 84.  
 Mat. Westm.  
 Flores Histor.  
 p. 409, &c.  
 Henry de  
 Knyghton de  
 Event. Angl.  
 l. 3. c. 15 col.  
 2492, 2493.  
 & Polydor  
 Virgil, Hyg-  
 den, Fabian,  
 Caxton, Ho-  
 linshed, Stow,  
 Speed, Daniel,  
 Baker in An. 14  
 & 25 Ed. 1.



X. Edward 1. *An Exact History of Popes Intollerable Usurpations, B.5.ch.4.*

An. 25 E.1. tes et Barones Angliæ, Parliamentum suum per se in Foresta de Wyre, quæ est in Marchia, statuerunt. In crastino Translationis beati Thomæ Martyris, citatis Comitibus & Baronibus regni Londini, mandante Rege suo Constabulario & suo Marescallo, Comitibus Northfolciæ & Herefordiæ, adunati populi coram ipsis apud S. Paulum, abbreviare quot equitaturas quisque posset invenire ipsi Regi processuro ad bellum. Responderunt supplicando, quatenus imperaret alicui alteri de domo sua illud officium, eo quod non citati, imò rogati diverterant ad eundem. Et displicuit sermo iste in oculis Regis, assignatis interim duobus aliis militibus in huiusmodi officio exequenda. The Writs then issued for that purpose as well to Archbishops, Bishops, Abbots and other Ecclesiastical persons, as to Earls and Lay-men, who held Lands in Capite or Grand Serjeanty, or had 20 l. lands or rents by the year, are thus recorded.

Cl. 25 E. 1.  
m. 14. dorso.  
Cedula.

**R**EX Vic. Ebor. salutem. Quia pro salvatione & communi utilitate Regni nostri passagium nostrum ad partes transmarinas jam duximus statuendum, tibi precipimus in fide quâ nobis teneris firmiter injungentes, quod summoneri facias Archiepiscopos, Episcopos, Abbates, Priores, et alias personas Ecclesiasticas, & etiam viduas & alias mulieres de Balliva tua, qui de nobis tenent in Capite, per servitium Militare, vel per Serjeantiam, vel de Wardis in manu nostra existentibus, quod habeant ad nos London. die Dominica prox. post Octab. sancti Johannis Baptista prox. futurum, totum servitium suum nobis debitum, equis & armis bene munitum, & paratum ad transfretandum cum corpore nostro ad partes prædictas, ad Dei, nostri, et ipsorum honorem, pro salvatione et utilitate supradictis. Et ita te habeas in hoc mandato nostro celeriter exequendo, ne si contingat (quod absit) transfretationem nostram per defectum tuum impediri, ad te graviter capere debeamus, Teste Rege apud Londres, 15 die Maii.

Consimiles literæ diriguntur singulis Vicecomitibus Angliæ. Item Reginaldo de Grey.

Ibidem.

**R**EX dilecto Consanguineo & fideli suo Edmundo Comiti Cornub. salutem. Cum pro dampnis & periculis, quæ nobis & toti regno nostro, per insidias inimicorum nostrorum evenire possent cautius præcavendis, nuper præceperimus singulis Vicecom. ejusdem regni, quod scire facerent omnibus illis de Ballivis suis infra libertates & extra, qui habent viginti libratas terræ et redditus per annum, & illis similiter qui plus habent, videlicet tam illis qui non tenent de nobis in Capite, quàm illis qui tenent, ut de Equis & armis sibi providerent, et se præpararent indilate, ita quod sic essent prompti & parati ad veniendum ad nos, et eundem cum propria persona nostra, pro salvatione ipsorum et totius regni nostri prædicti, quandoque pro ipsis mandaremus: ac nos passagium nostrum ad partes transmarinas, pro salvatione huiusmodi, jam duximus statuend. Vos affectuosè requirimus & rogamus, quatinus attendentes, quod vos oportet & concedet, circa salvationem & communem utilitatem dicti Regni, manus apponere adjutrices; sitis ad nos London. die Dominica prox. post Octabis sancti Johannis Baptista prox. futur. cum equis et armis, parati transfretare cum corpore nostro ad partes prædictas, ad Dei, nostri, et vestri honorem, pro salvatione & utilitate supradictis, ita quod vobis exinde ad perpetuas gratiarum actiones teneamur. Teste ut supra.

Consimiles literæ diriguntur Rogero le Bygod Comiti Norff. & Marescallo Angliæ, Humfrido de Bohun Com. Hereford. & Essex. &c.

Sub eadem forma scribitur venerabili Patri A. Dunelm. Episcopo, cum ista requisitione, quod sit London. &c. ut supra; cum hominibus, equis et armis munitis decentiori et potentiori modo quo poterit, paratus transfretare, &c. ut supra. Teste ut supra.

Ibidem.

**R**EX venerabili in Christo patri O. eadem gratia Lincoln. Episcopo, salutem. Quia passagium nostrum ad partes transmarinas, ad Dei, nostri & vestri honorem, pro salvatione & communi utilitate regni nostri, jam duximus statuendum; vobis mandamus, quod totum Servitium, quod nobis debetis, habeatis ad nos London. die Dominica proxima post Octabas sancti Johannis Baptista proximo futur. equis et armis bene munitum, et paratum ad transfretandum cum corpore nostro ad partes prædictas, pro salvatione & utilitate supradictis: Et hoc, sicut nostri & vestri

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& vestri, & totius Regni nostri honorem et saluationem diligitis nullo modo omittatis. Teste ut supra. An. 25 E. 1.

Consimiles literæ diriguntur Episcopis subscriptis, viz. G. Wygorn. W. Elien. W. Barchin. & Willen. R. Norwyc. N. Sarum, G. Cicestr. R. London. R. Hereford. Th. Exon. L. Assaven. J. Winton. Episcopo, vel ejus vices gerenti, ipso agente in partibus transmarinis; W. Coventr. & Lyche. Episcopo, vel ejus vices gerenti, ipso agente in partibus transmarinis.

Moreover, the King to prevent all Letters, Messages from the Clergy or others to or from Rome, or his Enemies, and to stop all persons from avoyding his Service by running beyond the Seas, issued these Writs to his Officers in all the Cinque Ports, Port Towns or Creeks in England, Scotland and Wales, not to permit any persons to pass out of England without his special license, and to arrest all such who had any Letters till further order, and send all their Letters to him where ever he should then be in England.

**R**EX Baronibus & Ballivis Portus sui Doverr. salutem. Quia certis de causis, nolumus quod aliquis quicumque fuerit, Clericus vel Laicus, aliquo modo exeat regnum nostrum sine licentia nostra speciali, Vobis precipimus in fide quæ nobis tenemini firmiter injungentes, quod per portum villæ prædictæ neminem sine hujusmodi nostra licentia mare transire aliquatiter permittatis. Et si aliquis forsitan, qui mare transire voluerit, ibidem cum literis repertus fuerit, tunc ipsum, cujuscunque conditionis existat, sine dilatione arrestari, literasque sic inventas ad nos ubicunque fuerimus in Anglia mitti celeriter faciatis, ipsum cum quo literæ illæ indentæ fuerint, nichilominus salvo custodiendo, quousquam inspectionem literarum illarum habuerimus, et a nobis inde habueritis in mandatis. Ita tamen quod illi qui literas nostras de licentia transfretandi ad partes transmarinas deferent, juxta tenorem literarum illarum absque impedimento valeant transfretare. Illud mandatum nostrum, sicut vos et vestra diligitis exequamini diligenter. Teste Rege apud Castlere, 31 die Januarii.

Claus. 25 E. 1.  
m. 25 Quod  
nullus exeat  
Regnum sine  
licentia Regis.

Eodem modo de verbo ad verbum scribitur Majori & Ballivis Portus de Sandwich, Baron. & Ballivis de Romenhale, Baron. & Ballivis de Heth, Baron. & Ballivis de Wyndesore, Baron. & Ballivis de la Rye, Baron. & Ballivis de Hastings, Baron. & Ballivis de Faversham, Majori & Ballivis Suthr. Majori & Ballivis de Portesmu, Ballivis de Shorham, Ballivis de Donwico, Ballivis de Gippeswyco, Ballivis de Shersford, Ballivis de Pevenshe, Majori & Ballivis Bristol. Ballivis de Herewich, Ballivis de Oresford, Ballivis de Goseford, Ballivis de Maldon, Ballivis de la Pole, Ballivis de Insula Vecta, Ballivis de Hardelewe, Ballivis de Flynt, Ballivis de Holmecltram, Ballivis de sancta Bega, Ballivis de Wykington, Ballivis de Ravensglas, Ballivis de Falemue, Ballivis Montis sancti Michaelis in periculo maris, Ballivis de Monsehole, Ballivis sancti Karantaci, Ballivis de Oldestowe, Ballivis de Clonby, Ballivis de Shippedenemere, Ballivis de Welles & Holkeham, Ballivis de Brunnham, Ballivis de Thornham, Ballivis de Lenn, Ballivis de sancto Botolpho, Ballivis de Spalteneye, Ballivis de Salfeseby, Ballivis de Waynset, Majori & Ballivis de Grimesby, Ballivis de Kingeston super Hull, Ballivis de Ravensere, Ballivis de Scardeburgh, Ballivis de Bamburgh, Ballivis de Tysemuth, Majori & Ballivis de Novo Castro super Tynem, Ballivis de Whyteby, Ballivis de Lancast. Ballivis de Cokermue, Ballivis de Lynreple, Ballivis de Fordeham, Ballivis Prioris sanctæ Elena de Insula Vecta, Ballivis de Nenport in Insula Vecta, Ballivis de Towemonth, Ballivis de Ilfardcumbe, Ballivis de Cumbemartyn, Ballivis de Dunsterre, Ballivis de Strugeyl, Ballivis de Uske, Ballivis de Goor, Majori & Ballivis de Lym, Ballivis de Landstephan, Ballivis de Talsham, Ballivis de Haverford, Ballivis de Penbrok, Ballivis de Sencher, Ballivis de Camer, Ballivis de Calgarau, Ballivis de Kermardyn, Ballivis de Kardigan, Ballivis de Anglesey, Ballivis de Rochelam, Majori & Ballivis Cestr. Ballivis de Aberconweye, Ballivis de Lampader, Ballivis de Swyneseye, Ballivis de Karnarvan, Ballivis de Kedwelly, Ballivis de Muleford, Ballivis de Oterimonth, Ballivis de Exemue, cum Portibus Luleham & Kyen, & Toppeham, Ballivis de Sidemonth, Ballivis de Teignemue, Ballivis de Dertemue, cum Portu Totsonye, Ballivis de Portemue, Bal-



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An.25 E.1. livis de Talamme sub Nyweton Ferers, Ballivis de Plymmne, cum Portu de Sutton, Ballivis Portus de Lo, Ballivis de Faw).

Eodem modo scribitur *Reginaldo de Grey* Justic. in fide, &c. quod per aliquem Portum five Locum in Balliva, ubi naves vel batelli poterunt applicare, neminem sine hujusmodi licentia transire permittat, &c. ut supra.

Eodem modo scribitur *Johanni de Havering*, Justic. *Northwall*.

Eodem modo scribitur *Stephano de Penest.* Custodi quinque Portuum.

Et scribitur *Johanni de Warenn* Comiti *Surr.* Custodi Regni & Terræ *Scotie*, quod per aliquem Portum vel locum infra Regnum *Scotie* prædictum, ubi Naves vel Batelli, &c. si aliquis, &c. in aliquo Portuum vel Locorum prædictorum cum literis, &c. cum ista Claus. Istud autem mandatum nostrum, sicut nos et honorem nostrum ac commodum regni nostri diligitis exequamini diligenter.

a Henry de Knyghton, de Event. Angl. col. 2493. & Polydor Virgil. Angl. Hist. l. 17. p. 338. Max. Westm. p. 409. 410.

<sup>a</sup> In festo S. Matthæi quibusdam convocatis Optimatibus regni absque Clero, Rex tenuit Parliamentum suum apud Salysbyriam, ubi rogavit quosdam Magnatum, ut in Vasconiam transfretarent: Et ceperunt singuli se excusare. Indignatusque Rex comminabatur quibusdam eorum, vel quod trent, vel quod terras eorum daret aliis ire volentibus. Et in hoc verbo scandalizati sunt multi, & scisma cepit oriri inter eos. Comes etiam Mareschallus & Comes Herfordiæ excusaverunt se dicentes, Quod officia sua quæ sibi jure Hereditario competeant libenter facerent eundo cum ipso Rege. Iteraque præce rogavit Rex Comitem Mareschallum ut iret, & ait; Libenter tecum vadam, O Rex præcedendo faciem tuam in acie primâ, sicut mihi competit jure hereditario. Et Rex, etiam sine me ibis cum aliis. At ille, Non teneor, nec est mea voluntas, O Rex, sine te iter arripere. Et iratus Rex prorupit in hæc verba, ut dicitur: Per Deum, ô Comes, aut ibis aut pendeabis. Et ille, Per idem jurementum, ô Rex, nec ibo nec pendebo. Et licentia non accepta recessit; dissolutumque est Concilium pro illo die. Confestim vero duo Comites isti Herfordiæ & Mareschallus associati sibi multis Magnatibus, & plus quam 30 Baneris electis creverunt in populum multum, numeratique sunt in equis armatis mille quingenti viri expediti ad bellum. Et cepit eos timere Rex, dissimulavit tamen. Illi profecti in terras suas, noluerunt Spinifros Regis permittere, nec lanas, nec coria, nec extraordinarium quicquam capere, aut aliquid exigere ab iubitis, quinimo interdixerunt eis terras suas sub pœna capitis et membrorum, et sic resistebant Regi et suis.

About the same time the King of France invading Flanders with a puissant army to conquer it, to divert the King of England from assisting the Earl of Flanders his confederate, stirred up the perfidious Scots, (immediately after their\* new premised Abjurations of all Confederacies with the French) to rebel and war against him, by the instigation of William Walleys his instrument. <sup>b</sup> Eodem anno mense Maio, ceperunt coti (instigante eos Willielmo Walleys, qui ut fertur latro publicus fuerat) rebellare. Justiciarius Scotiæ, Willielmus de Ormesby, præceptum Regis exequens, multos qui Regi Angliæ homagium et fidelitatem facere recusabant, exilto condemnabit. Qui præfatum Willielmum Walleys sibi in Principem eligentes, associato sibi Willielmo Douglas qui in reddendo castrum Berwici se Regi dederat, in magnam turmam creverunt. Comite autem Surrie & Thesaurario in Anglia existentibus. Willielmum de Ormesby Justiciarium apud Scone opprimere cogitabant, sed ille licet præmunitus, suis omnibus penè relictis ad spolia hostium, eorum vix evasit infidias, Willielmus Walleys cum suis palam debacchando in Anglicos, quoscunque invenire potuit trucidavit. De quibus viros religiosos Anglicos dormitus suis quibus profecti erant violenter extrahentes, ex his spectaculum facientes, et scēminas quas specialiter referabant ad hoc, ligatis ad dorsum manibus vel pedibus, ne forsitim natando evaderent, ex ipsius pontibus, coegit saltare, vel præcipitari faciebat in flubium, eorum submersionem in ludibrium convertendo, in interitu eorum et subbersione lstantes. Hæc ideo scribere curavi ferocitatem improbe gentis referare, quæ in iniquis taliter super omnes alias Nationes terræ, quasi naturaliter contra Anglicos posita est, writes Henry de Knyghton, who more largely relates their cruelties, perjuries, treacheries, rebellions, then any other of our Historians, to whom I refer you; only I shall insert one observable fresh president of Robert de Bruys a Scottish Earl his desperate perjury, treachery and cruelty out of him, soon after the breaking forth of this new Scottish rebellion and warre against King Edward. <sup>c</sup> Interim dum talia gererent Carliolensis Episcopus,

c Henry de Knyghton de Event. Anglie, l. 1. c. 9. col. 2514.

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K: Edward 1.

Episcopus, & ceteri viri qui cum eo erant in presidio Civitatis ejusdem & Castri, timentes de infelicitate & inconstantia Domini Roberti de Bruys junioris, Comitis de Kar-  
 ryk, miserunt vocantes eum ut certo die veniret tractaturus cum eis de negotiis Regis, &  
 tamen in fide Regis ipsius perseverando maneret. Qui mandatis resistere non au-  
 dens, venit ad ipsum diem cum omni populo Galwalliz, et supra sacra mysteria juravit,  
 et super gladium sancti Thomæ juramentum præstitit, quod Regi nostro et suis con-  
 tra Scotos et omnes inimicos suos fideliter assisteret in consiliis et auxiliis, damna-  
 que sua impediret in quanto se posset sua facultas extendere, factoque juramento re-  
 verberatus est in locum suum. Et congregato populo ut colorem fingeret processit in terras  
 Willielmi Douglas, & partem earum combussit igni, & uxorem ejus & parvulos se-  
 cum adduxit in vallem Anandiz. Cito tamen post dum à conspiratione Scotorum re-  
 verteretur ad propria, convocatis militibus patriis sui de terra vallis Anandiz (nam  
 pater ipsius in australibus partibus Angliæ moram faciebat) hujus fraudis nescias, &  
 dixit eis. Charissimi mei, scitis, & verum est, quod nuper apud Carlionem jura-  
 mentum præstiti, de quo scitis et audistis, nullum quidem et hi extortum, nam  
 timore ducens hoc feci corpe sed non mente, unde contristor et poeniteo balde,  
 spero tamen me beneficium absolutionis consecutum in bebi. Verum quia car-  
 nem suam nemo unquam odio habuit, nec ego habeo, oportet ut vadam ad populum  
 meum et nationi meæ adjungar, et qua procreatus sum, rogo autem vos ut illud  
 facientes placeat vobis venire mecum, eritisque mihi consiliarii et amici charissimi.  
 Cumque differrent responsum in crastinum, eadem nocte latenter recesserunt, potius  
 eligentes damna quæcunque magna ad tempus sustinere, quam fidelitatem Regi  
 Edwardo factam cum nota infamiz infringere. Ipso vero aspirans ad regnum, sicut  
 publicè dicebatur, adjunctus est ad populum perversum, et cum Episcopo Glasgu-  
 ensi et Seneschallo Scotiz, qui totius mali fabricatores extiterant, confederatus est.  
 Et tunc vero generatio illa perfida et infidelis Scoti, omnes Anglicos quos invenire  
 poterant trucidabant, inter quos tres Anglici viri in villa S. Andree, qui cum à fa-  
 cie Willielmi Waleys & suorum fugissent in lapidem illum, qui dicitur petra vel acus  
 Sancti Andree, credentes se posse lapidis immunitate muniti, cum sancta mater Eccle-  
 sia præbilegium perdidisset, a Scotis interfecti sunt, et in eodem lapide interfecti.  
 \* He instanceth in sundry other presidents of their treachery and cruelty; wherof  
 this towards Hugo de Cressingham, Rector Ecclesie de Ruddeby, & capitalis Justicia-  
 rius in Assise Eborac, is memorable. Qui cum esset præbendarius in multis Ec-  
 clesiis et multarum haberet curam animarum, nunquam tamen arma spiritualia  
 indidit, sed galeam et loriceam in quibus (in bello) coaruit, et qui gladio lingue  
 fuz (as a Judge, not Evangelist) multos olim extriberat in iudiciis multis, gladio  
 tandem perverborum occisus est. Quem excoziantem, Scoti dibiserunt inter ipsos  
 pellem ipsius per modicas partes, non quidem ad reliquias, sed in contumelias;  
 erat enim pulcher & crassus nimis, vocaveruntque eum non Thesaurarium sed Traitura-  
 rium Regis, & virius quam credebant; multos enim seduxit in die hac, sed & ipse se-  
 ductus est, qui levis et lubricus, elatus superbia & avaritia deditus. Rex commotio-  
 ne audita, militiam totam ultra Trentam fluvium assignavit Comiti de Warennæ, præ-  
 cipiens, ut Scotorum audaciam celerius opprimeret, et auctores mali debita justitia ca-  
 stigaret, scripsit etiam Johanni Comyn de Badenau, & Comiti de Bowan, ut memo-  
 res fidelitatis suæ reverterentur in Scotiam & populi sui suscitatum jam tumultum se-  
 darent. Qui juxta mandatum acceptum in Scotiam revertentes, quæ pacis erant seg-  
 niter exequuntur. Comes de Warennæ in Provincia Eboraci coadunans exercitum,  
 nepotem suum Henricus de Percy cum militia Communitatis Carleoli præmisit in Scoti-  
 am: Qui usque ad villam de Arc profectus, Galwidienses ad pacem Regis admittere  
 disponebat. Audito autem quod Scotorum exercitus erat Irwine, illic profectus, vi-  
 dit ultra quendam lacum Scotorum exercitum confedentem, in quo Capitanei erant  
 Episcopus Glasguensis (against his former redoubled Oaths under hand and seal to  
 the King) Andreas de Morina Seneschallus Scotiz, & Willielmus Waleys; Miles  
 autem quidam strenuus nomine Richardus de Lunde, qui Regi Angliæ nunquam bona-  
 gium fecerat, relictis Scotis, factus transfuga, se statim Anglicis sociavit. Reliqui  
 pacem petentes, dederunt se salvo eis vita & membris, catallis & terris, ita ut omnia  
 usque in hanc diem essent simpliciter condonata. Quam pacem promissis obsedibus, &  
 scripto confecto, admisit Henricus, si tamen hoc Regi placeret. Qui super hoc consul-  
 tum, ut accepto impediretur itinere in Flandriam, annis postulat. Adveniente Cemi-

d Henry de  
 Knyghton de  
 Event Angl.  
 l. 3. c. 10. col.  
 259.



K. Edward 1. *An Exact History of Popes Intolerable Usurpations, B. 5. ch. 4.*

An. 25 E. 1. *te Warenna cum Scoti tergiversando de die in diem transferrent obsides reddere, & Willielmus Waleys interim populum adunaret, arbitantes se Anglici proditores, dum Scotos invadere disponunt, Episcopus Glasguensis, & Willielmus Douglas, ne prodicionis notam incurrerent, se in sui excusationem protinus reddiderunt; de quibus Episcopus in castro de Rokesburgia, Willielmus vero in castro Berewici mancipatur.*

e Henry de  
Knyghton de  
Event. Anglitz.  
l. 3. c. 9. col.  
2510. Tho.  
Walsingham,  
Hist. Angl. p.  
36. Mat. Par-  
ker, Antiqu.  
Eccles. Brit. p.  
212, 213.  
f Here, p. 721.

g Mat. Westm.  
An. 1297. pag.  
403, 410  
Walsing. Hist.  
Angl. p. 36.  
Yrrodigma  
Neutritz, p.  
84.

\* See p. 734,  
735.

\* illuc.

\* Mat. Westm.  
p. 410.

The King being engaged and peremptorily resolved to go in person into *Flanders* to ayde the Earl against the *French*, thought it expedient before his departure out of *England* to endeavor to reconcile all domestick differences then between him his Prelates, Clergy, Nobles and Commons; for which purpose *Parliamentum* factum est Londonus in sedo *Santi Petri* ad vincula, ubi in primis Rex recepit Archiepiscopum in gratiam suam (the prime author of the Clergies, Nobles, Commons oppositions and insurrections against him) omnibus qui ejus erant restitutis eidem usque ad ultimam quadrantem (by the *f* premised Writ) Deinde precipis Magnatibus qui tunc aderant, ut fidelitatem filio suo facerent, ipsumque regni heredem et suum futurum recognoscerent Dominum. Rex vero de exactionibus in regno factis, per necessitates guerrarum diversarum se erga populum excusabit. Comes vero Marescallus & Herefordensis se subtrahentes, cum venirent ut sua officia transendo in Flandriam exercerent, se super hoc per Nuncios excusabant. *Eodem* tempore admissio Archiep. Cantuariensis in gratiam Regis atque reddita sibi Baronia sua, Rex emirancore deposito ipsum cum suis in specialitatem recepit pristinam & majorem adjunxit. Et confidens a bonitate ejus & constantia, curam & custodiam Edwardi filii sui & totius terre Angliz, (as Knyghton stories) adjunxit sibi D. Regis. de Gray commisit. Pridie Idus Julii ante magnam aulam Regiam Westminster. elevatus Rex super gradum ligneum cum filio suo & Archiepiscopo, necnon Comite Warwic. ut populum decedens deliniret, coram eoistente populo, erumpentibus lacrymis veniam de commissis humiliter postulavit: Dicens, *Se minus bene et tranquille quem Regem deceret ipsos regisse, potiusunculas facultatum suarum quas sibi dederent, seu quas ministri ejus ipso inscio extorserant, adea accepisse, ut injurias hostium conatus, sitientium sanguinem Anglicanum, sumpta licentia particula, massa quictius possidenda, potentius expugnaret: Et addens, Ecce expositurus me ipsum discrimini propter vos, peto, si rediero, suscipiatis me velut in presentia habetis, et ablata omnia reddam vobis. Quod si non rediero, in Regem vestrum meum filium coronetis. Hac autem, Archiepiscopo resolutio in lacrymas, pollicente se fideliter obsequere, totus populus fidelitatem extensis manibus stipulatur.* Henry de Knyghton addit, Rogavitque populum accepta licentia, ut omnia condonarentur ei, et orarent pro eo: et orabant quidam publice, alii vero sic, alii vero occulte, pauci vero bene. Absentibus interim sponte prefatis Comitibus usquequo eorum petitio pro allebatione patrie audiretur. Dixerunt quidam, non fuit proficuum Regi in Flandriam transire, neque ipsos sibi *illuc* terbitia, ab antecessoribus suis insue- ta præbere; præsertim ipsis Scotis jamdudum more Wallensium adhuc se præsentem, recidivatis ad pugnam. Postularunt etiam, allegata primitus communitatis exinanitione, ne de cætero per Angliam tallagia usurparet. Rursum, ut libertates contentas in Magna Charta ac de Foresta, in usu extunc efficacius haberentur, et voluntarias super his inductas exactiones, de cætero quasi in irritum rebocaret: super quibus non protinus exauditi cum indignatione recesserunt dicti Comites et Barones. Quo viso, Rex instinctu charitatis consolvenda, suasque viatorias acquirenda, articulos in prædictis Chartis contentos innobari insuper et obsequari mandabit, exigendo pro hac concessione ab incolis octavum denarium sibi dari. *Qui* mox concessus est ei a plebe, in sua tunc Camera circumstante. Petiit etiam a Clero subsidium, qui respondit, *Se* velle Summo Pontifici literas supplicatores dirigere pro conferendi licentia obtinenda. Igitur datis induciis inter Regem & Comites, ut uniformes fierent, & non presentantibus se prefatis Comitibus conspectui Regis, cernens ipse mora sua amicis suis in transmarinis partibus, ejus adventum expectantibus periculum imminere non modicum, Comitibus prefatis se subtrahentibus, cum votis Regis non parerent ab eorum officiis absoluti sunt, dedique Rex eorum officia aliis quibusdam qui ministrarent ei. Thoma de Berkeley Constabulario, & Galfrido de Monibolza Mareschallo factis, versus mare Rex in Flandriam profecturus iter suum dirigit, atque juxta Wynchelsiam ubi portum eligerat, confedit, milites virosque bellatores de

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward I.

diversis partibus ad se confluentes, per dies aliquot expectando : The premised Earles An. 25. E. 1  
being highly offended that they were thus displaced ; the King to encrease his for-  
ces and friends, <sup>h</sup> de discretorum consilio Radulphum de Moynhermer militem, quem  
filia sua Johanna Comitissa Gloverniz, clam maritum accepit in gravem patris offen-  
sam, de castro Bristoliz fecit educi, & uxori suæ reddi, restituens eis omnes terras ad  
Comitatum Gloverniz spectantes, servitium quinquaginta Militum in Flandria im-  
ponens eisdem. Liberavit etiam de carcere Comites de Ascales & de Menteth, &  
Johannem de Comyn, cum quibusdam aliis Militibus de Scotia qui in Castro de Dun-  
bar, capti fuerunt, ut secum in Flandria militarent, who serving him a perfidious Sco-  
tish trick, <sup>i</sup> Cum enim Rex Angliz ad propria reversurus venisset ad villam quæ Arde-  
burgia dicitur, Scoti fere omnes quos secum in Flandriam duxerat in expeditionem, ab  
ipso Rege discedentes, Parisius abierunt, revolting from him to the French. Before his  
departure into Flanders, Rege moram adhuc faciente apud Wynchelseyam, venerunt ei  
Nuntii ex parte Comitum sui regni petitiones hujusmodi in scriptis proponentes, ( print-  
ed both in French and Latin in <sup>k</sup> Henry de Knyghton, and in Latin only in <sup>l</sup> Thomas  
Walsingham ) & rogaverunt eum ut subscriptos Articulos pro se, et pro populo emen-  
dare juberet ; adjiciens, quod si Chartam Libertatum confirmare vellet & articulos cor-  
rigere, parati erant omnes eum sequi et in vitam et in mortem.

Hæc sunt documenta quæ Archiepiscopi, Episcopi, Abbates et Priores, Comi-  
tes et Barones, et tota terræ Communitas monstrant Domino nostro Regi, & humi-  
liter rogant eum, ut ea ad honorem suum et salutem populi sui velit corrigere et  
emendare. In primis, videtur toti Communitati terræ, quod præmonitio facta eis  
per breve Domini Regis non erat sufficiens, quia non exprimebatur certus locus,  
quo debebant ire, quia secundum locum oportebat facere providentiam, et pecu-  
niam habere. Et si deberent servitium facere, siue non ; quia dictum est com-  
muniter, quod Dominus noster vult transfretare in Flandriam, videtur toti com-  
munitati, quod ibi non debent aliquod servitium facere, quia nec ipsi, nec præde-  
cessores sui seu progenitores unquam fecerunt servitium in terra illa. Et quamvis  
ita esset, quod deberent ibi servitium facere, ut alibi, tamen non habent faculta-  
tem faciendi, quia nimis afflicti sunt per diversa Tallagia, auxilia, prisas, &c.  
videlicet, de frumentis, avenis, hærto, lanis, coziis, bobus, vaccis, carnibus,  
salis, sine solutione alicujus denarii, de quibus se debuerant sustentasse. Prop-  
ter hoc dicunt, quod auxilium non possunt facere propter paupertatem in qua  
sunt, propter Tallagia et prisas antedictas, quia vix habent unde se sustentent ; et  
multi sunt qui nullam sustentationem habent, nec terras suas colere possunt.  
Propter hoc tota terræ communitas sentit se valde gravatam, quia non tractantur  
secundum leges et consuetudines terræ, secundum quas tractari antecessores sui so-  
lebant habere, sed voluntarie excluduntur. Sentiunt etiam se multi gravatos super  
hoc, quod solebant tractari secundum articulos contentos in Magna Charta, cujus  
articuli omnes sunt omitti, in majus damnum populo universo. Propter quod ro-  
gant Dominum Regem, quod velit ista corrigere ad honorem suum et populi sui sal-  
vationem. Propter hæc communitas terræ sentit se nimis gravatam de assisa Fo-  
restæ, quæ non est custodita sicut consuevit, nec Charta Forestæ observata, sed  
sunt attachiamenta pro libitu extra assisam, aliter quam fieri consuevit. Præterea  
tota communitas sentit se gravatam de vectigali lanarum, quod nimis est onerosum,  
videlicet de quolibet sacco quadraginta solidos, et de lana fracta de quolibet sacco  
septem marcas : lana enim Angliz ascendit fere ad valorem medietatis totius terræ.  
Quia vero communitas optat honorem et salutem Domino nostro Regi sicut tenetur  
velle, non videtur eis quod sit ad bonum Regis quod transeat in Flandriam, nisi  
plus esset assecuratus de Flandrensibus pro se et pro gente sua, et simul cum hoc  
propter terram Scotiæ, quæ rebellare incepit ipso existente in terra, et assimanti  
quod pejus facient cum certificati fuerint, quod Rex mare transierit. Nec solum  
pro terra Scotiæ, sed etiam pro terris aliis quæ non sunt adhuc modo debito sta-  
bilitæ.

Hæc petitiones cum Rex apud Odemar juxta Wynchelsyam recepisset, respondit, se  
talibus sine suo consilio non posse respondere, cujus pars aliqua jam transit in Flan-  
driam, pars verò aliqua Londoniis esset relicta. Rogavit autem per eosdem nuncios præfa-  
tos Comites, quod si secum transire nollent, saltem ipsi vel regno suo in sua ab-  
sentia non nocerent ; sperabat enim ( Deo favente ) reverti, & regnum suum modo de-  
bito

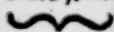
<sup>h</sup> Tho. Wal-  
singham, hist.  
Angl. p. 37.

<sup>i</sup> Walsingham  
Hist. Angl. p.  
36, 37, 42.  
<sup>k</sup> De Eventu-  
bus Angliz, l.  
3. c. 9. col.  
2511, 2512.  
cap. 11. col.  
2517.  
<sup>l</sup> Hist. Angl.  
p. 37, 38, 42.  
Ypodig. Neu-  
striz, p. 34,  
85, 86.



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An. 25. E. 1.



*bito stabilire. Et remissi sunt nunciis levi data licentia.* Hereupon the King to pacifie and give some present satisfaction to his discontented Nobles and their adherents, ordered his Council before his passage into *Flanders*, to issue forth Commissions into all Counties, to inquire of their grievances, and whatever things had been forcibly taken from the Laity or Clergy by his Officers throughout the Realm after the War commenced between him and the *French*, either to guard the seas or for any other purpose, and to hear and determine the matters of fact, redress their grievances, give reparation to the persons injured, and punish the parties offending, as this ensuing Record I met with in the *White Tower*, attests.

Bundelz brevium de Privato sigillo, in Turre London. An. 25 E. 1. & Pat. 26. B. 1. m. 21. Which varies something from the *Writ* of Privy seal. \* commence.

Come le Roi avant son passage vers *Flandre* eust volente e desir de faire redresser e amender les grevances faites a son poeple, en noun de lui, e sur ceo envoiait les lettres par tutez les Contes *Douglterre*. puz ceste chose mettre en effect: ordonne est par lui e par son Conseil, qe en chescun Conte soient assignez quatre; cest aiaavoir deus Chevalers, des queuz le un serra mis par lui, e lautre serra pris du Conte, un Clerh, e un home de Religion, qe soient bons et leaux, e bien avises, puz enquire de tous maneres de grevances; come des choses prises boz de saint Eglise, des prises de Reynes, Deaus, Muirs, Mles, Belfer, Charz, Peissons, e de totes autres maneres des choses par mi le Roialme, des Clerks et des Lays, puis la Guerre \* commotie entre le Roi de France e lui, fust ce puz garde de la Mer ou en autre manere. E enquirront meismes ceuz par qui, e as queuz, e de quoi, e de combien, e de value, e coment, e en quen maniere ices prises e grevances furent faites au poeple. E ceuz assignez eient plein pover, de enquerre oir et terminer, ausi bien par office, come a suite de partie. E quant la verite de ces choses serra ateinte, le quel que ceo soit par garant ou sans garrant, ce qe serra pris sans garrant soit retorne a ceuz, qe le damage ont receu, si le tortz felantz eient de quoi, e outre ceo puni puz le trespas. E si il neient de quoi ceuz a qui les garantiz, e les commissions sont venues, come Viscontes, Clerks assignez, Bailiffs, et autres tiels maneres de Ministres respoignent par leur jourme qe averont fait tels prises. E qe de ce qe serra troue pris par garanz, le Roi serra certifiez, e enca tant qe il se tendront a paiz par reson.

*Dorsu ejusdem.* Fiant Commissiones ad exequendum istud negotium infrascriptis personis; Domino Johanni de Insula. Domino Adam de Crokefday, Episcopo Norwiche. Herefordensi Episcopo; Cestrie Episcopo, in Comitatus Lincoln. Roteland. North. Norff. Suff. Glouc. Wygorn. Hereford. Salop. Stafford. Adjungatur sibi Dominus Robertus de Knitels, Johannes de Smeterton.

Domino Wilhelmo de Den, Domino Wilhelmo de Sancto Quintino, Electo Ebor. Episcopo Coventr. Episcopo London. Eliensi Episcopo, Episcopo Hereford. in Comitatus Essex. Hereford. Cambrig. Huntingdon. Ebor. Lancast. Nottingham. Middlesex: adjungatur dicto Domino W. Dom. Rogerus Brien, Petrus Bocard, Dom. J. de Bankewell, loco Militis.

Domino Johanni Bankewell in loco Militis, Dom. Johanni de Burn; Episcopo Lincoln. Episcopo Coventr. Episcopo Winton. Episcopo Sarum; in Com. Kanc. Suffex. Surr. Southton. & Wiltes, Bokingham, Bedford. Oxen. Leycest. Warwic. adjungatur dicto J. de Bankewell, Dom. Sauvage, Dom. Johanni de Wylby, Cicestr. Episcopo, Episc. Winton. Exon. Sarum. Domino Johanni Randolph, Episcopo Sarum, Episcopo Bathon. Episcopo Exon. in Com. Berks. Somerset. Dorset. Devon. Cornub. adjungatur Dom. Richardus de Coleshull, Dom. J. Randolph.

\* Prædicti Milites assignentur ad præmissa facienda, una cum Clericis & Religiosis quos Episcopi singular. Dioc. duxerint deputandos: Et super hoc ex parte Regis scribitur eisdem Episcopis.

*In pursuance whereof these Commissions were issued under the Great Seal, in French and Latin, in this form.*

Pat. 26 E. 1. m. 21. De inquirendis super gravaminibus populo regni factis in singulis comitatibus Angliæ.

R EX dilectis & fidelibus suis, Wilhelmo Inge & Johanni de Cokefeld, salutem. Cum nuper ante transfretationem in *Flandriam*, habuerimus voluntatem et desiderium, gravamina populo Regni nostri, nomine nostro facta, facere emendare, & super hoc miserimus litteras nostras patentes per comitatus singulos dicti Regni; nos hujusmodi negocium effectui debito mancipari volentes, assignavimus vos in Comitatus Lincoln. Roteland. North. Norff. & Suff. una cum Clericis et Religiosis, quos locorum Diocesani ad hoc duxerint deputandos, ad inquirendum per sacra.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward I.

sacramentum proborum & leg. hominum de Comitibus predictis, per quos rei veritas melius sciri poterit, super huiusmodi gravaminibus, veluti de rebus captis in Ecclesiis, necnon de lanis, vellibus, coctis, blavis, animalibus, carnibus, p. cibis, et omnibus aliis rebus in Ecclesiis et extra similiter captis et asportatis per Comitibus, tam de Clericis quam de Laicis, sive pro custodia maris, vel alio modo quocunque, post guerram inter nos et Regem Franc. inchoatam, et ad ea omnia et singula audienda et terminanda, tam ex officio vobis per presentes commissio, quam ad sectam cuiuslibet conqueri se volentes, et ad faciendum ulterius in premissis, iuxta formam Ordinationis per nos et consilium nostrum inde facte, \* quam sigillo nostro vobis mittimus consignatam, et prout de iure et secundum legem et consuetudinem Regni nostri fuerit faciendum. Et ideo vobis mandamus, quod ad certos dies et loca quos ad hoc provideritis in forma predicta, &c. Salvis nobis amerciametis & aliis ad nos inde spectantibus. Mandavimus enim Vic. nostris Comitibus, quod ad certos dies & loca quos eis scire facietis, venire faciant coram vobis, tot & tales probos & leg. homines de ballivis suis per quos rei veritas in premissis melius sciri poterit & inquiri, et similiter leicorum Diocesanis, quod huiusmodi Clericos et Religiosos cum vos vel alter vestrum eis scire feceritis vel fecerit, una vobiscum deputent ad premissa. In cuius, &c. Telle Rege apud Westm. 4 die Aprilis.

Eodem modo assignantur subscripti in singulis Comitibus subscriptis, videlicet, Willielmus de Den & Rogerus Bryan, in Comitibus Essex. Hertf. Cantabr. Huntingd. Midd. Johannes Randulf & Richardus de Colshull, in Comitibus Berk. Somers. Dorset. Devon. Cornub. Willielmus de sancto Quintino & Petrus Retard, in Comitibus Ebor. Lanc. Notingh. Derb. Johannes le Sauvage & Johannes de Banquell, in Comitibus Kanc. Suffex. Surr. Suth. Wyltes. Adam de Crokedayk & Robertus de Knyghte, in Comitibus Glouc. Wygorn. Heref. Salop. Staff. Johannes de Burne & Johannes de Wyleby, in Comitibus Bokingh. Bedf. Oxon. Leyc. Warr.

**R**EX dilecto & fideli suo Richardo de Walsingham, salutem. Sciatis quod cum nuper ante transfretationem nostram in Flandriam, &c. ut supra. In cuius, &c. T. R. apud Kypere, 17 die Junii.

*Per Breve de Privato sigillo.*

Soon after, \* 12 Cal. Septembr. Rex Anglix naves ingressus (paratis 300 navibus) indissoluto classe sulcato mare, sexto die sequenti applicuit in Flandria. Itaque Rege Anglix in Flandria commorante, locum ejus in Anglia tenuit filius suus Edwardus; cui quia minoris etatis erat, pater rectores consiliariosque deputaverat Richardum Episcopum Londinensem, & Willielmum Comitem Warwicensem, necnon & Milites Reginaldum de Gray, Johannem Giffardi, Alanum Plokenet, viros emerita militia providos & discretos. Per idem tempus, (the same day the King set sail towards Flanders) Comites Herefordiæ & Mareschalli, cum suis complicitibus, accedentes ad Scaccarium Domini Regis apud Westmonasterium, Theaurario & Baronibus de Scaccario inhibuerunt, ne levari facerent octavum denarium a populo qui Regi concessus fuerat apud Sanctum Edmundum, dicentes, de conscientia suorum non emanasse, sine quorum assensu Tallagium non debet exigi vel imponi. Induxerunt etiam Cives Londoniarum, ut pro recuperandis suis libertatibus secum carent. Comitibus itaque & Baronibus pariter conglobatis & confederatis, necnon majoritate populi eis inclinante, factus est timor super habitatores patriæ, & imminente periculo; (by reason of the revived Scots Rebellion, who entered and wasted England with fire and sword, against their promised Oathes, Charters, Truces so frequently and lately made to the King; whose successes in that Rebellion by reason of our domestick discords, are at large related by Henry de Knyghton.) \* Cum à gente Scotorum perfidatilia agerentur, Consilarii Regis nostri Edwardi, qui cum Edwardo filio Regis erant, magnum videntes periculum non tantum Regi in remotis agentis, sed etiam toti terræ Anglicanæ imminere, insisterunt apud filium Regis qui Londoniæ morabatur infra muros Civitatis, ut Comites predictos Mareschallum & Herefordensem, qui a patre suo in parte deciderant, rogaret et interpellaret ad pacis unitatem et amorem. Missis igitur literis suis, rogavit eos, ut ad Parlamentum suum (eo quod sui patris tenebat locum in Anglia) venirent Londonias 10 die Octobris celebrandum.

An. 25 E. 1.

\* The Privy Seal before, p. 734.

Pat. 25 E. 1. m. 12. De inquirendo super gravaminibus populo regni factis.

\* Th. Walsingham Hist. Angliæ, p. 39. Mar. Westm. p. 410. Henr. de Knyghton de Event. Angl. l. 3. col. 2512, 2522, 2523, 2524.

† Here p. 510, to 520. 650, to 664.

\* Henry de Knyghton de Event. Angl. l. 3. c. 9, to 14.



*An. 25 E. 1.* Qui novi preceptoris & futuri Principis rogatum amplectentes, venerunt ad eundem diem, non tamen nudi, immo cum quingentis equis armatis & multitudine magna pedum electorum; quia communem profectum et utilitatem amplectebantur, communes diligebant eos fortiter. Portas tamen Civitatis noluerunt ingredi, nisi primo concederetur eis, quod in omnibus portis Civitatis ponerentur plures custodes eorum, ne forte absque armis ingressi, veluti oves ovili clauderentur; quo concesso, ingressi sunt. The Prince likewise by advice of his Counsil, issued Writs of Summons in the Kings Name to all the Sheriffs of England, to elect two Knights in every County to come to this Parliament, to receive a New Confirmation of the Great Charter of their Liberties, and Charter of the Forest; and that the levying of the Eighth part of their Goods formerly granted, should not turn to their prejudice or disinherison, Which Writs being very memorable, (the Originals whereof, together with their endorsed Returns I lately discovered in the White Tower Chappel) I shall here insert as a raritie, and an addition to the *Second Part of my Brief Register and Survey of Parliamentary Writs*, p. 35, 36. being pertinent to my present purpose.

Bundela Brev.  
in Turre Lon-  
don & Claus.  
25 E. 1. m. 6.  
dorso.  
Bed. & Buk.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniz; Vis. Bed. & Buks. salutem. Quia in relebationem omnium Incolarum et populi regni nostri pro octava omnium bonorum Angulorum laicorum per totum idem regnum, pro urgentissima nunc vici regni contra Gallicos necessitate lebando, concessimus pro nobis et heredibus nostris confirmare et firmiter tenere facere, Magnam Chartam de Libertatibus Angliæ et Chartam de Libertatibus Forestarum, et concedere omnibus et singulis ejusdem regni literas nostras patentes, quod dicta octava lebatio non cedet eidem in præjudicium, servitutem, exheredationem, usum vel consuetudinem in futurum. Tibi precipimus firmiter injungentes, quod sine dilatione aliqua quatuor de probioribus & legalioribus Militibus Comitatum tuorum, videlicet de quolibet Comitatu duos eligi, & eos plenam potestatem pro ipsis & tota Communitate dictorum Comitatum habentes, ad Edwardum filium nostrum charissimum tenentem in Angl. locum nostrum venire facias: Ita quod sint London. ad eundem filium nostrum modis omnibus in Octabis Sancti Michaelis prox. futur. ad ultimum, Chartas super confirmatione nostra Chartarum prædictarum, et literas nostras super dicta concessione pro ipsa Communitate in forma prædicta recepturi, & facituri ulterius quod per dictum filium & consilium nostrum ibidem fuerit ordinatum. Et hoc nullo modo omittatur. Et habeas ibi hoc breve. Teste Edwardo filio nostro apud Sanctum Paulum London. 15 die Sept. Anno regni nostri 25.

*Dorso.* Johannes de Pabenhām & Edmundus Gacelyn Milites, electi sunt per Communitatem Com. Bed. ad faciendum & recipiendum id quod breve istud exigit. Johannes de Pabenhām Miles, manucap. per Edm. de Wedone Militem, Robertum de Crenequer Militem, Johannem de Pabenhām juniorem, Walterum de la Haye. Edmundus Gacelyn Miles, manucap. per Robertum de Crenequer Militem, Edm. de Wedon Militem, Richardum le Harecourt de Suthmeline, Willielmum le Bretun.

Almaricus de Nodariis & Robertus Barry Milites, electi sunt per Communitatem Com. Buk. in forma prædicta. Almaricus de Nodariis Miles, manucap. per Willielmum Bonetun de Lathebury, Robertum de Stokes de eadem, Johannem de Lovente de Neuport, Rogerum fil. Johannis de Shyrington. Robertus Barry Miles, manucap. per Hugonem Samson, Robertum le Brett, Rogerum fil. Johannis, Richardum le Clerk de Neuport.

Cantebr. &  
Huntindon.

Consimile breve dirigitur Vis. Cantebr. & Huntindon. *Dorso.* Comitatus Cantebr. electi sunt Robertus de Hoo, manucap. per Henr. le Messer, Walter. le Hunte. Philippus fil. Herviz, manucap. per Walterum Rok, Willielmum Hine.

Comitatus Huntind. electi sunt Willielmus de Pappeworthe, manucap. per Willielmum Lovet de Grafeham, Willielmum Antony de eadem. Willielmus Engayne de Werfle, manucap. per Simon. le Provost de Werfle, Johannem Waryn de eadem.

Cornub.

Consimile breve dirigitur Vis. Cornubiz. *Dorso.* Reginaldus de Beyville unus Militum electorum pro toto Com. invenit manucaptores essendi ad diem in brevi, videlicet

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videlicet Robertum Gyffard Militem, & Rogerum de Treglothenon. Johannes An. 25 E. 1.  
de Lambton alius Miles, invenit manucaptors, videlicet Paganum de Tregaran, &  
Richardum de eadem, ad veniendum ad diem in brevi.

*Consimile breve dirigitur Vic. Cumbr. Dorso.* Willielmus de Beyvill, manucap. Cumbr.  
est per Alexandrum Prapositum de Thoresby, & Richardum fil. Henr. Robertus  
de Wytering, manucap. est per Nicholaum de Wytering, & Adam Pastore de eadem.  
Isti p[re]dicti Milites assignati fuerunt ante adventum istius brevis ad custodiam  
sparche Scotie, una cum aliis Com. ubi magna est necessitas commorari.

*Consimile breve dirigitur Vic. Devon. Dorso.* Nomina Militum secundum tenen- Devon.  
tem hujus brevis electorum, Henr. de Ralegh, Hugo le Prouz. (without Manucaptors.)

*Consimile breve dirigitur Vic. Ebor. Dorso brevis.* Nomina Militum electorum Ebor.  
per Communitatem Comitatus Ebor. qui plenam potestatem habent pro Communitate  
prædicta ad faciendum ea qua breve istud exigit, videlicet, Dominus Robertus de  
Percy, Dominus Robertus de Ballholo: Qui quidem manucapiuntur per Robertum  
de Thorneton, Willielmum Stedeman, Willielmum fil. Willielmi de Sutton, &  
Richardum fil. Willielmi de eadem.

*Consimile breve dirigitur Vic. Essex. & Hertford. Dorso brevis.* Nomina Militum Essex. &  
electorum in Comitatu Essex. & Hertford. secundum tenorem istius brevis, pa- Hertford.  
sent inferius; Essex. Johannes Fillol, manucap. per Henr. le Marechal, Johannem  
de Langford. Henr. Grapinell, manucap. per Alexandrum de Creppynge, Wil-  
lielmum de Naptone.

Hertford. Rogerus Bryan, manucap. per Michaelem de Ware, Johannem de  
Rykelinge. Johannes de Nevyle, manucap. per Petrum de Poleye, Radulphum de  
Honesdone.

*Consimile breve dirigitur Vic. Glouc. Dorso brevis.* Nomina Militum de Com. Glouc.  
Glouc. electorum de essendo ad diem & locum in brevi contento, prout in brevi præcipi-  
tur; Johannes de Seynt Lo Miles, Richardus de Croupes Miles. Manucaptors  
prædicti Johannis de habendo corpus ejus, prout in brevi præcipitur, Willielmus le Wa-  
leys de Clifton, Adam le Passer de eadem; Willielmus Messer de eadem, Henr. Hony-  
pin de eadem. Manucaptors prædicti Richardi de Croupes de habendo corpus ejus,  
prout in brevi præcipitur, Thomas le Ridere de Wytinton, Henr. le Ridere de eadem,  
Hugo le Welterne de eadem, Willielmus le Welterne de eadem.

*Consimile breve dirigitur Vic. Hereford. Dorso brevis.* Milites electi Rogerus de Hereford.  
Bradeley, Thomas de Chabenore. Manucaptors Rogeri de Bradeley; Rogerus le  
Schipward, Willielmus Abbor. Manucaptors Thomæ de Chabenore; Gilbertus  
Boter, Nicholaus de Dunnewode.

*Consimile breve dirigitur Vic. Kanc. Dorso brevis.* Isti sunt Milites electi; Kanc.  
scilicet, Lucas de la Gare, Richardus de Scoland.

*Consimile breve dirigitur Vic. Lanc. Dorso brevis.* Eligi feci per assensum totius Lanc.  
Com. Henr. de Kigheleye, & Henr. le Botiler, qui plenam potestatem habent prout  
in brevi continetur. Pleg. prædicti Henr. de Kigheleye ven. Rogerus de Boulton,  
& Adam de Stodlehurst. Pleg. Henr. le Botiler ven. Willielmus fil. Simonis de  
Caterhale, Willielmus Gormond de eadem.

*Consimile breve dirigitur Vic. Lincoln. Dorso brevis.* Accepto brevi isto sine Lincoln.  
dilatione eligi feci Simonem fil. Radulphi de Ormesby, & Richardum de Huwell,  
duos de probioribus & legalioribus Militibus de Com. Lincoln. et assensu prædicti  
Com. plenam potestatem pro ipsis & tota Communitate ejusdem Com. habentes, quos per  
manucaptionem subscriptam ad Edwardum filium Domini Regis karissimum, ad diem  
& locum in brevi isto contentis, venire facio ad recipiendum & faciendum quod hoc idem  
breve plenius requirit. Manucap. prædicti Simonis fil. Radulphi; Walterus de  
Wyntecby;



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

*An. 25 E. 1.* Wynceby, Johannes frater ejus de Wynceby, Radulphus Bleck de Ketelesby, Gilbertus atte Grene de eadem. *Manucap. pradiſti* Richardi de Huwell; Johannes de Hertheby de Evedon, Willielmus de la Mule de Lafford, Willielmus le Ken de Claypol, Willielmus le Monner de eadem.

*Midd.* *Conſimile breve dirigitur Vic. Midd. Dorſo. Nomina duorum Militum electorum per Communitatem Com. Midd. ad eſſendum coram vobis ad diem in brevi, prout precipitur in eodem brevi. Manuſcriptores* Richardi de Wyndefore *Militu;* Rogerus le Jour, Elias le Baylyſ. *Manuſcriptores* Richardi le Rous *Militu;* Thomas atte Fryth, Johannes atte Hegge.

*Norff. & Suff.* *Conſimile breve dirigitur Vic. Norff. & Suff. Dorſo. Nomina Militum de Com. Norff.* Fulco Banyard, *cujus manuſcap.* Willielmus de Torington, Adam Nonote, Willielmus Roſcelyn, *cujus manuſcap.* Johannes de Jernemuth, Willielmus de Thurton.

*Nomina Militum de Com. Suff.* Nicholaus de Weyland, *cujus manuſcap.* Willielmus Frank de Weſterfeld, Osbertus Frank de eadem. Johannes de Biſtele, *cujus manuſcap.* Alex. fil. Gilberti de Freſtenden, Adam de Fynel de Stovene.

*Norht.* *Conſimile breve dirigitur Vic. Norht. Dorſo. Nomina duorum Militum electorum,* Thomas Wale de Eydon, Willielmus Butevyleyn de Cotisbrok. *Manucap.* Thomæ Wale; Thomas fil. Margeriz de Eydon, Henr. Aleyn de eadem. *Manucap.* Willielmi Butevyleyn; Robertus Butevyleyn, Robertus de Warford de Oretton.

*Northumbr.* *Conſimile breve dirigitur Vic. Northumbr. Dorſo. Feci eligere pro tota Comunitate Com. Northumbr. Dominos* Rogerum Manduyt, & Nicholaum de Punchardonne: unde manuſcriptores Rogeri Manduyt; Richardus *Propoſitu* de Eſſete, Willielmus de Hoton de eadem, Adam Swaller, Rogerus Molendinarius de eadem. *Manuſcriptores* Nicholai de Punchardonne; Willielmus Brune de Felton, Nicholaus Manſetur de eadem, Willielmus Spare, Adam de Donygton. *Iſſud breve michi venit die Sabbati in Vigil. Sancti Michaelis poſt nonam.* (They then uſually endorſing the time they received ſuch Writs, to evidence that they delayed not their ſpeedy execution.)

*Nott. & Derb.* *Conſimile breve dirigitur Vic. Nott. & Derb. In Dorſo.* Willielmus de Staunton, & Willielmus de Colewyk, *Milites de Comitatu Nottingham. electi, plenam poſſeſſatem pro ſe & Communitate Comitatus Nottingham. habentes, manuſcripti ſunt eſſendi coram vobis ad diem in hoc brevi contentum, ſecundum tenorem brevis pradiſti. Et pradiſti* Willielmus de Staunton manuſcriptur per Willielmum *Propoſitu* de Grove, & Robertum Clericum de eadem. *Et pradiſti* Willielmus de Colewyk manuſcriptur per Philippum fratrem ejus de Colewyk, & Johannem le Provost de eadem.

Robertus Dethek, & Thomas Foleiaumbe, *Milites de Comitatu Derb. electi, in forma pradiſta manuſcripti ſunt. Et pradiſti* Robertus manuſcriptur per Johannem en le Hurne de Luitchirche, & Rogerum Breſt de eadem. *Et pradiſti* Thomas manuſcriptur per Godefridum de Bradeburne, & Simonem Colle de eadem.

*Oxon. & Berks.* *Conſimile breve dirigitur Vic. Oxon. & Berks. In Dorſo.* Henr. de Bruyli, & Johannes de Prewes *Milites, electi ſunt in pleno Com. Oxon. de veniendo ad diem & locum in brevi contentos pro Com. pradiſto. Et pradiſti* Henr. manuſcriptus eſt per Rogerum Brouneſone, Robertum Nicolę, Robertum de Strowelle, & Robertum atte Chercheheye; *exiſtu* terrarum ſuarum 10 l. *Et pradiſti* Dominus Johannes manuſcriptus eſt per Richardum Heylfryg, Richardum Cok, Robertum Galiaue, Galfridum ad Fontem; *exiſtu* terrarum ſuarum 10 l.

Bartholomæus de Erle, & Richardus de Wyndefore *Milites, electi ſunt pro tota Com. Berk. Et pradiſti* Bartholomæus manuſcriptus eſt per Rogerum Elys, Rogerum Robyn, Adam Donnyns, Stephanum Fabrum; *exiſtu* terrarum ſuarum 100 s. *Et Richardus de Wyndefore diſtributus eſt per catalla ad valenc. 10 l. de veniendo ad diem & locum in brevi contentos.*

*Roteland.* *Conſimile breve dirigitur Vic. Roteland. Dorſo.* Willielmus Murdak, & Adam de Jernemuta, *electi ſunt per aſſenſum totius Comitatus, eſſendo coram Domino Edwardo*

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Edwardo filio Domini Regis apud London. ad diem in hoc brevi nominatum, recepturi *An. 25 E. 1.*  
& ulterius faciendi ea qua continentur in brevi, & super hoc invenerunt plegios. Plegii  
Willielmi Murdak; Gervasius fil. Davy, Thomas de Bloston. Plegii Adæ de Jer-  
nemuta; Thomas Starlig, Simon de Northburg.

*Consimile breve dirigitur Vic. Somers. & Dorf. Dorso. In plenâ Com. Somers. Somers. &*  
*& Dorf. per totam Communitatem eorundem Com. eligere feci quatuor de pro. Dorf.*  
*honoribus & legalioribus Militibus, videlicet, de utroque Com. duos, qui plenam potesta-*  
*tem habent pro se & tota Communitate dictorum Com. Qui quidem Milites manu-*  
*capti sunt veniendi ad diem in brevi isto contentum; videlicet, de Com. Somers.*  
*Johannes de Sancto Laudo, manncaptus est per Oliverum Harepin, & Richardum*  
*Gildas. Thomas de Welleslegh, manncaptus est per Walterum de Welleslegh, &*  
*Gilbertum le Clerk.*

*De Com. Dorf. Philippus Maubanks, manncaptus est per Johannem le Large de*  
*Perret, & Johannem Clopet de eadem. Henr. Toverc, manncaptus est per Rogerum*  
*Boye de Pudele, & Henr. Saverey de eadem.*

*Consimile breve dirigitur Vic. Suffex. & Surr. Dorso. Venire feci coram me Suffex. &*  
*Milites & liberos tenentes de Com. Suffex. apud Lewes, qui in absentia Archiepiscopi Surr:*  
*Cantuar. et aliorum tam Episcoporum, Comitum, Baronum, Militum, quam*  
*aliorum existentium in obsequio Domini Regis in partibus transmarinis et alibi,*  
*electionem de Militibus facere noluerunt, &c. (An observable Return.)*

*Venire etiam feci coram me apud Suwerk Milites & liberos tenentes de Com. Surr.*  
*qui elegerunt Willielmum Ambesas, qui manncaptus est per Willielmum le Carter, &*  
*Willielmum le Peitur de Kersaulton, veniendi, &c. Et elegerunt Johannem de*  
*Aubernun alium Militem, qui erat in obsequio Domini Regis in Com. Suthr. per*  
*preceptum Domini Regis, &c. Et ipsi alium loco sui eligere noluerunt, &c.*

*Nota.*

*\* Nota.*

*Consimile breve dirigitur Vic. Suthr. Dorso. Milites electi Hugo de Escoce, Suthr.*  
*Johannes de Turvill. Manncap. Hugonis; Richardus de Bukefgate, Robertus de*  
*Helyoun. Manncap. Johannis; Willielmus Faber de Botteleye, Rogerus le Rede.*

*Consimile breve dirigitur Vic. Warr. & Leyc. Dorso. Nomina duorum Militum Warrw. &*  
*de Com. Warr. electorum secundum tenorem istius brevis, videlicet, Ricardus de Whita- Leyc.*  
*kre manncapt. per Walterum fil. Nicholai de Whitakere, & Robertum fil. Jordani*  
*de eadem. Robertus de Verdon Miles manncap. per Thomam de Clifton in Drey-*  
*cote, & Johannem de Draycote Clericum.*

*Nomina duorum Militum de Com. Leyc. eodem modo electorum, videlicet, Thomas*  
*de Meynel Miles, manncap. per Robertum Balle & Robertum Fraunceys de He-*  
*mynton, Willielmus Burdet de Loufey Miles, manncap. per Willielmum Hofe-*  
*wy de Loufey & Rogerum le Chamberlyng. de eadem.*

*Consimile breve dirigitur Vic. Wygorn. Dorso. Eligere feci duos Milites de Wygorn.*  
*Ballivamea, videlicet, W. de Seneschal, & Willielmum le Fokerham, qui plenam po-*  
*testatem habent secundam formam hujus brevis.*

By which returns it is evident; 1. That most of the Knights elected found 2,  
or 4. Manucaptors a pece to appear and attend at the day and place appointed for  
the Parliament, whose names were particularly endorsed on the Writs. 2ly. That  
one of them was distreined by his goods to appear. 3ly. That the Knights elected who  
were employed to defend the Realm against the Enemeis before their elections, and  
could not desert that service, found no Manucaptors to appear and attend in Parlia-  
ment. 4ly. That those of *Suffex* refused to elect any Knights for the reasons men-  
tioned in the return; and that those of *Surrey* who elected a Knight employed in  
the defence of the Sea coasts against the *French*. would not alter their election, nor  
elect another in his place, though he could not then attend in Parliament.

The Earls, Nobles, and Knights thus elected meeting at London in this Parl. \* *tan-*  
*dem post consilia multa & tractatus varios, mediante venerabili patre Cantuariensi*  
*Archiepiscopo, Magistro scilicet Roberto de Winchelse (the chief author of that dis-*  
*cord*

*Henry de*  
*Knyghton de*  
*Event. Angl.*  
*l. 3. c. 11. col.*  
*2523. 2524.*  
*Walsingham,*  
*Hist. Anglix.*  
*p. 46, 47.*



An. 25 E. 1. cord and sedition) *cujus memoria in benedictam sit*, (addes *Knyghton*) non fuit alia forma ad quam consentire voluerunt, quam quod ipse Dominus Rex Magnam Chartam cum quibusdam adjectis articulis, et Charta de Foresta concederet et confirmaret: et quod auxilium nullum seu vexationem a Clero vel a populo peteret vel erigeret in posterum absque Magnatum voluntate et assensu. Et quod omnem rancorem remitteret eis et omnibus sibi associatis. *Ordinatumque hujusmodi scriptum in hæc verba conceptum.*

*Primo*, Quod Dominus Rex Chartam Magnam cum cæteris articulis adjectis, et Chartam de Foresta annuat et confirmat, et quod nullum auxilium vel vexationem erigat a Clero vel populo, absque eorum consilio et assensu, et quod omnem offensam Comitibus et eorum confederatis dimittat. *Articuli adjecti ad Magnam Chartam sunt isti.*

Nullum Tallagium vel Auxilium per nos vel hæredes nostros, de cætero in regno nostro imponatur seu lebetur sine voluntate et assensu communi Archiepiscoporum, Episcoporum, Abbatum, et aliorum Prelatorum, Comitum, Baronum, Militum, Burgensium, et aliorum liberorum hominum in regno nostro.

Nullus Minister noster, vel hæredum nostrorum in regno nostro capiat blada, lanas, coria, aut aliqua alia bona cujuscunque, sine voluntate et assensu illius cujus fuerint.

† *Nomine*  
vel occasio-  
ne Pale-  
tollæ: So  
*Knyghton.*

Nihil capiat de cætero nomine † *Medigalis de Barco lanæ.*

Volumus etiam et concedimus pro nobis et hæredibus nostris, quod omnes Clerici et Laici de regno nostro habeant omnes leges, libertates, et literas consuetudines suas, ita libere et integre, sicut eas consueverunt aliquo tempore melius pleniusque habere. Et si contra illas vel quemcumque articulum in præsentis Chartæ contentum statuta fuerint addita per nos vel antecessores nostros, vel consuetudines introductæ; volumus et concedimus, quod hujusmodi statuta vacua sint et nulla imperpetuum.

Remissimus etiam Humfredo de Bohun, Comiti Herefordiæ & Essexiæ, Constabulario Angliæ, Rogero Bigot Comiti Northfolchiæ, Marechallo Angliæ, & aliis Comitibus, Baronibus, Militibus, Armigeris, Johanni de Ferrariis, & omnibus aliis de eorum societate, confederatione & concordia existentibus, necnon omnibus viginti libratas terrarum tenentibus in regno nostro, siue de nobis, siue de alio quocunque in capiti, qui ad transiretandum nobiscum in Flandriam certo die notato vocati fuerunt, & non venerunt, rancorem nostrum et malam voluntatem quam ex causis prædictis erga eos habuimus, et transgressionem si quas nobis vel nostris fecerint usque ad præsentis Chartæ confessionem. Et ad majorem securitatem hujus rei, volumus et concedimus pro nobis et hæredibus nostris, quod omnes Archiepiscopi et Episcopi Angliæ in perpetuum in suis Cathedralibus Ecclesiis, habitis præsentis Chartæ et lecta, excommunicent publice et in singulis Parochialibus Ecclesiis suarum Diocesium excommunicari faciant, seu excommunicatos denunciare bis in anno, qui contra tenorem præsentis Chartæ vim et effectum in quocunque articulo scienter fecerunt, aut fieri procuraverunt quobismodo. In cuius rei testimonium præsentis Chartæ \* Sigillum nostrum est appensum, una cum sigillis Archiepiscoporum, Episcoporum, Comitum, Baronum et aliorum, qui sponte juraverunt, quod tenorem præsentis Chartæ, quatenus in eis est, in omnibus et singulis Articulis obserbarent, et ad ejus obserbationem consilium suum et auxilium fidele præstarent imperpetuum.

\* Henry de  
Knyghton de  
Eventibus  
Angliæ, col.  
2523, 2524.

a Henry de  
Knyghton de  
Eventibus  
Angliæ, l. 3.  
c. 11, 12. col.  
521.

<sup>a</sup> Ipse etiam Edwardus Rex filius per literas suas patentes, remisit prædictis Comitibus & universis suis sequacibus omnem malam voluntatem. Et promisit in eisdem literis quod patrem suum induceret modis omnibus ad illud idem faciendum. Omnes etiam Consilarii Regis qui ibidem aderant per scriptum suum super hoc specialiter constitutum, illud idem promiserunt. Et latati sunt universi in die hac veritatis & pacis. Erant enim ibi ex parte Regis Archiepiscopus Cantuariensis, & Henricus electus Eboracensis, Episcopi etiam Londoniensis, Eliensis, Bathoniensis, Coventrensis, Comites etiam Cornubiæ, Warennæ, Warwici & Oxoniæ. Barones etiam Johannes Gifford, Henricus de Percy, Reginaldus de Grey, cum multis aliis Clericis & Laicis. Hi omnes et singuli tactis sacrosanctis Dei Evangelis juraverunt, ad majorem rei securitatem; quod prædictos Comites cum sequacibus omnibus contra Dominum Regem servare deberent illæsos & indempnes. Convenit etiam, ut in crastino Sancti Nicholai Episcopi

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*Episcopi certum super hoc acciperent responsum ab ipso Rege, sub hac conditione adjecta; An. 25 E. 1.*  
 ut si Rex prædicta scripta consignata remitteret & ratificaret omnia, extunc ad mandatum Regis, vel ad Regem in *Flandriam*, vel contra hostes suos in *Scotiam* iidem Comites proficiscerentur ad votum. *Missi igitur nunciis ad ipsum Dominum Regem scripserunt ei Secretarii sui, ut si honorem suum, statum et regnum salvare et retinere proponeret, prædicta omnia remitteret consignata. Qui (dederunt malitia temporis sentiens) quidem in articulo posuit, cum jam hastasset per triduum, nobilissime tamen ut corda suorum retineret, votis eorum annuit in præmissis, et omnia concessit et per ordinem confirmavit: Which had he done cheerfully at first before his passage to Flanders, in all probability he had either prevented or speedily suppressed the Scots rebellion, and come off with farre greater honor to himself, and more affection of his Prelates, Nobles, People, then now; Pro hac autem Confirmatione Cartarum prædictarum, cum suis adiunctis prædictis, dederunt Paganiates terræ cum communum populo novum denarium; Archiepiscopus Cantuariensis cum suo Clero decimum denarium; Eboracensis electus cum suo Clero, qui propinquiores pericula extiterunt, quintum denarium in subsidium guerræ Regis in regno Scotiæ (without the Popes precedent license, which they formerly insisted on) Lanæ etiam religiosorum, & aliorum de populo prius acceperat Rex, cum protestatione tamen, quod all-careatur in eodem quinto, nono & decimo.*

This confirmation of the Great Charter printed in our *Statutes at large*, and Sir *Edward Cooke* \*2. *Institutes*, I shall here present you with out of the *Statute Roll* in the Tower, different in some things from our printed *Statutes*. *Page 525, Sec.*

**E**dwardus Dei gratia Rex Angliæ, &c. Inspeimus *Magnam Chartam* Domini *Henrici* patris nostri, de Libertatibus Angliæ in hæc verba. *Henricus*, &c. Nos autem donationes et concessiones prædictas ratas habentes et gratas, eas pro nobis et hæredibus nostris concedimus et confirmamus, easque tenore præsentium imobimus; Volentes & concedentes pro nobis & hæredibus nostris, quod *Charta* prædicta in omnibus et singulis suis Articulis imperpetuum firmiter et inbiolabiliter observetur, etiam si aliqui articuli in eadem carta contenti hucusque præstan non fuerunt observati. In cujus rei testimonium, has literas nostras fieri fecimus patentes. Teste *Edwardo* filio nostro apud *Westm.* 12 die *Octobris*, Anno regni nostri vicesimo quarto.

*Rotulus 7.*  
*Statutum in*  
*Tune London*  
*m. 37, 38.*

**E**dward par le grace de Dieu Roy D'engleterre, Seigneur D'irland, & D'nes Aquitaine, a toutz ceus, qui cestes presentes lettres verront ou orront, salut. Sachiez nous al honneur de Dieu & de Sainte Eglise, et au profit de tut nostre Roiaume, aver grante par nous e pur nos heirs, qe le *Grand Chartre* des Franchises, et la *Chartre de Forest*, les queles furent faites per commun assent de tut le Roiaume en tens le Roy *Henry* nostre pere, soient tenuz en tous lour points, sanz nul blemissement. E voloms qe mesmes cesles Chartres de surh nostre Seal soient envoiees a nos Justices, ausibien de la *Forest* come as autres, e a tous les *Viscontes* des Comtes, et a toutz nos autres ministres, & a toutz nos Citees par my la terre, ensemblement ove nos briefs, en les queux serra contenu, qil facent les avandites Chartres publier, e qil facent dire au poeple, qe nous les auoms grauntées de tenu les en tous leur pointz; E a nos Justices, Viscontes, Maires, e autres Ministres, qi la ley de la terre, de souh nous & per nous ount a guier, mesmes les Chartres en toutz leus pointz en plez devant eus, e en Jugemens les facent alower: cestassavoir la grand Chartre des *Franchises* come ley comun, e la *Chartre des Forest* solom l'assise de la *Forest*, al amendement de nostre poeple. Et volons, qe si nulls jugemens soient done desormes encontre les points des Chartres tenent plees devant eus, soient desfaites, et par nient tenus. Et voloms qe mesmes cestes Chartres desous nostre seale soient envoiees as Esclises Cathedrales par my nostre Roialme, et la demoer gent, et soient deux foits per an lieus devant le poeple. Et que Archevesques et Evesques doignent sentences du grant excommengement contre tous iceux, que cointre les abantdites Chartres bendzont en fait, ou en eyde, ou en counseil, ou en nul point enfraindant, ou cointre bendzont. Et si mesmes les Prelates, Evesques ou nul de eus soient negligentes en la denunciation suivoit faire, per les Archevesques de *Canterburie* et *Deverwike*, que pur temps seyront, s'come cobient, soient



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 25 E. 1. solent repais et desreintz a mesme cel denuntiation faire en la forme abantdit. Et pur ceo qe ascuns gents de nostre Realme soi doubtent, que les *aides* & les *misés*, queux il nous ont fait avant ces heures pur nous guerres et auter besoignes de lour grant & lour bon volunte, en quel manere qe faits soient, puissent turner en servage a eux et a lour heirs, pour ceo qe ils serroient autre fois troves en rolle, et auxint prises, que ont este faits parmy le Roialme per nos ministres en nostre noum; Nous avons grantes pur nous & pur nous heirs, qe mes tielx *aides*, *misés*, ne prises, ne treroms a custome pur nul chose qe soit fait, ou qe per rolle, ou in autre maner poet estre trove.

(Immediately after which, m. 38. follows this enrollment of the *Kings Charter*, or *Statute*, usually stiled in our Statute Books, *Statutum de Tallagio non concedendo*, wherein all the Articles specified in the printed Statute are comprised and ratified by the King according to the Lords and Commons Petition, there being no enrollment of them or that Statute in 34 E. 1. but only in this year of 25 E. 1. in any Roll, Record or History I have yet met with.)

Et auxint avoms graunt pur nous et pur nous heirs, as Archevesques, Evesques, Abbes, Priors, et as autres gents de seinte Esglise, as Countes, Barons, et a tout la Comminaltie de la terre, qe mes per nul besoigne tiels maners des *aides*, *misés*, ne prises de nostre Roialme, ne prendrons forsque per commun assent de tout le Roialme, et a common profit de meisme le Roiaume, la des les auintient *aides*, et prises dues et accoustumes. Et pur ceo que tous le plus de la Comminaltie du Roialme se sontent durement grevez de la maletolte des leins, cest assavoir de chescun sacke de leyn quarrant soulz, et nous ont pries, que nous les voussions relefser: Nous a lour prier les auons pleinement relefse. Et avoms graunt qe tele ne autre mes ne prendrons sans lour commun assent, et lour bon volunte; Saube a nous et a nous heirs la Custume des leynes, Pealz, et Quires avant grautes per la Cominalte de Wopume abantdit. En tesmoignance des queux choses nous avoms fait faire cestes nos lettres overts. Tefmoigne Edward nostre fitz a Londres le x. jour Doctobre, l'an de nostre regne 25.

E fet a remembrer qe meisme cesti chartre fust meismes les paroles de mot en mot fust seile en \* Flaundes desuth le grant seal le Roy, cest assavoir a Gaunt le quint jour de Novembre, l'an del regne l'avantdit nostre Seigneur le Roy vintisme quint, a envoye en Engleterre.

\* See Mai. Westm. p. 410 Walsingham, Hist. Angl. p. 41.

After which followes this Charter of Pardon, distinct from the former, (though conjoyned with them in the premised Petition of the Lords and Commons, and in the printed Statutes *De Tallagio non concedendo*) somewhat different from that which is printed in \* Sir Edward Cooke, and our Statute Books.

\* 1. Instr. p. 335.

Rot. Statutorum, in Turre Lond. m. 38.

Edward par la grace, &c. Sachies qe come de par nos amez & seaux Humphrey de Bohun Conte de Hereford & de Essex, & Conestable Dengleterre, & Roger Bygod. Conte de Norff. & Mareschall. Dengleterre, nous seit fet entendaunt, qil se doubterent qe nous eussions conceu vers eux rancour & indignation pur aucunes desobesances qil avoient fetes, ne ad geres, a ceo qe hom disoit en ce qil ne vindrent pas a nous a nostre comandement, & a ce qe hom disoit qil avoient aucuns de nos Comandementz desturbez & targez, et aucunes aliances & assemblees des gentz darmes faitez cointre nostre volunte & desense; Nous regardantz qe des choses avantditz null massait nest per eus sui uncore, coment qe paroles eent este dite, a la requeste et priere espediale de Edward nostre chier suiz & nostre Lieutenant en Engleterre, et des honourables peres Willame Evesque de Ely, Willame Evesque de Ba & de Welles, Richard Evesque de Londre, Wauter Evesque de Coventr. & de Lichef. & Henry Elis de Everwyke, et des nos ames & seaux Edmond Conte de Cornwail, Johan de Garenne Conte de Surreye & de Suffex, Willame de Beauchamp Conte de Warrewyke, & des autres de nostre Conseil demorantz en Engleterre, pres de lavantdit nostre suiz, releissoms & pardonoms pleinement as ditz Contes, & a Johan de Pevers, & a toutz leur menengs, & toutz leur aliez, tote manere de Rancour & de Indignation, qui nous avoms conceu vers eus, si nule ensoit per les enchesons avant dites

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dites, ou nule de eles. Il sint qe nul des dñs Contes, ne Johan de Ferrers, ne null de leur meueges, ne de leur aliez avant ditz, ne soient chalengez, encheisonnez, ne grevez par nous ne par nos heirs en null temps, pur nule des choses avantdites. E ausi perdonoms & releiffoms a toutz autres de nostre Roiaume, qui furent somons ou priez de passer ovesq; nous, & ne passerent, totes maneres de rancour & de indignation, si nule eussions conceu vers eus per cele encheson. En tesmoignance des queux choses nous avoms fait cestes nos lettres overtes. Donees a Gannet le quint jour de Novembr. L'an de nostre Regne vintisme quint.

These Charters being thus granted and confirmed by the King, were accordingly sent to the Sheriffs of every County to proclaim, with Writs commanding that all persons should firmly and inviolably observe them, in this form.

**R**EX Vicecomiti Buckhamie salutem. Quia in relevationem omnium Incolarum & populi regni nostri pro Nona nobis à Laicis de Regno nostro in subsidium defensionis ejusdem regni concessa, concessimus et confirmabimus pro Robis et hære. *Clauſ. 25 E. 1. m. 2. corlo. De publicando Magnam Chartam, &c.* Magnam Chartam de libertatibus Angliæ, et similiter Cartam de libertatibus Forellæ, easque innobavimus; Volentes et concedentes, quod Cartæ illæ in omnibus et singulis articulis suis firmiter et inviolabiliter obserbentur: Tibi præcipimus, quod Cartas prædictas per totam Ballibam tuam, in locis ubi expedire videris, sine dilacione publicari, et eas in omnibus et singulis suis articulis, quantum in te est obserbari facias firmiter, et teneri. T. &c.

Soon after the Archbishops and Bishops meeting together, in pursuance of this Act, composed and published this publike Excommunication against the infringers of the Great Charter, and Charter of the Forest; to which at its next publication that year, (exceeding their Commission) they superadded some new clauses, against the Distreiners of any goods within the Granges or possessions of Clergymen, without the owners free consent; as this ancient Manuscript in Sir Robert Cottons Library of the Archbishops Letters to the Bishop of London and his other Suffragans, and theirs to their inferiour Officers attest.

**R**ICHARDUS permissione divina London. Episcopus, dilectis in Christo filiis Decano & Capitulo Ecclesiæ nostræ sancti Pauli London. salutem, gratiam & benedictionem. Literas reverendi Patris Domini R. Dei gratia Cantuar. Archiepiscopi, totius Angliæ Primatis recepimus, formam quæ sequitur continentes: Robertus permissione divina Cantuariensis Archiepiscopus, totius Angliæ Primas, venerabili fratri Domino R. Dei gratia Episcopo London. salutem & fraternam in Domino caritatem. Frequenter exigit repentina necessitas, & congrua futurorum cautela, ut & præordinata pro periculis evitandis remedia, sed forsitan negligenter omissa vivacius iterentur, & nova superaddatur in hujusmodi executione medela, in hiis præcipue qua sanctorum patrum jamdudum sanxit auctoritas, et quæ non possunt a nobis Episcopis, qui eorum statuta servare tenemur, absque periculo nostræ professionis omitti. Nuper siquidem in quadam Convocatione Prælatorum & Cleri London. celebrata post festum sancti Hillarii anno domini 1296. per nos et Coepiscopos nostros communi exitit ordinatione conditum, et eis per nos in virtute obedientiæ ad quorundam eorum excitationem injunctum, ut in Cathedralibus Ecclesiis et cæteris locis insignibus per Episcopos ipsos; in aliis vero Ecclesiis singularum Diocesarum per alios viros idoneos ad Diocesanos mandatum denuntiarentur publice et in genere, majoris Excommunicationis sententia innodari, omnes qui Ecclesiastica bona sine grata permissione Dominorum eorundem vel Ballivorum suorum diriperent, vel a domibus aut aliis locis Ecclesiarum per violentiam amoverent. Sed ut ex post facto didicimus, & graviter exinde dolemus, executiones hujusmodi non absque multorum periculo, et eorum præcipue qui ad id ex obedientiæ debito tenebantur, ab aliquibus Coepiscopis nostris in toto, ab aliis autem in parte hætenus sunt omittas; (Because these Constitutions, Excommunications were then made, enjoined only by the Popes & his own usurped Archiepiscopal authority without the King & Parliament,) per quod quamplures malevoli quandoq; sumpserunt, et imposterum forsitan sument majorem audaciam taliter delinquendi. In ultima etiam innovatione Pagnarum Chartarum de libertatibus et forellæ antiquitus concessarum per Principem nuper facta, Dominus Rex hæc innobans ordinabit, et statuit quod eadem Chartæ

Ex veteri exemplari in bibl. Cotton. MS. sub effigie Cleoræ E. 1. Speimanni Concil. Tom. 2. p. 418, to 431.



An. 25 E. 1. Chartæ ad Cathedralis Ecclesiâs, per totum regnum Angliæ mitterentur et remanerent ibidem, quodque legerentur coram populo bis in anno; et quod Archiepiscopi et Episcopi regni Angliæ ferrent majoris Excommunicationis sententias in omnes illos qui contra dictas Chartas venirent facto auxilio, vel consilio, aut in quocunque modo infringerent Chartas ipsas; quodque eidem Episcopi easdem sententias publicarent vel facerent publicari in suis Cathedralibus Ecclesiis bis in anno; et quod Episcopi super facienda publicatione hujusmodi negligentes, per Cantuariensem et Eboracensem Archiepiscopos, qui pro tempore fuerint, reprehenderentur; et ad denunciations hujusmodi faciendas per eosdem Archiepiscopos arderentur. Nos etiam et nostri Coepiscopi tunc præsentibus, ac nobis assistentibus in Pontificalibus apud Westmonasterium; etiam de assensu Consilii Domini Regis tunc in partibus transmarinis agentis, dictam excommunicationis sententiam solemniter tulimus et publicavimus in vulgari. Ut igitur tam salubriter ordinata, & pro tam grandi communi utilitate provisâ, per dissimulationem non transcant sine fructu; jam in ultima congregatione Prælatorum et Cleri post festum Pentecostæ S. Johannis Baptistæ apud Novum Templum London. per nos nostrisque Coepiscopos et Prælatos, ac Clerum nostræ Cantuari. Provinciæ, prædictum extitit et conditum, ut dictæ Excommunicationum sententiæ contra violatores Chartarum bis in anno, ut supra, videlicet in Festis Omnium Sanctorum, & Dominicæ in Ramis Palmarum, in Cathedralibus Ecclesiis per Episcopos, si fieri possit; alioquin eorum auctoritate per alios solemniter publicentur: (\*by virtue of that Statute and the Kings command alone, not of their own Episcopal or Synodal authority.)

\* See Cooks  
2 Inst. p. 527.

Quia insuper Dominus Rex in innovatione prædictæ Prælati & toti Communitati Regni promiserat, quod pro nullo negotio quicquam nomine ipsius Domini Regis de bonis alicujus caperetur, sine totius Regni Communi assensu. Et si contingeret (quod absit) aliquos malefactores de Domibus, Grangiis, aut aliis locis Ecclesiasticis bona Ecclesiasticarum personarum auferre, abducere, vel aliquantulum asportare sine grata permissione Dominorum bonorum hujusmodi, vel ballivorum suorum (quod ut præmittitur de voluntate Domini Regis nullo modo procedere præsumatur) difficile erit & sæpe damnosum personis sic spoliatis, aut læsis ad suos Episcopos semper habere recursum, tam nobis nostrisque Coepiscopis et Prælati et Clero prædictis bivedatur expediens, et per eos in eadem Congregatione consensus extitit et conditum; ut singulis inferioribus Prælati, Rectoribus, etiam Vicariis Parochialium Ecclesiarum detur per suos Diocesanos expressa potestas denunciandi publice et solemniter malefactores hujusmodi, qui per facti evidentiam notorie et manifeste maleficium hujusmodi perpetrare præsumunt, una cum eorum complicitibus dicta Excommunicationis sententia innodatos. Quocirca fraternitati vestræ in virtute obedientie firmiter injungendo mandamus, quatinus dictam sententiam contra occupatores bonorum Ecclesiasticorum, prout in prima dictarum Congregationum, ut supra ordinatum extiterat in singulis Ecclesiis vestræ Diocesis, juxta ordinationem eandem.

Quemoratam vero sententiam contra infringentes articulos dictarum Chartarum, per nos et nostros Coepiscopos, ut supra, consensu Regis interveniente prolata, secundum formam in præfata ultima congregatione prævisam, dictis diebus & locis, scilicet, bis in anno, festivitatis præscriptæ, faciat in forma, quæ superius tangitur publicari, et in Anglico seriatim in omnibus, ac patenter exponi; pulsatis Campanis, et Candelis accensis, ut propter solemnitatem hujusmodi (quam laici magis quam effectum hujusmodi sententiarum attendunt) amplius timeatur. Detur etiam per vos, sicut in dicta ordinatione ultima concorditer extitit ordinatum inferioribus Prælati et Rectoribus, ac Vicariis, ac etiam Capellanis parochialibus plena et expressa potestas denunciandi publice et nominatim cum dicta solemnitate malefactores prædictos; scilicet occupatores et invasores bonorum Ecclesiasticorum, si qui in hujusmodi Prælatorum locis aut Rectorum Vicariorum parochiis in futurum bona hujusmodi invaserint, occupaverint, aut amoverint, seu se invadi occupari, aut amoveri fecerint, in notoria evidentia ipsius maleficii, majoris Excommunicationis sententia innodatos. (Wherein they exceeded the authority, command given them by the King, and this Act.) Provisoramenquod non nisi in factis notoriis & evidenti, ac etiam sub testimonio sufficienti, per eosdem Rectores, Vicarios, & Præbiteros taliter procedatur; ut insuper, cumulatim ad prædictam candelis, amplius articu-

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*qui ac reprimatur peruersorum iniquitas, in huiusmodi malefactorum nomenclaturis, ut præ-  
sanguis, denunciatorum præsentia, cessatur ubilibet a celebratione Missarum:* An. 25 E. 1.  
Et sic excommunicati per singulos dies Dominicos et Festivos denuntientur so-  
lempniter; subtracta etiam eis, per inhibitionem super hoc faciendam, Communionem  
fidelium, quousque sic ablata restituant, et etiam idonea satisfactione præmissa, ab  
eadem sententia congrue fuerint absoluti. Et cum de huiusmodi malefactorum perpetrato  
vobis per aliquem subditorum vestrorum denunciatum extiterit, vel ad vos exinde publica  
fama pervenerit, plenam cum celeritate iustitiam fieri faciatis, malefactores huius-  
modi ac etiam fautores et complices eorumdem, necnon scienter communicantes eis-  
dem, postquam id competenter inhibuit fuerit, per coherciones Canonicas di-  
ligenter et acriter puniendo.

Similem etiam Excommunicationis sententiam in omnes illos, qui manus in Cle-  
ricos temere violentas iniecerint, (though not mentioned nor intended in the Act or  
Charter) faciatis in solemnitate eadem publicari. Si vero in tantum aliquorum se  
extendit iniquitas, prout forsitan evenire posse timetur, quod Prelati, seu Ecclesia-  
rum Rectores aut Vicarii, sive Presbyteri vel alii Ecclesiastici viri quicumque oc-  
casione præmissorum vel alius eorum per laicalem potentiam capiantur, seu deti-  
neantur in Carcere aut in custodia quocumque modo; Vobis injungimus in virtute  
obediencie, prout etiam in dicta ultima congregatione per Prelatos et Clerum ordi-  
natum extiterat, ut loca, in quibus sic capti detinebuntur, et quatuor Ecce-  
lesias proximis vicinis, quatinus sub districtu vestro extiterint, interdicto Ecclesiastico  
protinus supponatis; et sic interdicta remaneant, quamdiu taliter capti detinentur  
ibidem. Et nihilominus captos ac detentos huiusmodi, et auctoritatem su-  
per hoc præbentes eisdem, singulis diebus Dominicis et Festivis post scelus huius-  
modi perpetratum, in omnibus Ecclesiis vestre Diocesis inter Missarum solemnitas  
eorum Clero et populo, pulsatis Campanis, et Candelis accensis, ut magis timea-  
tur solemnitas, denuntientur solempniter, maiore Excommunicationis sententia  
innovati. Et ut hoc ad notitiam singulorum perveniat, in Anglico exponatur,  
donec sic Excommunicati congrua satisfactione præmissa, in forma Ecclesiarum, ab ea-  
dem sententia per competentem Iudicem fuerint absoluti.

\* Note this  
injustice and  
usurpation.

Quia insuper Processiones solempnes, & orationum suffragia, quæ pro statu Terræ  
sanctæ, et pace et etiam tranquillitate et prosperitate Ecclesiarum, Regis et regni du-  
dum salubriter ordinavimus ac mandavimus (by virtue of the \* Kings premised Man-  
date) per Dioceses singulas faciendas, negligenter in multis, et non absque mul-  
toz periculo hactenus, ut audivimus, sunt omissa, de quibus (si fierent) fructus  
maximos meritis speraretur. Ac etiam Dominus Rex nuper in ultima congregatione  
prædicta per nuncios suos rogaverit, ut pro eo et suis in expeditione præfenti, quam  
contra hostes ipsius et regni nuper assumpsit, orationes et suffragia huiusmodi fieri,  
necnon Scotos et eorum complices, qui Ecclesias regni Angliæ et loca Ecclesiastica  
violenter invadere, comburere, ac bonis Ecclesiasticis ausu sacrilego spoliare, pa-  
cemque Regni et Ecclesiarum patenter infringere ac perturbare præsumperant et præ-  
sumunt, ut dicitur, Excommunicatos publice per nostram denunciari provinciam fa-  
ceremus; Vobis, ut supra, mandamus & injungimus, quatinus dictas processiones  
et orationum suffragia tam pro statu Terræ sanctæ, et pace Regni et Ecclesiarum Angli-  
cæ, quam etiam pro Domino Rege et sibi adherentibus in sua expeditione præ-  
fenti specialiter; necnon denuntiationes Excommunicationum prædictas per totam  
vestram Diocesis singulis diebus et locis, quibus id expedire videritis solempni-  
ter per vos, quatinus ad vos attinet, et ulterius per alios fieri faciatis: hæc omnia  
tam vigilanter et sollicitè prosequentes, ut ex hoc status Ecclesiarum reformetur in me-  
lius, et vestroz augeatur cumulus meritoz; Vos etiam temporibus opportunis  
per totam vestram Diocesis faciatis inquiri, an præmissa per vestros subditos, quatenus  
ad vos pertinet, fuerint, ut superius tangitur, observata? Et vos super hiis tam de facto  
vestro, quam subditorum vestrorum, certificatis ydoneè, saltem semel in anno, per ve-  
stras litteras patentes, harum serie continentes. Datum apud Oxford 4 Idus Julii,  
Anno Dom. 1298. Consecrationis nostre quarto.

\* Here, p. 679.

† Claus. 27.  
E. 1. m. 7.  
dorso.

Sententias igitur contra invadentes et occupatores bonorum Ecclesiasticorum, nec-  
non contra infringentes articulos dictarum Chartarum, tam in genere, quam in  
specie, secundum formam quæ supra traditur, diebus ad hoc statutis, cum solempni-  
tate præmissa, in Præbendis et Ecclesiis vestre jurisdictioni subjectis, ac etiam con-



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

*An. 25 E. 1.* tra insipientes manus violentas in Clericum, lingua omnibus intelligibili faciatis, tam per vos, quam per vestros subditos publicari. *Hæc autem & alia, quæ in hoc exprimuntur mandato, vobis & cæteris plenam & liberam potestatem committimus exequendi.* In nostra vero Ecclesia S. Pauli, nos ipsi, comite sanitate, ac impedimento cessante, exequemur præmissa, diebus, ut supra sit mentio præstitutis. Processiones insuper, & orationum suffragia, ut in præsentis continetur mandato, in Ecclesia nostra prædicta cum devotione, more solito, fieri faciatis. Sententiam etiam Excommunicationis, quam Scoti et eorum complices, ob causas in hoc mandato expressas, quas in promulgatione hujusmodi sententiæ volumus patefieri, incurrisse noscuntur, quam toties fieri poterit, in locis in quibus expedire videritis, faciatis solemniter publicari. Nos postea super præmissis omnibus opportuno tempore certificantes, per literas vestras patentes harum seriem continentes. Datum apud Orsenb 8 Calend. Augusti, Anno Dom. supradicto.

\* Henry de Knyghton de Eventibus Angliz, l. 3. c. 12. col. 2524, 2525. Th Walsingham Hist. Angl. p. 42.

\* Tunc Rex Edwardus (immediately after his ratification of the Great Charter and premised Acts at Gann) per literas suas speciales rogavit eosdem Comites & cæteros Magnates qui remanserunt in Anglia, ut sicut suum & totius Angliæ honorem diligenter, cum festinatione parati procederent in Scotiam cum Comite de Warennam quem suo loco præferebat, ut Scottorum audaciam castigaret & reprimerent, præfixitque eis terminum, scilicet in Octavo sancti Hillarii apud Eborum, ut interim pararentur, & convenirent ibidem extunc in suos hostes processuri. Misit etiam Rex literas suas ad Magnates Scotiæ, ut si in fide et fidelitate sua manerent, sicut in recessu suo se remanere promiserunt, ad Parliamentum suum apud Eboracum quod per Comites suos in Crastino sancti Hillarii celebrandum statuerat, absque omni cavillatione venirent, alioquin extunc velut hostes publici teneantur. Ad quem quidem diem conveniunt nostri Comites, illi scilicet, Comes de Warennam, qui locum Regis tenebat, personam illius præsentabat in hoc, Comes Gloucestrix cum Comitissa uxore sua filia Regis, Comes Herefordensis, Comes de Arundel & Guydo filius Comitis de Warwyk, Johannes de Segrave, & Magnates plures. Communicatoque consilio voluerunt, ut constaret communi populo de confirmatione Magnæ Chartæ et Chartæ de Foresta. Comites Herefordiæ & Marescalli, quia confirmatio Cartarum fuit facta in terra aliena, petiverunt ad majorem securitatem eas iterum confirmari: spondederunt autem pro Rege Episcopus Dunelmensis ac Comites, Johannes Surryæ, Wilhelmus Warwici, Radulphus Glovernix, quod obienta victoria, Rex eas post suum reditum confirmaret. Unde facta Magna Charta cum suis articulis insertis, quos enim ravimus supra, de præcepto eorum, Karliolensis Episcopus pontificalibus indutus, Excommunicationis sententiam in omnes ejus violatores fulminavit. Cumque non venirent Scoti neque mitterent, statuerunt, ut in Octabis sequentibus apud Novum Castrum super Tynam, omnis munitetur populus expeditus ad pugnam; & sic continuo procederetur in hostes; Whom they soon after encountering at Fowkirk, slew above \* sixty thousand of these perjured treacherous and rebellious Scots in that Battel, reduced their Kingdom once more to the Kings obedience, who soon after reconfirmed the great Charter and Charter of the Forest, with new additions; of which more in its Chronological order.

\* Tho. Walsingham Hist. Angl. p. 43.

\* Hist. Angl. pag. 41.

From these last recited Histories, Records and Parliamentary proceedings, concerning the violations and confirmations of the great Charter and Articles thereto annexed, we may observe. First, that the Archbishops, Bishops and Clergy who originally occasioned, excited, fomented all the premised insurrections and seditions against the King, were the greatest losers, sufferers of all others by them; whence \* Thomas Walsingham thus concludes his History of this year, *Transit annus iste Clero Angliæ importabilis, quia de protectione Regia est exclusus, et per Regem nichilominus deprivatus.* 2ly. That Parliaments and Convocations refusals or delays to grant our Kings competent necessary speedy ayds of monies and provisions to defend their rights, Crowns, Kingdoms against invading enemies, do usually enforce them to exercise forcible illegal courses, rapines, purveyances, seizures of their monies, goods, chattels, to the great oppression, discontent and grievance of their subjects. 3ly. That our Kings violations of the great Charters, laws, liberties and properties of their subjects, and abuses of their prerogative or regal power, to supply their necessities in cases of extremity, do commonly occasion great insurrections, seditions against them, alienate their Nobles, Clergies, Commons hearts and affections from them, deprive them of their military assistance,

armes,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

armes, when they most need them, to their great detriment, danger, disappointment, and give great advantage and encouragement to their foreign enemies. 4ly. That insurrections and commotions on such occasions frequently end in the Kings dishonour, loss, being seldom cordially and finally allayed, but by the Kings public acknowledgements, recantations of such exorbitances, and passing new Charters, Oaths, Acts, Excommunications & other securities to their subjects, for their greater security against subsequent grievances, exorbitances, oppressions of like nature; as all our successive Grand Charters, with their several confirmations, additional Articles, reiterated sentences of Excommunication against the infringers of them, and new Oaths for their defence, accompanied with Acts of general Pardon, indemnity and oblivion to their greatest opponents, in this Kings, his predecessors and successors reigns abundantly evidence. Which should caution Kings, their Counsellors and State-Officers carefully to avoid all such impolitick oppressing extravagancies, and to remember that sacred Maxim of the wisest of Kings, *"It is an abomination for Kings to commit wickedness, for the throne is established by righteousness."* 5ly. That Kings may justly displace their greatest Ecclesiastical, Military and Civil Officers, Prelates, Peers, when they contemptuously oppose, or neglect their duties to them; and put them out of their Royal protection. 6ly. That our Archbishops and Bishops have no legal authority to denounce any public Excommunication against the Kings subjects for any misdemeanors or offences, but when and in such cases only as they are specially required, authorised by the King, Lords, and Acts of Parliament to do it; whose prescribed bounds they have been alwayes prone to exceed, to enlarge their own jurisdiction. 7ly. That the premised Charter of Pardon to *Humphrey de Bohun* and others, and the Statute de *Tallagio non concedendo*, were made, granted in the 25 year of King *Edward* the 1. not in the 34 of his reign, as all our printed Statute-books, and † *Sir Edward Cook* very grossly mistake: which the premised Historians, the Statute-Roll in the *Tower*, the dates of passing them in *England*, of confirming them at *Caunt* and *Tork*, the Subsidy granted by the Nobles, Commons, and Clergy for their confirmation, the Excommunications denounced against the infringers of them, (all in the 25 year of *Edw. 1.*) with the deaths of *Humphrey de Bohun* Earl of *Hertford* and *Essex*, *Gulielmus de Bello campo* Earl of *Warwick*, and *Gulielmus de Luda* Bishop of *Ely*, Anno 1298. 26 E. 1. (as *Mattheus Westminster* and others story) mentioned in this Charter, Statute, as parties named, concerned in, or Witnesses to them, infallibly evidence beyond contradiction. Which I desire our Students of the Law, and publishers of Statute-books, when reprinted, to take notice of, to rectifie their former mistakes.

During the Wars abroad, and seditions at home, the Popes forementioned Legates, though at first denied, yet at last obtained Procurations and Commissions from the Kings of *England*, *France*, and their Confederates, to treat and conclude a Truce between them, with a submission to Pope *Boniface* as a private person and arbitrator only, voluntarily chosen by them, not as Pope by his Papal authority, to hear their differences, and settle a Truce and firm Peace between them; thus related by our Historians. *"Fuit Rex Edwardus apud Gandavum, ad quem venerunt in festo Sancto-rum Innocentium Magister Ordinis Predicatorum, & Magister generalis Fratrum Minorum sub eadem forma, qua ante Regem Francie, et parte Domini Papae rogaverunt, supplicantes, quatenus Sanctos solemnes ad Curiam Romanam, concessa eis plena potestate tractandi, ordinandi et perficiendi omnia quae pacis reformationem tangerent destinarent; et ipse Apostolicus non tanquam Index, (which neither party would admit him then to be) sed ut bonus pacis mediator in nullius praedictum satageret ad pacem et tranquillitatem regnorum, Regum amicitiam in statum pristinum reformare. Et quia hoc absque treugis fieri non posse sciebat Dominus Papa, ideo per hos Sanctos biennales inducias, quas per Cardinales impetraverat, induxit de novo sub poena Excommunicationis et Interdicti terrarum suarum. Whereupon, Rex Angliae perpendens se in Flandria periculose commorantem, illaque per informationem Comitum Flandriae minus prudenter attractum, regnumque proprium intestina scissione turbatum, fiduciamque suam a Rege Romanorum, per Papam sibi minus benevolam regnum Teutoniarum turbantem, frustratam, b Walsingham Hist. Angl. p. 411, 412. c Walsingham Hist. Angl. p. 411, 412. d Walsingham Hist. Angl. p. 411, 412. e Walsingham Hist. Angl. p. 411, 412. f Walsingham Hist. Angl. p. 411, 412. g Walsingham Hist. Angl. p. 411, 412. h Walsingham Hist. Angl. p. 411, 412. i Walsingham Hist. Angl. p. 411, 412. j Walsingham Hist. Angl. p. 411, 412. k Walsingham Hist. Angl. p. 411, 412. l Walsingham Hist. Angl. p. 411, 412. m Walsingham Hist. Angl. p. 411, 412. n Walsingham Hist. 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An. 24 &  
25 E. 1.

c Pierre de Pi-  
thou Preuves  
des Libertez de  
l'Eglise Galli-  
cane, chap. 7.  
sect. 12. p. 233.  
d Mar. Westm.  
Anno 1197.  
p. 411.

Comite Flandrie oppressores invasoresque suos Gallicos propulsaret, commoto bello in-  
quietarent, et ab invasione Gallicorum modis omnibus impedirent, such was his  
Papal treachery ] consentit in Treugas inditas. Convenitque inter eos, ne cap-  
tivi, interim taxata eorum redemptione liberarentur hinc inde, ea condicione, ut si pax  
non fieret, redirent ad suas custodias, vel redemptionem solverent jam taxatam. Trans-  
mittunt igitur Reges utrique solemnes Nuncios cum plena potestate ad Curiam  
Romanam, ut per mediationem Apostolici, non tanquam subiectis sed amicabilis  
compositionis discussis negotiis, pax inter Reges et concordia reformetur. (In  
which reference the Pope was stiled only <sup>c</sup> *Beatus Cajetan* as a private person, nor  
Pope Boniface, to the end he might not exercise any Papal authority over these Kings  
persons or Realms in this affair.) <sup>d</sup> *Acceptis tandem induciis & concessis inter Reges*  
*utrinque terra & sibi confederatos ab Epiphania Domini per biennium.*

The Procurations, Commissions, submissions of the Kings of England, France, and  
their Adherents, together with the Truce, Pope Boniface his arbitraments and awards  
then made between them, (not extant in any Histories) I shall here present you  
with, out of Records I lately found in the White Tower Chappel, and other Rolls.

On the first of January, An. 24. E. 1. the King issued these two Commissions to  
the Popes Legates, and his own Commissioners, authorizing them to treat and make  
a Truce between him and the King of France and their subjects.

Pat. 24 E. 1.  
m. 18. intus.  
De potestate  
quam habent  
Cardinales ad  
dandam Treu-  
gas Regi  
Francie.

**U**niversis Christi fidelibus ad quos presentes literæ pervenerint; *Edwardum*, &c.  
salutem. Noverit universitas vestra, quod nos damus et concedimus per præ-  
sentes venerabilibus in Christo patribus Dominis *B. Albanensi*, & *S. Penestrin.* E-  
piscopis, Sanctæ Romanæ Ecclesiæ Cardinalibus, plenam potestatem dandi nomine  
nostro Regi Franciæ et bolatozibus suis super guerris, dissensionibus et discordiis  
quibuscunque inter eundem Regem et nos ubicunque locorum exortis et motis,  
Treugas secundum formam in quam consentient Nuncii nostri, vel major pars  
illorum, quos ad præsentiam prædictorum Cardinalium apud *Cambracum* duximus  
transmittendos. In cujus, &c. Teste Rege apud Sanctum *Albanum* primo die  
Januarii.

Bundela Brev.  
& Literarum  
An. 24 E. 1.  
in Turri Lon-  
don. &c.  
Pat. 24 E. 1.  
m. 18. intus.  
De potestate  
data ad tra-  
ctandum de  
Treugis inter  
Reges Angliæ  
& Franciæ.

**U**niversis Christi fidelibus ad quos presentes literæ pervenerint; *Edwardum*  
Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*, salutem.  
Noverit universitas vestra, quod ob reverentiam sedis Apostolicæ, et ad instantiam,  
requisitionem venerabilium in Christo patrum *B. Albanensis*, & *S. Penestrini* Epis-  
coporum, Sanctæ Romanæ Ecclesiæ Cardinalium, mittimus apud *Cambracum* ad  
præsentiam Cardinalium eorundem, venerabiles in Christo patres *J. Winton.* & *W.*  
*Elie.* Episcopos, & nobiles viros *W. de Valencia* Comitem *Penbrak*, avunculum  
nostrum, *J. Ducem Brabantia & Lotharingia*, *A. Comitem Sabaudia*, *H. Comitem*  
*Barry*, *Florentium* Comitem *Holland. & Seland.* *Ottone* de *Grandison*, *Hugonem* le  
*Despenfer*, *Amanum* del *Bret*, *Thomam* de *Berkeler*, & *Hugonem* de *Vier* Milites,  
fideles nostros, necnon & discretos viros Magistros *H. Decanum Eborum*, *R. Archi-*  
*diaconum Cestria*, iterum Archidiaconum *Bathoniæ*, *Walterum* de *Langton* & *W. de*  
*Grenfeld* Canonicos *Eboracenses*, & *J. de Silveston* Canonicum *London.* & *Johannem*  
de *Sancto Claro*. Dantes eis & majori parti illorum qui presentes fuerint, plenam  
potestatem & speciale mandatum ad tractandum nomine nostro de treugis inter  
Regem *Francia* & nos, super guerris, dissensionibus & discordiis quibuscunque  
inter eundem Regem & nos ubicunque locorum exortis & motis, & etiam ad eas-  
dem treugas ineundas & firmandas, ac ad omnia alia & singula facienda, quæ ad  
præmissorum expeditionem fuerint oportuna. Ratum habituri & firmum quicquid  
per prædictos Nuncios nostros, seu majorem partem illorum qui presentes fuerint,  
sicut præmittitur, tractatum, ordinatum, initum, firmatum & factum fuerit in præ-  
missis. In cujus rei testimonium has literas nostras fieri fecimus patentes. Dat.  
apud Sanctum *Albanum* primo die Januarii, Anno regni nostri vicesimo quarto.

\* Here p 679. At which time he likewise issued \* *Writs* to Bishops and Abbots, to make devout  
Prayers to God for his blessing on this Treaty.

In another parchment Roll I found in the White Tower, these following Letters,  
Procurations and Submissions to the Pope are recorded all together.

Sanctissimo

**S**anctissimo in Christo patri Domino B. divina providentia Sanctæ Romanæ ac Universalis Ecclesiæ Summo Pontifici; *Edwardus* eadem gratia Rex *Anglia*, &c. devota pedum oscula beatorum. Consideratione sollicita nunc & alijs attendentes, quod nil melius dissidentium filiorum corda sedabit, quam paterni providentia studii vigilans assidue circa illos, juxta preces et exhortationes vestras nobis nuper directas, super discordiis atque guerris inter Regem *Francia* et nos dudum eruptis, magnificæ vestræ circumspectionis industria mediante, sedandis, venerabiles in Christo patres W. Archiepiscopum *Dublin*. A. Episcopum *Dunelm*. & nobiles viros A. Comitem *Sabaudia* consanguineum nostrum, *Ottone* de *Grandison*, & *Hugone* de *Veer* Milites, exhibitores presentium, pacis et concordie zelatores super prædicto negotio Procuratores ad vestram presentiam duximus destinandos. Quibus una cum venerabili patre J. *Wintoniensi* Episcopo, plenam super præmissis commissimus potestatem. Sanctitati vestræ devotis precibus supplicantes, quatinus eisdem Nuncios nostros benigne de clementia solita admittentes, eò sollicitudine promptiori circa commissa sibi negotia, coram vestra beatitudine prosequenda, opportunum et salubre remedium dignemini adhibere, quò maturiorem expeditionem exigunt & requirunt. Conserve vos Altissimus ad regimen Ecclesiæ suæ per tempora prospera & longæva. Datum apud *Gandavum* 18 die *Februarii*, Anno Domini 1297. Triplicatur.

An. 24 &amp;

25 E. 1.

Anno 24 E. 1.

in Turre Lon-

don. in uno

Rotulo de

Procuratori-

bus istis.

**V**enerabili in Christo patri G. Dei gratia Episcopo *Sabien*. amico suo charissimo, In eodem *Edwardus* eadem gratia, &c. salutem & sinceræ dilectionis affectum. Infidet cordi nostro, sicut hætenus infidebar, quod negotium discordiarum atque guerrarum quæ sunt inter Regem *Francia* et nos, coram Sanctissimo patre Domino B. nunc Summo Pontifice tractetur, et (si fieri poterit) reseruetur. Cum itaque idem Dominus Summus Pontifex per literas suas rogaret, ut solemnes Nuncios, pacis amatores, voluntatis nostræ conscios ac diligentius informatos, plenam à nobis habentes mandatum super discordiis & guerris prædictis ipso mediante sedandis, ad ipsius presentiam mittere curaremus. Nos ipsius desiderium super hiis adimplere volentes, venerabiles in Christo patres W. Archiepiscopum *Dublin*. A. Episcopum *Dunelm*. & nobiles viros *Amadeum* Comitem *Sabaudia* consanguineum nostrum, *Ottone* de *Grandison*, & *Hugone* de *Veer* Milites, exhibitores presentium super prædicto negotio plenè instructos, ad sedem Apostolicam duximus destinandos. Quibus una cum venerabili patre J. *Winton*. Episcopo, plenam super præmissis commissimus potestatem. Paternitatem vestram instantius deprecantes, quatinus prædictos Nuncios gratiosis habentes affectibus commendatos, velitis eisdem vel illis, qui præsentibus fuerint, in hiis quæ nobis ex parte nostra oraculo vivæ vocis exponant, fidem credulam adhibere. Sic eos, si placet, in commissis sibi negotiis efficaciter dirigentes, quod eisdem eò prosperioris & celerioris expeditionis effectus adveniat, quò circa promotionem eorum diligentiam apposueritis potiore. Dat. apud *Gandavum* 18 die *Febr*.

Item eodem modo Domino M. *Perin*. & Sanctæ *Ruffina* Episcopo.Item J. Episcopo *Tusculan*.Item venerabili in Christo patri Domino J. Titulo Sanctorum *Marcellini & Petri* Presbytero Cardinali, amico suo charissimo.Item Domino P. Titulo S. *Crucis* in *Ierosol*. Presbytero Cardinali.Item Domino S. Titulo Sanctæ *Balbina* Presbytero Cardinali.Item Domino *Thoma* Titulo Sanctæ *Cecilia* Presbytero Cardinali.Item Domino R. Titulo Sanctæ *Potentiana* Presbytero Cardinali.Item Domino N. Titulo S. *Laurentii* in *Damaso* Presbytero Cardinali.Item Domino F. Titulo Sancti *Marc* Presbytero Cardinali.Item Domino J. Titulo Sancti *Clementis* Presbytero Cardinali.Item Domino M. Sanctæ *Maria* in *Porticu* Diacono Cardinali.Item Domino N. Sancti *Adriani* Diacono Cardinali.Item Domino L. Sancti *Angeli* Diacono Cardinali.Item Domino G. Sancti *Nicholai* in *Carcere Tulliano* Diacono Cardinali.Item Domino B. Sanctorum *Cesæ* & *Damiani* Diacono Cardinali.Item Domino P. Sanctæ *Maria nova* Diacono Cardinali.

Item



K. Edwards. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4

An. 24 & 25 Item Domino J. Sancti Georgii ad velum aureum Diacono Cardinali.  
 Edw. I. Item Domino F. Sancta Maria in Cosmodyn. Diacono Cardinali. Per 18 paria  
 literarum. Dat. ut supra. Et omnes Clausa.

Ibidem.  
 Potestas gene-  
 ralis data de  
 tractando de  
 pace coram  
 Papa.

**S**anctissimo in Christo patri Domino B. divina providentia Sanctae Romanae ac Universalis Ecclesiae Summo Pontifici, *Edwardus* eadem gratia Rex Anglia, &c. devota pedum oscula beatorum, *Poppe devotissimi filii in votis hactenus gestimus, et adhuc gerimus circa beneplacita sedis Apostolicae prosequenda paratos nos promptitudine animi et effectu operis exhibere.* Sperantes itaque per vestrae Sanctitatis industriam super discordiis inter Regem *Francia* & nos dudum exortis salubriter provideri, venerabiles in Christo patres *Wilhelmum* Archiepiscopum *Dublinensem*, *Antonium Dunelmensem* Episcopum, & nobiles viros *Amadeum* Comitem *Sabaudiae* consanguineum nostrum, *Ottoneum de Grandisano*, & *Hugonem de Ver* Milites, pacis & status nostri pacifici zelatores, voluntatis nostrae conscios ac diligentius informatos, ad vestram praesentiam duximus destinandos. Quibus una cum venerabili patre *Johanne Wintoniensi* Episcopo, aut quinto ipsorum sex uno absente, vel quatuor eorundem duobus absentibus, (quorum quatuor duo sint Laici) plenam damus tenore praesentium potestatem & speciale mandatum super omnibus discordiis, guerris, litibus, controversiis, causis, quaestionibus, damnis & injuriis, petitionibus & actionibus realibus, personalibus & mixtis, quae fuerunt, & sunt, vel esse possent inter dictum Regem *Francia* & nos occasione quacunque, tractandi, pacificandi, componendi, transigendi, concordandi & conveniendi in personam vestram compromittendi pro nobis & haeredibus nostris; Nos & haeredes nostros vestrae arbitrationi, ordinationi, dicto seu laudo submittendi, sub formis seu modis, de quibus & quotienscunque viderint expedire; necnon omnia & singula quae per ipsos sex, quinque vel quatuor ipsorum, prout superscriptum est, nos & haeredum nostrorum nomine, super praemissis & singulis praemissorum pacta, composita, transacta, concordata fuerint seu conventa, compromissum, submissionem vestram arbitrationem, ordinationem, dictum seu laudum praedicta firmandi, roborandi, homologandi & vallandi, per juramentum super hiis & aliis hujusmodi negotium tangentibus, quandocunque & quotienscunque viderint expedire, in animam nostram praestandi, ac omnia & singula faciendi, quae sunt pacis & concordiae, & ad plenam pacem & concordiam valeant pertinere, & quae nos faceremus vel facere possemus si praesentes essemus, etiamsi mandatum exigant speciale. Volentes omnia & singula necessaria vel utilia ad faciendum & complendum praemissa & quodlibet praemissorum pro specialiter expressis & enumeratis haberi. Promittentes nihilominus nos ratum habituros & firmum quicquid per praedictos sex, quinque vel quatuor eorundem, in forma expressa superius, tractatum, pactum, compositum, transactum, concordatum, conventum, firmatum, roboratum, homologatum, vallatum, & factum fuerit in praemissis: Super quibus per nostras literas approbandis, tenendis, servandis et complendis, nos et haeredes nostros, et bona nostra omnia obligamus. Et haec sanctae Paternitati vestrae significamus, & omnibus quorum interest, vel interesse potest, aut poterit in futurum, per nostras patentes literas sigilli nostri munimine consignatas. Dat. apud *Gandavum* 18 die Febr. Anno Domini 1297. Quadruplicatur.

Ibidem.  
 De potestate  
 substituendi  
 super generali  
 submissione.

**S**anctissimo in Christo patri Domino B. &c. *Edwardus*, &c. devota pedum oscula beatorum. Licet venerabilibus in Christo patribus *Willielmo* Archiepiscopo *Dublin.* *Antonio Dunelm.* *Johanni Winton.* Episcopis, & nobilibus viris *Amadeo* Comiti *Sabaudiae* consanguineo nostro, *Ottone de Grandisano*, & *Hugoni de Ver* Militibus, omnibus simul, & quinque ipsorum, uno absente, vel quatuor eorundem, duobus absentibus, (quorum quatuor duo sint Laici) plenam dederimus potestatem & speciale mandatum super omnibus discordiis, guerris, litibus, controversiis, causis, quaestionibus, damnis & injuriis quae fuerunt, & sunt, vel esse possent inter Regem *Francia* & nos, occasione quacunque, tractandi, pacificandi, conveniendi, in personam vestram pro nobis & haeredibus nostris compromittendi, nos & haeredes nostros vestrae ordinationi, arbitrationi, dicto seu laudo submittendi, necnon omnia & singula quae per ipsos sex, aut quinque ipsorum uno absente, vel quatuor eorundem duobus absentibus, (sicut praedicitur) nostro & haeredum nostrorum

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storum nomine, super præmissis & singulis præmissorum, pacta, composita, trans-  
acta, conventa per vos ordinata, arbitrata, dicta fuerint seu laudata, firmandi, robo-  
randi, omologandi, & vallandi per juramentum super hiis & aliis hujusmodi nego-  
tium tangentibus, in animam nostram præstandi, prout in aliis literis nostris inde  
confectis plenius continetur. Ne tamen propter dictorum Comitis & *Ottonis* absen-  
tiam præmissa impediri contingat, seu etiam retardari, eisdem Comiti & *Ottoni* &  
utrique ipsorum plenam damus tenore præsentium potestatem, alium seu alios loco  
sui substituendi, quando & quotienscunque ipsos vel eorum alterum abesse conti-  
gerit, & substitutum vel substitutos eisdem revocandi, prout viderint expedire.  
Volentes quod substitutus vel substituti ab eis vel eorum altero possit seu possint  
omnia & singula facere in præmissis, quæ ipsi Comes & *Otto* facerent seu facere  
possent, si personaliter interessent. In cujus, &c. Dat. ut supra, 20 die Febr.  
Anno Domini 1297. Duplicatur.

An. 25 E. 1.

**S**anctissimo, &c. *Edwardus*, &c. Devota pedum oscula beatorum. Confi-  
dentia specialis quam de vestre circumspectionis industria & bonitate personæ  
habuimus hætenus & habemus, propensius nos inducit, ut nos et hæredes nostros,  
nostrum et ipsorum hæredum honorem vestre Sanctitatis providentiæ committamus.  
Eapropter (sanctissime Pater) vestre ordinationi, arbitrationi, dicto seu laudo su-  
per omnibus discordiis, guerris, litibus, controversiis, causis, questionibus,  
damnis & injuriis, petitionibus, & actionibus, realibus, personalibus & mixtis, quæ  
fuerunt & sunt, vel esse possent inter Regem *Francia* & nos occasione quacunque,  
purè & absolūtè, de alto & basso, nos pro nobis & hæredibus nostris submittimus  
per præsentem: promittentes pro nobis et eisdem hæredibus nos inviolabiliter serva-  
turos quicquid per Sanctitatem vestram super præmissis omnibus et singulis, et aliis  
hujusmodi negotium tangentibus, ordinatum, arbitratum, dictum fuerit seu lau-  
datum. Ita tamen quod honoz noster, fides, et Juramenta, quibus nostris sumus  
Consecratis astricti, per vestre beatitudinis excellentem providentiam super hiis  
conservetur. Committimus insuper nobilibus viris, *Amadeo* Comiti *Sabaudie*  
Consanguineo nostro, & *Ottoni de Grandisone*, Nunciis nostris, potestatem & spe-  
ciale mandatum roborandi & vallandi per juramentum in animam nostram præstan-  
dum, submissionem, ordinationem, arbitrationem, dictum seu laudum prædicta, &  
faciendi omnia & singula quæ ipsis Comiti & *Ottoni* super præmissis necessaria vel  
utilia videbuntur. In manibus igitur Dei, de quo semper confidimus, & in ve-  
stris, qui locum ejus tenetis in terris, Causam nostram ponimus antedictam. In  
cujus, &c. Datum ut supra 18 die Febr. &c.

Ibidem;  
Submissio spe-  
cialis.

**S**anctissimo, &c. *Edwardus*, &c. Licet vestre Ordinationi, arbitrationi,   
dicto seu laudo, super omnibus discordiis, guerris, litibus, controversiis, cau-  
lis, questionibus, damnis & injuriis, petitionibus, & actionibus, realibus, personalibus  
& mixtis, quæ fuerunt & sunt, vel esse possint inter Regem *Francia* & nos, occasio-  
ne quacunque, purè & absolūtè, de alto & basso, nos pro nobis & hæredibus no-  
stris submiserimus, committendo nobilibus viris *Amadeo* Comiti *Sabaudie* consan-  
guineo, & *Ottoni de Grandisone* Nunciis nostris, potestatem & speciale mandatum  
roborandi & vallandi per juramentum in animam nostram præstandum, submissio-  
nem, ordinationem, arbitrationem, dictum seu laudum prædicta, & faciendi alia quæ  
sibi utilia videbuntur, prout in aliis literis nostris inde confectis plenius continetur.  
Ne tamen propter dictorum Comitis & *Ottonis* absentiam præmissa impediri conti-  
gerit seu etiam retardari, eisdem Comiti & *Ottoni* & utrique ipsorum plenam damus  
tenore præsentium potestatem, alium seu alios loco sui substituendi, quando vel  
quotiens ipsos vel eorum alterum abesse contigerit, & substitutum vel substitutos  
revocandi prout viderint expedire. Volentes quod substitutus vel substituti ab eis  
vel altero eorum possit seu possint omnia & singula facere in præmissis, quæ ipsi  
Comes & *Otto* facerent seu facere possent, si personaliter interessent. Dat. apud  
*Gandavum* 20 die Febr. Anno Domini 1297.

Ibidem;  
De potestate  
substituendi  
super submis-  
sione speciali.

He likewise writ this Letter to the King of *Almain* his confederate, to give him  
notice of the Treaty about a Truce appointed before the Legates at *Cambray*, desi-  
ring him to send his Commissioners thither with full power to treat and conclude  
an honourable and beneficial Truce and Peace for both of them.

Au



An. 25 E. 1.  
In Bunde la Li-  
terarum &  
Brevium An.  
24 E. 1. In  
Turre Lond.

**A**U Roy *Dalemayn*, *Edward*, &c. salut. Sachez Sire, qe a la requeste des Evesques *Dalban*, & de *Penestr*. Cardinaux & Messages du See l'Apostolle envenoms a *Cambrey* nostre Uncle de *Valence*, Prelatz & autres grantz gentz de nostre Royaume. Issint quil yserront, se Dieu plest, a troys semaynes apres cest noel pur troiter devant les ditz Cardinaux de pees & de true par entre vous & nous dune part, & le Roy de *France* dautre, a quen trestz le dit Roy est assentuz en cest sot, a ce qe les ditz Cardinaux nous ont mande par leur lettres, & par leur messages; & sicome il le vous ont fait a savoir aussint, a ce qe nous entendoms. Et par ce qe nous nensesoms riens saumz vous, Vous prioms qe vous (enveons) voz Messages oue plein poer issint qil ysoient au jour avantdit, pur treiter ensemblement oue les noz des busoignes susdites selonc ce qe entre eux verront, qe soit du profit & al honour de vous & de nous ausint. E vous seisons a savoir qe meisme ceste chose vous auoms senesiez par unes autres lettres, les queles nous baillames as messages des ditz Cardinaux quant il estoient a nous par porter a leur Seignourages; Issint quil les vous forssant venir au plus tost quil peussent.

In *Retulo Alamannia* in the *Tower*, I finde another Commission and Procuration of King *Edward*, issued to the Bishop of *Coventry* and *Litchfeld* and others to treat and conclude a Truce or Peace.

Rot. Aleman.  
25 E. 1. m. 14.  
Intus. Potestas  
commiffa  
Nunciis ad  
tractand. de  
pace, &c..

**U**Niversis Christi fidelibus ad quos presentes Literæ pervenerint. *Edwardus* Dei gratiâ, &c. salutem. Noverit universitas vestra quod nos ob reberentiam Sedis Apostolicæ, et ad instantem requisitionem Venerabilium patrum Dominorum *P. Albanen.* & *S. Penestrin.* Dei gratiâ Episcoporum Sanctæ Romanæ Ecclesiæ Cardinalium nostrorum specialium amicorum, damus et concedimus per presentes dilectis & fidelibus nostris Venerabili Patri *Waltero Coventr.* & *Lycet.* Episcopo Thesaur. nostro, *Amadæo Comiti Sabaud.* Consanguineo nostro charissimo, *Ottoni de Grandisano* Militi, & *Johanni de Berwico* Canonico *Eborum*, seu tribus aut duobus ipsorum, si unus vel duo ex ipsis fuerint absentes, plenam & liberam potestatem ac speciale mandatum, tractandi nomine nostro de sufferentia, de treugis, et de pace inter Regem Romanorum & nos & Valitores nostros ex parte una, & Regem Francorum & Valitores suos ex altera, super guerris, dissensionibus et discordiis quibuscunque inter dictum Regem Romanorum et nos et valitores nostros, et ipsum Regem Franc. et valitores suos exortis, & etiam easdem sufferentiam, treugas & pacem ordinandi, ineundi & firmandi, & omnia alia & singula faciendi, quæ ad præmissorum expeditionem fuerint opportuna. Ratum habituri & firmum quicquid per prædictos Episcopum, Comitem, Militem & Canonicum, vel tres aut duos eorum, sicut prædictum est, tractatum, ordinatum, initum, firmatum & factum fuerit in præmissis. Et ad hæc omnia fideliter observanda, obligamus nos & omnia bona nostra præsentia & futura. In cujus, &c. Dat. apud *Walsingham*, 6. die Febr. Anno regni Regis 25. — Et erunt inde tres literæ. Consimilem potestatem habent iidem nuncii in qua Rex *Francia* cum valitoribus præcedit, &c.

I also discovered among the refuse Records in the *White Tower* Chappel, these Instruments of the Kings and his Confederates submissions to the award of Pope *Boniface*, as a private person and arbitrator only, not as a Pope or Judge, then written and attested by publike Notaries.

*An Instrument whereby Edward the First, and Philip King of France stood bound to the Pope for ending all Controversies, in one hundred Thousand Marks.*

Anno 24 E. 1.  
in Turre  
London.

**I**N Nomine Dei Amen. Constituta coram Sanctissimo Patre ac Domino, Domino *Bonifacio* divina providentia Papa octavo. Tales nuncii Procuratores Magnifici Principis *E. Regis Anglia* illustris, & habentes potestatem super infrascripta compromittendi pro eodem Domino & Rege sub modis & formis, de quibus expedire viderint, prout in patentibus procuratoriis literis ipsius Domini Regis cera & sigillo

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figillo munitis infrascripti tenoris plenius continetur, compromiserunt nomine *An. 25 E. 1.*  
 Procuratorio præfati Domini Regis, altè & basse, absolute & liberè, in quantum poterant ex virtute ac forma mandati seu procuratorii prædicti, quod habebant ab eodem Domino Rege in sanctissimum Patrem & Dominum, Dominum Bonifacium divina providentia Papam octavum, ut in Dominum Benedictum Gaytanum præbaram personam, tanquam in Arbitrum, Arbitratorem, Laudatorem, Diffinitorem, arbitralem sententiatorem, et amicabilem compositorem, Præceptorem, Ordinatorem, dispositorem et pronuntiatorem super refozmanda pacifica concordia inter ipsum Dominum Regem et parte una, et excellentem Principem Dominum Philippum Regem Franc. illustrem ex altera, super hiis quæ ad pacem pertinent, et super omnibus et singulis Discordiis, Guerris, Litibus, Controversiis, Causis, Quæstionibus, Dampnis et Injuriis, Pensionibus, Actionibus realibus, personatibus atque mixtis, quæ fuerunt, et sunt, vel esse possunt inter ipsos Dominos Reges occasione quacunque, Ut ipse Dominus Papa tanquam Dominus Benedictus Gaytanus præbata persona, altè et basse, absolute et liberè, cum cognitione vel sine cognitione causæ sibi causarum, ac de plano ac summarie sine strepitu et figura iudicii, possit infra instans festum beati Michaelis inter dictos Dominos Reges, semel et pluries quotiens ipse placuerit, et videbitur expedire, super omnibus præmissis et singulis Arbitrari, laudare, diffinire, Arbitraliter sententiare, præcipere, ordinare, disponere, ac pronuntiare, addere, minuere, corrigere, interpretari, et declarare in scriptis vel sine scriptis, diebus feriatis et non feriatis, partibus præsentibus vel absentibus, vocatis vel non vocatis, et una parte præsentem et altera absentem; Juris ordine in tota vel in parte aliqua servato vel non servato. Ita tamen quod de dicto Rege Anglia et Domino A. Rege Romanorum illustri, Flandria, Barri, & Hollandia Comitibus, Duce Brabantia, & Nobilibus de Comitatu Burgundia, dicto Regi Anglia Confederatis, Comite Sabaudia, & aliis vassallis & subditis ipsius Regis Anglia; sine quibus dictus Rex Anglia & ipsi nuntii, prout iidem nuntii asserabant, pacem facere non intendunt, Pax cum prædicto Domino Rege Francia infra dictum terminum reformetur. Promittentes iidem Procuratores & Nuntii nomine quo supra, pro dicto Domino Rege Angl. Michaeli Notario infrascripto nomine illius vel illorum, cujus vel quorum interest vel intererit, solemniter stipulante sub pena Centum millia marcarum argenti, et obligatione omnium et singulorum bonorum ipsius Regis Anglia, rata et firma semper habere et tenere, attendere, adimplere, et inviolabiliter observare, ac in nullo per se vel alium, seu alios contra facere vel venire; Et quod ipse Dominus Rex Anglia rata & firma semper habebit atque tenebit, attendet & adimplebit, & inviolabiliter observabit, omnia et singula quæ ipse Dominus Papa, tanquam præbata persona per suum arbitrium, laudum, arbitratum, mandatum arbitrale, sententiam arbitralem, ordinationem, diffinitionem, dispositionem, compositionem, et pronuntiationem arbitranda, laudanda, sententianda, modo quo supra diffinienda, mandanda, ordinanda, componenda et disponenda, ac etiam addenda, minuenda, corrigenda, interpretanda et declaranda, quæcunque infra terminum supradictum duxerit in præmissis & quolibet præmissorum; & in nullo contra ea vel eorum aliquod per se vel alium seu alios faciet, siue veniet ullo unquam tempore quovis ingenio siue causa, & pena soluta vel non soluta, arbitrium, laudum, arbitratum, mandatum huiusmodi, sententia, ordinatio, diffinitio, dispositio, compositio, pronuntiatio, additio & diminutio, correctio, interpretatio, & declaratio ferenda & facienda per ipsam Dominum Papam modo quo supra, & omnia & singula supradicta rata semper maneant atque firma. Dum tamen de prædictis Confederatis, vassallis & subditis Regis Anglia pax fiat ut dictum est infra terminum supradictum. Hoc actum expressè, quod potestas ex huiusmodi compromisso nec in vita ipsius nec in morte in personam aliam transferatur; Tenor autem prædictarum literarum; &c. *You have seen before.*

*Le transcript du compromis fait ens le Pape Boniface par le Procureur le Comte de Montbeliard, & Sire Johan de Chaloun, & des x. autres Nobles de Burgoigne aliez laiel nostre Seigneur le Roy, sur guerres & dissensions meves entre le dit Roy Dengleterre & ceux d'une part, & le Roy de France & ses aliez d'autre.*

**E**N nonn de nostre Seigneur Amen, l'an de nostre Seigneur Mil deux Centz quatre vins & disvyt, Endicion unisme le quartan du Pontificat sire Boniface

Bundela Bre-  
vium in Turra  
London, An.  
Pape 25 E. 1.



An. 25. E. 1.

Pape vytime, le trefisme jour du moys de *July* establis devant le trefaint Pere et Seigneur Sire *Boniface* par la purveance de Dieu Pape vytime avantdit, lui noble homme Sire *Gautier Mont faucon* Chivalier Message & Procureur des nobles hommes Sire *Gautier Mont faucon* Chivalier, message & procureur des nobles hommes Seigneurs *Renand de Montbeliard de Metroun*, *Johan de Vienne*, Seigneur de *Myrabell* en la *Montayne*, *Esfmore de Metroun* Seigneur de *Ville Neve*, *Jehan de Metroun* Seigneur de *Flagz*, *Pierre de Joyngwill* Seigneur de *Mornay*, *Gautier de Comerci* Seigneur de *Chastel villeyn*, *Hymbert* Seigneur de *Clarevaux*, *Gerard* Seigneur *Dorgul Odes* Seigneur de *Montferraut*, *William* Seigneur de *Cortondray* Chivaliers, *Esfreves* Seigneur de *Metron*, & *Johan* Seigneur de *July* Damoiseles de la Deocise du *Bosaucon*, tant en propre noun pur soy come en noun de procureur desavantditz noblez hommes des queux il estoit procureur, sicome il est dit et sicome il apparut plus plenerement par sa procuracie. La tenour de la quel e est desuz escripte souzmis et suppose soy et les autres avantdiz dez queux il estoit Procureur haut et bas, purement et symblement tancome il appartenit ou pooit appartenir en quicunque manere, a lui ou as autres avantdiz, a la volonte, a lozdeinement, arbitrement, disposicion, diffinicion, arbitrage, et les de devandite Seigneur Appostoill come de pze personne et Seigneur *Benedy Gaytan*, sur totes guerres et chescunes de los dissencions, descortz et contentz, qe furent, qe sont, ou qui purront estre entre les haurz Princes Seigneurs *Philip* par la grace Dieu trefnoble Roy de *France* d'une part, et le trefnoble Seigneur *Edward* Roy *Dengleterre*, et le meismec *Gautier*, et les autres avantdiz des queux il estoit procureur d'autre part, et sur la pees et la concorde reformer d'une part & d'autre, et sur les choses qe a peer appartenent, qui lui meisme sire Appostoill come pze personne et sire *Benedy Gaytan* haut et bas, symplement et purement, ou consance ou sanz consance, de causeu des causes, et de plein et bresment, et sanz nopsse et fournir de Juggement, puisse entre les ditez parties une foiz, ou plusours foiz, et tant de foiz come p lui plerra ou lui semblera qui bon soit, sur totes abantdites choses et chescunes de eles ordeiner, arbitrer, disposer, diffinir, arbitrement, sentencer, commander et loyer, et pronuncier, abuser, amenuiser, amender, interpreter et declarer en escript, et sanz escript en jours pleadables ou noun pleadables pze les parties ou absens, appelez ou non appelez, et l'une partie pze et l'autre absent, garde, lozde de droit ou noun garde. Et promist lui dit sire *Gautier* par soy en lieu et en noun de ceux qui sont desuz nomez, sur peyne et obligement de touz les biens de lui, et de ceux des queux il est procureur, avoir fermes, et estables tous jours tenir, et a parfaire accomplir et garder sanz enfreinte et noun fere ne venir encontre en aucune chose par soy ne par autre ou autres, et qui les avantdiz des queux il estoit procureur aront tous jours ferm et estable, et tendront, perfront, accompliront, et garderont sanz enfreinte, totes les choses et chascune de eles les queles lui meisme sire Appostoill par son mandement, arbitrement, loes, arbitrage, sentence, ordination, diffinicion, disposicion, composition et pronunciation, arbitrer, et loera sentencera, diffinera, mandera, ordeinera, composera et disposera, et abiscera, amenuisera, amendra, interpretera, et declarra totes les foiz qil boudra, et abantdites choses, ou aucune de elles par soy ne par autre ou autres nefa ne bendra nul temps par nul engin ne pur nulle cause, et qui pace la peygne ou noun passe l'arbitrement, loement, l'arbitrage, mandement, meisme la sentence, ordeinement, diffinicion, disposicion, composition, et pronunciation, abiscement, amenuisement, amendement, interpretation, et declaration a dire et a faire par le meisme Appostoille en la manere qui desuz est dist, et totes les choses et chascune de elles de susdites et desuz escriptes soient tous jours fermes et estables. E a volu promis expressement assentuz lui avantdit procureur tant en lieu & en noun de lui come des tous les autres avantdiz, qui tant lougement dure la submission avantdite come longement durra le temps et le terme des trewes prises entre les Seigneurs Roys avantdiz de leur volonte. Le quel temps sicome il dist est de un an aconter de la feste de la *Typhayne* proscheinement avenir, jusques a loutre feste de la *Typhayne* proscheinement suant; Et qui endementiers lui meisme Appostoill si lui plect et luy semble qui bon soit, puisse de lors la meisme submission et le temps et le terme de dire l'arbitrement, ou l'arbitrage & mandement de totes les autres choses, et des dites trewes ensemble et nonn autrement une foiz et plusours foiz a la volonte aloigner; Et fu expressement fait qe le poer de meisme le

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le submiffion ne en la vie ne en la mort de lyne soit translate en autre perfoine. *An. 25 E. 1.*  
 Sauve tote foiz, et reservee per le dit Sire *Gautier* en totes les avantdites choses, et chascune de elles le droit, et le honeur del Empire de *Romains*. Le tenour de la avantdite procuracie est ycele.

*Procuratorium factum per confederatos Regis Angliæ de Burgundia, ad compromittendum in Papam Bonifacium.*

**N**ous *Renand* Counte de *Monbeliard*, *Johan* de *Chalon* Seigneur *Darly*, *Johan* de *Monbeliard* Seignour de *Monfaucou*, *Symond* de *Monbeliard* Seignour de *Montron*, *Johan* de *Vienne* Seignour de *Mirebel* en la *Montayne*, *Estevene* de *Montron* Seignour de *Ville nove*, *Johan* de *Matondray* Seignour de *Flagy*, *Pierre* de *Jomquill* Seignour de *Marnay*, *Wauter* de *Comerci* Seignour de *Chastel-vilain*, *Hunbert* Seignour de *Clerevaux*, *Gerard* Seignour *Dargnell*, *Ode* Seignour de *Montferand*, *William* Seignour de *Corcondray*, Chivaliers; *Estevene* Seignour de *Montany* et *Johan* Seignour de *Juyt*, Esquiers de levesqe de *Bosanson*, faisons savoir a tous qui cest publique Instrument verront, qui nous fesoms, establioms et ordeinoms jointement et severalment nostre ame noble homme Seignour *Gauter* de *Monfaucou* Chivalier de le avantdit Evefche de *Bosanson*, portour de ceste presente lettres, verray et loyal procureur, ambassor, menour des boisoignes et message especial en totes noz boisoignes et causes menees, et amover tant pur nous come encoutre nous countre quicunques perfoines, et de lesglise, Chapitles, Colleges, Universitez et Communittez, et especialment encoutre le tresnoble et treshaut Prince, *Phelipp* Roy de *France* et les procureurs, Ambassours, menours des boisoignes et messages specials devant le Seint Pere en Dieu nostre seigneur Sire *Boniface* de la sainte Esglise de *Rome*, et de la universele Esglise souvercin Evefque, et devant les Cardinaux du se dapostoile, delegarz et souz-delegatz de lesglise de *Rome*, et devant tous autres Juges de leglise, et seculers ordinaires arbitres, arbitrors amiables, Composours, et devant trestouz autres de quicunqe noun qils soient nomez: et dorions jointement et severaument plein et general, et franc poer, et especial mandement de empetrer et contredire, de demander par nous, et de nous desfendre, de excepter et proposer, de declarer et de plee comencer, et de jurer en noz alme, de calumpnie et de verite dire, et de faire tout autre manere de serement qui puist estre requis en toutes causes, et de poser et de respondre as posicions, et de mener et mettre avant tesmoings et Instrumentz, et de dire contre les tesmoings, et de reprover, casser anyntir les Instrumentz de la partie contraire, et de oyer sentences interloquitores et diffinitives, et de appeler delors et de chascun gref, et de poursuivre les appeaux et de eaux renoverer, et de empetrer sy mestier est le benefice de nostre absolucion, et de compromettre et le compromis asforer par serement ou par peine, de faire Composition, transhaction, appelement de pees et de concorde, et de traiter de meisme la pees et concorde, ovesqe les Procureurs, Messages Ambassateurs de devantdit Roy de *France*, devoint le dit Seignour souvercin Evefque, et devant chascun autre desuz nome, et le meisme pees et concorde faire et reformer, et terminer en due fin, et de faire contract, lettres ou Instrumens sur chascune fourme, et de faire en nostre noun promesse et stipulation, et de nous souz mettre et obliger, et chascun de nous sur cestes choses sur chascune jurisdiction espirituelle et temporelle, et de faire en nostre noun pur nous totes maneres de supplications a la saintete de meisme lapostoile, et de elles pursure, et de debatre et contrestier si aucunes soient faites noun duement contre nous ou ascun de nous, et de elles reprover, et de substituer et establiir un ou deux procureurs en lieu de soy, qui eit ou eient semblable poer auxibien come si yci enust faite especiale mencion, et de eaux repeler totes foiz qil lui plerra, et lui semb'era qui bon soit durant tote voiele present procuracion en sa source et severalment de faire totes les choses, et chascune de elles les queles serront affaire entour les avantdites choses et chascune de elles. Et ont promis chascun de eux pur le tout par solempne stipulation, qui en fu faite a moy notayre desouz escript come personie publique, et en lieu, et en noun, et a loeps des trestouz ceuz des queuz il appertint ou purra appertient ou purra appartenir adour perdurablement ferm et estable, tout quant qe par le dit nostre procureur sonn substitut ou substituz terra fait, dit ou purchace es avantdites choses, et en chascune



X. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

*An. 25 E. 1.* cune de elles : Et paier la chose juggee ove ses covenables clauses : et par ceus totes les avantdites choses, et chascune de elles demerent fermes et estables, nous avoms prie et fait escrire cest present publik instrument par la main Bartholomei de Gy, Clerk de Besançon, publique Notaire par l'autorite de l'apostoil et seigne de son signal acustume. Et ce sachent per la tenour de cest present Instrument toux ceus as queux il apertient ou putra apertener, Ce fu fait en champs ou surmage de Morre sus Besançon le 20 jour du moys Daveril lan del Incarnation de nostre Seigneur mil CC. quatre vintz, et dyshuit, lan quart du Pontificat du dit nostre seigneur Boniface Pape vytime, Endicion unisme, presens sages hommes, Sire Johan de Vircelles Professor en le escripte, Pierre de Turnoau Clerk de Besançon, Hugh de Blageraux Clerk, Sire Johan de Ville, Chivaliers de la Deocise de Besançon, Hugh de Blageraux Clerk, Sire Johan de Ville, Chivaliers de la Deocise de Besançon, tesmoignes a ce appelez : Et jeo Bartolomey de Gy Clerk de Besançon, publique Notaire par auctorite de l'apostaille appelle et prie per les avantditz Chivaliers et Esquiers in present a l'ordinacion establissement et promesse avantdites, et fitz la stipulation sicome il est desus dit, et ay de ma mayn escript cest publique Instrument, et publie et signee de mon signe escoustume. Cest compromis ou submiffion fu fait a Rome a Saint Pere en paleys du Pape en sa chambre et en sa presence. Presens les reverons peres, seigneurs par la grace Dieu G. de Sabin. et M. de Portz, et de saint Ruffine Evêques Cardinaux, et Lercevesqe Idroyn, Franceys Evêque de Spoies, et Guille. Evêque Glandetense, tesmoings a ce appelez et priez : E jeo Nycolas Nonel de Vik, publique Notoyre par l'autorite de l'apostaille fu present, en les avantdites choses, et totes ces choses sicome il est desuz dist par le mandement du devandit Seigneur Apostoille, et priez par le devandit Seigneur Gautier escriptes et publiees, et signes de mon signe escoustume.

\* Tho. Walsingham, Hist. Angl. p. 37. 41. Mar. Westm. 1297. p. 411. Henry de Knyghton de Event. Angl. l. 3. c. 12. col. 2525, 2526.

Soon after these Procurations and Submissions \* *Per mediationem Willielmi de Hothum Archiepiscopi Dublinensis ex parte Anglorum, & Ducis Britannix ex parte Gallicorum, inter Reges accepta sunt inducia, & ultra datos terminos sapienter renovata. Tandem acceptis induciis, & concessis inter Reges utriusque terra & sibi confederati, ab Epiphania Domini per biennium.*

The Truce then concluded and sealed by King Edwards Commissioners, and after by himself, is thus recorded in a bundle of Writs of Privy-seal and Letters, I found in the White Tower.

Bundela Bre-vium de Pri-vato sigillo in Turre Lon-don. An. 25 & 26 Edw. 1.

**A** Toux ceus qui cest es presentes lettres verront, nous Guillaume Evêque de Dyvellyn, Antoyne Evêque de Dureme, Amez Conte Savoie, Aymer de Valence, & Otoez de Grauntzon, salut. Nous faisons savoir a touz, qe come nous eussions plein poer & especial mandement de tresnoble Prince, nostre treschier Seigneur Edward par la grace de Dieu Roy Dengleterre, Seignour Dirland & Ducs Daquitain, qe nous peussions esloigner la luffrance ou labstinence prise et eve entre li, les aidantz, et aliez dune part, et le Roy de Fraunce, ses aidantz et ses allies dautre, sur la guerre meue entre eux; sicome il est contenu es lettres pendantz du dis nostre Seignour le Roy, des queles la forme sensuit. *Edwardus Dei gratia Rex Anglia, &c. universis presentes literas inspecturis, Salutem. Notum facimus, quod de experta fidelitate & circumspecta industria dilectorum & fidelium nostrorum, W. Dublinensis Archiepiscopi, A. Dunelmensis Episcopi, Amadei Comitis Sebandia, Andomari de Valentia, & Ottonis de Grandiseno, certis indicibus confidentes, prozogandi sufferentiam seu abstinentiam inter nos ex parte una, et Regem Francia ex altera, ac nostros et ipsius fautores, confederatos, balitozes initas, super guerra inita hinc et inde, usque ad quod tempus voluerint, prout sibi videbitur expedire; ipsi, vel quatuor, aut tribus ex eis si omnes non concurrerint in hac parte, plenam tenore presentium committimus potestatem: Volentes ratum & firmum habere, quicquid per ipsos aut quatuor, vel tres ex ipsis (ut premittitur) actum seu factum pro nobis & nomine nostro fuerit in premissis. Dat. apud Gandavum 23 die Novembris, Anno Domini 1297. Nous plusieurs treitez enz par plusieurs foiz oveq le gentz du dit Roy de France, Cest assavoir, Guillaume Evêque de Amyens, Pieres Evêque Dautourt, Johan Conte de Bretagne, Guydo Chastillon Conte de Saint Pool Batiller de Fraunce, & Rauf de Clermont Sire de Nele et Conestable de France, Chivaliers envoiez es-*

*ciaument*

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ciennement a ce de par le devandit Roy de France, en nonn de devandit nostre Seignour le Roy, et par la vertu du dit poer et mandement avoms accorde et accordoms de commun assentement de nous et de devandit gentz le Roy de France, qe les suffrance ou labstinence de Guerre qui estoient prisez entre eux. Cestavoir de la Duchee Daquitaine jusques a la Tiphani, et quant a la Conte de Flaunders, et as autres terres, jusques as Oitaves de la feste seint Andreu prochein, soient estoignez et continuees jusques a Quaresme prouant prochein avenir; Cest assavoir de Roiaumes a Roiaumes, de terres a terres, de gent a gent, per mer et per terre, en tunc manere, que touz Marchanda et tote manere de gent soient du Roiaume de France ou daillours du poer le Roy de France, ou de ses aidantz, de ses allies, ou de ses hommes, soient du Roiaume Dengleterre, de la Conte de Flandres, ou daillours du poer le Roy Dengleterre, de ses aidantz, de ses allies, ou de ses hommes, porront aler, venir, marchander, estre et demorer sauvement et seurement, per mer et per terre, eux et totes leur choses de Roiaumes a Roiaumes, de terres a terres, la dite suffrance durance. E tendront les devandit Rois, leur aidantz, allies, et hommes, ce quil tiennent et tenoient au jour qe la dite suffrance fust prise: e promettons en bonz foy qe nous feroms et procureroms, qe nostre sire le Roy gratera et ratifera le seignement de la suffrance desus dite, et dorra poer a aucune persone, ou a plusieurs de jure en salve de deus les Oitaves de la feste prochein avenir, de garder et tenir la dite suffrance en abstinence en la manere, quil est desus dit. E su accorde de commun assentement, qe deux Chivalers seront pris, un de par nostre seignour le Roy, par li, par ses allies, par ses aidantz, e par ses hommes; et un autre de part le Roy de France, par li, par ses allies, par ses aidantz, e par ses hommes, qui averont poer de faire amender et adresser, sil ydrien meffait ne mes pris dune part ne dautre, puis qe la dite suffrance ou abstinence fu prise; primerement, jusques elle soit faillie. Les nonns des allies nostre seignour le Roy sont tiex, \* Le Roi Dalemaigne, le Conte de Flandres, le Conte de Savoie, le Conte de Bar, le Duc de Brabant, le Conte de Hollande, le Conte de Montbeliard, Johan de Chalon, Seignour Darley, Johan de Burgoigne, Johan Seignour de Montfaucon, Gautier son frere, le Seignour de Noef Chastel, le Seignour Doiselier, le Seignour de Fauconby, le Seignour de Jour, le Seignour de Cokendary, Simon de Montbeliard Seignour de Moutron, Estiephne Doiselier Seignour de Vile noeve, & plusieurs autres de Burgoigne, Dalemaigne, de Brabant, de Hollande, de Gascoigne, Daron, et daillours, des queux nous ne savoms les nonns a present. En tesmoign des choses desus dites, nous avoms fait mettre nos Seaux a ses presentes lettre. Don a Grolingues Abbeie pres de Curtray en Flandres, le vint et trefiesme jour du mois de Novembre, lan de grace M. CC. quatre vintz et disesept. Which the King thus ratified under his Great Seal.

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\* These I likewise found in another particular Roll.

Edward par la grace de Dieu Roy Dengleterre, Seignour Dirland, et Duc Daquitaine a touz ceux qe cestes lettres patentes verront, saluz. Nous fesoms a savoir, ke nous de la guerre meue entre le Roy de France, e ses allies, de une part; et nous e nos allies dautre, tant par la Duchee Daquitaine, ke de la Countee de Flandres, e dautres autres lieux, avoms pris de commune assentement Scoffrance de guerre; Cee est a savoir de Reaume a Reaume, de terre a terre, de gent a gent, per mer et per terre, en tunc manere, ke touz Merchantz e totes manere de gentes puissent aler, venir, demorer, e marchander sauvement e seurement, de un Reaume a autre, la Scoffrance durance. E tendrons vous e nous allies e le dit Roy e li seon tuit ceo, qe nous e il tenoms au jour de la confection de ces lettres, durance la dite Scoffrance. E dorra ceste Scoffrance, quant a Duchee Daquitaigne joesqe a la Tiphanie procheinement avenir. E quant as autres terres joesques, as Oitaves de la prochein feste seint Andreu sans solement. La quele Scoffrance nous dune part, e li dit Roy dautre, denom tere savor a nos seux allies e fougiuz en la terre Daquitaigne, e es autres lontaignes terres de deinz le dymenche devant la feste de la tuitz deintz prochein. E en la terre de Flandres dedenz ceo prochein Samady. E est a savoir, ke le Roy Dalemaigne peust la dite Scoffrance rompre, si li plet. En tiele manere totes noies, ke le darra 15 jours apres ceo, ke le dit Roy Dalemaigne l'escera fet sa poer a le Evesqe de Tornay, ou a son Official a Tornay. Les nos allies sont tiels; le Roy Dalemaigne, le Counte de Flandres, &c. (as before.) e daillours, de queils nous ne savoms les nonns en present. La quele Scoffrance nostre ame e feal, Gautier de Beauchamt Chevalier e Seneschal de nostre Hostiel, au quel nous avoms sur ceo done plein poer de jurer en nostre alme, ad jure par nous e en nostre nom a garder loiaument

ibidem.



K. Edward 1. *An Exact History of Popes intollerable Usurpations*, B. 3. ch. 4

An. 25 & 26 ment bone foy e enterement, en la maner: , e en la fourme devant dite. E est a  
 Edw. 1. savoir, ke si aukuns damages estoent fets devant la dite seoffrance, nous sumus tenuz de  
 les fere amender, en bone foy e convenablement. En tesmoigne de quele chose, nous avoms  
 fet mettre nostre Seal a ces presentes lettres. Donces a fines seint Banoum sus le jour  
 de la feste Seint Denis, en lan de grace M. CC. Quarrevinz, e Dis e fet.

Soon after this Truce concluded between the Kings of England and France and all their confederates, the King sent this Letter to his Son and Counsil in England strictly to observe it, for the reason therein coteined, which I found in the White Tower Chappel.

Bündela Bre-  
 vium & Lite-  
 rarum in Tur-  
 re London,  
 An. 25 B. 1.

Edward par la grace de Dieu Roy Dengleterre, &c. a Edward nostre cher suiz, te-  
 nant nostre len en Engleterre et son Conseil, saluz. Sachez que al bonneur de Dieu,  
 par le commun profit de la Chrestiente, e par escheure les mans perils e damages, que de  
 jour en jour aveignent e porront avenir de la guerre, e en esperance d'avoir pees convenable  
 avoms de la guerre menue entre nous & nos allies de nre part, & le Roy de France e les  
 soens dautre, grante e fet seoffrance solonc la fourme que nous vous envoions enclose de sus  
 nos nostre seal. E par ceo vms mandoms e fermement enjoynoms, que vous avant dite  
 soffrance gardez e facez garder en tous poins, par tout nostre Royaume en nostre  
 poer, par terre e par mer, e fermement comander, que rien encontre ne soit fet. E  
 nomenent le plus pur ceo, que si riens estoit fet encontre la dite seoffrance, nous serrioms te-  
 nuiz (sicome dist est) de faire lamender, e overke ceo la dite seoffrance garder. Don  
 desous nostre privie Seale a Gant le 15. jour de Octobr. l'an de nostre Regne vintisme  
 quintisme.

† De Event.  
 Angliz, l. 3.  
 c. 12. col. 2536  
 2537.

Pope Boniface the eighth, to settle a firm Peace between the two Kings and their Confederates, upon hearing their solemn Nuncios sent to his Court at Rome, (who diligently related and debated the business and differences before him) made this Award and Decree between them: The beginning of which is recited in † Henry de Kynghton; who then subjoynes, *Copiam sequentium de hac materia diligens lector inquirat, nam ego sollicitus investigator nequivi pro tempore invenire*, The intire Award, not extant in any History, I found in the Rubbish in the White Tower exemplified in a Parchment Roll attested by a publike Notary, which I shall here present you with, as a rarity: wherein you may discern this Popes Antichristian fraud, practise, in usurping to himself, as a private person and arbitrator chosen by these Kings, a Papal power to excommunicate their Royal persons, interdict their Realms, and award the possession of Aquitaine to be delivered into his own hands and power.

PRONUNTIATIO BONIFACII

In Turre  
 London. An.  
 25 B. 1.  
 This award is  
 mentioned &  
 in part recited  
 in sundry o-  
 ther Records I  
 found in the  
 White Tower;  
 but intirely  
 comprised on-  
 ly in this.

IN Nomine Domini Amen. Anno Domini Millesimo ducentesimo nonagesimo octavo,  
 Indictione undecima, Pontificatus Domini Bonifacii Papa octavi anno quarto, Die  
 vicesimo mensis Junii, sanctissimus Pater & Dominus Dominus Bonifacius divina pro-  
 videntia Papa octavus arbitrium, laudum, diffinitionem arbitralem sententiam, amica-  
 bilem compositionem, mandatum, ordinationem, & alia infra scripta regitavit, legi fecit,  
 dedit, & protulit in hunc modum. Dudum inter charissimos in Christo filios, Phi-  
 lippum Francorum ex una parte, & Edwardum Anglie Reges illustres ex altera,  
 (suggerente inimico humani generis pacis xmulo) super diversis articulis materia  
 discordie ac dissentionis exorta, tandem iidem Reges per speciales nuncios & pro-  
 curatores ipsorum, ad hoc ab eis mandatum habentes, in nos Bonifacium divina  
 providentie Papam octavum, tanquam in privatam personam, et Dominum Bene-  
 dictum Gaitan. tanquam arbitrum, arbitratorem, laudatorem, diffinitorem, arbi-  
 tralem, summatorem, amicabilem compositorem, pceptorem, ordinatorum, dis-  
 positorem et pronuntiatorem super reformanda pace et concordia inter ipsos Reges,  
 ac super aliis quæ ad pacem pertinent, et super omnibus et singulis discordiis,  
 guerris, litibus, controversiis, causis, rationibus, damnis et injuriis, petitioni-  
 bus et actionibus realibus, personalibus, atque mixtis, quæ fuerant et erant seu ver-  
 tebantur, et esse vel verti possent inter ipsos Reges, occasione quacunque de alto et  
 basso, absolute ac libere compromittere curaverunt, prout in Compromissorum In-  
 strumentis publicis inde confectis plenius continetur. Nos igitur Bonifacius Papa  
 prædictus

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prædictus, qui finem imponere litibus affectamus, sed præcipue inter Reges prædictos, quorum quietem indefinenter appetimus, & tanto ferventius felices cupimus vigere successus, quanto pleniori eos affectione prosequimur, & puriori complectimur charitate, hujusmodi Compromissis receptis, & nobiscum deliberatione præhabita diligenti, vocatis quoque Nunciis & Procuratoribus supradictis ad arbitrium, laudum, mandatum, & arbitralem sententiam audienda, eisque coram nobis ad hoc specialiter constitutis ad laudem omnipotentis Dei qui est pacis Actor & salutis amator, & gloriose Virginis matris ejus, sicut Arbitrator, Arbitrator, Laudator, & amicus Compositor, ac sicut prædicta persona, et *Benedictus Gaillardus*, ex virtute ac forma Compromissorum prædictorum, et omni modo et jure quo melius possumus viam arbitratoris, laudatoris, et amicus Compositoris, dicimus, arbitramur, laudamus, diffinimus, sententiamus, mandamus, ordinamus, disponimus et pronunciamus hæc vice, quod inter eisdem Reges fiat et sit perpetua et stabilis pax; et quod Treuga vel sufferentia voluntaria, dudum inde inita ac firmata inter eos, eo modo et forma, ac omnibus et illis personis et terris sub illis penis, conditionibus, et temporibus sub quibus indita, inita, ac firmata fuerunt inviolabiliter observentur. Ad hanc autem Pacem confirmandam, roborandam atque servandam infra tempus quod duxerimus moderandam, præfatus Rex Anglia Margaretam sororem prædicti Regis Francie recipere ac ducere, cum dotalitio Quindecim millium librarum Turron. assignando per ipsum Regem Anglie in locis competentibus, de quibus inter partes fuerit concordatum, vel ubi partes ipsæ non concordarent per nos arbitratum fuerit, in uxorem. Et idem Rex Francie eandem Sororem suam eidem Regi Anglie in uxorem dare ac tradere cum dispensatione Sedis Apostolicæ teneatur. Quodque Isabella filia prædicti Regis Francie, quæ infra annum septemennem dicitur constituta, suo tempore Edwardo prædicti Regis Anglia filio, qui jam 13 ætatis suæ annum exegit, cum simili dispensatione matrimonialiter, cum dotalitio decem & octo Millium librarum Turron. similiter assignando per eundem Regem Anglia pro dicto filio suo in competentibus locis, de quibus concordaverant ipsæ partes, vel de quibus nos duxerimus arbitrand. si super hoc inter eos non proveniret concordia, copuletur. Idque firmetur atque valleretur exnunc modis inferius annotatis, videlicet: quod idem Rex Anglia pro filio suo, idemque filius pro se (qui ad hoc sufficienter habet ætatem) contrahant Sponsalia prædicta eorundem Regis et filii juramenti firmanda; et Rex Francie nomina filie suæ prædictæ contrahat hujusmodi sponsalia pro eadem, Quæ ut valida fuerit & firma, volumus, dicimus, & arbitramur, quod Rex Francie promittat per juramentum pro ipso in animam suam præstandum, se tradere dictam filiam suam prædictam Edwardo nuptui tempore quo extiterit concordatum inter ipsos, vel per nos arbitratum fuerit vel laudatum. Pro quibus attendis firmiter & fideliter adimplendis, dicimus, laudamus, & arbitramur, quod pena de qua inter partes fuerit concordatum, vel ubi partes ipsæ non concordarent per nos arbitrand. et taxanda firmetur, et ab utraque parte præmissa balletur, solvenda parti parenti a parte non parente, per quam penam negotium istud in tuto ponatur; & partes ad ejus finalem executionem efficacius inducantur: Cujus pænæ promissionem et obligationem efficaciter valere volumus et decernimus ac tenere; Non obstantibus juribus quæ pro libertate matrimoniorum pænæ inhibent, quæ ex certa scientia pro tanto bono tollimus in hac causa; Addentes nihilominus, quod Reges prædicti aliquos de Baronibus suis notabiliores per juramenta faciant obligare ad desponsalia prædicta et matrimonia procuranda, et ad tollenda impedimenta pro viribus, quæ possent circa hoc vel contra hoc inveniri. Quia vero Sponsalia prædicta tanto amplius desideramus habere felicem effectum & efficacem eventum, quanto per hæc probabiliter credimus pacem prædictam firmiter & fidelius observari, pro tanto pacis bono decernimus auctoritate Apostolica, quod terra Regis illius, cui culpa vel malitia dederit quominus contrahantur prædicta Sponsalia, et matrimonium consummetur, Ecclesiastico subiaceat Interdicto, nisi super requisitis prædictis ejus effectu coegerit infra mensem. Item, dicimus, laudamus, arbitramur seu etiam diffinimus, quod de omnibus bonis mobilibus vel se moventibus ablati, vel aliis male subtractis, & de omnibus dampnis datis hinc inde ante tempus motæ vel ortæ guerræ præsentis, primò de omnibus quæ exstant & consumpta non sunt, præsertim de Navibus & aliis quibuscunque bonis per

An. 25 E.1.

\*Nota.



An. 25 E. 1. per Anglicos & Vascones & eorum Complices ante guerram occupatis, in mari vel in terra, Rex Anglia omnia quæ de prædictis exstant bona fide, sine lite & absque figura iudicii, omni fraude cessante, ad requisitionem Regis Francie vel Nuncii sui statim faciat ad plenum restitui. Et Rex Francie similiter, si qua talia ante dictam guerram capta vel ablata apud ipsum vel in sua potestate existentia reperta fuerint, similiter ad plenum restitui faciat, à præfato Rege Anglia vel ejus Nuncio requisitus. De ablatiis vero non extantibus sed deperditis & consumptis, laudamus, arbitramur & etiam diffinimus, quod Rex Anglia ad requisitionem Regis Francie vel ejus Nuncii satisfieri faciat, & ad faciendum etiam teneatur sine lite ac figura iudicii, & omni fraude cessante. Et Rex Francie similiter, si qua per gentes suas ablata deperdita consumpta inventa fuerint, ad requisitionem Regis Anglia vel Nuncii sui faciat satisfieri, taxatione nobis circa prædictorum æstimationem contra utramque partem, ubi per concordiam partium negotium super prædictis sopitum non esset plenarie, reservata. Item dicimus, laudamus, arbitramur seu etiam diffinimus, quod idem Rex Anglia de omnibus terris, vassallis et bonis quæ ipse nunc habet in regno Francie, seu tenebat ante motam guerram præsentem, habeat illam quantitatem et illam partem terrarum, vassalloz et bonoz eozumdem quam sibi ex virtute compromissorum prædictorum laudabimus et mandabimus assignari, vel inter ipsos Reges fuerit concordatum, et sub illis fidelitate, homagio, modis, et conditionibus habest, sub quibus ipse ac pater suus habuisse hæcenus et tenuisse noscuntur, modis et temperamentis per nos adhibendis in abusu, si quis ex parte gentis Regis Francie hæcenus commissus inventus fuerit in exercitio repositus; modis etiam et temperamentis per nos adhibendis in abusu partis alterius, si quis videlicet ex parte Regis Anglia vel suorum hæcenus commissus contra jus repositus fuerit inventus, ne talia impotenter committantur. Conditionibus et modis et securitatibus per nos imponendis et adhibendis in terris, vassallis et bonis et aliis, quæ per nostram pronuntiationem seu concordiam partium præfatos Reges Anglia habiturus est de prædictis, ne amodo idem Anglia Rex vel successores ejus contra Regem Francie vel successores ipsius valeant rebellare. Dicimus etiam, laudamus ac arbitramur, seu etiam diffinimus, quod ex nunc omnes terræ, vassalli et bona prædicta, et alia tam quæ tenet Rex Francie de hiis quæ tenebat Rex Anglia ante guerram præsentem, quam quæ tenet Rex Anglia in regno Francie, bona fide ac sine omni fraude, absolute ac libere \* in manibus ac posse nostris ponantur et assignentur, tenenda a nobis nomine Regis Francie quæ ex parte sua, et nomine Regis Anglia quæ ex parte ejusdem nobis fuerint assignata. Ita tamen quod per hoc in possessione vel proprietate nihil novi juris accrescat alterutri parti, vel antiqui decrescat. Super quorum assignatione, si qua fuerit exorta dubitatio vel ambiguitas inter partes, illam nostre declarationi et arbitrio reservamus. Quod si forsan dicti Reges de ipsis terris & bonis adinvicem concordaverint, volumus, laudamus & arbitramur ex nunc id in quo concordaverint perpetuo ac inviolabiliter observari. Alioquin nos ex compromissi prædicti virtute apponemus ad illud remedium, quod Dominus ministrabit, & extradita nobis potestate licebit. Si vero casu aliquo contingente, hoc facere non possemus, volumus, dicimus & arbitramur, quod utrique parti pristina jura sua salva remaneant & illasa. Porro per hujusmodi assignationem faciendam nobis de terris, vassallis et bonis prædictis nullam ipsi Regibus vel eorum alteri, quoad possessionem vel proprietatem seu detentionem vel aliter præjudicium generetur. Omnia autem & singula supradicta per nos arbitrata, laudata, diffinita, & arbitraliter sententiata & pronuntiata dicimus, arbitramur & precipimus, sub penis in compromissis contentis, et aliis de quibus \* nobis videbitur; arbitrio nostro nihilominus firmiter manente a partibus inviolabiliter observari. Et insuper reservamus nobis liberum arbitrium et plenariam potestatem, prout ex forma compromissorum prædictorum nobis competit, super omnibus et singulis quæ inter eosdem Reges ex compromissis prædictis arbitranda, laudanda, componenda, diffinienda et pronuntianda restant, et hic arbitrata, laudata, diffinita et pronuntiata non sunt, arbitrandi, laudandi, diffiniendi, arbitraliter sententiandi, precipiendi, ordinandi, disponendi atque pronuntiandi, necnon et tam in omnibus et singulis arbitratis, laudatis, diffinitis, et pronuntiatis in præfatis arbitrio atque laudo, quam in hiis quæ arbitranda, laudanda, arbitraliter sententianda, diffinienda et pronuntianda, ut præmittitur restant, addenti, minuendi, corrigendi.

\* Nota.

\* Nota.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

gendi, interpretandi et declarandi semel et pluries, et quotiens nobis placuerit et videbitur expedire. *Ceterum ut dextera Domini, qua miram facit in suorum operum executione virtutem, efficacius & perfectius huic negotio profferatur, terminum preemptorium ex tunc ipsis Regibus assignamus, ut super omnibus in presenti arbitrio nobis super dicto negotio reservatis, et ad ea pertinentibus illis die ac loco compereant coram nobis, de quibus eis ad id per nostras directimus litteras nuntiando. cum quibus super his pro ipsorum quiete, ac prospero statu mundi, et pro utilitate negotii Terrarum Sanctorum providere salubriter, dante Domino, valeamus.* *Acta, lata & pronunciata fuerunt arbitrium, laudum, arbitralis sententia, mandatum, diffinitio, ordinatio, dispositio, ac omnia supradicta per eundem Dominum Papam, ut superius enarrantur, Anno, Indictione, Mense, ac die predictis, Romae apud S. Petrum, in Palatio Papali, in Consistorio publico facto, in sala maiori; presenti ibidem gentium multitudine copiosa, & presentibus reverendis patribus Dominis Dei gratia Gerardo Sabinen. fratre Matthæo Portuen. ac S. Ruffinæ, & Johanne Tusculan. Episcopis; Johanne Titulo Sanctorum Marcellini & Petri, Nicholao Titulo S. Laurentii in Damasso, fratre Jacobo Titulo S. Clementis, Thom. Titulo S. Cecilie, ac Roberto Titulo S. Potentianæ, Presbyteris; Matthæo S. Mariæ in Portu, Neapolione S. Adriani, Guilielmo S. Nicholai in Carcere Tullian. Francisco S. Mariæ in Cosmodin. Petro S. Mariæ novæ, ac Jacobo S. Georgii ad velam auream, Diaconis Sanctæ Romanæ Ecclesiæ Cardinalibus; ac venerabilibus viris Dominis Johanne Judicis, Matthæo Carazalo, Guidone de Anagnia, & Adenulpho de Supino, Domino Papa Notariis; ac nobilibus viris Dominis Urso Herculdo de filiis Urbi de Urbe, Barth. de Campna regni Siciliæ, Logotheca & Jacobo de Pisis familiar. ipsius Domini Papa testibus, ac Domino Deodato de Urbe ipsius Domini Papa Capellano, qui arbitrium, laudum, arbitralis sententiam, mandatum, diffinitionem, ordinationem, & omnia supradicta de mandato predicti Domini Papa ibidem publice legit, & voce quasi præconis recitavit. Et ego Nicholaus dictus Novellus de Urvo, Apostolica & Imperiali auctoritate Notarius, predictis interfui, & ea omnia, ut supra legitur, de mandato præfati Domini Papæ scripsi et publicavi, et meo signo consueto signavi.*

*An. 25 E. 1.*

This Award and Decree I find briefly mentioned in sundry other Records in the White Tower; as likewise in <sup>a</sup> *Mat. Westminster*, and <sup>b</sup> *Thomas Walsingham*, who relate: Anno 1297. in vigilia quoque Apostolorum Petri & Pauli, Romæ Papa Bonifacius submissionibus Regum receptis, pacem & concordiam per Dominum Papam Bonifacium inter Regem Angliæ & Franciæ ordinavit, ita ut Rex Angliæ sororem, & filium ejus filiam Regis Francorum ducerent, certis pro utrisque dotibus definitis; et quod Ducatus Aquitanie in manus Domini Papæ redderetur; & quod Rex Angliæ naves superfluitas cum navibus de illa qua rapta fuerant restituerit. Sed super his duobus articulis intercedit magna dilatio, Rege Francorum partem quam in Walconia occupaverat trahere rennente, by reason whereof, pax non fuerat totaliter solidata. Dominica secunda Quadragesima, citatu Magnatibus regni apud Westminsterium, fecit Rex Edwardus recitari formam pacis bullatam per Papam Bonifacium, tanquam arbitrium inter Regem Angliæ et Franciæ ordinatum, et alias Bullas statum suum tangentes: Cui assensum præbuit plebs omnis et Clerus.

What *Protestations* Philip King of France made against the latter clauses of this Popes award, when presented to him by his Legates, before it was read, to prevent all Usurpations upon his Supremacy in the Temporal Government and Rights of his Crown, I find thus reported by <sup>c</sup> *John de Serres*, *Grimston* out of him, and <sup>d</sup> *Peter de Pithou*. Pope Boniface inclined to the peace of Christindome (as the Lord Haillan writes) more puffed up with glory and vanity, then good zeal to the peace of Christian Princes, he commanded Philip by his Nuncios, to reſtore to the English and Flemings what they demanded; and for not obeying, he cites him to appear at Rome upon pain of Excommunication. Philip a wise and valiant Prince, although he were discontented with this course, yet he sent an honorable Embassage to Rome by the Archbishop of Rhemes, and the Earl of St. Paul, to lay open his right before the Deputies of the King of England and Earl of Flanders, who were then at Rome to complain as being wronged. All parties being heard, Boniface decrees, that Philip as the fountain and cause of all the miseries and inconveniences that had hapened, should yield to King Edward and Earl Guy

<sup>a</sup> Flores Hist.

<sup>b</sup> Hist. Angl.

<sup>c</sup> Hist. Angl.

<sup>d</sup> Hist. Angl.

<sup>e</sup> Hist. Angl.

<sup>f</sup> Hist. Angl.

<sup>g</sup> Hist. Angl.

<sup>h</sup> Hist. Angl.

<sup>i</sup> Hist. Angl.

<sup>j</sup> Hist. Angl.

<sup>k</sup> Hist. Angl.

<sup>l</sup> Hist. Angl.

<sup>m</sup> Hist. Angl.

<sup>n</sup> Hist. Angl.

<sup>o</sup> Hist. Angl.

<sup>p</sup> Hist. Angl.

<sup>q</sup> Hist. Angl.

<sup>r</sup> Hist. Angl.

<sup>s</sup> Hist. Angl.

<sup>t</sup> Hist. Angl.

<sup>u</sup> Hist. Angl.

<sup>v</sup> Hist. Angl.

<sup>w</sup> Hist. Angl.

<sup>x</sup> Hist. Angl.

<sup>y</sup> Hist. Angl.

<sup>z</sup> Hist. Angl.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4

An. 25 & 26 E. 1. Guy all they demanded both in Guienne and Flanders, charging the Archbishop of Rhemes to signify this Bull to the King, under pain of Excommunication for not obeying. This was the first blow given by Boniface against Philip; who after these great threats, prepares for deeds, not suffering himself to be daunted with words; and as Peter de Pitbou stories, he entered this solemn Protestation before the reading of the Popes award by his two Cardinals, to preserve his Prerogative; who thus attested it by a publick Instrument under both their Seals.

e Les Libertez  
de l'Eglise  
Gallicane, ch.  
1. et 12. p.

**U**niversis presentes literas inspecturis, miseratione divina B. Albanensis, & S. Pene-  
strinentis Episcopi, salutem in Domino. Notum facimus, quod cum Nos expo-  
suerimus oraculo viva voci excellenti Principi Lomino Philippo Francorum Regi  
illustri, treugas per Sanctissimum Patrem & Dominum nostrum, Dominum Bonifacium  
Papam 8. literis suis patentibus jam dudum indictas, usque ad Nativitatem beati Jo-  
hannis Baptistae proximo jam elapsam, ipsi Regi ac Romanorum & Angliae Regibus  
illustribus, super guerris instigante Diabolo suscitatis inter Francorum & Angliae  
Reges praedictos, seu quolibet eorundem ex una parte, & praedictum Franciae Regem ex  
altera, quas treugas publicare & dictas literas praesentare Francorum & Angliae Regi-  
bus ipsis distuleramus ex causa, necnon ad prorogationem dictarum treugarum ante tem-  
pus earum finitum literis suis patentibus per dictum Dominum nostrum factam, à dicto  
festo beati Johannis Baptistae proximo praeterito, usque ad biennium percompletum, atque  
usque ad dictum tempus treugas de novo indictas: sententias insuper Excommunica-  
tionis in contravenientes latas per ipsum Papam, prout in dictis literis continetur.  
Cumque dictas literas praesentaremus dicto Regi Franciae legendas, idem Rex inconti-  
nenti, antequam dictae litterae legerentur, nomine suo et se praesente fecit exprimere,  
et mandavit in nostra praesentia protestationes hujusmodi, & alia quae sequuntur:  
videlicet, Regimen temporalitatis regni sui ad ipsam Regem solam, et neminem  
alium pertinere, seque in eo neminem superiorem recognoscere, nec habere, nec  
se intendere supponere vel subscire modo quocunque viventi alicui super rebus  
pertinentibus ad temporale regimen regni, sed potius intendere iura sua iusti-  
tiare, regnum suum defendere continue, usque regni per omnia prosequi cum  
subditis suis, amicis et valitoribus, prout haec Dominus ministrabit; maxime  
cum dictarum treugarum indictionis virtus, vel indictionis intentio, ipsum Regem ali-  
quatenus non impediat in praemissis vel aliquo eorundem, ut dicebat, nec aliquem obicem  
contrarietatis opponat. Sed dicti Regis regnique sui turbatores & emulos artius re-  
primat, illorum compescat audaciam, ausus fronet, ac Excommunicationis senten-  
tiam, si contra treugarum tenorem ipsarum venire praesumpserint, ipso Rege, dictoque  
regno suo, remanentibus non ligatis, juxta \* declarationem per ipsum Dominum  
Papam literis suis patentibus ipsi Regi directis. A quibus declaratione et protestationi-  
bus verbo vel facto, nunc vel in futurum idem Rex non intendit recedere. Quatinus  
autem ipsius Regis tangit animam, & ad spiritualitatem attinet, idem Rex praedecesso-  
rum suorum sequens vestigia, paratus est, monitionibus et praecipis sedis Apostolicae  
debote ac humiliter obedire, in quantum tenetur et debet, et tanquam verus et  
devotus filius sedis ipsius, et sanctae matris Ecclesiae reverentiam observare.  
Quibus praemissis nos ad publicationem dictarum treugarum, & earum prorogationis,  
ac sententiarum processimus, dictasque literas Apostolicas & earum tenorem legi, et se-  
riatim exprimere fecimus Regi praedicto. In quorum testimonium sigilla nostra praesen-  
tibus duximus apponenda. Datum Credulii Bellovacensis Diocesis, 13 Kal. Maii,  
Anno 1297. Pontificatus praedicti Domini Bonifacii Papa 8. anno tertio. Sigillatum  
duobus sigillis duorum Cardinalium.

Nota.

\* See Here p.  
725, 726.

By reason of this Protestation, and the differences between the Kings concerning the two last Articles in the Popes award, he prorogued and enlarged the time of the Truce between them, by this New Decree, which I found in the White Tower, exemplified under the hand of a publick Notary in forme ensuing.

In Turre Lon-  
don. n. 25  
& 26 E. 1.

**I**N Nomine Domini Amen. Anno à Nativitate ejusdem 1299. Indictionis 8. die  
Lunae ultimo die mensis Novembris, Pontificatus Domini Bonifacii Papa 8. anno  
quinto, apud Alvertone Eboracen. Diocesis, constituentis in praesentia mei Notarii &  
testium

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testium subscriptorum ad hac vocatorum specialiter ac etiam rogatorum, venerabilibus An. 25 &  
viris Dominis Opizone Archidiacono Mediolanen. & Johanne de Conthorecio, 26 E. 1.  
fratre reverendi patris Domini R. Episcopi Vicentinen. in Capella manerii loci ejus-  
dem, coram excellentissimo Principe Domino E. Dei gratia Angliæ Rege illustri, iidem  
Domini O. & J. quandam litteram Apostolicam Domini Papa præscripti, cum filo de  
serico pendenti solito more bullatam, eidem Domino Regi, sub senore qui sequitur, præ-  
sentant. Bonifacius Episcopus servus servorum Dei, ad futuram rei memoriam.  
Dudum inter charissimos in Christo filios nostros Philippum Francia ex parte una,  
& Edwardum Angliæ ex altera, Reges illustres, super diversis articulis materia  
dissentionis exorta, iidem Reges per speciales ipsorum Procuratores & Nuncios ad  
nos propterea destinatos, & ab eis super hiis specialem potestatem habentes, in nos,  
tanquam in præstatam personam, & Dominum Benedictum Gaytanum, tanquam in  
arbitrum, arbitratorem, laudatorem, diffinitorem, arbitralem sententiatorem, &  
amicabilem compositorem, præceptorem, ordinatorem, dispositorem, & pronuncia-  
torem super reformanda pace & concordia inter ipsos Reges, & super hiis quæ ad  
pacem pertinent, ac super omnibus & singulis discordiis, gueris, litibus, contro-  
versis, causis, questionibus, dampnis & injuriis, petitionibus, & actionibus reali-  
bus & personalibus atque mixtis, quæ fuerant, erant, vel esse poterant inter eosdem  
Reges, occasione quacunque, altè ac bassè, absolute ac liberè sub certa forma com-  
promittere curaverunt: Volentes, promittentes, & expresse consentientes, tamdiu  
compromissa hujusmodi perdurare, quamdiu Treugarum voluntariè initarum antea  
inter dictos Reges tempus & terminus perduraret. Quod quidem esse dixerunt  
unius anni à festo Epiphania proximo præterito, (tunc proximo futuro) usque ad  
aliud festum Epiphania nunc futurum proximo numerandi; & quod nos interim,  
si placeret nobis ac videremus expediens, possemus in antea hujusmodi compro-  
missorum, ac ferendi arbitrii seu arbitragii, & aliorum in compromissis hujusmodi  
contentorum, necnon & prædictarum Treugarum tempus & terminum, simul &  
non aliter, semel & pluries, ad nostrum beneplacitum prorogare. Nos vero præ-  
dictis compromissis receptis, quandam ordinationem super hujusmodi negotio,  
prout tunc conditio temporis & negotii status & qualitas suadebant, duximus faci-  
endam, nonnullis in eodem negotio sub futura ordinatione remanentibus attamen  
in suspensio, prout in pronuntiatione prædictæ ordinationis plenius continetur.  
Nunc autem attendentes, quod faciente pacis actore, à quo cuncta bona procedunt,  
ea quæ per nos ordinata noscuntur, prospera successione virescunt, & desiderantes  
admodum inter cætera, quæ vota sensibus nostris occurrunt, ut in præfato negotio  
ex nostris studiis divini auxilii suffragatione fulcitis, felix & desideratus subsequa-  
tur effectus; ac propterea præcavere volentes, ne tempus ipsius perficiendi negotii  
patitur excursus, præfatas Treugas, prout initæ vel indictæ fuerunt, & inter omnes  
easdemque personas inter quas & quoad quas indictæ vel initæ fuisse noscuntur,  
& prædicta compromissa, & in posterum ferendum arbitrium seu arbitragium, to-  
tumque negotium prout ex futura nostra ordinatione ac decisione dependent, à præ-  
dicto nunc proximo futuro Epiphania festo usque ad aliud festum, ex nunc secundo  
venturum, ex hujusmodi potestate nobis tradita prorogamus. Quam quidem pro-  
rogationem & omnem ejus effectum præcipimus, sub pœnis in compromissis ad-  
jectis, inviolabiliter à partibus observari; ordinatis, arbitratis, præceptis, diffinitis,  
laudatis & sententiatis per nos hætenus in memorato negotio in sua nihilominus re-  
manentibus firmitate. Nulli ergo omnium hominum liceat hanc paginam nostræ  
prorogationis & præcepti infringere, vel ei ausu temerario contraire. Si quis autem  
hoc attemptare præsumperit, indignationem omnipotentis Dei, & beatorum Petri &  
Pauli Apostolorum ejus, se noverit incursurum. Dat. Anagnia 12 Kal. Augusti,  
Pontificatus nostri anno quinto. Tandem per ipsius Domini Regis Angliæ Consilium  
super ipsa Apostolica littera deliberatione habita aliquali, ipse Dominus Rex in Camera  
sua loci prædicti, anno, indictione, & die præscriptis, presentatoribus superscriptis, tam  
per se quam per Dominum Antonium Dunelmensem Episcopum, ejus verba nomina  
proferentem, respondit: Quod ipse Dominus Rex Angliæ mandatis Apostolicis esse  
paratus in hiis et aliis obedire; necnon et quod ipse solam submissionis factæ  
per se, et per ipsius Rancios ad sedem Apostolicam destinatos, ejus nomine, in  
sanctissimum Patrem præscriptam, \* velut in Dominum Benedictum Gaytanum,  
tanquam in præstatam personam, super gueris et discordiis habitis inter ipsum  
Dominum

\* Nota.



An. 25 E. 1.

**Dominum Regem Angliz, et Dominum Philippum Regem Francie,** bucuque firmiter et fideliter observabit, et quod eam juxta vim formam et effectum ejusdem vult penitus observare; et insuper Treugis in litera Apostolica contentis adquirere prenotata; dum tamen id idem velit facere Rex Francie supradictus. *Act. Anno, Indictione, Mense, Die, Pontificatu, & locis prescriptis; Presentibus Domino Dunelmen. Episcopo suprascripto, ac Nobilibus viris Dominis Willielmo de Beuse, Roberto de Tatchale, & Rogero de Mortuo mari, Baronibus Regis Angliz, ac Domino Johanne de Benefede ipsius Domini Regis Secretario, Clerico, Testibus ad hoc vocatis specialiter & rogatis.*

Et Ego Johannes dictus Boughs de London. Domini Papa autoritate Novarius publicis, Presentationi literarum Apostolicarum prescriptarum, necnon & responsionibus interfui suprascriptis; & scripsi omnia prenotata, ac etiam publicavi, meoque signo consueto signavi rogatus.

Whiles this Pope for his own premised ends was making these Truces and a Peace between these two Kings and their Confederates, he was very active in raising rebellions and wars against the Emperor *Adolphus* in Germany, to depose him, and set up another in his stead; which *Matthew Westminster* and others thus story.

a Max West.

An. 1198. P. 411, 412.

b Rerum Me-

morab. Para-

leip. p. 341,

342, 343. Al-

berti Crantzli

Saxoniz, l. 8.

c. 35, 36. Cent.

Magd. 13. col.

1052, 1053.

1351, 1352.

Cuspinianus

&amp; Grimston

in the life of

*Adolphus*, Th.

Walsingham,

Hist. Angl. p.

41, 43.

c Hist. Angl.

p. 35.

d Flores Hist.

An. 1199. p.

413, 414.

d See Platina,

Onuphrius,

Volaterranus,

Crespin, Bal-

us, Centuri e

Magd. 13. &amp;

others in Gre-

gorio 8.

<sup>a</sup> Eodem etiam Anno *Adolphus* Rex Alemannie, vacuus amicis fiduciam in se habentibus, & precipue, quod nequius est dicendum, Regis Angliz pactum prebericans; (by Pope Boniface his request and instigation) orta dissensionis materia inter se & Albertum filium Rodolphi Ducis Austrie, (whom this perfidious antimonarchical Pope stirred up to rebell and war against him) belloque indito juxta Moguntiam, coram sanctis, & regnavit idem Albertus pro eo. <sup>b</sup> Abbas Uspergensis writes; Moguntiz convenerunt Electores & *Adolphum* desitunt imperio. Nam centum milia marcarum argenti, vel, ut alii volunt, 75. millia pendo argenti acceperat *Adolphus* a Rege Angliz, ut sibi esset auxilio cum Principibus Germanie contra Regem Galliarum: Cum vero *Adolphus* hanc pecuniam non divideret inter Principes, sed sibi retineret, & comitatum hinc emeret, nec militem conscribere poterit, nec ferre Anglo auxilium: thereupon, Albertus falling out with him, ut qui fidem non servaret Regi Angliz, confederated with the Archbishop of Mentz and other German Bishops; who deprived *Adolphus* of the Empire, elected Albertus in his stead at Mentz, swore obedience to him, and raising great forces against *Adolphus* slew him in battel. Some Authors write, *Victor* Albertus illum appellat, Hinc (inquiens) dimittis Imperium; respondit *Adolphus*; Hoc situm est in Dei manu: for which answer he was slain by Albertus command, and the lives of all of his party saved, being only taken Prisoners: After which victory, he was crowned Emperor at *Aquisgrani* by *Gerhardus* Archbishop of Mentz.

And as this turbulent Pope persecuted this Christian Emperor in Germany, so at the same time he degraded and persecuted with armed souldiers some of his own Cardinals at Rome, as <sup>c</sup> *Walsingham*, <sup>d</sup> *Matthew Westminster*, and <sup>e</sup> others thus relate. Per hoc tempus Cardinales de Columpna, per Papam Bonifacium depositi, ad urbem se conserunt Nepefinam; contra quos damnatos tanquam scismaticos et excommunicatos Papa viros bellatores in Italia cruce signabit; as if they were Turks or Saracens. Illis etiam diebus, Dominus Papa fides et orationum quae erant beati Petri oblitus, assumens quae non erant ejus, tam aurum videlicet de viduis et orphanis, quam argentum, non viduis et orphanis, sed militibus bellicosis illis erogare curabit contra scisma quorundam Cardinalium, eos denique degradando, et contra Regem Siciliae guerram movendo. Sed dicti Regis exercitus de galeatis turmis Domini Papae multa millia necaverunt: Who thereupon to recruit his Treasure, Forces, cheated, robbed the *Franciscan* Preers of no lesse than forty thousand Florens of gold; and sold the confirmations, translations, and his provisions of *English*, *Scotish*, and *Irish* Archbishopricks, Bishopricks, to those who would give most money for them: nulling the elections of those who were duly chosen to them, if they came not up to his Simonical rates demanded for them, or to resigne them into his hands to dispose of at his pleasure.

The Abbot of *Westminster* procured this *Superseadeas* from the King to the Taxers of the 12. part of goods granted him by the Laity that year, in sundry Mannors lately

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lately given to the Abbot and Covent to maintain an *Anniversary* and Acts of Charity for his late Queen *Alienor*, not long before deceased. *An. 25 E. 1.*

**R**EX Taxatoribus & Collectoribus Duodecimæ in Com. *Warr.* salutem. Quia nolumus, quod bona et catalla dilectorum nobis in Christo Abbatis & Conventus *Westm.* in Maneriis suis de *Kirelle & Grafton* in Com. prædicto, quæ eis nuper dedimus et concessimus pro anniversario celebris memorie *Alianore*, quondam Regine *Angliæ* Consortis nostræ, singulis annis celebrandis, et quibusdam aliis Eleemosinis, singulis ebdomadis pro anima ejusdem Consortis nostræ faciendis, ratione Duodecimæ nobis à Laicis regni nostri concessæ, per vos taxentur, nec aliquid inde ea occasione leveretur ad opus nostrum; Vobis mandamus, quod taxationi de bonis et catallis prædictorum Abbatis et Conventus, in prædictis Maneriis existentibus, ratione Duodecimæ prædictæ faciend. penitus superseadeatis. Teste Rege apud *Ely* 7. die Febr.

*Claus. 25 E. 1. m. 22. Pro Abbate West.*

Consimiles literas habent iidem Abbas & Conventus in Comitatibus subscriptis, viz.

In Com. *Bucks.* de bonis & catallis suis in Maneriis de *Denham & Turneston*.

In Com. *Essex* de bonis suis in Manerio de *Bridebrok*.

In Com. *Midd.* de bonis & catall. in Manerio suo de *Hodesford*.

In Com. *Kanc.* de bonis & catall. suis in Maneriis suis de *Westerham & Edelmehrig*.

The same Abbot being fined 500 Marks by some of the Kings Justices for the escape of 5. Felons out of his Prison, and 300 Marks for the escape of 3. other Malefactors by other Justices soon after, procured these ensuing pardons of and *superseades* to levy those legal fines, to the great encouragement of Malefactors, and the prejudice of publick Justice.

**R**EX Thes. & Baronibus suis de Scaccario salutem. Sciatis, quod pardonavimus dilecto nobis in Christo Abbati & Conventui *Westm.* illas quingentas libras, ad quas amerciatatus fuit coram dilectis & fidelibus nostris *Johanne de Berewyk & sociis* suis Justiciariis nostris ultimo Itinerantibus in Comitatu *Middlesex*, pro quinque evasionibus; videlicet, Centum libras pro evasione *Johannis de Eborum*, Centum libras pro evasione *Johannis Ballard*, Centum libras pro evasione *Rogeri de parva Frome*, Centum libras pro evasione *Robertis le Clerk*, et Centum libras pro evasione *Ensfachii de Royston*, Clericorum combitorum, qui a custodia ipsius Abbatis evaserunt; quæ quidem Quingentæ libras à præfato Abbate per Summationem Scaccarii prædicti exiguntur. Et ideo vobis mandamus, quod prædictum Abbatem de prædictis quingentis libris quietum esse faciatis. Teste Rege apud *Westm.* 23 die Julii.

*Ibid. m. 10. Pro Abbate Westm.*

Per ipsum Regem nunc. *J. de Benestede*.

**R**EX Thes. & Baronibus suis de Scaccario, salutem. Sciatis, quod de gratis nostra speciali pardonabimus dilecto nobis in Christo Abbati *Westm.* trescentas libras; viz. Centum libras, ad quas coram *Radulpho de Hengham & sociis* suis nuper Justiciariis nostris ad placita nostra tenenda assignatis, pro evasione cujusdam Clerici; et Ducentas libras, ad quas similiter coram *Gilberto de Thornton & sociis* suis nuper Justic. nostris ad placita nostra prædicta tenenda assignatis, pro evasione cujusdam alterius Clerici scienter facta amerciatatus fuit; Quæ quidem trescentæ libras ab ipso Abbate per sum. Scaccarii prædicti exiguntur. Et ideo vobis mandamus, quod ipsum Abbatem de prædictis trescentis libris quietum esse faciatis. Teste Rege apud *Odymer*, 12 die Aug.

*Ibid. m. 2. Pro Abbate Westm.*

The King also issued this Writ to the Barons and Treasurers of the Exchequer, with the form of levying the third or fifth part of the Clergies goods then granted him, and to appoint Collectors to tax and levy it.

**R**EX Thes. & Baronibus suis de Scaccario salutem. Mittimus vobis formam de tertia vel quinta parte bonorum Prælatorum, Clericorum, et personarum Ecclesiasticarum quorumcunque de Regno nostro in subsidium instantis expeditionis nostræ levanda.

*Claus. 25 E. 1. m. 7. De 5. parte bonorum Clericorum nostræ*



**K. Edward 1. An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.**

**An. 25 E. 1.** *noſtræ ad opus noſtrum lebando. præſentibus intercluſam : Mandantes, quatenus certas perſonas de quibus confiditis, ad dictam tertiam vel quintam partem taram, dam et lebendam, juxta formam prædictam per literas de eodem Secretario assigne- tis. Teſte Rege apud Wynbeſſe, 20 die Aug.*

*John de Berkeway a Clerk accused of Theft and Robbery, being demanded by his Ordinary, and purging himself before him, and found by Inquisition to be no notorious Malefactor; the King issued a Writ to the Sheriffs of London to restore his Lands, goods and tenements they had seized: who returned, that they ought not to do it, because he had put himself upon his tryal (saving his Clerkship) and was found guilty by the Jury; which the King deeming erroneous, issued this second Writ for their restitution, out of his special grace,*

**Claus. 25 E. 1.**  
**m. 4. & 9.**  
**Pro Johanne**  
**de Berkewey**  
**Clerico.**

**R**EX Vicecomitibus London. salutem. Cum Johannes de Berkewey Clericus nu- per coram dilectis & fidelibus nostris, Radulpho de Sandwico, & Johanne de Bretn Justic. nostris ad Gaolam nostram de Newgate deliberandam assignatis, su- per crimine furti et roberie reſtutus, & postmodum venerabili Patri R. London E- piscopo, loci Diocesano, juxta privilegium Clericale (prout moris est) liberatus, innocentiam suam super crimine prædicto, coram eodem Episcopo legitime purga- berit; sicut idem Episcopus per literas suas patentes nobis significavit; & per in- quitionem, quam per vos & Coronatores nostros London. postmodum fieri fecimus, quod prædictus Johannes nunquam extitit publicus aut notorius malefactor; per quod alias vobis præcepimus, quod eidem Johanni Terras & Tenementa, Bona & Catal- la sua, per vos occasione prædicta capta in manum nostram sine dilatione restitu- retis, vel causam nobis significaretis, quare mandatum nostrum alias vobis inde dire- ctum exequi noluisse, vel non debuisset; ac vos nobis retornaveritis, quod Terras et Tenementa prædicta eidem Johanni non restituisset, nec restituere debuisset; eo quod idem Johannes per Inquisitionem patriæ, in quam de bono et malo se posuit coram prædictis Justiciariis, de crimine prædicto, salvo privilegio Clericali, inde inventus fuit culpabilis, quam quidem causam erroneam reputamus. Vobis ite- rato præcipimus hriter injungentes, quod præfatus Johanni Terras & Tenementa sua prædicta in Balliva vestra, si ea occasione & non alia capta sint in manum nostram, sine dilatione restituaris, de gratia nostra speciali. Teſte Edwardo filio Regis apud Sanctum Paulum London. 27. Sept.

King Edward for the Advancement of Learning, confirmed a House in Oxford devised to the Poor Scholars of the University of Oxford, to them and their succeſ- sors, notwithstanding the Statute of Mortmain, by this Patent.

**Pat. 25 E. m.**  
**2. De licentia**  
**ingred. pro**  
**pauperibus**  
**Scholaribus**  
**Universitat.**  
**Oxon.**

**R**EX omnibus ad quos, &c. salutem. Licet de communi Consilio Regni no- stri statuerimus, Quod non liceat viris religiosiſſis seu aliis ingredi feodum alicu- jus, ita quod ad manum mortuam ponatur, sine licentia nostra & Capitalis Domini, de quo res illa immediate tenetur, Volentes tamen pauperibus Scholaribus Univer- sitatis Oxon. gratiam facere specialem, dedimus eis licentiam quantum in nobis est, quod ipsi unum Mes. cum pertin. in Oxon. quod Reginaldus le Bedel defunctus, in (illud) Testamento suo eis legabit, et quod iidem Scholares ratione legationis prædictæ retinere possint sibi et successoribus suis impertuum, juxta legationem prædictam. Nolentes quod prædicti Scholares vel eorum successores ratione Statuti prædicti per nos vel heredes nostros inde occasionentur in aliquo seu graventur; Sal- vis nobis & Capitalibus Dominis feodi illius Servitiis inde debitis & consuets, & sal- vo similiter jure cujuscunque. Teſte Rege apud Westm. 29 die Junii.

Per Inquis. retorn. de cons.

The King this year granted the like Safe-conduct verbatim to the Merchants of the Popes Chamber to collect and transport into France the Procurations of the Popes

\* See here, p. Legates, as he had done the \* year before.  
678.

REX

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**R**EX Vicecomitibus, &c. In cujus rei, &c. usque ad festum Sancti Michaelis proximo futurum duratur. Teste Rege apud Westmonasterium vicesimo sexto die Junii.

An. 25 E. 1.

Pat. 25 E. 1.

m. 1. intus.

De salvo Con-

ductu pro

Mercator. Ca-

metz Dom.

Papaz.

† Tho Stubs,

Actus Pontif.

Ebor. col.

1718. God.

wins Catal. of

Bps. p. 470.

Pat. 25 E. 1. m.

1. intus. De

temporalibus

Archiepisco-

patus Ebor.

restituitis.

† Henry de Newerke being elected Archbishop of York, and his election approved by the King, his Proctors sent to Rome (no doubt at a dear rate) procured the Popes confirmation of his election, together with a License to be consecrated in his own Church at York by the Bishop of Durham; the King upon receipt of the Popes Bull, issued this Writ for the restitution of his Temporalities.

**R**EX dilecto & fideli suo Johanni de Lythegr. Escaetori suo, ultra Trentam, salutem. Cum Dominus Summus Pontifex discretum virum Magistrum Henricum de Newerke Decanum Ecclesie Eborum in Archiepiscopum loci illius prefecerit & Pastorem, sicut per literas ipsius Summi Pontificis bullatas, nobis inde directas plenius nobis constat. Nos prefactionem illam acceptantes cepimus fidelitatem ipsius Henrici, & Temporalia Archiepiscopatus predicti, prout moris est, restitimus eidem. Et ideo vobis mandamus, quod eidem Henrico Temporalia Archiepiscopatus predicti cum pertinentiis sine dilatione liberetis in forma predicta. Teste Rege apud Westm. 22 die Junii.

Eodem modo mandatum est Male. de Harl. Esc. citra Trentam.

Et mandatum est Militibus, liberis hominibus, & omnibus aliis tenentibus de Archiepiscopatu Eborum, quod eidem Henrico tanquam Archiepiscopo & Domino suo in omnibus quae ad Archiepiscopatum predictum pertinent, intendentes sint & respondentes sicut predictum est. In cujus, &c. Teste ut supra.

Two Prebendaries in the Church of Sarum possessed by Foreigners becomming voyd this year, the first by the death, the other by the promotion of the Prebend to a Foreign Bishoprick, the King conferred them on his own Chaplains, by reason of the Temporalities of the Bishoprick then in his hand, refusing to admt any Italians to them, notwithstanding the Popes provisions, or Cardinals Letters on their behalf, to preserve the rights of his Crown.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod dedimus & concessimus dilecto Capellano nostro Radulpho de Stamford, Præbendam illam, quam Magister Petrus de S. Maria nuper habuit in Ecclesia Sarum, vacantem per mortem ejusdem Petri, & ad nostram donationem spectantem, ratione Episcopatus Sarum vacantis, et in manu nostra existentis, habendam cum suis juribus & pertinentiis quibuscunque. In cujus, &c. Teste Rege apud Westm. 20 die Junii.

Pat. 25 E. 3.

m. 4. Pro

Radulpho de

Stamford.

Et mandatum est Decano & Capitulo Ecclesie Cathedral. Sarum, quod eidem Radulpho stallum in Choro, & locum in Capitulo, ratione Præbendæ predictæ (prout moris est) assignent. In cujus, &c. Teste ut supra.

Consimiles literas habet Johannes de Drakenesford Custos Garderobæ Regis de Præbenda illa quam Monaldiscus de Camerino nuper habuit in Ecclesia predicta, vacante per Promotionem ejusdem Monaldisci in Episcopum de Fossingbr. in Marchia Anconitana, & in manu Regis existentis, habend. cum suis juribus & pertinentiis quibuscunque. In cujus, &c. Teste ut supra.

ibid. Pro Jo-

hanne de Dro-

kenesford de

Præbenda in

Ecclesia Sa-

rum.

By which president it is evident; that the Translation of a Prebend in England to a Bishoprick in Italy or any other forraign Realm, by the Pope or a forreign Prince, made his prebendary ipso facto void in Law, so as the King or Patron might present another to it.

The King this year granted this protection and license to collect Almes for 5. years, to the Proctors of the House of St. Robert, for the redemption of Prisoners in the Holy Land.

ibid. De Pro-

tectione pro

Procuratori-

bus domus S.

Roberti de

Knaresburgh.

**R**EX omnibus Ballivis & fidelibus suis, ad quos, &c. salutem. Sciatis, quod suscepimus in protect. & defensionem nostram dilectos nobis in Christo fratres Johannem Sperry, Robertum de Bonevill, Robertum de Calventon, & Willielmum de



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An. 25 E. 1. de Ebor. procuratores Domus sancti Roberti de Knaresburgh, ordinis Sanctæ Trinitatis, & redemptionis Terræ sanctæ, homines, terras, res, redditus, & omnes possessiones suas. Et ideo vobis mandamus, quod prædictos fratres Johannem, Robertum, & Willielmum, Homines, terras, res, redditus, & omnes possessiones suas manuteneatis, &c. non inferentes eis, &c. Et si quid eis forisfactum fuerit, id eis sine dilatione faciatis emendari. Rogamus etiam vos, quod cum prædicti fratres, vel eorum nuncii ad vos venerint, elemosinas a vobis ad redemptionem captivorum petaturi, ipsos benigne recipiatis & recipi faciatis in Ecclesiis, villis & foris vestris, & eis de bonis vestris ad hoc, caritatis intuitu & precum nostrarum interventu, largiri velitis. Ita quod à retributore bonorum omnium mercedem condignam, & à nobis grates reportare debeatis speciales. In cujus, &c. per quinquennium duratur. Teste Rege apud Westm. 18 die Junii. R. præcepit apud Beaurons duppl.

William de Kyngston being elected Abbot of the Monastery of *Abbebury* by the Kings license, who assented to his Election, the Bishop of *Salisbury* as Ordinary null'd his election, and by his own provision preferred *Benedict de Lodres* a Monk thereof to be Abbot, without any new Election, desiring the King to give his Royal assent to this his provision, and restore his Temporalities: which the King for this time did, out of his special grace, provided that this his condescension should not turn to the prejudice of him or his heirs, or be drawn into consequence for the future.

Clau. 35. E. 1.  
m. 12. De  
Temporalibus  
restituend.

R EX dilecto suo *Malculmo de Harlegb* Escaetori suo citrà *Trentam*, Salutem. Cum venerabilis pater *N. Sarnum* Episcopus electionem nuper factam in Ecclesia Conventuali de *Abbebury* de fratre *Willielmo de Kyngston* Priore ejusdem Monasterii in Abbatem loci illius, cui prius Regium assensum adhibuimus et favorem, cassaverit, & eidem Ecclesie de fratre *Benedicto de Lodres* Monacho ejusdem domus providerit; ipsumque *Benedictum* in Abbatem loci illius præfecerit, ac per suas patentes literas nos rogaverit, ut provisioni suæ in hac parte Regium præberemus assensum, quod nostrum esset ulterius exequendo. Nos provisioni dulcissimo Regium præbentes assensum, hac vice de nostra gratia speciali cepimus fidelitatem ipsius *Benedicti*, & Temporalia Abbatiz prædictæ, prout moris est, restituimus eidem. Ita tamen quod hæc nostra gratia nobis vel hæredibus nostris in præjudicium non cedat, nec futuris temporibus in consequentiam trabatur. Et ideo vobis mandamus, quod eidem fratri *Benedicto* temporalia Abbatiz prædictæ liberetis, sicut prædictum est. Teste Rege apud *Clarendon*, secundo die *Marsii*.

The King having promised the Cardinal-Bishop of *Sabine* at his instance, to present *Nivianus* (an *Italian*) his Chamberlain, to a Benefice in *Lincolnshire* then in his gift by the death of an *Italian* the Popes Chaplain, he forgetting his promise, presented his own Clerk thereto; but being reminded thereof, to make good his promise, he revoked his first presentation, and presented *Nivianus* to it, by this Patent.

Pat. 25 E. 1.  
m. 16. De præ-  
sentatione pro  
magistro An-  
tonio de Ni-  
viano.

R EX venerabili in Christo patri O. eadem gratia Episcopo *Lincoln*, Salutem. Nuper non recolentes, quod ad instantiam patris Domini G. Episcopi *Sabin*, amici nostri carissimi, concessimus præsentare Magistrum *Antonium de Niviano* ipsius Episcopi Camerarium, ad Ecclesiam de *Febrersham*, vestre Dioc. vacantem per mortem Magistri *Campani de Novaria*, Domini Papæ Capellani, & ad nostram donationem spectantem, *Johannem de Borham* Clericum nostrum, paternitati vestre postmodum præsentavimus ad eandem; Verum quia quæ de labiis nostris processerant, irrita facere non debemus, præsentationem de eodem *Johanne* factam, ad eandem Ecclesiam totaliter revocantes, prædictum *Antonium* prædictæ vestre paternitati ad prædictam Ecclesiam præsentamus; rogantes quatinus ipsum *Antonium* ad ipsam Ecclesiam admittatis, & Personam in eadem instituatis. In cujus, &c. Teste Rege apud Sanctum *Albanum*, 17 die *Febr.*

Thus the King, by the mediation of Popes and Cardinals, during their treating of a Truce between him and the King of *France*, was engaged to present their *Italian* Chaplains

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Chaplains to his vacant Benefices in *England* one after another, to the injury of *An. 25 E. 1.* his own Chaplains, and great prejudice of the peoples souls, which they never regarded nor intended.

*Walter Langston* the Kings Treasurer, Dean of his free-Chappel of *Bruges* being by his license and assent elected Bishop of *Coventry* and *Lichfield*, the King out of special grace, before his Consecration licensed him to hold his Deanry in *Commendam* with his Bishoprick for five years space, by his gift and prerogative; after his Consecration, if he should procure a dispensation from the Pope, by this Patent.

**R**EX omnibus ad quos, &c. Salutem. Sciatis, quod concessimus pro nobis et hereditibus nostris venerabili patri *W. Coventr.* et *Lichfeld* Electro The-  
saurario nostro, ut ipse Decanatum liberæ Capellæ nostræ de *Bruges*, quem ex me-  
ra donatione nostra noscitur obtinere, et qui per ejusdem Electi consecrationem est  
vacaturus, et ad nostram donationem libere spectaturus, habeat, et post dictam  
Consecrationem retineat per quinquennium de dono nostro et nostra gratia speciali,  
et fructus inde percipiat, prout hactenus percipere consuevit, si idem Electus dis-  
pensationem ab Apostolica Sede obtineat, eundem Decanatum post dictam Consec-  
rationem habendi, et, ut dictum est, retinendi: Ita tamen, quod per hoc no-  
bis vel hereditibus nostris in posterum nullum præjudicium generetur. In cujus, &c.  
Teste Rege apud Sanctum *Edmundum*, 28 die *Novembr.*

Pat. 25 E. 1.  
m. 16. Pro  
W. Coventr.  
& Lichf. Ep.  
piscopo de  
Decanatu li-  
beræ Capellæ  
de *Bruges*.

Pope *Boniface* having confirmed the Election of \* *David Martyn* to the Bishop-  
rick of Saint *David* in *Wales*, and signifying it to the King by his Letters, the King  
accepting thereof, he thereupon received his Fealty, and issued this Writ to restore  
the Temporalities.

\* *Godwin* hath  
only his bare  
name. Cata-  
logue of Bi-  
shops, p. 410.

**R**EX dilecto sibi *Roberto Dymmok*, Salutem. Cum Dominus summus Pontifex  
discretum virum *David Martyn*, Clericum Ecclesiæ *Mancun.* in Episcopum  
ejusdem Ecclesiæ præfecerit et *Pallorem*, sicut per literas bullatas ejusdem summi  
Pontificis nobis inde directas nobis constat; nos præfectionem illam de speciali gra-  
tia acceptantes, cepimus fidelitatem ipsius Episcopi; & Temporalia Episcopatus  
predicti, prout moris est, restitimus eidem; Et ideo vobis mandamus, quod eidem  
Episcopo Temporalia Episcopatus predicti liberetis, sicut prædictum est. Teste  
Rege apud Sanctum *Edmundum*, 24 die *Jan.*

Pat. 25 E. 1.  
m. 20. De  
Temporalibus  
restituis.

Et mandatum est Militibus, liberis hominibus, & omnibus aliis tenentibus de  
Episcopatu predicto, quod eidem *David* tanquam Episcopo & Domino suo in om-  
nibus, quæ ad Episcopatum predictum pertinent, intendentes sint & respondentes,  
sicut prædictum est. In cujus, &c. Teste ut supra.

The Abbess of the Monastery of *Font-Everard* having by her Letters patents insti-  
tuted a Priorefs of *Ambresbury*, by the Kings command, to reform and correct the  
abuses, disorders of the Nunnes and Freers in that Monastery, desiring the King to  
confirm her therein, to restore the Temporalities to her, and to command them to  
receive and obey her as their Priorefs, the King thereupon issued this Patent to her  
for that purpose.

**R**EX omnibus ad quos, &c. Salutem. Inspeimus literas patentes Abbatisse  
Fontis *Ebroldi* nobis missas, in hæc verba. *A tres excellent e tres honorable*  
*Prince mon Seigneur Edward par la grace de Dieu Roy de Engleterre, Seigneur Dir-*  
*lande, et Duc Daquitaine, son tresches Seigneur e pere, suer Margarite par la suffrance*  
*de Dieu homble Abbasse de Fontenrand, saluz e especiaus oreysons au saent osheris;*  
*Tres reau Seigneur e Pere nos vos feyssoms Savoir, qe ou vostre volante, et de vostre com-*  
*mandement nous envojons Prioreffe a Ambresbury, suer Johenne de Gones, nonaen*  
*de vostre maïsson de Fontenrand, fame sage et vigueruse, pour y ester guardienne a*  
*Prioreffe, de la quelle nous avons tres grant confidence, qe par luy sera gouvernee la*  
*Maison de Ambr. ou layde de Dieu, e de vous, e l'estat de la Religion garde e defender*  
*espirituelment e temporelment. Si vous prions e supplions tres reau pere sans Chere-*  
*ment come nous pouons, quil vous plese als fere rendre nostre estat, en la avantsdite Maison,*  
*e mander e commander au Convent de nonaens, e aus freres que il la recepent*  
*come*

Pat. 25 E. 1.  
part. 1. m. 11.  
ancus. Pro  
Prioreffa de  
*Ambresbur.*



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4*

An. 25 E. 1. come Priozesse e hobeissent en toutes choses comme a nous, si per de dela estions en nostre presence en telle maniere, quelle puyse user de nostre droit pleinement e corriger, e refozmer tout ceou qui aura mestier de correction e refozation, e qe per ceou les dites nonaense freres en pussent rendre loz ames a nostre seignour, come Religion soit nulle sanz hobeissance e sanz correction, e destruit par disobedience. E que nos memes qui sommes leur chief, e de toute la Religion, en pussions rendre devant Dieu le pere des ames, souffisente resou au jour de jugement, tant vous plese a feretres reau seignour e pere de ceou, que par ces biens, e tuz autres nus puyssiez venir a la joye de paradis, la quelle deux vous oitrois per se douce pitie, si come nous le desirons. *Adieu soiez vous trescher seignour e pere qe soit garde de vous. Donn le Dimanche que lan chanta en saenti yglyse, Cantate Domino laudem; lan de grace Mil, dens Centz, quatre vintz, e quatorze.* Nos autem precibus ipsius Abbatissæ benignum præbentes assensum, mandamus & firmiter precipimus, quod nullus prædictam Priozissam in præmissis impediat aliquatenus vel perturbet. Et volumus quantum in nobis est, quod eadem Priorissa gaudeat & utatur præmissis, juxta tenorem litterarum Abbatissæ prædictæ. In cujus, &c. Teste Rege apud Clarendon, 6 die Martii.

\* Mat. Westm. An. 1297. p. 411. See Godwins Catalogue, pag. 280.

After the death of *Nicholas de Longespæ*, \* *Simon Gaunt* editus Londini, vir in *arte Theologiae peritus*, being elected Bishop of *Sarum* this year, thereupon;

Pat. 25 E. 1. part 2. m. 10. De assensu adhibito Electioni.

**R**EX Electioni nuper celebratæ in Ecclesia Cathedrali *Sarum*, de discreto viro, Magistro *Simone de Gandavo*, Canonico ejusdem Ecclesiæ, in Episcopum illius loci, Regium assensum adhibuit et favorem. Et hoc significatum est venerabili patri *R. Cantuar.* Archiepiscopo, totius *Angliæ* Primati; ut quod suum est in hac parte exequatur. In cujus, &c. Teste Rege apud Sanctum *Paulum London.* 31 die Julii.

The Archbishop confirming his Election soon after, the King issued this Writ to restore his Temporalities.

Ibid m. 9. de Temporalibus restitutis.

**R**EX dilecto sibi *Ade de Stoke*, Custodi suo Episcopatus *Sarum*, salutem. Cum venerabilis pater *R. Cantuar.* Archiepiscopus Electionem nuper celebratam in Ecclesia *Sarum*, de discreto viro, Magistro *Simone de Gandavo*, Canonico ejusdem Ecclesiæ, in Episcopum illius loci, cui prius Regium assensum adhibuimus et favorem, confirmaverit, sicut per literas patentes ipsius Archiepiscopi, nobis inde directas, nobis constat. Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, & temporalia Episcopatus prædicti, prout moris est, restitui- mus eidem; Et ideo vobis mandamus, quod eidem Electo temporalia Episcopatus prædicti sine dilacione liberetis in forma prædicta. Teste Rege apud *Cumwille*, 7 die Aug.

Et mandatum est Militibus, liberis hominibus, & omnibus aliis tenentibus de Episcopatu prædicto, quod eidem Magistro *Simoni*, tanquam Episcopo et Domino suo, in omnibus quæ ad Episcopatum prædictum pertinent, intendentes sint et respondentes, sicut prædictum est. Teste ut supra.

The Abbye of *Mira valle* being run into decay and great debts, the King out of charity and piety issued this Royal Protection to the Abbot and Monastery for their relief, and the better defraying of their debts.

Pat. 25 E. 1. m. 9. Pro Abbacia de Mira valle, ordinis Cisterc.

**R**EX omnibus ad quos, &c. Salutem. Non multum merentur ad disparia judicari, nova construere, ac benè constructa omnino diruta consequenter re- ficere, & in statum antiquum reponere prosperum & foelicem. Sanè pro- jicientibus nobis nostræ considerationis intuitu multiplices possessiones & amplas, necnon ad divitiarum habundantiam multiformem, quibus Abbacia de *Mira valle*, ordinis *Cisterc. Covent. & Lychf.* Dioc. tempore foundationis suæ insignita extitit & dotata, ac ad honores multimodos & elemosinarum largitiones, ac alia opera pietatis, quæ ex ipsa Abbacia olim consueverant pervenire; necnon ad depauperationem non modicam depressionemque flebilem, & statum miserabilem, quibus extitit dudum de- pressa, & adhuc deprimitur in immensum. Nos super statu illo & calamitate ac miseria

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miseria Abbatiz prædictæ, pietate moti, illam cum terris, redditibus, & omnibus possessionibus, ac rebus ad eandem Abbatiam pertinentibus cepimus in protectionem & defensionem nostram specialem; & Abbatiam illam cum omnibus pertinentiis ad requisitionem dilectorum nobis in Christo Abbatibus & Conventus ejusdem Abbatiz, dilecto & fideli nostro *Petro de Leicestr.* quamdiu nobis placuerit, commisimus custodiend. Ita quod omnes exitus, redditus et proventus terrarum et possessionum Abbatiz prædictæ, salva rationabili sustentatione prædictorum Abbatibus et Conventus et hominum suorum, ad exonerationem debitorum suorum, et relevationem aliorum defectuum ejusdem Abbatiz, reserventur, et eisdem exoneracioni et relevacioni per visum aliquorum de discretioribus illius Abbatiz per adjutorium et consilium prædicti *Petri*, prout melius fieri poterit, applicentur. Nec volumus quod aliquis Vic. Ballivus, seu Minister noster, aut alius quicunque in Abbatia prædicta, aut Grangiis ad illam spectantibus, quamdiu in custodia præfati *Petri* fuerit, hospitetur, sine ejusdem *Petri* licentia speciali. In cuius, &c. Teste Rege apud *Cidune*, 14 die *Aug.*

*An. 25 E. 1.*

The Abbot of *Bynedon* being imprisoned, and his goods and chattels violently taken away to a great value by a multitude of riotous persons; the King, as supreme Defender of the Church and Clergy, upon the Abbots complaint thereof, issued this Commission to punish the Trespas according to Law.

**R**EX dilectis & fidelibus suis *Petro Malore & Philippo Manbannk*, Salutem. Ex querela dilecti nobis in Christo Abbatibus de *Bynedon* accepimus, quod *Johannes de novo Burgo*, *Thom. de novo Burgo*, *Willielmus Burdet*, *Henricus le Glyde*, *Hugo Fillel*, *Robertus de Warner*, *Robertus le Machin*, *Johannes Gayman*, *Johannes de Boxton*, *Johannes Weryng*, *Polter*, *Andreas Cok*, *Willielmus Brunn*, *Johannes le Narewe*, *Nicholaus fil. Nicholai de Careter*, *Stephanus Medido*, *Richardus Hervays*, *Johannes Lolemor*, & *Henricus le Conestable*, nuper cum ingenti multitudine malefactorum et pacis nostræ perturbatorum vi & armis usque ad Abbatiam de *Bynedon* accedentes, præfatum Abbatem ceperunt et iniprisonaverunt, et bona et catalla sua ibidem, et apud *Wynstrad Newburgh* inventa, ad valentiam mille librarum ceperunt, asportaverunt et consumpserunt, et alia enormia, &c. ad grave dampnum ipsius Abbatibus, et contra pacem nostram. Nos tam enormes transgressionibus, si præfati Abbati taliter illata fuerint, transire nolentes impunitas, Assign. vos Justic. nostros ad inquirend. per sacramentum, &c. de Com. Dorf. per quos, &c. veritatem præmissorum, & ad transgressionibus audiend. & terminand. secund. legem, &c. Et ideo vobis mandamus, quod ad certos, &c. Inquis. illam faciatis, & transgressionibus prædictas aud. & terminetis in forma prædicta. Salvis nobis, &c. Mandavimus enim Vic. nostro Com. prædicti, quod ad certos, &c. venire fac. &c. tot & tales, &c. per quos, &c. In cuius, &c. Teste Rege apud *Wilm.* 20 die *Julii*. Per ipsum Reg. nun. *J. de Bensted*.

*Pat. 25 E. 1. m. 11. dorso. pro Abbate de Bynedon, de Trans. aud.*

King *Edward* writ this complemental Letter to Pope *Boniface* this year, wherein he very earnestly entreated his favour in the behalf of the Bishop elect of *Metz* in *Germany*, being his Kinsman, whose Election was drawn in question before him; with whom friendship and bribes were more prevalent then virtue, piety, right, merit or the instruction and salvation of peoples souls.

**S**anctissimo in Christo patri *B.* Divina providentia sacrosanctæ *Romane* ac Universalis Ecclesiæ summo Pontifici, devotus suus filius *Edwardus* Dei gratia Rex *Angliæ*, Dominus *Hyberniæ*, & Dux *Acquitaniæ*, cum omni reverentia & honore devota pedum oscula beatorum. Cum juxta sacre Scripturæ irrefragabilem veritatem ab exordio sui casus; malignus spiritus & pervigil humani generis inimicus invidiæ stimulis agitatus, non cessat circueundo decipere, & decipiendo ovem gregis Domini devorare, ne divina dispositio de humano genere totaliter frustraretur ex sua provisiva bonitate misericorditer est provisum, ut sicut Angeli Angelis, ita præsent homines hominibus in curæ regimine pastoralis; & in hoc providie divina Clementia profectui utrorumque. Nam per superiorum providentiam inferiores conservantur in merito, et per Curæ diligentiam superiores proficiunt

*Clauſ. 25 E. 1. m. 2. dorſo. Literæ Regis deprecatoris, directæ Papæ & Cardinalibus pro Theobaldo de Barr.*



*An. 25 E. 1.* ciunt in gratia et virtutis augmento. Hinc est, Pater sanctissime, quod cum *Theobaldus de Barro* Canonicus *Remensis*, vir bonæ opinionis & famæ, de illustri profapia genitus, moribus & scientia decoratus, electus fuerit in Episcopatum *Metensem* per partem Capituli ipsius Ecclesiæ, & *Fredericus* Episcopus *Aurelianensis* per aliam partem dicti Capituli fuerit postulatus in Episcopum dictæ Ecclesiæ *Metensis*, eidemque *Theobaldo* sumus multipliciter obligari ratione affinitatis, quæ est inter nos & nobilem virum, *Henricum* Comitem *Barrensem* fratrem suum, virum dilectæ primogenitæ filix nostræ. Qui Comes & ejus subditi Comitatus, ex promotione dicti fratris sui & assumptione in Episcopum *Meten.* poterit consequi maximum commodum & honorem; cujus Comitatus honorem & commodum, ratione præmissa, nostrum proprium merito reputamus. Idemque *Theobaldus* tam ratione sui quam generis sit eidem Ecclesiæ utilis et necessarius, ut speramus, Paternitatem vestram attentè requirimus supplicando, ut in præmissis Electionis negotio, amozæ nostri et præcum nostrarum interventu, sitis, si placet, dicto *Theobaldo* in jure suo favorabilis, propitijs et promotoz. Et licet promotio ipsius sit & cedat, ut prædictum est, ad honorem & commodum dicti Comitatus, & per consequens nos exinde dici possumus majorem habere potestatem cum dicti Comitatus ex hoc augeatur, noscat vestra paternitas reverenda quanto magis per hæc vel alia amici nostri promoverentur, & honore præditi forent, nos propter hoc, per Dei gratiam, non sumus neque erimus minus parati mandatis vestris tanquam filius bono patri, pro viribus obedire, nec tedeat vestram magnificentiam pro eo, quia tam affectuose vos rogamus super negotio memorato, spes enim, et fides, et dilectio quam in vobis habemus, ad hoc merito nos inducunt. Vivat & valeat vestra Paternitas per tempora longiora. Teste Rege apud *Shireburne*, 28 die *Marci*.

Pope *Boniface* preferring *Thomas de dono Dei*, (now *de dono Bonifacii*) to the Bishoprick of *Rosse* in *Scotland*, the King accepting thereof and receiving his Fealty, issued this Writ to his Guardian of *Scotland*, to restore the Temporalities thereof to him.

*Pat. 25 E. 1.*  
*part. 2. m. 1.*  
*intus.*

**R**EX dilecto & fideli suo *Johanni de Warennia* Comiti *Surr.* Custodi suo Regni & terræ *Scotia*, Salutem. Cum Dominus summus Pontifex discretum virum Magistrum *Thomam de dono Dei* Canonicum Ecclesiæ *Roffensis*, in Episcopum illius loci præfecerit et pastozerem, sicut per literas ipsius summi Pontificis bullatas nobis inde directas plenius nobis constat, nos præfectionem illam acceptantes, cepimus fidelitatem ipsius *Thome*, et Temporalia Episcopatus prædicti, prout moris est, restitimus eidem. Et ideo vobis mandamus, quod eidem *Thome* temporalia Episcopatus prædicti cum pertin. sine dilatione liberari faciatis in forma prædicta. Teste Rege apud Sanctum *Paulum*, 31 die *Julii*.

Et mandatum est Militibus, &c. Teste ut supra.

<sup>a</sup> *Walsingham*  
*ibid. p. 39.*

<sup>b</sup> *Script. Brit.*  
*Cent. cap. 5.*  
*p. 356. Cent.*  
*Magdebur. 23.*  
*cap. 16. col.*  
*1142. Matth.*  
*Westm. Anno*  
*1198. p. 412.*

<sup>a</sup> Eodem tempore, idem Papa fratri *Willielmo de Hothum* Priori provinciali Fratrum *Prædicatorum Angliæ*, Archiepiscopatum contulit *Dublinensem* (by his Papal provision,) indulgens eidem, ut a quocunque Episcopo catholico, et ubicunque decreverit, valeat consecrari. Qui cum Rege professus in *Flandriam*, ibidem a Domino (whom *Mat. Westminster* files *Otonium*) missus tandem ab *Edwardo Rege* legatus ad *Bonifacium* octavum Rom. Pontificem, Christiani orbis pestem, perniciem, et omnium malorum artium ministrum, Anno Dom. 1298. sit, auro currente, *Dublinensis Archiepiscopus*, et ceteroz *Hybernæ Primas*, ut et ejus tyrannidis atque insatiabilis crumenæ in ea regione pervigilans quæstor adesset. Sed Roma reditus, apud *Dijonem* in *Burgundia* humanis rebus valedixit, eodem anno quo creatus esset *Dublinensis Pontifex*, ejus cadavere *Londonium usque deportato*. It appears by the Kings Patent for the restitution of *Hothum's* Temporalities, that *Thomas de Chaddesworth* Dean of *Saint Patrick*, was by the Kings license unanimously elected Archbishop of *Dublin*, and had the Kings Royal assent thereto; but Pope *Boniface* the 8. by his usurped Papal authority and provision conferred it upon *Hothum* for money; whose preferment to it the King approving for his activity in procuring a Truce with France,

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*Franc.* (wherein \* he imployed him as a Commissioner) received his Fealty, and issued these ensuing Writs both for the restitution of his Temporalities, the preemption of all the Kings Ploughs, Cattle, stock upon the Temporalities of the Bishoprick, except the Corn, it he pleased to buy them; and for enjoying all Liberties and Jurisdiccions granted by him or his Royal ancestors by their Charters to any Archbishops of that See, without disturbance, in as ample manner as any Archbishops had formerly enjoyed them, as these Records attest.

An. 25 E. 1.

\* See here p.

747.752.756.

**R**EX dilectis sibi in Christo Canonici libere Capellæ suæ de *Pencræ*, salutem. Cum Dominus Summus Pontifex electionem nuper factam in *Dublin*, Ecclesiæ, ordinis Sancti *Augustini*, de Magistro *Thoma de Chaddeworth* Decano Ecclesiæ Sancti *Patricii Dublin*, in ipsius Ecclesiæ Archiepiscopum cassaverit, et provisione ejusdem Ecclesiæ sedi Apostolicæ reservata, dilectum nobis in Christo fratrem *Willielmum de Hothum*, Priorem Provinciale ordinis Prædicatorum in *Anglia*, in Archiepiscopum loci prædicti præfecerit et Pastorem; sicut per litteras ejusdem Summi Pontificis bullatas, nobis inde directas, plenius nobis constat. Nos præfectionem illam acceptantes, cepimus fidelitatem ipsius fratris *Willielmi*, et Temporalia Archiepiscopatus prædicti, prout moris est, restituimus eidem. Et ideo vobis mandamus, quod eidem fratri *Willielmo* tanquam Archiepiscopo & Domino vestro in omnibus quæ ad Archiepiscopatum prædictum pertinent, intendentes sitis & respondentes, sicut prædictum est. In cujus, &c. Teste Rege apud *Bury* Sanctæ *Mariæ* 8 die Decembris.

Pat. 25 E. 1.

par. 1. m. 22.

De Tempora-

libus Archie-

piscopatus

*Dublin*, resti-

tuend.

**R**EX dilecto Clerico suo Magistro *Richardo de Abyndon* custodi suo Archiepiscopatus *Dublin*, salutem. Cum Dominus Summus Pontifex electionem nuper factam in *Dublin*, &c. (ut supra, usque ibi) Et ideo vobis mandamus, quod eidem fratri *Willielmo* Temporalia Archiepiscopatus prædicti cum pertinentiis, restituantur in forma prædicta. In cujus, &c. Teste Rege apud Sanctum *Edmundum* 23 die Novembris.

Ibid. m. 24.

Et mandatum est Militibus, liberis hominibus, ac omnibus aliis tenentibus de Archiepiscopatu prædicto, quod eidem fratri *Willielmo* tanquam Archiepiscopo & Domino suo in omnibus quæ ad Archiepiscopatum prædictum pertinent, intendentes sint & respondentes, sicut prædictum est. In cujus, &c. Teste ut supra.

**R**EX dilecto Clerico suo Magistro *Richardo de Abyndon*, nuper custodi suo Archiepiscopatus *Dublin*, salutem. Quia volumus quod dilectus nobis in Christo frater *Willielmus de Hothum* electus Archiepiscopatus prædicti, emptioni carucarum, affozum, bonum, et aliozum bonozum nostrorum, infra eundem Archiepiscopatum in custodia nostra existentium ceteris præferatur: Vobis mandamus, quod retentis ad opus nostrum bladis dicti Archiepiscopatus nunc in *Grangius* existentibus, quæ in *Vaseon*, mittere disposuimus, præfate Electo cetera bona nostra per vos ibidem vendenda, si ea emere voluerit, præ aliis dimittatis per rationabile pretium, prout ad opus nostrum videritis expedire. Ita quod de denariis inde provenientibus nobis respondere possitis ad *Scaccarium nostrum Dublin*. Teste Rege apud la *Noylande* 5 die Decembris.

Claus. 25 E. 1.

m. 25. Pro

fratre Williel-

mo de Hothum

Electo *Dublin*.

**R**EX Justiciariis, Escaetoribus, Vicecomitibus, Ministris, & omnibus Ballivis & fidelibus suis de terra *Hibern*, ad quos, &c. salutem. Volentes dilecto nobis in Christo fratri *Willielmo de Hothum* Electo *Dublin*, gratiam facere specialem, concessimus ei, quod toto tempore vite suæ easdem habeat libertates et quietantias, quas habere debet, et quas Archiepiscopi *Dublin*, prædecessores sui per Chartistas progenitorum nostrorum Regum *Anglia* et nostras habere consueverint, eisque utatur et gaudeat, prout iidem prædecessores sui libertatibus et quietantiis illas per prædictas Chartas totis temporibus suis usi fuerunt rationabiliter et gaudii. Et quod idem Electus omnem Jurisdictionem ordinariam habeat, quam habere debet, in Archiepiscopatu prædicto; et ea per se et subditos suos sine impedimento nostri vel heredum nostrorum, aut quorumcumque Ballivorum nostrorum plene et libere et rationabiliter utatur, sicut prædecessores sui prædicti Jurisdictione hujusmodi plenas et liberas uti consueverunt temporibus retroactis. Et ideo vobis mandamus,

Pat. 25 E. 1.

m. 21. Pro

Willielmo de

Hothum electo

*Dublin*, deli-

bertatibus &

quietantiis in

terra *Hibern*.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4*

An. 25 E. 1. mandamus, quod prædictum Clericum, contra hanc concessionem nostram non vexetis, vel ab aliquibus, quantum in vobis est, vexari permittatis. In cujus, &c. Teste Rege apud *Bures* 9 die *Decembr.* Et dupl.

The King this year by this Patent granted his Chief Justice in *Ireland*, or his Lieutenant, power in his name and right to give his Royal assent to an Election, and receive Fealty of an Abbot, so as not to prejudice his Prerogative for the future, by this special grace.

Pat. 25 E. 1.  
m. 8. inus.  
De potestate  
data Justic.  
Hibern. electi-  
oni assensum  
adhibendi.

**R**EX Justic. suo *Hibernia*, vel ejus locum tenenti, salutem. Cum dilecti nobis Prior & Conventus de *Weyna* nobis per literas suas patentes significaverint, quod Ecclesia sua prædicta per depositionem fratris *Thoma* quondam Abbatis illius loci, Pastoris est solatio destituta, supplicantes nobis, prout moris est, quod licentiam sibi alium eligendi in Abbatem et Pastorem eidem concedere dignemur. Ac nos precibus eorundem Prioris & Conventus in hac parte favorabiliter inclinati, licentiam illam eis duxerimus concedendam; Mandantes ipsis, quod talem sibi eligant in Abbatem & Pastorem, qui Deo devotus, regimini Ecclesie sue necessarius, nobisque et terræ nostræ *Hibernia* utilis et fidelis existat. Nos eorundem Prioris & Conventus laboribus & expensis in hac parte parcere volentes, ista vice, concessimus eis de gratia nostra speciali, & vobis dedimus potestatem, quod facta electione prædicta de futuro Abbate, sicut prædictum est, eidem electioni cum Electus hujusmodi per Canonicos dictæ domus vobis fuerit præsentatus, assensum Regium vice nostra præbeatis: Significantes loci Diocesano, quod id quod suum est in hac parte exequatur. Volumus etiam & vobis damus potestatem, quod si contingat Electionem hujusmodi per loci Diocesani canonicè confirmari, & vobis per literas ejusdem Diocesani inde constiterit, tunc accepta ab eodem Electo fidelitate, in casu isto nobis debita, Temporalia ejusdem Abbatæ eidem Electo, prout moris est, liberetis, vice nostra; receptis prius ab ipso Electo literis suis patentibus sigillo suo, necnon et sigillo Capituli sui signatis, quod hæc gratia nostra quam eidem Electo ad præsens ex mera liberalitate nostra concessimus, nobis vel hæredibus nostris non cedet in præjudicium vel exheredationem, seu trahatur in consequentiam temporibus futuris. In cujus, &c. Teste Rege apud *Plympton* 25 die *Aprilis*.

*Henry* Bishop of *Dere* in *Ireland* deceasing, the King this year granted his license to elect, and Royal assent to the election of *Goffredus* elected Bishop thereof, and issued this Commission to the Chief Justice there to receive his Fealty in his stead, and restore his Temporalities.

Pat. 25 E. 1.  
m. 1, & 2.  
De assensu ad-  
hibito electio-  
ni, & de tem-  
poralibus post  
assensum adhi-  
bitum restitu-  
endis Hibern.

**R**EX electioni nuper factæ in Ecclesia *Deren*, de discreto viro Magistro *Goffredo Maglathlym*, Canonico ejusdem Ecclesie, in Episcopum loci illius, Regium assensum adhibuit et favorem. Et dirig. literæ venerabili patri *N. Archiepiscopo Ardmagh. Hibernia* Primati, ut quod suum est in hac parte exequatur. Teste Rege apud *Wilm.* 26 die *Junii*.

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* salutem. Cum nos electioni nuper factæ in Ecclesia *Deren*, de discreto viro Magistro *Goffredo Maglathlym*, Canonico ejusdem Ecclesie, in Episcopum loci illius, Regium assensum adhibuerimus et favorem; & mandaverimus *N. Archiepiscopo Ardmagh. Hibern.* Primati, ut quod suum est in hac parte exequatur: Volentes eidem Electo, ut laboribus et expensis suis parcat, gratiam in hac parte facere specialem: Vobis mandamus, quod si contingat electionem hujusmodi per loci Metropolitanum canonicè confirmari, tunc accepta vice nostra ab eodem Electo fidelitate nobis in hac parte debita, Temporalia Episcopatus ejusdem sibi liberari faciatis; receptis tamen prius ab eodem Electo literis patentibus sigillo suo, necnon et sigillo Capituli sui signatis, quod hæc gratia nostra quam ei concessimus ad præsens, nobis vel hæredibus nostris non cedat in præjudicium vel exheredationem, seu trahatur in consequentiam temporibus futuris. In cujus, &c. Teste ut supra.

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The Chief Justice of *Ireland* refusing to restore the Temporalities to *Malachy Bishop* elect of *Elphin*, whose election the King and Archbishop of *Tuam* had confirmed, for certain causes which he certified into *England* to Prince *Edward* the Kings Lieutenant, and the Kings Council: they examining and finding the causes certified to be insufficient, and receiving his Fealty, issued this second Writ to him to deliver the Temporalities accordingly.

**R**EX dilecto & fideli suo *Johanni de Wogan* Justic. suo *Hibernia* salutem. Re-  
cepis & visis Recordo & Processu, quæ nobis super negotio restitutionis  
Temporalium facienda, dilecto nobis in Christo fratri *Malachia* Clerico *Elphin*.  
misisit, ac rationibus ipsius negotii, propter quas dicta Temporalia sibi restituere  
hæcenus distulisti coram *Edwardo* filio nostro, locum nostrum in *Anglia* tenente,  
& Consilio nostro, examinatis et plenius intellectis, eadem causæ et rationes insuf-  
ficientes reputatæ fuerunt: Et ideo, cum venerabilis pater Archiepiscopus *Tuamen*.  
electionem factam de præfato *Malachia* in Episcopum *Elphin*. cui prius Regi-  
um assensum addidimus et favorem, confirmaverit, sicut per literas patentes ejus-  
dem Archiepiscopi nobis inde directas, quas penes nos retinemus plenius nobis con-  
stat, cepimus fidelitatem ipsius Electi, et Temporalia Episcopatus prædicti, prout  
moris est, restitimus eidem. Vobis mandantes, quod eidem Electo Temporalia  
Episcopatus prædicti, sine dilatione liberari faciatis, juxta tenorem alioz mandata-  
rozum nostrorum, vobis super hoc directorum, Teste *Edwardo* fil. Regis apud San-  
ctum *Paulum London*, 7. die Sept.

Clauſ. 25 E. 1.  
m 6 Hibern.  
De Tempora-  
libus restitu-  
tis.

By which it is apparent, that the Kings Chief Justice in *Ireland*; and the King and his Council in *England* had then a legal power to examin and determine the legality of Bishops elections, with all causes about, and objections against the restitution of their Temporalities, after their elections confirmed.

Upon a *Certiorari* issued in the 1. year of King *Edward* the 2<sup>d</sup> to remove the Record of a Judgement given in *Ireland* in the case of the Bishop of *Down*, An. 25 E. 1. I finde this memorable Judgement given against the Bishops encroachments upon the Kings prerogative Royal in two particulars, expressed at large in the record and Certificate thereupon made to the King.

**E**dwardus Dei gratia Rex *Anglia*, Dominus *Hibernie*, & Dux *Aquitania*, di-  
lecto & fideli suo *Johanni Wogan* Justiciario suo *Hibernia* salutem. Quia qui-  
buldam certis de causis certiorari volumus super Recordo & Processu loquelæ quæ  
fuit coram vobis tempore Domini *E.* quondam Regis *Anglia* patris nostri inter ip-  
sum Patrem nostrum, & *Nicolaum* tunc Episcopum de *Down*, per Breve ejusdem  
Patris nostri de *Quo Warranto*, idem Episcopus clamavit habere in Maneriis & ter-  
ris suis in *Ulton*. omnia Placita Coronæ exceptis quatuor Placitis; videlicet de *The-*  
*sauro invento*, *Raptu*, *Combustione* & *Hamsokene*; Vobis mandamus, quod si Judici-  
um inde redditum sit, tunc Recordum & Processum loquelæ prædictæ, cum omnibus  
ea tangentibus nobis sub sigillo vestro distinctè & aperte sine dilatione mittatis, &  
hoc Breve. Teste meipso apud *Cantuar*. 4. die *Januarii*, Anno Regni nostri pri-  
mo.

Hibern. An.  
25 E. 1. Bre-  
via Regis in  
Turre Lon-  
don, Anno  
1 E. 1

Dors. Liberat. fuit Justic. *Hibern*. apud *Dublin*. 12 die Febr. anno ut infra.

Com. Placita apud *Dublin*. coram *Johanne Wogan* Justic. *Hibern*. a die *Pasche* in  
15 dies Anno Regni Regis *Edwardi* vicesimo quinto.

*Dublin*. ff. **E**piscopus *Down*. præsens allocutus super eo, quod ipse simul cum Ar-  
chiepiscopo *Ardmaccano* quasdam Ordinationes seu Provisiones  
constituerunt in *Dioc.* suis; in quibus implicite continetur, quod Clerici in *Ang-*  
*lia* oriundi non reciperentur in *Monasteriis* infra eorum *Dioc.* &c. in præjudicium  
Coronæ *D. Regis*, &c. Episcopus venit, et deadvocat hujusmodi Constitutiones, &c.  
Et bene concedit, quod Abbas de *Saballo* & ejus Conventus & omnes alii Abbates;  
Priores & Conventus sua *Dioc.* possint recipere Clericos in *Anglia* oriundos, quos reci-  
pere voluerint suo periculo, salva sui visitatione sua consueta, &c. Et mancepit hic,  
quod



*An. 25 E. 1.* quod statim prefatas Constitutiones, & quæ fuerint, et mandata quæ extierant, per se et suos de huiusmodi Constitutionibus omnino rebocabit, &c.

*Item* Episcopus allocutus super eo, quod ipse appropriet sibi Placita Coronæ Domini Regis, et capit redemptionem de felonibus pro morte hominis Anglici & alius Felonis, &c. venit; Et dicit, quod ipse placitat omnia Placita Coronæ præterquam quatuor Placita, excepta in Lagen, &c. et invenit Ecclesiam suam seistam, &c. Et omnes Prædecessores sui Episcopi Dun. huiusmodi Placita tenere et habere consueverunt. Et hoc offert verificare, sicut Curia consideraverit. Clamat etiam habere redemptionem de Feloniis pro morte hominis Anglici & alius Felonis de quibus ipse cognitionem habere potest. Et dicit, quod ipse et omnes Prædecessores sui, a tempore quo non existat memoria huiusmodi redemptionem capere consueverunt. Et hoc offert verificare, &c. Et quaestus, quis Prædecessorum suorum cepit huiusmodi Redemptionem, & à quo? Dicit, quod quidam Ranulphus quondam Episcopus Dun. tertius Prædecessor suus cepit Redemptionem de quodam Thoma Balyagh & de Johanne Balyagh, pro morte Roberti Tyrel, &c. Et quaestus, si huiusmodi redemptio unquam fuit in Curia Domini Regis sibi aut alicui prædecessorum suorum allocata? vel etiam si pax quam concesserunt feloni fuit in Curia Domini Regis acceptata? ad hoc nichil dicit, nec potest ostendere: sed dicit, quod ipse fuit allocutus coram Iusticiariis, in itinere, Quo War. clam. habere Placita de Corona, &c. Et allegavit, quod à tempore quo non existat memoria: et hoc idem verificatum fuit ibidem per veredictum Patria, &c. Et super hoc venit Elyas de Berkeley una cum Johanne de Ponte, qui sequitur pro Domino Rege; Et dicit, quod tempore Roberti de Ufford quondam Capitalis Iusticiarii hic, fuit ipse Elias constitutus Coronator & Custos Placitorum Corona in Crocis Ulton, & ipse tunc fecit Inquisitiones & Visum de inierfectis, & illa presentavit Nicholao Tass tunc Iustic. &c. et hunc statum habuit Dominus Rex ibi per sex annos, quousque Nicholaus de Clere tunc Theol. &c. ipsum ammovit, & postea prædictus Episcopus, & etiam Prior Domus Sancti Patricii de Dun. occupaverunt huiusmodi placita Coronæ, et capiunt Redemptiones, &c. Et quod ita est parati sunt verificare pro Domino Rege, sicut Curia consideraverit.

Et Episcopus dicit, quod ipse et omnes prædecessores sui Episcopi Dun. a tempore quo non extat memoria semper consueverunt habere huiusmodi Placita et capere Redemptionem, sicut prædictum est; Et hoc paratus est verificare, &c. Et quaestus est à prædicto Episcopo, si habeat Coronatorem? Dicit, quod non; sed Seneschallus (nisi inquirat et facit vis. &c. Et quaestus, si Sen. (nisi sit iuratus Domino Regi? Dicit, quod non. Postea prædictus Episcopus pro se & successoribus suis remisit et quietum clam. Domino Regi et Heredibus suis omnia Placita Coronæ in Crocis sua imperpetuum. Et postea, &c. transgressio quam fecit Domino Regi de Placitis huiusmodi tenend. sine War. de gratia Curie eidem perdonatur. Et quoad Redemptiones capiendas de Felonibus, &c. pro Feloniis, &c. quia prædictus Episcopus docere non potest, quod pardonatio facta paci de felonis unquam fuit ipsi Episcopo vel alicui prædecessorum suorum, vel alicui Feloni in Curia Domini Regis allocata, &c. prædictus Episcopus abjudicatur de huiusmodi Redemptionibus capiendis imperpetuum. Et sit in misericordia qui falso clam. &c. Et misericordia pardon. per ipsum Iustic. &c.

In the Bundles of Writs Anno 25 E. 1. I found in the *White Tower Chappel*, there are no lesse than 16. Original Writs and Attachments with their returns indorsed, against Bishops Officials, Clerks, and others at the Kings, and parties suits, for holding and prosecuting pleas in Court Christian for Chattels and Debts not of Testament or Matrimony, and Trespasses belonging only to the King and his Courts, against his Prohibitions, to the hurt of his Crown, Dignity, and Contempt of his Writs, Courts, and Regal Authority, in this very year, when they were all put out of the Parliament, and Kings protection, for procuring and obeying Pope Boniface his antimonarchical Bull, and denying aydes to the King for his and the kingdomes defence; a Breviat whereof I shall here insert.

Brevia Regis  
An. 25 E. 1.  
in Turre Lon-  
don.

**E**dwardus Dei gratia Rex Angliz, &c. Vic. Stafford, &c. Ponit per vadum, &c. Rogerum de Horneby Vicarium Ecclesie de Alstanefeld, quod sit coram Iusticiariis nostris apud Westm. à die S. Michaelis in 15 dies, ostensurus, quanti, cum placito

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cita de catallis et debitis in regno nostro, quæ non sunt de Testamento vel Patrimonio, ad Coronam et dignitatem nostram et non ad alium pertineant in eodem regno, idem Rogerus secutus est placitum in Curia Christianitatis de catallis et debitis Abbatis de Cumbermare, quæ non sunt de Testamento vel Patrimonio, in lesionem Coronæ et dignitatis nostræ, et contra prohibitionem nostram. Et habetis ibi nomina plegiorum, & hoc breve. Teste meipso apud Cantuar. 6 die Junii, anno regni nostri vicefimo quinto. An. 25 E. 1.

**E**dwardus, &c. Vicecomiti Northt. Pone, &c. Nicholaum Personam Ecclesiæ de Whytechurch, quod sit apud Westm. à die Sancti Michaelis in 15. dies, ostendimus quare, &c. tenuit placitum, &c. de catallis et debitis Johannis Asfordeby persona Ecclesiæ de Castre, &c. quæ non sunt, &c. Et quod Magister Johannes de Haryngton ostendat, quare secutus est idem placitum, &c. Teste Rege apud Westm. 12 die Julii, anno regni nostri 25.

**E**dwardus, &c. Vicecomiti Northt. Pone, &c. Magistrum Henricum personam Ecclesiæ de Ravenesthorp, quod, &c. quare tenuit placitum, &c. de catallis et debitis Richardi de Milton Capellani, &c. quæ non sunt, &c. Et Pone Willielmum le Sumenur de Milton, quare, secutus est idem placitum in eadem Curia. Teste ut supra 12 die Julii. anno regni nostri 25.

**E**dwardus, &c. Vicecomiti Oxon. &c. Pone, &c. Magistrum Nicholaum de Whytecherche, quare secutus est placitum, &c. de catallis et debitis Johannis de Asfordeby, &c. quæ non sunt de Testamento vel Patrimonio, &c. 12 die Julii.

**E**dwardus, &c. Vic. Oxon. Si Thomas de Soway, &c. pone, &c. Radulphum de Mercer, quare secutus est (confinisse) placitum, &c. Teste Edwardo fil. nostro, &c. 18 die Septembr.

**E**dwardus, &c. Vic. Devon. &c. Si Robertus de Hoperewode, &c. pone, &c. Thomam Episcopum Exon. & Magistrum Walterum de Stapledon, quod sint, &c. quare tenuerunt, &c. Et Willielmum de Teyngton Clericum, Jordanum de Brittoflowe Clericum, & Robertum Belechere, quare prosecuti sunt (confinisse) placitum in Curia Christianitatis, de catallis, &c. contra prohibitionem nostram. Teste meipso apud S. Edmundum 24 die Jan.

**E**dwardus, &c. Vic. Leicestr. Si Richardus de Coleshull, &c. Pone Henricum Vicarium Ecclesiæ beate Marie de Castro Leicestræ, quare tenuit, &c. Et Robertum Vicarium Ecclesiæ S. Margaretæ Leicestræ quare secutus est (confinisse) placitum, contra prohibitionem nostram. Teste meipso 19 die Aug.

**E**dwardus, &c. Vic. Hereford. Si Isabella qua fuit uxor Richardi de Harsfeld, &c. Pone, &c. Magistrum Rogerum de Cantuar. quare tenuit placitum in Curia Christianitatis de catallis, &c. quæ non sunt, &c. contra prohibitionem nostram. Et pone, &c. Magistrum William Belechere, Johannem de Pounde, & Rogerum de Gloucestr. quare secuti sunt idem placitum, &c. Teste meipso apud Wymburne, 20. die Marcii.

**E**dwardus, &c. Vic. Lincoln. &c. Pone, &c. Oliverum Episcopum Line. &c. quod ibi habeat Robertum Vicarium Ecclesiæ de Thorp Clericum suum, ad respondend. Simoni fil. Walteri quare, &c. secutus est placitum in Curia Christianitatis, de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram, &c. Teste J. de Metingham apud Westm. 16 die Febr.

**E**dwardus, &c. Vic. Ebor. &c. Pone, &c. Custodem Spiritualitatis Archiepiscopatus Ebor. quod sit, &c. Et ibi habeat Magistrum Robertum de Lacy, Magistrum Robertum de Stanthorp, & Magistrum Robertum de Lara, Clericos suos, ad respondend. nobis de placito, &c. quare tenuerunt placitum in Curia Christianitatis de bonis et catallis Elye de Tressefield, quæ non sunt de Testamento vel Patrimonio; & quare pradiatus Robertus de Lara secutus fuit idem placitum, &c. Et ad ostendendum quare non habuit coram Justic. nostris apud Westm. &c. pradiatos Robertum, et Radulphum Clericos suos sicut ei mandatum fuit, &c. Teste J. de Metingham apud Westm. 29 die Novemb. An. r. n. 25.



An. 25 E. 1.

**E**dwardus, &c. Vic. Ebor. Pone, &c. Magistrum Petrum de Clestr. quare cum placita, &c. idem Petrus tenuit placitum in Curia Christianitatis, &c. de catallis et debitis Willielmi de Celnoſe Capellani, in laſionem Cozonæ et dignitatis noſtræ, &c. contra prohibitionem; & pone, &c. William Bracy Capellanum, quare ſecutus eſt idem placitum. Teſte miſſo, &c. 29 die Januarii. a. r. n. 25.

**E**dwardus, &c. Vic. Ebor. Summon. per bonos ſuum Richardum de Waſland, & Richardum de Brettevill, ad ſequend. verſus Hugonem de Walcote, ſimul cum Johanne de Whyceſtr. & Roberto de Inſula & Cecilia uxor ejus, quare idem Hugo ſecutus eſt placitum, in Curia Christianitatis, &c. de catallis et debitis ipſorum quæ non ſunt de Teſtamento vel Partimonio. Teſte J. de Metingham, 21 die Novemb.

**E**dwardus, &c. Vic. Northumbr. Pone, &c. Agnetem fil. Henrici de parva Rybil, & Julianam ſororem ejus, &c. quare ſecutus ſunt (conſiſſe) placitum, &c. contra prohibitionem noſtram. Teſte J. de Metingham 18 die Febr.

**E**dwardus, &c. Vic. Ebor. &c. Pone, &c. Agnetem fil. Henrici de parva Rybil & Julianam ſororem ejusdem A. &c. ad reſpondend. Adz de Camſrio, Rogero Unchang. & Nicholao, &c. quare ſecuti ſunt (tale) placitum, &c. Teſte J. de Metingham 18. die Febr.

**E**dwardus, &c. Vic. Ebor. &c. Si Simon Broun, & Thomam filium ejus, Petrus le Carver, Thomas le Carver, Sampſon le Bercher, Stephanus Tod, fecerint, &c. Pone, &c. Magistrum Hugonem de Meyngthorp, quod ſit, &c. oſenſum, quare cum placita de Tranſgreſſionibus contra pacem noſtram factis in regno noſtra, ad nos et Cozonam et dignitatem noſtram, et non ad alium pertineant in eodem regno, idem Hugo tenuit placitum in Curia Christianitatis de buſuſmodi Tranſgreſſionibus in Cozonæ et dignitatis noſtræ laſionem, et contra prohibitionem noſtram. Pone etiam, &c. Radulphum Abbatem de Jerovall, &c. quare ſecutus eſt idem placitum in eadem Curia contra prohibitionem noſtram, &c. Teſte Edwardo fil. noſtro apud Weſtm. 17 die Octobris, an. r. n. 25.

**E**dwardus &c. Vic. Bucks, &c. Si Petrus fil. Michaelis, &c. Pone, &c. Magistrum Richardum de Sancta Frideſwida, Magiſtr. Henr. de Inſula, Galfridum Vicarium de Newport, & Robertum Vicarium de Wylcene, &c. oſenſuri, quare cum placita de Tranſgreſſionibus, &c. ad nos et Cozonam et dignitatem noſtram et non ad alium pertineant in eodem regno, idem R. H. G. & R. ſecuti ſunt placitum in Curia Christianitatis ſuper buſuſmodi tranſgreſſionibus, in laſionem Cozonæ et dignitatis noſtræ, et contra prohibitionem noſtram, &c. Teſte miſſo apud Ely, 12 die Febr. anno regni noſtri 25.

Placita, &c.  
An. 25 E. 1. in  
Turre Lond.  
Rot. 30. 61,  
81, &c. 88.  
dorſo.

In the Plea-Rolls of Eaſter Term, Anno 25 E. 1. Magiſter Henricus de Naſſington attach. fuit ad reſpondendum Radolpho de Honylane & Emma de Honylane de placito, quare ipſi ſimul cum Roberto Archiepiſcopo Cantuarien. tenuit placitum in Curia Christianitatis, de catallis et debitis, quæ non ſunt de Teſtamento vel Partimonio contra prohibitionem, &c. Et unde iidem Radolphus & Emma per Attornatum ſuum querantur, quod cum Rogerus de Arderue, Robertus filius Thomæ le Lyndraper, Allicia & Juliana ſorores ejusdem Roberti traxiſſent ipſos Radolphum & Emmam in placitum in Curia Christianitatis, coram præſatis Archiepiſcopo et Magiſtro Henrico, de triginta marcis, quæ non ſunt de Teſtamento vel Partimonio, &c. & ipſi die Mercurii proxima ante Paſch. floridam, anno regni Domini Regis nunc viceſimo quarto, in Ecclia Beate Mariæ de Arcubus London. in præſentia Richardi de Hoſham, Steph. de Hereford poſtceſſent eidem Magiſtro Henrico Regiam prohibitionem, ne prædictum placitum teneret in Curia Christianitatis, &c. Idem Magiſter Henricus ſimul, &c. ſpæta prohibitionem illa, nihilominus tenuit placitum illud in eadem Curia, et ſecit ipſos ſuſpendi ab ingreſſu Eccleſiæ, et poſtea excommunicari, in contemptum Domini Regis, &c. Unde dicunt quod deteriorati ſunt, et dampnum habent ad valentiam 40 marcatum: Et inde producunt ſententiam, &c. Et ſimiliter iidem Richardus et alii idem placitum in eadem Curia Christianitatis ſecuti ſunt verſus eos, quouſque ſententia in ipſos Radolphum et Emmam ad ſententiam ipſorum Rogeri et aliorum promulgata, ipſos excommunicare ſecurrunt. Et poſtea

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postea Breve Regium de ipsis Radulpho et Emma sic Excommunicatis, tanquam claves Ecclesie contemnentibus capiendis; eisdem Vic. porrerit (ut dicitur) in Coronæ et dignitatis Regis lisionem, Curie Regis contemptum, et ipsorum Radulphi et Emma dispendium non modicum et gravamen, prout ex gravi querela ipsorum Radulphi et Emma accepit Dominus Rex. Et quia tanta contemptum et malitia (si commissa fuerunt) transire nolumus impunita; præceptum fuit Vicecomiti Kanc. quod si prædicti Radulphus & Emma, &c. tunc attach. prædictos Archiepiscopum et alios, quod essent hic ad præfatum terminum Sancti Martini, ad respondendum tam nobis quam prædictis Radulpho et Emma de prædictis transgressionibus et contemptu, &c.

An. 25 & 26  
Edw. 1.

Magister Johannes de Harington attachatus fuit ad respondendum Roberto de Rothewell de placito, quare ipse simul cum Radulpho de Rothewell Capellano, Thoma Vicario Ecclesie de Cokewell, et Saero le Personseriamur secutus fuit placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c. Et unde queritur, quod cum idem Magister Johannes coram Magistro Nicholao de Wytchirch, Magistro Waltero de Wetton, & Magistro Henrico de Weingworth, Commissar. Official. Archidiaconi Lincoln. in Curia Christianitatis transisset ipsum in placitum, exigendo ab eo triginta solidos, qui non sunt de Testamento vel Patrimonio: ac idem Robertus die Sabbati proxima post festum Sancte Trinitatis, anno regni Regis nunc vicelesimo tertio apud Northr. in Ecclesia omnium Sanctorum; in præsentia Simonis Scot et Gilberti de Hedon, detulisset ei Regiam prohibitionem, ne placitum illud ulterius in eadem Curia sequeretur. Idem Magister Johannes, spreta Regia prohibitione prædicta, nihilominus in eadem Curia sequebatur placitum illud in tantum, quod idem Robertus suspensus fuit ab ingressu Ecclesie, et postea Excommunicatus, ad sedam ipsius Magistri Johannis. Unde dicit quod deterioratus est, et dampnum habet ad valentiam quadraginta solidorum. Et inde producit sedam, &c.

Placha de An.  
25 E. 1. m. 37.

Nicholaus Trenthesseil per Assorn. suam optulit se 4 die versus Jacobum de Begeham, Magistrum Willielmum de Abyndon, Simonem de Mugham, & Thomam de Drycote, de placito, quare cum placita de Transgressionibus contra pacem Regis factis in regno Regis, ad Regem et coronam, et dignitatem suam, et non ad alium pertineant in eodem regno, prædictus Jacobus tenuit placitum in Curia Christianitatis de huiusmodi transgressionibus in lisionem Coronæ et dignitatis Regis, ad grave dampnum ipsius Nicholai contra prohibitionem. Et ipsi non ven. &c. Præceptum fuit Vic. quod caperet eos, &c. & Vic. nichil inde fecit, sed mandavit, quod non sunt inventi. Ideo ipsi in misericordia. Et præceptum est Vic. quod caperet eos, &c. & salvo custodiat, &c. Ita quod habeat corpora eorum hic in Crastino Animate, &c.

Plac. de Banco  
Tr. 25 E. 1.

In the Bundles of Writs in the White Tower, An. 26 E. 1. I met with these ten Original Writs yet extant, for holding and prosecuting suits in Courts Christian, belonging to the Kings Courts: Edwardus, &c. Vic. Ebor. Si Jacobus de Frivill, &c. pone, &c. Magistrum Johan. de Nassington, quod sit coram Justiciariis nostris, &c. ostensurus quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio contra prohibitionem nostram; et Walterum de Norton, quare secutus est idem placitum. Teste meipso apud Sanctum Albanum, 24 die Aprilis, anno Regni nostri 26. Vic. Derby. Si Radulphus Cotirel, &c. pone Johan. Decanum Ecclesie sancti Cedde Lychefeld, Johannem Vicarium Ecclesie de Banquille, & Rogerum Vicarium Ecclesie de Tydeswelle; quare secuti sunt consimile placitum. Teste, &c. 3 die Novemb. Vic. Ebor. Si Vincentius Verdemel & Willielmus frater ejus, &c. pone, &c. Magist. Robertum de Pykerings, Magistr. Willielmum de Wikesdale, & Johannem Pykering: quare tenuerunt. Et Simonem Personam Ecclesie de Quelidrik, Adam Verdevel & Robertum filium ejus, & Walterum de Norton Clericum; quare secuti sunt cons. placitum. T. &c. 12 die Octobr. Vic. Rotel. pone, &c. Henricum Archiepiscopum Ebor. quod habeat, &c. & Magist. Robertum de Caudlesby Clericum suum ad respondend. Willielmo Pykings & Matildæ uxori ejus; quare tenuit consim. placitum contra prohibitionem nostram. Teste J. de Metingham apud Ebor. 16 die Novemb. Venerabili patri O. Linc. Episcopo, quod venire fac, &c. Nicholaum de Wytechurche Clericum vestrum, ad respondend. Willielmo de Ward & Agathæ uxori ejus; quare tenuit consim. placitum contra prohibitionem.

An. 26 E. 1.



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 3. ch. 4.*

*An. 26 E. 1.* prohibitionem nostram. Teste J. de Metingh. apud Ebor. 8 die Novembr. anno Regni nostri 26. Justiciarius nostris de Banco, quod Willielmus Pytings de Retford & Maunda uxor eius, attornaverunt loco suo Richardum de Drayton, in placito inter ipsos & Magistrum Robertum de Caudlesby, &c. quod tenuit tale placitum in Curia Christianitatis contra prohibitionem nostram. T. &c. die Junii, an. Regni nostri 26. Vic. Hereford. &c. Pons Magistrum Rogerum de Cantuar. & Nicholaum Personam Ecclesie de Byford, quod sint, &c. ostensuri, quare cum placita de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio, ad Coronam et dignitatem nostram specialiter pertineant, idem Rogerus et Nicholaus trauerunt placitum in Curia Christianitatis, de Catallis et Debitis Johannis de Cave Personæ Capelle de Hamber, quæ non sunt de Testamento vel Patrimonio, in lesionem Coronæ et dignitatis nostræ, et contra prohibitionem nostram. Et pone, &c. Nicholaum Priorem de Borghnagh, quare secutus est idem placitum. Teste meipso apud Wyghton, 1 die Junii, an. Regni nostri 26. Consimile Breve Vic. Bedeford. &c. versus Richardum de Harecourt & Magistrum Rogerum de Careworth, quare secuti sunt consim. placitum, &c. de Bonis et Catallis; Johan. de sancto Walerico Personæ Ecclesie de Blanham, &c. quæ non sunt, &c. Teste meipso apud Thetford, 24 die Junii, a. R. n. 25.

*Ibidem.*

**E**dwardus, &c. Vic. Rosland. salutem. Si Hugo Hemsek de Ketin, fecerit te secum, &c. pone, &c. Rogerum de Rouill Personam Ecclesie de Martinsthorp, quod sit, &c. ostensur. cum placita de transgressionibus contra pacem nostram factis in Regno nostro, ad nos, et coronam et dignitatem nostram specialiter pertineant, &c. idem Rogerus secutus est placitum in Curia Christianitatis de hujusmodi transgressionibus, in lesionem Coronæ et dignitatis nostræ, et contra prohibitionem nostram, &c. Teste meipso apud Westm. 18 die Februarii, Anno Regni nostri 25.

In the Clause-Roll of this year there is this Prohibition likewise entred, directed to the Archbishop of *Canterburie's* Official.

*Clauſ. 26 E. 1. m. 13. Prohibitione ne placitum teneatur in Curia Christianitatis.*

**R**EX Officiali Archiepiscopi Cantuariæ & ejus Commissarij salutem. Cum Nicholaus Cole Capellanus nuper implacitaverit Magistrum Johannem Wale Personam Ecclesie Wodele coram vobis in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio: ac pro eo quod cognitio placitorum hujusmodi ad nos, et Coronam et dignitatem nostram et non ad alium pertinent in Regno nostro, vobis per Breve nostrum prohibuerimus ne placitum illud in Curia Christianitatis teneretis, vos asserentes Breve nostrum prædictum de assensu ipsius Johannis fuisse impetratum, ipsam Johannem, ea occasione trahitis in placitis copam vobis in Curia Christianitatis, sicut ex relatu plurium accepimus. Et quia nobis manifeste præjudicaretur, si quis super his quæ in Curia nostra pro jure ipso labando recte impetrata, et iudiciis Ecclesiasticis, ne quisquam in nostri præjudicium in Curia Christianitatis attemptent potestatem fuerint, traheretur in placitum in Curia Christianitatis, vobis prohibemus, ne placitum illud teneatis in Curia Christianitatis. Teste Edwardo filio Regis apud Fulham, 26 die Februarii.

*aMat. Westm. P. 421.*

King Edward returning into England out of Flanders, Anno 1298. Dominica secunda Quadagesima citatis Magnatibus apud Westmonaster. petierunt Comites, Barones et Prelati, ut Magnam Chartam de Libertatibus et illam de Foresta, una cum deforestatione jam facta ratificaret, et pro rato et grato haberet; (they always distrusting his future, by reason of his former violations of them, and thinking them never too frequently ratified.) Qui confirmatis duobus primis prædictis Chartis, super deforestationis roboranda obtinuit autem, elongavit se discedens ab eis, tanquam se fugiens longius ire. Ipsi autem sese asstantes quasi derelictos contempti, ad loca propria cum indignatione maxima redierunt.

*bMat. Westm. An. 1299. p. 413. Walsingham Histor. Angl. Anno 1300. p. 43. 44. Henr. de Knyghton de Even. Angl. l. 3. c. 9. col. 2493. c. 12. col. 2527, 2528.*

Soon after, Anno 1299. Margareta soror Philippi Regis Francorum, (who by the premised Articles of Peace between England and France made by Pope Boniface, was to be married to King Edward) applicuit apud Doveriam in festo Nativitatis beatae Mariz, quam post biduum Rex Angliæ, auctoritate Summi Pontificis, apud Cantuariam sibi matrimonialiter copulavit: Which Walsingham thus relates; Rex Angliæ

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Angliz sperans se per matrimonium inter ipsum & sororem Regis Francie contrahendum, *An. 26 E. 1.*  
pace diuturna gratulari, ac si foret iam omnia iura sua ultramarina, cum nova nupta  
sorore Regis Francie dimidia consecuturus, interno gaudio astuabat, discessitque in  
Cantiam cum Optimatibus suis, adveniens ibidem Domina praeferaturus. In nullo  
tamen, ut probavit ex post rei exitu, per hoc matrimonium promovit regnum suum.  
Post paucos dies redierunt Legati Regis Angliz, adducentes sororem Regis Francie  
nomine Margaretam, quam conduxit Dux Burgundie, cum non modica multitudine  
Gallicorum, &c. Igitur die 4. post Nativitatem Virginis gloriosa, agente Cantuariensi  
Pontifice, in Ecclesia metropolitana Angliz inter Regem & Margaretam predictam  
solemnitas matrimonii celebratur.

<sup>d</sup> Sub hoc etiam anno, Fratres qui dicuntur Spinoces, seu quod latius publica-  
tur, & nequius comprobatur, totius Ecclesie exploratores, ad illicita legis suae alij-  
rantes, obtulerunt Summo Pontifici quatuoraginta millia de florentis aureis, et  
pecuniam multam milibus, pro tertiis, praedictis, redditibusque licite obtinendis.  
Quibus Dominus Papa; Ubi est (inquit) illa vestra pecunia? Et illi dixerunt,  
In manibus Mercatorum. Et datis Fratribus induciis trium dierum responsionis  
habenda, absolutis Mercatoribus à depositi custodia, praecepit Dominus Papa  
sub interminatione anathematis pecuniam ipsam ejus necessitatibus custodiri.  
Responditque Fratribus, Regulam Sancti Francisci canonizatum, se nolle sensu  
aliquo violare, nec fratres ab eo aliquando declinare, sed secundum eam de-  
gere semper debere. Signis factum est, quod iniustus adquisierunt, aequissime  
dimiserunt. A memorable Papal pious fraud and plunder.

This year, obiit Dominus Henricus de Newerk Archiepiscopus Ebor. & Domi-  
nus Oliverius Praefatus Lincolniz, vir probata vita, die Sancti Beati, spiritum inter verba  
orationis efflavit. *cMx. Wehm. p. 415.*

King Edward marching this year against the perfidious and rebellious Scots as  
far as Berwick with his Army, out of his Ecclesiastical Sovereignty and piety, sent  
this Letter and Mandate from thence to the Archbishop, for Prayers to be made for  
him, and his Armies good successe, throughout his Province. *Quia magnificavit*  
Dominus misericordiam suam facere nobiscum, dignum est, O Pater, ut innumeris bene-  
ficiis suis dignis respondeamus operibus; Neque enim in gladio nostro possidemus  
terram, & brachium nostrum non salvavit nos, sed dextera ejus, & brachium Sanctum  
ejus; quam complacuit ille in nobis, ut huc usque conservavit nos, & inimicos nostras  
compescuit. Justum proinde est, ut qui omnia subiecit pedibus nostris, subiciamus  
illi et nos antimas nostras, et ut hi quos nobis subdidit, ejus subeantur legibus. Non  
enim legitime elaborare debemus punire sacrilegos, rebelles comprimere, eripere pau-  
perem de manu fortiorum ejus: sed & nostra sollicitudinis est, pacem firmam in regno nostro  
consolidare, & inimicos nostros expugnare. Quapropter orate pro me et regno nostro,  
populo quoque nostro, ut iter atque actus nostros dirigat Altissimus, ut sit ad lau-  
dem nominis sui, et regni nostri promotionem. *Widulgata hae Epistola per*  
*cleras omnis populus sponte et cum gaudio, pro Rege fecit orationes.* *f Tho. Wal-  
singham, Hist.  
Angl. p. 45.  
See Here, p.  
745, 746.*

The King upon complaint of the Bishop of *Lincoln* of a Lay force kept in the  
Church of *Ishale*, whereby he was disturbed to execute his Episcopal office, issued a  
Writ to the Sheriff to remove it; who thereupon removed the Clerks of the Arch-  
deacon of *Oxford* serving in it; upon which the King at their request issued this Writ  
to restore them, and to remove a new Lay force they kept therein after their resti-  
tution.

**R**EX Vicecomiti Oxon. salutem. Licet ad requisitionem venerabilis Patris O.  
*Lincolniensis* Episcopi tibi per breve nostrum nuper praeceperimus, quod om-  
nem vim laicam quae se tenuit in Ecclesia de *Ishale*, ad perturbandum ipsum Episco-  
pum, quo minus ipse officium suum spirituale exercere potuisset, sine dilatione fac-  
tes amoveri, Ac tu tenorem brevis ejusdem excedens, Clericos *Amadei de Sa-*  
*bandia* consanguinei nostri Archidiaconum Oxon. in eadem Ecclesia deservientes, autho-  
ritate brevis ejusdem, ab eadem Ecclesia, hoc accepimus, ceteris anteveri; per  
quod aliis tibi praecipimus, quod si ita esset tunc eisdem Clericos dictae Ecclesiae de-  
servientes quos praetextu ejusdem mandati amoveri fecisti ab eadem sine dilatione  
ad statum pristinum reponeres, & omnem vim laicam ab eadem Ecclesiae indilate sa-  
ceres amoveri. Tibi nichilominus praecipimus, quod totam vim Laicam quae se tenet  
in

*Claus. 26 E. 1.  
Cedul. m. 12.  
dorso.*



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

*An. 26 E. 1.* in eadem Ecclesia, ad perturbandum ipsum Episcopum quo minus officium suum spirituale in ipsa Ecclesia exercere valeat, et non aliam, ab ipsa Ecclesia amoveri facias sine mora, secundum tenorem primi brevis nostri quod in hac parte recepisti. Teste Rege apud Sanctum Albanum, 25. die Aprilis.

The Bishop of Exeter endeavouring to divide the Church of *Axminster* in his Diocese, belonging to two Prebendaries in the Cathedral of *Torky*, judicially recovered by the Prebends in the Kings Court and to sever it from the Prebendaries, to the prejudice of the Kings Crown, dignity, and disinherison; the King thereupon issued this Prohibition to him, not to attempt any thing, or to proceed therein.

Class. 16. E. 1.  
m. 10. dorso. 1  
Pro Magistro  
Johanne de  
Crancumb &  
Willielmo de  
Hamelton.

**R**EX, &c. venerabili in Christo patri T. eadem gratia Episcopo Exor. salutem. Licet dilecti Clerici nostri Magister *Johannes de Crancumb* & *Willielmus de Hamelton* Canonici Ecclesie *Eborum*, & Præbendarii de *Grendale* & de *Wartbill* Ecclesiam de *Axminster* vestra Diocesis cum suis pertinentiis in Curia nostra dudum recuperaverint tanquam prædictis præbendis suis annexam, & ipsam cum dictis pertin. ut membrum earundem Præbendarum suarum integraliter teneant pacifice & quiete; vos, sicut datum est nobis inteligi, de prædicta Ecclesia nitimini facere sectionem, et eam a Juribus et libertatibus quibus gaudent præfata præbenda dividere, statumque ipsius mutare. Quod si fieret, in nostri præjudicium et exheredationem cederet manifeste. Nos igitur hujusmodi dispendiis obviare volentes, vobis mandamus firmiter inhibentes, ne aliquid in hac parte, quod in emendationem Juris nostri Regii, et diminutionem dignitatis et Coronæ nostræ cedere valeat attemptantes, seu facientes aliquammodo attemptari, ad præmissa procedere, seu quicquam nobis statuere super illis aut etiam ordinare nullatenus præsumatis, ne si aliter attemptetur remedium aliquod quod conveniens fuerit super hoc apponere compellamur. Teste, &c.

Hereupon the Archdeacon of *Exon* (most likely by the Bishops encouragement and direction) upon false surmises excommunicated *John de Crancumb* and *William de Hamelton* to whose Prebendaries the Church of *Axminster* was annexed, who had received it in the Kings Court, and interdicted the Church and their prebendaries, whiles they were employed by the King in his service, to his and their notable prejudice, dishonor, grievance and contempt: whereof the King being deeply sensible, issued this memorable Writ to the Sheriff of *Devon*, to summon the Archdeacon to appear before him to answer this high contempt and injury both to himself and his Clerkes.

Class. 16 E. 1.  
m. 7. dorso.  
De ponendo  
Magistrum de  
S. Laurentio  
per vad. &  
salvos plegios.

**R**EX Vicecomiti *Devon*, salutem. Ex fidedignorum relatu didicimus, quod licet dilecti & secretarii Clerici nostri Magister *Johannes de Crancumb* & *Willielmus de Hamelton* Ecclesiam de *Axminster*, cum suis pertin. præbendis quas habent in Ecclesia *Eborum* annexam, quam ut membrum earundem Præbendarum recuperaverunt in Curia nostra hucusque tenuerint pacifice et quiete, Magister tamen *Bartholomæus de Sancto Laurentio* Archidiaconus *Exon*, ratione ipsius Ecclesie aduersus eos occasionem querens pro libito, et consingens, et personarum et temporis qualitatem non pensans, nec ad statum honoris Regii animum habens ventibulum, in eisdem Clericos nostros nostris insistentes obsequiis, et circa ea assidue intendentes, excommunicationis sententiam auctoritate propria non sine gravi injuria promulgavit: et ut eadem injuria posset gravior reputari, dictam sententiam publicari, et eos excommunicatos publice nunciari, ac prædictam Ecclesiam et præfatis eorum Præbendis, sicut præmittitur dependentem, Ecclesiastico supposuit interdicto, in ipsorum Clericorum nostrorum non modicum præjudicium et gravamen, et nostram offensam \*notabiliter et contemptum, quod tanto molestius ferimus quanto maiorem in nostris ex talibus processibus offensam incurrimus, quantoque specius ipsorum injuria nos contingunt. Cum igitur non sit verisimile nec credamus illam culpam ex parte ipsorum processisse, cujus prætextu contra eos talia debuerat attemptasse, nec tollerare nos convenit tantum excessum tantumque eorumdem Clericorum nostrorum opprobrium cuius fieri nequibimus expertes. Tibi præcipimus, quod ponas per badium et salvos plegios præfatum Bartholomæum quod sit coram

\* notabilem.

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coram nobis a die sancti Michaelis in 25. dies, ubicunque tunc fuerimus in Anglia, An. 26 E. 1. ad respondendum nobis de memoratis excessibus, gravaminibus, et injuriis sic p[re]fatis Clericis nostris per ipsum illatis, et etiam de contemptu. Et habeas ibi nomina plegiorum et hoc breve. Teste Rege apud Lowder 10. die Julii.

The Archbishop of York (like the Bishop of Exeter) dividing the prebendary of Massam into 3. parts, without the Kings consent, Pope Nicholas the 4th. conferring it by his provision on John de Columpna, a Roman Cardinals Nephew, which was afterwards confirmed by Pope Boniface the 8. being in the Kings donation, during the vacancy of the Archbishoprick, to the prejudice of the rights of his Crown and royal prerogative, he having conferred it intirely on John de Drokensford his Chaplain, whom the Pope and his Delegates endeavoured to deprive and eject after two years possession, at the suit of the provisor, the King thereupon issued this memorable Prohibition to the Popes delegates, prohibiting them to proceed or attempt any thing therein without his advise.

**R**EX Archiepiscopo Taron. seu ejus Commissario cuicunque salutem. Cum nuper vacante Eborum Ecclesia per mortem bonæ memoriæ 7. quondam Archiepiscopi ejusdem Ecclesiæ, & in manu nostra existente, Præbendam de Massam quam dudum Hugo de Clare defunctus, in ipsa Ecclesia obtinebat, quamque post obitum ipsius per dictum Archiepiscopum dum vixit, in tres portiones divisam nostro irrequisito assensu invenimus, dilecto Clerico nostro Johanni de Drokensford integraliter, cum suis Juribus et pertinentiis uniberis contulimus, juxta quod ad nos pleno jure spectabat ipsumque in corporalem possessionem, ipsius Præbendæ per Capitulum dictæ Ecclesiæ induci fecimus, ut est moris. Cum itaque prædictus Clericus noster sic in dictæ Præbendæ possessione inductus gavisus sit ipsa pacifice & quietè jam per duos annos continuos præcedentes Johannes de Columpna natus Landulphi de Columpna, suggerens subsequenter sanctissimo Patri in Christo Domino B. Papæ octavo præfatam præbendam sibi debitam et vacantem ex provisione felicis recordationis Domini N. Papæ 4. tacito de jure Regis vel veri suppressione ab ipso Domino B. ad hos et quosdam alios Collegas vestros litteras Apostolicas, sicut dicitur, impetravit, ut ipsum vel ejus Procuratorem in possessionem memoratæ Præbendæ, per vos vel alium aut alios inducat et defendatis inductum; Quod si præcederet, in enervationem Juris nostri Regis et exheredationem nostram cederet manifeste. Nos igitur diminutionem Coronæ et dignitatis nostræ Regis non valentes, sicut nec debemus, æquanimiter tolerare: Vobis mandamus firmiter inhibentes, ne quicquam quod in exheredationem nostram, seu præjudicium Juris Regis cedere valeat in hac parte aliquatenus attemptatis, seu faciatis aliquatenus attemptari, et ad executionem hujusmodi negotii nobis inconsultis, per vos vel per alium aut alias nullatenus procedatis, ne si secus feceritis, aliud circa hoc remedium nos oporteat addidere. Teste Rege apud Beverlacum 3. die Junii.

Clauſ. 26 E. 1.  
m. 41. dorſo.  
Inhibicio Ra-  
gis, seu quid  
atemptetur de  
Præbenda de  
Massam.

The King to prevent like Papal provisions of Prebendaries or Benefices in his gift, granted the next Prebendaries or benefices in his donation that should fall void in England or Ireland, of the value of 100 Marks by the year or more, to two of his own Chaplains, who were first to be preferred before all others, by virtue of this Memorial entered on record.

**F**Ait a remembrer, qe le Lundy le tierz jour de Novembre, le Roy granta a D[omi]n[us] rme en le an de son Regne viat et sime, qe Mestre Johan Lovel averoit de son don, la premiere probende de la value de Cent, ou de ses bnt Pars pes an, ou de plus, jeh a quatre bintz ou cent Pars qe voidra en Angleterre ou en Irlande de la doneison le Key, apres ce qe sir Johan de Cendale seit purveu le une Eglise ou de de- sire probende de cent Pars par mi le grant qe le Roy ly aboit abant fet. Coman- da le Roy qe ceste remembrance seit registre en la Garderobe, e qe ceste loen grant seit tenu e garde, e qe nule tele probende seit donk de par ly pur prier ne per p[ro]cure- ment de nuly, tant qe le vaudit mestre Johan seit purveu de un probende en la ma- nere desus dite.

Clauſ. 26 E. 1.  
m. 41. dorſo.

Per ipsum Regem coram Consilio.

The



*An. 26 E. 1.* The King presenting *Robert de Leyset* his Clerk, to the Church of *St. Peter le Port* in the Isle of *Gernesey* by reason of the Temporalities of a Monastery in his hands, the Bishop of *Constance* refused to admit his Clerk, upon a pretence it was devolved to him by Lapse after 6. Moneths vacancy; when as by his Royal prerogative no Lapse at all incurred against him or the Clerks presented by him: whereupon the King to maintain his prerogative, sent this memorable Writ to him, not to collate to that Church at this time, and to admit his Clerk thereto upon the former presentation, notwithstanding this pretext, under pain of forfeiting all he had within his Dominions.

Claus. 26 E. 1.  
m. 3. dorso.  
Pro Magistro  
Roberto de  
Leyset

\* See here, p.  
331. & Tom.  
p. 481, 482.  
363. Pat. 27  
E. 3. pars 1. m.  
18. Bracton.  
l. 5. c. 5. fol.  
7. Coakes &  
Instit. p. 361.

**R**EX Venerabili in Christo Patri Episcopo *Constantien.* salutem. Dilecto Clerico nostro Magistro *Roberto de Leyset*, accepimus nunciente, quod licet ipsum ad Ecclesiam sancti *Petri de Portu* in Insula de *Gernesey* vacantem & ad nostram donationem, ratione terrarum & tenementorum Abbatis *Majoris Monasterii* existentium, in manu nostra spectantem. Vobis nuper presentaverimus jure nostro, vos tamen eundem Clericum nostrum ad dictam Ecclesiam taliter presentatum admittere recusantes, collationem ipsius asseritis, ad vos fore per lapsum temporis devolutam. Cum itaque nobis in talibus tempus non currat, nec nostris etiam presentatis jura prerogativa nostra dignitatis, cuius jura manutene, et pro posse facere serbari illa volumus ut tenemur, vobis sub satisfactura eorum quae sub nostro habetis dominio inhibemus, ne quisquam quod in nostri praesentium cedere valeat in hac parte aliquammodo attemptantes, praesentem Ecclesiam propter lapsum temporis ista vice conferre nullatenus presumatis, sed potius antedictum presentatum nostrum ad ipsum nunc saltem absque ulterius difficultatis dispendio admittatis. Iuxta praeparum nostrarum continentiam litterarum vobis super hoc specialiter directarum. Dat. apud *Gedworth* 22. die *Octobris*.

Per Consil. nunc. *J. de Cadome.*

The King presenting his Clerk to the Church of *Wymbeldon*, by reason of the Temporalities of the Archbishoprick of *Canterbury* then in his hands, and his Clerk not then admitted to it, because the Church was litigious, it being at last declared to be voyd in Court Christian; the King above 3. years after, to preserve the rights of his Crown (against which no lapse incurred by the Churches litigiousness) sent this Writ to the Archbishop of *Canterbury* to admit and institute his Clerk thereto upon his first presentation, which he now renewed by his Writ of Privy Seal.

Patent 26 E. 1.  
m. 12. intus.  
De presentatione pro  
Waltero Reginaldi.

**R**EX Venerabili in Christo Patri *R. eadem gratia Archiepiscopo Cantuar.* totius *Angliae* Primati, salutem. Cum nos dudum dilectum Clericum nostrum *Walterum Reginaldi* ad Ecclesiam de *Wymbeldon* vacantem, & ad nostram donationem ratione Archiepiscopatus *Cantuar.* vacantis, & in manu nostra existentis, spectantem presentassemus. Ac ex eo, quod litigiosa tunc temporis apparebat, presentatio nostra debitum sortita non fuisset effectum. Et nunc demum in Curia Christianitatis Ecclesiam ipsam tempore dicti presentationis nostrae dicto Clerico nostro factae, vacasse et adhuc etiam vacare sufficienter, sicut accepimus, pronunciatum existat: Volentes jus nostrum Regium in hac parte aliquammodo deperire, neque praesentatum Clericum nostrum commodo ejusdem presentationis nostrae carere, ipsam praesentationem in personam ipsius Clerici nostri duximus innovandam, & ipsum ex habundanti ad praedictam Ecclesiam de *Wymbeldon*, ratione Juris nobis prius quaesiti, Paternitati vestrae charitatis intuitu praesentamus: Rogantes quatenus memoratum Clericum nostrum ad praedictam Ecclesiam sine difficultate qualibet admittatis, & personam instituat in eadem. In cujus, &c. Teste Rege apud *Dunelmum* 16 die *Junii*.

Per breve de Privato Sigillo.

The Bishoprick of *Ely* becoming voyd by the death of *William Luda*, the Chapter obtaining a License from the King to elect a new Bishop, were divided in their choice: the minor part elected *John* their Prior, but the better part *John de Lange-ton* the Kings Chancellor; the King to prefer his Chancellor, refused to give his royal assent to the Priors election, for some defects in the form of their Certificate thereof, and because their Common Seal was not affixed to it, though first rendered

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trendred to him by the majority of the Covent, and confirmed the election of his Chancellor by the minority, whose certificate was more formal, though it wanted their common Seal, as this Writ to the Archbishop to do his duty therein, attests.

**R**EX venerabili in Christo patri R. eadem gratia *CANINAR.* Archiepiscopo, totius Angliæ Primati, salutem. Licet ex parte quorundam Monachorum Capituli Ecclesiæ *Eliensis*, & etiam per eorum literas fuisset nuperimè, ut Electioni licet decebatur factæ per ipsos de fratre *Johanne* Priore suo in Ecclesiâ ipsius Episcopum nostrum præberemus assensum; nos tamen pro eo quod dictæ literæ fuerant defectuæ, et sub indebita forma conceptæ, necnon, et quia non erant sigillo communi dicti Capituli roboratæ, non potuimus, sicut nec debuimus, illa vice Electioni hujusmodi assentire; verum cum subsequenter ex parte quorundam aliorum Monachorum dicti Capituli, qui se minorem partem ejusdem Capituli asserbant, & per literas eorundem similiter rogati essemus, quatinus Electioni de venerabili viro, *Johanne de Laugeton* Canc. nostro, in dicti loci Episcopum celebratæ curarem assensum Regium impartiri; ac ipsæ literæ per quas eramus taliter requisiti, sub debita forma et apta confectæ fuerunt; ita quod nullus in eis inveniebatur defectus, cuius præteritum eidem Electioni nostrum denegare deberemus assensum, nisi fortan ex eo quod non erant sigillo communi præfati Capituli communitæ, (*the grand defect in the Priors certificate*) quod sicut accepimus, prædictarum partium dissensione impedimentum præstante ad hoc non potuit obtineri. Nos attenta consideratione penitantes, præfatum Cancellarium nostrum fore regimini Ecclesiæ memoratæ idoneum, ac nobis et Regno nostro semper fuisse et adhuc esse multipliciter utilem et fidelem, Electioni de ipso in prælibatæ Ecclesiæ *Eliensis* Antistitem celebratæ præbuimus nostrum assensum Regium et favorem; et hoc vobis tenore præsentium significamus, ut quod vestrum est exequamini ulterius in hac parte. In cuius, &c. Teste Rege apud *Lisbon Temple*, 19 die Julii. Of which more in the next year.

Clauſ. 16 E. 1.  
m. 10. inus.  
De assensu adhibito Electioni factæ de *Johanne de Laugeton* Cancellar. Regis.

The Abbots of the *Cistercian* and *Premonstratensian* Orders in foreign parts, at their general Chapters, imposing Subsidies, aydes and contributions on those Monasteries and Monks of their Order in *England* then under them, and causing much money, wools, merchandises to be transported to them without the Kings assent or license, under that pretence, to the great impoverishment, oppression of his subjects, against his prerogative, and the Lawes of the Realm, the King thereupon issued these memorable Writs to all the Sheriffs of *England* to inquire of these abuses, and return the Inquisitions to him, that so he might punish those who were guilty of them.

**R**EX Vic. Devot. salutem. Præcepimus tibi, quod per sacramentum proborum & legalium hominum de Balliva tua, per quos rei veritas melius sciri poterit, diligenter inquiras, qui Abbates, Monachi aut Fratres *Cistercienses*, *Clarevalensis* et *Premonstratensis* Ordinum de Balliva tua, apportum seu pecuniam aliquam in subsidium Abbatum Ordinum prædictorum, seu sub colore subsidii eisdem Abbatibus vel suis ministris faciendi apud *Cistercium*, *Clarevall.* seu *Premonstracem*, ad generale suum Capitulum, seu alias vel alio modo apportarunt vel transmiserunt, seu apportari vel transmitti fecerunt, vel lanas aut alias merchandisas in manibus mercatorum seu aliorum sub quocunque colore posuerunt, ut ad manus prædictorum Abbatum, seu usus Monasteriorum suorum devenirent, vel illi se personaliter transfulerunt: Et quantum apporti et pecuniæ, lanarum et merchandisarum, ad partes illas apportatum fuerit vel transmissum, et per quos, et ex quorum missione, et a quo tempore, et per quos portus, et quæ loca, et de omnibus aliis circumstantiis per quas super præmissis plenius cerciorari poterimus, inquiri facias similiter veritatem. Et inquisitionem inde distincte et aperte factam, nobis sub sigillo tuo et sigillis eorum per quos facta fuerit, sine dilacione mittas et hoc breve. Teste Rege apud *Brade*, 20 die Aug.

Fundela Inquisitionum  
An. 16 E. 1.  
in Turre London. &c.  
Clauſ. 26 E. 1.  
membran. 6.  
dorso. De inquirendo qui Abbates pecuniam aliquam apportarunt seu transmiserunt usque *Cistercium*.

Consimiles literæ diriguntur singulis Vicecomitibus per *Angliam*.

*Per breve de Privato sigillo, de Credencia. Per J de Berewyk.*

The Prioreſs and Nunnes of *Martignaco* alienating ſeveral Manors given them by King *Stephen* in Frankalmoyne for the maintenance of Divine ſervice there, to



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An. 26 E. 1. the Prior of *Farley* and others, the King thereupon issued this Writ to his Escheator, to seise the lands into his hands to his own use.

Claus. 16. E. 1.  
Memb. 2. De  
quibusdam  
maneriis Mo-  
nial. de Marti-  
ginaco capien-  
dis in manum  
Regis.

**R**EX dilecto & fideli suo *Waltero de Gloucestr.* Escaet. suo ultra *Trentam*, salutem. Quia pro certo intelleximus, quod Maneria de *Slaghensford*, *Alntan*, *Bronet*, *Welleby*, *Navenby*, & quædam alix terræ & tenement. quæ bonæ memoriæ *Stephanus*, & alii progenitores nostri quondam Reges *Anglia*, per cartas suas dederant monialibus de *Martiginaco* habend. sibi & successoribus suis monialibus ibidem Deo servituris, in liberam & perpetuam elemosinam, pro cultu Divino ibidem imperpetuum celebrando, per quosdam Priores de *Martiginaco* & moniales ejusdem loci, in manibus Prioris de *Farley* & aliorum diversorum hominum, sine licentia nostra & progenitorum nostrorum prædictorum sicut in defraudacionem elemosinæ hujusmodi in feodum alienata, in nostri præjudicium, et contra voluntatem progenitorum nostrorum et nostram, ac formam feoffamentorum præfatis monialibus inde confectorum; quod nolumus, sicut nec debemus aliquammodo sustinere; vobis mandamus, quod maneria prædicta, et omnes alias terras et tenem. cum pertin. quæ vobis constare poterit prædictis monialibus per præfatos progenitores nostros in liberam et perpetuam elemosinam collata fuisse, et postmodum per prædictos moniales et Priores ejusdem præfato Prioris de *Farley*, aut aliquibus aliis in balliva vestra sic in feodo alienata, sine dilacione capiatis in manum nostram, et ea salvo custodiri faciatis donec aliud inde præceperimus. Ita quod de exitibus inde provenientibus nobis ad Scaccarium nostrum respondere possitis. Teste Rege apud *Cest.* juxta *Dunelm.* 26 die Octobr. Per Consilium.

How the King then disposed of the Venison in the Parks of Bishopricks in his hands, during the vacancy, for his own use and larder, these Writs may inform us.

Claus. 16 E. 1.  
m. 6 Pro Re-  
ge de damis  
capiendis.

**R**EX dilectis & fidelibus suis *Willielmo de Sutton* & *Johanni de Goodesley*, Custodibus Episcopatus *Elian.* sede vacante, salutem. Mandamus vobis, quod in parvis Episcopatus prædicti centum damos in instanti seisona pinguedinis capi, saliri, siccari, et eos salitos et siccatos in doleis poni, et salvo custodiri faciatis, donec aliud a nobis inde habueritis in mandatis. Et cultum quod ad hoc posueritis, vobis in compoto vestro ad Scaccarium nostrum allocari faciemus. Teste Rege apud *Temple Lytton*, 18 die Julii.

Cl. 16 E. 1.  
m. 4. De ve-  
nacione usque  
Ebor. cari-  
anda.

**M**Andatum est *Willielmo de Sutton* & *Johanni de Godale* Custod. Episcopatus *Elyens.* sede vacante, quod omnem venacionem quam per ipsos capi mandabit Rex in parvis et hostis Episcopatus prædicti ad opus Regis, sine dilacione quolibet cariari faciant usque *Ebor.* ibidem in lardario Regis liberandam. Et cultum quod ad hoc posuerint cum Rex illud sciverit, illud in compoto suo de exitibus Episcopatus ejusdem ad Scaccarium suum allocari faciet. Teste Rege apud *Staynewegg*, 24 die Septembris. Per ipsum Regem, nuncians W. Cov. & Lich. Episcopo.

How well the carnal Abbot and Convent of Saint *Maries* in *York* loved Venison, appears by this grant of the Tithes of all the Kings Venison in *Yorkshire*, made to them at their request by King *Richard* the first; and their constant claim thereof afterwards, expressed in this Writ.

Cl. 16 E. 1.  
m. 1. Pro Ab-  
bate & Con-  
ventu beate  
Marie Ebor.

**R**EX dilecto & fideli suo *Roberto de Clifford* Justic. forestæ suæ citra *Trentam*. Cum dilecti nobis in Christo Abbas & Conventus beate *Mariæ Ebor.* per cartam celebris memoriæ Domini *R.* quondam Regis *Angliæ* prædecessoris nostri, habere debeant decimam venacionis nostræ capte infra Com. *Ebor.* et ibidem Abbas et Conventus, et prædecessores sui semper hactenus a tempore consecrationis Cartæ prædictæ hujusmodi decimam habere consueverint, sicut dicunt; vobis mandamus, quod eidem Abbati et Conventui decimam venacionis capte, et imposuerunt capiendæ in foresta nostra de *Galtres* in Com. prædicto habere faciatis, prout ipsi eam habere debent, et ipsi et prædecessores sui prædicti eam semper hucusque a tempore prædicto habere consueverunt. Teste Rege apud *Beverlacum* 3 die Junii.

The

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K: Edward, 1.

The Archbishop of *Canterbury* being restored to the Kings favour, and his Temporalities by \* former Writs, the King this year out of his special grace allowed him all the profits he received thereof during his sequestration, towards the satisfaction \* Here p. 721. of the debt he owed the King, by this Writ.

**R**EX Thes. & Baronibus suis de Scaccario, salutem. Cum nuper ob aliquas certas causas temporalia Archiepiscopatus *Canthuar.* capi fecerimus in manum nostram, et eritus aliqui de temporalibus eisdem per ministros nostros tunc ad ipsorum temporal. custodiam deputatos ad opus nostrum sint levati, ut accepimus: Nos venerabili patri R. *Canthuariensi* Archiepiscopo volentes in hac parte gratiam facere specialem, vobis mandamus, quod vocatis coram vobis ad Scaccarium predictum Ministris predictis, & audito compoto eorumdem de tempore quo dicta temporalia sic in manibus nostris erant, prefato Archiepiscopo tantum quantum vobis evidenter constiterit ad opus nostrum levatum fuisse, deductis temporalibus tempore supradicto in debitis quæ nobis debet, ad Scaccarium predictum allocetis. Telle Rege apud Sanctum *Albanum*, 26 die *Aprilis*.

Cl. 26 E. 1. Memb. 10. Pro R. Canthuariensi Archiepiscopo.

What Knights-tees the Bishops of *Hereford* and *Worcester* acknowledged they held of the King, what *Eschage* and Knights-service the first of them performed to him in his Wars against the *Welsh*, and what Fines the other made to the King for the same, and by what Certificates of the Marshal, or his Rolls, they were discharged when sued for them in the Exchequer, these Writs will inform us.

**R**EX Thes. & Baronibus suis de Scaccario, salutem. Quia accepimus per inquisitionem quam per Vic. nostrum *Hereford.* nuper fieri fecimus, quod bonæ memoriæ Th. nuper *Hereford.* Episcopus defunctus fecit nobis servitium suum per præceptum nostrum in exercitu nostro *Wallie*, anno Regni nostri decimo, apud *Benet*, pro quinque feodis militum, viz. per *Johannem Tregoz* & *Johannem Danyel* Milites, pro duobus feodis Militum, & *Thomam de la Mare*, *Nicholaum le Seculer*, *Johannem de Hurtsleye*, *Rogerm de Hurtsleye*, *Johannem de Walsford*, & *Robertum de Venur* Armigeros, pro tribus feodis Militum, videlicet, per unumquemque prædictorum tam Militum quam Armigerorum, cum uno equo cooperto, & quod prædicti *Johannes*, *Johannes*, *Nicholaus*, *Johannes*, *Rogerus*, *Johannes*, & *Robertus* servitium prædictum per \* quadraginta dies plenarie continuarunt; quod quidem servitium idem Episcopus in eodem exercitu nobis recognovit, sicut per inspectionem rotulorum *Parascalcie* nostre de eodem exercitu nobis constat; vobis mandamus, quod *Richardum* nunc *Herefordensem* Episcopum de demanda quam ei fieri facitis per summonicionem Scaccarii prædicti, pro scutagio ad opus nostrum de quinque feodis prædictis, de tempore prædicto pacem habere, et ipsum inde quietum esse faciatis. Telle Rege apud *Chenelingham*, primo die *Julii*.

Cl. 26 E. 1. m. 6. Pro Ricardo Hereford. Episcopo. \* See Littleton, sect. 93, 96. Cooks. 1. Instit. ibid. Fitzh. Natura Brev. 83. C. 1. Littleton, sect. 102. Registr. f. 88. Fitzh. Natura Brev. f. 83. F. G. Claus. 33 E. 1. m. 4.

**R**EX Thes. & Baronibus suis de Scaccario, salutem. Quia venerabilis pater *G. Wygornensis* Episcopus finem fecit nobiscum in exercitu nostro *Wallie*, anno regni nostri decimo, pro servicio trium feodorum Militum quod tunc nobis recognovit, sicut per inspectionem rotulorum *Parascalcie* nostre de eodem exercitu nobis constat; vobis mandamus, quod ipsum Episcopum de scutagio quod ab eo exigi facitis per summonicionem Scaccarii nostri prædicti, pro tribus feodis prædictis de exercitu prædicto quietum esse faciatis. Telle, &c. apud *Westm.* 21 die *Februarii*.

Claus. 26 E. 1. m. 15. Pro G. Wygorn. Episcopo. \* See Claus. 7. Johan. Reg. m. 18, 19. Cl. 16 Johan. m. 24. Fines 1. H. 3. d. 2, 11, 12, 15. Cl. 2. H. 3. d. 11. Fines, 3. E. 2. m. 13, 17, 19. Fines, 9. E. 3. m. 9, 19.

These Records, and sundry others of this kind in this and other \* Rolls, will well explain *Littleton* and our other Law Books in this point.

The Parson of the Church of *Preston* complaining by his Petition to the King, that some of the Kings tenants his Parishioners refused to pay their *Tithes of Hay* due to his Church, to his and his Churches prejudice, the King thereupon, by his Ecclesiastical Prerogative, issued this Writ of Privy Seal to his Bailiff to compel them to pay all Tithes due and accustomed to the Church.



An. 26 E. 1.

Bundela Bre-  
vium & Peti-  
tionum in  
Turre Lon-  
don. An. 26 E.  
1.

**A** Nostre Seigneur le Roi, Monstre *William de Bli* Suthdean de *Everwike*, a la quele Suthdeane la Eglise de *Preston* en *Holdernesse* est appartenant; Qe par la ou avant ces heures s'efait la petition a nostre Seigneur le Roy de avoir la Dime seyn des hommes nostre Seigneur le Roi, Parochiens de mesme cele Eglise. Et nostre Seigneur le Roy granta, que les hommes abaundantz donassent lous Dimes deutes a leur Eglise de *Preston* parochiete. Et sus ceo manda ces Eves a *Thomas de Weston* jadis son Bailliffe de *Holdernesse*, qui rien ne fit en son tens. Prie le a vaundit Suthdean, qe nostre Seigneur le Roi plesse comander, qe plener execution en fesset del graunt abaundit. Who thereupon issued this Writ.

**E** Dwardus, &c. dilecto sibi *Thoma de Weston* Ballivo suo de *Holdernesse* salutem. Ex querela Magistri *Wilhelmi de Bli* Personæ Ecclesiæ de *Preston* accepimus, quod quidam homines vestri de *Preston*, et Parochiani Ecclesiæ prædictæ Decimam sceni sui dictæ Ecclesiæ suæ de jure debitam, eidem Ecclesiæ dare renuunt minus iuste, in læsionem juris Ecclesiastici, et ipsorum Ecclesiæ et Rectoris iacturam non modicam et gravamen. Et quia præfatis Ecclesiæ seu Rectori injuriari nolumus in hac parte; Vobis mandamus, quod, si ita est, tunc dictos homines nostros Decimam sceni sui, Parochiali Ecclesiæ suæ de jure debitam, solvere, et eam personæ dictæ Ecclesiæ habere faciatis. Teste meipso apud *Leweder* 9. die Julii. Anno regni nostri 26.

The King by his Prerogative having granted a license to the Bishop of *Coventr. & Lichfeld* to hold the Hospital of *St. Leonards* in *Torke* in *Commenda* with his Bishoprick during his life; out of his free gift and special grace, confirmed it by this Patent, so as this dispensation should not prove prejudicial to him or his heirs.

Pat. 26 E. 1.  
m. 20.  
Pro W. Co-  
ventr. & Lichf.  
Episcopo de  
Hospitali S.  
Leonardi E-  
borum.

**R** EX omnibus ad quos, &c. salutem. Cum vicesimo die *Novemb.* anno Regni nostri vicesimo quinto concessissemus pro nobis & hæred. nostris venerabili patri tunc *Coventr. & Lichf.* electo, nunc locorum eorundem Episcopo, ut ipse hospitale nostrum Sancti *Leonardi Eborum*, quod ex mera donatione nostra noscebatur optinere, et quod per ejusdem Electi consecrationem erat vacaturum et ad nostram donationem libere spectaturum haberet, et post dictam consecrationem retinere de dono nostro et nostra gratia speciali, quamdiu vitam duceret in humanis, et fructus inde perciperet, prout antea percipere consueverat, si idem Electus dispensationem ab Apostolica sede optineret prædictum Hospitale post dictam consecrationem habendi, et ut dictum est retinendi; Ita tamen quod per hoc nobis vel hæred. nostris in posterum nullum præjudicium generaretur. Nos ne ex dispensatione hujusmodi nobis vel hæredibus nostris posset aliquod præjudicium generari; Volentes quod idem Episcopus custodiam Hospitalis prædicti ex mera collatione nostra optineat, dedimus & concessimus pro nobis & hæredibus nostris præfato Episcopo Hospitale prædictum custodiendum ad totam vitam ipsius Episcopi cum suis juribus & pertinentiis quibuscumque. In cujus rei, &c. Teste, &c. apud *Westm.* 8 die *Aprilis*.

From which Patent it is observable: 1. That by an Ecclesiastical persons promotion to a Bishoprick, his Wardenship of an Hospital as well as his \* benefices, prebendaries, and other Ecclesiastical dignities, became void in Law in that age. 2ly. That the King by his special dispensation and grace might prevent their avoydance and license him to retain them. 3ly. That this license or *Commenda retinere*, must precede his consecration as a Bishop, else it came over-late.

\* 1 E. 3. 9.  
11, 12, 4, 7 &  
37. Dyer, f.  
159 a Hobards  
Reports, p.  
141, to 159.

The Pope by his Bull confirming the election of the Abbot of *Fiscamp* this year, which the King approved, issued this Writ to restore his Temporalities.

Pat. 26 E. 1.  
m. 20. De  
temporalibus  
restitutis.

**R** EX dilecto Clerico suo *Malculmo de Harle* Escaetori suo citra *Trentam* salutem. Cum sacrosanctæ *Romane* Ecclesiæ Summus Pontifex electionem in Ecclesia Conventuali de *Fiscamp* nuper factam de fratre *Thoma de sancto Benedicto* Monacho ejusdem domus in Abbatem loci prædicti confirmaverit, et ipsum *Thomam* dicto Monasterio præfecerit in Abbatem, sicut per literas bullatas sedis Apostolicæ

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

*Noticæ nobis constat. Nos confirmationem et præfectionem prædictas acceptantes cepimus fidelitatem ipsius Abbatis, & Temporalia domus prædictæ infra regnum nostrum, prout moris est, restitimus eidem. Et ideo vobis mandamus, quod temporalia Abbacie prædictæ infra ballivam vestram per mortem fratris Willielmi de Piscot nuper Abbatis ejusdem loci prædecessoris prædicti Thome in manum nostram capta, eidem Thome tanquam Abbati Abbacie prædictæ sine dilacione liberetis. In cujus, &c. Teste Rege apud Fulham 16 die Aprilis.*

*Et mandatum est Militibus, &c. Teste ut supra.*

The King issued this Writ for the speedy collecting and paying the money granted by the Clergy of the Province of York, to resist the Scots who invaded England, to the Archbishop elect thereof.

**R**EX venerabili in Christo patri H. eadem gratia Ebor. electo, salutem. Quia de pecunia ad expensas Comitum, Baronum, et aliorum de regno nostro, qui in instantem expeditionem nostram contra Scotos inimicos et rebelles nostros regnum nostrum hostiliter invadentes, et mala quamplurima incessanter perpetrantes, ad dictum regnum defendend. et ipsorum Scotorum maliciam reprimend. sunt prosecturi, oportebit celeriter prohibere. Vos affectuose requirimus & rogamus, quatinus considerantes pericula quibus dictum regnum et maxime partes boziales per dictorum Scotorum invasionem et nequiciam subiacent hiis diebus, totam pecuniam proventientem de subsidio quod a Clero beate provincie in defensionem dicti regni dicitur nunc concedi, cum omni celeritate quam fieri poterit, levari, et eam Waltero de Agmodesham Clerico per præfatos Pagnates ad denar. pro defensione dicti regni contra inimicos nostros prædictos expendendos deputato, faciatis sine dilacione qualibet liberari; Ita quod dictæ expeditionis nostræ negotium pro defectu pecunie nullatenus retardetur. Teste Rege apud Westm. 8. die Decembris.

*Claus 26 B. 1. m. 17. De pecunia a Clero Provincie Eborum Regi contra Scotos concessa Waltero de Agmodesham liberanda.*

The Monks of Battle Abbey by antient Charters having the Custody of the Abby and Lands during the vacancy upon their Abbots death; the King issued this Writ to restore them to their Custody.

**R**EX dilecto Clerico suo Malculmo de Harleze Elcaetori suo citra Trentam salutem. Quia per cartas prædecessorum nostrorum Regum Anglia concessum est Monachis de Bello, quod cedentibus vel decedentibus Abbatibus ejusdem loci ipsi Monachi habeant custodiam Abbacie suæ et omnium terrarum et tenementorum ad ipsam pertinentium, et liberam administrationem de rebus et possessionibus ad eandem Abbatiam pertinentibus. Mandamus vobis, quod ipsos Monachos custodiam Abbacie suæ in hac vacacione sua, & omnium terrarum & ten. ejusdem Abbacie & liberam administrationem de omnibus rebus & possessionibus ad ipsam pertinentibus habere permittatis, sicut prædictum est, nec de custodia prædicta vel aliquibus ad ipsam pertinentibus vos intromittatis contra concessionem prædictam. Et si quæ inde post captionem dictæ Domus in manum nostram per vos percepta fuerint, ea eis sine dilacione restituatis. Teste, &c. apud Westm. 28 die Novembris.

*Ibid. m. 28. Pro Monachis de Bello.*

The King sent this Letter to the Archbishop to excuse the attendance of one of his Clerks in Chancery at his Visitation.

**R**EX venerabili in Christo Patri R. eadem gratia Cantuar. Archiepiscopo, tocius Angliæ Primati salutem. Cum sicut accepimus citari feceritis dilectum Clericum nostrum Thomam de Capella Rectorem Ecclesie de Sevenok, ut in certo termino compareat personaliter coram vobis, ac idem Clericus noster nostris in Cancellaria nostra intendat obsequiis, propter quod in eodem termino juxta vestre citationis edictum non absque nostri & populi regni nostri incommodo se non potest vestro conspectui præsentare. Paternitatem vestram requirimus & rogamus, quatinus ipsius Clerici nostri absenciam in præfixo sibi termino excusam habentes; beatis eundem in hiis quæ ipsum coram vobis contingat prætextu visitationis prædictæ favore prosequi graciosi. Teste Rege apud Karlsolum, 12 die Septemb.

*Ibidem m. 6. dorso. Pro Thoma de Capella.*

The



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4.*

*An. 16 E. 1.* The King issuing a Writ to the Bishop of Worcester to certifie him, whether *Simon le Chamberleyn* was a Monk profest in *Little Malvern* Priory, returned this Certificate, that he was not there profest.

*Pat. 16 E. 1.  
m. 1. Quod  
Simon le  
Chamberleyn  
in Prioratu de  
Parva Malvern  
habitu Monachalem non  
suscepit.*

*\* See Cookes  
1 Inst. c. 74.  
a. Fitzh. Trial  
al 33, 44, 45,  
78, 88, 89,  
101.*

**R**EX omnibus ad quos, &c. salutem. Cum nuper quibusdam certis de causis certiorari volentes, utrum *Simon le Chamberleyn* qui in Prioratu de *parva Malvern* habitum Monachalem suscepit, ut dicitur, in Monachum professus fuisset, necne, mandaverimus venerabili patri *G. Wygorn*. Episcopo, quod inde nos redderet cerciores, Nos literas ejusdem Episcopi de certificatione illa patentibus recepimus in hac verba. *A noble Prince & son treslige Seigneur Mon sire Edward par la grace de Dieu Roy Dengleterre, Seigneur Dirland, & Ducs Daquitain, le seon Godefrey par mesme la grace Eveque de Wyrcest. salut. et due obeissance a tous ses comandementz, ove la grace Jhesu Christ en totes vos conres: Le maundement de vostre Seignurie real de souh vostre seal prive, a due reverence receu de vous certifier del estate Sire Simond le Chamberleyn de ce qe habiz de moigne acun tens, a la petite Malverne en nostre Eveche porta, ententivement nus enavoms pensee, e certainement de lung droit & usage avoms trone & usee, qe le Priur del avaundite petite Malverne est come nostre Ministre en mesme le lieu, par ceo qe sanz election de moignes nomen, de cele meson on de autre mettre le pooms a nostre voler, donnt le avaundit Priur ne nul autre sanz nous en due forme en lavandit petite Malverne, a nul moigne de lieuz, le habiz doner ne poe, ne qe plus est receivre a profession, la quele plus moigne fet qe habiz. E a vostre treshonorable hantesc par nostre lettre ouverte a seale de nostre seal, certainement mandons, qe unkes a nous, ne a nul autre en nostre noun ne fist le avaundit Simond professi-on. Al honur de Dieu & prou de tut ceste Reaume Dieu longes en bon estat vous teigne en cors e en alme. Doncs a Alnechirch le mardi prochain devants la feste Saint Matheu, l'an de grace M. CC. nonante & nymte. In cujus, &c. Telle Rege apud Dunelm. 3 die Novembris.*

*Per breve de Privato Sigillo.*

To what Churches and Benefices the King by his Prerogative presented Clerks both in the Isles of *Geresey*, *Gernesey*, and in *Scotland* this year, these Records will inform us.

*Pat. 16 E. 1.  
m. 27. De  
Præsentatione.*

**M**agister *Robertus de Layset* habet literas Regis de Præsentatione ad Ecclesiam Sancti Petri de *Portu* in Insula de *Gern*. vacantem, et ad donationem Regis spectantem, ratione terrarum et tenement. Abbatis *Wajoris Monasterii Turon.* in manu Regis existentium. Et diriguntur literæ *R. Constanc.* Episc. (in *Normannia*) Teste, &c. apud *Langele* 20 die Decembris.

*Ibid. m. 26.*

**W**illielmus de *Spiffa* Capellanus habet literas Regis de Præsentatione ad Ecclesiam Sancti *Sampsonis* de *Gernesey* vacantem, et ad donationem Regis spectantem, ratione terrarum et tenement. Abbatis *Wajoris Monasterii* in Insula prædicta in manu Regis existentium. Et diriguntur literæ *R. Constanc.* Episcopo. In cujus, &c. Teste, &c. apud *Langele* 10 die Februarii.

*Per Consilium.*

*Ibidem.*

**N**icholaus de *Cumbrevill* habet literas Regis de Præsentatione ad Ecclesiam Sanctæ Trinitatis de *Geresey* vacantem, et ad donationem Regis spectantem, ratione terrarum et tenement. Abbatis beatæ *Mariæ de Voto* in Insula prædicta in manu Regis existentium. Et diriguntur literæ eidem Episcopo. Teste ut supra.

*Per Consilium.*

*Ibidem.*

**M**agister *Willielmus de Marchia* Clericus habet literas Regis de Præsentatione ad Ecclesiam beatæ *Mariæ de Mosteraro* de *Geresey* vacantem, et ad donationem Regis spectantem, ratione terrarum et tenement. Abbatis Sancti *Salvatoris* *Wecomitis* in Insula prædicta in manu Regis existentium. Et diriguntur literæ eidem Episcopo. In cujus, &c. Teste ut supra.

*Nicholaus*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

**N**icolaus Haflang habet literas Regis de Præsentatione ad Ecclesiam de *Art* <sup>An. 26 E. 1.</sup>  
vacantem, et ad donationem Regis spectantem. Et diriguntur literæ R. <sup>Pat. 26 E. 1.</sup>  
*Glasguen*. Episcopo (in *Scotia*.) Teste Rege apud *Ebor.* 28 die *Maii*. <sup>m. 15. *Scotia*.  
De Præsentatione.</sup>

**R**obertus de *Beverlaco* habet literas Regis de Præsentatione ad Ecclesiam de *Carmuel*  
vacantem, et ad donationem Regis spectantem. Et diriguntur literæ Episcopo *Candida Casa*.  
Teste Rege apud *Northalerton* 12 die *Junii*. <sup>Ibid. m. 13.</sup>

*Per breve de Privato Sigillo.*

**R**obertus de *Cottingham* habet literas Regis de Præsentatione ad Ecclesiam de *Ibid.* m. 12.  
*Bothevill* vacantem, et ad donationem Regis spectantem. Et diriguntur literæ  
Episcopo *Glasguen*. Teste Rege apud *Brade* 11 die *Julii*.

*Per breve de Privato Sigillo. Dupl.*

**J**ohannes de *Winton*. Clericus habet literas Regis de Præsentatione ad Ecclesiam de *Ibidem*.  
*Snibban* vacantem, et ad donationem Regis spectantem. Et diriguntur literæ  
Episcopo *Glasguen*. Teste Rege apud *Strivelyn* 26 die *Julii*.

*Per breve de Privato Sigillo. Dupl.*

**G**alfridus de *Stokes* habet literas Regis de Præsentatione ad Ecclesiam de *Douglas* *Ibidem*.  
vacantem, et ad donationem Regis spectantem. Et diriguntur literæ Episcopo *Glasguen*.  
Teste ut supra.

**W**alterus de *Bademynde* habet literas Regis de Præsentatione ad Ecclesiam de *Ibidem*.  
*Kilpatrick* super *Cludam* vacantem, et ad donationem Regis spectantem.  
Et diriguntur literæ Episcopo *Glasguen*. Teste Rege apud *Strivelyn* primo die *Aug.*

*Per breve de Privato Sigillo.*

**J**ohannes *Boush* de *London*. habet literas Regis de Præsentatione ad Ecclesiam de *Ibidem*.  
*Kinkelle* vacantem, et ad donationem Regis spectantem. Et diriguntur literæ  
Episcopo *Aberden*. Teste Rege apud *Abercorn*. 15 die *Augusti*.

*Per breve de Privato Sigillo. Dupl.*

**J**ohannes de *Crossey* habet literas Regis de Præsentatione ad Ecclesiam Sanctæ *Ibidem*.  
*Maria* de *Foresta* in *Selkirke* vacantem, et ad donationem Regis spectantem.  
Et diriguntur literæ Episcopo *Glasguen*. Teste Rege apud *Karl*. 9 die *Sept.*

*Per breve de Privato Sigillo. Dupl.*

**T**homas de *Chelreys* habet literas Regis de Præsentatione ad Ecclesiam de *Parva* *Ibid.* m. 8.  
*Yesham* vacantem, et ad donationem Regis spectantem. Et diriguntur literæ  
Episcopo *Glasguen*. Teste Rege apud *Karl*. 11 die *Sept.*

*Per breve de Privato Sigillo.*

**M**agister *Willielmus le Rou* habet literas de Præsentatione ad Ecclesiam de *Ibid.* m. 4.  
*Ughtrameky* vacantem, et ad donationem Regis spectantem. Et diriguntur  
literæ Custodi Spiritualitatis Episcopatus Sancti *Andree* in *Scotia*. Teste Rege  
apud *Karl*. 15 die *Sept.*

*Per breve de Privato Sigillo.*

**R**obertus de *Askeby* Clericus habet literas Regis de Præsentatione ad Ecclesiam *Ibid.* m. 3.  
de *Eglismalshon* vacantem, et ad donationem Regis spectantem. Et diriguntur  
literæ Episcopo *Glasguen*. Teste Rege apud *Gedeworth* 16 die *Octobr.*

*Per breve de Privato Sigillo. Dupl.*

**W**alterus de *Winton*. habet literas Regis de Præsentatione ad Ecclesiam de *Ibidem*.  
*Twyngbam*, Sancti *Andree* Diocesis, vacantem, et ad donationem Regis,  
ratione Episcopatus prædicti vacantis, et in manu Regis existentis, spectantem.  
Et diriguntur literæ Custodi Spiritualitatis Episcopatus Sancti *Andree*, sede vacante.  
In cujus, &c. Teste Rege apud *Gedeworth* 17 die *Octobr.*

*Per breve de Privato Sigillo.*

*Thomas*



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An. 26 E. 1.

Ibid. m. 1.

**T**homas de Quercu habet literas Regis de Præsentatione ad Ecclesiam de Ratheu, Sancti Andree Diocesis, vacantem, et ad donationem Regis spectantem. Et diriguntur literæ Custodi Spiritualitatis Episcopatus prædicti. Teste Rege apud Karliolum 20 die Sept.

Upon the deaths of the Archbishop of Dublin, and Bishop of Ely, the King committed their Temporalities by these Writs.

Fines An. 26

E. 1. m. 4.

**R**EX Thesaur. & Baronibus suis de Scaccario Dublin, salutem. Quia bonæ memoriz W. nuper Dublin. Archiepiscopus diem clausit extremum, ut accepimus, vobis mandamus, quod omnia Temporalia Archiepiscopatus prædicti cum pertinet in Hibern. sine dilatione capi faciat in manum nostram, & alicui discreto & fideli nostro de quo confiditis & pro quo respondere volueritis committatis nomine nostro custodienda; Ita quod de exitibus inde provenientibus nobis plene respondere possit ad Scaccarium nostrum Dublin. Teste Rege apud Staunwegg. 24 die Septembris.

Ibid. m. 14.

De Episcopatu Elien. commissio.

**R**EX commisit dilectis & fidelibus suis Willielmo de Sutton & Johanni de Godale Episcopatum Eliensem cum pertinet vacantem per mortem W. nuper Eliensis Episcopi, & in manu Regis existentem, custodiendum quousque Regi placuerit: Ita quod de exitibus inde provenientibus Regi respondeant ad Scaccarium Regis. In cujus, &c. Teste Rege apud Retherbith 29 die Martii.

Et mandatum est Militibus, &c. Teste ut supra.

An. 27 E. 1.

Anno 27 E. 1.

I found no fewer then nineteen several Writs and actions at the Kings and grieved parties prosecutions in the bundles of Writs, in the White Tower Chappel, and no less then four more in the Plea-Rolls of Term. Pasche, an. 27 E. 1. for holding and prosecuting pleas in Courts Christian, for goods, chattels, trespasses, lay-fees, and advowsons against the Kings Prohibitions, Crown and dignity; as this Catalogue of them will inform you.

Edwardus Dei gratia Rex Angliæ, &c. Vic. Bedford. &c. Pont. &c. Richardum de Harecourt, & Magistr. Rogerum de Catteworth; quod sint, &c. ostensuri quare cum placita de catallis & debitis in Regno nostro qua non sunt de Testamento vel Matrimonio, ad Coronam et dignitatem nostram specialiter pertineant, &c. secuti sunt placitum in Curia Christianitatis de catallis & debitis Magistr. Johannis de Sancto Walrico Personam de Blanham, que non sunt de Testamento vel Matrimonio, in lesionem coronæ et dignitatis nostræ, et contra prohibitionem nostram, &c. Teste meipso apud Thetford, 24 die Januarii, anno regni nostri 27. Edwardus, &c. Vic. Dorset. &c. Pont. Magistr. Petrum de Gramut, & Magistr. Johannem de Tarent; quod sint, &c. ostensuri, quare cum placita, &c. (ut supra) tenuerunt placitum in Curia Christianitatis, de catallis que non sunt, &c. contra prohibitionem nostram; & Nicholaum Personam de Westchamberge, &c. quare secutus est idem placitum, &c. T. &c. 17 die Octobr. an. r. n. 27. Edwardus, &c. Rex Angliæ, &c. Vic. Bucks. &c. precipimus tibi, quod capias Magistr. Michael de Cornub. &c. & salvo custodias ad respondend. Abbati de Birlesden, Fratri Hugoni de Garhall, & Fratri Roberto de Rethe, de placito; quare cum placita de transgressionibus contra pacem nostram factis in regno nostro ad coronam et dignitatem nostram specialiter pertineant, et non ad alium in regno nostro; idem Nich. simul cum Magistr. Richardo de Sancto Fredeswyda secutus est placitum in Curia Christianitatis de huiusmodi transgressionibus, in lesionem coronæ et dignitatis nostræ, et contra prohibitionem nostram, &c. Teste J. de Mettingham, apud Ebor. 27 die Jan. an. r. n. 27. Edwardus, &c. Vic. Roteland. &c. Si Hugo de Hennecok, &c. pone Rogerum de Romul Personam Ecclesia de Mertimethorp, quare secutus est consimile placitum. Teste meipso apud Westm. 18 die Febr. Edwardus, &c. Vic. London. quod ponatis, &c. Petrum de Weston; quare secutus est (consimile) placitum, &c. Teste J. de Mettingham apud Ebor. 9 die Martii. Edwardus, &c. Vic. Buks. Si Eliz. que fuit uxor Willielmi de Say &c. pone Robertum Archiepiscopum Cantuar. quod sit coram Justic. nostris, &c. quare tenuit placitum

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citum in Curia Christianitatis de huiusmodi transgressionibus, in laesionem coronæ et dignitatis nostræ, et grave damnum ipsius *Elizabeth*. et contra prohibitionem nostram. *Teste meipso apud Stebenheth, 12 die Maii, an. r. n. 27. Edwardus, &c. Vic. Leycestr. pone Galfridum Abbatem de Sancto Edulpho, quod sit, &c. offensurus, quare cum placita de advocacionibus Ecclesiarum in Regno nostro ad nos et coronam nostram ac dignitatem, et non ad alium specialiter pertineant in eodem Regno, idem Abbas, &c. secutus est placitum in Curia Christianitatis de advocacione quinque partis Ecclesiæ de Ibbestoke, in laesionem coronæ et dignitatis nostræ, et contra prohibitionem nostram, &c. T. meipso apud Kenyton, 6 die Augusti. an. regni nostri 27. Edwardus, &c. Vic. Bedeford. Si Prior sancti Andree de Northampton, &c. pone Radulphum Personam Ecclesiæ de Wrattingworth, quod sit, &c. quare secutus est placitum in Curia Christianitatis, de Advocacione quartæ partis Ecclesiæ de Potton, contra prohibitionem nostram. T. meipso, &c. 24 die Octobris. Edwardus, &c. Vic. Kane. Si Robertus atte Brue, &c. pone Hugonem de Frosham & Richardum de Haleghton Capellanum, &c. quare secuti sunt placitum in Curia Christianitatis de laico feodo ipsius Roberti, &c. contra prohibitionem, T. &c. apud Kenyton, &c. Vic. Linc. Si Haywysia de Creuks, &c. pone Magistr. Nicholaum de Whitchurche, quare tenuit placitum in Curia Christianitatis, de catallis et debitis quæ non sunt de Testamento vel Patrimonio, &c. & Thomam Vicarium Ecclesiæ de Multon, quare secutus est idem placitum, &c. contra prohibitionem nostram. *Teste meipso, &c. 28 die Januarii. Consimile breve Vic. Northt. inter Johannem le Butiller de Castro querent. Et Magistr. Hen. de Nassyngton defend. T. J. de Metingham, 8 die Febr. Consimile Vic. Linc. Si Henricus de Umfravil & Isabella uxor ejus, &c. pone Magistrum Henricum de la Douno Subdecannum Ecclesiæ beate Mariæ Linc. quare tenuit (sile) placitum, &c. T. meipso, &c. 6 die Martii. Vic. Huntindon. Si Rogerus de Kellaio, &c. pone Johan. Raveli, &c. quare secutus est (consimile) placitum. *Teste, &c. 9 die Maii. Vic. London. Si Willielmus de Brokesburne, &c. pone Henricum de Nassyngton, &c. quare tenuit, &c. & Matil. de Hadham, quare secuta est (consimile) placitum. T. &c. 2 die Augusti. Vic. Buks. Si Elias de Hertford, &c. pone Robertum Archiepiscopum Cantuar. Magistr. Willielmum de Gloucestr. Magistr. Willielmum de Chaddeleshunte, & Magistr. Richardum de Morcestre. quæ sint, &c. quare tenuerunt, & Johannem de la Dune, quare secutus est (consim.) placitum. T. &c. 14 die Augusti. Vic. Glouc. quod non omittat propter libertatem Burgi Bristol, quin capiat Magistr. Thomam de Sancto Leonardo, &c. ad respondend. Philippo Pauler de Bristol; quare secutus est (consim.) placitum. *Teste J. de Metingh. 10 die Octobr. with another of the same date. Vic. Oxon. Si Andreas de Parye, &c. pone Nicholaum de Cateby & Johannam uxorem ejus, quare tenuit (consim.) placitum de catallis et debitis quæ non sunt, &c. contra prohibitionem nostram. Teste meipso apud Westm. 15 die Octobr. Anno regni nostri 17.****

Placita apud Ebor. coram Johanne de Metingham, & sociis suis Justic. Domini Regis de Binco de Termino Pasche, anno regni Regis Edwardi filii Regis H. vicessimo septimo. An. 27 E. 1.

Bedf. **E**lias de Aylesbury, qui sequitur pro Domino Rege, optulit se, &c. versus Radulphum de Huche Personam Ecclesiæ de Weitlyngwathe de placito, quare, cum placita de catallis et debitis in regno Regis quæ non sunt de Testamento vel Patrimonio, ad coronam et dignitatem Regiam specialiter pertineant, idem Radulphus, sicut ex relatu plurium accepit iur., secutus est placitum in Curia Christianitatis de catallis et debitis Magistr. Johannis de Sudyngton Personæ Ecclesiæ de Penton, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c. et ipse non venit, et fuit attachiatus per Thomam filium Thomæ de Holm, et Richardum de la Sale, de eadem. Ideo ipsi in misericordia, &c.

Willielmus Pyking & Matil. uxor ejus per Attornatum, &c. versus Henricum Archiepiscopum Ebor. de placito quod haberet ad hunc diem, Magistrum Robertum de Caudlesby Clericum suum, ad respondendum eisdem Willielmo & Matil. de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem Regis, &c. et ipse non venit, et preceptum fuit Willelmo quod attachiaret eum, et Willelmo nichil inde fecit, sed mandavit Rox. 22. Noxingham.



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An. 27 E. 1. mandavit quod Bzebe adeo tace venit, &c. Idco, scut prius pceptum est Vicecomiti quod attachiaret Archiepiscopum, quod sit hic in Octabu sancti Michaelis, &c. Et hic habeat, &c.

Ibidem, Rot. 39. Eborum.

Magister Robertus de Pikeringg, & Johannes de Pikering, Simon Persona Ecclesia de Queldrik, Adam Verdemel, Robertus filius ejus, & Walterus de Norton Clericus, attachiati fuerunt ad respondendum Vincentio Verdenel & Willielmo fratri ejus de placito, quare predicti Magister Robertus & Johannes simul cum Magistro Willielmo de Wirkesale tenuerunt placitum in Curia Christianitatis de catallis et debitis quæ non sunt de testamento vel matrimonio. Et de placito, quare iidem Simon, Adam, Robertus & Walterus secuti sunt idem placitum in eadem Curia contra prohibitionem, &c. viz. de decem marcis de laicis catallis ipsorum Vincentii & Willielmi, & ipsi predictis die & anno in Ecclesia predicta in presentia Johannis de Nafington, Rogeri de Heselartor, & Philippi de Wyton porrexissent predictis Magistro Roberti & Johanni Regiam prohibitionem, ne placitum illud ulterius tenerent: Et similiter predictis Simoni, Adæ, Roberto & Waltero, ne idem placitum ulterius in eadem Curia sequerentur. Iidem Magistri Robertus & Johannes similiter contra predicta prohibitionem eis posita, nichilominus tenuerunt placitum illud in eadem Curia Christianitatis, et similiter iidem Simon et alii secuti fuerunt idem placitum in eadem Curia, quousque predicti Vincentius & Willielmus fuerunt ab ingressu Ecclesie suspensi, et postea excommunicati, in contemptum Domini Regis, et contra prohibitionem, &c. Et unde dicunt, quod deteriorati sunt et dampnum habent ad valenciam viginti librarum. Et inde produciunt sciam, &c.

Ibid. Rot. 24.

Galfridus le Campium per Attornatum suum optulit se quarto die versus Willielmum de Wellewyk, de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de testamento vel matrimonio, contra prohibitionem, &c. Et ipse non venit; et pceptum fuit Vicecomiti sicut alias, quod non omittat propter libertatem Beverlacy quæ attachiet eum, &c.

Although the Bishops, their Courts Christian and Clergie did thus usurp upon the Kings Crown, Dignity, Courts and Subjects liberties, by holding, prosecuting these manifold suites of which they had no Jurisdiction; yet they were very careful to remove all Layforces out of Churches by the Kings Writs, which might hinder the exercise of their own Ecclesiastical Jurisdiction in them; as is evident by this memorable Writ this year *De vi Laica amovenda*, in the *White Tower*, to omit others.

Bundela Bre-vium in Turre London, An. 27 E. 1.

Edwardus Dei gratia Rex Angliæ, &c. Vic. Oxon. salutem. Precipimus tibi sicut aliis tibi precepimus, quod penas per vadum & salvos plegios Johannem de Burey, Gilbertum de Bukenhall Capellanum, Johannem de la March Capellanum, (with 8. others named in the writ) quod sint coram Justiciariis nostris apud Ebor. in Octab. Sancta Trinitatis, ad respondendum tam Nobis, quam Ithael Skerwent Persona Ecclesia de Bukenhall, de placito, quare cum ad requisitionem venerabilis Patris O. Lincoln. Episcopi pluries precepimus, quod omnem vim Laicam quæ se tenet in Ecclesia de Bukenhall, cui minus idem Episcopus officium suum spirituale ibidem exercere possit, sine dilatione amoveres ab eadem; & tu virtute illarum brevium nostrorum ad eandem Ecclesiam pro vi predicta amovenda pluries accesseris; predicti Johannes, Gilbertus, Johannes, Walterus, &c. qui se vi laica in eadem Ecclesia tenuerunt in adventu tuo ibidem se alibi transtulerunt, & consocium post recessum tuum ab ea, aggregatis sibi aliis malefactoribus se in eam vi armata iterato intraverunt, & bona & catalla predicti Ithaci ad predictam Ecclesiam spectantia distraxerunt & consumperunt, & alia enormia intulerunt, & in eadem Ecclesia adhuc se tenent, pristinam maliciam suam continuantes, & ipsum Ithaelem indebite fatigantes, in nostrum contemptum manifestum, et mandatorum nostrorum illusionem, et ipsius Ithacis dampnum, gravamen & injuriam, & contra pacem nostram. Et insuper predicti Episcopus officium suum spirituale ibidem exercere non permittunt. Nos igitur libertatem Ecclesiasticam illam conservare, & malicie predictorum malefactorum in hac parte celeri Juris remedio obviare: Tibi precepimus, quod in propria persona tua accedas ad Ecclesiam predictam, et omnem vim laicam quam ibidem inveneris absque mora amoveas ab eadem, juxta tenorem mandati nostri prius inde directi. Et habeas ibi nomina plegiorum, et hoc breve. Teste J. de Metingham apud Ebor. 3. die Februarii, Anno regni nostri vicesimo septimo. On which the Sheriff endorsed this return as to the Lay

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Lay force; *Accessi in propria persona mea ad Ecclesiam de Bokenhull quampluribus, An. 27 E. 1. & nullam laicam vim in eadem inveni nullo tempore quo ibidem fui cum toto vicineto illo, ad vim laicam ab eodem revocandam.*

The Pope this year sending the Bishop of *Vicenze* as his Legate and Nuncio into *France*, to compleat and execute his \*premis'd award between the Kings of *France* and *England*, and hear and determine the differences between them concerning it, which they could not accord of themselves; thereupon Prince *Edward* and his Father issued these Patents of Procuracion under their Seals this year, appointing and authorizing new Proctors to compleat, perform, and ratifie the Popes former award as a private person only, touching the Princes espousals with the Lady *Isabella*, and to deliver the Kings Lands in *France* into the Popes and his Legates hands, to settle a firm peace, and end all differences concerning the provisions therein expressed; thus recorded in the *Almain* Roll in the Tower.

\* Here, p. 758, 759.

**U**niversis presentes Literas inspecturis. *Edwardus* illustris Regis *Anglia* filius salutem in Domino. Cum sanctissimus in Christo Pater Dominus B. Divina Providentia Sanctæ Romanæ ac Universalis Ecclesiæ Summus Pontifex, in quem tantam quam in privatam personam, et Dominum Benedictum Gaytanum, ex parte magnifici Principis Domini *Philippi* Regis *Francia* illustris, & prædicti Domini Patris nostri, super reformanda pace & concordia inter ipsum Regem *Francia* ex parte una, & eundem Dominum Patrem nostrum ex altera, ac super hiis quæ ad pacem pertinent, & super omnibus & singulis discordiis, guerris, litibus, controversiis, causis, questionibus, damnis & injuriis, petitionibus & actionibus realibus & personalibus atque mixtis, quæ fuerunt & sunt, vel esse possent inter prædictos Regem *Francia* & Dominum Patrem nostrum occasione quacunque, sub certis formis & modis nuper fuerint compromissum, tanquam privata persona, et Dominus Benedictus Gaytanus, ut prædicatur; virtute compromissi hujusmodi dixerit, arbitratus fuerit, lapdaverit, diffinierit arbitraliter, sententiaverit, mandaverit, ordinaverit, disposuerit & pronunciaverit, quod inter præfatos Regem *Francia* & Dominum Patrem nostrum perpetua & stabilis pax existeret: Et ad confirmandam, roborandam & conservandam pacem hujusmodi inter cetera quæ sub prononciationis sue serie continentur, inter nos & *Isabellam* prænotati Regis *Francia* filiam sponsalia ordinaverit contrahenda sub certis modis, conditionibus atque pœnis, Volentes ordinationi Apostolicæ in hac parte, ac paterno assensui, ut tenemur, humiliter obedire, Nobilem virum *Henricum de Lacy* Comitem *Lincoln*, consanguineum nostrum præfati Domini Patris nostri ad hoc accedente consilio et assensu, nostrum fecimus, ordinamus, et constituimus verum & legitimum procuratorem & Nuncium specialem ad contrahendum pro nobis et nostro nomine sponsalia cum *Isabella* prædicta, ac ipsa sponsalia Juramentis et pœnis certis firmandum, et ad jurandum pro nobis in animam nostram, quodlibet genus licitæ Juramenti, & ad omnia & singula faciendum quæ nos faceremus vel facere possemus si nostra adesset præsentis personalis, etiam mandatum exigant speciale. Ratum & firmum habentes & habituri quicquid per præfatum Comitem in præmissis & eorum singulis nomine nostro actum & gestum fuerit, seu etiam procuratum. Et hoc omnibus quorum interest vel interesse potest aut poterit in futurum significamus per nostras patentes Literas, præfati Domini Patris nostri, & nostrorum signatas sigillis. Dat. apud *Stebenheth*, 15 die *Maii*.

Rot. Aleman. An 27 E. 1. m. 11. intro.

\* Here, p. 759.

**N**ous *Edward*, par la grace de Dieu Roi d'Angleterre, Seigneur d'Irlande, & Duc de Guyenne faisons savoir a touz ceaux qui ces presentes lettres verront ou orront, que come les honorables Peeres *Guillemes* jadis Evevesque de *Down*, & *Johan* Elvesque de *Wynestree*, & les nobles & hautes homes *Ames* Comte de *Sarredye*, *Oibes* de *Grauntzoun*, *Hugue* de *Vere* Chevaliers, nos Messages & Procureurs aiantz de nous pleiner poer et especial mandement par nos lettres overtes scellees de nostre seiel, de compromettre & compromys soient par nous et par nos heyres, en la persone de tresaintisme Pere sire *Bonifaz*, par la parvoiance de Dieu Papa l'octisme, come en pribe persone, & *Benois Gaytan*, sur totes les guerres, descordz, plez, contences, causes, questions, injures, petitions et demandes, roials & personeles, et mel-

ibidem.



**K. Edward 1. An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.**

**An. 27 E. 1.** lecs, qui furent et sont, ou purront estre entre le Roi de France e Nous par quel. que achafon sicome en nos lettres avantdites, et en l'instrument publick fait sur meisme le compromys per lui plenierement est contenu, le quel compromys nous agreons, acceptons, ratifions, approuvons, & tenons a bon. E sur ceo le avantdit <sup>2</sup> **Note, p. 760.** Pape par le vertue de meisme le compromis, ait dit, loe, arbitre, & diffine, \* *que toutes des terres, vassaux, & biens & autres choses que nous teniens en Roiaume de France le jour que meisme le dit fu pronunciez fuissent, des lors en bone foi & sanz nule fraude simplement et purement mises, assignees en la mapn, et en le poer du dit Pape, et que le Roi de France le feist ausint de ceo que a li en appartient, et que le dit Pape tenist en noun du dit Roi les choses qui de la partie, et son noun serroient assignees a meisme le Pape, et ausint en noun de nous les choses qui de queux nous le serroient assignees.* Esourkz meisme le Pape ait voulu, loe et arbitre des lors, *que se paraventir le dit Roi de France & nous puissions de meismes les terres et biens accordez entre nous, que ce en quoi nous accordez fuist perpetuellement, et sanz enfreinte garde, si come le dite pronunciation plus pleinement purporte.* E apres ces choses le devant dit Pape aiant a cuer la dite busoigne, et desirant le bon & la hastif esploit de la meisme busoigne, nous ait per ses lettres bullees maunde, quil envoi pur ceste busoigne l'honorable Peere R. Esvelque de Ycense, per nous enfourmer plus pleinement sur les avantdites choses, selonc la tenour du mandement quil le a fait de bouche, le quel Esvelque a ce que nostre ame Cosyn Amez Counte de Savoy, Mon sire Johan de Bar, et nostre ame Chevalier Mons. Othys de Grantzon nous ont fait a savoir, est la venuz, & lia dez busoignes parlez au counsail le Roi de France dune pert, eus ditz Counte Johan & Othys qui sont de nostre conseil, les quieux y facent de par nous dautre. E sur ce par eux touz de commun assentment apres moltz de traitementz soit accord en la presence de meisme levesque, *que le Roi de France & nous toutes les choses de susdites selonc la fourme des compromys fais d'une part & d'autre, & sicome eles sont contenues en la pronunciation avant dite, commission ou disposition, quel quele soit fait ou a faire a persone vive ou morte, per ses lettres bullees mettons en la mayne, e en le poer de meisme Levesque a receivre et a tenir en noun et la fourme de la pronunciation, et en la maniere que le meisme Pape ad dit, loe, arbitre, et dira, loera, arbitrera, et diffinera, ou en autre maniere per ses lettres bullees ad ordene ou ordenera.* Nous pur honneur et pur reberence du dit Pape, et pur vies et pur profit de tout la Chretienete, et pur approchier au voiage dautre mer, vueillant le bon accomplissement de ceste busoigne tant com en nous est, donons plenir poer & especial mandement per ces presentes lettres a nos amez & foiaux Maistre Girard de Vippenis Erceciakne de Richmund, Amande de la Brit, Guillaume de Leyburne, Poinz Sire de Chastillon, Guy Ferre nostre lieu tenant en Gascoigne Chevaliers, & a Maistre Reymon Arnaud de la Rame Clerk, & as cinque et as quatre, et as trois si plus ni puissent estre, de mettre & assigner de parole ou de droit et de fait, & de bone foi, & sanz fraude simplement & purement tant com en nous est, en la mayne en la poer du dit Esvelque de Ycense, toutes les terres, Chastaux, biens, et autres choses que nous teniens en Roiaume de France le jour que la dite pronunciation fu faite, et receivre et a tenir e noun et en la mapn du debantdit Pape come de pze persone, e Benoit Gaytan, selonc le tenour et la fourme de la meisme pronunciation, et en la maniere que meisme le Pape ad dit, loe, arbitre et diffine, et dira, loera, arbitrera et diffinera, ou ad ordene, ou ainsi com il plerra a ordiner ainsi come desus est dit. E volons & promettons, que nous aurons ferme et estable tout quantque par les avantditz Erceciakne, Amande, Guillaume, Poinz, Guy & Remon, ou per les cinque, ou les quatre, ou les trois de eux en la fourme de susdite sera fait en ceste busoigne. Sur la quele busoigne approber, tenir, garder et accomplir, nous obligons nous et nos heires, et touz nos biens per ces presentes lettres scellees de nostre Seal, que furent faites & donees a Westmossiere le vintisme secund jour du mois Daveril, l'an de grace Mil deux centz quatre vintz & dys & nous, & de nostre Regne vint et septisme.

Ceste lettre de susescrite est dublee mot par mot sanz rien changiez, save que en la tierce souz meismes les paroles escrite, y ad variance en taunt que la ou il dit e autre deux a persone vive & morte, la dit il a quelque persone quil soit, estoit remenant mot par mot se contient come est contenu en les autre deus lettres.

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John Bayliol late King of Scots, by large bribes, and clandestine solicitations of the King of France his confederate, procured Pope Boniface to commission this Bishop and Legate amongst other things, to importune King Edward at his special instance and request, to deliver his person into his hands and custody; which the King condescended to, upon the conditions therein expressed, and the Popes engagement to him, that it should not be any way prejudicial to him or his Realm; the manner and form whereof is thus recorded in a special Record made thereof, which I lately found in the White Tower Chappel.

La fourme coment Monsieur de Baillol feut baillez a l'Evesque de Vicence, & coment il le rescueut.

Brevia Regis  
An. 16 & 17e  
B. 1. in Turr  
London.

**A** Toux ceux qui ces lettres verront ou orront, Renaud par la suffrance de Dieu Evesque de Vicence, messages nostre Seignour l'Apostolle. saluz en Dieu pardurable. Nous faisons savoir a vostre universite, qe venant a Whitesand en Royaume de France a nostre presence Monsieur Robert de Bourghersh Chivalier, Conestable de Dovre, & Procurateur de tresnoble Prince & Roy Dengleterre, establi en ceste fourme. Edward par la grace de Dieu Roy Dengleterre, Seignour Dirlande, & Ducs Daquaine, a touz ceux qui cestes presentes verront ou orront, saluz. Sachez qe nous feson, ordenons & establissons nostre ame & feal Robert de Bourghersh nostre Conestable de Dovre, nostre certain Procurateur, & li donoms plener poair par ces presentes, de baillier & delivrer en nostre noun a Whitesand Johan de Baillol, au reverent Piere Renaut par la grace de Dieu Evesque de Vicence, message l'Apostolle, en la fourme que sensuit. Cest assavoir, qe li dit Apostolle peusse dire et ordener tant seulement de la persone le dit Johan, et des terres les queles meismes celi Johan ont jadis en Engleterre, sicome il plerra, a la bone volente du dit Apostolle en meisme la manere qe nous purriens dire le meisme celui Johan demora vers nous personnelment en Engleterre; Saube a nous et a nos Heirs Rois Dengleterre le Royaume Descoc, les hommes, les Inhabitantz, et totes les appourtenances de meisme le Royaume. En tesmoignance des queux choses nous auoms fait faire cestes nos lettres ouertes. Donees a Canterbir. le quattezime jour de Juygues, l'an de nostre Regne vint & sepisme. Robert & leust les paroles desouz escriptes. En noun de Dieu Amen. Come Sire Johan de Baillol, qui est ici presentz par devant vous, reverent Piere Evesque de Vicence, message de nostre Seignour l'Apostolle, par multz de trespass & Treisons Inhumainement demonstrez, et faitz par li a tresgrant Prince son Souveraigne Seignour sanz meyn, Sire Edward par la grace de Dieu Roy Dengleterre, encontre son hommage, et le devoir de sa feaute, purement par son gree, et sanz condition sanz meill du tot a la volente du dit Roy le Royaume Descoc, du quel il estoit jadis Rois, et tout le droit qu'il avoit en cel, ou a cel, et au pueple de meisme le Royaume, et a ce, touz ses biens, sanz tout seulement a li vie et membre, et non empissonement. E qe puis il par son agreable corage, & par sa franche volente, purement & sanz condition, se rendist a son Seigneur avantdit Roi Dengleterre, & le dit Royaume Descoc, oue les hommes & ses autres droitures & apourtenances universeles, & sa Royale dignite, & son Royale honneur; & outre ce toutes ses terres, & totes ses possessions, oue touz ses moebles & non moebles, & soi movants, sicome appiert par un Instrument public fait de ce, a la requeste du dit Johan de Baillol: je Robert de Bourghersh Procureur du devantdit Roi Dengleterre, par commandement de li, & come Procureur, bail & assigne lavantdit Johan present, a vous Sire reverent Evesque de Vicence, message nostre Seignour l'Apostolle, par la devotion, reberente, et honneur du tresceint Piere nostre Seignour l'Apostolle, et de la Seint Eglise de Rome, es maneres et es conditions qe sensuient. Cest assavoir, qe nostre l'Apostolle peusse dire et ordener tant seulement de la persone le meisme Johan, et des terres les queles meismes celi Johan ont jadis en Engleterre, sicome a plerra a la bone volente de nostre Seignour l'Apostolle, en meisme la manere qe mon Seignour li Rois Dengleterre porroit dire a meismes celi Johan demora vers lui personnelment en Engleterre. Saube a mon Seignour le Roi Dengleterre, et a ses Heirs Rois Dengleterre le Royaume Descoc, les hommes, les Inhabitantz, et totes les appourtenances de meisme le Royaume. Cest assavoir & entendre, qe nostre



An. 27 E. 1. nostre Seigneur l'Apostolle ne peult ordener ne drec ou avantdit Royanne Desce, des hommes, des enhabitanz, ne des appartenances de meisme le Royanne, pur le debantdit Johan de Baillo, ne pur les heirs, qui sont, ou qui porroient estre, ne pur nul de ses appartenances par quelconque cause qe ce soit. Et nous avantdit Evesque, le desusdit Johan de Baillo a nous baille, auoms ensi resceu en lieu et en nom de nostre Seigneur l'Apostolle. En tesmoign desqueux choses, nous auoms mis nostre seal a ces presentes lettres. Donees a Whinsand le Samady devant la fest nostre Dame la Magdaleme, au quel jour nous resceumes le devantdit Johan de Baillo en la manere desusdite, par le Procureur devantdit, l'an de nostre Seigneur 1299. A strong evidence of the Kings Sovereign right to the Realm of Scotland, which the Pope and his Legate both assented to.

<sup>a</sup> Walsingham  
Hist. Angl. p.  
44. Mar.  
Westm. Anno  
1299. p. 415.

<sup>a</sup> Thomas Walsingham and Matthew Westminster render us this account of his delivery to this Popes Nuncios. In translatione beati Thomæ Martyris venerunt Sancti Pape ad Regem Cantuariam, rogantes, ut Johannem quendam Regem Scotie sua liberaret custodia; sperantes, quod Regem & regnum ab omni quod per hanc liberationem posset contingere periculo præservarent. Quorum petitioni Rex condescendens, respondit; se ipsum Johannem tanquam seductorem salutem et periculum ad Papam missurum: (as false and peridious as he.) Ad quem Nuncios responderunt; & nos eum pro tali accipimus Summo Pontifici presentandum. Cumque dictus Johannes cum prefatis Nunciis venisset Doveriam, & cista sua in navem deferretur, quidam regales qui eos ad mare deduxerant, dixerunt, quod voluerunt videre, qua continebantur in clisella dicti Johannis. Quibus apertis, inventa est una corona regia regni Scotorum aurea, & multa vasa aurea & argentea, & pecunia non parva summa; qua universa Angliæ Regi sunt allata. Rex illis coronam auream offerri iussit beato Thomæ Martyri (as great a Traytor as this Scottish King) & sigillum commune Scotie quod repertum est ibidem inter cetera, iussit sibi reservari: pecuniam vero totam remisit dicto Johanni, ad expensas itineris inchonati. Nuncios vero plurimum commendantes Regis sapientiam & regalem magnificenciam, trausterunt eundem Johannem in terram Ballholi, quam habuit in regno Francie, & ibidem reliquerunt eum, sub certorum custodia Prælatorum. Posthac & alii captivi à Regibus detenti, hinc inde secundum condiciones in Transgarum concessione postas, liberantur.

<sup>a</sup> Here p. 785.  
See Godwins  
Catalogue of  
Bishops, p.  
211, 212.

The King having ratified the election of his Chancellor John de Langton to the Bishoprick of Ely the \* year before, elected only by the minority of the Covent and Chapter, rejected their Prior chosen by the majority, whereupon there was an Appeal to Rome by the Chancellor, whom the King not only licensed to repair to Rome in person to prosecute his undue election, but likewise writ Letters of credence to the Pope in his favor, wherein he highly extols his great services, fidelity, and expressed his cordial desire that he might speedily effect his business, and return to his presence to advice him in the grand affairs between him and the King of France; as these Records assure us.

Pat. 27 B. 1.  
m. 36. int. 15.  
Pro salvo condu.  
ctu.

REX omnibus amicis suis ad quos, &c. salutem. Cum dilectus & fidelis noster Johannes de Langton Cancellar. noster pro negotiis nostris et suis ad Curiam Romanam se divertat, amicitiam vestram affectuose requirimus & rogamus, quatinus eundem Cancellar. nostrum, cum ipsum per districtus vestri loca transitum facere contigerit, nostri contemplatione recommendatum habentes, eidem aut familiaris suæ in cunctis versus Curiam prædictam, ibidem morando, et inde redeundo, in personis aut rebus ipsorum, non inferatis vel ab aliis, quantum in vobis est, inferri percultratis injuriam, molestiam, dampnum, impedimentum aliquod seu grabamen, set ipsis potius saluum & securum conductum amoye nostri habere s'atis, cum ab eodem Cancellar. nostro super hoc ex parte nostra fueritis requisiti. In cujus, &c. per unum annum duratur. Teste Rege apud Westm. 18 die Febr.

Claus. 27 E. 1.  
m. 17. Pro  
Johanne de  
Langton de  
creencia.

Sanctissimo in Christo Patri Domino, Domino B. divina providentia Sacrosanctæ Romanæ & Universalis Ecclesiæ Summo Pontifici; Edwardus eadem gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, devota pedum oscula beatorum. Dilectum Clericum nostrum Magistrum Petrum de Dene latorem presentium ad vestre dominationis præsentiam destinamus, Sanctitati vestre attentius supplicamus,

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plicamus, quatinus eundem Clericum nostrum benignè dignemini audire, ac sibi fidem indubiam adhibere in hiis quæ ex parte nostra vobis exponet acque requirit, *super ceteri et scilicet expeditione negotiorum dilecti Clerici et Cancellarii nostri Johannis de Langton Elyensis Electi, quæ quidem multum insistent coram nostro: habentes ea, si placet, nostri consideratione gratiosis affectibus commenda-æ, ac eo celerius et favorabilius maturantes eadem, quo idem Electus nec dum utilis verum etiam necessarius iuxta latus nostrum existeret hiis diebus, ad auxilium apponendum ut negotia quæ sunt inter Regem Franc. et nos ad bonum producerentur effectum. Conservet vos Altissimus ad regimen Ecclesiæ suæ Sanctæ per tempora feliciter longiora. Dat. apud Westm. 19 die Febr. Anno Domini 1298.*

*An. 27 E. 1.*

**V**enerabili in Christo Patri Domino F. Dei gratia Sanctæ Mariæ in Cosmodin. Diacono Cardinali, amico suo karissimo; Edwardum eadem gratia, &c. salutem, & sinceræ dilectionis affectum. Dilectum Clericum nostrum Magistrum Petrum de Dene latorem presentium ad sedem Apostolicam destinantes, paternitatem vestram affectuose requirimus et rogamus, quatinus eundem Clericum nostrum benignè dignemini exaudire, &c. *verbatim ut before; ut negotia quæ sunt inter Regem Francia et nos ad bonum perducerentur effectum. Dat. apud Westm. 19 die Febr. Anno regni nostri 27.*

*Ibidem.*

*Litera credentia pro eodem Johanne.*

Yet notwithstanding these Letters, his own presence and bribes, he miscarried in this suit; for the Pope by a quadruple Usurpation on the Kings Prerogative and Royalties, translated the Bishop of Norwich to Ely, created the Prior elected Bishop of Norwich, the Archdeacon of Canterbury Archbishop of Dublin, and bestowed the Archdeaconsry on the Chancellor to stop his mouth, by his own Provisions, to gain quadruple rewards to himself, and Fees to his Officers, by this their ambitious contest for Ely; thus related by \* *Mat. Westm. Post Magistrum Gulielmum de Luda Episcopum Eliensem, a majori parte Capituli electum est Prior ejusdem loci, à residuis Johannes de Langtona, Cancellarius Domini Regis. Disputata causa coram Archiepiscopo Cantuariensi, et paulo minus pro Prioris terminata, appellavit Cancellarius ad Apostolicam sedem, personam propriam itineri exponendo. Et Prior licet multisarè impediretur à nonnullis, ipse iter est aggressus, causam Ecclesiæ defensurus. Quibus in presentia Summi Pontificis, una cum Procuratoribus illius Collegii Eliensis, constitutis, atque utriusque partis jure in maribus Papæ resignatis, (a device then introduced in such cases, by the policy and delays of Popes, that they might dispose of all litigious Elections by their own Papal Provisions at their pleasures) ipse favorabilis existens Procuratoribus prædictis Collegii, annuit eis gratiam eligendi unum de Abbatibus exemptis illius ordinis, nominatis Abbatibus de Westmonasterio, de S. Edmundo, de S. Augustino, & de S. Albano. Quibus abnegantibus tantum oblatum, motus Papa de improbitate ipsorum, transtulit Episcopum Norwicensem (Radulphum Walpoole) in sedem Eliensem, et Priorem Eliensem in sedem Norwicensem. Defunctoque tunc tempore fratre Gulielmo Ottonino (Hothum) Archiepiscopo Dublinensi in redeundo de Curia Romana, dedit Papæ eundem Archiepiscopatum Magistro Ricardo de Feringes Archidiacono Cantuariensi, & Domino Johanni de Langtono Cancellario Angliæ, dedit Archidiaconatum prædictum; by his usurped Papal authority.*

The Chancellor not satisfied with this Archdeaconsry, and his former Ecclesiastical preferments, procured Pope Boniface (to gratify both the King and him, whom he had disappointed and disgusted in this business of the election to Ely) to grant him a license to hold all the Ecclesiastical Benefices and Promotions he had before, either with or without Cure, and likewise to receive two more Benefices with Cure, if he should canonically procure them; which privilege and indulgence of the Pope the King approving, ratified by this ensuing Patent, wherein he highly extols his Chancellors merits.

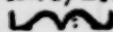
**R**EX omnibus ad quos, &c. salutem. Cum sanctissimus in Christo pater Dominus Bonifacius Papa 8. nostram in dilecto Clerico nostro Johanne de Langton Cancellario nostro volens honorare personam, cum eo super pluralitate beneficiorum suorum cum cura et sine cura, quæ obtinet nostri consideratione duxerit dispensandum, Regis.

*Pat. 27 E. 1. m. 17. intus. Pro Johanne de Langton Cancellar. Regis.*

*\* Flores Hist. An. 1298. p. 412. Godwins Catalogue of Bishops p. 212.*



An. 27 E. 1.



sanctum, nihilominus sibi ex dono gratiæ amplioris indulgens, ut si de beneplacito nostro processerit, ac expedire viderimus, adhuc etiam duo alia beneficia Ecclesiastica curam habentia animarum, si ea dicto Cancellario nostro Canonice offerantur, licite recipere, ac una cum prædictis prioribus beneficiis retinere valeat et habere, prout in literis Apostolicis nobis specialiter inde directis plenius continetur. Nos attendentes præfati *Johannis* Cancellarii nostri fidele servitium quod nobis impendit, & obsequiosam fidem quem ad nos habet & habuit, necnon conversationem ejus laudabilem vitæque honestatem, & aliarum gratiarum & virtutum dona quibus eum Altissimus insignivit: Et ex hiis eundem *Johannem* præfata gratia per præfatum summum Pontificem sibi facta et longe majori dignum esse censentes, omnibus et singulis quorum interest tenore præsentium intimamus; quod de nostro beneplacito procedit, ac nobis expedire videtur, gratumque habemus pariter et acceptum, ut idem *Johannes* prædicta duo beneficia, si sibi Canonice offerantur, licite recipere, et eadem una cum omnibus prædictis prioribus beneficiis retinere valeat et habere, juxta prædictarum Apostolicarum continentiam literarum. In cujus, &c. Teste Rege apud Cantuar. 9 die Julii.

By which dispensation of the Pope we may observe, 1. How little regard he had either of the peoples souls, Gods worship, service, or of the Canons and Decrees of former Councils, Popes, Prelates, or his own made against Pluralities from time to time, which he dispensed with for money and favour, beyond all bounds of moderation to this great Officer of State, who neither could reside upon, nor officiate in any of them: 2ly. This Chancellors unconscionable avarice in procuring dispensations for such a multiplicity of Benefices with Cure for filthy lucre, which he neither did, nor possibly could reside on, nor discharge his pastoral duty in them to Gods honour, or the edification or salvation of peoples souls, which he never minded, but only the augmentation of his own annual revenues: 3ly. That the Popes dispensations to hold pluralities of Benefices with Cure, in *England*, were held invalid in that age, without the Kings approbation and confirmation of them.

Pope *Nicholas* the 4<sup>th</sup>. having by his Provision conferred the Prebendary of *Massam*, belonging to the Kings donation by reason of the Temporalities of the Archbishoprick of *Tork* in his hands, on *John de Columpna*, which Provision Pope *Boniface* the 8<sup>th</sup> confirmed, and at his solicitation issued two successive Mandates to the Archbishop of *Canterbury*, and also to special Delegates to induct him into possession thereof, and to admonish the King's Clerk after two years peaceable possession, either peaceably to acquit the possession thereof to this *Italian*, or else personally to appear before the Pope within a prefixed time; against his Crown and Royal dignity; the King thereupon to preserve the rights and prerogative of his Crown against this Papal usurpation, issued these two Prohibitions to the Archbishop of *Canterbury* and the Popes Delegates, and likewise sent this ensuing Letter to the Pope, to revoke his Provision and Mandates to the disinherison of his Crown and ancient right, which he neither would nor ought to suffer or connive at, and if he should, yet his Nobles would by no means suffer it.

Claus. 27 E. 1.  
m. 16. dorso.  
De Præbenda  
de Massam.

**R**EX Archiepiscopo *Cantuar.* salutem. Vacanti nuper *Eboracensi* Ecclesia per mortem *J.* quondam Archiepiscopi ejusdem Ecclesiæ, & in manu nostra existente, Præbendam de *Massam* quam dudum *Bogo de Clare* defunctus in ipsa Ecclesia optinebat, quam post obitum ipsius per dictum Archiepiscopum dum vixit, in plurimas portiones divisam, nostro irrequisito assensu invenimus, cuidam Clerico nostro integraliter cum suis juribus & pertin. universis contulimus, juxta quod ab nos pleno jure nostro Regio pertinebat, ipsum in corporalem possessionem ipsius Præbendæ per Capitulum dictæ Ecclesiæ induci fecimus, ut est moris. Cum itaque dictus Clericus noster sic in dictæ Præbendæ possessionem inductus, gavisus sit ipsa pacifice & quietè jam per duos annos continuos præcedentes & amplius, *Johannes de Columpna*, natus *Lundulphi de Columpna*, suggerens subsequenter sanctissimo in Christo patri, Domino *B.* Papæ 8 præfata Præbendam sibi debitam et vacantem ex provisione secularis recordationis Domini *N.* Papæ 4. tacito de jure Regio per veri suppressionem,

ab

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ad ipso Domino B. ad quosdam certos executores literas Apostolicas, sicut dicitur, impetravit, ut ipsum vel ejus procuratorem in possessionem memoratæ Præbendæ per se vel alium, aut alios inducerent, et inductum defenderent. Quod si processisset, in executionem juris nostri Regii et exheredationem nostram utique redundasset; Nos autem diminutionem Coronæ et dignitatis nostræ Regiæ nolentes, sicut nec debemus aequanimiter tolerare, inhibuimus eisdem, ne quicquam quod in exheredationem nostram, seu præjudicium juris nostri Regii posset cedere in hac parte aliquatinus attemptarent, seu facerent aliquo modo attemptari, neque ad executionem hujusmodi negotii procederent nobis inconsultis. Verum cum nunc demum ad vos literæ Apostolicæ emanasse dicantur, in quibus continetur, quod Clericum nostrum, per quem prædicta Præbenda contra justitiam detineri asseritur occupata, et quemcumque alium seu alios ejusdem Præbendæ detentorem seu detentores ex parte Domini Papæ moneatis per vos, vel per alium aut alios, ut infra certum tempus præfatam Præbendam præfato Johanni de Columpna, vel procuratori suo ejus nomine, in pace demittant, alioquin ipsos procuretis citari, ut infra certum tempus se Apostolico conspectui repræsentent, tacito de jure nostro regio, et collatione per nos prælibato Clerico nostro, et facta possessione ac continuatione ipsius nostræ collationis optentum, prout superius est expressum. Vobis mandamus firmiter inhibentes, quatenus circa præmissa vel aliquod præmissorum in exheredationem vel diminutionem Coronæ nostræ in præjudicium collationis nostræ prædictæ aliquid attemptantes, seu facientes aliquo modo attemptari ad executionem hujusmodi negotii nullatenus procedatis. Vos scire volentes, quod in executionem nostram et bestram super ipso negotio ad sedem Apostolicam nuncios speciales intendimus in proximo destinare. Dat. apud Westm. 30 die Martii.

An. 27 E. 1.

**R**EX Magistro Galfrido Camera Domini Papæ Clerico salutem. Licet nuper vobis mandavimus, nostri fuisset propositi super negotio Præbendæ de Massam in Ecclesia Ebor. quam Johannes de Columpna natus Landulphi de Columpna, ex provisione Apostolica habere contendit, Domino Papæ literas nostras specialiter direxisse. Ita tamen de causa super eodem negotio ad præsens sibi scribere duximus omittendum, set vos ipse processum ejusdem negotii et jus etiam quod nobis ad collationem prædictæ Præbendæ ratione dignitatis nostræ Regiæ competebat, iuxta quod illud in parte vobis patefecimus non est diu, dicto Domino Papæ in bestræ executionem poteritis plenius intimare, et hoc meliori modo quo poteritis, petimus et rogamus, executionem et processum ejuslibet per vos interim faciendam penitus suspendentes, quoniam intentionis ipsius Domini Papæ esse non credimus, jura nostra velle præripere nec eis in aliquo derogare, set illa potius illata serbare, et si foret necesse gratiosis affectibus adaugere. Teste Rege apud Ebor. 20 die Decembris.

Claus. 27 E. 1.  
m. 18. De  
Præbenda de  
Massam.

**S**anctissimo in Christo Patri Domino B. Divina Providentia Sanctæ Romanæ Sac universalis Ecclesiæ Summo Pontifici; Edwardus eadem gratia Rex Angliæ, Dominus Hybernæ, & Dux Aquitanie, devota pedum oscula beatorum. Hoc habet nostra Consideratio circa Sanctam Romanam Matrem Ecclesiam, ut solita circumspeditionis suæ puritas, cuncta quæ sunt æquitatis et justitiæ circumspicit, et singulorum jura non minus in aliis quam in se ipsa conserbat. Sane Sanctissime Paternæ quicquam turbationis ex eo quod Johannes natus nobilis viri Landulphi de Columpna, qui Præbendam de Massam in Ecclesia Eboracensi, ex provisione felicitis recordationis Domini Nicolai Papæ 4. prædecessoris bestræ habere contendit, iuxta mandati bestræ tenorem ipsam non fuerit assecutus possitis colligere, per quod processus inceproso forsitan aggravetis. Causam oblatuli, quæ talis est, beatitudini bestræ decrevimus aperire, videlicet, quod prædictam Præbendam quam nuper vacante dicta Eboracensi Ecclesia nostri patronatus per mortem bonæ memoriæ 7. quondam Archiepiscopi ejusdem Ecclesiæ vacantem, et in plurimas portiones divisam, nostræ Regiæ irrequisito assensu invenimus, cuidam Clerico nostro integraliter, cum suis Juribus et pertinentiis universis, prout ad nos spectabat contulimus pleno jure, quo quidem claræ memoriæ progenitores nostri Reges Angliæ temporibus suis in casu hujusmodi utebantur, et nos etiam subsequenter libere uti sumus: existente vero prædicto Clerico aliquandiu in ipsius Præbendæ possessione pacifica et quieta, præfatus 7. de Columpna suggerens vobis (sicut accepimus) prædictam Præbendam ratione provisionis prædictæ sibi debitam

Claus. 27 E. 1.  
m. 13. intus.  
De Præbenda  
de Massam.



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4.*

An. 27 E. 1. ut vacantem tacito de jure nostro Regio, collatione, et possessione p[re]missis, a vobis literas (sicut dicitur) impetravit, per quas certis executoribus ut ipsum vel ejus procuratorem in possessionem ejusdem P[re]bend[arum] per se vel per alium aut alios inducerent et indutum defenderent, dedisse dicimini in mandatis. Et quia mandatum hujusmodi et illius executio si procederet, in enervationem juris nostri Regii, et exheredationem nostram, et enormem l[es]ionem dignitatis et Co[ro]n[arum] nostrar[um] cederet manifeste, nec sit intentionis vestre jure nostro belle p[re]cipere aut eis in aliquo derogare, sicut firmiter credimus, et tenemus. Sanctitati vestre devotissime supplicamus, quatinus p[re]missis benigna meditatione pensatis, super revocatione p[re]sbitar[um] prohibitionis et ejus effectu, quoad p[re]bendam de qua agitur, ut jus nostrum ac p[re]dicta Collatio et possessio non laedantur, sed potius conserventur illa, dignemini, si placet, providentia oportuna remedium addibere. Profecto, etsi nos vellemus deperire in hoc facto, seu illud permittere sub dissimulatione transire,

\* Nota. \* Magnates tamen Procures regni nostri, qui ad defensionem dignitatis et Co[ro]nar[um] nostrar[um] ex homagii et fidelitatis vinculis sunt affixi, Jus nostrum taliter deperire minime sustinerent. Conservet vos Altissimus ad Regimen Ecclesiar[um] suar[um] sanctar[um] per tempora prospera & longeva. Dat. apud Westm.

William Hamilton the Kings Chaplain, imployed frequently in his Service, being unanimously elected Dean of York upon his predecessors advancement to the Archbishoprick, who refused to install him Dean, by reason that the Pope by his Provision before its avoydance had conferred it on another. The King thereupon as Sovereign Patron of the Church and Religion within the Realme, writ these ensuing Letters to the Pope and a Cardinal, for a speedy dismission of this business long depending at Rome; to the great prejudice of the Church, Deanery, and Almes of the Poor, to the Archbishops own examination.

Cl. 27 E. 1. m. 19. dorso. Pro Willielmo de Hamelton de Decanatu Eborum.

S. Sanctissimo in Christo Patri Domino B. Divina Providentia Sanctae Romanae ac universalis Ecclesiae Summo Pontifici: Edwardus, &c. Devota pedum oscula Beatorum. Intuentes incommoda immo dampna quasi irreparabilia quae verisimiliter Ecclesiae Eboracensi ex diutina Decani absentia poterunt imminere, et si fidelius aliqua quae de hujusmodi sentimus negotio vobis patefacere precitamus quo ad Ecclesias singulorum Regnorum p[re]sbitandas a nostris, Clementiam vestram salubrius addibere remedium arbitramur. Sanè p[re]dicta nuper Eboracensis Ecclesia per consecrationem Venerabilis Patris H. in Archiepiscopum ejusdem Decani solacio destituta, Capitulum ipsius Ecclesiae ad Electionem solemnem de futuro p[re]ficiendo Decano procedens, discretum virum Willielmum de Hamelton Archid. ejusdem Ecclesiae, dilectum utique Clericum nostrum qui nobis valde fideliter & multum utiliter longo tempore sine intermissione servivit, elegit concorditer in Decanum. Cumque ipsius Electionis negotium p[re]dicto Archiepiscopo, ad quem illius confirmatio seu infirmatio pertinet, p[re]sentatum fuisset, idem Archiepiscopus p[re]dictum Electum p[re]textu cusumam Prohibitionis Apostolicae Venerabili Patri Domino T. Sanctae Mariae in Cosmodyn Diacono Cardinali, de personatu vel dignitate cum in dicta vacaret Ecclesia dudum factae, admittere distulit, et Electionem hujusmodi confirmare; Volens prius super ipsius Electionis negotio vestram consulere sanctitatem. Nos igitur Curae magnitudinem ac alia onera varia et diversa p[re]sato Decanatu incumbens, necnon et Elemosinarum largitionem, quae ex antiqua ratione quarundam Ecclesiarum parochialium in quibus idem Decanatus consistit, totaliter a nostris olim progenitoribus collatarum per Decanos Eboracenses jugiter in p[re]sata Ecclesia habent fieri, quasque in Regia dignitatis nostrae p[re]judicium quod deperiant, homines non potuimus tollerare, dominationi vestrae medullitus innotescere cupientes, beatitudini vestrae omni qua decet reberentia supplicamus, quatinus p[re]missis clementi meditatione pensatis, inspectaque benigne ipsius qualitate negotii, et eorum quae p[re]mittuntur veritate diligentius intellecta, ne Ecclesia memoratu dispendiis irreparabilibus exponatur super p[re]notato Electionis negotio, Deo propitio remittendo si placet, dignemini oportuna providentia studium impartiri. Conservet vos altissimus ad regimen Ecclesiar[um] suar[um] sanctar[um] per tempora longiora. Dat. apud Lincoln. 7 die Mensis Januarii.

Venerabili

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

**V**enerabili in Christo Patri Domino J. Dei Gratia titulo sanctorum *Marcellini & Petri*, Presbytero Cardinali, amico suo karissimo, *Edwardus*, &c. salutem & sinceræ dilectionis affectum. Illam concepimus de benevolentia vestra fiduciam ut in eo promptam se reddat & facilem quod & divinæ pietati placitum & nobis etiam sit acceptum. Sane Ecclesia *Eboracensis* per Consecrationem venerabilis Patris, &c. (ut *supra*, usque ibi admittere distulit,) deliberans sedem Apostolicam super ipso negotio consulendam. Nos itaque considerantes incommoda, immo dampna quasi irreparabilia quæ verissimiliter prædictæ Ecclesiæ *Eborum* ex diutina Decani absentia poterunt immineere, Domino Summo Pontifici per literas nostras specialiter supplicamus, ut Curæ magnitudine ac aliis oneribus variis et diversis præfato Decanatu incumbens, necnon et eleemosinarum largitione, qd. ut *supra*. quod depereant, honeste non poterimus tollerare, ne ipsa Ecclesia occasione præfata prohibitionis irreparabilibus dispendiis exponatur, et Decanatus ejusdem in suis Juribus et libertatibus collabatur, dignetur illius Dei intuitu miseri, et præfate electionis negotium pie remittere ad examen Archiepiscopi memorati: Sperantes igitur idem negotium ope vestra posse feliciter promoveri, Paternitatem vestram affectuose requirimus & rogamus, quatinus ad promotionem ipsius erga dictum Dominum Summum Pontificem, & alibi ubi necesse fuerit velitis si placet manus extendere favorabiliter adjuvantes, ut ex hoc ad ea quæ vobis aut vestris placita fuerint, sive grata, reddamur merito promptiores. Dat. ut *supra*.

An. 27 E. 1.  
Cl. 17 E. 1.  
m. 18. do. 10.  
Pro Willielmo de Hamelton.

The Pope summoning this *William de Hamelton* the Kings Secretary (to whom he had committed the custody of his Great Seal and Chancellorship, during his Chancellors absence about his election to *Ely*) to appear in person before him; the King thereupon writ this Letter to the Pope, to excuse his not appearing upon his summons, because he could not want his service and attendance about his publike affairs.

**S**anctissimo in Christo Patri Domino B. Divina Providentia Sacrosanctæ *Romane* ac universalis Ecclesiæ Summo Pontifici, *Edwardus*, &c. devota pedum oscula beatorum: *Johanne de Langton* Cancellario nostro pro electionis negotio de ipso factæ in Ecclesia *Elyen.* ad vestram olim præsentiam accedente, sigilli nostri custodiam, nostræque officium Cancellariæ, discreto viro *Willielmo de Hamelton* Archidiacono *Eborum* Secretario nostro, tunc commisimus exequendam. Cumque ipsum *Willielmum* coram vobis personaliter, (ut accepimus) feceritis ebotari, nullusque alius in regno nostro tam expertus in legibus & consuetudinibus ipsius regni, nobisque et populo nobis subiecto tam utilis habeatur, tamque aptus et habilis ad officium memoratum, ipsum *Willielmum* officium illud dimittere non permittimus hiis diebus; credentes id Sanctitati vestræ minimè displicere, utpote cum dominatione vestram quam benevolam semper invenimus & benignam, velle nos obsequio carere personæ adeo nobis necessariæ, nullatenus præsumamus. Quocirca beatitudinem vestram requirimus et rogamus, quatinus ipsius *Willielmi* absentiam ad præsens habere dignemini ex causis prædictis excusatam. Conservat Altissimus Sanctitatem vestram incolumem ad suæ regimen Ecclesiæ per tempora longiora. Dat. *Cantuar.* 25 die *Maii*, Anno Domini 1299.

Cl. 17 E. 1.  
m. 13. Pro Willielmo de Hamelton.

The King upon information that there was Treasure hid in or about the Church of *St. Martins* in the Fields; issued this Writ to this *William Hamelton* Archdeacon of *York*, and others to search for and seise it to the Kings use, and to the Sheriffs of *London* and *Middlesex* to assist them therein.

**R**EX dilectis & fidelibus suis *Willielmo de Hamelton* Archidiacono *Eborum*, & *Johanni de Cobham* salutem. Quia datum est nobis intelligi, quod *Thesaurus* est in Ecclesia *Sancti Martini* in Campis juxta *Charring*, vel in locis contiguis et vicinis, nos de fidelitate vestra vestræque Circumspectionis industria confidentes: Assignavimus vos ad *Thesaurum* illum effodiendum, et ipsum modis et viis omnibus quibus melius expedire videritis perquirendum, ac ad opus nostrum capiendum. Et ideo vobis mandamus firmiter injungentes, quod ad præmissa facienda celeriter intendatis: Mandavimus enim Vicecomitibus nostris *London.* & *Middle-*

Pat. 27 E. 1.  
m. 15. intus.  
& Pat. 28 E. 1.  
m. 34. intus.  
De inquirendo de *Thesauri* Regis apud *Charring*.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 27 E. 1. *sex*, quod ad ipsa facienda vobis vel alteri vestrum sint intendentes, respondentes, consulentes & auxiliantes, ac etiam facientes, quæ vos vel alter vestrum ipsis ex parte nostra injungenda duxeritis in præmissis. In cujus, &c. Teste Rege apud *Kewynston* 12 die *Augusti*.

The Kings Escheator seising the corn and other goods, in the Manors and Temporalities of the Bishop of *Norwich*, by reason of his translation to *Ely* by the Popes authority, the King issued this Writ for their restitution, upon the Bishops complaint.

Claus. 27 E. 1.  
m. 4. Pro  
Radulpho Eli-  
en. Episcopo.

**R**EX dilecto & fideli suo *Waltero de Glouc. Escaer.* suo citra *Trentam* salutem. Quia ex querela venerabilis Patris *R. Elyen.* Episcopi accepimus, quod vos blada in *Grangiis*, & alia bona infra Maneria Episcopatus *Norwycen.* existentia, de quo temporalia dicti Episcopatus *Norwycen.* per translationem ejusdem Patris in Episcopum *Elyen.* in manum nostram cepistis, occasione vacationis ejusdem Episcopatus *Norwycen.* et ea eidem Episcopo detinetis ex hac causa & non alia, de quo miramur; Vobis mandamus, quod si ita est, tunc blada & bona prædicta, sic per vos in manum nostram capta, & eidem Episcopo detenta, sine dilatione restituatis ad commodum suum inde faciend. prout sibi melius viderit expedire. Teste Rege apud *Westm.* 14 die *Octobris*.

The Bishop of *Norwich* having sowed his Temporalities before his translation to *Ely*, the new elect Bishop of *Norwich*, acknowledged a recognisance of 1000. Marks to the King for the Crop, and was likewise to satisfy the translated Bishop for his expenses and costs in plowing and sowing them after his translation.

Claus. ibid m.  
7. Pro Rege.

**I**ohannes *Norwycen.* Electus, recognovit pro se & Ecclesia sua prædicta, se debere Domino Regi mille marcas, solvendas ad voluntatem Domini Regis, pro omnibus bladis in terris Episcopatus *Norwycen.* tempore vacationis, per translationem venerabilis patris *Radulphi* nuper Episcopi ejusdem loci ad Episcopatum *Elyensem*, seminat. Ita quod idem Electus satisfaciatur præfato *Radulpho* de misis & expensis per ipsum appositis in terris & ten. illis, post translationem suam prædictam.

By which it is evident, that if a Bishop sow his Temporalities, and be translated from it to another Bishoprick before Harvest, the King shall have the Crop.

The Abbot of *Westminster* procured this Writ to the Constable of *Windsor* Castle for 16 Bucks for this and the former year, granted him by King *Henricus* Charter, to pamper his and his Monks flesh, in stead of mortifying it with fasting and prayer.

Claus. 27 E. 1.  
m. 11. Pro  
Abbate West.

**R**EX *Johanni de London* Constabulario Castri sui de *Wyndesore* salutem. Cum celebris memoriz Dom. *H. &c.* (in *here*, p. 571, 672.) Vobis mandamus, quod eidem Abbati octo damos de Anno regni nostri vicesimo sexto, & alios octo damos de anno præfenti habere faciat, juxta concessionem prædicti patris nostri & confirmationem prædictam. Et Cultum quod ad hoc posueritis cum illud sciverimus, vobis in compoto vestro ad Scaccarium nostrum allocari faciemus. Teste Rege apud *Putworth* 29 die *Junii*.

The Barons of the Exchequer issuing processe against the Prior of *Pontefract* for not making a fine to the King as other Priors aliens under the power of the King of *France* had done, for the mean profits of the Lands received; the King upon the Certificate of the Earl of *Lincoln*, that they were all Natives and not Aliens, issued this Writ of *Superfideas*.

Claus. 27 E. 1.  
m. 12. Pro  
Prioro & Mon-  
achis de Pon-  
tefracto.

**R**EX Thes. & Baronibus suis de Scaccario salutem. Quia dilectus & fidelis noster *Henry de Lacy* Comes *Line.* qui in obsequium nostrum per præceptum nostrum profectus est ad partes transmarinas, nobis dedit intelligi, quod Prior de *Pontefract* & omnes Monachi ejusdem Domus sunt indigenæ, & in regno nostro originem traxerunt; & quod aliquis alienigena inter ipsos sub habitu Regulari à multo tempore non fuit conversatus: Nos super hoc certiorari volentes, ob cau-  
sam

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iam illam & ad requisitionem ipsius Comitis: Vobis mandamus, quod demandam quam per summon. Scaccarii nostri predicti fieri facitis prefatis Priori et Monachis de Centum et quater viginti libris, undecim solidis et tribus denariis, pro eo, quod non fecerunt finem nobiscum sicut alii religiosi in Anglia, de potestate Regis Francie, dudum fecerunt nobiscum, ponatis in respectum, usque ad reditum ipsius Comitis de partibus supradictis: Et distractionem si quam eis ea occasione fieri feceritis, interim sine dilatione relaxari faciatis eisdem. Teste Rege apud Doveriam 4. die Junii. Per ipsum Regem.

An. 27 E. 1.

The King marching this year with an Army against the Scots who invaded England, out of his Ecclesiastical Sovereignty and piety, issued these Writs to the Provincials of the Freers Prædicants, and Minors to enjoin all the Freers of their order in their respective Monasteries in England to make devout prayers to God for his grace to and protection of him, his children and Realm, as he had done to the Archbishop and Bishops, to excommunicate them, and pray for him and his forces.

177e, p. 745, 781.

**R**EX religioso viro in Christo sibi dilecto Priori Provinciali Ordinis Fratrum Prædicatorum in Anglia, salutem. Qualiter pro tranquillitate & pace regni nostri, ad proterviam & malitiam Scotorum reprimendam, qui regnum nostrum hostiliter invaserunt, hætenus sumus nosipsum in periculis expositi, & jam ad partes predictas cum comitiva nobilium dicti regni nostri, ad præsens proponimus, (Deo dante) dirigere gressus nostros, non credimus vos latere. Et quia in homine non est auxilium sine Deo; ac propter hoc oportet impotentiam nostram debinx manus præstitis sustentari; Vos affectuose requirimus & rogamus, quatinus confratribus vestris singularum Domorum vestrarum vobis subditarum dare velit in mandatis, ut Deum et Dominum nostrum protektorē pro nobis suppliciter exorent; Ita quod per ipsorum orationum debotarum suffragia, gratiam nobis adaugent, nosque ac liberos nostros, et regnum nostrum sua pietate ab omnibus adversitatibus tueatur. Dat. apud Langley 22. die Octob.

Cl. 27 E. 1. m. 7. De orando pro Rege.

Consimiles literæ diriguntur pro Rege, generali Ministro fratrum Minorum in Anglia. Teste ut supra.

The King to prevent the imposition of Taxes by, and exportation of Money and Goods to the General Chapters of the Cisterciens out of England, prohibited any of them but one only to repair thither, by this Writ.

**R**EX universis & singulis Abbatibus Cisterciens. ordinis London. congregatis, salutem. Quia certis de causis volumus quos vos vel aliquis alias Abbas seu Monachus ordinis vestri de regno nostro cujuscunque status seu conditionis existat mare transeat ista vice, ad suum Capitulum generale, excepto duntaxat Abbate de Gerndon cui licentiam dedimus transiretandis; vobis mandamus firmiter inhibentes, ne aliquis vestrum regnum nostrum exire præsumat, sine nostra licentia speciali. Teste Rege apud Kenynton 12 die Augusti.

Pat. 27 E. 1. m. 15. intus. Pro Abbate de Gerndon.

He likewise sent this Letter of Credence by his Treasurer to the Archbishop, Bishops and Clergy of the Province of Canterbury assembled in Convocation, to demand an ayd of money against the Scots.

**R**EX venerabilibus in Christo Patribus R. eadem gratia Cantuar. Archiepiscopo, totius Anglia Primati, & omnibus Episcopis & aliis Prælati, Clerique absentis Procuratoribus in instanti Congregatione apud Novum Templum London. conventuris, salutem. Aliqua nos tangente venerabili patri W. Coventr. & Lychf. Episcopo vobis exponenda injunximus viva voce; Rogantes quatinus eidem Episcopo in hiis quæ vobis ex parte nostra exponet, velit fidem credulam adhibere. In cujus, &c. Teste Rege apud Langley 31 die Octobris.

Pat. 27 E. 1. m. 5. intus. Pro Rege de cred. in Concilio Archiep. Cantuar.

Walter Langton Bishop of Coventry and Lichfield being the Kings Treasurer, adding himself to secular employments, instead of feeding his peoples souls, and discharging his Episcopal office, procured this Charter from the King, whereby he deprived



An. 27 E. 1. prived him of the Royalties, Forfeitures and Jurisdiccions belonging to his Crown, to intayle them on him and his successors for their honour and advantage.

Cart. 27 E. 1.  
m. 5. Pro  
W. Coventr.  
& Lichfield.  
Episcopa.

**R**EX Archiepiscopis, &c. salutem. Sciatis, quod cum venerabilis pater *Walterus de Langeton Coventr. & Lichf.* Episcopus, Thesaurarius noster, ne dum ante, sed post susceptum curæ Pastoralis officium, nostris iugiter iustis obsequiis, ad nostram & regni nostri utilitatem, laudabiliter se habuerit in eisdem. Nos personam suam omni honore dignam censentes, ac propter hoc Ecclesias suas regimini suo commissas in persona ipsius honorare volentes, concessimus pro nobis & heredibus nostris eidem Episcopo, quod ipse & successores sui dictorum locorum Episcopi, imperpetuum habeant in omnibus terris suis Episcopatus prædicti, returnum omnium brevium nostrorum, placita vetiti namii, & catalla felonum & fugitivorum, necnon fines & amerciamenta omnium hominum & tenentium suorum per præfatum Episcopum & successores suos, ac Ballivos & Ministros suos, ad opus eorundem Episcoporum levanda, sine occasione vel impedimento nostri aut hæredum nostrorum, Justic. Vic. Ballivorum seu Ministrorum nostrorum quorumcunque. Quare volumus & firmiter præcipimus pro nobis & heredibus nostris, quod prædictus Episcopus & successores sui imperpetuum habeant returnum omnium brevium nostrorum, placita vetiti namii, catalla felonum & fugitivorum, necnon fines & amerciamenta omnium hominum & tenentium suorum per præfatum Episcopum & successores suos prædictos, ac Ballivos & Ministros suos, ad opus eorundem Episcoporum levanda, sine occasione nostri aut hæredum nostrorum, Justic. Vicecomitum, Ballivorum, seu Ministrorum nostrorum quorumcunque, sicut prædictum est. Hiis testibus, venerabilis patribus *A. Dunelm. R. London. & J. Winton.* Episcopis; *Johanne de Warenna Comite Surv. Hurr. de Lacy Comite Lincoln.* *Thoma Comite Lancaster. Aymero de Valentia, G. Comite Warr. Roberto filio Walteri, Hugone le Despenser, Waltero de Bello Campo Senescallo Hospitii nostri, Petro de Glavenet, & aliis.* Dat. per manum nostram apud *Westm.* 18 die *Aprilis*.

*Per ipsum Regem. Et inde habuit tresdecim paria.*

Most of such Royalties and Priviledges granted to our Archbishops and Bishops, were procured from our Kings whiles the Archbishops and Bishops of those Sees were their *Chancellors, Treasurers*, or other grand Temporal Officers, to the great impairing of the Rights, Royalties, and Revenues of the Crown, as the Charter and Patent Rolls abundantly evidence.

The King likewise by his Ecclesiastical Prerogative, authorized this Bishop to enclose the Clause of the Cathedral Church of *Lichfield* with a Wall and Battlements, by this Patent, for the reasons therein expressed.

Pat. 27 E. 1.  
m. 19. intus,  
Pro W. Cov.  
& Lich. Episc.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod ad honorem Dei et honoratam Ecclesiæ Cathedralis *Lichfield*, ac Sanctorum quorum corpora requiescunt in eadem, necnon ad securitatem et quietem Canonicoz et Ministrorum Ecclesiæ prædictæ, et suorum ibidem residentium, concessimus pro nobis et heredibus nostris venerabili patri *Waltero de Langeton Coventr. & Lichfield.* Episcopo, quod ipse procinctum domorum suarum & Canonicoz prædictorum infra Clausum ejusdem Ecclesiæ, muro lapideo includere, et murum illum hennellare; Ac procinctum prædictum sic inclusum cum muro hennellato tenere possit ubi et successoribus suis imperpetuum, sine occasione vel impedimento nostri et hæredum nostrorum, Justic. seu alioz Ministrorum nostrorum quorumcunque. In cujus, &c. Teste Rege apud *Westm.* 20 die *Aprilis*.

*Per ipsum Regem.*

\* Chart. 27 E.  
1. nu. 17. Pat.  
6 H. 6. part 1.  
m. 18. Monast.  
Angl. vol. 1. p.  
902, 936, 937,  
&c.

\* King Edward the 1. as he did by his Ecclesiastical Prerogative license *Henry de Lassey* Earl of *Lincoln* to remove and translate the Abby of *Stanlaure* to *Whalley*, propter grave periculum ex vicinitate maris, quod cum terram ipsorum ex una parte *Monasterii* consumpsit & devastavit, & ex alia in proximo est consumpturum; & ossa antecessorum suorum & aliorum ibidem humatorum, per assensum *Diocani* Episcopi secum transferre, & apud *Whalley* honorifice recondenda, in the 12. year of his reign; so

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So this year he by his Royal Authority and Charter removed and translated the Monastery of *Dernhale* of the Cistercian Order, to the Abby of *Valle Royal* which he had then newly founded and endowed, granting them very large Liberties, Privileges, and Exemptions from all sorts of Tolls and secular services; and likewise ratifying the appropriations of several Churches made to it by Popes at his request; by this clause. *Præterea cum Sanctissimi Patris in Christo Domini Honorius Papa quartus, & Nicholaus Papa quartus, Dei ductu ducatu, et ad nostram instantiam, Ecclesias de Kirkham in Comitatu Lancastrie, & Castri de Peck in Comitatu Derbire, & Frodesham & Weverham in Comitatu Cestrie, quarum advocaciones præfatis Abbati & Monachis de Valle Regali, & eorum successoribus per Chartas nostras concessimus, prædictis Abbati et Conventui et eorum successoribus in proprios usus concesserint; (which the King alone might have appropriated without these Popes, as well as ratify their appropriations of them.) Nos concessionem et appropriationem huiusmodi ratas habentes et gratas, eisdem pro nobis et heredibus nostris Regiam præbemus assensum. Unde licet prædicti Abbas & Conventus ante appropriationem eis, ut præmissimus, factam, seu in Romana Curia impetratam, nullas personas ad ipsas Ecclesias de Kirkham, Castro de Peck, & Frodesham & Weverham prædictas præsentaverint; nichilominus tamen volumus et concedimus pro nobis et heredibus nostris, quod prædicti Abbas et Conventus et eorum successoribus memoratas Ecclesias sic appropriatas eisdem imperpetuum habeant, teneant et possideant in pace omnimoda et quiete; ita quod nec nos nec heredes nostri aliquod ius vel claimentum seu aliquam actionem per breves de Ultima Præsentatione, vel sine brevi, seu per aliud breve quodcumque, aut etiam ratione statuti nostri nuper editi, de tertiis aut teneamentis aliquibus ad manum mortuam non ponendis, versus prædictos Abbatem & Conventum vel eorum successores habere poterimus vel movere, nec aliquod ius vel claimentum in Advocacionibus prædictarum Ecclesiarum imperpetuum vendicare. Quare volumus, &c. Dat. per manum nostram apud Stevenheth 15 die Maii.*

*Per ipsum Regem.*

The Popes Nuncio sending Letters to the King to know his pleasure, where his associates returning from *Rome* should finde and attend him, received this answer,

**R**EX, &c. venerabili in Christo Patri R. eadem gratia Episcopo *Vincentino*, amico suo charissimo, salutem & sinceræ dilectionis affectum. Literas vestras per latorem præsentium nobis missas recepimus, earumque tenorem intelleximus diligenter: sanè super eo, quod ubi et quando socios vestros de *Romana Curia* redeuntes ad nos venire velimus petibitis per nos effici certiores; vobis significamus, quod ad partes *Scotorum* dirigimus gressus nostros, ubi annuente Domino poterimus inveniri. Dat. apud *Eboracum*. 17 die *Novemb.*

Clau. 19 E. 1.  
m. 7. Pro  
Rege.

*Hugelinus Reyner* a Merchant of *Senes*; citing some of the Kings Subjects in *Ireland* (by authority of the Popes Letters) out of the Realm and Kings power, against the Custom of *Ireland* and this Realm, to the hurt and prejudice of the Kings Royal authority, being imprisoned in *Ireland* for this offence, the King at the instance of this Popes Nuncio, out of his special grace was pleased to grant him a pardon under his seal of *Ireland*; and issue this Writ for his release out of prison, so as he should answer any other that should prosecute him for this offence.

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* salutem. Cum nos ad instantiam venerabilis patris *Reginaldi* Episcopi *Vincensis*, Apostolici sedis *Præfati*, pardonavimus (quantum in nobis est) de nostra gratia specialiter, *Hugelinus Reyner* de societate Mercatorum de *Sen.* transgressionem quam nuper fecisse dicebatur summoneri faciendo quosdam homines de *Hibernia* extra regnum et potestatem nostram, antequam literarum Apostolicarum, contra consuetudinem in regno nostro et prædicta terra *Hibern.* hæcenus usitatum, et in præjudicium et læsionem nostræ Regiæ dignitatis: Ita tamen quod idem *Hugelinus* in Curia nostra stet recto, si quis verius eum loqui voluerit de transgressionem prædicta: Vobis mandamus, quod ipsum *Hugelinum* a prisona in qua occasione prædicta (ut dicitur) est detentus, sine dilatione deliberari; et ubi literas nostras patentes

Clau. 19 E. 1.  
m. 10. Pro  
Hugelino  
Reynere.



*An. 27 E. 1.* tes de pardonatione prædicta sub sigillis quo utimur in *Hibern.* habere faciatis in forma prædicta. Teste Rege apud *Caninar.* 17 die Julii.

\* See here,  
Tom. 2. p. 478,  
479, 561, 618,  
718.

A clear evidence, that such Citations were then reputed very high offences against the Kings Crown and dignity, as well in *Ireland* as *England*.

The King having seized both the Temporalities and Goods of *William* Bishop of *Imaleth* in *Ireland*, for the Debts he owed him while he was his Escheator, afterwards at the Bishops request committed them to the custody of one of the Kings and Bishops Clerks, towards the satisfaction of his Debts, as these Writs inform us.

*Fines 27 E. 1.*  
*m. 4.* De  
Episcopatu  
*Imalacen.* cu-  
stodiend.

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* vel ejus locum tenenti, & Thesaur. & Baronibus suis de Scaccario *Dublin.* salutem. Cum pro debitis in quibus venerabilis pater *Willielmus Imalacen.* Episcopus nobis tenetur, & ad requisitionem ipsius Episcopi, & de consensu ejusdem vobis mandaverimus, quod Episcopatum prædictum cum omnibus pertinentiis et bonis in maneris illius Episcopi existentibus, sine dilatione et diminutione aliqua caperetis in manum nostram, et temporalia ejusdem Episcopatus, et bona in eisdem inventa salvo custodiri faceretis, ad opus nostrum: Ita quod de redditibus et bonis prædictis nobis respondere possitis ad mandatum nostrum, et jam de assensu et voluntate ipsius Episcopi velimus, quod Magister *Bartholomæus de Sutton* noster & præfati Episcopi Clericus habeat custodiam Episcopatus prædicti (cum pertinentiis) ac bonorum in dictis maneris existentium, quamdiu nobis placuerit; Ita quod nobis & præfato Episcopo inde respondeat ad Scaccarium nostrum *Angl.* ad mandatum nostrum: Vobis mandamus, quod Episcopatum prædictum cum pertinentiis & bonis in maneris illis existentibus prædicto *Bartholomæo* liberetis custodiend. (sicut prædictum est) una cum omnibus per vos inde perceptis ad opus nostrum à tempore captionis prædicti Episcopatus in manum nostram. Ita quod præfatus *Bartholomæus* inde nobis & præfato Episcopo valeat integrè respondere. In cujus, &c. Teste Rege apud *Charcham* 10 die Septembr.

*Fines 27 E. 1.*  
*m. 19.* Pro  
*Imalacen.*  
Episcopo.

**R**EX *Johanni Wogan* Justic. suo *Hibernie*, vel ejus locum tenenti, & Thes. & Baronibus suis de Scaccario *Dublin.* salutem. Quia venerabilis Pater *W. Imalacen.* Episcopus nobis in magnis et diversis debitis de tempore quo fuerit Cæsar noster in *Anglia*, et alibi in obsequio nostro steterat de præcepto nostro speciali, tenetur; quæ quidem debita per sum. Scaccarii nostri diversimodè exiguntur, & ad quæ nobis reddenda, idem Episcopus exitus de Episcopatu suo prædicto probentibus nobis assignabit, quousque ad opus nostrum dicta debita inde lebentur ab eodem; ea quod alibi non habet ultra suam sustentationem necessariam, unde ea solvat. Vobis, ad rogatum ipsius Episcopi, & de consensu ejusdem, mandamus, quod Episcopatum prædictum, cum omnibus suis pertinentiis et bonis in maneris ejusdem Episcopatus inventis sine dilatione et diminutione aliqua capiat in manum nostram, et temporalia ejusdem Episcopatus, et bona in eisdem inventa salvo custodiri faciatis ad opus nostrum; ita quod de redditibus et bonis prædictis nobis respondere possitis ad mandatum nostrum: Et hoc nullo modo omittatis. Teste Rege apud *Westm.* 4. die Aprilis. Per ipsum Regem & totum Consilium.

*Ibidem.*

**R**EX *Johanni Wogan* Justic. suo *Hibern.* vel ejus locum tenenti, salutem. Quia venerabilis pater *W. Imalacen.* Episcopus nobis in magnis & diversis debitis, &c. (ut supra, usque ibi, unde ea solvat,) ac ex relatu ipsius Episcopi didicimus, quod quidam Magister *Johannes Cantok*, Custodiam dicti Episcopatus, & administrationem exituum inde provenientium, sub ipso Episcopo habuit jam est diu, de quibus nobis in allocatione debitorum prædictorum, seu prædicto Episcopo, quasi in nullo respondebat hucusque, sed exitus illos in usus proprios convertibat; & nobis ac eidem Episcopo detinet minus justè; per quod dicta debita in nostri & dicti Episcopi dampnum adhuc remanent non soluta; Vobis mandamus, quod præfato Magistro *Johanni* scire faciatis, quod sit in propria persona sua ad Scaccarium nostrum in *Anglia*, in *Quindena* Sancti *Johannis Baptiste* proximo futura, cum rotulis, tallis, munimentis & aliis receptionem dictorum exituum contingentibus, paratus ad compotum suum nobis et dicto Episcopo de dictis redditibus reddendum, juxta legem &

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& consuetudinem Scaccarii prædicti. Et habeatis ibi hoc breve. Teste ut supra. *An. 27 E. 1.*

The King having issued out Writs of Proclamation to all the Sheriffs of *England* to summon all men at armes, persons of Estates, and such to whom he had given lands in those parts, to repair to him to *Carlisle* upon his wages, against the rebellious *Scots* who invaded *England*, at *Pentecost*, being in the mean time necessitated to abide in the Southern parts of the Realm, by reason of a Message from the Pope and a Treaty to be held with his *Nuncio* at *Mustroil* in *France*, to settle all differences between the King of *France* and him; in pursuance of his former award, issued these Writs of Resummons, (which I found in the *White Tower Chappel*) adjourning their appearance at *Carlisle* till the Gules of *August*.

**E**dward par la grace de Dieu Roi d'Engleterre, Seigneur d'Irlande, & Duc d'Aquitain, a Visconte de Southampton, salut. Come nous vous eufoms nadgueres per nos lettres mande, qe vous seissiez par my tote vostre Baillie crier, garnir, e amonester totes les bones gentz d'armes qe sont, auxi come de comun & suffisantz et de value, qil venissent a nous a *Kardail* a nos gages, issi qil feussent a nous illoques la veille de la *Pentecost* prochein a venir a plus tard, pur aler sur noz enemiz *Descote*, e par ceuz as quiez nos avoms terres donees en celes parties, e uncore bioms a donner mettre en seisine des dictes terres, & nous eioms procheinement Messages a envoyer au message le *Apostoil*, en qui le *Roy* de *Fraunce* e nous haut e bas, sur graves peines, nous somes soumis de touz conters, riotes e guerres mues entre nous d'une part et d'autre, et par les gentz le *Roi* de *Fraunce* en noun de *lp* e par *lp*, e par nos gentz qe le furent en meisme la manere, par assent du message du dit *Apostoil* qui il ad a ceo especialment envoie soit sur pzin l'endemain d'Assention a *Mustroil* par treter debant le dit message des conters, riotes e guerres abantoides a peser, e per bone pes sur ceo faire e a fermer solome la forme, e la ordenance, qe le dit *Apostoil* sur ceo ad pronuncie. Nous e eu tretim e conseil ove le Ercevesque de *Canterbir*, e ove altres Evsques, Contes, Barons, e altres de nostre conseil, fumes a cel jour assentz: E avoms certeine message ordenez de renouour, par quoi il est avis a nous e a touz ceaux qe a nostre conseil seurent, qe nous ne nous pooms des parties del suth ou nous fumes ore esloigner, par aucuns desbats qe par abentera en cele besoigne pozent surdre, sur ques nos ditz messages aberont messer de nous hastinement abiser e conseiller de ce: nous par comun assent de nostre conseil avantdit avoms cel jour nous bioms estre a *Kardail* sanz plus delai a parfaire al eide de Dieu les choses de susdites. Nous vous commandoms e fermement enjoignons, que vous facez par my tote vostre Baillie crier, garnir, e amonester totes les bones gentz de armes en la forme susdite qil veignent a nous illoques a nos gages, e a nostre sond. E qil soient illoques l'endemain de la Gul *Aust* avantdit sicome il aiment le honeur de nous e de la Corone d'Engleterre, e la profit, e le sauvement de tot le Roiaume, e de eux meismes. E ceste choses fetes assavoir par mi tote vostre Baillie sicome dit est e crier, e publier en Cites, en Burghs, e en villes merchaundes, e en touz autres Liues de mesme la Baillie ou vous verrez qe ben soit. Et tant sonent come vous verrez qil soit a faire. E de ceo qe vous en averez fait al avantdit terme nous certefiez e nous remettant al bure ceti breif. Donez a *Stebenheth* le septime jour de *May*, l'an de nostre regne vintz septisme.

*Dorso.* Jeo ay fet crier, publier, garnir e amoneter permy ma Baillie toutes les bones gentz de armes qe sont, auxi come de commun suffizauntz e de value, qe il vignent a nostre Seigneur le Roy a *Kardail* a ses gages l'endewayn de la Gul de *Aust*, solom ceo qe le bref demande.

The Sheriff of *Lincoln* endorsed this larger return on the Writ directed to him;

Par my ma Baillie ay faite crier, publier, e amonester in Citees, Burghs, Vyles merchaundes, e par tut ma dite Baillie, e taunt soient come jeo vy qil fust affaire, qe totes les bones gentz des armes qe sont, ausy come de Commune, e sufficiauntz, e de value, qe il soient a vous a *Cardoyl* l'endemeyne de la Gule *Aust*, en la forme qe est contenue in cesty breif, a demurrer a vos gages e a vostre soude, e qe ceo ne lessent, sicome il ayment vostre honur, e de la Corone d'Engleterre, e la profite, e la sauvement de tut le Reaume, e de auxy meismes.

Brevia Regis  
in Turri Lon-  
don, An. 27  
E. 1.



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4.*

An. 27 E. 1.

The King having then discontented his Nobles and Commons, by delaying the Perambulations and setting out the bounds of the Forests as they desired; to regain their affections and ready assistance against the Scots, sent Writs to the Sheriffs of every County to proclaim to the Commonalty thereof in all Cities, Burroughs, Market Towns, and other convenient places, that he had appointed Commissioners to meet at Northampton, at the feast of St. Michael then next ensuing, without further delay to proceed in the perambulation.

Bundela Bre-  
vium in Turre  
London, An.  
27 E. 1.

**E**dward Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, Vicecomiti Hereford salutem. Mittimus tibi quasdam literas nostras patentes directas Communitati Comitatus predicti, per quas mandamus eidem Communitati, quod illi quos ordinavimus ad faciendam Perambulationem Forestarum, erunt apud Northampton in festo Sancti Michaelis proximo futuro, cum plenaria potestate procedere ad Perambulationem illam faciendam absque dilatione majori, prout in literis illis plenius continetur: Tibi precipientes, quod assumpto tecum aliquo probro viro Religioso de balliva tua, qui testificari poterit factum tuum; Literas Patentes in Civitatibus, Burgis, Villis Mercatoribus, et locis aliis infra Ballivam tuam, ubi melius videris expedire, omni dilatione postposita, legi et publice clamari, et universis et singulis de Balliva tua, prout melius fieri poterit, fieri facias illarum literarum tenorem. Et cum id sic feceris, nobis inde sub sigillo tuo & sigillo viri predicti distincte & aperte constare facias indilate. Et hoc nullatenus omittas. Teste meipso apud Lewes 25 die Junii, Anno regni nostri 27.

On which Writ the Sheriff endorsed this return; *Dorso*, Assumpto mecum Radulpho de Foresta Priore Sancti Guthlaci Hereford, mandatum vestrum executum prout in hoc brevi plenius continetur.

The Return of the Sheriff of Salop. and Stafford, is thus endorsed on his Writ, Assumpsi mecum Philippum Priorem de Bombrugge de Balliva mea, & in Civitatibus, Burgis, Villis mercatoribus, & locis aliis infra Ballivam meam, ubi melius viderim expedire, legi & publice clamari feci, & universis & singulis de Balliva mea (prout melius fieri poterit) scire tenorem literarum patentium mihi inde directarum.

And because some people had then reported, that the King would not keep nor observe the *Great Charter of Liberties*, nor of the *Forest*, nor permit the perambulation to be made according to his promise, (by reason of his former violations of them, and delays in doing it) he issued out this further Proclamation to all Sheriffs to disprove these false reports, inform his people of the reasons why he was enforced to delay it, and assure them that he would really observe these Charters, and make the perambulation at the time appointed at Northampton.

Bundela Bre-  
vium in Turre  
London, An.  
27 E. 1.

**E**dward par la grace de Dieu Roy de Engleterre, Seigneur de Irland, & Ducs de Aquitaine, a tote la Comunete del Counte de Northampton, saluz. Nous avoms entendu que akunes gentz vount disanz, que nous ne voloms garder ne tenir la graunt Charter des Fraunchises Dengleterre, ne la Chartre de la Forest, ne souffrir que la puralee se face solom ceo que nous avoms avant promis a graunter, le quele chose nest pas verite, ainz avoms bone volonte et voloms que eles soient tenues et gardees, e que la puralee se face en la forme que nous grauntomes nadgeres. La quele conte-noit, que ele se feist a plus tost que nous peussions apres les besoignes que nous eumes a fere au message L'apostoille. Les queles sont ja accordez & Jurez d'une part & de autre en bone manere, ladeumerce. E par ceo que meisme le message deit venir en Engleterre, & estre a Canterbir le Samadi ou le Dimenche prochain apres le feste Sinte Swithyn a pluis tard, par faire akunes choses que touchant teles besoignes, les queles choses ne se pount faire sans nostre presence, & mestier soit de aver pres de nous au dit jour akuns de ceus qui e la dite puralee sont assignez, par querele ne se porroit faire si hastinement ne ausint pur la seson de Aust, que tantost sur vendra il ne porreint entremettre, ne vous ni purrez entendre pur voz besoignes que ceo ne fust a grant damage dentre vous, a ceo que nous semble si avoms ordene & voloms, que ceus qui nous avoms assigne a la dite puralee fere soient a Northampton a feste Sinte Michel a pluis tard, ove plenier poer & tut prestz de aler meynenantce avant a la dite puralee faire. Es'il aveigne que nuls de ceus soient en akune maniere desturbee quil ne puissent estre adounques la nous mettroms autres en lur lieu, ensint que la besoigne

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bosoigne ne prendra plus graunt delay qe jehes a cel terme, har nous boes celui jour certain pur aler abant en ceste chose sanz delay. E abant ces heures le tussoms nous fait ..... ahunes gentz qe nous empzefferont utrageusement, et en noun dus maniere, Dount nous vous pzions qe vous ciens gentz ne criez sur le contraire de ceste choses, har ceus qui poztent tiens nobelles, oube dient qe nous les feisoms pur les choses effoligner, sont les maliciouses gentz qd desirent amettre riote et debat entre nous et nostre poeple, pur desturber la pès et le bon de nous, et de vous, et de tut nostre Reaume; har saches qe nostre volonte est, qe la purallée se face de la debant dit terme ci ..... hastinement com ele se pvrta faire sanz nul delay. Donees a Lewis le 25 jour de Jun. l'an de nostre Reigne vintisme septime.

An. 27 E. I

From whence we may observe; That it is a very difficult matter for Kings to pacifie or satisfie the minds of their discontented people, or induce them to believe their publike proclamations to them to keep and maintain their Great Charters and Liberties, when they have formerly violated, or delayed the real performance or execution of them from time to time, upon real or pretended emergencies. In pursuance of this proclamation, \* in principio *Quadragesima Rex Angliz Parliamentum tenuit Londoniis; ubi rogatus à Comitibus sapeditis, ut Chartarum confirmationem renobaret, secundum quod in Scotia promiserat; post aliquas dilationes instantiam eorum adquebit, hac additione, salvo jure Coronæ nostræ, in fine adjecta. Quam cum audissent Comites, cum displicentia ad propria discesserunt. Sed revocatis ipsis ad Quindennam Pascha, ad horum eorum absolute omnia sunt concessa. Perambulatio Forestæ, concessa est per Angliam tribus Episcopis, totidem Comitibus, Baronibusque eodem numero; ut ipsi Deum habentes præ oculis executionem facerent, et si quæ emergerent dubia, illa secundum Deum et justiciam declararent.*

Tho. Wal-  
ingham. Hist.  
Angliz, p. 44.  
Ypodigma  
Naustræ, p.  
87. Math. I  
Westm. p. 439

In a Bundle of Petitions, Letters and Writs I found in the *White Tower*, there is this memorable Remonstrance and Petition of the Bishop of *Bangor*, concerning the contempts and oppositions made by the Kings Officers and others of that Ecclesiastical Jurisdiction which he and his Officials claimed, in the probate of Testaments, Mortuaries, Excommunications, and in some Temporal matters, for which he prayed remedie from the King, as Supreme Judge next under God in all Ecclesiastical as well as Temporal causes.

**M**onstrat Episcopus *Bangoren*, suo illustrissimo Domino, Domino *Edwardo* Dei gratia Regi *Anglia*, quod ipse sentit se et libertatem Ecclesiæ suæ gratum in articulis subscriptis.

Bundela Bro-  
vium & Peti-  
tionum in  
Turra Lon-  
don, de annis  
16 & 17 E. I.

Primò, quod non creditur literis suis de Testamentis probatis coram ipso seu Offic. suis.

Secundò, de *Portuarts* et *Westibus* et *Palefredis* decedentium ab intestato tam Clericorum quam Laicorum, de quibus habere consuevit temporibus retroactis. (without claiming the Administration or distribution of the Intestates goods to pious or other uses; which is observable.)

Tertiò, de Excommunicatis capiendis; viz. quod excommunicati capientur de cætero, sicut capi consueverint temporibus Principum, maxime *Wallenses*.

Quartò, quod quidam Ministri vestri male obserbant Cartas Libertatum, quas vestra magnifica benevolentia eidem Episcopo et Ecclesiæ suæ concessit.

Quintò, quod Vicecomes de *Cærn*. prohibuit, quod homines vestri venirent ad Mercatum suum apud *Bangor*. ad vendendum nec emendum mercaturas, sicut facere consueverint.

Et quia idem Episcopus est senex, & valetudinaris, nec habet ad alium refugium, nisi ad Deum, et ad vos, (not to the Pope) petit pro salute animæ vestræ super hiis et articulis aliis per vestram benignam dominationem remedium adhiberi.

Petit etiam, quod homines sui habeant communem Pasturam in terris vestris sicut habere consueverunt temporibus Principum.

Item petit, quod Officiales sui non impediuntur facere correptiones in billis vestris nobis apud *Conwry*, *Cærn*. & *Belum*. *Mariscum* et aliis billis, sicut hactenus fecerunt, et adhuc faciunt; licet aliqui Ministri vestri minantur eisdem.

What answer the King gave to these his Petitions, I finde not.

The King writing to the Sub-Prior and Covent of *Trinity* in *London* to admit one *Thomas Hausted* into their Fraternity, which they could not do, because one



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

*An. 27 E. 1.* claimed him as her husband, and they afterwards expelling him for defiling their house by adultery, he complaining of his removal to the King, they returned this Certificate of the cause of his expulsion.

Bundela Bre-  
vium & Peti-  
tionum, in  
Turre Lond.  
Anno 27 E. 1.

**M**agnifico Principi Domino Edwardo Dei gratia illustri Regi Anglia, Domino Hibernia, & Duci Aquitania, ejus fideles, humiles & devoti, Subprior & Conventus Sancti Trinitatis London, cum omni reverentia et honore, salutem in eo per quem Reges regnant. Literas Magnificentie vestre per Thomam de Hansted dudum recepimus, ut eundem Thomam in Confratrem nostrum, et Conversum Domus nostre admitteremus; quem in Domo nostro admisimus; volentes (ut moris est) ipsius probare mores & perseverentiam. Verum quia quaedam mulier asserens ipsum Thomam cum ea matrimonium contraxisse, ipsum petiit in virum et benedixit, ipsum in Confratrem nostrum & Conversum admittere non potuimus: sed ob reverentiam precum Majestatis vestre eundem Thomam in Domo nostra in omnibus necessariis exhibuimus, quousque locum nostrum sacrum idem Thomas per adulterium pollueret. In quo nocturno tempore infra sceptrum Domus nostre cum quadam fatua muliere in lecto suo nudus cum nuda exstitit deprehensus: super quo crimine dum ante fuerat in domo nostra & extra inter vicinos nequiter diffamatus: propter quod eundem Thomam a Domo nostra amovimus: Et nihilominus ob reverentiam Magnificentie vestre, ipsum extra Domum nostram existentem singulis diebus in necessariis exhibuimus, quousque intrudit se in Domum nostram, & quandam Cameram infra sceptrum Domus nostre ingrederetur, volens in eadem per vim et contra voluntatem nostram morari et manere. Et tunc demum occasionebus antedictis suam sibi subtraximus liberationem. Postmodum autem literas Majestatis vestre recipientes, ut de causa & modo subtractionis necessariorum ejusdem Thomae in Domo nostra, vos redderemus certiores; Causas predictas & modos Regie Dignitati vestre significamus, humiliter supplicantes & devotè, quatinus dictas causas quæ veræ sunt, & notoriè in illis partibus London, ubi sita est Domus nostra, placeat Regie Excellentie vestre nos in hac parte habere excusatos. Valeat Regia Magnificentia vestra per tempora longiora. Dat. London. in Capitulo nostro i.º Crastino Sancti Jacobi Apostoli, Anno Dom. 1299.

The Bishop of Chichester pretending, that the Prebendaries of the Kings Free Chappel of Hastings were under his Jurisdiction, and all the Prebends ought to be presented to and admitted by him, as they were to his predecessors, against the privilege of all other the Kings Free Chappels, the King thereupon issued this Writ to the Warden of the Cinque-ports to inquire of and certify the truth of the premises to him at the next Parliament to which he had adjourned the Bishop, and to cause all the Prebends then to attend, to defend his and their own privileges.

Brevia Regia,  
&c. An. 26  
& 27 E. 1.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, dilecto & fideli suo Roberto de Burgharsh Custodi Cinque Portuum suorum, salutem. Cum libera Capella nostra de Hastings, una cum Prebendis annexis, sicut ceteræ libere Capellæ nostre per Angliam, libera sit, et libera esse debeat, et ab omni jurisdictione ordinaria exempta penitus et immunitè, et nos præbendas ejusdem Capellæ, cum vacaverint, conferre debeamus et tamen consueverimus, sicut progenitores nostri quondam Reges Angliæ, a tempore quo Baronia de Hastings (ad quam advocaciones Præbendarum illarum pertinent) ad Cozonam debent, Præbendas illas in vacationibus suis conferre consueverunt; ac ex parte venerabilis Patris G. Cicestr. Episcopi contrarium asserentis, nobis sit intimatum, quod Præbendæ predictæ jurisdictioni suæ immediate sunt subiectæ; per quod præsentationes per nos faciendæ ad easdem in vacationibus suis eidem Episcopo fieri, & ipsi præsentari, ab Episcopo illo admitti, ac per ipsum institui debent in eisdem, sicut ipsi & Prædecessoribus suis Episcopis Cicestr. temporibus retroactis fieri consueverunt; Nos super præmissis plenius certiorari volentes, Vobis mandamus, quod in propria persona vestra ad dictam Capellam & Præbendas personaliter accedentes, super statu quem quondam Comes Angliæ tunc Patronus Capellæ predictæ in hujusmodi collationibus tempore suo habuit; & quem statum Prædecessores nostri prædicti, & nos postmodum inde habuimus; & si præsentationes ad præfatum Episcopum & Prædecessores

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Prædecessores suos fieri consueverunt; tunc à quo tempore & qualiter, & quo modo, & de omnibus circumstantiis tam statum nostrum quam statum prædicti Episcopitangentibus, diligenter inquiratis veritatem; & de eo, quod inde inveniatis, nos in propria persona vestra ad proximum Parliamentum nostrum, ad quod prædictum Episcopum adjornavimus, reddatis certiores; ut nos inde tunc certiorati, tam nobis quam præfato Episcopo fieri faciamus quod Justitia dicataverit in hac parte. Et scire faciatis singulis Præbendariis Præbendarum prædictarum, quod tunc sint ibi, ostensuri si quid pro nobis et seipsis habeant vel dicere sciant, per quod Præbendas illas conferre, et ad easdem nullatenus præsentare debeamus; & ulterius facturi & recepturi, quod de consilio nostro tunc super hoc duxerimus ordinandum. Et habeatis ibi hoc breve. Teste meipso apud *Wistm.* 13 die Aprilis, Anno regni nostri vicesimo septimo. Per Petitionem de Consilio, *Burton.*

An. 27 E. 1

*John Wogan* the Kings Chief Justice in *Ireland* giving Judgement for the King against the Bishop of *Cork* for the Advowsons of 4. Churches, which the King sued for in 4. several actions, the King issued 4. Writs to certify the Records, Proceedings and Judgements into *England* this year, which he did accordingly, extant in a Bundle of Writs returned into the Chancery, I lately found in the *White Tower*, a transcript whereof I shall here present you with, to gratifie the Professors of the Law both in *England* and *Ireland*.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, &c. Dilecto & fideli suo *Johanni Wogan*. Justiciario suo Hibernia, salutem. Quia quibusdam certis de causis certiorari volumus super Recordo & Processu loquelæ, quæ fuit coram vobis per breve nostrum de recto inter Nos petentes, & Robertum Episcopum de *Cork* Defend. de advocacione Ecclesiæ beati *Petri de Dungarvan*. in suburbio de *Cork*; Vobis mandamus, quod si judicium inde redditum sit, tunc Recordum & processum loquelæ prædictæ cum omnibus ea tangentibus nobis sub sigillo vestro distinctè & aperte sine dilatione mittatis, & hoc breve. Teste meipso apud *Eborum* 28. die Maii Anno Regni nostri 16. *Burton.*

Bundle Bre-  
vium, &c. in  
Turre Lond.  
An. 26 & 27  
E. 1.

Consimile breve assignatur eidem *Johanni Wogan* de Advocacione Ecclesiæ de *Kilmahanock*, sub eadem data.

Consimile etiam de Advocacione Ecclesiæ de *Noghynval*.

Consimile de Advocacione Ecclesiæ beate *Mariæ del Nard*, in suburbio de *Cork*, *Dors*. Ista quatuor Brevia pro Episcopo *Cork*, liberata fuerunt Justic. apud *Kilkenn*, die Mercurii proximo post festum Sancti *Egidii* Abbatis.

Placita apud *Tylagh*. coram *Johanne Wogan* Capitali Justiciario Hiberniæ in Octabis Sancti *Johannis Baptistæ*, Anno regni Regis *Edwardi* 25.

**Cork. II.** Dominus Rex petit versus Robertum Episcopum *Cork*, Advocacionem Ecclesiæ de *Kaylmahanock* per unum breve, &c. Et versus eundem Episcopum Advocacionem Ecclesiæ Sanctæ *Mariæ del Nard* in suburbio *Cork*, per aliud breve; Et versus eundem Episcopum Advocacionem Ecclesiæ de *Noghynval*, per tertium breve, &c. Et versus eundem Episcopum Advocacionem Ecclesiæ Sancti *Petri de Dungarvan* in suburbio *Cork*, per quartum breve, ut Jus ejus, &c. Et nullus modo sequitur pro Rege; sed Episcopus venit, & gratis respondet quo ad tres Ecclesias; Et dicit, Dominus Rex nunc, antequam Rex fuisset, in vita patris sui concessit cuidam prædecessori ipsius Episcopi, Jus Patronatus et etiam Advocaciones Ecclesiarum illarum per Chartam suam, quam profert in hæc verba; *Edwardus illustris Regis Angliæ Primogenitus, Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Justiciariis, Vicecomitibus, Praepositis, Ministris, ac omnibus Ballivis & fidelibus suis ad quos præsens scriptum pervenerit, salutem. Noveritis Nos pro salute Anima nostra, & animarum Antecessorum nostrorum, & ad relevationem & emendationem status Ecclesiæ Corcag. concessisse & quietam clamasse, pro nobis & heredibus nostris, ac præfati Cartæ nostræ confirmasse Deo ac venerabili patri Reginaldo Dei gratia Episcopo Ecclesiæ memorata Jus Patronatus, et Advocaciones Ecclesiarum beate Mariæ del Nard, et Kilmahanocks, una cum Jure Patronatus, seu advocacione Capellæ Sancti Petri Cork in Hibernia; quam*



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 3. ch. 4.

*An. 27 B. 1.* quam super iuribus & Advocationibus eidem Episcopo supradicto in Curia nostra moveremus questionem, et eandem Advocationes distrationemur contra ipsum; Habund. & tenend. de nobis & heredibus nostris eidem Episcopo & successoribus suis in liberam, puram & perpetuam Eleemosynam imperpetuum. Quare volumus & firmiter precipimus pro nobis & heredibus nostris, quod predictus Episcopus & successoribus suis habund. & tenend. de nobis & heredibus nostris Jus Patronatus et Advocationes Ecclesiarum beatae Mariae del Nard, & de Kylmohanoks; una cum Jure Patronatus seu Advocatione Capella Sancti Petri Corcag. in Hibernia, quamquam super iuribus & Advocationibus eidem Episcopo supradicto in Curia nostra moveremus questionem, et eandem advocationes distrationemur contra ipsum. Habund. & tenend. de nobis & heredibus nostris eidem Episcopo & successoribus suis in liberam, puram & perpetuam Eleemosynam imperpetuum sicut praedictum est. Hiis Testibus, &c. Dat. apud Kennington per manum nostram vicesimo die Maii, Anno Regni Domini Regis patris nostri quinquagesimo quarto. — Unde petit iudicium, si debeat eidem Domino Regi inde respondere? Et quia Justiciarius hic plenius vult avisiari super Jure Regis, tam quoad has tres Ecclesias, quam quartam, quae in hac Carta non continetur, datus est dies praedicto Episcopo coram, &c. à die Sancti Michaelis in 15 dies, ubicunque, &c. Et tunc veniat Johannes de Ponte, qui pro Domino Rege Brevia illa suscitavit, &c. Postea ad diem illum apud Dublin. venit praedictus Episcopus. Et praedictus Johannes qui sequitur pro Rege similiter venit.

Et Dominus Rex per praedictum Johannem petit versus praedictum Episcopum Advocationes Ecclesiarum praedictarum, ut Jus, &c. Et unde dicit, quod Dominus J. Rex, Avus Domini Regis nunc, fuit inde in seifina ut de feodo & jure tempore pacis, &c. et ad Ecclesiam de Kylmohanok praesentavit quendam Galsfridum Clericum suum, & ad Ecclesiam beatae Mariae del Nard praesentavit quendam Johannem Clericum suum; & ad Ecclesiam de Nochywall quendam Robertum Clericum suum; & ad Ecclesiam Sancti Petri de Dunganva praesentavit ipse quendam Willielmum Clericum suum, &c. qui ad praesentationem suam fuerunt admitti & instituti in eisdem, &c. et ceperunt inde explet, ut in oblationibus & obventionibus & aliis ad valentiam, &c. Et, quod tale sit jus ipsius Domini Regis, offert verificare pro Domino Rege sicut Curia consideraverit, &c.

Et Episcopus defendit Jus ipsius Domini Regis quando, &c. Et quoad Advocationes Ecclesiarum beatae Mariae del Nard & Kylmohanok, & Sancti Petri de Cork dicit, quod Dominus Rex nihil Juris clamare potest in Advocationibus illis. Dicit enim, quod Dominus Rex nunc, antequam fuit Rex in vita Patris sui, dum fuit Dominus hujus terrae, per praedictam Cartam suam concessit & quietam clamavit praedicto praedecessori suo praedictas Advocationes, et petit iudicium.

Et quoad Ecclesiam de Nochywall. defendit Jus ipsius Domini Regis; & seifinam Domini Regis J. & totum, &c. Et ponit se in Juramentum patriae loco magnae Assise Domini Regis; & petit Recognitionem fieri, utrum ipse majus jus habeat in praedicta Advocatione, ut de Jure Ecclesiae suae Sanctae Mariae de Cork, aut Dominus Rex?

Et quoad misam, &c. datus est eis dies coram, &c. in Octabis Sancti Hillarii, ubicunque, &c. Et tunc venerunt quatuor homines, &c. Et quoad praedictam Cartam praedictus Johannes dicit pro Domino Rege, quod praedicta Carta ei non debet nocere, quia dicit, quod tempore confectionis praedictae Cartae, nichil Juris descendebat praedicto Domino Regi; ex quo Dominus H. Rex pater Domini Regis nunc tunc fuit in plena vita; & praedictus Dominus Rex nunc, nichil habuit tunc in hac terra, nisi tantum ex dono patris sui, &c. Unde petit iudicium pro Domino Rege. — Dies datus est eis coram, &c. ad praefatum Terminum, &c.

*Placita apud Dublin. coram praefato Justiciario, &c. in Octabis Sancti Hillarii, Anno supradicti Regis Edwardi 26.*

**Cork.** Dominus Rex per Johannem de Ponte qui sequitur pro eo, optulit se quarto die versus Robertum Episcopum Cork de placito Advocationis Ecclesiae de Nochywall quam clamat ut jus, &c. Et ipse non venit, & habuit diem in banco hic, ad hunc diem postquam comparuit in Curia hic, scilicet, die Sancti Michaelis in quindecim dies, & posuit se inde in juramentum patriae loco magnae Assise Domini

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K: Edward 1.

Domini Regis, &c. Judicium, prædicta Advocatio cap. in manum Domini Regis, &c. *An. 27 E. 1.*  
Et ipse sum. quod sit coram Cap. Justiciario, &c. à die *Pasch.* in unum mensem, ubi-  
cunque, &c. auditorus Judicium, &c.

*Cork.* Idem Dominus Rex per prædictum *Johannem* qui sequitur pro eo, optulit se  
quarto die versus prædictum Episcopum de Placito Advocationis Ecclesie de *Kail-*  
*mohannoks* per unum breve; Et versus prædictum Episcopum de placito Ecclesie  
Sanctæ *Maria del Nard* in suburbio *Cork* per aliud Breve; Et versus prædictum  
Episcopum de placito Advocationis Ecclesie Sancti *Petri de Dungarvan* in suburbio  
*Cork* per tertium breve, quas clamat ut Jus, &c. Et ipse non venit. Et habuit  
diem in Banco hic, ad hunc diem postquam comparuit in Curia hic, scilicet à die  
Sancti *Michaelis* in quindecim dies, & opposuit Domino Regi quondam chartam  
suam factam antequam fuit Rex, &c. Judicium; prædictæ Advocaciones capiantur  
in manus Domini Regis. Et ipse summon. quod sit coram, &c. à die *Pasche* in  
unum mensem ubicunque, &c. auditorus judicium, &c.

*Placita apud Dublin. coram præfato Justiciario, &c. à die Pasch. in unum mensem, au-*  
*no Regni prædicti Regis Edwardi 26.*

*Cork.* **D**ominus Rex per *Johannem de Ponte*, qui sequitur pro eo, optulit se  
quarto die versus *Robertum* Episcopum *Cork*, de placito Advocationis  
Ecclesie de *Nichynval*. quam clamat ut Jus, &c. Et ipse non venit, & alias fecit  
defaultam postquam comparuit in Curia, &c. Et posuit se in Juramentum patriæ lo-  
co magnæ Assise, &c. scilicet in Octabis Sancti *Hilarii*; Ita quod tunc præceptum  
fuit Vicecomiti, quod caperet prædictam Advocacionem in manum Domini Regis.  
Et quod summoneret eum, quod esset hic ad hunc diem, auditorus Judicium, &c. Et  
Vic. nichil inde fecit, nec breve misit. Et super hoc prædictus *Johannes* queritur  
pro Domino Rege, quod prædictum breve per malitiam, et in fraudem Domini Re-  
gis est subtractum. Et *Mauricius Russell* Vic. &c. præfens, benè cognovit quod  
prædictum breve sibi venit, ut satis tempestivè; set dicit, quod ipse liberavit breve  
illud simul cum omnibus aliis brevibus, &c. cuidam *Roberto* filio *Henrici* Subviceco-  
miti suo, qui responderet ad breviam ad performand. &c. Qui quidem *Robertus* postea  
sibi dixit, quod prædictum breve fuit amissum seu furatum. Et prædictus *Robertus*  
præfens totum hoc cognovit; Ideo ipse committitur *Caolæ*. Et dictum est Viceco-  
miti, quod inquirat de culpabili, &c. et illum habeat coram, &c. à die Sancti *Jo-*  
*hannis Baptiste* in quindecim dies, ubicunque, &c. ad exonerationem suam, si sibi  
viderit expedire. Et sicut prius præceptum est Vicecomiti, quod capiat prædictam  
Advocationem in manum Domini Regis, &c. Et quod summeat prædictum E-  
piscopum, quod sit coram, &c. ad præfatum terminum, ubicunque, &c. auditorus  
Judicium, &c. Postea prædictus *Mauritius* & *Willielmus de Cannton* manuceperunt  
prædictum *Robertum*, habend. corpus ejus coram, &c. ad præfatum Terminum,  
uterque eorum corpus pro corpore. Idem dies datus est prædicto Vicecomiti de  
audiendo Judicio suo, &c. Dicit etiam prædictus *Robertus* Subvicecomes, &c. quod  
ipse & quidam *Geraldus* filius *Roberti Capit.* Serviens sederunt simul, quando ipsi  
arraiverunt breviam illa; & nescit qualiter, nec per quem breviam illa subtracta fue-  
runt. Ideo venit prædictus *Geraldus*, &c. Postea à die Sancti *Johannis Baptiste* in  
15 dies apud *Boncanant* venerunt prædicti *Robertus* & *Geraldus*, videlicet primo die.  
Et *Geraldus* benè defendit, quod ipse nunquam fuit in culpa amissionis seu subtra-  
ctionis prædictorum brevium, &c. Et de hoc ponit se super patriam. Juratores di-  
cant super sacramentum suum, quod prædictus *Geraldus* non est inde culpabilis, nec  
aliquid inde scivit. Ideo ipse inde quietus. Et prædictus *Robertus*, in cujus cu-  
stodia prædicta breviam fuerunt amissa, remittatur *Caolæ*, &c. Et de judicio  
Vicecomiti patet alibi.

*Cork.* Idem Dominus Rex per prædictum *Johannem de Ponte*, optulit se quarto  
die versus prædictum Episcopum, de placito Advocationis Ecclesie de *Kilmoha-*  
*noks* per unum breve. Et versus prædictum Episcopum de Placito Advocationis  
Ecclesie Sanctæ *Maria del Nard* in suburbio *Cork* per alium breve. Et versus præ-  
dictum Episcopum de Placito Advocationis Ecclesie Sancti *Petri de Dungarvan* in  
suburbio *Cork*, per tertium breve, quas clamat ut Jus, &c. Et ipse non venit, & ali-  
as fecit defaultam, postquam comparuit in Curia, &c. scilicet in Octabis Sancti *Hil-*  
&c



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B.5.ch.4*

*An. 27 E. 1.* & opposuit Domino Regi quandam Chartam suam factam antequam fuit Rex, &c. Ita quod tunc præceptum fuit Vicecomiti, quod caperet prædictas Advocationes in manum Domini Regis. Et quod summoneret eum quod esset hic ad hunc diem auditurus iudicium, &c. Et Vicecomes nihil inde fecit, nec breve misit, nec potest dicere ut prius, quin breve inde sibi venit. Ideo sicut prius præceptum est Vicecomiti, quod capiat prædictas Advocationes in manum Domini Regis, &c. Et ipse Episcopus summeatur, quod sit coram, &c. à die Sancti *Johannis Baptiste* in quindecim dies ubicunque, &c. auditurus iudicium, &c. Et Vicecomes tunc sit ibidem auditurus iudicium, &c.

*Placita apud Lymer. coram prefato Justic. &c. à die Sancti Johannis Baptiste in 15 dies anno supradicto, die continuato usque in Crastino Sancta Mariz Magdalenæ, ut de die in diem, &c.*

Hibern.

*Cork.* Dominus Rex per *Johannem de Ponte* qui sequitur pro eo, optulit se quarto die versus *Robertum* Episcopum *Cork*, de placito Advocationis Ecclesie de *Nathynval*, quam clamat esse jus, &c. Et ipse non venit, & alias fecit default. postquam comparuit in Cur. &c. & posuit se in Juramentum patris loco magnæ Assise, &c. scilicet in Octabis Sancti *Hilarii*. Ita quod tunc præceptum fuit Vicecomiti, quod caperet prædictam Advocationem in manum Domini Regis; Et quod summoneret eum quod esset coram, &c. à die *Pasche* in unum mensem, &c. Et Vicecomes tunc nichil inde fecit, nec breve misit. Ita quod tunc præceptum fuit Vicecomiti, sicut alias, quod caperet prædictam Advocationem in manum Domini Regis; Et quod summoneret eum quod esset coram, &c. à die Sancti *Johannis Baptiste* in 15 dies ubicunque, &c. Ad quem diem Vicecomes mandavit quod ceperit prædictam Advocationem in manum Domini Regis. Et quod sum. &c. Et dies tunc continuata fuit usque hic ad hunc diem, ut de die in diem. Et Episcopus non venit, neque tunc neque modo. Et ideo consideratum est, quod Dominus Rex recuperet Advocationem prædictæ Ecclesie sibi et hæredibus suis quiete de prædicto Episcopo et successoribus suis imperpetuum. Et Episcopus in misericordia.

*Dorso.* Adhuc ibidem de eodem coram eodem Justic. termino & anno supradictis.

Hibern.

*Cork.* Idem Dominus Rex per prædictum *Johannem de Ponte*, &c. optulit se quarto die versus prædictum Episcopum de placito Advocationis Ecclesie de *Kilmobanok* per unum breve. Et versus prædictum Episcopum de placito Advocationis Ecclesie Sanctæ *Mariae del Nard* in Suburbio *Cork*, per aliud breve. Et versus prædictum Episcopum de placito Advocationis Ecclesie Sancti *Petri de Dunghavan*, in Suburbio *Cork*, per tertium breve, quas clamat ut jus, &c. Et ipse non venit, & alias fecit default. postquam comparuit in Curia, &c. scilicet in Octabis Sancti *Hilarii*. Et opposuit Domino Regi quandam Chartam suam factam antequam fuit Rex, &c. Ita quod tunc præceptum fuit Vicecomiti, quod caperet prædictas Advocationes in manum Domini Regis, &c. Et quod sum. eum quod esset coram, &c. à die *Pasche* in unum mensem ubicunque, &c. Et Vic. tunc nichil inde fecit, nec breve misit; Ita quod tunc præceptum fuit Vic. sicut alias, quod caperet prædictas Advocationes in manum Domini Regis. Et quod sum. eum quod esset coram, &c. à die Sancti *Johannis Baptiste* in 15 dies ubicunque, &c. Ad quem diem Vicecomes mandavit, quod cepit prædictas Advocationes in manum Domini Regis. Et quod sum. &c. Et dies tunc continuata fuit usque hic ad hunc diem, ut de die in diem. Et Episcopus non venit, neque tunc neque modo. Et ideo consideratum est, quod Dominus Rex recuperet versus eum prædictas Advocationes prædictarum Ecclesiarum per default. et Episcopus in misericordia.

This year Pope Boniface by two Freers sent a message to King Edward from the King of Armenia, concerning the miserable state of the Holy Land, and its relief, whereupon he returned this answer to the Pope,

*Claus. 27 E. 1.  
m. 14. dorso.  
Pro Rege.*

Sanctissimo in Christo Patri Domino B. divina providentia Sacrosanctæ Romanæ & Universalis Ecclesie Summo Pontifici; *Edwardus* ejusdem gratia, &c. cum reverentia & honore devota pedum oscula beatorum. Ea quæ Religiosi viri *Jacobus* de

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de Arn. & ejus socius ordinis Fratrum Prædicatorum latores præsentium ex parte illustris Regis Armenia, ad nos missi super statu miserabili Terra Sancta providè quidem ac circumspèctè nobis exponenda dixerunt, sedulis auribus & intento corde audivimus & intelleximus diligenter, quibus responsum dedimus per ipsos Fratres Sanctitati vestræ, si placet, referendam. (It being a meer pretence to collect the arrears of the 6. years Disme, and exact new Dismes from the Clergy.)

He likewise writ this Letter to a Cardinal, to promote the business of Arnaldus Lupi de Tilio his Clerk, in the Court of Rome.

Venerabili in Christo Patri Domino M. Dei gratia Sanctæ Mariæ in Porticu Diacono Cardinali; Edwardus eadem gratia, &c. salutem cum dilectione sincera. Placita & utilia obsequia nobis per Clericum nostrum Magistrum Arnaldum Lupi de Tilio multipliciter impensa condignè merentur, ut circa ea quæ ejus commodum respiciunt & honorem opem & operam impendamus. Cum igitur idem Arnaldus quædam negotia habeat in præsentem in Romana Curia promovenda, Paternitatem vestram requirimus cum affectu, quatinus personam ejusdem Arnaldi cum ad vos venerit commendatam habentes, velitis dicta negotia cum vobis inde constiterit, quatinus cum honestate fieri poterit promoveri in tantum, ut rogatum nostrum sibi fructuosum sentiat in hac parte. Dat. apud Westm. 22 die Aprilis, Anno Domini 1299.

Claus. 27 E. 1.  
m. 15. docto.  
Pro Magistro  
Arnaldo Lupi  
de Tilio.

How businesses were then transacted by the Pope and Court of Rome, more by favour, friendship, rewards, and the Popes will, then the rules of justice, these Letters then writ from thence (which I found in the White Tower Chappel) will in part discover.

Sire puis ceste ceste seu fete. Le Ren del puy nostre Dame, le quel l'Apostolle vous enboit par la deliberaunce Aumery de Muntfort me porta une lettre de par mon frere, la quelle lettre je vous envoy; e par ces Sire quant vous averes cy la mandement l'Apostolle, vous me manderes vestre volente, e que vous voudres, qe se die a l'Apostolle de ceste besoigne. Kar se ne diray nul mot de ceste chose tant qe se ele mandement de vous.

Bundela Brevi  
de privato sigillo in Turre  
London. An.  
27 E. 1.

Salutem. Non sine multis laboribus (prout dominationi vestra alias scripissē meminimus) procuratum est in Romana Curia, quod vir venerabilis Decanus Aricenis, præsentiam exhibito, Domini Papæ Capellanus, et familiaris Domini Mathæi, nullam (sicut credo) coercionem habens, renitens et compulsus a Domino Papa in Angliam mittitur, ad inducendum (si fieri poterit) serenissimum Principem Dominum nostrum Regem Angliæ super liberatione Domini Amariæ de Montesfort concedenda; qua liberatio, si casu fortuito, cum colore aliquo, denegata fuerit, non credo Dominum Papam ad præsens in dicto negotio ulterius processurum. Provideat igitur vestra discretio de condigna & celeri responsione ad honorem Domini Regis etiam Decano faciendam. Ceterum memoratum Decanum, qui in dictum recepit negotium, ob reberentiam sedis Apostolicæ, et Domini Mathæi, qui multum potest esse utilis in postulationis articulo reverendi patris Bathoniensis Episcopi, recommendatum habere velitis, eundem (ut expedit) honorabiliter recipiendo et tractando. Sane si mihi fiat justitia de facto meo, credo reportare finem optatum. Sed quia Dominus Papa plus imittitur propriæ voluntati quam rigori iustitiæ, timendum est quem suum meum negotium sortietur. Bene & diu valeat, &c.

Ibidem.

The Popes Bulls and proceedings in the great Contests and costly Appeals between the Archbishop of Canterbury, and Abbot and Monks of St. Augustines this year, will most fully demonstrate the Bribery and Injustice of this Pope, his Cardinals, Officers, together with the pride, ambition, violence, turbulence of the Archbishop, Abbot and Monks of Canterbury in that age; thus registred to posterity by a Monk of that Monastery.

\* Sequitur de processu inter Archiepiscopum & nos, scilicet, de injuriis et vexationibus nobis illatis, unde Abbas longa trahens suspiria ait; Heu, heu, inquit, quamdiu

\* Chron. W. Thorne, col. 1970, 1991, 1971.



An. 27 E. 1. quamdiu hiis opprobriis afficiemur! Quamdiu Ecclesia Sancti Doctoris *Anglorum* Apostoli *Augustini* prima mater monarchialis *Anglorum*, tot et tantas contumelias, injurias et vexationes Archiepiscoporum permitta est sustinere! Quamdiu illa quæ in natiuitate sua libera fuit, quomodo jam videtur ancillare! Pro veritate, inquit, ad tales injurias evitandas, aut pristina libertate Deo iuvante gaudebit, aut communi legi ut cætera subjacebit. Quid plura? \* magna summa denariorum tam de diversis dividendis per Conventum receptis et recipiendis, quam de forniceis omni qua potuit via ad opus hujusmodi lebantis, directi fuerunt ad Curiam Romanam, propter hujus negotii expeditionem, fratres *Willielmus de Remen*, & *Robertus de Fekenham*, Procuratores cum procuratorio eorundem. Qui quidem Procuratores tantum procurarunt, (by their bribes) quod istud negotium fuit specialiter commissum Domino *Johanni Monacho* tituli *Sanctorum Marcellini & Petri Presbytero Cardinali*, ad audiendum. Insuper concessa est prohibitio, per quam inhibuitur fuit Archiepiscopo, ne pendente lite in Curia Romana indecessa, aliquo contra dictos religiosos attemptaret. Pendente vero lite coram eodem Cardinali, impetratum fuit in gravibus expensis ab Apostolico *Bonifacio 8.* nobis privilegium, in quo decernit omnia privilegia istius Monasterii antiqua in suo robore permanere, reducendo Monasterium ad statum antiquum. De novo etiam exemptis nos, non obstante compositione quacunque, et alia multa concedit, sicut ex inspectione dicti Privilegii in sequentibus latius apparebit.

\* Nota.

\* Ibidem, col. 1971.

Nota.

\* Suggestio facta per Procuratores ad Summum Pontificem. Supplicanti Sanctitati vestre, vestri humiles filii *Abbas & Conventus Sancti Augustini Cant.* expositis vestra Sanctitati istis gravaminibus, & visis per vos Privilegium Monasterii predicti, quatenus Abbatem & Conventum & ipsum Monasterium cum suis membris ad quietis, immunitatis, libertatis & exemptionis plenitudinem per vestrum privilegium reducere, & non obstante quacunque compositione perpetuo robore dignemini permanere, quatenus dictum Monasterium vestrum ne dum in suo statu antiquo, verum sanctissima potestatis vestre gratia saliter insignitum conservare, ac sic in futurum super eodem Monasterio & ejus statu disponere, & præmissa gravamina processus & sententias contra ipsos præjudicialiter data revocari, vel potius nulla nunciari præcipere dignemini; & mandare quod libertas à tantis & tam sanctis, & præcipue a beato *Bonifacio Papa, 4.* patribus introducta, ad futuram vestre Sanctitatis memoriam, & sanctissima sedis cui præsidetis honorem, per vos Pater sanctissime *Bonifacium Papam 8.* tanquam octava beatitudine percepta, futuris temporibus sub eam stabilitate ac perpetua libertate permaneat, quod vestra placuerit sanctitati. Hujusmodi igitur precatu, immo potius muneribus, redemptus et inclinatus privilegium concessit subscriptum.

*Bonifacius* Episcopus Servus servorum Dei, dilectis filiis *Abbati & Conventui Monasterii Sancti Augustini Cant.* ad Romanam Ecclesiam nullo medio pertinents, Ordinis Sancti *Benedicti*, salutem & Apostolicam benedictionem. Circumspecta Sedis Apostolicæ providentia qualitates agendorum cum summa deliberatione discutens, fidelium statui libenter prosperitatis incrementa procurat, noxia subtrahit, & molestis viam præcludit eventibus, prout negotii qualitas exigit, personarum & locorum exquirat conditio, et instantia æquitatis exposcit. Et idcirco, quambis universæ orbis Ecclesiæ Apostolicæ sedi (quæ disponente Domino super illas principatum obtinet) ordinarie potestate subesse noscantur, aliquas tamen interdum sedes ipsa de suæ auctoritatis plenitudine specialius sibi subdit, sic eas a cuiuslibet jurisdictione procul eripiens, ut nullum sibi nisi Romanum Pontificem superiorem et Dominum recognoscant, constituendo ipsas quodam singulari privilegio liberas penitus et exemptas, ut earum vitæ noxiis, botibus successibus et quietis plenitudine prosperentur. Nos quidem ad Apostolicæ dignitatis apicem superna dispositione vocati, ex incumbente nobis pastoralis officii debito circa omnium Ecclesiarum statum solertem considerationem habentes, ad vos & Monasterium vestrum instantia propensioris sollicitudinis excitamur, & tanto libentius & favorabilius quietis vestre commoda, vestrorumque incrementa profectum promovemus, quanto per amplius beatorum Patrum *Benedicti & Augustini* recolendas memorias reveremur, quantoque benignius vos et Monasterium prælibatum, de quorum fama laudabili & virtutum exercitio fragrantiam suavitatis accepimus, paternæ sinceritatis affectibus amplexamur. Sanè petitio vestra nobis exhibita continebat, quod licet Monasterium vestrum à principio fundationis ipsius, à tempore cuius memoria non existit, cum

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cum omnibus membris suis existentibus ubicunque fuerit exemptum per specialia privilegia sedis Apostolicæ à jurisdictione qualibet ordinaria, prout evidentiis in ipsis privilegiis continetur; Vobis tamen postmodum, nunc hinc nunc inde vexationibus & angustiis fatigatis super hujusmodi exemptionibus & libertatibus contentis in ipsis, inter bonæ memoriæ Ricardum Archiepiscopum Cantuariensem, cum sui consensu Capituli ex parte una, & quendam Rogerum tunc Abbatem cum consensu Conventus dicti Monasterii ex altera, primo, & postmodum inter quondam Simonem de Langedon Archidiaconum Cantuariensem cum consensu sanctæ memoriæ beati Edmundi Archiepiscopi Cantuariensis, successoris dicti Richardi & Capituli Ecclesiæ Christi Cantuar. & quondam Robertum Abbatem ipsius Monasterii cum consensu dicti sui Conventus, ac deinde inter præfatos Edmundum Archiepiscopum & Archidiaconum ac eisdem Robertum Abbatem & Conventum quædam compositiones initæ, factæ seu habitæ fuisse noscuntur, quarum una scilicet cum eodem habita etiam fuit per sedem Apostolicam ex certa scientia confirmata. Verum cum per hujusmodi compositiones prædictis vestris privilegiis & libertatibus non modicum derogetur, nobis humiliter supplicatis, ut providere vobis et ipsi Monasterio super his paterna sollicitudine dignaremur, vos et illud ad quietis, immunitatis, libertatis et exemptionis plenitudinem reducendo. Nos igitur Monasterium ipsum condignis efferre honoribus, & communire libertatibus cupientes, ut quo minus aliorum molestiis turbatum fuerit, eo amplius divina favente gratia prosperetur, vestris supplicationibus inclinati, hujusmodi privilegia, exemptiones & libertates eidem Monasterio & vobis à prædicta sede concessa in suo volumus & decernimus robore permanere, ac nichilominus ut in dictæ sedis sinu plenius quiescat, vos & Monasterium ipsum cum omnibus membris suis et Ecclesiis, Capellis, Cenodochiis, Hospitalibus, Cantariis, necnon Castris, Villis, Maneriis, Domibus, Grangiis & Possessionibus, Terris, Reditibus, & quibuscunque bonis ad vos & præfatum Monasterium in præsentiarum spectantibus, ac hiis quæ ex largitione Principum, collatione fidelium, & aliis iustis modis & titulis impostero dante Domino potestis adipisci, in quibuscunque fuerunt Diocesis constituta, et omnibus personis vestri ordinis et aliis subjectis vobis degentibus in eisdem, ab omni potestate, jurisdictione, subjectione, atque domino tam benevolenti fratris nostri Archiepiscopi, et dilectorum filiorum Capituli Cantuar. qui nunc sunt, et qui pro tempore fuerint, quam quorumlibet Archiepiscoporum, Episcoporum, Capitulorum, Abbatum, et Prælatorum et officialium suorum et aliarum quarumcunque Ecclesiasticarum personarum absolvimus, eximimus, et perpetuo liberamus, de Apostolicæ plenitudine potestatis, ac ea omnia totaliter et immediate soli duntaxat Romano Pontifici et præfatæ Sedi decernimus subiacere. Ita quod nec iidem Archiepiscopus Cantuariensis jure Metropolitico seu Diocesano, aut legationis vel tuitionis prætextu, quas in Provincia Cant. habere se asserit, nec Prior et Capitulum dictæ Ecclesiæ Christi occasione hujusmodi tuitionis, quam in dicta Provincia tempore vacantis Ecclesiæ Cantuariensis sibi vendicare dicuntur; nec quibus alius jurisdictionem quamlibet ordinariam in Diocesi seu Provincia Cant. hujusmodi tempore vacationis exercens, ne vos idem Archiepiscopus, vel quibus ex eisdem Archiepiscopis, Episcopis, seu Prælati, Officialibus seu Ministri, nec quibus alia persona ecclesiastica in vos Abbatem et Conventum et prædictum Monasterium, aut quibus membra vel loca seu bona, ad vos et Monasterium ipsum spectantia, seu quæ spectabunt in posterum quocunque modo, vel in vestros et eiusdem Monasterii subditos et personas præfatas, cuiuscunque status vel conditionis existunt, utpote omnino libera et exempta, et præfatæ Sedi Apostolicæ duntaxat immediate subjecta, possint ullatenus ex quacunque occasione vel causa jurisdictionem aliquam vel potestatem sibi dominium sibi vendicare, exactiones facere, collectiones imponere, obedientias vel procuraciones erigere, visitationes vel correptiones facere, aut Censuram ecclesiasticam quomodolibet exercere sine mandato prædictæ sedis Apostolicæ speciali. Nos enim Excommunicationum, Suspensionum et Interdicti Sententias, quas contra tenorem exceptionis promulgari, et processus quilibet quos contra præmissos fieri contigerit et haberi, exnunc irritos decernimus et inanes, et nullius penitus existere firmitatis. Præterea Crisma, oleum sanctum, consecrationes altarium, ordinationes Monachorum & Clericorum, qui ad sacros Ordines fuerint promovendi, à Cantuariensi suscipiatis Archiepiscopo si gratiam & communionem præfatæ Sedis habuerit, & ea gratis & absque pravitate aliqua vobis



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An. 27 E. I. voluerit impertiri, altoquin quemcunque malueritis adeatis antistitem catholicum, qui nostra fretus auctoritate quod postulat indulgeat, nec id vobis audeat aliquatenus denegare; Non obstantibus prædictis et quibuscunque aliis Compositionibus, ordinationibus, constitutionibus, et consuetudinibus seu factis super hoc in contrarium quocunque modo vel tempore hactenus habitis, editis, vel optentis, aut quod in compositione nominata superius, quæ fuit per sedem Apostolicam ut prædictur confirmata, inter alia continetur, Quod si qua partium prædictarum contra compositionem aliquid impetrasset vel impetraret impostum, illud inane et irritum haberetur, & confirmatio ipsa firmum robur nichilominus optineret, aut appellationibus interjectis seu quibuscunque processibus et specialiter causis nunc motis inter venerabilem fratrem nostrum Robertum Archiepiscopum Cantuariensem ex parte una, & vos ex altera, super Ecclesiis de *Leynham*, *Plumsted*, *Tenterdenne*, *Sellyng*, *Praston*, *Littleburne*, Sancti *Pauli Cant.* Hospitali Sancti *Laurentii*, ac *Cantaria* pro Magistri *Hamonis Dowe* anima ordinata, seu super aliis quibuscunque Ecclesiis vobis à sede appropriatis eadem. Etiam si causa pendeat super præmissis in quocunque foro, vel coram quocunque Iudice, aut quibuscunque literis et indulgentiis apostolicis in quacunque forma verborum optentis, de quibus quorumque totis tenoribus debet in nostris literis fieri mentio specialis. Ad iudicium autem huius perceptor a sede Apostolica libertatis volumus, ut præfatum Monasterium \* unam marcam Sterlingorum nomine census, in festo resurrectionis Domini perfolvet nobis nostrisque successoribus annuatim; Nulli ergo omnino hominum liceat hanc paginam nostræ absolutionis, exemptionis, liberationis, irritationis, voluntatis & constitutionis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare præsumperit, indignationem omnipotentis Dei, & beatorum Petri & Pauli Apostolorum ejus se noverit incursurum. Dat. *Laterani* 4. Kal. *Marci*, Pontificatus nostri anno 6.

\* An high usurpation on the Kings prerogative, and temporalities of the Abbey.

\* Chronica W. Thorne, col. 1974.

\* Anno Domini 1300. die Luna in vigilia sancti Eusebii Archiepiscopi, ad Abbatem primo pervenit istud novum privilegium, cum bulla conservatoria ejusdem, cujus forma talis est.

Bonifacius Episcopus Servus servorum Dei, dilectis filiis Westmonasterii, de *Waltham*, & de Sancto *Edmundo* Monasteriorum Abbatibus, *Londoniensis* & *Norwicensis* Diocesis, salutem & Apostolicam benedictionem. Circumspecta sedis Apostolicæ (ut supra.) Quocirca discretionis vestræ per apostolica scripta mandamus, quatinus vos, vel duo aut unus vestrum, per vos, vel per alium seu alios, Abbatem, Conventum, Monasterium, personas, membra, Ecclesias, Capellas, Senodochia, Hospitalia, cantarias, castra, villas, maneria, domos, grangias, possessiones, terras, redditus & bona omnia supradicta contra huiusmodi absolutionis, exemptionis, liberationis, irritationis, & constitutionis nostræ tenorem non permittatis a quoquam indebite molestari. Potestates huiusmodi auctoritate nostra appellatione postposita compescendo. Non obstantibus supradictis, seu si aliquibus a præfata sit sede indultum quod interdicti, suspendi, vel excommunicari non possint per literas apostolicas non facientes plenam et expressam, ac de verbo ad verbum de indulto huiusmodi mentionem.

Auctoritate huius privilegii & præcepto conservatorum ejusdem, resumpsit Dominus Abbas cum consensu Conventus sui omnem statum antiquum quoad jurisdictionem exercendam. Sub protestatione tamen, quod si forsau contingeret illum aliud facere, quam procederet de Summi Pontificis voluntate, paratus esset cum hoc sibi constaret, resumpta revocare. Die Luna proxima ante festum Apostolorum Philippi & Jacobi anno supra dicto dicta Bulla conservatoria exhibita fuit Abbati Westmonasterii apud le Neyte juxta Westmonasterium per Ricardum de Cant. & alios; & die Lune sequenti Abbati de *Waltham* per fratrem Willielmum Byholte & alios. Qui quidem Abbates mandatum apostolicum reverenter admiserunt; eorumque processum & tenorem venerabilibus patribus Archiepiscopo Cantuariensi & Episcopis *Londoniensis* & *Rossensis* eorumque Archidiaconis, Capisulis, & Commissariis universis scripserunt; primo Archiepiscopo sub tali forma.

\* Chron. Wil. Thorne, col. 1975.

\* Venerabili in Christo patri Domino Roberto Dei gratia, &c. Ejusdem permissione Westmonasterii & de *Waltham* Abbates, in hac parte executores & conservatores à sede Apostolica deputati, salutem, et mandatis necnon privilegiis Apostolicis cum ea qua decet reverentia obedire. Præsentato nuper nobis & exhibito Sanctissimi

Patris

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Patres nostri *Bonifacii* Papæ 8. privilegio exemptionis infra tacto ex parte Abbatis *An. 27 E. 1.*  
& Conventus Sancti *Augustini Cantuar.* literas conservatorias recepimus in hæc verba. *Bonifacius* Episcopus, &c. Considerantes igitur, quod si privilegii & literarum prædictarum vobis & cæteris quibus convenit notificatio fiat debita, & notificatio manifesta sanctæ & Apostolicæ voluntatis, benigna liberalitas ipsorum beneficiorum S. *Augustini* in præscriptis de novo impetratis, verum antiquis ipsorum privilegiis ex decreto Apostolico in suo robore duraturis, tam personalis quælibet quàm realis contenta immunitas & libertas, vobisque executionis vel conservationis officium quod incumbit, liberius, plenius, ac quietius debitum consequentur effectum; ea omnia & singula vobis Pater reverende notificamus, publicamus ad certitudinem præsentium & memoriam futurorum. Vobisque nihilominus autoritate Apostolica, condigna tamen reverentia monemus & exhortamur in Domino, et in virtute obedientiæ qua dicitur sanctæ Sedi tenemini, firmiter injungimus et mandamus, quatinus dictis Religiosis Sancti *Augustini* suisque subjectis qualiscunque conditionis eriscent, quamquoad Monasterium ipsum, membra, Ecclesias, Capellas, Hospitalia, Cantarias, Villas, Maneria, possessiones, redditus, et quæcunque alia bona sua ubilibet in Diocesi et Provincia vestra *Cantuar.* constituta, quæ in præfenti optinent, vel auctore Domino in futurum adquirent, una cum dependentibus in eisdem quacunque conditione, compositione, statuto, consuetudine editis vel factis non obstantibus in aliquo, libera exemptione gaudere ob indulgentiis et sanctæ Sedis reverentiam permittatis, nullum omnino verbo vel facto perpetrantes obstaculum, quominus tam modernæ indulgentiæ quam privilegiorum et status antiquorum ipsius Monasterii Clericorum et subditorum suorum prout per eandem redeuntur ad primævi roboris firmitatem. Et quid in hac parte decreveris faciendum infra 8. dies, in virtute sanctæ obedientiæ nobis rescribas.

Et similiter scripserunt Episcopi Londoniensi & Roffensi, & aliis prout visum fuerat eisdem expediendum. Præmissis vero literis Prælati prædicti, omnes & singuli certificaverunt. Primo Archiepiscopus sic.

Religioso viro & discreto Abbati de *Waltham*, executori seu conservatori in hac parte à sede Apostolica deputato, *Robertus* permissione divina, &c. salutem in omnium salvatore. Mandatum infrascriptum 4 Non. Maii super recepimus sub hac forma. Venerabili in Christo patri, &c. Cuiquidem mandato prout tenemur et de iure artamur parere intendimus, sicut decet. Valete. Episcopus Roffensis sub hac forma. Venerabilibus viris & discretis Dominis Dei gratia *Westmonasterii* & de *Waltham* Monasteriorum Abbatibus, executoribus vel conservatoribus à sede Apostolica deputatis in hac parte, frater T. ejusdem permissione Roffensis Episcopus, salutem, reverentiam & honorem. Literas vestras recepimus, &c. Hinc ergo mandato paremus reberenter, quatinus possumus et de iure tenemur.

Ipsius sic habitis anno supradicto, die Lunæ prima die Junii, Dominus Thomas Abbas hujus loci in Ecclesia sua pro tribunali sedens, assidentibus ei multis discretis viris, comparuerunt coram eo ex citatione Rectoris Sancti *Andree* Cant. qui recepit in mandatis hoc facere, omnes Rectores & Vicarii, & omnes curam animarum habentes. Et hii omnes et singuli recognoscebant eundem Dominum Abbatem ordinarium suum et non alium, sub Domino Papa. Et ipso instanti sponte Canonicam obedientiam in scriptis, et inspectis Sacrosanctis Evangeliiis eidem Abbati corposita, litter fecerunt, in forma qua talis est.

Ego N. ero obediens sanctæ *Romane* Sedi, & Domino Abbati Sancti *Augustini* Cant. qui pro tempore fuerit, & ejusdem Domini Abbatis Officialibus & Ministris quos de consilio fratrum suorum ad jurisdictionis suæ exemptæ exercitium assignabit, in Canonicis mandatis; Sic me Deus adjuvet & Sancta Dei Evangelia. Quibus sic actis, dictus Dominus Abbas ordinavit Decanatum sub nomine de *Sturre*, assignans & nominans Ecclesias de *Sturre*, de *Fordewico*, de *Littleburne*, *Stodiwersh*, *Preston*, *Nordborn*, *Scholdon*, *Estlangedon*, *Parva Moryngham*, *Sancti Pauli*, *Sancti Andree*, *Sancti Johannis*, *Sanctæ Mildredæ*, *beata Mariæ de Castro*, *Omnium Sanctorum*, *beata Mariæ Magdalene*, ad dictum Decanatum debere spectare in futurum.

Item ordinavit alium Decanatum, viz. de Ecclesiis de *Mestre*, *Sanctorum Petri*, *Johannis*, & *Laurentii*, de *Stonore*, *Chistelet*, *Swaleclive*, & de *Westbere*, mandans & precipiens illum Decanatum vocari de cætero Decanatum de *Mestre*.

Item ordinavit alium Decanatum, viz. de Ecclesiis de *Faversham*, de *Middleton*,  
de

*Nota.*



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An. 27 E. 1. de Sellyng, de Scheldwich, de Kenyton, de Wynelesburgh, de Tenderdene, de Swanes, de Fretingden, de Brocklond, de Stone, de Borewaremerst, de Demecherche, de Kyngeldon, & de Lenham, quam caput disti Decanatus esse voluit & mandavit. Cum vero idem pater sic per Decanatus suam jurisdictionem divisisset, & in singulis eorundem Decanum prefecisset, ab omnibusque obedientiam recepit, omnes et singulos sibi subiectos tam presentes quam absentes monuit, et eis firmiter injunxit, ut decenter in verbis, gestis, et omnibus aliis erga venerabilem patrem Archiepiscopum Cantuariensem se haberent, ac reverentiam sibi et suis facerent, nec ipsum Archiepiscopum vel suos in aliquo contempnerent, & quod in Ecclesiis & alibi se bene gererent, & hac eadem voluit de omnibus Parochianis subiectis suis; protestans pro se & Monasterio suo extunc se ita existere paratum in omnibus honoris disti patris & suorum sicut unquam prius ante exhibuerat. Demum ordinavit eis Commissarium per talem formam.

Thomas permissione divina, &c. discreto viro fratri Willielmo Ecclesie nostrae elemosinario, salutem. In omnibus causis & negotiis ad jurisdictionem nostram pertinentibus, una cum consilio fratrum nostrorum exercendam in Civitate & Diocesi Cantuar. vobis vices nostras committimus cum canonicæ coercionis potestate. Institutionibus & destitutionibus personarum Ecclesiasticarum, ac visitatione Cleri & populi nobis specialiter reservatis. Proviso tamen, quod jurisdictione moderate utamini, et excessum quemlibet evitatis. Eodem anno in Ecclesia de Membre idem Willielmus pro tribunali sedens congregatis coram eo & congregatis ejusdem Decanatus, Rectoribus & Vicariis, necnon Clericis & Laicis in multitudine copiosa, Capitulum suum solemniter, pacifice & quietè, & sine contradictione aliqua ibi celebravit, faciendo omnia quæ jurisdictionis erant, specialiter et generaliter exercendo quæ in Consistoriis et Capitulis consimilibus per regnum Angliæ ordinari, fieri et exerceri consueverunt.

From which Relation, Bulls and Proceedings we may observe: 1. That the contests between the Archbishops, Abbots and Monks of Canterbury, about Exemptions, Privileges and Jurisdiction, was a principal cause of advancing the Popes usurped Jurisdiction over them both, and over the Rights, Prerogatives of the Crown, and Church of England. 2ly. The insolency, injustice, corruption, and preposterousness of this Boniface and other Popes, in exempting the Abbots, Monks of Canterbury, and all their Lands, Hospitals, Churches, Improvements, Priests, Tenants from all Archiepiscopal, Episcopal, and other Ecclesiastical Jurisdiction whatsoever, and subjecting them solely and immediately to the See of Rome; as likewise in subjecting the Archbishop of Canterbury, the Bishops of London and Rochester, to the imperious commands, censures of the Abbots of Westminster, Walsingham, and St. Edmunds. 3ly. The pride and insolency of the Abbots, in erecting Deaneries, Officials, Ecclesiastical Consistories, and prescribing Oaths of Canonical obedience upon the Priests and Curates of the Churches belonging to their Monastery. 4ly. The strange injustice and contradiction of Popes Bulls, nulling, repealing each other by *Non obstantes*, with all former Privileges granted by themselves, and contracts, compositions, agreements made or ratified by others, through bribery and corruption: Whence

\* Chron. col.  
1002, 1003.

\* Will. Thorne records of this ambodexter Boniface; *Iste Bonifacius magnis thesauris ab ista Ecclesia (Cantuar.) exhaustis, eandem quam lucere privilegiabat, per partem aduersam amplioribus sibi impensis concessum privilegium irritabit, et quasi ad perpetuam enervationem hujus Monasterii, perpetuiter rebocabit.* 5ly. The atheistical impiety and hypocrisie of Popes, in pretending such Bulls, Exemptions, proceedings to issue merely from the Apostolical authority conferred on them by Christ, for the good of the Church, the conscientious discharge of their Pastoral duty, &c. when as they proceeded merely from their own ambition, avarice, bribery, injustice, and tended to the Churches disorder, ruine, by engendering new controversies, schisms, unchristian animosities, suits, appeals between them; as this Historian thus further records.

\* Chron. Wil.  
Thorne, col.  
1977, 1978.

\* In pacifica vero possessione resumpta jurisdictionis fuerunt ipsi Abbas & Conventus per duos menses & amplius nullo reclamante vel contradicente, quousque idem Archiepiscopus & Capitulum Ecclesie Christi Cantuar. & Archidiaconus opposuerunt se, appellantes unanimiter ad sedem Apostolicam, dicentes se enormiter esse gravatos de tali jurisdictione resumpta, per quam fuerat ab eisdem plebs rebocata, nec ipsi

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ipsis intendebat, ut solebat. Et ista lite sic inter partes pendente, idem Archiepiscopus An. 27 E. 1. constituit quatuor Commissarios, qui vice sua rigide procederent contra Rectores et Vicarios, Clericos et etiam Laicos, qui in predicta jurisdictione resumpta ipsis Abbati et Conventui intendebant. Et insuper inhiberi fecit Archiepiscopus per eosdem sub pena Excommunicationis, ne quis Parochianorum ipsius Rectores et Vicarios decimas aut proventus solbat, aut eis de suribus Parochialibus responderet. Item Ecclesiam beatae Mariæ Magdalene, beatae Mariæ de Castro, & beatae Mildredæ de Civitate Cantuariæ, & Ecclesiam de Kenynton de facto contulit etiam non vacantes. Item prefatus Archiepiscopus fratres Willielmum de Byholte, & W. de Elham Monachos, Magistros Willielmum de Roucebi, Johannem de Beles Notarium publicum, & W. de Castro Clericos & familiares ipsius Abbatis excommunicavit, et excommunicari fecit, pro eo quod in subditos ipsius Abbatis jurisdictionem exercebant. Item idem Archiepiscopus pretendens Rectores & Vicarios Ecclesiarum Parochialium, quæ de patronatu nostro existebat in excommunicationis sententia, quam in eos ut premissis tulerat, et eo quod nobis parebant et intendebant, per annum et amplius perseverasse, ipsos Rectores & Vicarios citari mandavit, & fecit quod coram eo comparerent, quicquid haberent pro se proposituri pro termino peremptorio, & ostensuri quare ipsos de Ecclesiis et Vicariis ipsorum non debet perturbare. Commissarii suprascripti imponebant Abbati quamplures abusus & excessus privilegii concessi, & statum & exemptionem ipsorum sive privilegium sinistra interpretatione coram Clero & populo ad hoc in Ecclesia Christi Cantuariæ specialiter convocato interpretantes, propter quæ populum et Clericos simplices Archiepiscopo majus obedire quam privilegiis Apostolicis informarunt. Idem Archiepiscopus facto publico sermone in Ecclesia sua, excommunicavit omnes qui Ecclesiæ suæ suribus, libertatibus, vel possessionibus minuerant, quæ prius habuerat vel consueverat obtinere. Item corpora quorundam qui a sententia excommunicationis appellaverunt defata decesserant, quique in articulo mortis positi a Sacerdotibus eorum confessiones ipsorum audientibus absolutionis beneficium fuerant consecuti, humati in Sandmaria fecit expiari, et extra Cimiterium positi. Item una vice lxxx. homines Abbatis et Conventus, quia recusabant expellere Monachos in Ecclesia de Chislelet existentes, carceri Cantuariæ fecit mandari. Propter quas injurias tam innoxias et graves, suggestum fuit Domino Papæ, Quod scriberet Regi pro defensione hujus Monasterii; Quod & factum est. Unde petum fuit ab ipso Rege, quod ratione dicti privilegii scriberet Archiepiscopo, quod non molestarit ipsum Abbatem vel Ecclesiam suam in hominibus & rebus suis. Item supplicatum est Regi, quod provideret, ne homines dicti Abbatis per aliquam Excommunicationem per ipsam Archiepiscopum latam, quambis pro ipsorum captione Regis Pæssati scribatur, nullo modo capiantur. Item quod vellet scribere Vicecomiti suo, quod si Archiepiscopus per violentiam laica potestate de facto vellet eosdem expellere de Ecclesia sua, hujusmodi laica potestate, auctoritate regia, dictum Monasterium a quoquam offendi non permetteret, sed defenderet eisdem, prout est per Apostolicum rogatus. Habita vero aliqua deliberatione, Rex in propria persona respondit sic; Libenter scribemus Domino Cantuariensi pro defensione vestra. Ad secundam petitionem respondit; Quod nullus caperetur potestate regia ad requisitionem Archiepiscopi. Ad tertiam petitionem sic respondit; Quod non potuit credere, quod tam discretus Prelatus, sicut est ipse Archiepiscopus, ipsos Abbatem & Conventum per vim & laicam potestatem auctoritate propria expelleret, & propterea non videbatur sibi, quod super hiis Vicecomiti esset scribendum. Adjecit postea idem Rex, dicens Abbati in hunc modum; Domine Abbas, requiramus, consulimus, et precipimus, quod viriliter defendatis bona vestra et possessiones vestras, et nos cum opus fuerit defendemus et vos iuvabimus in hac parte.

Nota.

Nota.

Whereupon he issued this Writ to the Archbishop.

**R**EX Archiepiscopo Cantuar. totius Angliæ Primati salutem. Rogatu et monitione Sedis Apostolicæ excitamur, ut Monasterium Sancti Aug. Cantuar. ad Romanam Ecclesiam nullo medio pertinens, ob reverentiam dictæ Sedis commendarum habentes, illud ad cuiuscunque petitionem in rebus suis vel hominibus non offendamus in aliquo nec offendi, et quantum in nobis est ab aliis permittamus. Saræ

Clauſ. 27 E. 1.  
m. 13. Pro  
Abbate Sancti  
Augustini  
Cantuar.  
& Chronica  
Will. Thome  
col. 1478,  
1979.



*An. 27 E. 1.* Sanè exposuit coram nobis Religiosus vir Abbas dicti Monasterii Sancti Augustini gravem querimoniam deponendo, quod vos Monasterium suum prædictum quod ad Romanam Ecclesiam ut præmittitur nullo pertinet mediante, ipsum et Conventum ejusdem loci et bona eorum indebite persequentes ipsos, super quibusdam Ecclesiis parochialibus quas in proprios usus tenent, necnon et super quodam Hospitalli Sancti Laurentii extra Civitatem Cantuar. contra privilegiorum suorum tenorem, et appellationem suam legitimam ad dictam Sedem interpositam, per eandem molestatis multipliciter et gravatis, procedentes alias contra eos, non absque Monasterii sui grabi præjudicio, et prædictæ Sedis cui noscuntur immediate subesse injuria manifesta. Nos ita in exequendis mandatis Apostolicis quæ nobis pro præfatis Abbate et Conventu ac eorum Monasterio in hac parte specialiter sunt directæ, volentes, ut decet debitam et promptam diligentiam adhibere; Paternitatem vestram requirendam attentè duximus & rogandam, quatinus a prædictis gravaminibus et eorum quolibet penitus desistentes, super Juribus, possessionibus dictis Ecclesiis vel eorum fructibus aut pertinentiis, seu aliis bonis suis contra indulta præfata Sedis, non molestetis in aliquo seu turbetis, quinimo decissionem ejusdem Sedis in hujusmodi negotio patienter, cum qua decet reberentia expectatis; Alioquin vos scire volumus, quod cum plium arbitremur et congruum indebitis eorum oppressionibus subvenire, quantum in nobis est oportune defensionis remedio, per quod ipsorum Abbas et Conventus bona tuta permaneant curabimus eis succurrere, ac Regii fulcimento favore, quatinus iustitia permiserit confidere. Teste Rege apud Westm. 11 die Aprilis.

Excommunicatio Archiepiscopo Roberto facta per Abbatem  
Sancti Augustini.

Chronica W.  
Thorn, col.  
1979.

*An. 28 E. 1.*

*Medio hujusmodi tempore & anno supradicto, scilicet 1300. idem Abbas subdelegatus Magistri Petri Roderici super prapositione de Wyngham per summum Pontificem Bonifacium 8. constitutum, cum rite in Ecclesia de Kenyngton processisset contra eandem Archiepiscopum Cantuariensem & pro sua contumacia & offensa manifesta, primo ad ingressu Ecclesiæ, et subsequenter a divinis, et tandem ejus crescente contumacia, juxta traditam sibi formam auctoritate apostolica excommunicabit, et excommunicatum denunciabit, pro eo, quod quendam Clericum nomine Amadrum ad dictam prapositionem promovendam multipliciter impedivit; unde idem Archiepiscopus aduersus istud Monasterium acriter insurgens, et non obstantibus nostris privilegiis, et præcipue nobis exemptionis, cuidam Roberto Paulym primam tonsuram habenti minus voluntarie Ecclesiam prædictam de Kenynton quæ plena fuit duxit conferendam. Qui vi armata & manu hostili cum magna multitudine armorum, pridie Non. Martii anno supradicto, fractis hostiis et fenestris tam ipsius Ecclesiæ quam Rectoriæ, non sine violenta manu insecione et sanguinis effusione Clericorum et Laicorum Abbas inibi existentium, in eandem Ecclesiam violenter ingrediens nequiter se intravit. Similiter Ecclesiam beatæ Mariæ Magdalene cuidam Jacobo Presbytero & Rectori; Ecclesiam beatæ Mildredæ cuidam Willielmo; prædictam Ecclesiam beatæ Mariæ juxta Castrum cuidam Thomæ Pycard. Qui quidem omnes hiis intrusores ad prædictas Ecclesias accedentes, manupotenti, hostia cum malleis ferreis cum suis complicitibus fregerunt, Monachos, Clericos, et alios inibi existentes nequiter expellentes, non sine sanguinis effusione atrociter vulneraverunt. So little did this Archbishop regard either the Popes precedent Bulls, exemptions, Mandates, or his Delegates censures thus denounced against him, in opposition to his own Archiepiscopal authority and jurisdiction, or the Canons of the Church against Layforce, and laying violent hands on Priests, which must all give place to his violence, will and pleasure in defence of his Primacy and Metropolitocal Sovereignty.*

Nota.

What strange censures, tumults, perjuries, revolts from one prevailing party to another these differences between the Abbot, Monks and Archbishop occasioned, William Thorn thus further relates.

\* Chronica  
W. Thorn,  
col. 1979.

\* Anno Domini 1301, quidam Capellanus nomine Petrus Miledede institutus per Abbatem ad vicariam Ecclesiam de Faversham, qui quidem Petrus ob diversa gravamina universis Rectoribus, Vicariis & subditis hujus Monasterii per Archiepiscopum & (nos Commissarios dampnabiliter illata, sua salutis immemor, post Canonice obedi-

entiam

entiam pro vicaria sua ad sancta Dei Evangelia corporaliter prestitam, a prefata An. 28 E. 1.  
obedientia resiliens, et super hoc postmodum in presentia dicti Abbatis judicialiter  
condictus et confessus, se sponte voluntati Abbatis et ordinationi submisserat; Ite-  
rum tamen post prestitum sacramentum continue residentie personalis in ipsa Vi-  
caria, cura sibi commissa deserta, in Ecclesiis adjacentibus divina celebrare, immo  
potius profanare presumpserat, trahendo Parochianos Ecclesia de Faversham alectio-  
nibus & machinationibus quibus potuit ad Ecclesias convicinas ad Sacramenta & sa-  
cramentalia, in Abbatis & Ecclesia sua de Faversham prejudicium non modicum &  
gravamen. Postmodum super hiis & aliis notoriis criminibus coram dicto Domino Ab-  
bate & ejus Commissario multoties ad iudicium evocatus, nec aliquo modo comparsens,  
a celebratione divinarum suspensus, et majoris Excommunicationis sententia, ut  
inferius per Commissarium dicti Abbatis liquide patebit, innodatus est. Dominus  
vero Abbas suscipiens curam ipsius Ecclesia & Parochianorum suorum, fecit eis  
ministrari per suos Monachos & honestos Presbyteros, absentiam predicti Petri adim-  
plentes. Contigit vero quod quidam Parochianus ejusdem Ecclesia decesserat jacens in  
feretro, quem dictus Petrus machinatus fuerat cum suis complicitibus extra Parochiam  
de Faversham apud Preston prejudicialiter humare; unde Monachi Sancti Augustini  
& alii Presbyteri assumptis secum Clericis & Laicis, domum ipsius defuncti cum man-  
suetudine debita, causa officii mortuorum peragendi adierunt, et invento corpore di-  
cti defuncti in arca concluso, feretro supposito, cum paratosse offerrent exequias pro  
defuncto debitas inibi celebrare, et illud corpus ad matricem Ecclesiam de Faver-  
sham facere deponeri; ecce Thomas Everard Major dicta villa & quasi tota com-  
munitas ibidem utriusque sexus cum gladiis, lanciis, fustibus, securibus, lapidibus, &  
aliis diversorum armorum generibus prefatis Monachis, Presbyteris, Clericis cum pra-  
dicto corpore in feretro pacifice inermibus versus Ecclesiam incedentibus insultum  
fecerunt, ipsumque funus rapere & a sepultura debita retrahere nisi fuissent, necnon quos-  
dam ex eis tam Monachos quam Clericos in Strata publica in Caputibus, brachiis & cor-  
poribus suis percusserunt, atrociter vulneraverunt, & lapidibus obruerunt, non sine  
proxiimi sanguinis effusione. Sed hiis malis non contenti, predictus major & maxima  
pars dicta communitatis machinati sunt insinuant diabolico, ad destruendum per incen-  
dium vel alio modo facinorosa prefatam Ecclesiam de Faversham, & domos Rectorie  
ejusdem, & propter hoc domicellus & servientes de Monasterio destinati fuerunt ad dicto-  
rum maleficam malitiam reprimendam, & dictam Ecclesiam cum domibus Rectorie de-  
fendendam; & incontinenti Major cum suis complicitibus proclamaverunt vocibus & cornu  
communi totam ejusdem villa coortem utriusque sexus, & prefatis Monachis, domicellis  
Clericis & Laicis insultum fecerunt, & eos cum gladiis, arcibus, & aliis diversorum  
armorum generibus, in maxima multitudine tam ipsius villa quam patria adjacentis hosti-  
liter eos insequentes, quosdam femibibus reliquerunt, quosdam nequiter vulneraverunt,  
alios incarceraverunt, et tanquam latrones Presbyteros et Laicos in compedibus  
et vinculis per longum tempus detinuerunt; ceteros vero indumentis suis, pecuniarum  
summis & aliis bonis fraudulenter spoliatis, exanimis in stratis publicis reliquerunt  
Ad dentes insuper iniquitatem iniquitati, adhibito sibi Petro de Mildestede antedicto  
perjuro & excommunicato, totius facinoris auctore principali cum complicitibus suis,  
Ecclesiam antedictam, & domos sanctuarii ejusdem ausu sacrilego invadentes, portus et  
hostia fregerunt, & ingressi campanile ascenderunt, corda campanarum amputarunt,  
trabes quibus penderunt gladiis inciderunt, ornamenta Ecclesia una cum indumentis  
sacerdotalibus & Diaconi ipsius Ecclesia, ipso Diacono inibi verberato, malitiose asporta-  
runt. Insuper vero inimicus noster non dormiens, sed super injuriis nostris manum ex-  
tendens ad malum, Robertus Archiepiscopus Ecclesiam de Faversham cum cimiterio  
interdicti mandabit. Anno quo supra interrogatus fuit idem Petrus de M. in Hospitio  
suo apud Faversham a Magistro Willielmo Rousby, si vellet de cetero obedire Domi-  
no Abbati & suis Commissariis juxta sacramentum suum? & dixit, Se velle obe-  
dire Archiepiscopo. Item interrogatus, Si quid pro se circa statum suum in Curia Ro-  
mana impetraverat super eo, quod a bono obedientie dicto Abbati prestita resiliendo per-  
jurium incurrerat, aut contra canonicas sanctiones commissam sibi dicta Vicaria curam  
deferens residentiam continue personalem juratam et promissam prepararet omitten-  
do? Dixit, quod de hiis omnibus non curabat. (as most Nonresidents do.)

Nota.

\* By whose  
encourage-  
ment all the  
premitted in-  
solencies were  
acted by the  
said Mayor.



An. 28 E. 1.

\* Sequitur processus contra eum.

\* Ibidem, col.  
1981.

Cum dudum prefatus Vicarius non vi nec metu, sed sponte, una cum aliis Rectoribus & Vicariis, nobis Abbati Sancti Augustini tanquam Ordinario suo fecisset & jurasset ad sancta Dei Evangelia, talis & inspectio sacrosanctis, occasione ipsius Vicaria canonicam obedientiam, sub hac forma. Ego Petrus ero obediens sanctæ Romanæ sedis & Domino Abbati Sancti Augustini Cant. ad eandem sedem nullo medio pertinenti qui pro tempore fuerit, & ejusdem Domini Abbatis officialibus & ministris quos de consilio fratrum suorum ad suæ jurisdictionis exemptæ exercitium assignabit, in Canonicis mandatis. Sic me Deus adjuvet.

Nuper vero idem Vicarius juramento obedientiæ penitus derelicto, Domino Archiepiscopo tanquam Ordinario suo pro eadem Vicaria corporale præstiterat obedientiæ sacramentum; & in signum hujusmodi subjectionis unum denarium optulerat in magna altare Ecclesiæ Christi Cantuariæ. Pro quibus sic actis idem Abbas assignavit sibi diem peremptorium, videlicet proximum diem juridicum post festum Exaltationis Sanctæ Crucis in Ecclesiâ Sancti Augustini Cant. committens vires suas Commissario suo generali sub hac forma.

Thomas permissione, &c. discreto viro fratri Willielmo, &c. in omnibus causis & negotiis, ut supra in omnibus; præter quod hic non dicitur. Proviso, &c. Cujus auctoritate mandati prædicti Commissarius citavit eum per Decanum de Lenham, cujus tenor talis est. Commissarius venerabilis patris Domini Th. Dei gratia Abbatis Monasterii Sancti Augustini Cant. ad Romanam Ecclesiam nullo medio pertinentis in sua jurisdictione exempta de fratrum suorum consilio deputatus, Decano de Lenham salutem, in salutis auctore. Cum Petrus Vicarius de Faversham proximum diem juridicum post festum Exaltationis proximo præteritum ex præfixione legitima coram Domino Abbate vel suo Commissario habuisset in Ecclesiâ Sancti Augustini, ad faciendum & recipiendum secundum formam præactorum quod juris foret & rationis; Qui Petrus die & loco legitime proclamatus & diu expectatus, nullo modo comparere curavit, pronuntiavimus contumacem, & propter ejus contumaciam ab ingressu Ecclesiæ suspendimus iustitia exigente. Idcirco vobis injungimus & mandamus, quatinus ipsum sic suspensum in Ecclesiâ de Faversham denunciatis seu denunciari faciatis publice et solemniter; ipsum nihilominus citetis peremptorie, quod compareat coram Domino Abbate vel ejus Commissario in Ecclesiâ Sancti Augustini Cant. proximo die juridico post commemorationem Animarum proximo futuram; facturum & recepturum quod juris fuerit & rationis. Quid autem super hiis feceritis nos die & loco per literas vestras patentes harum seriem continentes, certificetis.

## Certificatorium.

Venerande discretionis viro Commissario venerabilis patris Dei gratia Abbatis Ecclesiæ Sancti Augustini Cant. suis humilis & devotus Decanus de Lenham obedientiam, reverentiam & honorem. Mandatum vestrum suscepi in hæc verba, &c. Auctoritate cujus mandati prefatum Vicarium, quod compareat coram vobis dictis die & loco peremptorie citavi, dicitur tamen vulgariter, quod est absens & vagabundus. Et sic mandatum vestrum secundum sui formam & effectum reverenter quatinus potui sum executus.

Set cum pluries proclamatus & debite expectatus per se vel per responsalem aliquem minime compareret, dictus Dominus Abbas ipsum reputavit contumacem, & de jurisperitorum consilio contra eum processit, & pronuntiavit in scriptis & forma quæ talis est.

In Dei nomine Amen. Nos Thomas, &c. Magistrum Petrum qui se gerit pro Vicario Ecclesiæ nostræ de Faversham, quem alias pro sua manifesta contumacia, ab ingressu Ecclesiæ, et etiam a divinis, iustitia exigente suspendimus et suspendi mandabimus, pro sua multiplicata contumacia excommunicabimus in his scriptis; decernentes eum sic suspensum et excommunicatum in dicta Ecclesiâ de Faversham necnon in aliis Ecclesiis Decanatus de Lenham fore publice denunciandum diebus Dominicis & festis, donec absolutiois beneficium meritis optinere.

\* Anno quo supra in Ecclesiâ Sancti Augustini Cant. in loco publico ubi jus reddi consuevit, prædictus Commissarius sedens pro tribunali fecit publicè præconia voce prefatum Petrum ad eisdem diem & locum peremptorie citatum, & diu expectatus noluit aliqualiter

\* Chronica  
W. Thorn.  
col 1981,  
1983.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

*qualiter comparere, recitatio toto processu contra eum habito, sententiam diffinitivam protulit in hunc modum.* *An. 28 E. 1.*

De vultu tuo iudicium meum prodeat, oculi tui videant æquitatem. Olim in præsentia venerabilis patris Domini *Thoma* Dei gratia, &c. in Conventuali Ecclesia Monasterii ejusdem pro tribunali sedentis constitutus personaliter propter hoc *Petrus* Vicarius Ecclesie sue de *Faverham*, confitendo expressè dictum Dominum Abbatem sub Ecclesia Romana Ordinarium suum, non vi nec metu, sed sponte eidem Domino inspectis Sacrosanctis, pro dicta Vicaria canonicam obedientiam in scriptis & forma, quæ talis. *Ergo obediens, &c. ut supra.* Postea cum dictus Vicarius salutis sue immemor, vesano ductus spiritu ab eadem obedientia resistens, in sua salutis dispendium nequiter recesserat, & cum pluries ad iudicium prodeliis vocaretur, semel & secundo contumaciter se absens, & in sua malitia obstinata cervice perseverans, & incorrigibilis existens, animo indurato & contumaciam contumacius accumulans, comparere vel respondere per se vel per alium non curaret; Nos venerabilis patris Domini Abbatis generalis Commissarius in Civitate & Diocesi Cantuariæ deputatus, considerantes quod in emissio camo ludit cujus maxillas domantis frantum non retrahit, et quod secundum Canones nil comparentibus præsentia prodesset, si absentia contumacibus non obesset, ipsum Vicarium reputamus contumacem, & super tot & tantis notoriis criminibus contra eum ad ejus punitionem procedentes, auctoritate nobis commissa, eundem Petrum tanquam excommunicatum incorrigibilem pronunciamus, et ad eadem Vicaria et Domibus, quatenus earundem possessione de facto incumbit, amobendum esse decernimus per hanc nostram sententiam diffinitivam in hiis scriptis.

*Anno Domini 1302. idem Archiepiscopus aduersus hanc Ecclesiam adhuc insignatus, mandavit Commissario suo, quod imponeret Presbyteros in Ecclesiis & Vicariis nostris ad deservendum in eisdem ipsius auctoritate sub tali forma.* *An. 29 E. 1.*

*Robertus* permissione divina, &c. Cum Ecclesia de Patronatu Abbatis & Conventus Sancti Augustini ac Vicariæ Ecclesiarum ipsis appropriatarum, per privationem nostram & cessionem Rectorum & Vicariorum ipsorum noscuntur vacare, & cura earundem Ecclesiarum ac Vicariarum ad nos immediatè pertineat ipsa vacatione durante; tibi committimus et mandamus, quatinus ipsas Ecclesias et vicarias facias per sacerdotes idoneos deserviri, ita quod debitis non fraudenter obsequiis nec cura earum aliquatenus negligatur: Salvo jure Archidiaconali in fructibus et obventionibus earundem, juxta consuetudinem hactenus observatam. *\* Chron. Wl. Thorne, col. 1983, 1984, &c.*

Qualem injuriam tam manifestam nona die mensis Julii in Ecclesia Sancti Gregorii coram Archiepiscopo ibidem tunc existente, Vicarius Ecclesie Sancti Pauli, Procurator Rectorum & Vicariorum, scilicet Sancti Andree, Omnium Sanctorum, Sancti Johannis Fordewico, de Swaleclive, de Stonore, de parva Mongeham, de Estlangedon, de Wynelesberge, de Borewarmerthe, de Brocklond, de Fritindenne, de Kingesdon, de Westbere, Ecclesiarum Rectores de Littleburn, de Preston, de Menstre, Sancti Laurentii, de Nordburne, de Tenterdenne, de Lenham, de Middelton, de Cheldwich Ecclesiarum Vicarii, habentes virtute mandati sui procuratorii inter cetera potestatem agendi, defendendi, provocandi & appellandi, et ibidem coram eodem Archiepiscopo pro defensione prædictorum appellavit et apostolos petiit cum effectu.

Quandabit insuper Archiepiscopus, hujusmodi appellatione non obstantè, Archidiacono suo, quod compelleret omnes parochianos Decanatus de Westbere, quod non solberent Decimas et Obventiones dictarum Ecclesiarum, nisi Collectoribus per ipsum assignatis, per talem formam. Vacantibus olim Ecclesiis de Westbere, de Swaleclive, de Chisleter, de Menstre, Sanctorum Laurentii et Johannis in Thaneto, et adhuc tanquam vacantibus in custodia nostri Archidiaconi existentibus, perceptione fructuum & obventionum ipsa vacatione durante ad ipsum Archidiaconum, et non ad alium notoriè pertinente; Vobis mandamus quatinus monitis canonicè, et efficaciter inducatis omnes et singulos parochianos dictarum ecclesiarum, et omnes tam seculares quam religiosos cujuscunque conditionis aut status existant, terras & bona in parochiis dictarum Ecclesiarum habentes, ut decimas tam bladi quam frum in campis dimittant per collectores percipiendas, et minutas Decimas, et alia quæ ipsis Ecclesiis et Vicariis debentur fideliter persolvant custodibus vel collectoribus per nos deputatis, sub pena excommunicationis majoris, quam in non parentes proferimus in hiis scriptis, Rege, Regina, et eorum liberis ab ista sententia duntaxat.



An. 29 E. 1. et exceptis. Unde propter ista & multa alia gravamina per Archiepiscopum, Archidiaconum, & eorum Commissarios, Officiales & Ministros, directi fuerunt iterum ad Curiam Romanam Fratres Robertus de Fekenham, et Adam de Rydenne Procuratores, qui prædicta gravamina contra tenorem privilegii sui, dicto Monasterio, et subiectis ejusdem illata Domino Papæ in scriptis palam demonstrarunt. Et nota, quod durante ista gravissima tribulatione Abbates supradicti privilegii concessi conservatores ministerium suum fideliter adimplentes, canonicam ultionem fulminando dicto Archiepiscopo, Archidiacono, Commissariis, Officialibus et ministris eorundem, ne talia attemptarent sub interminatione prohibuerunt; Protestantes palam & publice, quod non intendunt officium suæ conservationis excedere, nec aliud seu ad aliud quam privilegium erigit ex parte Religiosorum Sancti Augustini vel subditorum suorum procedere in hac parte. Unde ex parte Archiepiscopi ante portam sancti Augustini extitit appellatum in forma quæ sequitur.

Licet Westmonasterii & de Waltham Monasteriorum Abbatibus, una cum Abbate Sancti Edmundi, Londoniensis et Norwicensis Diocesis, super exemptionibus religiosi viri Abbati et Conventui sancti Augustini ut prætendunt innovatis, et eisdem de novo concessis a Sede Apostolica, prout asseritur conservatoribus deputatis, pro eo quod idem conservatores potestatem & modum conservationis hujusmodi contra venerabilem patrem Archiepiscopum Cantuariensem patenter exceßerant, nec non et ex aliis probabilibus conjecturis nomine patris ejusdem, et pro eo adhaerentibus, dudum ad sedem Apostolicam extitit provocatum, ne per prædictos conservatores vel religiosos viros sancti Augustini, vel eorum nomine aliquid attemptetur, aut aliquid hujusmodi fieri quoquo modo: dicti tamen Abbas et Conventus sancti Augustini, præmissis nequaquam obstantibus dictas exemptiones, si quæ sint et vires earum contra justiciam excedentes, jurisdictionem ordinariam nedum in Ecclesiis quas dicunt sibi appropriatis, et parochiis et parochianis earundem, sed etiam in Ecclesiis in quibus jus patronatus habere se asserunt in earum parochiis parochianis ipsarum, cum tamen nulla jurisdictio ordinata vel delegata eis competere liqueret in hac parte, sibi temere usurpare, Officiales et Decanos rurales ceterosque ministros ad exercitium jurisdictionis hujusmodi præficere, Rectores et Vicarios in Ecclesia sui Patronatus instituere in Cantuariensi Civitate et Diocesi notanter præsumperunt, ac jurisdictionem eandem de facto exercentes inhibuerunt seu inhiberi fecerunt, tam Clero quam populo dictarum ecclesiarum, ne Domino Archiepiscopo seu suis officialibus in aliqua obediant vel intendant. Dictarum enim Ecclesiarum Rectores, Vicarios et Presbyteros ad faciendum et jurandum eidem Abbati et Conventui tanquam suis Ordinariis obedientiam compulerunt et indies compellere moluntur.

#### De Processione Pentecostes ad istam Ecclesiam.

Solempnes insuper processionem qua à Clero & populo dictarum Ecclesiarum sicut à cæteris dictæ Cantuariensis Diocesis singulis annis in hebdomada Pentecostes ad Ecclesiam Christi Cant. matricem, & in ea publice fieri consueverint sic fieri nuper impediunt vel impediri perperam procurantes, ipsam processionem ad suum Monasterium in ultima Pentecoste publice fieri procurarunt, subjectionem debitam et honorem consuetam dicti Archiepiscopi Ecclesie suæ nequiter subtrahendo et ipsius jurisdictionem minus prohibere perturbando.

Et nota, quod in illa processione Pentecostes fuerunt Rectores, Vicarii & Sacerdotes Ecclesiarum subscriptarum, videlicet de Westbere, de Swaleclyve, de Chisleth, de Menstre, sanctorum Laurentii, Johannis & Petri in Thaneto, Stone, Borewarmerth, Demecherch, Swanes, Wyvelesberg, de Broklond, de Keninton, de Fritenden, de Lenham, cum Capellis de Rockon, de Middelton, de Faversham, de Sheldwich, de Kingesdon, de Plumstede, cum Capella de Estwicham, quarum quadam appropriata, cætera vero de patronatu, una cum non modica parte populi earundem publicam processionem & solempnem fecerunt cum oblationibus & cæteris devotionibus, secundum consuetudinem observatam in Ecclesiis matricibus dicti regni.

#### Subsidium receptum per Archiepiscopum contra nos.

In transitu quoque dicti Patris per Civitatem Cantuariensem ob reverentiam & honorem ejus, Campanæ pulsari debeant, & ab antiquo solebant; set Religiosi prædicti

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dicti reverentiam et honorem huiusmodi subtrahi facientes, hostia ipsarum Ecclesiarum in illius transitu claudi fecerunt, et etiam inhiberi et impediri quominus taliter pulsaretur, in dicti patris injuriam et suae Ecclesiae praedictum manifestam; unde idem Dominus Archiepiscopus sentiens se & Ecclesiam suam ex huiusmodi nobis praesumptionibus praegravari, ne ulterius ab eisdem talis jurisdictionis exerceatur, Sacrosanctam sedem Apostolicam appellat in his scriptis. Quid plura? Suffraganeos suos consulit, & ut Augustinense Canonicum deprimere, et Willam de noba exemptione annullare debote ab eisdem suffragium flagitabit. Qui omnes pro defensione juris Ecclesiae Metropolitanae subsidium copiose debuerunt, videlicet, de qualibet marca taxae ipsorum Episcoporum 4 d. praeter Archidiaconum, Commissarios, Officiales, et alios ipsius Archiepiscopi familiares; quorum quidam 40 l. et alii 40 marcas, et quidam majus, et quidam minus in omnem eventum largiti sunt; his habitis et receptis missi sunt Procuratores Archiepiscopi et Capituli sui ad Curiam Romanam, ut abstererent iudicium et iustitiam, Papam et totam Curiam pecunia corrumpentes: (as the Abbot and Monks had done before.)

Processus coram Papa inter Archiepiscopum & nos

\* Anno igitur Domini 1303. volens Dominus Papa uno dierum partes inibi constitutas audire, fecit eas vocari in privato Consistorio 15 Kal. Februarii. Et fuerunt tunc pro parte Archiepiscopi advocati Dominus Fornya, & Robertus de Casula, Romani, & duo Monachi Ecclesiae Christi procuratores, & duo juris Civis Anglici. Pro parte vero Abbatis fuerunt Domini Jacobus de Casulis, & Benenutus de Pulyo advocati Curiae Romanae, & duo Monachi, scilicet Robertus de Fekenham, & Adam de Rydenne procuratores, & Magister Johannes de Sancto Claro, Anglicus. Constitutis igitur partibus in praesentia Domini Papa iussit partem Archiepiscopi proponere primo; Qua proposuit, quod privilegium fuit impetratum per falsi suggestionem; & quod privilegia eorum antiqua fuerunt falsa; similiter Abbas & conventus excesserunt nimis per abusum, jurisdictionem exercendo, capitula celebrando, Clerum etiam & populum ab obedientia & jurisdictione Archiepiscopi nequiter subtrahendo. Obiecit etiam, quod ipsi constituerunt Decanos rurales & etiam alios Officiales ad exercitium huiusmodi jurisdictionis contra consuetudines & libertates Archiepiscopi & Ecclesiae suae antiquas. Pro parte vero Abbatis fuit propositum de gravaminibus ipsis & eorum subditis per Archiepiscopum & suos Commissarios illatis, eos videlicet suspendendo, excommunicando, et denique eorum captionem apud regiam potestatem procurando, contra privilegium eisdem a Domino Papa indultum. Et propter ista & multa alia gravamina ipsis Religiosis illata, petita fuit instanter dicti Archiepiscopi vocatio personalis & suorum Commissariorum. Postquam vero fuerat, ut dictum est, pro utraque parte sic propositum, dixit Dominus Papa; Ego plantavi, Apollo rigavit. Ego, supple Gregorium Papa; Ego, sedes ista Romana plantavi illam Ecclesiam Sancti Augustini; Apollo rigavit, hoc est beatus Augustinus per Christi gratiam & suam praedicationem Anglos baptizavit; Deus incrementum dedit per beatum Thomam martyrem. Et adiecit, Utraque Ecclesia nobilis est; & ita bene novimus iura & libertates utriusque Ecclesiae sicut illi Monachi qui ibi stant, erigens faciem ad Monachos procuratores superius nominatos. Una inquit Ecclesia utitur jure communi, alia gaudet privilegio singulari. Et ideo in signum susceptae libertatis ab Ecclesia Romana in adventu Legati ad illam terram debet Abbas mittere unum Monachum obdum illi usque ad medium maris, qui portabit secum Crucem, et ibi erigent eam, et incipient cantare, Te Deum Laudamus. Ipse vero Monachus portabit Crucem erectam ante Legatum, dummodo fuerit in illa terra. Ad hoc quod vos dicitis, quod privilegium fuit impetratum per falsi suggestionem, & quod privilegia eorum antiqua sunt falsa, non est verum. Nos dedimus ipsis illud privilegium. Praeterea nos inspicimus privilegium beati Bonifacii quarti, satis amplum pro suo tempore, et nos illud corroboravimus; et si adhuc esset dandum, adhuc eisdem daremus; et si non esset eorum Monasterium exemptum de nobo erimeremus. In fine dixit partibus, quod ipsi ponerent in scriptis ea quae voluerunt proponere & probare; & sibi liberarent. Sicque recesserunt a Consistorio. Atque fuerunt hac coram Domino Papa & Cardinalibus in privato Consistorio.



\* Chron. Wil.  
Thorne, col.  
1987, 1988,  
1989, 1990.

\* In primis, Pater Sanctissime, exponitur quod prefatum Monasterium Sanctissimorum Patrum Gregorii & Augustini monitu & instantia, beatus Ethelbertus Rex Angliæ, quem dictus pater Augustinus cum sua gente ad fidem Christi convertit, in sepulchrum sui & successorum suo: um Regum Angliæ & Prasulum prefata Urbis Cantuariæ à fundamentis construxit, & bonis propriis ditavit, & ibidem congregationem Monachorum collocavit. Cui Monasterio dictus pater Augustinus primo prefecit auctoritate sedis Apostolica Petrum Abbatem confessorem per beatum Gregorium secum missum ad convertendum Anglicos. Quo Petro mortuo, Apostolica sedes prefecit Johannem, Item prædictum Monasterium, ut præmittitur, sic fundatum dictus Anglorum Apostolus & sanctissima sedis Romanæ Legatus Augustinus, auctoritate beati Papa Gregorii, & ex ore ejusdem, dominicum esse voluit, et Apostolicum ordinavit, ac terras et Ecclesias ad ipsum pertinentes ab omni ordinaria potestate potentato, dominatu aut impetto eremit et privilegavit, prout in ejusdem privilegio latius continetur. Item prædictum Monasterium sanctus pater Dominus Bonifacius Papa quartus, ad preces dicti Sancti Ethelberti Regis, & Sancti Melliti confessoris tunc Londoniensis Episcopi, Sancti Regis ad hoc Nuncios & Legati, in generali Concilio Italiæ perpetua libertate munivit & privilegiavit. Item prædictum Monasterium virtute dictorum privilegiorum & ipsorum cujuslibet pro tempore suo ab initio foundationis sue, ita liberum fuit et exemptum ab omni ordinaria potestate, tam in capite quam in membris, et omnibus ad idem pertinentibus latus et extra, et notorie habitum pro exempto, et solum sanctissimæ Romanæ Sedis immediate subiectum, quod nullus præter Romanum Pontificem, vel cui ad hoc specialiter committeret, quicquam jurisdictionis vel potestatis in dictum Monasterium, Abbatem vel Monachos, et Clericos, homines vel tenentes de dominio, vel de subjectione ipsorum Abbatis et Conventus, nec in aliquos ipsi Monasterio tributa vel redditus quomodolibet exsolventes nullatenus exerceat, verum Abbas cum suo Conventu omnem Jurisdictionem in omnibus Ecclesiis suis et Parochianis earum, tam in Clericis quam in Laicis, pacifice et plene exercuit et habuit, Clericos in Ecclesiis suis tam suis alibus appropriatis, quam aliis instituit et destituit. Causas etiam Patrimoniales audivit, et omnimodam Jurisdictionem exercuit acut Episcopi in suis Diocæbus exercere consueverant. Et istum statum pacifice & notorie habuit istud Monasterium per 300 annos, & ultra; scilicet, usque ad tempus Lucii Papa tertii, cujus tempore licet Archiepiscopus Cantuariensis ipsius Monasterii statum exemptionem & jurisdictionem inquietaret, dictus tamen Dominus Lucius mandavit per Bullam suam Archiepiscopo Cantuariensi, quod non intromitteret se de aliqua jurisdictione quantum ad Clericos vel homines spectantes ad jurisdictionem ipsius Abbatis. Item mandavit Abbati, quod jurisdictionem hujusmodi exerceret; et simili modo mandavit Clericis et Laicis dictæ Jurisdictionis, quod non obedirent Archiepiscopo Cantuariensi in aliquo, verum dicto Abbati, præsertim pendente inquietatione prædicta. Postea Dominus Celestinus 3. quoad prædicta jura & alia dictum Monasterium privilegialiter confirmavit. In quo statu dictum Monasterium usque ad tempus Gregorii Papa 9. permansit & usum est suis libertatibus, ut supra. Iste Gregorius mandavit per scripta Apostolica & præcepit tunc Archiepiscopo, quod dictos Abbatem et Conventum aliqua non gravaret sententia, et quod ipsorum Ecclesias, Clericos vel homines interdiceret vel excommunicaret non præsumeret, vel census sibi debitos solvi minime impediret. Item tempore ipsius Domini Gregorii propter nimias vexationes & gravamina, qua sentivit ipsum Monasterium per potentiam Archiepiscoporum, intervenit compositio anno sui Pontificatus 12. qua adeo derogavit præmisso statui illius Monasterii & juri, quod extunc Archiepiscopus Cantuariensis & Archidiaconus ibidem inceperunt prætextu dictæ Compositionis habere institutionem & destitutionem in Ecclesiis ipsius Monasterii, ad præsentationem Religiosorum, & in suos Clericos & homines jurisdictionem omnimodam exercere, reservatis tamen quibusdam prerogativis præterita jurisdictionis & exemptionis Abbatis prædicti. Item istius Compositionis forma hinc inde fuit servata, usque ad tempus Domini Roberti nunc Cantuariensis Archiepiscopi, qui etiam contra Compositionem prædictam innumeris gravaminibus ipsum Monasterium solito plus vexavit. Primo videlicet recusavit admittere quendam Clericum idoneum præsentatum

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ab ipsis ad Ecclesiam eorum de Fritendenne, set mandavit ipsis Religiosis per literas suas, quod presentarent certam personam quem in literis suis nominavisset; & adjecit, quod nullum alium vellet admittere illa vice. Item subsequenter petiit ab ipso Abbate obedientiam, tam contra prætacta privilegia quam Compositionem præmissam, quam debuit illis temporibus observare. Item fecit citari dictos Abbatem & Conventum ad terminum nimis brevem & ad locum incertum, nulla abbreviationis causa expressa, ita quod ipsi comparerent coram ipso ubicunque esset in Civitate, Diocesi vel Provincia Cantuar. proposituri, ostensuri, necnon probaturi premissis, quo jure vel titulo Ecclesias de Middleton, de Littleburne, de Preston, de Menstre, Sancti Laurentii & Petri, de Chistelet, de Faversham, de Scheldwich, de Selling, de Tanterdenne, de Nordborne, de Lenham, & Sancti Pauli Cantuar. in usus proprios possiderent, necnon portiones & pensiones quas finxit eosdem habere in certis locis, licet in veritate, nullas haberent ibidem, ac etiam ut dicto termino privilegia super appropriatione Ecclesiarum nostrarum & aliis libertatibus ipsius Monasterii cum gravi periculo delationis exhibendorum pro termino premissis exhiberetur, & ulterius de die in diem processuri, ubicunque idem Archiepiscopus se transferret. Item ad magis gravandum dictos Religiosos, excitavit adversus eos plures adversarios, citando in Ecclesiis in quarum Parochiis ipsi Religiosi pensiones vel portiones habebant; ac etiam in aliis ubi nichil perceperunt omnino, quod omnes quorum interesset coram ipso Archiepiscopo comparerent se ipsis Religiosis in hujusmodi pensionibus efficaciter opposituri, ita quod à dicta perceptione expelli possent in posterum & excludi. Item licet eidem Archiepiscopo oblatum fuisset multis vicibus ex parte Religiosorum, & ante eorum citationem & post, super omnibus quorum occasione fatigavit eosdem, loco & tempore congruis, & ipsum in illis debite informare, ipsos tamen in hoc audire sapienter recusavit, nec detulit, quambis sibi constaret de eorum appellationibus sed Ecclesias ipsorum Religiosorum nullo juris ordine servato vacantes esse pronuntiavit, & mandavit eisdem, quod ad ipsas Ecclesias tanquam ad vacantes infra 40 dierum spaciis idoneos Clericos præstarent; denunciando eisdem Religiosis, quod aliquin Ecclesias conferret easdem. Item, dum dictarum appellationum negotia apud hanc sanctam Sedem de precepto vestro, Pater Sanctissime, remanserunt, inhibuit sibi eidem auctoritate vestra, ne quicquam in dicti Monasterii seu dictarum appellationum præjudicium attemptaret lite pendente; quibus tamen appellationibus vel inhibitioni Papali non detulit, nec etiam vestre Sanctitatis privilegii, licet sibi constaret ad plenum de singulis eorundem. Item, cum dictum vestrum privilegium esset eidem necnon Capitulo suo per conservatores super hoc deputatos ostensum, & in eorum presentia lectum, idem conservatores per suum Commissarium virum providum & discretum, facta tamen sibi prima fide de privilegiis antiquis & de statu antiquo quem habebat ante dictas Compositiones quantum ad institutionem & destinationem Clericorum in beneficiis, injunxerunt Abbati quod ipse omnem statum antiquum, tam quoad exemptionem quam jurisdictionem, plenè resumeret, ac omnia & singula quæ fieri consueverunt ante prædictam Compositionem liberè exerceret; dictum verò Abbas sciens statum Ecclesie sue antiquum fuisse ita plenum & liberum, ipsum resumpsit secundum modum observatum antiquum, & quatenus vestro credebatur privilegio convenire. Postmodum idem Archiepiscopus per Officialem suum & alios misit Cantuariam, mandans quod Abbas & Conventus coram ipsis in Ecclesia Sancti Pauli exemptionem, & privilegia quibus vellet uti contra ipsum, coram ipsis Commissariis notoriè suspectis, & dicti Monasterii inimicis etiam tempore messum exhiberent. Qui Commissarii imponebant Religiosis quamplures abusus & excessus privilegii concessi. Tamen ex parte Abbatis & Conventus facta fuit protestatio, quod non intendebant in aliquo excedere vel illo quoquo modo abuti; verum si quid dubii circa vestrum privilegium emerisset, vel in futurum emergere, vestra Sanctitatis declarationem humiliter expectares, & petebatur quod hoc faceret pars adversa cum effectu. Item, dicti Commissarii præmissa omnia dissidentes, Clericos et homines ipsius Monasterii tributa et redditus solventes, necnon ceteros exemptos in locis ejusdem degentes, excommunicaverunt et præceperant sub pena excommunicationis, ne quis Parochianorum suorum de suorum Ecclesiarum præsentibus vel iuribus Parochialibus responderent. Et ne plus viderentur inimici vestroque privilegio inobedientes, de die in diem tam contra personas exemptas quàm loca exempta processerunt. Propter quod licet per conservatores vestri privilegii fuissent moniti, quod à talibus excessibus notoriè desisterent, & errata corrigerent, sub pena excommunicationis latæ in eosdem si secus agerent; tamen

An. 29 E. 1.

Nota.



K. Edward 1. *An Exact History of Popes Intolterable Usurpations*, B. 5. ch. 4.

An. 29 E. 1. tamen injuriam injuritis accumulantes, statum et exemptionem ipsius Monasterii inquietarunt, vestre Sanctitatis privilegium nostra interpretatione coram Clero et populo exponentes. Item dictus Archiepiscopus facto publico sermone ad populum in Ecclesia sua, excommunicabit omnes qui statum suæ Ecclesiæ in iuribus, libertatibus vel possessionibus minuerant quæ prius haberat vel consueverat optinere. Item Clericos eorundem per ejus Commissarium de facto non de jure excommunicatos, non obstante quod processus et sententia prædicta essent auctoritate vestri privilegii nulla et irrita, etiam per conservatores ex habundanti debite revocata, fecit mancipari custodiæ carcerali, regia potestate mediante. Istis articulis audientia Apostolica sic traditis & liberatis, procuratores Abbatis recesserunt.

\* Chron. Wl. Thorne, col. 1990, 1991.

\* Anno quo supra per spacium temporis, videlicet Idus Martii, vocata fuit pars Abbatis & Conventus per se in secretiori Thalamo coram Domino Papa, qui dixit quasi increpando; Non secundum voluntatem nostram, ut intelleximus, fecerunt ipsi Abbas & Conventus in Ecclesiis juris patronatus eorum, qui instituerunt & destituerunt in eisdem. Responsum fuit; Pater Sancte, Non: sed posuerunt ibi personas idoneas, ut ipsis deservirent quousque aliud scirent de vestra voluntate. Quantum ad pulsationem contra Archiepiscopum, negatum fuit expresse quod nunquam fuit prohibitum, quin pulsaretur contra eum. Tertio inquirebat de Ecclesiis appropriatis quid sentirent: Ad illud fuit allegatum de prescriptione & de statu Monasterii antiquo, ad quem redacti fuerunt per suum privilegium. Tunc dixit Dominus Papa; Non ponatis vos in talibus, quia talia possunt esse privilegia quæ jurisdictionem populi simul cum appropriatione Ecclesiarum sapiunt, & alia quæ non. Ad illud quod objecit de excessu quoad institutionem & destitutionem, responsum fuit; Pater Sancte, conservatores privilegii vestri viso statu Monasterii antiquo injunxerunt Abati, quod ipse resumeret omnem statum antiquum quoad exercitium jurisdictionis; & ipse hoc fecit sub protestatione tali, Quod si contingeret illum aliud facere, quam quod de vestra procederet voluntate, paratus esset cum sibi constaret resumpta revocare. His dictis, jussi sunt recedere. Et continuo vocata fuit pars Archiepiscopi & discessit cum eum: Denique vocata fuit pars Abbatis. Constitutus vero partibus coram Domino Papa, objecit pars Archiepiscopi illa qua superius sunt ostensa. Tunc dixit Dominus Papa, Taceatis; non curamus de talibus, quia totum negotium ad iria parva restringimus, videlicet, ad jurisdictionem, pulsationem, & processionem; & de istis volumus deliberare & ordinare, sicut nobis videbitur expedire; Neque totum negotium sibi prima vice reserabit; deinde locutus est Procuratoribus Archiepiscopi, dicens: Nos audivimus de illo Cantuariensi, quod male se habuit in Parlamento Lincolniz, quia ipse seminavit zizania inter Regem et Barones; et nisi fuisset sapientia Regis, terram suam imperpetuum amississet; ipse corruet et finaliter ipse corruet, et per Deum bene vindicabo Regem de eo. Respondit Magister Johannes de Ros Procurator Archiepiscopi; Pater Sancte, nisi fuisset sua constantia et prædictio, multa majora scandala fuissent in illo regno exorta. Papa respondit; Tu mentiris, tu mentiris, bene scimus veritatem. Tunc jussa sunt amba partes recedere.

\* Popes can swear, and take Gods name in vain, even in Cathedra, and yet not erre therein.

\* Nota.

Post aliquot vero dies, pecunia mediante Episcopali, traditum fuit dictum negotium ad Notarium, ut expediretur. Perpendit autem pars Abbatis, quod nota non fuerat bene concepta pro parte ipsorum, & vehementer instabat, quod posset habere accessum ad Dominum Papam. Tandem intervenientibus amicis ingressi sunt, supplicantes sibi pro Dei misericordia, quod sibi placeret habere pietatem de Monasterio suo; & respondit, Ecclesia beati Augustini est antiquior in illo regno; & ideo magnum vituperium esset Curie Romane, si non esset exempta ex quo plura Monasteria sunt ibi exempta; nec decet quod sit peioris conditionis quam alia Ecclesiæ, quæ sunt prima inter eas. Initio ibidem religionis Christianæ, antiquitas loci, & veneratio beati Augustini Anglorum Apostoli monet nos ad fovendum jura illius Monasterii in quantum possumus cum justitia. Et his dictis recesserunt. Insuper firmiter promissum fuerat eisdem per organum Domini Papa, quod negotia bene expedirentur pro parte illorum; tamen quia Curia fuit in motu versus Agnaniam, dicebatur, quod nihil expediretur quousque illuc venirent. Igitur venientibus Procuratoribus Abbatis post Pascha Agnaniam, requirebant à referendario, quod negotia expedirentur secundum quod promissum eis fuerat. Qui respondit verbis dissimulatis; se ad plenum non scire de voluntate Domini; unde prædicti Procuratores insisterunt.

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ut faceret finem negotiis. Tandem dictum fuit eis, quod irent ad Notarium, & inspi- An. 29 E. 1.  
cerent quandam notam, quam Dominus praecepit fieri ut dicebatur. Inspecta verò nota,  
displicuit per omnia, eo quod ex toto fuit eis contraria. Placuit tamen Procuratori  
Archiepiscopi, qui instanter egit, ut imbullaretur. Venerunt igitur Procuratores  
Abbatis ad Referendarium, dicentes, Pater, quid est quod intenditis facere? Si illa  
nota transeat, imperpetuum confusi erimus nos et domus nostra, nec aut erimus  
redire ad propria. Magnū certe peccatum est, quod tantum a \*Domino nostra ex-  
torisistis pecuniā, nec quicquam consecuti sumus amplioris gratiæ. \* Nota. *Qui respondit,*  
*Quid igitur vultis ut faciam vobis? Nonne sufficere potest vobis, quod habeatis sta-*  
*tum aliorum exemptorum? Responsum fuit, Pater, sufficit. Et dixit, Requiratis*  
*ergo statum eorum, & Dominus faciet vobis bonam gratiam. Unde requisita fuit*  
*copia privilegii S. Albani, & ad Curiam sub manu publica delata. Quibus exhibitis*  
*respondit Dominus Papa; Quod non satis credidit Notariis Anglicanis, nisi huius-*  
*modi privilegia possent inveniri in Curia registrata. Demum Registris inspectis,*  
*comptum est Privilegium Honorii tertii Anno ejusdem tertio, de verbo ad verbum: Et*  
*illud optime faciebat pro statu quem petebant. Interea pendente negotio sub dissimu-*  
*latione infecto, Procuratores Archiepiscopi impetrarunt plures literas contra Ric-*  
*tores, Vicarios, et alios subditos ipsorum Abbatis et Conventus: Quibus Procu-*  
*ratores Abbatis contradixerunt. Et cum multa esset pro huiusmodi hinc inde controver-*  
*sia, dixit Auditor contradictoriarum Procuratoribus Abbatis, Concedo vobis termi-*  
*num usque ad publicum Consistorium, ut possitis consulere Dominum, si hæc literæ*  
*debeant transire, vel non.*

In proximo igitur Consistorio publico, scilicet die Sancti Adriani, inter cetera propo-  
suit pars religiosorum coram Domino Papa & Cardinalibus, quod Procuratores Archie-  
piscopi impetrarunt literas in audientia contra privilegium novum concessum. Insuper,  
quod de novo citari fecerunt Procuratores Abbatis coram Domino Johanne Monacho  
Presbytero Cardinali ad procedendum super illa Nota superius memorata. Tunc respondit  
Dominus Papa, Nos ob reverentiam beati Augustini dedimus eis illud privilegium,  
& statum illius Monasterii corroboravimus & renovavimus: veruntamen ipsi Mo-  
nachi non sunt contenti finibus suis; & adjecit de Causa qua fuerat in dubio coram  
Cardinali, allegans ipsum Cardinalem, dicens sic, Johannes fili, audis tu istam Cau-  
sam? *Qui respondit, Pater sancte, Vocati fuerunt coram me, et proposuerunt in*  
*Scriptis excipiendo quod vos reservastis vestræ audientiæ: & super hoc petebant*  
*Procuratores prædicti instanter vestram Sanctitatem consuli, eo quod vos non age-*  
*batis in remotis. Qui respondit, Ego tibi præcipio ne amplius istam causam audias,*  
*nos enim illam nulli omnino hominum committimus nec commitemus: sed nos*  
*istud negotium cum omnibus sequelis suis volumus terminare. Et sub isto modo*  
*istam Causam sibi secundo reservavit. Consistorio celebrato, venerunt Procuratores*  
*Abbatis nuntiantes Auditori contradictoriarum, quæ dicta fuerant à Domino Papa;*  
*Qui respondit, Volumus consulere Dominum, & quia Procuratores Archiepiscopi*  
*valde fuerant infesti Auditori quod prædicta litera transirent, fecit Auditor partes*  
*citari. Quibus coram eo in judicio constitutis, post multas allegationes hinc inde fac-*  
*tas, Dixit Auditor. Quia nos non habemus cognoscere de veritate precum, nos*  
*istas literas discernimus absolvi, sub ista tamen conditione, Quod si illæ Ecclesiæ*  
*seu personæ, de quibus agitur in prædictis literis, pertinent ad illud Monasterium*  
*pleno jure, vel sunt membra ipsius Monasterii, vel si sint Ecclesiæ vel personæ de*  
*quibus omnibus causa pendet coram Papa, literæ non procedant contra Abbatem*  
*seu aliquas alias personas ipsi Monasterio subjectas. Non multum post Procurator*  
*Archiepiscopi, habito ingressu ad Dominum Papam proposuit coram eo, Quod Procu-*  
*rator Abbatis impediens literas communis justitiæ in audientiâ, quo minus transire*  
*possent: & multos alios articulos proposuit coram eo: Papa respondit, Redigas in*  
*scriptis ea quæ probare volueris & trades nobis. Et si probaverimus quod verum*  
*dixeris, nos acius procedemus contra prædictos Religiosos: si autem probaveri-*  
*mus te falsum dixisse, promittimus Deo quod puniemus falsitatem tuam.*

\* Igitur proximo Consistorio liberavit Procurator Archiepiscopi Articulus prædictos. Chronica  
Domino Papa, qui sic incipiunt, Gravamina noviter attemptata; W. Thorn,  
Dicitur tamen Pro- col. 1992,  
curator non artavit se ad probandum Articulus in aliquo, nec per publica Instrumenta, 1193.  
sed quovis alio juris ordine; sed in fine Articulorum quasi concludendo dixit, Pater  
sancte, hæc omnia recepi literatoriæ à Domino meo Cantuariensi & Priore Capituli  
ejusdem



*An.29 E.1.* ejusdem. Quando verò dicti articuli liberati fuerunt, petita fuit eorum copia instanter per Procuratorem Abbatis. Et incontinenti petita fuit per eosdem, quod Dominus Papa vellet subsequenter audire partem, causam & articulos Abbatis. Et respondit, Satis est; & adjecit, Nos ob reverentiam beati Augustini Anglorum Apostoli statum illius Ecclesiæ renovavimus, corroboravimus, & multa addidimus. Merum tamen Abbas et ipsi Monachi nimis sunt elati, et faciunt multos excessus; et similiter Archiepiscopus aliquantulum est elatus, et utinam aliquantulum, quia nimis magnus Theologus est; ipse est de Rypariis, bene novimus eum. Et dixit, Consulimus quod utraque pars contenta finibus suis, & placeret nobis quod bona pax esset inter eos: quia si contingat nos tangere illas, utraque pars dolebit. Et sic recesserunt à Consistorio illa vice. Quibus Articulis Archiepiscopi quanquam nobis omnino contrariis à Domino Papa conceptis, jussit Notam qua alias fuerat Anagninæ concepta procedere. Quod videns Procurator Abbatis, insitit viriliter quatinus habere posset copiam dictæ Notæ, dicens, Se posse proponere & probare per rationes efficaces, quod illa Nota non posset transire. Quod cum nunciatum fuisset Domino Papa, jussit copiam liberari prædicto Procuratori. Tamen Procurator Archiepiscopi constanter egit, quod prædicta Nota transiret. Cui tamen responsum fuit, quod Dominus intellexit quod pars Abbatis haberet plures rationes probabiles & efficaces quare prædicta nota transire non deberet; & ideo voluit audire partes, & dictum negotium ampliori deliberatione tractare.

Et scito, quod illa Nota qua dicitur fuisse concepta Anagninæ erat hæc: Habeant præsentationem Rectorum & Clericorum, tum, &c. quæ sequuntur in bulla declarationis. Contra quam notam Procuratores Abbatis rationes produxerunt efficaces in forma quæ talis est; Habeant Præsentationem, &c. Hæc dictio tantum absorberet jura Monasterii, quia de jure communi alia competunt patronis quam præsentatio sola, quia Abbas & Conventus habent custodiam vacantium Ecclesiarum de Patronatu, & percipiunt medietatem fructuum ipsarum tempore vacationis, & etiam sequestrorum. Item retinent claves ipsarum Ecclesiarum vacantium. Item pulsantur Campana propter reverentiam Abbatis, quando transit per loca. Et hæc competunt, & competierunt ab eo tempore quo memoria non extat, & etiam per compositiones fuerant reservata expressè. Item Archiepiscopus habeat Spiritualia in eisdem, hoc excepto, quod propter privilegia & compositionem interdicere & suspendere non potest, sicut patet per Compositiones, quinque Ecclesias in Compositione nominatas, ut superius in eadem compositione patebat. Nec aliàs quam eis ex præsentis declaratione. Hoc est limitandum quoad spirituales jurisdictionem, quia temporalem habuerunt & habent in prædictis ab eo tempore quo non extat memoria. Permittitur; Ex hac concessione nihil permittitur, quod jurisdictionem sapiat. Præterea eadem jura habent in hoc genere appropriatarum Ecclesiarum quæ habent in illis quæ sunt de solo patronatu. Et ideo oportet hoc mutari. Et aliarum quarumcunque Ecclesiarum Cantuar. Civitatis & Diocesis. Si hoc ita generaliter ponatur, extendetur ad Ecclesias pleno jure eisdem subjectas; & sic inducitur servitus super rem omnino exemptam. Qualemcunque jurisdictionem habere noluunt, quæ sunt ista? verendum est, ne ex his verbis detur materia in posterum litigiis. In cæteris contentis in eo. Impropria videntur hæc verba, quia de hiis quæ declarata sunt nichil de privilegiis continetur; & Exceptio non fit, nisi de eo de quo est regula.

Petitiones Procuratoris Archiepiscopi subsequenter productæ, quæ tales sunt.

Abbas & Conventus Monasterii S. Augustini Cantuariensis asseruerunt coram vobis Quod licet Monasterium eorum à principio foundationis ipsius cum omnibus membris suis fuisset exemptum per sedem Apostolicam à jurisdictione qualibet ordinaria, eis tamen postmodum exactionibus et angustiis fatigatis per nonnullos Archiepiscopos Cantuarienses super exemptionibus eorundem, quædam Compositiones intervenerint inter partes, ex quibus dicti Abbas et Conventus dicentes plurimum derogari libertatibus eorundem, supplicaverunt se reduci ad plenitudinem libertatis exemptionis. Unde vos decrevistis Privilegia, Libertates, et Exemptiones, ipsis à dicta Sede concessa, in suo robore permanere, ac nichilominus ipsos et dictum Monasterium cum omnibus membris suis ab omni potestate, jurisdictione, subjectione, et dominio Archiepiscopi et Capituli Cantuarie, et omnium aliorum absolvestis, exemptistis, et perpetuo liberastis, et decrevistis ea omnia totaliter et immediate Romano Pontifici subjacere, ita quod nec Archiepiscopus nec quævis alia persona

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*una ecclesiastica in ipsos jurisdictionem aliquam sibi possunt vendicare: Crisma autem, An. 29 E. 1.*  
*Olum sanctum, consecrationes Altarium, ordinationes Monachorum et Clericorum à*  
*Cantuariensi Archiepiscopo suscipiunt. Mandatisque certis iudicibus, ut non permis-*  
*serent eos contra exemptionem huiusmodi molestari. Postmodum Archiepiscopus perpen-*  
*dens, quod prædicti Iudices excesserant fines mandati, et quod dicti Abbas et Conventus*  
*usurpabant sibi jurisdictionem ordinariam, nedum in Ecclesiis eis appropriatis et parochia-*  
*nis earum, sed etiam in Ecclesiis in quibus ius Patronatus tantum habebant et parochia-*  
*nis ipsarum, ac impediebant solemnes Processiones, quæ consueverant fieri à Clero et*  
*populo ipsarum Ecclesiarum ad Cantuariensem Ecclesiam, procurando eas fieri ad dictum*  
*Monasterium; et quod in transitu ipsius Archiepiscopi per Civitatem Cantuariæ, sibi*  
*subtraherent pulsationem Campanarum, ad Sedem Apostolicam appellabit. Igitur*  
*nunc petitur pro parte Archiepiscopi, ut statuas quod ad Ecclesias Cantuariensis*  
*Civitatis et Diocesis in quibus dicti Abbas et Conventus obtinent tantum ius Patronatus,*  
*et futuris temporibus obtinebunt, et ad ipsarum Ecclesiarum Rectores, Clericos et Pa-*  
*rochianos non extendatur vestra huiusmodi exemptio; et quod Ecclesie quas habent et ha-*  
*bebunt in propriis usui, et Rectores seu Vicarii, Clerici vel Parochianearum, quoad ju-*  
*risdictionem spirituales seu etiam temporales per eandem exemptionem non intelligantur*  
*exempti, sed illas tantum ecclesias et per ipsam exemptionem censatis exemptas quæ pleno*  
*jure ipsi Monasterio sunt subiectæ: et mandetis, quod per eisdem Abbatem et Conventum,*  
*per Rectores et alios Clericos Parochianos prædictarum et aliarum Ecclesiarum Cant. Ci-*  
*vitatis et Diocesis, in quibus ipsi Abbas et Conventus qualemcunque habeant jurisdictio-*  
*nem, faciant ipsi Archiepiscopo obedientiam et reverentiam debitam in pulsando campanis,*  
*in processionibus faciendis, et in omnibus aliis in quibus consueverunt et debent. Et quod*  
*omnes Processus, sive per prædictos Conservatores, vel per eisdem Abbatem et Conventum,*  
*aut per præfatum Archiepiscopum, vel eorum aliquem, vel quemcunque alium fa-*  
*ctos occasione præmissorum cassetis et irritetis. Et quia omnes tam maiores quam*  
*inferiores abaritis studuerunt, pecuniæ summo opere obtemperantes, petitiones*  
*Archiepiscopi iustas, ratasque esse iudicantes, rationibus religiosorum contra no-*  
*ram privilegii superius conceptis non obstantibus, Dominus Papa declarabit in*  
*hunc modum.*

Nota.

\* Bonifacius Episcopus Servus servorum Dei, ad perpetuam rei memoriam. Du- \* Ibidem, col.  
dam pro parte dilectorum filiorum Abbatis & Conventus Monasterii S. Augustini 1995, 1996.  
*Cantuariensis, Ordinis Sancti Benedicti, fuit expositum nobis, quod licet eorum Mo-*  
*nasterium à principio foundationis ipsius, seu à tempore cuius memoria non extabat,*  
*cum omnibus membris suis existentibus ubicunque fuisset exemptum per specialia*  
*Privilegia Sedis Apostolicæ à jurisdictione qualibet ordinaria, prout evidentius in*  
*privilegiis contineri dicebatur eisdem, eis tamen postmodum per nonnullos Archi-*  
*episcopos Cantuarienses, qui pro tempore fuerant, nunc hinc, nunc inde vexationi-*  
*bus et angustiis fatigatis, quædam Compositiones super exemptionibus & liberta-*  
*tibus contentis in dictis Privilegiis, intervenerunt inter partes. Verum cum idem*  
*Abbas & Conventus assererent, per huiusmodi Compositiones prædictis eorum*  
*Privilegiis & Libertatibus non modicum derogari; Nos eorum supplicationibus in-*  
*clinati, huiusmodi privilegia, exemptiones & libertates ipsis & dicto Monasterio à*  
*præfata Sede concessa, in suo volumus & decrevimus robore permanere; ac nichil-*  
*ominus ipsos Abbatem & Conventum, dictumque Monasterium cum omnibus mem-*  
*bris, Ecclesiis, Capellis, Xenodochiis, Hospitalibus, Cantariis, necnon Castris, Vil-*  
*lis, Maneriis, Domibus, Grangiis, Terris, Possessionibus, Redditibus, & quibus-*  
*cunque bonis suis, in quibuscunque forent Diocesibus constituta, & omnibus per-*  
*sonis sui Ordinis, et aliis eis subiectis degentibus in eisdem, ab omni potestate, ju-*  
*risdictione, subiectione atque dominio, tam Venerabilis fratris nostri Archiepisco-*  
*pi, & dilectorum filiorum Capituli Cant. qui tunc erant, et qui pro tempore forent,*  
*quàm quorumlibet Archiepiscoporum, Episcoporum, Capitulorum, Prælatorum, &*  
*Officialium suorum, & aliarum quarumlibet Ecclesiasticarum personarum, duximus*  
*per nostras sub certa forma Literas eximenda, & eis super exemptionis nostræ pri-*  
*villegio, dilectos filios Westmonasterii & de Waltham, ac super istis sub certâ formâ*  
*literis conservatores nichilominus deputavimus. Postmodum autem Venerabili*  
*Fratre nostro Archiepiscopo Cantuariensi prætendente, quod præfati Westmonasterii*  
*ensis & de Waltham Abbates in huiusmodi conservationis negotio procedentes, Fi-*  
*dei mandati nostri in hac parte super certis Articulis patenter excesserant; & quod me-*  
*morati*



*An. 29. E. 1.* morati Abbas et Conventus Sancti *Augustini* prædictas exemptiones, et vires earum contra iustitiam excedentes, jurisdictionem ordinariam nedum in Ecclesiis quas ipsi Abbas et Conventus appropriatas sibi esse dicebant, et Vicariis, Clericis, Parochiis et Parochianis earundem Ecclesiarum, set etiam in Ecclesiis in quibus idem Abbas et Conventus asserebant jus Patronatus duntaxat habere, ac in Rectoribus, Clericis, Parochiis & Parochianis earundem Ecclesiarum sibi temerè usurpare, ac jurisdictionem ipsam in Civitate ac Diocesi *Cantuariensi* diversis modis exercere. Solennes insuper processiones quæ a Clero & Populo dictarum Ecclesiarum sicut à cæteris Clericis et populis dictarum *Cantuariensis* Civitatis & Dioecesis singulis annis certis diebus ad Ecclesiam Christi *Cantuarie* publicè fieri consueverunt impedire; pulsationem quoque Campanarum quæ in transitu ipsius Archiepiscopi per prædictas Civitatem & Diocesim *Cantuarie* ob ejus reverentiam & honorem fieri consueverat ab antiquo, subtrahere, vel subtrahi facere in Ecclesiis prædictis præsumpserat fuerunt tam pro parte memorati Archiepiscopi *Cantuariensis* Ecclesiæ, quam sibi adherentium & adherere volentium, dixerat appellationes ad sedem Apostolicam interjectæ. Cumque negotium appellationum hujusmodi pro parte ipsius Archiepiscopi per ejus Procuratorem præsentem Procuratorem ipsorum Abbas & Conventus fuisset propositum coram nobis, nos volentes de ipsius qualitate negotii plenius informari, per viam provisionis & ordinationis negotium ipsum ex officio nostro sub compendio diffinire, Procuratoribus ipsis duximus in iungendum, ut tam super exemptione prædicta quam super appellationibus memoratis, nos de jure pertinentiarum earundem verbo tenus & in scriptis plenius informarent. Qui pro partibus ipsis super earum juribus nos juxta hujusmodi mandatum nostrum informare curarunt. Nos igitur hujusmodi informatione recepta, volentes super præmissis ipsarum partium cavillationibus obviare, ac amputare litigiorum et jurgiorum attractus et dispendia inter eos prohibendo et ordinando declaramus, et declarando decernimus, Quod præfati Abbas & Conventus Monasterii Sancti Augustini Cant. in Ecclesiis *Cantuariensis* Civitatis & Dioecesis in quibus ipsi jus Patronatus duntaxat optinent, & futuris temporibus obtinebunt, habeant præsentationem Rectorum & Clericorum, & alia quæ jura continent patronatus; Archiepiscopus vero *Cantuariensis*, qui nunc est, & qui pro tempore fuerit, habeat in eisdem Ecclesiis institutionem & destinationem, & tam in eis quàm in Rectoribus Clericis & Parochianis ipsarum, etiam alia spiritualia, prout hinc & inde jura communia permittunt. In Ecclesiis quoque ipsorum Civitatis & Dioecesis quas idem Abbas & Conventus in proprios usus habere nesciunt, & quas eis in futurum optinere contigerit, & Rectoribus seu Vicariis, Clericis & Parochianis earum, ipsi Abbas & Conventus habeant temporalia sua. Idem autem Archiepiscopus habeat spiritualia in eisdem, nec aliàs quam eis ex præfata nostra declaratione permittitur, memorati Abbas & Conventus in prædictis Ecclesiis in quibus ipsi, ut dictum est, jus Patronatus duntaxat habent, vel habebunt, & Rectoribus, Clericis, & Parochianis earum, & in Ecclesiis quas in proprios usus obtinent vel obtinebunt, aut in Rectoribus, seu Vicariis, Clericis, Parochiis, & Parochianis eorum jurisdictionem sibi vendicent, aut in eos exercere quoquo modo præsumant. Declaramus insuper, quod Clausula de personis degentibus in Ecclesiis, Capellis, & cæteris locis eorundem, ad Monachos & perpetuò conversos referatur. Insuper autem per Rectores & alios Clericos, necnon Parochianos prædictarum & aliarum quarumcunque Ecclesiarum *Cantuariensis* Civitatis & Dioecesis in quibus ipsi Abbas & Conventus qualemcunque jurisdictionem habere nesciunt, debitum honorem & reverentiam in pulsando campanas, in processibus faciendis, & in omnibus aliis in quibus consueverunt & debent, Volumus & precipimus exhiberi memorato Archiepiscopo, debitæ & consuetis temporibus atque locis, præfata exemptionis nostra privilegio in cæteris contentis in eo in pleno robore duraturo. Nulli ergo omnino hominum liceat hanc paginam nostræ declarationis, constitutionis, & præcepti infringere, vel ei ausu temerario contraire, &c.

Thus this controversy between the Archbishop, Abbot and Monks, (which continued near 8. years space, to their vast expence, trouble, vexation) received this final determination. Wherein we may observe, 1. The detestable Corruption of Pope Boniface, his Cardinals, Notaries, and other Officers in the Court of Rome, in taking great bribes, rewards, and summes of money from both parties, and thereupon varying, nulling, repealing their Judgements, Sentences, Letters, Orders, Bulls,

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Bulls, Priviledges, in favour, disfavour, to the advantage or prejudice of either party, according to the greatness or prevalency of their Bribes, without any regard to justice. 2ly. Their manifold arts to procrastinate the final decision of the controversies between them, to exhaust their purses, and gain new bribes, rewards from them and their Proctors. 3ly. The strange ambitious, proud, contentious, turbulent spirits of the Archbishops, Abbots, Monks of *Canterbury*, in that and precedent times, evidenced by the manifold controversies, violent proceeding, costly long-lasting successive suits between them, by reason of Popes contradictory Bulls of Priviledges and exemptions granted to, and purchased by them at dear rates; which did but renue, increase, perpetuate their contests and appeals to *Rome*, instead of determining them. 4ly. The publike contempts, slighings of Popes Bulls, Mandates, Sentences, both by the Archbishop, Abbots, Monks, when they entrenched upon either of their claimed Priviledges or Jurisdctions. 5ly. Their gross, frequent abuses of Excommunications and Interdicts, fulminated, denounced against each other, upon every pretended contempt or violation of their claimed Priviledges or Jurisdctions.

After the premised Declaration of Pope *Boniface* in favour of the Archbishop, he proceeded so violently against the Abbot, Monks and their adherents, by Excommunications, Interdicts, and other Ecclesiastical Censures, that he enforced them to submit, and sue unto him for absolution and a friendly agreement between them, thus related by \* *William Thorn.* *Qua quidem Declaratio sic publicata Anno supra dicto, scilicet 1303. die Sancti Dunstani Archiepiscopi, in Ecclesia Christi Cant. immediatè post factam ibidem processionem, presentibus tunc Clericis & Laicis in magna multitudine ad eundem diem specialiter vocatis & rogatis, Henricus Prior Ecclesie pradiæ predicavit populo, cujus thema fuit hoc: Fili, non dimittas legem matris tue, non transgredieris terminos quos posuerunt patres tui; Declarationem publicavit, notificavit, & in lingua materna publicè exposuit. Postea vero Dominus Archiepiscopus, Archidiaconus et eorum Officiales compellebant omnes Parochianos nostros et tenentes. ac alios qui nobis medio tempore adhaerunt, visibiles et importabiles poenitentias facere, fustigantes circa Ecclesias, et per Perketas, ac ad deferendum cereos ad feretrum Sancti Thomæ contra voluntatem eorum, videlicet unumquemque secundum facultatem bonorum suorum, pro eo quod medio tempore nobis et nostris fuerant intendentes et obediētes. Igitur ista publicatione facta, omnes et singuli Rectores et Vicarii, qui prius Abbati adhaerebant, se a obsequio cessabant, resistentes se de querendo gratiam et presentiam Archiepiscopi. Qui in presentia ipsam constituti, bi et metu ducti, fitebantur se ipsos sententia majoris excommunicationis per ipsum et suos Commissarios fuisse innodatos, et petierunt reformationem status sui. Factaque sibi resignatione et cessione beneficiorum suorum, et facto juramento de stando mandatis Ecclesie, juxta eorum petitionem obtinuerunt. \* Et sic omnia beneficia absque Pastozibus manserunt desolata, et dicti Rectores et Vicarii irregulares ibidem pronuntiati per Archiepiscopum supradictum. Similiter et Capellani Parochiales et alii annalia celebrantes a divinis cessarunt, gratiam et benevolentiam ejusdem humiliter petentes, confitebantur se ipsos sententia excommunicationis fuisse ligatos, petentes reformationem status sui, præstatoque juramento de stando mandatis Ecclesie, optinuerunt. Et aliqui eorundem pronuntiati fuerunt ibidem irregulares, quidam vero postmodum gratiam optinuerunt. Sed Rector de Brockland & Vicarius de Mense, non reputantes se aliqua sententia fuisse ligatos, non statim submiserunt se, quia processum Archiepiscopi tunc pendente causa in Curia Romana indecisa, aliquo modo credebant non posse valere. Rector Ecclesie Fritindenne volens ab animarum Cura exonerari, prout spontè & absolute in manus Domini Abbatis in Hospitio suo apud Suthwerk resignavit.*

Missis istis doloribus, grabaminibus et angustis, Rectozibus, Vicariis, Capellanis, Parochialibus et Annalia celebrantibus, necnon tenentibus Parochianis et aliis ante Declarationem Abbati adhaerentibus per Archiepiscopum, Archidiaconum, Commissarios et alios ministros eorundem illatis, et qualiter gravioza in posterum comminantur inferre, pradiæ Abbas & Conventus miserunt ad eum Dominum Johannem Tavy Militem, duos Monachos, cum aliis, tunc apud Colcestriam existentem; Et post salutationem sibi factam, idem Dominus Johannes dixit Archiepiscopo,

An. 29 E. 1.

\* Chron. Wl. Thorne, col. 1997, to 2003.

\* Nota.

\* Nota.



An. 29 E. I. Archiepiscopo, qualiter solebat esse amicus Ecclesia Sancti Augustini, & rogavit eum ex parte Abbatis & Conventus, quod illam suam amicitiam antiquam vellet continuare in futurum, et quod placeret ei aliquam bonam hiam ordinare, quod pax et concordia esset de cetero inter ipsum et Abbatem, et quod placeret sibi nulla gravamina inferre Clericis vel Laicis adhaerentibus praedictis Abbati et Conventui ante publicationem declarationis antedictae pro dissensionibus, discordiis, et contentionibus inter ipsos prius habitis. Cui respondit Archiepiscopus, quod Charitatem habuit essentialem, sed eam in effectum ostendere non poterat, quia gravatus fuit per eos sumptibus expensis et laboribus. Et quando super hiis competens emenda sibi per eosdem fuerit facta, tunc foret amicus sicut solebat esse.

Paucis vero diebus transactis, Abbas accessit eum apud Donemow; & cum rogasset eum, ut omnem indignationem ab eis placeret amovere, et multa alia pro pace et benevolentia sua captanda sibi proferret: Archiepiscopus respondit, Quod super hiis nondum se deliberaverat. Et cum idem Abbas, ab ipso parumper declinasset, & quasi ad propria licenciatus divertere incepisset, & postea confestim rediret ob ipsius reverentiam, petebat ab eo, ut sibi benedictionem impenderet. Qui dixit, quod hoc tunc non faceret, quia non erat in statu benedictionem recipiendi, cum esset excommunicatus. Et Abbas respondit, quod hoc non credebatur. Et sic ab eodem Archiepiscopo cum omnibus suis ad propria declinavit. (Such was their pride and implacability towards each other.)

\* Ibidem, col. 1998. 1999.

\* Anno Domini supradicto ad tractatum pacis efficacius prosequendum ad instantiam Domini Abbatis, nobiles viri Domini Americus de Valencia Comes de Penbrok, Richardus de Ingepene, H. de Apolderfeld, & Johannes Tavy Milites, Magistri Henricus de Norwood, & Jacobus Synobaldi de Florencia Clerici, fratres Richardus de Cant. & Radulphus de Gatewych Monachi, accesserunt apud Lambeth ad Archiepiscopum, & cum idem Archiepiscopus & Comes praedictus simul sedentes circa Solis occasum & in secretis, de forma pacis inter ipsum & Abbatem tractassent, Archiepiscopus alta voce respondit; Quod propter diversas occupationes post horam prandii emergentes officium quod sibi incumbere non dixerat, & propter hoc in crastinum eos ut decuit velle benigne audire. In crastino vero cum idem Domini redirent, Dominus Henricus de Apolderfeld tradidit ei Cedulae cuius forma talis est.

Sire, nous sumes a vous venuz a la requeste del Abbe & du Covent de Seint Augustin de Canterbirs, qe nous ount pris & requis, que nous vous vossiffomes dire acune choses que touchent et vos et caus de contekes et debaths qe sont moiez entre vous a damage de montz gentz que coupe nen ount. E pur ce Sire qil entendent, et que vous lavéz si entenduz qil plest a nostre Seignour le Apostaile, que bone pes e trets de accord se seit entre vous et le Abbe e Covent avandiz, voillantz humblement tant que en eus est accompli le volunte de nostre Seignour le Apostaile, nous ount si envoyes asaver, sil vous plest de aver trets de accord de ces contekes et debatz per entre vous, et sil vous plest ils serront prestz en ceo qe lour touch, isli qe eneus ne ferra trove nulle defaute ne desmesur qe covenable pes e accord ne se face, et qe nous lur seysuoms a saver de ceste chose vostre volunte.

Tunc dictus Dominus Comes & alii secum existentes Archiepiscopum humiliter requisierunt, quod vellet habere tractatum de bona et firma pace. Qui respondit, quod hoc utile esset, & talis tractatus bene sibi placeret. Et dixit, quod voluntas sua fuit, & etiam ratio & aequitas hoc praetendunt, quod praedicti Abbas et Conventus facerent sibi emendam supra infra scriptis gravaminibus; et aliter non potuit ostendere versus eos aliqua signa amicitiae vel pacis. Quae sunt haec.

In primis, Religiosi de Sancto Augustino Ecclesiae parochiales Cantuariensis Civitatis & Diocesis, nedum quae sibi pretendunt fuisse & esse appropriatas; verumetiam Ecclesias in quibus jus Patronatus duntaxat habere se asserunt, earumque Rectores, Clericos, Ministros & populum ab obedientia debita Archiepiscopo quoad omnem jurisdictionem ordinariam, nisi sunt totis viribus contra iustitiam subtrahere, jus et possessiones Archiepiscopi et Ecclesiarum suarum injuste perturbando.

Item, inhibuerunt tam Clero quam populo dictarum Ecclesiarum nedum eidem Archiepiscopo vel Ministris suis obediant in aliquo vel intendant.

Item, ne fierent in Ecclesia Cantuarii processiones Pentecostes, quae a Clero et populo dictarum Ecclesiarum retroactis temporibus consueverunt, processiones eandem, necnon oblationes procurarunt fieri ad suum Monasterium, ubi nunquam fieri consueverunt.

Item

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Item, in eisdem Ecclesiis inhibuerunt campanas pulsari in transitu ejusdem Archiepiscopi, et omnia dictarum Ecclesiarum ignominiose claudi fecerunt honorem et subjectionem nequiter subtrahendo. An. 29 E. 1.

Item, licet nullo modo liqueat eisdem Religiosis aliqualem jurisdictionem aliquam competere in personis aliquibus dictæ Diocesis; Idem tamen Religiosi jurisdictionem ordinariam sibi vendicabant et usurpabant in Ecclesiis prædictis, earumque Parochianis constituerunt et præfecerunt Officiales, Decanos rurales, ceterosque Ministros ad exercitum hujusmodi jurisdictionis adulterine.

Item, compulerunt Rectores, Vicarios et Presbyteros dictarum Ecclesiarum ipsis Religiosis tanquam Ordinariis præstare obedientiæ juramentum, jurisdictionem Archiepiscopi minus prohibere perturbando.

Item, Rectores et Vicarios, quorum institutio ad Archiepiscopum solebat pertinere, et ad quas vacantes Ecclesias solebant dicto Archiepiscopo personæ idoneæ præsentari, eisdem Religiosis instituere et destituere in eisdem temere præsumserunt.

Item, in Ecclesia de Faversham sibi appropriata per sanguinis effusionem polluta, dicti Religiosi celebrabant et fecerunt celebrari divini et alia Sacramenta et Sacramentalia in eadem ministrari, ac mortuos in Chæmisterio ibidem ante reconciliationem sepeliri.

Item, Petrum dictæ Ecclesiæ Vicarium eadem Vicaria præbant, et præbatum esse publice nuntiabant, ipsam a domibus dictæ Vicariæ sententialiter amoventes.

Item, in quibusdam aliis Ecclesiis sibi appropriatis, et etiam sub patronatus nostræ auctoritate Ecclesiastico subpositis interdicto, per Monachos suos et alios Presbyteros auctoritate nostra majori Excommunicatione innodatos fecerunt divina celebrari, et in eis Sacramenta et Sacramentalia per eosdem Presbyteros sic excommunicatos, Parochianos etiam abhorrentes ipsorum excommunicationum missas audire vel Sacramenta ab eis recipere excommunicari fecerunt de facto, et excommunicatos publice nuntiari.

Itaque non post multos dies venit Abbas ad Episcopum Dunelmensem qui tunc apud Wintham hospitatus fuit, qui & erat huic Ecclesiæ amicus fidissimus. Ille Episcopus ibidem exposuit Abbati, quod Archiepiscopus fuit multum offensus, & quod ipse replicaverat gravamina sibi illata per ipsum Abbatem & suos. Et Abbas Episcopo respondit, quod non videbatur rationabile quod in aliquo offenderetur, quia ipse protestatus fuerat ius suum et causam suam sicut tenebatur pro defensione juris Monasterii sui. Veruntamen multum afflictabat habere pacem cum ipso & suam bonam voluntatem. Propter hoc citò post misit sibi per sollemnes Nuncios quosdam Articulos, ut si placeret sibi eosdem concedere libenter sibi de suo serviret.

*Articuli per Abbatem.*

Imprimis, supplicavit Abbas & Conventus, quod placeret Domino Archiepiscopo quoad Ecclesias eis appropriatas, sic testificari & ratificare statum eorundem, quod non possint in posterum super eisdem inquietari, quamquam super prædictis habeant sufficientem titulum per sedem Apostolicam.

Item, quod velit informari super privilegiis qua habent de suis familiaribus Clericis & Laicis, & illum statum acceptare, ita quod de cetero lis sive contentio minimè oriatur.

Item, quod ius presentandi sit eis saluum in Ecclesiis nunc de jure vacantibus.

Item, quod possent pacifice habere custodiam & fructus colligere Ecclesiarum sui patronatus, per mortem vel alio modo debito vacantium.

Item, quod antiqua consuetudo qua dicitur Bilage, esset usitata ubicunque & quandounque necessitas postulaverit.

Item, pro pace fovenda quod illa qua in posterum forent dubia hinc inde possent examinari, declarari & certificari per commune consilium utriusque partis amigabiliter absque aliqua lite bona fide, ita quod ius utriusque partis hinc inde semper servetur.

*Responsio Archiepiscopi ad Articulos.*

Ad primum articulum, de ratificatione Ecclesiarum illis appropriatarum, respondetur per Archiepiscopum, quod visis appropriationibus Ecclesiarum suarum, paratus erit facere eis quod secundum Deum & bonam conscientiam facere potest, quantum ad hoc.

*Ad*



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*Ad secundum articulum, de privilegiis quantum ad familiares Clericos & Laicos, respondetur sc. quod vide. ur eidem, quod declaratio Domini Papæ expedit quod in isto articulo petitur.*

*Ad tertium articulum, de presentatione salvanda in Ecclesiis suis rationabiliter vacantibus, respondetur, quod super hiis pendet consultatio Domini Papæ.*

*Ad quartum articulum, de custodiis Ecclesiarum tempore vacationis ipsarum, & pro receptione fructuum earundem durante vacatione, quoad primam istius articuli respondetur, Quod declaratio Domini Papæ ipsam primam partem expedit. Quantum ad secundam, scilicet, de receptione fructuum, respondetur, quod illud tangit Archidiaconum de quo respondere non potest.*

*Ad quintum, de coercione malefactorum ipsorum, respondetur, quod paratus erit facere id quod licet potest, & de jure.*

*Ad sextum articulum petitur, quod intelligitur per hunc dictionem Bilage, dicunt, quod quidem usus vel consuetudo qui Bilage in partibus Kancie vulgariter appellatur, sic se habere consuevit. Quod cum contentio vel controversia aliqua suborta fuerit inter aliquos super finibus seu limitibus, debent Senescalli seu Ballivi partium vel alia persona fidedigna ad hoc per partes specialiter deputata, in loco de quo est contentio convenire, remque oculis subicere, informationeque per viros vicinos fidedignos habitu absque strepitu judiciali & figura iudicii mox totam dirimere questionem. Ad istum articulum respondit, quod vellet facere per consilium suum & non aliter.*

*Ad ultimum articulum, de rebus dubitabilibus examinandis & discutiendis per consilium utriusque partis, respondetur, Quod in hiis in quibus probabilis dubietas emergerit, intendit in eventum providere quod conveniens fuerit & opportunum. Verumtamen pacis & concordie fervidi zelatores eundem Archiepiscopum, ut a verattonibus Clericis et Laicis Abbatis, ut prædictum est, inhumaniter illatis, & ab actione de demandis per prædictos Abbatem & Conventum ut præcedit pro gravaminibus sibi factis una cum confirmatione status eorundem cum stabilitate pacis perpetua rogantes, sedulo ipsorum interventu placuit eidem Archiepiscopo ipsis Religiosis pro pacis tranquillitate querenda & impetrandum auctore Domino conservanda concedere infra scripta.*

\* Chron. Wll.  
Thorne, col.  
2001, 2001.

#### \* Concessionibus Archiepiscopi.

*In primis, concedit idem Archiepiscopus pro se & successoribus suis, quod electis in Abbates Sancti Augustini in Monasterio eorundem cum ad hoc fuerit requisitus per Archiepiscopum impendatur munus benedictionis, sine exactione professionis ejusdem Abbatis, quam solebant recipere sui prædecessores.*

*Item, quod cum veniens ad dictum Monasterium pro electo benedicendo, cum processione & pulsatione receptus fuerit à Conventu, nil juris ea vice vel alia infra septa dicti Monasterii vendicabit, per quod possit ipsorum Religiosorum privilegiis in aliquo derogari.*

*Item, quod electus sic benedictus Mitram gerat et Abbatis insignia consueva.*

*Item, quod Clerici sive servientes capitales in maneriis ipsorum Religiosorum cum sine de familia Abbatis, si aliquando fecisse dicantur aliquid, quod excommunicationem inducat majorem vel minorem ante discussionem facti, nisi forte factum esset notorium, vel antequam confessi, convicti, vel in opere deprehensi, aut contumaces post legitimam citationem extra septa ipsius Monasterii sibi factam, per Archiepiscopum vel suos Ministros non excommunicabuntur nec suspendentur, nec excommunicati vel suspensi denunciabuntur nominatim, dum tamen Abbas vel hic qui pro tempore præerit Monasterio extra septa taliter delinquentem, et ad ipsum Monasterium confugientem, coram dictis Ordinariis compulerit stare iuri, vel ipsum expulerit de Abbacia.*

*Item, quod omnis jurisdictio et coercitio ordinaria infra Monasterii septa cesset.*

*Item, cum Personam vel Vicarium in Ecclesiis dictorum Religiosorum mori contigerit, vel aliter cedere, liceat ipsis Religiosis habere retentionem clavium penes se vacationis tempore, donec ad presentationem eorum alius instituat in eisdem, salvo jure Archidiaconi Cantuariæ qui pro tempore fuerit, quoad jurisdictionem medio tempore in eisdem Ecclesiis exercendam, & quoad medietatem fructuum & sequestrorum interim perceptorum, ita quod claves ei qui vice Archidiaconi presentatos inducet in corporalem possessionem, à dictis Religiosis tradantur.*

*Item, concedit, quod eorum Ecclesiæ, scilicet de Mense, de Nordborn, de Chistele, de*

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de *F. virsham*, & de *Middleton*, cum suis Capellis, liber e sint ab omni suspensione et interdicto Ordinariorum imperpetuum; salva tamen Ordinariorum jurisdictione in Clero et populo earundem. *An. 29 E. 1.*

Item, quod dictas quinque Ecclesias, non obstantibus dictis contentionibus & litibus, eidem Religiosis confirmabit, salvo Vicariis earundem.

Item, quod fiat pulsatio campanarum in Ecclesiis ipsorum contra Abbatem, secundum quod fieri consuevit.

Item, Archiepiscopus *Anacortas* non faciet de cetero in Ecclesiis dictorum Religiosorum, nisi de consensu Abbatis memorari.

Postremo protestatur Archiepiscopus, quod nondum ad tractatum pacis est paratus, licet sepe dicti Religiosi ut videtur aliud facere non intendant, sed ipsius pacis dulcorum gustare deproperant, ipsam bonis conditionibus & honestis quantum poterit per se & suos satagis procurare, et sub tali pacis dissimulatione nec oblata pro pacis tranquillitate ex parte Abbatis vellet admittere, vel super concessione sua eos permitteret aliquantulum deliberare. Sed quod superius concessit & admisit, velut improbus et contemnitorum amator subdole denegabit; unde et ad lites eturgia ad tempus conbolantur. Improbam eorum negationis Monachi Cantuariæ suscitaverunt. So that all mediations for, and propositions between them for a cordial reconciliation of their suits and differences, vanished into smoak, through the pride and oblinacy of both parties, to the great disturbance of the publick peace.

I finde by two parchment Rolls in French in the White Tower, (one side of which is purrified, but the other entire) that the King being at *Dover*, in the 30th. year of his reign the Archbishop of *Canterbury* complained to him against the Sheriff of *Kent*, the Constable of *Dover*, (*Robert de Bombers*) and their Officers, that they had *diversement & en mont des maneres* invaded and infringed the Liberties of the Church of *Canterbury*, against the Franchises thereof conferred on them by Popes & Kings themselves; which the King commanded his Counsil to examine, and enquire the truth thereof by Commission, and then to report it to him in writing, which was done accordingly, and comprised in these two Rolls: The substance of his complaint against the Sheriff of *Kent* was, That whereas the Archbishop and his Archdeacon in the premised differences between the Abbot and Monks of *Canterbury* and him, had deprived and removed divers Vicars, placed by the Abbot in the Impropriations and Churches belonging to the Abby of *St. Augustine*, and instituted and inducled others in their places; the Sheriff upon the Abbots complaint, had removed them out of the Churches, Vicaridges, restored the former Vicars to them, and would suffer no vicuals to be brought to his Vicars who kept possession in some Churches, and attached, imprisoned others of them; and that he and the Lieutenant of *Dover* had entred into, and executed Writs within his Franchises and Liberties. To which the Sheriff answered, That the Archbishop had no right to place or displace those Vicars, but only the Abbot; that the Vicars therein placed by the Archbishop being indicted for breaking the publick peace, and forcible entries into the said Churches, and keeping them by Lay force, he did thereupon according to Law and his duty, by vertue of the Kings Writs, remove, attach and imprison them for their contempt, and despite against the Kings Writs and authority, and for felonious taking away the Goods of the Vicars, which the Archbishop by his Archdeacon had insuriously sequestred. As for entering into the Archbishops Franchises, the Sheriff and Constable of *Dover* justified it by sundry Rolls and Presidents, especially when the Archbishop was a party, as he was in this contest between him and the Abbot of *St. Augustines*. Wherewith it seems the King and Counsil rested satisfied. So troublesome was this Archbishop not only to the Pope and Court of *Rome*, but to the King and his Counsil, and to the Sheriff of *Kent* and Constable of *Dover*, in this hot contest between the Abbot, Monks and him. But to leave them, I return to my Chronological series, which their long-lasting suits have interrupted. *Anno 30 E. 1. in Turie London.*

How prone the Englishmen in this time were to pillage Italian Clerks and their Proctors, and keep them out of our Churches by armed force, this Writ will in some measure instruct us, issued upon a complaint thereof to the King and his Counsil.



An. 27 E. 1.

Pat. 27 E. 1.

m. 8. dorso.

Pro Theobaldo de Barr

Persona Ecclesie de Pageham.

ham.

**R**EX dilectis & fidelibus suis *Roberto de Bares, & Waltero de Gilling* salutem, Ex querela *Gerrici de Sago* Procuratoris *Theobaldi de Barr* Persona Ecclesie de *Pageham* accepimus, quod quidam Malefactores & pacis nostre perturbatores bi et armis et vexillis duplicatis obsident Ecclesiam predictam et domos ejusdem Ecclesie, quo minus idem Procurator ad Ecclesiam illam personaliter accedere, et de bonis ipsius persone, administrare et disponere possit, et homines et servientes dicti Procuratoris in domibus predictis existentes, inde exire, vel victualia ad eos deferre non permittunt, et blada dictae Personae ibidem inventa trituri facturi, asportant et consumunt de die in diem, in ipsorum Personae & Procuratoris dispendium non modicum & gravamen, & contra pacem nostram. Hos malicie huiusmodi malefactorum in hac parte obviare volentes, Vobis mandamus, quod assumpto vobiscum Vic. nostro Com. *Suffex*. statim visis literis illis in propriis personis vestris ad Ecclesiam accedentes, omnes predictos Malefactores, quos dictam Ecclesiam seu domos predictas, sic obsidentes inveneritis, sine dilatione per prefatum Vic. capi et in prisona nostra salvo custodiri fac. donec aliud inde preceperimus. Et si forsitan iidem Malefactores audito rumore de adventu vestro occasione predicta ab obsidione illa recesserint, tunc de nominibus eorundem Malefactorum diligentem fac. inquisitionem, & omnes malefactores de dictis transgressionibus quos per inquisitionem per vos inde faciendam culpabiles inveneritis ut predictum est, capi et in prisona nostra salvo custodiri faciatis, donec aliud inde preceperimus. Mandavimus enim Vic. nostro Com. predicti, quod assumpto secum sufficienti posse Com. ejusdem ad omnia predicta facienda vobis respondeat & intendar, & quod ad certos dies & loca quos eis scire fac. venire fac. coram vobis tot & tales, &c. de Com. suo predicto, per quos, &c. In cuius, &c. Teste Rege apud *Westm.* vicesimo tertio die *Octobris*.

Per ipsum Regem &amp; Consilium.

\* Here, p. 310, 311.

You heard *before*, that the King to satisfie his discontented Earls, and people (whom the Archbishop instigated and abetted against him) issued Writs and Proclamations this year, concerning his Confirmation, and the due observation of the Great Charters of their *Liberties* and of the *Forest* in all their Articles, and the *Perambulations* of the *Forest* to be made with all convenient expedition. For their further assurance whereof to remove their fears and jealousies, he sent these ensuing Writs to the Sheriffs of *Launcester*, *London* and all other Sheriffs of *England*, and likewise to his Treasurer and Barons of the Exchequer, his Chief Justices and other Judges of the Kings Bench and Common Pleas, publickly to read, proclaim and observe, reciting in them at large the Articles concerning the *Forest*, which he had new granted and confirmed to them, and his resolution speedily to proceed in the perambulation.

The Writ to the Sheriff of *Launcester* is thus recorded in the Statute Roll.

An. 27 E. 1.

Ex Rotulo

Statutorum

in Turro

London. de

Temporibus

B. 1. E. 2.

&amp; B. 3. m. 37

initus.

\* Here, p. 733,

to 748.

**E**dwardus Dei Gratia Rex Anglie, Dominus Hibernie, & Dux Aquitania, Vicecom. *Lanc.* salutem. Cum nuper ante transfretationem nostram in *Flandr.* apud *Westm.* nos habentes respectum ad grandes misas & expensas quae populus Regni nostri fecerat & sustinuerat diversis modis pro nobis, tam tempore pacis quam guerrae, habuissimus non modicam voluntatem & desiderium populum ipsum respicere, prout tunc temporis potuimus, concessimus eidem populo de nostra propria voluntate pro nobis & heredibus nostris, quod Magna Charta de Libertatibus observetur in omnibus punctis suis, & similiter Charta de Foresta servetur. Salvis tamen iuramento nostro, iure Coronae nostrae, et rationibus nostris, ac etiam aliorum: \* quae quidem per Venerabilem patrem & Archiepiscopum *Cantuar.* ex parte nostra & in nostra praesentia tunc pronunciari fecimus, & deinde apud *Odimeri* in ipso passagio nostro in *Flandr.* eandem concessiorem sub sigillo nostro observari precipiendo mandavimus et teneri per totum regnum nostrum in quolibet Comitatu. Et quia a tempore illo citra per actionem & distractionem guerrarum eramus occupati multipliciter & distracti in diversis partibus & longinquis, per quod scire nequibimus statum Regni nostri. Nos diebus istis, quatinus nobis vacat, nostram continu-

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continuentes primariam voluntatem, habuimus deliberationem super concessione nostra predicta, et ad honorem Dei, et sancte Matris Ecclesie, ac commodum totius populi regni nostri. Voluimus, quod predicta Magna Charta de libertatibus obserbatur in omnibus punctis suis, et Charta etiam de Foresta secundum subscriptos Articulos, qui sunt tales.

An. 27 E. 1.

Inquisitio vel visus de *expeditione Canum* existentium in Foresta de cetero fiat, quando fieri debet regardum; scilicet de tercio anno in tertium Annum, & tunc fiat per visum & testimonium legalium hominum, Et ille cuius Canis inventus fuerit tunc non *expeditus* det pro misericordia tres solidos. Et de cetero nullus Bos capiatur pro *expeditione*. Talis autem fiat *expeditio* per Assisam Forestarum, quod tres Cotelli abscondantur sine pelota de pede anteriori. Nec *expedientur* canes de cetero nisi in locis ubi consueverunt *expeditari* tempore primæ Coronationis Regis H. avi nostri. Nullus *Forestarius* vel *Bedellus* de cetero faciat *Scotallas*, vel colligat garbas vel avenam, vel bladum aliquod, vel agnos vel porcellos, nec aliquam collectionem faciat; Et per visum & Sacramentum duodecim regardatorum, quando faciunt regardum. Tot *Forestarii* ponantur ad Forestas custodiendas quot ad illas custodiendas rationabiliter viderint sufficere. Nullum *Swaynimotum* de cetero teneatur in regno nostro, nisi ter in anno, videlicet in principio quindecim dierum ante festum Sancti Michaelis quando *Agistatores* nostri conveniunt, ad agistandum Dominicos boscos nostros, & circa festum Sancti Martini, quando *Agistatores* nostri debent recipere pannagium nostrum, & ad ista duo *Swaynimota* conveniant *Forestarii*, *Viridarii*, & *Agistatores*, & non alii per distractionem: & tertium *Swaynimotum* teneatur in initio quindecim dierum ante festum Sancti Johannis Baptiste pro Venatione bestiarum nostrarum, & ad illud *Swaynimotum* tenendum conveniant *Forestarii*, *Viridarii*, & non alii per distractionem.

Præterea singulis quadraginta diebus per totum annum conveniant *Forestarii* & *Viridarii* ad videndum *Attachiamenta de Foresta*, tam de *Viridi* quam de *Venatione* per presentationem *Forestariorum* ipsorum & coram ipsis attachiatis. Prædictæ autem *Swaynimota* non teneantur nisi in Comitatibus in quibus teneri consueverunt. Unusquisque liber homo *Agistet* boscum suum in *Foresta* pro voluntate sua, & habeat pannagium suum. Concedimus etiam, quod unusquisque liber homo ducere possit porcos suos per *Dominicum Boscum* nostrum liberè & sine impedimento ad *agistandum*, eos in *Boscis* suis propriis, vel alibi ubi voluerit. Et si *Porci* alicujus liberi hominis una nocte pernoctaverint in *Foresta* nostra non inde occasione, unde aliquid de suo perdat. Nullus de cetero \* amittat vitam vel membra pro venatione nostra. Et si quis captus fuerit & convictus de captione Venationis, graviter redimatur, si habeat unde redimi possit. Si autem non habeat unde redimi possit, jaceat in prisona nostra per unum annum et unum diem, et si post unum annum et unum diem plegios invenire possit, exeat a prisona, sin autem, abjuret regnum Angliæ. Quicumque Archiepiscopus, Episcopus, Comes vel Baro veniens ad nos ad mandatum nostrum transierit per *Forestam* nostram, liceat ei capere unam bestiam vel duas per visum *Forestarii*, si præsens fuerit. Sin autem, faciat cornari, ne videatur furtiva hoc facere. Idem liceat eis in redeundo facere sicut prædictum est. Unusquisque liber homo de cetero sine occasione faciat in bosco suo vel in terra sua quam habet in *Foresta*, molendinum, vivarium, stagnum, marleram, fossatum, vel terram arabilem extra coopertum in terra arabili. Ita quod non sit ad nocumentum alicujus vicini. Unusquisque liber homo habeat in boscis suis accipitrum, *Espervariorum*, & *Falconum*, *Aquilarum* & *Heyronum*. Habeat similiter mel quod inventum fuerit in boscis suis. Nullus *Forestarius* de cetero qui non sit *Forestarius* de feodo firmam nobis reddens pro balliva sua, capiat *Chiminagium* aliquod in balliva sua. *Forestarius* autem de feodo firmam nobis reddens pro balliva sua, capiat *Chiminagium*, videlicet pro *cavellia* per dimidium annum duos denarios. Pro Equo qui portat *summagium*, per dimidium annum obolum, et per alium dimidium annum obolum, & non nisi de illis qui de extra ballivam suam tanquam *Mercatores* venient per licentiam suam in ballivam suam ad buscam, maeremium, corticem vel carbonem emend. & alias ducend. ad vendendum ubi voluerint. Et de nulla alia *cavellia* vel *summagio* aliquo *chiminagium* capiatur: Et non capiatur *chiminagium* nisi in locis in quibus antiquitus capi solebat & debuit. Illi autem qui portant super dorsum suum buscam, corticem vel carbonem ad vendendum, quamvis inde

\* Vide Petrum Blesensem de Instit. Episcop. Bibl. Patr. Coloniz. A. grip. Tom. 1. 2. pars 2. p. 944. F. G. H.



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vivant, nullum de cetero dent *Chiminagium*. Omnes Utlagati pro *Foresta* tantum à tempore Regis *Henrici* Avi nostri, usque ad primam Coronationem nostram, veniant ad pacem nostram sine impedimento, & salvos plegios inveniant, quod de cetero non forisfaciant nobis de *Foresta* nostra. Nullus *Castellanus* vel alius teneat placita de *Foresta*, sive de *viridi*, sive de *venatione*, set quilibet *Forstarius* de feudo attachiet placita de *Foresta*, tam de *viridi* quam de *venatione*, & ea presentet *Viridariis* *Provinciarum*, & cum irrotulata fuerint & sub sigill. *Viridarium* inclusa, presententur *Capitali Justic.* nostro cum in partes illas venerit ad tenendum placita *Foreste*, & coram eo terminentur.

Quos autem *Articulos* supradictos firmiter et inviolabiliter observari volumus et teneri; volentes nichilominus, quod perambulatio fiat, salvis semper juramento nostro, jure *Coronæ* nostræ, et rationibus nostris atque calumpniis, ac omnium aliorum: Ita quod perambulatio illa nobis repositetur, antequam aliqua executio vel aliquod aliud inde fiat: quam quidem perambulationem volumus quod fiat sicut prædicitur, ad citius quod fieri poterit, post negotia quæ habemus expedienda cum *Papæ* qui de *Romana Curia* sunt venturi, quæ vero ita sunt ardua, quod non solum nos et regnum nostrum, set totam *Christianitatem* contingunt, et ad ea sanius pertractanda totum Concilium nostrum habere plenarie indigemus. Et præter concessionem nostram factam, sicut superius exprimitur de præmissis, diligenti meditatione pensabimus, quosdam juris defectus, multimoda gravamina et oppressiones qui pluribus aliis modis præfate populo sunt illata temporibus retroactis. Et volumus super illis quæ nobis occurrerant ad præsens ad alleviationem et commoditatem ejusdem populi pro legis certitudine stabilire, et remedium apponere in hunc modum, &c. Et ideo tibi præcipimus firmiter injungentes, quod statim et sine dilatione aliqua fac. legi et publicari in *Civitatibus*, *Burgis*, *Uillis* *Mercatoribus* et locis aliis solemnibus per totam *Ballibani* tuam ubi melius videris expedire, omnes *Articulos* supradictos, ut illos quos concessimus ac teneri volumus, et firmiter observari in forma prædicta integre et inconcussè, ac omnia et singula suprascripta omnibus scire fac. indilate. Teste Rege apud *Westm.* secundo die Aprilis.

Confirmasse statutum usque ibi. Et ideo tibi præcipimus, &c. Missum suis subscriptis, viz. *Thesaur.* & *Baronibus* de *Scaccario*, *Rogero* le *Brabanzoun* & sociis suis *Justic.* ad placita Regis audienda & terminanda assignatis, *Johanni* de *Meringham* & sociis suis *Justic.* de *Banco Regis*, cum clausula ista. Et ideo vobis mandamus, quod Cartam prædictam coram vobis in *Banco* prædicto legi, et omnes et singulos *Articulos* supradictos, ut illos quos concessimus et teneri volumus, quatinus vos et partes coram vobis placitantes contingunt integre et inconcussè observari faciatis. Teste Rege apud *Westm.* secundo die Aprilis.

The Writ to the Sheriff of *London* and other Sheriffs (differing somewhat in words but not in substance from the other, and dated about a week before) is thus registred in the *Clause Roll* of this year.

\* Claus. 27 E. 1. m. 17. dor. fo. De quibusdam articulis Magnæ Chartæ, & Chartæ de Foresta.

**R**EX Vicecomitibus *London.* salutem. Mittimus vobis quosdam *Articulos* in *Magna Carta* de *Foresta* contentos, quos claræ memoriæ Dominus *Henricus* quondam Rex *Angliæ* pater noster, ad honorem Dei & ad profectum ac utilitatem populi sui dudum concessit, quosque acceptamus, et volumus atque concedimus pro nobis et heredibus nostris, quod per omnes *Forestas* Regni nostri teneantur, et in forma quæ sequitur observentur. Inquisicio vel visus de expeditione *Canum*, &c. (as before *Vic. Lancast.*) usque & coram eo terminentur. Et ideo vobis præcipimus firmiter injungentes, quod statim & sine dilacione aliqua faciatis legi et publicari in *Civitatibus*, *Burgis*, *Uillis* *mercatoribus* et locis aliis solemnibus per totam *Ballibani* vestram ubi melius videritis expedire, omnes *articulos* supradictos, ut illos quos concessimus, ac teneri volumus et firmiter observari in forma prædicta integre et inconcussè. Et nichilominus volumus, quod perambulatio *Forestarum* fiat ad citius quod poterimus, postquam negotia quæ expedienda habemus, penes nuncios de *Curia Romana* in *Angliam* jam venturos fuerint expedita: Quæ quidem negotia tam sunt ardua, quod tangunt Nos et totum regnum nostrum, et *Christianitatem* universam; et ad quæ faciendâ expedit et necesse est totum concilium nostrum habere nobiscum; Et istud negotium simul cum aliis negotiis prædi-

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His volumus et mandamus, quod hoc omnibus scire faciatis indilate. Teste Rege An. 27 E. 1  
apud Westm. 26 die Martii.

Consimiles literæ dirigantur singulis Vicecomitibus per Angliam. T. ut supra.

In the Patent Roll of Anno 27 E. 1. m. 20. *intm.* I finde the Proclamation contained in the Bundle of Writs of Privy Seals (\* here printed ) enrolled *verbatim*, \* Page 410.  
whereby the defaced words ( omitted, p. 811. l. 3. 9. ) may be thus supplied. 411.  
*Et avant ces hours leuons nous set, ne fessent aucunes gentz qz nous empresserent, &c.  
qz parales se face, de la devant dis terme enavant, si hastinement come ele se parra.*

King Edward the 1, summoning a Parliament at Westminster, \* *secunda Dominica* An. 28 E.  
*Quadragesima* (An. 28 of his reign) *ad salvationem Coronæ nostræ Regiæ, et commu-*  
*nem utilitatem populi regni nostri*, as the Writs of Summons import, to satisfie his  
Prelates, Nobles, People, and engage them to assist him with their armes and purses  
in his Wars against the rebellious and perfidious Scots, not only ratified the Great  
Charters of Liberties and of the Forest, and all other Charters, which he had formerly  
thrice confirmed at their importunity, but likewise prescribed new penalties against  
the infringers of them, constituting Justices in every County to punish all offences  
against them (not formerly punishable) in a summary way, from day to day, ena-  
cting New provisions for their better observation, with additional Articles super-  
added to them, commonly titled *Articuli super Cartas*: which although printed in  
our Vulgar Statute Books, and Sir Edward Cookes 2 \* *Institutes*, who hath largely  
commented on them, I shall here insert for the most part out of the Statute Rolls in  
the Tower, from which the printed Statutes vary in some words, with other Records  
and Writs relating to them and the Perambulation of the Forests, (not formerly  
printed) for the benefit of the Students and Professors of the Law, and such other  
Gentlemen and Members of Parliament who at any time may make use of them, for  
the maintenance of these Charters and their hereditary Liberties, when ever viola-  
ted, as they have frequently been, especially by the late Usurpers and Sub-  
verters of our Lawes, Parliaments and Government, under a pretext of defending  
and establishing them.

**P**UR ceo qe les pointz de la Grant Chartre des Franchises, & la Chartre de la Fo-  
rest, les quieus le Roi Henr. pere le Roi qe ore est granta a son poeple pur  
le pue de son Roiaume, ne unt pas este tenuz ne gardez avant ces heures pur ceo qe  
pepne ne fust avant estable en vers trespasseurs contre les pointz des Chartres a-  
baundees: nostre Seigneur le Roi les ad de Robell grant, e renobele e con-  
firme: Et a la request des Prelatz, Contes et Barons en son Parlement a West-  
minster en quaremine, l'an de son Regne bint et uisime, ad certeine fourme et  
pepne ordene et estable encontre tuz iceaus qe contre les pointz des abaundees  
Chartres ou null point de eles en nulle manere vendront, en la fourme qe sensuit.  
Cesta savoir, qe de ci enavant la Grand Chartre de Franchises Denglleterre, grauntée  
a tote la Commune Denglleterre, e la Chartre de la Forest en meisme la manere  
grantée soient tenues, gardées, e meintenes en chescun article, et chescun popnt ausi  
pleinement, come le Roi lad grantée, renobele, et par la Chartre confirme: Et qe  
celes Chartres soient Baillées a chescun Viceconte Denglleterre, de sours le Seal le Roi  
a lire quatre fois par an devant le poeple en plein Conte. Cest a savoir a prochein  
Conte apres la Seint Michell, al prochein Conte apres le Noell, al prochein Conte  
apres la Pasqe, et al prochein Conte apres la Seint Johan. Et a celes deus Char-  
tres en chescun point et en chescun article de eles fermement tenir; ou remedie ne  
fust abant par la commune ley, soient eclus en chescun Conte par la commune de  
meisme le Conte, trois prodes homes, Chevaliers, ou autres loiauz, Sages et abises,  
qui soient Justices jures et assignes par les lettres le Roi oberes de son grand Seal,  
de Eyz et de Terminer, sanz autre brief qe leur commune garant, les pleints qe  
sa feront de touz iceaus qe vendront ou mesprendront en nul des distz popntz des  
abaundees Chartres en Contes ou il sont assignes, ausibien de deinz Franchises  
come de boz, e ausibien des Ministres le Roi boz de leur places, come des autres.  
Et les pleints oyes de soir en jour sanz delap, les terminent sanz alluer les delaps  
qe sont allues par commune ley. Et qe meismes ceaus Chevaliers eient poer de  
punir

Ex Rot. Stat.  
de Temp. E. 1.  
E. 1. l. 3. m.  
35. num. 47.  
Articuli super  
Cartas.

\* Page 337  
&c.

\* Clause  
E. 1. m. 9.  
corso The  
First Part of  
my Brief Re-  
gister, &c. p.  
11.



*An. 28 E. 1.* punis touz ceaus qe serront atteintz de trespas encoutre nul point des Chartres abaundites, ou remede ne fust abant par commune ley, ausi come abant est dit, par enprisonment, ou par ranceaun, ou par amercement selonc ceo qe le trespas le demand. Et pur ceo n'entent pas le Roi, ne nul de ceaus qe fust a cest ordene- ment fere, qe les Chiballers abaunditz teignent nul play par le poer qe done leur terra, en cas ou abant ces houves fust remede parbeu selonc la commune ley per bzief, ne que prejudice ensoit fet a la comune ley, ne a les Chartres en nul de leur pointz. Et boet le Roi, qe si touz trois ne soient presentz, ou ne purront as totes les foiz entendre a faire leur office en la soume abaunditz, qe deus des trois le facent. Et ordene est, qe les Wiscotes e les Baillifs le Roi soient entendantz as les Commandementz des abaundites Justices, en quantz apertement a leur office. Et oultre cestes choses grantees sur les pointz des Chartres abaundites, le Roi de sa Grace especiale en allegiance des Grebances qe soen poeple ad eu par les guerres que un teste, et en amendement de leur estate. Et pur taunt qe il soient plus prestz a soen service, et plus voluntiers aidantz quant il en abera fere, ad grantz ascuns Articles, les quieus il intent, qui tendront ausi grant lieu a son poeple, et ausi grant profit serront, ou plus qe les pointz abant grantees.

Empymechief, pur ceo qe une grant grievance est in ceste Roiaume et damage sanz nombre, de ceo qe le Roi et les Ministres de sa meigne, ausibien les aliens, come les denzeines, fount leur prises la ou il passent par mi le Roialme, et pernent les biens de gentz, des Clerz, et des Lays, sanz rien payer, ou bien miins que la ba-lue, ordene est, qe de ci ou avant nul ne preigne prises par mi le Roiaume, fors qe les pernours le Roi & ses purveours pur lostell le Roi: Et qe ceus pernours le Roi & purveours pur soen hostell ne preignent riens fors que pur meisme lostell. E des prises quil serront pur mi les pais de manger, ou de beivre, et autres menuz necessaries pur lostell, qil facent la pay, ou gre a ceus des quens les choses serront prises. Et qe touz tiens pernours le Roi, purbeours ou achatours, eient de ci en avant leur garant obesque eus du Grant Seal, ou de petit Seal le Roi, contenant leur poer, e les choses dount il frount prises ou purbeance, le quel garrant ils mustreront as ceus des quens il frount la prise, abaunt ceo quil enpreignent riens; Et qe ceus pernours, purbeours ou achatours le Roi ne preignent plus qe bufoigne, et mesier ne sett, pur le Roi et soen hostell, e de sez enfantz: Et qe riens ne preignent pur ceus que sont a Gages, ne pur null autre. E qil respoignent en lostell, et en la Garderobe plene- men des totes leur prises sanz fere ailleours leur largestes, ou liverces de chose qe pur le Roi soit prise. E si null pernour de Lostell le Roi per Garant quil eit, face prises ou liverces en autre manere qe desus nest dit, pur pleint fece al Seneschal, et al Tresourer del hostell le Roi, soit la verite enquist. E si de ceo soit atteint, soit gre maintenant fait au pleintif, & soit hoste du service le Roi pur touz jours, e demoerge en prison a la volente le Roi. E si null face prises sanz garant & lemport encoutre la volente de celui a qui les biens sont, soit maintenant arestu par la Ville ou la prise serra fece, & meine a la prochein Gaole. E si de ceo soit atteint soit la fait de lui come de laroun, si la quantite des biens le demande, E quant as prises fere en seires, et en bones Villes, & portz pur la grant Gar- derobe le Roi, eient les pernours leur commune garant par le grant Seal; E des choses quil prendront, eient la testmoignance du Seal du Gardein de la Garderobe, et des choses issint pur eus prises de nombre, de quantite, et de la value soit fait, dividende entre les pernours & les Gardeins des seires, meires, ou chiefs Bayliffs des Villes et Portz pur la veue des Marchantz des quens les biens serront issint pris. E riens ne lui soit suffert de plus prendre quil ne met- te en dividende. E cele dividende soit porte en Garderobe desurz le Seale le Gardeine, meire, ou Chiefe Baille avaunditz, et leuz demoerge tant qe sur la Conte du Garderobe le Roi. E sil soit trove que null eit autrement pris que fere ne deveroit, soit puny sur la Conte par le Gardein de la Garderobe le Roi solom la deserte. E si null face tiens prises sanz Garant, e sur ceo soit atteint, soit fait de lui come de ceus que fount prises pur lostell le Roi sanz garant, co- me desus est dit. E ne entent mie le Roi, ne soen conseil que per cest estatut rien discreffe au Roi de soen droit des auncienes prises, dues e accustumes, co- me des vyns, et autres biens, mes qe en touz pointz pleinement lui soit sauve.

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De l'estat du Seneschall & des Marchals, & des plez qe eus devient tenir, & comment, Ordeine est, que desormes ne tiegnent plai de franc tenement, ne de dette, ne de covenante, ne de contract des gentz du pueple, fors tant seulement des trespas de lostell, & autres trespas faitz dedeinz la verge, & de contractz & covenantz que ascun de lostell le Roi avara fait a autre de meisme lostell, & en meisme lostell & ne mie aillours. E null plai de trespas ne pledront autre qe ne soit attache per eus avant ceo qe le Roi isse hors de la verge ou le trespas serra fait, & les pledera hastinement de jour en jour, issint qil soient perpledez & terminez avant ceo que le Roi isse hors des bundes de cele verge ou le trespas fut fait. E si par cas dedeinz les bundes de cele verge ne poent estre terminees, cessent ceus plais devant le Seneschall & soient les pleintifs a la commune lei. Ne desormes ne priegne le Seneschall conisances des dettes, ne dautre chose, fors que des gentz del lostell avaunt di; ne null autre plai ne tiegnent per Obligation fait a la destrest du Seneschall & des Marellhaus. E si le Seneschall ou les Marellhaus rienfacent countre ceste ordenement, soit leur fet tenu pur nul. E pur ceo que devant ces heures montz de felonies feces dedeinz le verge unt este despunies, pur ceo que les Coroners des pais ne se sont pas entremis denquerre de tiens maneres des felonies dedeinz la verge, mes le Coroner de lostell le Roi quin est passant, de qui issue ne ad mie este fet en du manere, ne les fellons mis en exigendes, ne utlaghes, ne rien de ceo presente en Eire, que ad este a grant damage du Roi, & a meins bone garde de sa pees; Ordene est, qe desoremes en cas de mort de homme, ou office de Coroner apent as wewes, & enqueils de ceo fere, soit mande le Coroner du pais, qui ensemblement oue le Coroner del hostell face loffice qui apent, & le mette en Roule. E ceo que ne porra mie devant le Seneschall estre termine pur ceo que les fellons ne porrent estre attachez, ou pur autre encheson, demoerge a la commune lei, issint que les exigendes, utlagheries, & presentmentz en Eire soient de ceo feitz per le Coroner du pais, ausint come des autres felonies fetes dehors la verge, mes pur ceo ne soit less que les attachementz ne soient feitz freshement sur les fellonyes faites.

Oustre ceo, null commun plai ne soit desoremes tenu al Eschequer, contre la fourme de la Grant Chartre, &c.

E pur ceo que moutz misfours sont en la terre, plus que mes ne soleient, & robberies, arsuns & homicides feces sanz noubre, & la pees meins bien gardee, pur ceo que lestatur que le Roi fist fair nadguerres a Wyneestre, nad pas este tenu: Voet le Roi, que cel estatut soit de novell envoie en chescun conte, & leu & pupple quatre foiz per an, ausi come les deus Grant Chartres, & firmement garde en chescun point sur les peines que leuz sont asselles. E a cel estatut garder & maintenir soient charges les trois Chivaliers qi sont assignes per mi les Contez pur adrester les choses fetes contre les Grant Chartres, & de ceo eyent garrant.

Endreit de waltz & destructions fetz en gardes per Escheatours & Suthescheatours, des mesons, parks, bois, & viviers, & totes autres choses qe est en la mein le Roi; Voet le Roi, qe celui qe avera le damage receu, eit brieve de Wast en Chancellerie vers l'Escheatour de soen fet, ou le Suthescheatour de son fet, sil eit de quei respondre. E sil nad de quei, si respoigne son Sovereigne, per autele peine, quant a damages, come darrein fust ordones per estatut sur ceus qui sount Waltz en gardz.

Derechie la ou l'Escheatour ou le Visconte seist on la mein le Roi autres ters, la ou il nad raison de seiser, e puis quant trouve est la non raison, les issues due meeme temps unt este coo en autre retenu, & nomie renduz quant le Roi ad la meine ouste; Voet le Roi, qe desoremes la ou terrois sont issint seises, & puis la mein ouste pur ceo qil nad raison de seiser, ne de tenir, soient les issues pleinement rendues a celui a qui la terre demoert, & avera la damage receu, &c.

En totes les choses desurrz ditz & chescun de eles, Voet le Roi e entent il a soen conseil, e touz ceus qui a cest ordenement furent, que le droit, et la Seignurie de la Copourte saiez lui soient par tout.

This last clause and saving (which tacitly enervated all the Articles the King had formerly granted, in case he should alledge upon any subsequent occasion, that they were contrary to the Rights and Prerogative of his Crown, and therefore his violations of any of them were warranted and justifiable by this saving of them) so disgusted

An. 27 E. 1.

Soc Cooks  
& Instit. p.  
347, to 350.

\* Chap. 11.  
Cookes & In-  
stit. p. 350  
351.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B 5. ch. 4*

An. 28 E. 1. gusted the Earls and Nobles, that they departed from the Parliament much discontented, as *Thomas Walsingham* informs us.

See here p. 811.

Soon after the King issued these Writs, for the proclaiming, reading, observing these Charters, Statutes, and the Statute of *Winchester*; and for the electing of three Knights or other persons of quality in every County to punish the infringers of them, according to the premisses.

Claus. 28 E. 1. m. 8. dorso.

**R**EX Vicecomiti *Ebor.* salutem. Quia volumus quod Magna Charta Domini *H. quondam Regis Anglia* patris nostri, de Libertatibus *Anglia*, et etiam Charta de Foresta, in omnibus et singulis Articulis suis firmiter et iniolabiliter observetur; tibi precipimus, quod Chartas illas in pleno Com. tuo quatuor per annum legi et publice proclamari; (videlicet, in proximo Com. tuo *Pasch.* & in proximo Com. tuo post festum Sancti *Johannis Baptista*, & in proximo Com. tuo post festum Sancti *Michaelis*, & in proximo Com. tuo post festum *Natalis Domini*) et omnes et singulos Articulos in dictis Chartis contentos, quantum in te est, observari facias firmiter et teneri: Et hoc nullo modo omittas. Teste Rege apud *Westm.* 28 die *Martii*.

Consimiles literæ diriguntur singulis Vicecomitibus per *Angliam*, in quorum Com. Foresta Regis existit, set in aliis Com. in quibus non est Foresta Regis, non fit mentio de Charta de Foresta, set tantum de Magna Charta de Libertatibus *Angl.* Teste Rege ut supra.

The Writs to proclaim and observe the Articles upon these Charters, are thus recorded.

Claus. 28 E. 1. m. 7. dorso. De Articulis per Regem populo *Anglie* concessis, tenendis.

**R**EX Vic. *Lincol.* salutem: Cum nos in allevationem gravaminum quæ populus regni nostri occasione guerrarum hæcenus tolerant, ac in emendationem status ejusdem populi, necnon ut ex hoc se exhibeat ad nostra servitia promptiorem, nobisque in agendis nostris libentius subsidium faciat in futurum, quosdam Articulos eidem populo plurimum annuente Domino prostituros, de gratia nostra specialiter concessimus concedendos. Tibi precipimus firmiter injungentes, quod dictos Articulos quos tibi mittimus sigillo nostro consignatos, in Comitibus, Burgis, Villis mercatoriis, & singulis aliis locis infra Ballivam tuam in quibus videris expedire, tam infra libertates quam extra, legi & publice proclamari facias; ac eos, quantum in te est, juxta vim & effectum eorundem observari facias firmiter et teneri. Teste Rege apud *Sanctum Albanum* 15 die *Aprilis*.

Consimiles literæ diriguntur singulis Vicecomitibus per *Angliam*. Teste ut supra.

The Writs to elect three Knights, or other of the honestest, loyalest and discreetest men in each County, for the observation of the *Great Charter*, and *Charter* of the *Forest*, and to punish all offences against them not punishable formerly by the Common Law, are thus recorded.

Claus. 28 E. 1. m. 11. dorso. De Militibus mittendis usq; *Ebor.* pro Magna Charta & Charta de Foresta.

**R**EX Vic. *Lincoln.* ac Coronatoribus ac Communitati ejusdem Com. salutem. Quia propter communem utilitatem *Palatiorum*, *Procerum* et *Magna* tam, ac populi regni nostri, concessimus pro nobis et hæredibus nostris, quod Magna Charta de Libertatibus *Anglia*, et Charta de Foresta in singulis suis Articulis de cætero teneantur et firmiter observantur: Vobis mandamus, quod tres Milites, vel alios tres de probioribus, legalioribus et discretioribus liberis hominibus Comitatus prædicti sine dilatione eligi, et eos usque *Eborum* venire faciatis. Ita quod sint ibidem in crastino *Ascensionis Domini* coram nobis vel Consilio nostro, ad faciendâ & exequenda ea quæ tunc eis ibidem injungentur ex parte nostra, pro observatione *Chartarum* prædictarum. Et habeatis ibi nomina prædictorum Militum vel liberorum hominum & hoc breve. Teste Rege apud *Westm.* 27 die *Martii*.

Consimiles literæ diriguntur singulis Vicecomitibus, & Coronatoribus ac Communitatibus singulorum Comitatum per *Angliam*.

The

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The Writs for the Perambulation of the Forests in several Counties, issued to these ensuing Commissioners, in this form.

**R**EX dilecto & fideli suo *Rogero de Brabaton*, salutem. Cum assignavimus vos una cum quibusdam aliis fidelibus nostris, ad Perambulationem in Forestis nostris infra Comitatus nostros *Salop, Stafford, & Derb.* faciendam: Vobis mandamus, quod sitis *Litchfield*, in crastino *Ascensionis Domini* proximo futuro, parati exinde cum dictis fidelibus nostris *profficiet ad Perambulationem illam faciendam*; quibus mandavimus, quod tunc ad hoc faciendum modis omnibus personis liter sint ibidem. Et hoc nullo modo omittatis. Ita quod per vestrum defectum expeditio dicti negotii infecta non remaneat quoquo modo. Teste Rege apud *Westm.* primo die *Aprilis*.

Eodem modo mandatum est *Radulpho de Hengham*, ad Perambulationem in Forestis Regis infra Comitatus *Essex, Bucks, Oxon.* faciend. assignato, quod sit apud — die predicto.

Eodem modo mandatum est Magistro *Johanni Lovell*, ad Perambulationem in Forestis Regis infra Comitatus *Somerset, Dorset, Devon.* faciend. assignato, quod sit apud — die predicto.

Eodem modo mandatum est *Johanni de Berewick*, ad Perambulationem in Forestis Regis infra Comitatus *Smth. & Wiltes.* faciend. assignato, quod sit apud — die predicto.

Eodem modo mandatum est *Willielmo Inge*, ad Perambulationem in Forestis Regis infra Comitatus *Gloucestr. Hereford, Wigorn.* faciend. assignato, quod sit apud — die predicto.

Eodem modo mandatum est *Johanni Dene, Willielmo Bretenhne, & Henrico de Gildesford*, assignatis ad Perambulationem Forestarum cum *Rogero de Erabazon*, videlicet cuilibet eorum per se, quod personaliter sit apud *Litchfield* ad diem predictam.

Eodem modo mandatum est *Willielmo Trussell, Stephano de Gravesend, & Willielmo de Sutton*, assignati ad Perambulationem faciend. una cum *Radulpho de Hengham*, vid. &c. quod sit personaliter apud, &c.

Eodem modo mandatum est *Gilberto de Knovill, Johanni Gurbod, & Hunfrido de Walden*, assignati ad Perambulationem faciend. una cum Magistro *Johanne Lovell*, vid. &c. quod sit personaliter apud, &c.

Eodem modo mandatum est *Waltero de Gloucestr. Waltero de Fovely, & Johanni de Crokefly*, assignati ad Perambulationem faciend. una cum *Johanne de Berewick*, vid. &c. quod sit personaliter apud, &c.

Eodem modo mandatum est *Henrico de Cobham, Willielmo de Martino Mari, & Nicholao Fernham*, assignati ad Perambulationem faciend. una cum *Willielmo Inge*, vid. &c. quod sit personaliter apud, &c.

**R**EX dilecto & fideli suo *Johanni de Litchgrayne*, salutem. Cum assignavimus vos una cum quibusdam fidelibus nostris, ad Perambulationem in Forestis de *Shirewood, Inglewood & Galtes* faciendam: Vobis mandamus, quod sitis apud *Ebor.* coram *Thefurario & Baronibus* nostris de *Scaccario* in die *Pasche* in 15. dies, parati exinde cum dictis fidelibus nostris *profficiet ad Perambulationem illam faciendam*; quibus mandavimus, quod tunc ad hoc faciendum modis omnibus personis liter sint ibidem. Et hoc nullatenus omittatis. Ita quod per vestrum defectum expeditio dicti negotii infecta non remaneat quoquo modo. Teste Rege apud *Westm.* primo die *Aprilis*.

Et mandatum est *Johanni Bynn, Michaeli de Hartecle, Harsculpho de Oresby, Ade de Croke dayk, & Rickardo Oysell*, assignatis ad Perambulationem faciendam, una cum predicto *Johanne*, videlicet quilibet eorum per se, quod ad diem predictum modis omnibus personis liter sit apud *Ebor.* coram predictis *Thefurario & Baronibus*. Teste ut supra.

Yet all these Writs and Commissions would not satisfie the jealous Earls and others, that the Perambulation of the Forests would be really effected, or speedily accomplished by the King: Whereupon, as \* *Walsingham* and *Knyghton* story, *Rex Angliæ sub his diebus Parliamentum tenuit Stamford, ad quod convenerunt Comes & Barones*

Claus 28 E. 1.  
m. 8. dorso.  
De Perambulatione in diversis Comitatus.

\* These blanks for the place are not filled up, but left in the Roll.

Ibidem.

\* *Walsingham*  
Hist. Angl. p.  
48. Ypodigma  
Nestr. p. 88.  
Henry de  
Knyghton de  
Event. Angl.  
l. 3. c. 13. col.  
2538.



An. 28 E. 1. *Barones cum equis & armis, eo prout dicebatur proposito, ut executionem Chartæ de Foresta hactenus dilatare, extorquerent ad plenum. Rex autem eorum instantiam et importunitatem attendens, eorum voluntati in omnibus condescendit; (or as Knyghton, de qua re Rex integre et plene eorum voluntatem implebit ad vota.)* Moreover the King at *Stamford* issued these Writs to the Sheriff of *Lincoln*, and all other Sheriffs, for the reading, proclaiming four times in the year, and observing of the Statute of *Wynton* in all its Articles, as he had of the *Great Charter*, and *Charter of the Forest* by former Writs.

Claus. 28 E. 1. m. 7. dorso. De statuto Winton. Magna Charta, & Charta de Foresta tenendis. **R**EX Vic. *Lincoln*. salutem. Quia modernis temporibus multo plures malefactores & pacis nostræ perturbatores quam solebant temporibus retroactis vagantur infra regnum nostrum de patria in patriam, & discurrunt, roborias, incendia, & homicidia, in lationem pacis nostræ manifestam multipliciter perpetrantes, eo quod statutum nostrum quod apud *Wintoniam* octavo die *Octobris*, anno regni nostri tertio decimo, pro conservatione pacis nostræ in dicto regno, de communi consilio ejusdem regni fieri fecimus, hactenus non existit observatum; per quod volumus, quod statutum illud quod tibi mittimus sigillo nostro consignatum, in omnibus & singulis Articulis suis de cetero firmiter teneatur, & inviolabiliter observetur. Tibi præcipimus, quod statutum prædictum in pleno Comitatu quatuor per annum, ad terminos ad quos Magnam Chartam de Libertatibus *Anglia*, et Chartam de Foresta, pro te in eodem Com. legi nuper præcepimus et publicari, legi et publice proclamari, et illud in omnibus et singulis Articulis suis, quantum in te est, observari facias firmiter et tenere: Et hoc nullatenus omittas. Teste Rege apud *Stamford*. 2 die *Maii*.

Consimiles literæ diriguntur singulis Vicecomitibus per *Angliam*. Teste ut supra.

The King 8. dayes after being at *St. Edmunds*, to satisfie his Earls and Nobles, issued these memorable Writs to the 3. Knights and others elected in each County, for the observation of the Articles in the *Great Charter*, the *Charter of the Forest*, and the Statute of *Winton*, and punishing all offences against them, not formerly punishable by the Common Law of the Realm, and Kings Justices.

Pat. 28 E. 1. m. 14. De Articulis in Magna Charta contentis, & Statuto Regis apud Winton. edito observand.

**R**EX dilectis & fidelibus suis *Johanni de Harington, Johanni de Aungervill, & Johanni de Holt*, salutem. Quia Magna Charta de Libertatibus *Anglia*, et Charta de Foresta, quas Dominus *H.* quondam Rex *Anglia* pater noster populo regni sui ad utilitatem ejusdem regni concessit, pro eo, quod poena in transgressores seu venientes contra tenores Chartarum prædictarum prius ordinata non erat, non fuerunt in quibusdam suis Articulis observata. Nos ad requisitionem Prelatorum, Comitum, Baronum, et aliorum fidelium nostrorum, plenam sub certa forma contra omnes illos qui contra Chartarum dictarum tenores vel aliquem Articulum earundem quovismodo de cetero venire præsumperint, ordinandam duximus et etiam statuendam, ita quod Charta illa adeo plene sicut eas concessimus, renovabimus et confirmabimus, ex nunc teneantur et observentur in singulis Articulis earundem, et ad Chartas illas in Com. *Leic.* in singulis suis Articulis in quibus remedium prius per Communem Legem provisum non fuerat firmiter observandas, assignabimus vos Justic. nostris ad querelas omnium et singulorum de eodem Com. tam infra Libertates quam extra, conquerentium seu conqueri volentium de omnibus illis qui contra tenores Chartarum prædictarum in aliquo Articulo suorum venerint seu deliquerint in Com. prædicto, tam videlicet de spiniis nostris extra placeas suas, quam etiam de aliis quibuscunque audientibus, et ad hujusmodi querelas de die in diem, non allocando dilationes que per Legem Communem allocantur, celeriter terminandas, et etiam ad omnes illos quos contra tenores Chartarum prædictarum in aliquo Articulo earundem, ubi prius per Communem Legem remedium non fuerat, ut prædictum est, venire seu delinquere et inde combincti contigerit coram vobis, per imprisonmentum, redemptionem vel amercementum, secundum quod transgressio exegerit puniendos. Assignavimus etiam vos ad faciendum statutum per nos nuper de communi consilio regni nostri pro conservatione pacis nostræ apud *Winton*, editum, quod ad singulos Comitatus regni nostri sub sigillo nostro mittimus, jam de novo, de cetero in singulis

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singulis suis Articulis sub pœnis in eodem Statuto contentis, in Com. prædicto ob- *An. 28 E. 1.*  
servari firmiter & teneri, & ad omnes transgressores & contravenientes punien-  
dos, juxta formam statuti ejusdem; Ita videlicet, quod si vos omnes ad hæc facien-  
dum, quociens opus fuerit intendere non possitis, tunc duo vestrum quos præsentem  
esse contigerit nichilominus ea faciant & exequantur in forma prædicta. Et ideo  
vobis mandamus, quod ad præmissa facienda & explenda diligenter intendatis, si-  
cut prædictum est; *Salvis nobis redemptionibus, amerciamētis et aliis ad nos*  
*inde spectantibus.* Mandavimus enim Vic. & omnibus Ballivis & Ministris Com.  
prædicti, tam infra libertates quam extra, quod vobis omnibus & duobus vestrum  
in præmissis omnibus & singulis intendentes sint et respondentes, quociens eis scire  
feceritis ex parte nostra. Nolumus autem nec intendimus quod virtute istius po-  
testatis vobis data, placitum aliquod in casu in quo secundum legem communem per  
breve provifum remedium prius erat, per vos teneatur, seu legi communi præjudi-  
cetur, aut dictis cartis in aliquo derogetur. In cujus, &c. Teste Rege apud San-  
ctum Edmundum 10 die Maii, Anno 28 E. 1.

Eodem modo assignantur Milites & alii subscripti in Comitibus subscriptis,  
*videlicet,*

Nicholaus de Weyland, Johannes de Peyton, & Johannes de Biskele, *in Com. Suff.*  
Walterus de Paveley, Robertus de Vernoun, & Johannes de Grimestead, *in*  
*Com. Wiltes.*

Johannes le Bretton, Johannes de Cokefield, & Robertus de Burgulion, *in*  
*Com. Norff.*

Johannes de Clynton de Colehill, Philippus de Gayton, & Johannes de Lod-  
brook *in Com. Warr.*

Thomas de Scalleriis, Galfridus Wardeleyes, & Baldewinus de Colne, *in*  
*Com. Kant.*

Johannes de Dene, Robertus de Bayons, & Willielmus de Pappeworth, *in*  
*Com. Hunt.*

Willielmus de Cressley, Richardus de Bingham, & Robertus de Staunton, *in*  
*Com. Notr.*

Egdius de Meynell, Henricus filius Herberti, & Johannes Deynecurt *in*  
*Com. Derb.*

Radulphus Reynell, Johannes de Paybenham, & Willielmus de Hotot, *in*  
*Com. Bedford.*

Rogerus de Tiringham, Johannes Neytmitt, & Laurentius de Bluntesdon, *in*  
*Com. Buks.*

Richardus de Wyndesore, Adam de Brampton, & Johannes de Spershop, *in*  
*Com. Berks.*

Johannes de Sancto Claro, Johannes de Langham, Richardus Damory, & Jo-  
hannes de Elsfeld, *in Com. Oxon.*

Richardus le Baskervill, Robertus le Petit, & Thomas Pickhard, *in Com. Heref.*

Henricus Tregaz, Henricus Husee, & Willielmus ECKINGHAM, *in Com. Suffex.*

Warreus de Valloignes, Thomas de Insula, & Lucas de Porta, *in Com. Cantabr.*

Willielmus de Fokerham, Edmundus de Grafton, & Richardus de Griminhall,  
*in Com. Wygorn.*

Robertus de Glamorgan, Willielmus de Brembecheate, & Nicholaus de Per-  
shete, *in Com. Suthr.*

Willielmus de Chambernoun, Andreas de Trestock, Willielmus le Graunt, *in*  
*Com. Devon.*

Richardus de Heydon, Robertus de Sancto Claro, & Richardus Pick, *in*  
*Com. Somers.*

Willielmus de Brok, Rogerus de Suthcoate, & Simon de Kenfiton, *in Com.*  
*Middlesex.*

Henricus de Kighley, Robertus de Holland, & Alanus de Norreys, *in Com.*  
*Lancstr.*

Lucas Tailboys, Willielmus de Faunes, & Willielmus de Swethorp, *in Com.*  
*Northumb.*

Hugo Peverell, Reginaldus de Bevill, & Johannes de Restminster, *in Com.*  
*Cornub.*



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4*

An. 28 E. 1. Hugo de Multon, Johannes de Goldington, & Robertus de Westington in Com. Westmerl.

Willielmus de Sancto Quintino, Petrus Bocard, & Johannes de Kirkeby, in Com. Eborum.

Hugo Wake, Elias de Preston, & Thomas Wale, in Com. Northampton.

Robertus de Frigesthorp, Petrus Levenor, & Robertus ad Aulam in Com. Roteland.

Willielmus de Enneis, Johannes Aynell, & Thomas de Harpesfield, in Com. Heref.

Johannes le Britton, Jollanus de Dureme, & Petrus de Suthherch, in Com. Essex.

Johannes de Hamme, Henricus de Gildford, & Walterus de Gedding, in Com. Surr.

Petrus Crok, Walterus de Helyn, & Johannes de Langele in Com. Glouc.

Robertus Corbet, Richardus de Harley, & Thomas de Roscale, in Com. Salop.

Johannes Goland, Ranulphus de Treskeny, & Thomas de Burnham, in Com. Linc.

Willielmus de Stafford, Robertus de Pype, & Willielmus de Wrotefley, in Com. Stafford.

Richardus de Havering, Stephanus Pruwet, & Johannes de Stok in Com. Dorset, (elected by the premised Writs, and after thus Commissioned by the Kings Patents.)

Pat. 28 E. 1.  
m. 14  
De intend Ju-  
stic. ad Arti-  
culos & Sta-  
tutum præ-  
dict assign.

**R**EX Vicecomiti Leyc. & omnibus Ballivis & Ministris de eadem Com. tam infra Libertates quam extra, salutem. Quia *Magna Charta*, &c. (ut supra, utique ibi firmiter observandas.) Assignavimus dilectos & fideles nostros *Johannem de Harrington, Johannem de Aungervill, & Johannem de Holt*, Justiciarios nostros ad querelas omni. &c. (ut supra, usque ibi exigeret puniendos.) Assignavimus etiam eosdem *Johannem, Johannem, & Johannem* ad faciend statutum, &c. (usque ibi ita videlicet) quod si ipsi omnes, &c. (ut supra) tunc duo ipsorum quos presentes esse contigerit ea faciant & exequantur, prout in Literis nostris Patentibus præfatis *Johanni, Johanni, & Johanni* inde confectis plenius continetur. Et ideo vobis mandamus, firmiter injungentes, quod eisdem *Johanni, Johanni, & Johanni*, & duobus eorum in præmissis omnibus & singulis intendentes litis & respondentes, quociens ipsi, aut duo eorum vobis scire fecerint ex parte nostra. Et hoc nullo modo omittatis. Teste Rege ut supra.

Eodem modo mandatum est singulis Vicecomitibus Comitatum superscriptorum, & omnibus Ballivis et Ministris de eisdem Com. tam infra Libertates quam extra, quod Militibus in Com. illis assign. ad querelas, &c. ut supra. et ad faciend. statutum, &c. intendentes sint & respondentes, sicut prædictum est. Teste ut supra.

Ibidem.  
De potestate  
dara recipiend.  
Sacram. a  
quibuldam af-  
sign. ad præ-  
dictos Articulos  
& Statutum  
observandum.

**R**EX dilecto & fideli suo *Petro Crok* salutem. De fidelitate vestra plenius confidentes, Dēdimus vobis potestatem recipiendi in pleno Com. *Glouc. Sacrament. dilectorum et fidelium nostrorum Walteri de Heylin, & Johannis de Langele*, quos una vobiscum assignavimus Justic. nostros, ad transgressionem quas contra tenores *Magnæ Chartæ & Chartæ de Foresta* fieri contingeret in eodem Com. audiend. et terminand. Ac etiam ad observationem Statuti nuper apud *Wynton.* de communi Consilio nostro, juxta potestatem vobis et ipsis per Literas nostras Patentes intē traditam, quod bene et fideliter faciant et exequantur, et quæ pertinent ad officium suum in hac parte, juxta formam potestatis ejusdem. Et ideo vobis mandamus, quod Sacramentum prædictorum *Walteri & Johannis* recipiatis in forma prædicta. Mandavimus enim Vic. nostro Com. prædict. quod præfatos *Walterum & Johannem* coram vobis in pleno Com. suo venire fac. ad præstand. ibidem Sacramentum suum, sicut prædictum est. In cujus, &c. Teste Rege apud *Sanctum Edmundum*, decimo die *Maii*.

Consimilem potestatem habent Milites subscripti recipiendi Sacramentum subscriptorum secum in Com. subscriptis Assignatorum, videlicet.

Nicholaus de Weyland, & Johannes de Peyton, recipiendi Sacramentum Johannis de Biskele.

Johannes de Cokefeld & Robertus le Burgulion, recipiendi Sacramentum Johannis le Bretun.

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Johannes de Dene & Willielmus de Pappworth, *recipiend. Sacramentum* Roberti de Bajolis. *An. 28 E. 1.*

Radulphus Peynell, *recipiendi Sacramentum* Johannis de Pabenharn, & Willielmi de Horot.

Rogerus de Tirringham & Johannes Neirwit, *recipiend. Sacramentum* Laurenci de Bluntdon.

Richardus Damory & Johannes de Ellesfield, *recipiend. Sacramentum* Johannis de Sancto Johann de Langham.

Johannes Tregaz & Henr. Husee *recipiend. Sacramentum* Willielmi de Ecceneham. Ricardus de Havering, *recipiendi Sacramentum* Stephani Prewet & Johannis de Soke.

Robertus de Glamorgan & Nicholaus de Pershete, *recipiendi Sacramentum* Willielmi de Bremeshete.

Willielmus de Chambernoun & Andreas de Trestok, *recipiendi Sacramentum* Willielmi de Graunt.

Robertus de Sancto Claro, *recipiendi Sacramentum* Richardi de Heydon & Richardi Pyk.

Willielmus de Brok, Rogerus de Suthcoate, *recipiendi Sacramentum* Simonis de Keninton.

Robertus de Holland, *recipiendi Sacramentum* Henrici de Kighly, & Allani de Norreys.

Hugo Wake & Thomas Wale, *recipiendi Sacramentum* Eliæ de Preston.

Johannes de Goldington *recipiendi Sacramentum* Hugo de Mutment & Roberti de Westington.

Moreover the King not long after issued this Writ to the Treasurer and Barons of the Exchequer for the observation of the *Grand Charter* in all matters before them in all its Articles, wherein there is no mention of the *Charter of the Forest*.

**R**EX Thesaurario & Baronibus suis de Scaccario, salutem. Quia volumus quod Magna Charta Domini Henrici quondam Regis Anglia Patris nostri de Libertatibus Anglia, quam confirmabimus et etiam innovabimus, in omnibus et singulis Articulis suis firmiter et inviolabiliter observetur; Vobis mandamus, quod Chartam predictam in omnibus et singulis suis Articulis, quantum in vobis est, coram vobis in dicto Scaccario observari faciatis firmiter et teneri. Telle Rege apud Dunfres 23 die Octobris.

*Claus. 28 E. 1. dorf. 2. De Articulis contentis in Magna Charta observandis in Scaccario.*

The King to receive the returns of the Perambulations of the *Forests*, and to hear and determine all just Exceptions against them, issued this memorable Writ of Summons to the Sheriffs for a Parliament to be held at *Lincoln* for that and other arduous affairs of the Realm.

**R**EX Vic. Cumb. salutem. Cum nuper pro communi utilitate populi regni nostri concessimus, quod CARTA DE FORESTA in singulis suis Articulis observaretur, assignando quosdam de fidelibus nostris in singulis Comitatus regni in quibus Forestæ nostræ erant, ad Perambulationem illam distinde et aperte factam, ad Nos, antequam aliqua executio vel aliquid aliud inde fieret, reportarent: & quod Juramentum nostrum, jus Coronæ Anglia, rationes & calumpnia nostra, necnon jura, rationes & calumpnia aliarum omnia salva forent. Nos licet dilecti & fideles nostri nunc primo ad Nos detulerunt quod fecerint in negotiis memoratis, quia tamen Prelati, Comites et Barones et ceteri Magnates dicti regni, in quorum præsentia nostras et aliorum proponi et audiri volumus rationes, et de quarum consilio in eodem negotio, prout alias diximus, intendimus operari. Cum ipsi ad observand. et manutenend. jura Regni ac Coronæ nostræ prædicta una Nobiscum iuramenti vinculo sunt stricti, juxta latus nostrum tunc temporis non fuerunt: Ac pro eo similiter, quod illi qui suas rationes quatinus illud negotium illos tangit proponere debeant, inde præmuniti non erant, eodem negotio sine ipsorum Consilio finem imponere non potuimus bono modo. Et quia negotium illud quantum possumus cupimus maturari, ita quod per Nos non fiat absque

*Cl. 28 E. 1. m. 3. dorso De Militibus, Civibus & Burgensibus mittendo ad Parliament. Regis. See the 1st Part of my Brief Register & Survey of Parliamentary Writs, p. 53, 54, 55, & Part 4. p. 12, 13.*



An. 28 E. 1.

que ulterioꝝis dilationis incommodo, (quin) effectum debitum sortiatuꝝ, Volentes cum Prælatiꝝ, Comitibꝝ, Baronibꝝ & Magnatibꝝ supradictis, ac cum aliis de Communitate dicti Regni super hoc, et quibꝝdam aliis arduis negotiis Nos et statum regni prædicti tangentibꝝ habere colloquium et tractatum. Tibi præcipimus firmiter injungentes, quod venire facias coram Nobis ad Parliamentum nostrum apud *Lincolniam* in Octabis Sancti *Hilarii*, prox. futur. duos Milites de Balliva tua, illos videlicet qui pro Communitate Com. prædicti ad Parliamentum nostrum ultima præteritum per præceptum nostrum venirent: et etiam de qualibet Civitate infra Ballivam tuam eisdem Cites, et de quolibet Burgo eisdem Burghenses qui ad prædictum Parliamentum nostrum aliàs sic venerunt. Et si forte aliquis Militum, Civium aut Burghensium prædictorum mortuus fuerit, aut infirmus, per quod ad dictos diem & locum venire nequit, tunc loco illius mortui aut infirmi, unum alium idoneum ad hoc eligi, & ad dictum Parliamentum nostrum venire facias; ita quod Milites, Cives & Burghenses prædicti, dictis die & loco modis omnibꝝ interfuerint, cum plena potestate audiendi et faciendi ea quæ ibidem in præfatis negotiis ordinari contigerint pro communi commodo dicti regni. Et eisdem Militibus de Communitate Com. prædicti, & Civibus de Civitatibus, & Burghensibus de Burgis prædictis, rationabiles expensas suas habere facias in veniendo ad Parliamentum nostrum, ibidem morando, et exinde redeundo. Tibi insuper præcipimus, sicut prius, quod per totam Ballivam tuam sine dilatione publice proclamari facias, Quod omnes illi qui perambulationem in aliquo calumpniari voluerint, quod sint coram Nobis in Parlamento nostro prædicto, offensuri in hac parte rationes suas et calumpnias si quas habent: Et habeas ibi nomina Militum, Civium & Burghensium & hoc Breve. Teste Rege apud *le Rese*, 20 die *Septembris*,

Consim. literæ diriguntur Vic. subscriptis in quorum Com. Forestæ existunt, viz. Vic. *Westmerland*, *Eborum*, *Nottingham*, *Derby*, *Northampton*, *Bucks*, *Huntingdon*, *Essex*, *Surr*, *Suthhampt*, *Wiltes*, *Sommerset*, *Dorset*, *Deven*, *Gloucestr*, *Wygern*, *Hereford*, *Roteland*, *Oxon*, *Salop*, *Stafford*, *Warr*.

**R**EX Vic. *Lincoln*. salutem. Cum nuper pro communi utilitate, &c. (ut supra, usque ibi pro communitate dicti regni.) Et habeas ibi nomina prædictorum Militum, Civium & Burghensium & hoc breve.

Eodem modo mandatum est Vic. subscriptis, in quorum Com. non sunt Forestæ, viz. *Norff*, *Suff*, *Cantabr*, *Bedf*, *Kent*, *Suffex*, *Middlesex*, *Leicester*, *Northumbr*, *Cumbr*, *Lancast*, *Heref*.

\* Flores, Hist. An. 1300. p. 415, 426. Polydor. Virgil, Angl. Hist. p. 343.

The Parliament being met together at *Lincoln*, In octabis Sancti *Hilarii* (as \* *Matthew Westminster* informs us) tenente Rege Parliamentum suum *Lincolniæ*, conqueſti sunt Comites et Barones, de totuſſis et violentis depꝛedationibꝝ, undique per ministros et familia Regis factis. Rurſum petierunt, ut libertates in *Magna Charta* contentæ, et tunc in ſuo roboꝛe pꝛimiſſio in perpetuum perdurarent. Item poſtulaverunt, ut deaſſeſſationes pro quibꝝ anguſtiabantur omnes debites plebis, a Rege ſæpius conceſſas, ſed hæcenus opere non completas, remota ulterioꝝi dilatione, fieri juberet decretas. Hiis et quibꝝdam aliis articulis inſtantiſſime a Rege poſtulatis, pꝛæcaſtinatis quampluribus diebus; demum videns Rex, quod non deſiſſerent ad inceptis, nec adqueſcerent ſibi in neceſſitatibus ſuis, ut populo generatim gratiam faciat; reſpondit, Se eſſe paratum concedere et ratiſicare petita, et ſi qua alia quoquo tempore poſcerent, vel ducerent confirmanda. Renobatz ſunt igitur *Chartæ* de Libertatibus, et de *Foreſta*, ſigilloque Regio munitæ, et in unoquoque Comitatu per Angliam deferuntur. Quibus coram populo divulgatis, violatoꝛes earum \* *Paſori* & *Excommunicationis* Dominus *Archiepiſcopus* *Cantuarienſis* cum cæteris *Coepiſcopis*, innodabit. Porro pro hoc confirmationis effectũ, conceſſerunt Comites & Barones Regi quintamdecimam partem bonorum ſuorum mobilium, in feſto Sancti *Michaelis* proxime tunc futuro. Ea res (as *Polydor Virgil* obſerves) ita omnium animos debinxit, ut populus ex decima parte fruſtus prædiorum unius anni, tributum perpenderat, quo Princeps ſentiret ſuum beneficium in vulgus gratum eſſe. Sed *Robertus Archiepiſcopus* *Cantuarienſis* (ſuch was his treachery, obſtinacy and ingratitude to the King, notwithstanding his pardon and reſtitution to his Protection, Temporalities, and Goods, for his \*former delinquency

\* See here, p. 743, 744, 745.

\* Here, p. 711, 732, 737.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

cy of this kinde) pro Clero nihil voluit concedere, neque de temporalitate annexa Ecclesie, sine licentia Summi Pontificis specialit. Such a devoted vassal was he to the Pope, and his Antimonarchical Decrees. *An. 28 & 29 Edw. 1.*

The King hereupon to satisfie his Prelates, Nobles, Commons, issued these new Letters Patents under his Great Seal to all Counties within the Realm, for the observation of the *Great Charter* and *Charter of the Forest* in all their Articles, and nulling all Statutes against any Article of them, by the *Common Council* of the Realm in due manner; 4. whereof I found extant in the *Tower* under his Great Seal.

**E** *Dwardus Dei gratia Rex Anglia, Dominus Hibernie, & Dux Aquitaniae, Omnibus ad quos presentes littere pervenerint, salutem. Sciatis, quod cum Nos Magnam Chartam Domini H. quondam Regis Angliae patris nostri de Libertatibus Angliae, una cum Carta de Foresta concesserimus, ac confirmavimus ac innovabimus per Cartam nostram, precepimusque quod Cartae illae in singulis suis articulis tenerentur et firmiter observentur. Volumus et concedimus pro nobis et heredibus nostris, quod si quae statuta fuerint contraria dictis Chartis vel alicui articulo in eisdem Chartis contento, ea de communi consilio regni nostri modo debito emendantur, vel etiam annullentur. In cujus rei Testimonium has litteras nostras fieri fecimus patentes. Teste meipso apud Lincoln. 19 die Februarii, Anno regni nostri vicesimo nono.* *An. 29 E. 1.*

In *Rotulo Perambulationum Forestarum*, An. 29 E. 1. m. 18. the Transcript of these Letters Patents is inrolled *verbatim* as before, with this subscription. *Et est ista Carta pro Com. Bedf. Consimiles Cartae fiant pro Com. subscriptis, viz. Pro Comitibus Cornub. Warr. Suthr. Linc. Kanc. Stafford. Huntind. Derb. Northr.* After which followes the several *Perambulations* of the Forests then made by special Justices, Commissioners and Juries upon Oath in form ensuing.

*Staff. ff.* **E** *Dwardus Dei gratia Rex Anglia, Dominus Hibernie, & Dux Aquitaniae, Omnibus ad quos presentes littere pervenerint, salutem. Sciatis, quod cum Communitas Regni nostri nobis concesserit quintadecimam omnium bonorum suorum mobilium quae habebunt in festo Sancti Michaelis proximo futuro et tunc tarandum, quae quidem Quintadecima post huiusmodi tarationem colligi debet, levari et fideliter nobis solbi. Volumus et concedimus pro nobis et heredibus nostris, quod Perambulationes factae coram dilecto et fidei nostro Rogero le Brabanzon, et sociis suis ad hoc assignatis, per preceptum nostrum de Forestis nostris in Com. Stafford. de cetero teneantur et observentur, per metas et bundas contentas in eisdem perambulationibus, quarum tenor de verbo ad verbum sequitur in hunc modum. La puralee de la Forest en la Conte de Stafford fece devant Monsieur Rogier Brabazon, Monsieur Willaume Bontevileyne, Monsieur Johan Druwel, o Sire Henr. de Guldeford Justices nostre Seigneur le Roi a cele purale fere, Mescredy en la Semeyne de Pentecoste, l'an du Regne le Roi Edward vint unisme, de la Forest du Cannok, en la presence Willaume Trumwyn, Estevene de Elmedon, Foresters de lavant dite Forest de fee, en la presence Johan de Heravile, Richard de Barton, Robert de Wiston, Verders de la vantage forest, per le Serment Robert de Estuandon, Willaume de Mere, Geoffrey de Gresley, Johan le Wasteneys, Henr. Mabnefin, Henr. de Creswall, Huwe de Weston Chevaliers, Willaume de Wrottesley, Robertus le Hunt, Estevene de Wollaston, Richard Sprigenell, Michell de Norton, Henry de Alrewas, Robertus de Semford, Thomas de Titnesmere, Robert de Sewallfield, Henr. de Verdoun, William de Tymmor, Richard de Berkbury, Robert de Horseley, Willaume de Tamenham, & Johan de Cresswell. Qui dient par leur serment, que nostre Seigneur le Roi se ore est, si ad quatre huius en la vantage Forest dehors Watlinstrete, vers le North. Cest assavoir la hay de Hopewas, la hay de Alrewas, &c. (there at large recorded) la Vile de Wollaston, une partie de terre de Swynesford, de Bellemor, de Haagaley, de Brome, la vile de Chirchhull, la vile de Vennorton, une partie de terre de Yeldentre, de Chadeste, de Hurcote, une parte de Wasse de Kydderminstre, e la vile de dunne lent Hethey e la vile de Wolnardeley, le vile de Kynningfard, la vile de Arley, la vile de Evenessend, de Morf de Luteley, e de Bobbinton, one les bois, e les wastz, ove les Appartenances, sont asforesters puis la Coronement* *Ex Rotulo Perambulationum Forestarum, Anno 29 E. 1. m. 18.*



K. Edward 1. *An Exact History of Popes intollerable Usurpations*, B. 5. ch. 4.

*An. 29 E. 1. ment le Roi Henri Beſael noſtre Seigneur le Roi de ore eſt. En teſmoigne des queſes  
choſes les Jurs avantdiz a ceſte parales ont mis leur ſeau. Ita quod quicquid  
per iſtas Perambulationes ponitur extra Forreſtam, remaneat extra Forreſtam,  
et reſſoum remaneat Forreſta, ſecundum metas et bundas pꝛædictas imperpe-  
tuum. In cujus rei teſtimonium has literas noſtras fieri fecimus patentes. Teſte  
meiſſo apud Lincoln. 14 die Febr. Anno, &c. vicſimo nono. After which the Per-  
ambulation of the other Forreſts follow in that Roll,*

Walsingham  
Hiſt. Angl. p.  
6. & Daniels  
Hiſtory, p.  
100.

*An. 28 E. 1.  
In Turre Lon-  
don An. 28 E.  
1.*

Thus were theſe two Great Charters fully and abſolutely ratified, and this grand  
buſineſſe of the Perambulations of all Forreſts ſettled, confirmed, after all theſe ſuc-  
ceſſive Parliamentary conteſts between the King and his Nobles concerning them,  
to the Nobles and Commons great content and ſatisfaction, though not with ſo  
much ſincerity on the Kings part as they imagined, which he afterwards diſcovered  
to his great diſhonour, and juſtification of the Earls and Nobles jealousies of his  
ſincerity therein.

In the Bundles of Writs in the White Tower, *An. 28 E. 1.* there are only theſe 31  
Writs extant, (the reſt being loſt, or putrified) for holding and proſecuting Suits in  
Court Chriſtian by the uſurping Clergy. Edwardus, &c. *Vic. Not. &c. Pont. &c.*  
Thomam Archiepiſcopum Ebor. quod ſit coram Juſticiariis noſtris, &c. apud Ebor. &  
Magiſtr. Robertum de Carebelesby Clericum ſuum, ad reſpondend. Willielmo Pyking,  
& Matil. uxori ejus, &c. quare Magiſter Robertus tenuit placitum in Curia Chriſtiani-  
tatis de catallis & debitu, qua non ſunt de Teſtamento vel Matrimonio, contra Prohibi-  
tionem noſtram, &c. Teſte J. de Metingham apud Ebor. 10 die Nov. Anno regni  
noſtri 28. *Vic. Hereford.* quod attach. Johannem de Chatteley, &c. ad reſpondend.  
Nicholao Jereyn; quare ipſe, ſimul cum Roberto Vicario Eccleſie Sancti Petri Here-  
ford. ſecurus fuit (conſimile) placitum in Curia Chriſtianiſtatis, contra Prohibi-  
tionem noſtram, &c. Teſte J. de Metingham apud Ebor. 12 die Novembr. Anno  
regni noſtri 28. And *Vic. Kane.* Si Johannis Abadam & Elizabeth uxor ejus, &c.  
pont. &c. Robertum Archiepiſcopum Cantuar. & Magiſtr. Henr. de Naſſington,  
quod ſint, &c. iſtenſuri, quare tennent placitum in Curia Chriſtianiſtatis de Ad-  
vocatione domus Sancti Marci de Billeſwyk juxta Briſtoll, contra Prohibitionem  
noſtram. Teſte meiſſo apud Beverlacum 24 die Novembr. Anno regni noſtri 28.

The Archbiſhop of *Canturbury* intending this year to viſit the Kings Free-Chappel  
of *Hafſings*, and the Prebends belonging thereunto, by his Metropolitocal autho-  
rity, to the prejudice of his Royal Prerogative, the King thereupon iſſued this Pro-  
hibition to him, entred in the Claufe Roll,

Claufe 28 E. 1.  
m. 14. dorſo.  
Prohibicio pro  
Capellis Regis.

**R**EX venerabili in Chriſto Patri R. eadem gratia Archiepiſcopo *Cantuar.* totius  
*Anglia* Primati, ſalutem. Cum libera Capella noſtra de *Hafſings*, cum  
Prebendis ad eandem Capellam ſpectantibus, acut alix liberx Capellx noſtre  
in regno noſtro ab omni juſdicatione ordinaria exempta ſit, libera penitus et  
impunis: Ac vos viſitationis officium in Capella noſtra et Prebendis pꝛædictis  
jam intendatis, ſicut accepimus, exercere. Nos attendentes noſtre regis digni-  
tati per hoc poſſe de facili derogari; Vobis prohibemus, ne juſdicationem ali-  
quam in pꝛædictis Capella et Prebendis exercere, vel quicquam quod in noſtri  
ſeu Cozonx aut Regis dignitatis noſtre pꝛæjudicium, ſeu libertatis pꝛædictarum  
Capellx et Prebendarum laſionem cedere poſſit aliquantulum attemptare pꝛæ-  
ſumatis. Teſte Rege apud *Blidham* 17 die Januarii,

The Biſhop of *Chicheſter* challenging a Juſdication in and over this Free-Chappel,  
and its Prebends, had a day given him to declare his right in Parliament, againſt  
which time the Prebends were ordered to ſearch out and bring all evidences and In-  
quiſitions they could finde, to maintain the Kings Intereſt and Prerogative therein.

Placita Parl.  
An. 28 B. 1.  
See Ryley, p.  
217. Adorna-  
mentum Epiſ-  
copi *Ciceſtrix*.

**D**ies datus eſt Epiſcopo *Ciceſtria* per Magiſtrum *Henricum Gerlaund*, qui pro  
ipſo Epiſcopo ſequitur verſus Dominum Regem, pro juſdicatione quam  
idem Epiſcopus clamat habere in Capella Regis de *Hafſings*, et ejusdem Ca-  
pellx Prebendis, atque ad proximum Parliamentum futurum. Et diſcum eſt  
Egidij

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward I.

*Egidio de Gardroba, & Waltero de Agmondesham* Præbendariis præfatæ Capellæ, An. 28 E. 1.  
quod interim per se et alios Præbendarios, &c. scrutari faciant et inquirere quic-  
quid Dominus Regi et sibi ipsi valere potuit in negotio prædicto. Et id quod in-  
venerint tunc ibidem habeant per se aut alios Præbendarios, &c. Et sciendum,  
quod quædam Inquisitiones capte per *Robertum de Burghesche* super negotio præ-  
dicto, & aliz evidentiz dictum negotium quæ ad illud Parlamentum ostendit fuerunt,  
remanent in Cancellaria, &c.

The Bishop of *Worcester* having by his usurped Episcopal authority publicly and inhumanly inhibited under pain of Excommunication in the City of *Gloucester*, that no person of that Town should presume to sell any bread, wine, beer or victuals to the Prior and Canons of *St. Oswald* (whom he had excommunicated) for their necessary sustenance, or to buy any thing of them, whereat the King admired, and was much moved, as manifestly redounding to the no small prejudice and hurt of his Royal Crown, Dignity, Government, and the liberty, commerce of his Subjects; he thereupon issued this memorable Writ to him, to make no such Inhibitions for the future, and speedily to revoke this and all such his illegal Excommunications grounded thereon, else he in default thereof would provide other remedy against such proceedings.

**R**EX venerabili in Christo Patri *G. eadem gratia Wigorn. Episcopo*, salutem. Claus. 28 E. 1.  
Intelleximus, quod vos in Villa nostra *Glouc.* publice et inhumane sub poena m. 2. dorso.  
Excommunicationis, ne quis Priori et Canonici *Sancit Oswaldi* ejusdem Villæ Pro Priore &  
panem, vinum, cerbissam, aut aliqua victualia ad sustentationem eorum necessaria Canonici S.  
vendere, vel ab eis aliqua emere præsumeret prohiberi fecistis, de quo miramur Ofwaldi Glouc.  
non modicum et modetur. Et quia hujusmodi Inhibitio, si eo modo processerit,  
in Corone nostræ præjudicium, nostræque dignitatis Regiæ non modicam læsio-  
nem manifestam redundat; Nosque tantam insolentiam tollerare non possumus,  
sicut nec debemus, set potius volumus, quod omnes de regno nostro indifferenter,  
et alii quicunque ad fidem et pacem nostram existentes, victualia et alia quæ ve-  
nalia fuerint vendere possint, et emere in eodem regno. Vobis mandamus fir-  
miter inhibentes, ne aliquis hujusmodi inhibitiones de cetero facere attemptetis,  
et si quas forte feceritis vel sententias aliquas Excommunicationis protula-  
ritis ex hac causa, eas faciatis celeriter revocari. Ita quod in vestri defectum  
aliud remedium nos apponere non oporteat in hac parte. Teste Rege apud *Dun-*  
*fries* 23 die *Octobris*. A Writ worthy the consideration of such, who have sincere-  
ly or practised such illegal and inhuman Excommunications.

The King sending the Archdeacon of *Richmond* to the Court of *Rome* this year,  
granted him this safe conduct.

**R**EX omnibus amicis suis ad quos, &c. salutem. Cum mittamus dilectum Pat. 28 E. 1.  
Clericum nostrum *Gerardum de Waspeynes* Archidiaconum *Richmund.* ad Cu- m. 18.  
riam Romanam pro quibusdam negotiis nos, & regnum nostrum specialiter tan- De conductu.  
gentibus, vos rogamus quatinus eidem *Gerardo*, aut hominibus suis in Comitiva sua  
existentibus, in eundo versus Curiam prædictam, ibidem morando, & inde redeundo,  
in personis aut rebus suis non inferatis, seu quantum in vobis est inferri permittatis  
injuriam, molestiam, dampnum, impedimentum aut gravamen, set eis potius nostri  
contemplatione, cum per partes vestras transitum fecerint, saluum & securum con-  
ductum habere faciatis, quociens ab ipsis super hoc ex parte nostra fueritis requisiti.  
In cujus, &c. per biennium duraturas. Teste Rege apud *Sanctum Albanum* 13  
die *Aprilis*.

Consimiles literas de conductu habent subscripti, missi per Regem ad Curiam  
prædictam pro quibusdam negotiis ipsum Regem et Regnum suum specialiter tan-  
gentibus; videlicet, Magister *Petrus Aymerici*, Magister *Reymundus Arnaldi de*  
*Rama*, *Gulfridus Russel*. Teste Rege apud *Sanctum Albanum* 15 die *Aprilis*.

The King likewise issued this Prohibition to the Archdeacon of *Richmonds* Vice-  
gerent, not to compell *Adam de Osgodeby* his Clerk, continually employed in his  
service,



K. Edward 1. *An Exact History of Popes intollerable Usurpations, B. 5. ch. 4.*

An. 28 E. 1. Service, to reside upon his Benefice whiles so imployed about his affairs, against the antient Priviledge of his and his Royal predecessors Clerks, which they had enjoyed time out of minde.

Claus. 28 E. 1.  
m. 2. dorlo.  
Pro Adam de  
Osgodeby per-  
sona Ecclesiæ  
de Haukefwell.

\* See the Re-  
gister of Writs  
part 2. f. 48. b.  
Fitz. Nara  
Brev. f. 44. B.

**R**EX dilecto sibi Gerenti-vices Magistri *Gerardi de Wyssaynes* Archidiaconi *Richmund.* ipso agente in partibus transmarinis, salutem. Cum dilecti Clerici nostri ad ordines suscipiendos, vel ad faciendam in suis Beneficiis residentiam personalem dum nostris immorantur obsequiis aut alias super eisdem, molestari vel inquietari non debeant: Nosque & progenitores nostri Reges *Anglia* huiusmodi libertate seu privilegio pro Clericis nostris a tempore quo non extat memoria semper hactenus usi sumus; \* quod nec ipsi Clerici nostri, vel progenitorum nostrorum prædictorum aliquibus retroactis temporibus super huiusmodi compelli, vel alias super Beneficiis suis molestari vel inquietari consueverint: Vobis inhibemus, ne dilectum Clericum nostrum *Adam de Osgodeby* Personam Ecclesiæ de *Haukefwell* in Archidiaconatu prædicto, qui per præceptum nostrum nostris iugiter intendit obsequiis, dum eisdem obsequiis immoratur, super huiusmodi compellatis, aut alias super Beneficio suo inquietetis: Et sequentium si quod in fructibus aut bonis Beneficii sui huiusmodi occasione fieri feceritis, sine dilatione relaxari faciatis. Teste Rege ut supra.

The Abbot of *Cluny* sending his Proctors into *England*, to demand and collect to his use (in name of a Subsidie) a great sum of money from the Priors and Monasteries of that Order in *England*, and from all Ecclesiastical persons on whom they had conferred Benefices, without the Kings license or assent, not used in the time of his Progenitors, which Subsidie might tend to the prejudice not only of the said Priors, but of him and the whole Realm; issued this memorable Inhibition to them, not to exact, levy or receive the said Subsidie without his special license and assent, upon any pretences whatsoever; together with a Writ to the Warden of the Cinqueports, not to permit any Monk of that Order, or any other Servant or Messenger to passe the Seas, or carry over any monies without his special license:

Claus. 28 E. 1.  
m. 14. intus.  
De subsidio  
non exigendo  
ad opus Abbat-  
is Cluniacensis,  
sine licen-  
tia Regis.

**R**EX Procuratoribus Abbatis *Cluniacensis* in *Anglia*, salutem. Datum est nobis intelligi, quod prædictus Abbas vos in *Angliam* specialiter destinabit, ad petendum et levandum ad opus ipsius, nomine Subsidii, quandam magnam pecunie quantitatem a Prioribus ordinis *Cluniacensis* in *Anglia*, et omnibus personis Ecclesiasticis quibus idem Piores Ecclesiastica Beneficia conferunt. Verum quia nunquam alias tale subsidium consuevit in regno nostro exigi seu levari absque nostra vel progenitorum nostrorum licentia et assensu, possitque huiusmodi subventionis inordinata Subsidium in nostri, et Priorum prædictorum, ac totius regni nostri præjudicium de facili redundare: Vobis firmiter inhibemus, ne præfato Abbati sub nomine subventionis, auxilii, mutui sive doni, aut alio quocunque colore quavis infra idem regnum exigatis, levetis, seu etiam recipiatis, sine nostri assensu et licentia speciali. Teste Rege apud *Blidam* 17 die *Januarii*.

Ibidem. De non permit-  
tendo Mona-  
chos Ordinis  
Cluniacensis  
transire ad par-  
tes transmarina-  
nas.

**R**EX dilecto & fideli suo *Rberto de Burghersh*, custodi *Quinque Portuum* suorum, salutem. Datum est nobis intelligi, quod Abbas *Cluniacensis* quosdam ex suis Monachis in *Angliam* specialiter destinabit, &c. (ut supra, usque ibi) Vobis mandamus firmiter injungentes, quod nullum Monachum ordinis prædicti, Walletum seu aliam Personam quemcunque personam deferentem ad partes transmarinas transire permittatis, sine nostra licentia speciali. Teste ut supra.

After which the King at the request of the Abbots of that Order, permitted them to repair to their General Chapter, so as they carried over no money, silver, plate or any kinde with them.

Claus. 28 E. 1.  
m. 8. Pro  
Abbatibus Ci-  
sterciensis Or-  
dinis.

**R**EX præfatis Custodibus, salutem. Licet vobis sicut cæteris Custodibus aliorum Portuum nostrorum nuper mandaverimus, et ex certa causa inhibuerimus, ne aliquos Abbates *Cisterciensis* ordinis de regno nostro in Portu prædicto transiretate permitteretis sine nostra licentia speciali; Vobis nichilominus mandamus,

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damus, quod prædictos Abbates ad Generale Capitulum suum Cistercii proficisci volentes, cum ad portum prædictum causa transiretandi accesserint, sine impedimento transiretari permittatis, non obstante inhibitione nostra prædicta. Prebiso tamen, quod nullam monetam argenteam vel aliam monetam albam de nostro vel alterius cuneo, vel vasa aliqua argentea, seu argentum aliquod in massa vel alio quolibet modo, per portum prædictum ad partes transmarinas per eosdem Abbates deferri seu duci permittatis quoquo modo, contra formam ordinationis nostræ inde factæ. Teste Rege apud Sanctum Albanum 13 die Aprilis.


After the death of *Henry de Newerke*, \**Thomas Corbridge* being elected Archbishop of *Yorke*, repaired to *Rome* for his confirmation, where after long attendance, for expedition sake, he was enforced to resigne his right of election into the Popes hands, and to receive the Archbishoprick from him by way of provision; who thereupon not only confirmed, but consecrated him Archbishop at *Rome* and gave him his Pall, and this ensuing Bull, the Original whereof I found in the *White Tower*, directed to King *Edward*, wherein he relates all the proceedings concerning his election and consecration, praying the King to restore his Temporalities.

\* See Polydor Virgil, Angl. Hist. l. 1. p. 342. H. de Knyghton de Event. Angl. l. 3. c. 13. col. 2528.

**BONIFACIUS** Episcopus, Servus servorum Dei, charissimo in Christo filio *E. Regi Angliæ* salutem, & Apostolicam benedictionem. Divinæ gratiæ Majestatis acquiritur, si Ministris ejus, & hiis præcipue qui Pontificali sunt prædicti dignitate, pro ipsius reverentia condignus honor impendatur, & favor necessarius exhibetur. Dudum siquidem *Eboracen.* Ecclesia per obitum bonæ memoriæ *Henrici Eboracenſis* Archiepiscopi solatio destituta pastoris, Dilecti filii Capitulum ipsius Ecclesiæ certa die ad eligendum præfixa, vocatis omnibus qui voluerunt, debuerunt & poterunt commodè interesse pro futuri substitutione Pastoris insimul convenerunt; & invocata Spiritus sancti gratia (ut est moris in hujusmodi negotio per viam scrutinii procedere) eligentes tres de dicto Capitulo fidedignos, videlicet dilectos filios *Johannem de Metingham*, *Johannem de Cadamo*, & *Robertum de Pickering* ejusdem Ecclesiæ Canonicos assumere curaverunt: qui vota sua primò, & deinde singulorum de Capitulo ipso diligentius scrutarentur, eaque redigentes in scriptis, illa mox in ejusdem Capituli præsentia publicarent. Cumque scrutatores hujusmodi super hoc juxta formam eis traditum processissent, demum publicato scrutinio per publicationem hujusmodi compertum extitit, in venerabilem fratrem nostrum *Thomam* Archiepiscopum *Eboracen* (tunc ipſius Ecclesiæ Canonicum) majorem & saniozem partem prædicti Capituli direxisse in hujusmodi scrutinio vota sua; & subsequenter prædictus *Robertus Pickering*, qui (sicut præmittitur) erat unus de scrutatoribus supradictis, de mandato & consensu dictorum Capituli ac suo & ipsius Capituli nomine, eundem *Thomam* in Archiepiscopum elegit; Dictusque *Thomas* electione hujusmodi de se factæ consensum suum infra tempus à jure statutum, ad ipsius Capituli instantiam impendere, procuravit se propter hoc cum certis procuratoribus memorati Capituli super hujusmodi electionis negotio specialiter constitutis, ad Apostolicam sedem personaliter conferendo. Et præsentato nobis hujusmodi electionis Decreto super eadem electione confecto, ac ipſo *Thoma* & dictis procurantibus, ut electionem ipsam confirmare de apostolicæ benignitatis clementia dignaremur; tandem dictus *Thomas* in nostra & fratrum nostrorum præsentia constitutus, jus, si quod sibi ex electione memorata competere noscebatur, ex considerationibus certis inductus, sponte ac libere in nostris manibus resignavit. Nosque hujusmodi resignatione recepta, provisionem ipsius *Eboracenſis* Ecclesiæ ea vice dispositioni et ordinationi nostræ ac sedis Apostolicæ durimus reservandam, decernentes extunc irritum et inane, si secus a quoquam scienter vel ignoranter contingeret attemptari. (A new Papal fraud and device, to defraud the King, electors, and elected Archbishops, and other Bishops duly elected of their rights, and ingrosse the power of conferring all Archbishopricks and Bishopricks into his own hands by his *Provisions*.) Et tandem considerantes attentius, laudanda probitatis merita, honestatem morum, & aliarum virtutum dotes multiplices, quibus idem *Thomas* noscitur insignitus, ac propterea firma ducti fiducia, quod per ipsius *T.* circumspectionem providam & providentiam circumspectam

In Turre London. De *Thoma* Archiep. Ebor.



An. 28 E. 1.  


\* This was an  
 Innovation &  
 Usurpation on  
 the Crown.  
 † Never clad  
 with any such  
 Pall: There-  
 fore a notori-  
 ous lye.

prædicta Eboracensis Ecclesia in spiritualibus & temporalibus (Deo propicio) susci-  
 piet incrementa, deliberatione cum fratribus ipsis super hoc habita diligenti, de di-  
 cto Thoma prælatæ Eboracensis Ecclesiæ de ipsorum fratrum consilio et apostolice  
 potestatis plenitudine duximus providendum, præficientes ipsum eidem Eboracen-  
 si Ecclesiæ in Archiepiscopum et Pastorem, curam sibi et administrationem ipsius  
 Eboracensis Ecclesiæ spiritualiter et \* temporaliter committendo, dicto Thoma susse-  
 quenter nostris manibus munere consecrationis impenso, pallium plenitudinem vi-  
 delicet pontificis officii de † corpore beati Petri sumptum, et ab eodem T. cum ea  
 qua decuit instantia postulatam, ad nomen et usum ejusdem Eboracensis Ecclesiæ  
 per dilectos filios nostros Mattheum Sanctæ Mariæ in Porticu, — Sancti Adri-  
 ani, Franciscum Sanctæ Mariæ in Cosmedyn, & Petrum Sanctæ Mariæ novæ Diaconos  
 Cardinales, fecimus exhiberi. Cum itaque, fili charissime, sit virtutum eius Dei  
 ministros, et præsertim Pontificali dignitate præditos, benigno favore prosequi, ac  
 eosdem verbis et operibus pro Regis æterni gratia venerari, excellentiam Regiam  
 rogamus et hortamur attente, quatinus eidem Archiepiscopo ob reverentiam apo-  
 stolice sedis et nostram, temporalia seu regalia ejusdem Eboracensis Ecclesiæ, quæ  
 per te vacationis ejusdem tempore teneri dicuntur, sine qualibet difficultate resi-  
 tuens, te sibi reddas in regio favore munificum et cunctis opportunitatibus gratio-  
 sum. Ita quod idem Archiepiscopus iuxta Celitudinis fulcitus auxilio, in commissa  
 sibi cura Pastoralis officii possit, Deo propicio, prosperari; & tibi exinde à Deo  
 perennis vitæ præmium, et a nobis condigna proveniat acti gratiarum. Dat. 1. Ma-  
 ran. 7. Idus Martii. Pontificatus nostri anno sexto,

Pat. 28 E. 1.  
 m. 17. De  
 restitutione  
 temporalium.

The King upon receipt of this Bull issued a Writ to restore his Temporalities,  
 \* dilectis & fidelibus suis Calfrido Russell & Lamberto de Trykingham Cusculibus  
 suis Archiepiscopatus Eborum. Teste Rege apud Staunford 30 die Aprilis. Per bre-  
 ve de Privato Sigillo, at large recited in the Record.

\* Adus Pontif.  
 Ebor. col.  
 1718, 1719.

Thomas Stubbs renders us this account of this Archbishops election, consecration,  
 and of an high contest that happened soon after between the King and him, about  
 the Chappel of St. Sepulchres in Yorke, for which King Edward seized his Tempo-  
 ralities and detained sundry of them till his death, for obeying the Popes Provision &  
 Commands before the Kings Writ, in refusing to admit his Clerk to this Chap-  
 pel, and to remove the Popes Clerk whom he had placed therein by his Papal Provi-  
 sion. \* Thomas de Corbrigge, Custos & Sacrista Capelle S. Sepulchri Eboraci ex  
 collatione venerabilis in Christo patris Johannis dicti Romani Eboraceris Archiepis-  
 copi fuerat effectus. Hic itaque Thomas 2 Idus Novembris, anno 1299. electus in  
 Pastorem, Curiam petiit Romanam, ubi tertio Kal. Martii eodem anno consecratus  
 est a Papa Bonifacio 8. Quo quidem consecrato, Dominus Papa (by his usurped  
 Authority) custodiam dictæ Capellæ uni ex clericis propriis consanguinitate sibi pro-

† A Novel  
 Usurpation.

pinguo, eo quod in † Curia vacabat, indilate concessit. Nec multo post per motum  
 dicti Clerici dicta capella vacabit. Qui cum adhuc vivens in extremis jam constitutus  
 jaceret velut exanimis, resumpto tamen spiritu, vocavit ad se Dominum Papam, dicens,  
 De pro Capella Eboracensi, eo quod proventus ejus inutiliter expenderat, immenta  
 meruisse supplicia; unde Dominum Papam suppliciter rogavit pro salute anima sua,  
 quatinus custodiam dictæ Capellæ alicui discreto corporalem in ea residentiam fa-  
 cturo concedere dignaretur. Nec mora, idem Dominus Papa per literas mandabit  
 Thomæ Eboracensi Archiepiscopo, quatinus custodiam dictæ Capellæ alicui excel-  
 lenti theologo, quem ipsemet duceret eligendum quamtocius conferret. At ille  
 mandatis obtemperans apostolicis, ipsam Capellam Magistro Gilberto de Segrave  
 egregio sacre theologiæ Doctore, Lincolnienfis Ecclesiæ Canonico contulit, et ipsum  
 in eandem instituit. His peractis, Rex Edwardus filius Regis Henrici Archiepisco-  
 pum pluries rogavit, quatenus ipsam Capellam Johanni Bush Notario suo conferre  
 non negaret. Inter hæc vero Archiepiscopus super collatione ejusdem Capellæ  
 penes Regem se sapius excusabit, asserens ipsam virtute mandati Apostolici fuisse  
 collatam et plenam existeret. Quocirca Rex iratus tres Baronias Archiepiscopa-  
 tum Eboracensem ex antiquo collatas et eidem amesas, post multas persecutiones et  
 irrogatas Archiepiscopo injurias seilicet fecit, et eas usque ad obitum Archiepiscopi  
 in manu sua tenuit. Quo infra breve defuncto, sedes vacante, Decanus et Capitu-  
 lum Ecclesiæ Petri Eboraci ad instantiam Domini Regis expulso dicto Magistro  
 Gilberto

Nota.

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Gilberto custodiam dictæ Capellæ præfata Johanni contulerunt, ac ipsum in eadem instituerunt. *Vixit autem venerabilis Pater Thomas in Archiepiscopatu annis tribus, mensibus sex, diebus vero 10. Quibus transactis obiit apud Lanum 10 Kal. Octobris, Anno Pontificatus sui 4, Dominica incarnationis 1303. Regni autem Regis Edwardi filii Regis Henrici 31. & in Ecclesia collegiata Suthwell Eboracenſis Dioc. sepultus est.* I find this Case of his thus alleged by *Baffer* in the Argument of a \* *Quare non admittit* brought by the King against the Bishop of *Lincoln*, Trin. 19 E. 3. (remembered by Sir *† Edward Cooke* in his Case *De Jure Regis Ecclesiastico*.) *Le Roy E. laiel port* Quare non admittit vers *T. Archevesque de E. & Levesque* alleg qe le *Pape* long temps devant aboit purbeto a mesme *Leglise*, et il ne oſoit ne aboi potuer de lui ouster, &c. \* *Barbazon Justice* lui dit, que ceo qe vous alleg pur non potuer nous renouvus nient depler, pur qe il fuit attain de contempr, et les *Temporalties* seises, et demeurent en main le *Roy* tout le vie le *Archevesque*.

An. 28 E. 1.

\* *Fitzh. Abr.*  
Quare non  
admittit, 7.  
† *Report,*  
f. 12. b.  
\* *Barbazon.*

In this memorable case the Kings Judges resolved, 1. That where the Kings legal Writs or commands came in competition with the Popes Mandates or Provisions, our Archbishops and Bishops (though then sworn and devoted to the Pope) ought to obey the King, before the Pope; & not to dispute, but execute the Kings Writs, as well as his Temporal Officers, according to *St. Pauls* and *St. Peters* resolutions, Rom. 13. 1. to 8. 2 Pet. 2. 13, 14, 15, 17. 2ly. That their not obeying the Kings Royal Writs and Legal Mandates, is such an high offence, contempt against the Kings Crown and Dignity, that the King by the Lawes of *England* might then justly seise and confiscate their Temporalities during life. Bishop \* *Godwin* in his life hath this memorable passage, *He ſate in all but 3. years, 7. moneths, and 10. dayes. Whether it be that few mens mindes be ſo great, as to ſuſtain the burthen of a Princes diſpleaſure, or that God who promiſeth a long life to ſuch who obey their Superiours, in his juſt judgement doth ſeaſt cut off ſuch as are backward in this duty; So ſurely it hath fallen out for the moſt part, that thoſe Biſhops who have preſumed moſt in oppoſing themſelves againſt their Princes, have leaſt time endured, and ever ſen quickly taken away, to whereof I could yield infinite examples.*

Godwins Catalogue of Bishops, p. 471.

I find that this Archbishops Liberties in *Beverley* were seised into the Kings hands Anno 29. of his reign for a contempt, committed by him in the Kings presence, but afterwards restored to by him this Writ.

REX dilecto sibi *Richardo Gysel* Ballivo suo de *Holderneſſe*, salutem. Mandamus vobis, quod libertatem venerabilis patris *Tho. Eborum Archiepiscopi* quam nuper pro quodam contemptu apud *Beverlacum* in præſentia nostra nobis facto, capi fecimus in manum nostram, eidem Archiepiscopo replegiari faciatis ad voluntatem nostram. Teste Rege apud *Everſte* 14 die Junii.

Claus. 29 E. 1.  
Pro Tho.  
Archiepiscopo  
Eborum.

The Clergy of the Province of *York* having formerly granted the King a certain number of Armed men against the *Scots*, he now issued these Writs for their speedy raising, and sending them to *Berewick* by a certain day.

REX dilecto & fideli suo *Johanni de Crepping*, salutem. Cum dudum de communi assensu Cleri Archiepiscopatus *Ebor.* ordinatum et concessum fuisset, quod Clerus ille pro custodia *Marchie Scotia* nobis inveniret certum numerum hominum armatorum, & jam necesse habeamus quod homines illi tunc ad arma cessati nomine dicti Cleri, ad partes *Scotia* cum corpore nostro vadant, per quod mandavimus custodi Spiritualitatis Archiepiscopatus *Ebor.* sede vacante, quod præfato Clero det firmiter in mandatis et eis injungat, ipsosque mobilis et dicti singulis quibus melius expedire viderit inducat, ut dictos homines usque *Berewicum* super *Tweedam* mobilis omnibus ad nos mittant. Ita quod sint ibidem die Dominica in festo Sanctæ *Lucia* Virginis proximo futuro ad ultimum, parati ad proficiscendum exinde cum corpore nostro ad badia nostra ad partes *Scotia* superadditas; Vobis mandamus firmiter injungentes, quod eidem custodi ad præmissa facienda, consulentes sitis & auxiliantes quociens opus fuerit, & per ipsum super hoc ex parte nostra fueritis requisiti. Teste Rege apud *Burton* Archiepiscopi, 23 die Novembris.

Claus. 18 E. 1.  
m. 17. De  
hominibus ar-  
maris usque  
Berewicum  
mittendis per  
Clerum Ar-  
chiepiscopatus  
Ebor.

REX



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

An. 18 E. 1.

Ibidem.

**R**EX dilecto sibi in Christo custodi Spiritualitatis Archiepiscopatus Ebor. sede vacante, salutem. Cum dudum de communi assensu Cleri Archiepiscopatus predicti ordinatum et concessum fuisset, &c. ut supra. Vobis mandamus firmiter injungentes, quod prefato Clero detis firmiter in mandatis et eis injungatis, ipsosque modis et viis singulis quibus melius expedire videritis inducatis, ut dictos homines usque Berewicum super Tvedam modis omnibus ad nos mittant. Ita quod sint ibidem die Dominica in festo Sanctæ Lucia Virginis proximo futuro ad ultimum, parati ad proficiscendum erinde cum corpore nostro ad badia nostra ad partes Scotia supradictas. Mandavimus enim dilecto & fideli nostro Johanni de Creppingh. quod vobis consulens sit & auxilians in præmissis quociens necesse fuerit, & per vos super hoc ex parte nostra fuerit requisitus. Teste Rege apud Burton Archiepiscopi, 22 die Novembris.

The Bishops, Abbots, Priors and Commonalty of North and West-Wales having granted the King this year a Subsidie to carry on his Wars against the Scots, the King thereupon granted them these ensuing Patents for him and his Heirs, that it should not turn to the prejudice of them, their heirs or successors, nor be drawn into consequence for the future.

Pat. 18 E. 1.  
m. 6. Pro  
Episcopis, Ab-  
batibus, & tota  
Communitate  
Northwallie  
& Westwallie.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod cum dilecti et fideles nostri Episcopi, Abbates, Priores, et tota Communitas Northwallie, quandam subventionem pecunie in subsidium guerræ nostræ Scotia nobis fecerint liberaliter et grater; volumus & concedimus pro nobis & hæredibus nostris, quod dicta subvencio sic per eos nobis facta, eis vel eorum successoribus aut hæredibus non cedat in præjudicium, seu trahatur in consequentiam in futurum. In cujus, &c. Teste Rege apud la Rose 21 die Septembris.

Consimiles literæ sunt pro Episcopis, Abbatibus, Prioribus, & toti Communitati Westwallie.

Ibidem. Pro  
Communitati-  
bus de Flynt,  
terrarum de  
Bowel, Mon-  
tis Gomeri, &  
Powys Griffyn.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod cum Communitas Comitatus de Flynt quandam subventionem pecunie in subsidium guerræ nostræ Scotia nobis fecerint liberaliter & grater, volumus & concedimus pro nobis & hæredibus nostris, quod dicta subvencio taliter nobis facta dictæ Communitati non cedat in præjudicium seu trahatur in consequentiam in futurum. In cujus, &c. Teste ut supra.

Consimiles literæ sunt Communitatibus subscriptis; videlicet Communitati terræ de Bowelt, Communitati terræ Montis Gomeri, Communitati terræ Powys Griffyn.

He likewise returned the Commonalty of Flintshire and others these Letters Patents of thanks and indemnity.

Ibidem. Litteræ de regrati-  
ando prefatas  
Communita-  
tes de subven-  
tione Regi per  
eas facta.

**R**EX Communitati Comitatus de Flynt, salutem. De illa subventionem pecunie quam nobis ex mera caritate vestra in subsidium guerræ nostræ Scotia jam fecistis, vobis referimus multas grates, et ne subvencio illa vobis cedat aliquo qualiter in præjudicium in futurum, vobis super hoc nostras patentes literas destinamus. Teste Rege ut supra.

Consimiles literæ diriguntur Communitatibus subscriptis; videlicet, Communitati terræ de Bowelt, Communitati terræ Montis Gomeri, Communitati terræ Powys Griffyn.

Pat. 18 E. 1.  
m. 7. Detri-  
bus Capellanis  
assignatis per  
H. de Newerk  
nuper Archie-  
piscopum E-  
borum ad ce-  
lebrandum di-  
vina apud Ca-  
wode, Burton  
& Wylton.

The King this year out of his piety and Ecclesiastical Sovereignty confirmed the pensions granted by the late Archbishop of Yorke to 3. Chaplains to maintain a Chantry in 3. Chappels, during the vacancy of the Archbishoprick in his hands, as well as during the plenary.

**R**EX omnibus ad quos, &c. salutem. Cum bonæ memoriæ Henricus de Newark quondam Archiepiscopus Eborum quandam placeam terræ apud Kingstons super Hull ad Archiepiscopatum Eborum pertinentem de uno ædificio ædificatam,

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tam, & in omni alia sui parte vacuum habuisset. Idemque Archiepiscopus de *An. 28 E. 1.*  
voluntate & assensu Capituli sui *Eborum* ordinasset, ut placea prædicta decenter  
suis sumptibus ædificata assignarentur tres Capellani per Archiepiscopum *Eborum*  
qui pro tempore fuerit, seu per Decanum & Capitulum *Eborum* sede ejusdem Ar-  
chiepiscopatus vacante, in tribus Capellis Maneriorum dicti Archiepiscopatus, vi-  
delicet, de *Cawode, Burton, & Wylton*, & unus per eisdem Decanum & Capitulum,  
seu per idem Capitulum Decano minime existente, in Ecclesia beati Petri ad altare  
Sancti *Willielmi*, pro animabus Regum, Reginarum *Anglie*, Archiepiscoporum  
*Eborum*, et sua, divina imperpetuum celebraturi. Recepturique singuli eorum,  
placea prædicta, ut prædicitur ædificata, ad sustentationem suam Centum solidos  
annuos per æquales portiones, in festis Sancti *Martini* in hyeme & *Pentecostes*, per  
manus Archiepiscoporum *Eborum* prædictorum de redditibus domorum inibi con-  
structurum; Ac executores ejusdem defuncti nobis humiliter supplicassent, ut sin-  
guli Capellani prædicti temporibus vacationum dicti Archiepiscopatus, in manu  
nostra seu hæredum nostrorum existentis, prædictos centum solidos annuos per  
manus Custodum nostrorum prædicti Archiepiscopatus, seu hæredum nostrorum,  
de redditibus domorum prædictarum ad prædictos terminos habere & libere perci-  
pere valerent, concedere dignaremur. Nos sanctam ejusdem defuncti devotio-  
nem quam ad cultus debemus augmentationem habuit pro remedio animarum præ-  
dictarum propensius attendentes, et affectionem quam erga ipsum occasione la-  
boriosi obsequii, quod nobis præstitit dum vixit in terris, ad memoriam reducentes,  
ac etiam supplicationi prædictorum executorum benignius annuentes, concessimus  
pro nobis & hæredibus nostris, quod singuli Capellani prædicti in dictis locis divina  
(ut prædictum est) celebraturi, prædictos centum solidos annuos ad sustentatio-  
nem suam, de redditibus prædictis per manus Custodum nostrorum, seu hæredum  
nostrorum, omnibus temporibus vacationum dicti Archiepiscopatus in manu nostra  
seu hæredum nostrorum existentis, sine occasione vel impedimento nostri vel hæ-  
redum nostrorum, Justit. Vicecomitem, Escaetorum, et omnium aliorum Balli-  
vorum seu Spintirozorum nostrorum quorumcumque habeant et libere percipiant  
terminis antedictis ordinationem prædictam pro temporibus Archiepiscoporum  
(ut prædictum est) factam, quantum in nobis est, acceptantes ipsam pro nobis  
et hæredibus nostris tenore præsentium confirmamus. In cujus, &c. Teste Rege  
apud *Westm.* 28 die *Marci*.

*Per Petitionem de Consilio.*

The Kings Chancellor presenting a Clerk in his name to a Benefice, without his  
privy or subsequent confirmation, he thereupon revoked and granted it to ano-  
ther, by this Patent.

**R**EX venerabili in Christo patri J. eadem gratia Electo *Lincoln.* salutem, Ad *Pat. 28 E. 1.*  
Ecclesiam de *Wynewyk* vacantem, & ad nostram donationem spectantem, ra- *m. 18. De*  
tione Episcopatus *Lincoln.* nuper vacantis, & in manu nostra existentis, dilectum *Præsentatione.*  
Clericum nostrum *Rogerm de Assherugg* vobis præsentamus intuitu charitatis.  
Rogantes quatinus eundem Clericum nostrum ad eandem Ecclesiam admittatis, &  
Personam constituatis in eadem. Præsentationem vero de *Johanne de Stokes* per  
Cancellarium nostrum nostro nomine prius factam, penitus rebocantes. Præter-  
tim cum præsentatio illa ab initio a conscientia nostra non emanaverit, nec eam  
et post facto ratam habuerimus sive firmam. In cujus, &c. Teste Rege apud  
*Sanctum Albanum* 13 die *Aprilis*.

*John de Dalderby* a Canon of *Lincoln*, being elected this year Bishop thereof, by  
the Kings license and Royal assent thereto, his election was signified by his Writ \* *Pat. 28 E. 1.*  
to the Archbishop, apud *Westm.* 7 die *Maii*; who being thereupon confirmed by *m. 26, 27.*  
the Archbishop, the King issued a \* Writ to restore his Temporalties, dilecto Clerico *See Godwins*  
suo *Richardo de Junnere*; Teste Rege apud *Westm.* 18 die *Marci*. *Catalogue, p.*  
243.

*Robert le Beel* and *Robert de Blida* having been imprisoned above three years  
space in *N.igate*, for counterfeiting Popes Bulls and other Letters, the King at last  
sent this Writ to enlarge them, upon their petition to his Council.

REX



An. 28 E. 1.

Claus. 28 E. 1.  
m. 9. Pro  
Roberto le  
Beel & aliis.

**R**EX Vicecomitibus London. salutem. Cum Robertus le Beel, Robertus de Blida, & Willielmus de Gildesford pro contrafactura Bullarum et quarundam altarum literarum, cum Waltera de Maydenstan inventarum, coram Theaur. & Baronibus nostris de Scaccario eis imposita, in prisona nostra de Newgate per tres annos et amplius extiterint, ut dicitur. Nos prefatos Robertum, Robertum, & Willielmum in prisona illa occasione predicta diutius detineri nolentes; vobis precipimus, quod ipsos a prisona illa, si ea occasione & non alia detineantur in eadem, sine dilatione deliberari faciat. Teste Rege apud Totenham 5 die Aprilis.

Per Petitionem de Consilio.

The Monastery of Jeddworth in Scotland being so wasted and impoverished by the Scottish Wars, and incursion of Enemies, that it was unable to maintain the Canons thereof, nor they able to reside there in safety to serve God; the King thereupon out of his piety and Ecclesiastical Prerogative, sent some of them to other Religious Houses of the same Order in England, to be there received and maintained, till that House was repaired and restored to a better condition, as this Writ for Ingelram de Colonia to the Prior and Convent of Bridlington assures us.

Claus. 28 E. 1.  
m. 17. intus.  
Pro Ingelramo  
de Colonia  
Canonico do-  
mus de Jedde-  
worth.

**R**EX dilectis sibi in Christo Priori & Conventui de Bridlington, salutem. Mitimus ad vos fratrem Ingelramum de Colonia Canonicum Domus de Jeddworth in Scotia, ordinis vestri, presentium portitorem; in qua quidem Domo idem Ingelramus ad famulandum ibidem altissimo, ut deceret hiis diebus, facere moram nequit, tum propter incursum hostium, tum quia Domus illa per frequentes guerras Scotia habitas adeo lapsa est facultatibus et destruta, quod ad sustentationem Canonicoz ejusdem ipsius non suppetunt facultates: Devotionem vestram rogantes attentè, quatinus dilectum Ingelramum in Domum vestram ad deserendum ibi Deo sub habitu vestro inter vos, juxta professionis sue votum, Dei intuitu nostrisque precibus admittatis, et fraterna charitate in Domino pertractetis, saltem quousque dicta Domus de Jeddworth relectetur, et in melius reformetur. Teste Rege apud Ebor. 16 die Novembris.

The King this year issued these Letters to the Prelates and Clergy of Ireland, to grant him a Subsidie for the preservation of his Crown, the common defence and peace of the Church, Realm, and people of England and Ireland.

Pat. 28 E. 1.  
m. 28. De  
subsidio a Cle-  
ro Hibern.  
petendo ad  
opus Regis.

**R**EX Venerabilibus Patribus Archiepiscopis, Episcopis, necnon Abbatibus, Prioribus, Decanis, Capitulis, Archidiaconis, & aliis personis Ecclesiasticis totiusque Clero terræ nostræ Hibernia, salutem. Ad hoc duas in hoc mundo, Ecclesiasticam videlicet et Temporalem instituisse videtur Dominus dignitates, ut exigente necessitate sibi deberent ab invicem suffragari, mutuaque subventionem, alter alterius subsidio adjuvari. Hinc est, quod cum pro salvatione Coronæ nostræ Regiæ, communique utilitate Cleri et populi regni, et terrarum nostro dominio subjectarum, necnon pro tranquillitate et quiete sanctæ Ecclesiæ, regni, terrarumque predictarum mediante divino subsidio procurandis, quidam nobis incumbant ad præsens ardua faciendæ, quæ sine vestro consilio et auxilio commodè non poterimus adimplere. Assignavimus dilectos & fideles nostros Richardum de Burgo Comitem Ulton, Johannem Wogan Justic, nostrum, & Magistrum Thomam Cantok, Cancellar. nostrum Hibernia, una cum Baronibus nostris de Scaccario Dublin, ad petendum et requirendum nomine nostro a vobis et quolibet vestrum subsidium, quod ad tam arduorum negotiorum felicem consummationem, ac nostri et vestri honorem, commodum et quietem vestræ gratiosæ liberalitati videbitur oportunum, et ad omnia alia et singula faciendæ, quæ prefati Comes, Justiciarius, Cancellarius, et Barones, seu aliqui ex ipsis quos ad hoc vacare contigerit, super præmissis et ea contingentibus viderint faciendæ. In cujus, &c. Teste Rege apud Blidam 17 die Januarii.

Ista litera præcedens fuit duplicata de verbo ad verbum, præter hoc, quod in altera duplica non fuit Richardus de Burgo Comes Ulton, assignatus,

The

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

The King this year issued this Writ to restore the Temporalities to *Walter Viel* An. 28 E. 1.  
Bishop elect of *Dare* in *Ireland*.

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* vel ejus locum Pat. 28 E. 1.  
tenenti, salutem. Cum nos electioni nuper factæ in Ecclesia *Darenfi* de dis- m. 31. De  
creto viro Magistro *Waltero de Viel* Cancellario ejusdem Ecclesie, in Episcopum assensu adhibi-  
illius loci, regium assensum adhibuerimus et favorem, & mandaverimus custodi temporalibus  
Spiritualitatis Archiepiscopatus *Dublin.* ut quod suum est in hac parte exequatur; post fidelita-  
volentes eidem Electo, ut laboribus et expensis suis parcat gratiam in hac parte tem captam re-  
facere specialem, vobis mandamus, &c. Acceptis tamen, &c. (as in other struendis.  
Writs of this kinde.) In cujus, &c. Teste Rege apud *Novum Monasterium*  
5 die *Januarii*.

*Per ipsum Regem, nunciante W. Cov. & Lych. Episcopo.*

Pope *Boniface* the 8. confirming the election of *Richard* Archbishop of *Dublin*, and inserting some words into his Bull to the King concerning his promotion thereunto, and the Temporalities thereof, which seemed prejudicial to the Kings Crown and Royal dignity, in the judgement of the King and his Council, when presented to them by the Archbishop; the King thereupon refused to restore his Temporalities, untill the Archbishop publicly renounced all clauses in the Popes Bull, openly or tacitly, directly or indirectly prejudicial and derogatory to his Crown and Royal dignity, as this memorable Patent for his restitution attests to posterity.

**R**EX custodi suo Archiepiscopatus *Dublin.* salutem. Accedens ad nos venera- Par. 28 E. 1.  
bilis pater *Richardus* Archiepiscopus *Dublin.* literas Domini *Bonifacii* di- m. 14. De  
vina providentia Summi Pontificis, super promotione sua in *Dublinensem* Archi-stitutione  
episcopum factas, nobis presentavit; et quia in literis illis quædam verba contine- temporalium.  
bantur quæ nobis et Coronæ nostræ, nostræque regis dignitati præjudicialia vide-  
bantur, dictus Archiepiscopus se super hoc excusando, publice et expresse asseruit et profitebatur, quod dicta verba in literis prædictis ad procuracionem suam, aut de sua conscientia apposta non fuerunt; nec unquam intentionis suæ extitit nec existit quicquam impetrare, facere vel prosequi, per quod nobis aut Coronæ seu dignitati nostræ Regis posset præjudicium aliquod generari; et ob hoc omnibus et singulis in dictis literis Apostolicis contentis, quatenus nobis aut Coronæ seu dignitati nostræ Regis tacite vel expresse, directe vel indirecte, præjudiciales sunt vel esse poterunt quovismodo, renunciabit sponte, pure, simpliciter et expresse, supplicans humiliter et devote, ut temporalia Archiepiscopatus prædicti de nostra gratia et mera liberalitate Regia sibi restituere dignaremur. Nos igitur hujusmodi excusatione et renunciatione receptis, ipsius Archiepiscopi supplicationibus annuentes, cepimus fidelitatem et usum Archiepiscopi, et temporalia Archiepiscopatus prædicti eidem Archiepiscopo restitimus de nostra gratia speciali. Et ideo vobis mandamus, quod ipsi Archiepiscopo vel ejus certo attorney, temporalia dicti Archiepiscopatus sine dilatione liberetis, de nostra gratia supradicta. Teste Rege apud *Rykehale* primo die *Junii*.

Eodem modo mandatum est *Waltero de Gloucestr.* Escaetori ultra *Trentam*, quod eidem Archiepiscopo, &c. temporalia, &c. Teste Rege ut supra.

Et mandatum est Militibus, &c. In cujus, &c. Teste Rege ut supra.

Eodem modo mandatum est *Canonicis liberæ Capellæ Regis de Pencrix*, quod eidem Archiepiscopo tanquam *Decano suo*, &c. In cujus, &c. Teste Rege ut supra.

The original renunciation of the clauses in Pope *Boniface* his Bull, prejudicial to the Kings Crown and dignity, made by this Archbishop, mentioned in this Patent to restore his Temporalities, I found extant under his own Archiepiscopal Seal in a bundle of Writs and Privy Seals in the White Tower, which I shall here present you with as a rarity.

**U**niversis ad quos præsentis literæ pervenerint, *Richardus* permissione divina Brevia Regis  
*Dublinensis* Archiepiscopus, salutem in amplexibus Salvatoris. Noverit uni- An. 28 E. 1. in  
versitas vestra, quod cum in literis Apostolicis super promotione nostra in Archi- Turri Lond.  
episcopum



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4.*

*An. 28 E. 1.* episcopum *Dublinensem* confectis, & serenissimo Principi Domino nostro Domino *Edwardo* Dei gratia Regi *Anglia* illustri, Domino *Hibernia*, & Duci *Aquitanie*, per sanctissimum patrem Dominum *Eonifacium* Papam 8. dedicatis, et per nos presentatis eidem, quorundam verba contineantur quæ eodem Dominus Rex et suum Consilium sibi suæque Regiæ dignitati *Coronæ* esse præjudicialia prætendebant, & quorundam verba alia quæ in consimilibus literis Apostolicis solita opponi sint in præfatis literis nostræ promotionis omissa. Nos publice et expresse dicimus et protestemur, quod nunquam nostræ intentionis extitit vel existit, quicquam impedire, facere vel prosequi, quod in ejusdem Domini Regis, cuiusque dignitati Regiæ, vel Coronæ præjudicium posset aliquantulum redundare. Unde omnibus et singulis in dictis literis Apostolicis contentis, quatenus prædicto Domino Regi ejusque dignitati Regiæ vel Coronæ tacite vel expresse, directe vel indirecte præjudiciales existunt, vel esse poterunt quovis modo, pure, sponte renunciamus, atque simpliciter et absolute. In quorum testimonium sigillum nostrum præsentibus duximus apponendum. Dat. apud *Ebor.* 31 die *Maii*, Anno Domini 1300.

I found this Appeal *An. Dom. 1299.* in the White Tower, made against a sentence of Excommunication denounced by the Archbishop of *Canterbury* and his Auditors of Causes, by *Ralph de Ebor.* his Proctor; in case of a Presentation to the Church of *Griston*, thus exemplified under the hand of a publick Notary.

Anno 28 E. 1.  
in Turre London.

**I**N Dei Nomine Amen. Anno Domini ab Incarnatione 1299. Indictione 13. 7 Idus Decembris, in præsentia mei *Gilberti* Notarii publici, intrascripti, *Robertus* filio *Johannis de Totranbo* Clerici, & *Thome de Totranbo*, testium ad hoc specialiter vocatorum & rogatorum, *Richardus de Eboraco* Clericus, Procurator Magistrorum *Radulphi de Ebor.* ad Ecclesiam de *Griston Norwicensis* Diocesis præsentati, & *Radulphus de Thorny* Rectoris Ecclesiæ de *Beringewell* apud *Suthmalling*, innovavit & notificavit Domino *Cantuariensi* Archiepiscopo, & ejusdem causarum auditoribus generalibus, quandam Appellationem prius (ut dicebat) interpositam, et Apostolos petiit sub hac forma. In Dei Nomine Amen. Quia vos Domine *Cantuariensis* Archiepiscopo, nuper per auditores vestros, scilicet Magistros *Willielmum de Gloucestr.* *Willielmum de Chadeleshunte*, & *Richardum de Morcestre*, apud *Lamheith*, me *Radulphum de Thorny* Procuratorem Magistrum *Radulphi de Ebor.* ad Ecclesiam de *Griston* præsentatum, pro eo quod quoddam privilegium dicti Domini mei in causa inter dictum Dominum meum ex parte una, & Dominum *R.* nuper *Norwicen.* nunc *Elien.* ex altera, super non admissione Ecclesiæ de *Griston* prædictæ, ad quam dictus Dominus meus canonicè existerat præsentatus, in Curia vestra *Cantuarie* alias exhibitum, iteratò non exhibui, non obstantibus probocationibus et appellationibus meis, ac etiam inhibitione Sedis Apostolicæ; de quibus omnibus & singulis vobis & eisdem auditoribus ad plenum innotuit, in Domini mei præjudicium, et Sedis Apostolicæ contemptum, contra iustitiam excommunicastis, seu etiam excommunicarunt auditores suprascripti: Sentiens Dominum meum & me ex hac indebite prægavari, dictam Sedem Apostolicam in hiis scriptis appello, et Apostolos peto. Et ego *Richardus* Procurator antedictus, in ipsa Appellatione nunc innovata et interposita in termino iuris extitens, instantes, instantius, et instantissime, à vobis Domino *Cantuariensi* Archiepiscopo, vestrisve auditoribus prædictis conjunctim & divisim, quatenus jura permittunt, Apostolos iteratò peto, et cum effectu requiro, quod si mihi denegaveritis, iteratò ut prius appello. Acta sunt hæc Anno Domini, Indictione, die & loco prædictis, præsentibus testibus memoratis.

Et ego *Robertus Nicholai, Simonis de Lutegarshale, Saresbur.* Diocesis publicus Imperiali autoritate Notarius, prædictis omnibus & singulis unâ cum testibus suprascriptis præsens interfui; & ea sic fieri, vidi, audiavi & publicavi, meoque signo consueto, & nomine signavi rogatus.

The King by his Royal Prerogative writing to the Abbot and Covent of *Coggeshale*, to settle a *Corody* during life on *Richard de Ry*, which they did by their Deed; the *Corody* being uncertain, he issued this other Writ to them to ascertain it, and certify him what it was; who thereupon returned him this Certificate.

Excellentissimo

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

**E**xcellentissimo Principi Domino *Edwardo*, Dei gratia illustri Regi *Angliae*, Domino *Hibernia*, & Duci *Aquitania*, sui humiles & devoti fratres, *Johannes* Abbas de *Coggeshale*, & ejusdem loci Conventus, (si placet) salutem, cum omni reverentia & honore. Cum nuper per vos fuimus requisiti, ut *Ricardo de Rye* vitæ necessaria in domo nostra, quoad viveret, ministraremus; ac nos, ob reverentiam vestram, & ad mandatum vestrum, eidem *Ricardo* concesserimus, quod sit in domo nostra ad aulam nostram, & ibidem comedat cum libera familia, & habeat ibidem vitæ necessaria, quoad vixerit; et super hoc literas nostras eidem *Ricardo* fecimus patentes. Quam quidem Concessionem nimis nudam reputatis, pro eo, quod in dictis literis nostris, quid de quotidiano victu, et quid pro roba et calceatura, per annum percipere debeat, nihil est expressum, et super hoc vos certiorare nobis mandastis. Excellentia vestra significamus, quod aliis servientibus per vos, seu per vestros Progenitores in casu consimili ad nos missis, temporibus retroactis, (a good evidence of the Kings ancient right to Corodies in that Monastery and others) nihil certum fuerat concessum; nec scimus quid certum exprimere, præter illud quod patria dederit, seu quod venale in confinio repertum fuerit; nec aliud certum, qui in domo nostra pro suo dando modo consimili perhendinant. Pro sua roba & calceatura certitudinem eidem *Ricardo* assignavimus & providimus, de qua se non contentum arrogando & minas inferendo protestatur. Dominationem igitur vestram, omni qua possumus humilitate & devotione, requirimus, Quatinus pietate ducti, spiritu compassionis indigentia nostra miserere dignemini, quia indebitati sumus in Quingentis et XL libris Sterlingorum, præter multas et magnas liberationes, quæ quotidie deferuntur per diversos extra domum nostram. Valeat & crescat Dominatione vestra per tempora longiora cum salute plurima.

An. 28 E. 1.  
Bundela Brevium de Privato sigillo,  
&c. An. 28 E.  
1. in Turq  
London.

The King writing to the Abbot and Convent of *Certeſſy* for a like Corrodie during life for *Hugh de Hibernia*, they returned him this answer.

**E**xcellentissimo Principi Domino *Edwardo* Dei gratia Regi *Angliae* illustri, suis humilis & devotus Capellanus, *Bartholomæus* Abbas de *Certeſſe*, & ejusdem loci Conventus, salutem in eo per quem Reges regnant & Principes dominantur. Mandatum vestrum recepimus in hæc verba: *Edwardus, &c. dilectis sibi in Christo Abbatibus & Conventui de Certeſſe, salutem. Dintinum & gratuitum servitium, quod dilectus nobis Hugo de Hybernica nobis & charissimæ Consorti nostræ Alianoræ quondam Regine Angliæ hæſſianus impendit, meritò attendentes; vos rogamus sicut aliàs rogavimus, quatinus eidem Hugoni quandam libertatem, unde juxta statum suum possit idem Hugo cum uno garçione decenter sustentari, belitis nostri intuitu concedere, in domo vestra prædicta, quoad vixerit, percipiendam; pro quo vobis teneamur ad actiones uberes gratiarum: vel causam significetis, quare mandato nostro alias vobis inde directo parere nolistis, vel non debuistis. Teste meipso apud Westm. primo die Aprilis, Anno Regni nostri viceſimo octavo.* — Speramus, quod Excellentia vestra exilem domum nostram onerare non affectat, sed ad memoriam reducere dignoscetur, quod nuper ad mandatum vestrum, *Laurentium de Batshete* admisimus, et sibi omnia in victu et vestitu necessaria gratanter concessimus et benigne: unde voluntatem vestram ad præsens, & propter alia quæ domum nostram quotidie gravant & molestant, adimplere non valemus. Valeat Dominatione vestra per tempora longiora. Dat. apud *Certeſſe* 13. die *Maii*. Anno Regni vestri supradicto.

I pretermitt others of like nature this year.

Anno Gratia 1300. (as *Walsingham* computes it) *Papa* *Bonifacius* 8. (to enlarge his Papal Jurisdiction, fill his own purse, and empty the peoples, by a new pious fraud instituted a *Jubilee* after the Jewish Custome, *indultum faciens omnibus verè poenitentibus & confessis, qui per anni præsentis spacium, et per quem libet annorum centesimum futurum, Romam, ac beatorum Apostolorum Petri & Pauli basilicæ voto peregrinationis humiliter accesserint et devote, cunctorum suorum concessit indulgentiam peccatorum, quo multi peregrinati sunt ad Romam. Jubileum Judaico more primus instituit (addes *Balam* in his life) & Romam adeuntibus indulgentias plenarias ac peccatorum remissiones sufflavit, ut eo quibus confuso agnatos et amicas nocturnas daret. *Conradus a Leichtenaw* Abbot*

a Hist. Angliæ  
p. 45. Poly-  
chron. l. 7. c.  
40. Henry de  
Knyghton de  
Event. Angl.  
l. 3. c. 23.  
col. 2528.  
b Rerum Me-  
morabil. Pa-  
raleipomena,  
p. 343.



K. Edward I. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4

An. 28 E. 1.  
c Saxonia, l. 8.  
c. 36. p. 224.  
225.  
d Cent. Magd.  
33. c. 10. col  
1016. Plazina  
Balrus, & Her-  
mannus Sche-  
del. in Boni-  
facio.

e Script. Brit.  
Cenz. 4. c. 76.  
Appendix, p.  
358.

Abbot of *Usserger*, *Cranzium*, and *others* record, That during this Jubile, Alber-  
tus ab electoribus Rex Romanorum declaratus, et postquam Aquisgrani coronatus (af-  
ter his conquest and slaughter of the Emperor *Adolphus*) et missis ad urbem Romam  
oratoribus, voluntatem de se electorum Principum Pontifici Bonifacio 8. iussit intimari, ut  
electionem de se factam confirmaret. Celebraverat jam Papa iste primus a se institutu-  
m Jubilaeum magno ad urbem concursu: usque ad illum Pontificibus non venerit in  
mentem tam festo negotio commovere Christianismum. Legationem ad se factam ab ele-  
cto. Rege animosus insinuatam, rejectit Pontifex animosior longe, quod sine sua autho-  
ritate electio facta robur non haberet; nam utriusque penes se unum gladii potesta-  
tem manere affirmabat; quod ipso apparatu in eo qui tum agebatur in urbe Autileo  
solemniter fertur ostentasse. Primo quidem solenni die in Pontificalibus apparens po-  
pulo, apostolicam illis benedictionem impartitur: postera autem die imperiali habitu,  
insula nihilominus *Cæsarea* insignis, gladium ante se nudatum fuisse deferri, et  
sedens alta voce testatur, ECCE DUO GLADII, HIC. Vide *Petrum* successo-  
rem tuum, et tu salutifer Chziste tuum cerne Vicarium. Vide quo ascendit super-  
bia verborum tuorum. (adde these two Pontifician Writers.) Upon which *Pe-*  
*trus Balanus* hath this observation, *U* si se declararet Pontificem maximum, et Im-  
peratorem supremum atque Monarcham totius orbis, instructum duobus cornibus  
amulantibus Chzisti potentiam. Si hoc diabolicum monstrum, urbis ac regibus  
formidabile, ANTICHRISTUS ILLE MAGNUS NON SIT, tantam sibi in ter-  
ris potestatem arrogans; Bullus unquam futuro expectandus erat.

Moreover, he issued this Bull to the Bishop of *Miden* and Dean of *Dublin* in *Ire-*  
*land*, to collect and pay in all the arrears of the six years *Disme* granted by Pope  
*Nicholas* to King *Edward* towards the relief of the Holy Land (though he never sent  
any ayd thereto) and to pay and assign them to the *Italian* Merchants of his Papal  
Chamber in the Name of the Church of *Rome*, (not to the Kings Collectors) not-  
withstanding any former mandates or assignments to the contrary; the exemplifi-  
cation whereof I found in the *White Tower*.

Brevia Regis  
de Privato si-  
gillo, &c. An.  
no 19 E. 1. in  
Turris London

IN Dei nomine Amen. Hoc est exemplum quarundam literarum Domini Papæ,  
cum vera Bulla publica & filo serico, non abolicarum, non obrasarum, & non  
vitiatarum in aliqua parte sui, ac omni suspitione carentium: Quarum Literarum  
tenor talis est. *Bonifacius* Episcopus Servus servorum Dei, venerabili fratri Epif-  
copi *Medensis*, & dilecto filio Decano Ecclesie *Dublinensis*, salutem & Apostolicam  
benedictionem. Cum olim felicitis recordationis *Nicholai* Papa 4. Prædecessor  
noster, collectionem Decimarum omnium Ecclesiasticorum reddituum, Probencionum,  
et Obventionum *Armaghen*, *Dublinensis*, *Cassellensis* & *Tuamensis* Probencionum,  
quam pro sex annis Prædecessor ipse concesserat charissimo in Chzisto filio nostro *E-*  
*legi Anglia Illustri*, ad prosecutionem commodiorem et efficaciorum negotii *Lerræ*  
*Sandæ*, quod idem Rex personaliter prosequendum assumpserat, duxerit nobis per  
suas sub certa forma literas comittendam. Discretionis vestre, presentium tenore,  
distinde præcipiendo mandamus, quatinus dilectis filiis *Rogero* & *Lapo Spine*, *Gui-*  
*doni Bertaldi*, *Cino Bofi*, & aliis eorum sociis, de societate *Spinorum* de *Flarentia*,  
nostre Camere Mercatoribus, vel alicui seu aliquibus eorum, de quorum legali-  
tate ac sufficientia facultatum plenè confidimus, aut eorum Procuratori seu Procu-  
ratoribus specialiter ad hæc ab eis constitutis, has nostras deferentibus literas, quic-  
quid est de dicta Decima collectum per vos vel vestrum alterum, aut per sub-collec-  
tores vestros vel alterius vestrum, quod nondum sit alit vel altis de speciali manda-  
to Sedis Apostolicæ assignatum, infra duorum mensium spatium a receptione præ-  
sentium, et Colligendum etiam de dicta Decima, si quid restat, quod vos habere  
cantigerit in futurum, sine diminutione aliquis, integre, omni occasione, difficul-  
tate, ac mora postpositis, Ecclesie Romanæ nomine assignare curetis. Facientes  
de assignatione huiusmodi confici publica Instrumenta; quæ, ipsorum similibus pe-  
nes vos retentis, una cum vestris literis continentibus quid, & quantum, & quibus  
de prædicta Decima duxeritis assignandum, nobis per fidelem nuncium transmitta-  
tis: Non obstante aliquo mandato contrario, a dicta Sede vel a notis olim facto su-  
per ipsa Decima vel ejus parte altis quibuscunque Mercatoribus assignanda. Sic  
vos in hac parte ac in executione Officii prælibati vigilanter, fideliter, & efficaciter  
habituari,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

habitori, quod redargui de negligentia non possitis, sed debetis potius de diligentia commendari. Dat. *Anagnia* 5. Idus *Julii*, Pontificatus nostri anno quinto. *An. 28-E. 1.*

Ego *Barone de Signa Florentin*. Diocetis, Index Ordinarius, atque Notarius Publicus, filius *Aliotti*, Præfens exemplum ex Originali suo fideliter sumpsi & exemplavi; nil, quod sensum vel intellectum muret, minuens sive addens. Ideoque subscripsi & publicavi, & ut hiis adhibeatur plena fides meum testimoniale signum apposui publicè me subscribente,

This Pope not content with these arrears, out of his insatiable avarice and rapin to carry on his Wars against the King of *Aragon*,<sup>a</sup> *Hoc anno Dominus Papa Bonifacius Decimam omnium bonorum Ecclesiasticorum in Anglia*, (and likewise in *Ireland*, as the *b* *Annals of Ireland* relate) per triennium usurpavit, as a Subsidie to the Church of *Rome* against her Enemies. Porro illis diebus (as *Matthew Westminster* complains) *sal terræ, et caput bulgi in magnam hydropem ceciderunt*: quanto enim plus pecuniarum (humorem nequam) hauriebant, tanto amplius eam sitiebant. Et quod iste de temporalitate, non sponte suam imminutum reliquerat, ille non coactus de spiritualitate contaminatum carpebat. Sedit ergo in tristitia fidelium Ecclesia, deducta per vocales rutores suos miserabiliter sub tributo.

*a* Mat Westm. Flores Hist. An. 1301. p. 416.  
*b* Cambdens Britannia, p. 163.

What usurped Jurisdiction this avaritious bribe-taking Pope *Boniface* exercised this year over the Bishop of *Chester*, *Walter de Langton* the Kings Treasurer, and other Bishops elect in *England*, *Matthew Westminster* thus relates. \* *Dominus* *Walterus de Langtona Episcopus Cestrie & Thesaurarius Angliæ*, apud *Dominum Papam* super variis facinoribus et facinorosis criminibus graviter diffamatus, responsurus in propria persona super eisdem coram Summo Pontifice citatur. Qui exhausta in Curia non modica pecunia, quia noverunt ipsum per multis bobem balde peraguerunt, tamen parum profecit. Remissus namque fuit ad Archiepiscopum Cantuariæ ut ipse in absentia sua, per certas personas purgationem sumeret accusari, et per eundem *Walterum*, negotii inscium, rescriberet Summo Pontifici, quid gestum fuerit, quid ob factum. Quid ob plura? sumpta purgatione sua per Archiepiscopum a laicis et clericis bonæ opinionis super aliquibus criminibus, et a viris religiosissimis magnæ famæ de reliquis, prout decuit hos et illos cognoscere, ad Papam iterum est reversus. Papa autem intelligens Purgationem Episcopi sagacem et ordinatam per Archiepiscopum sibi missam, Episcopum *Walterum* famæ præstinæ restitutum cum uberiori gratia remisit ad propriam. Porro Miles qui eum accusaverat *Johannes*, post non multum temporis, & ipse super homicidio & aliis facinoribus accusatur. Conscius vero sibi vendicat jus Ecclesiæ; Qui etsi sit uxoratus, ait se Diacolum fuisse priusquam eam duxisset. Tandem condemnatus, carceri Episcopali liberatur, in per dies quinque nec amplius superbiit. Sumat sibi ex eo speculum malitia laicalis, viros Ecclesiasticos accusare. Obierunt hoc anno *Eliensis* & *Wygornienensis Episcopi*, & electi sunt duo Monachi in loco ipsorum. Qui non inveniunt gratiam consecrationis ab Archiepiscopo Cantuariæ, ad Sedem Apostolicam persequuti sunt. Duo cum perbenissent discussio electionis utriusque ordine coram Papa, electio *Wygornienensis* est confirmata, *Wygornienensis* autem Monachi penitus est quassata. Dedit ergo Dominus Papa Episcopatum illum cuidam de Ordine Fratrum *Minorum*, by his own Papal Provision: to wit, to *† William de Gainsborough*, Sacri Palatii Lector Romæ. Et quia hanc in Concionibus & Scholasticis congressibus defendebat doctrinam, Papam non posse errare, neque a quoquam esse judicandum, licet mille Christianorum animas ad ozum detruserit, factus est a Bonifacio 8. erectabilissimo Romane sedis monstro *Wygornienensis Episcopus*, et *Franciscanus* prodigiosus Pontifex, as *John Bale* relates.

\* Anno 1301. p. 417, 418.  
Godwins Catalogue of Bishops, p. 161.

† Balzus Scriptorum Brit. Cent. 4. c. 91. p. 36.  
Godwins Catalogue, p. 364.

Circa præfens tempus (as \* *Tho. Walsingham* stories, Anno Dom. 1300,) divulgatum fuit Romane Curie, quod *Sanctimoniales Angliæ* (like the common Harlots described by *Solomon*, Prov. 7. 11, 12. & c. 9. 14, 15.) vagabundæ inutiliter discurrebant per patrias (encouraged by the Popes new Jubile to travel as far as *Rome*, to purchase pardons for their whoredomes, and then, yea there to play the Whores afresh) quæ vagatio est omnibus religiosis esset contraria, nimirum mulieribus esset tollenda, præsertim, Cum omne quod in mundo est, aut est concupiscentia oculorum, aut concupiscentia carnis, aut superbia vitæ. Cuius ergo Summus Pontifex sanctæ

\* Hist. Angliæ p. 47. Sanctimonialis vagabundæ.

1 John 2:

sanctæ



*An. 18 B. 1.* *sanctæ providere conversationi* (though himself was accused publickly of whoredom) *talibus inordinatis discursibus finem imposuit: quamvis decreta Pontificum velut fundamenta montium inconvulsis ligaminibus fixa sunt,* (which yet every Pope could shake and subvert by their dispensations, and non-obstantes) *& dictas sanctimonialia hactenus necessitatis causa extra cellas suas exire permiserant.* cum plerumque tempe-  
ratibus et turbinibus secularium rerum religio sanctæ Dei Ecclesiæ maculis repro-  
borum dissipatur. Idcirco pro futurum succedentibus posteris esse decrevit, ut ea qua  
salubri consilio ordinantur, & communi assensu fratrum definiantur sine robore sua-  
rum robore literarum. Quapropter Summus Pontifex Bonifacius octavius scripsit Ar-  
chiepiscopo Cantuariensi Roberto, & aliis Episcopis & Suffraganeis districtè, præci-  
piens in virtute sanctæ obedientiæ et injungens, ut omnes Sanctimoniales in suis  
Diocæsis habitantes includi facerent, et non de cetero liceat eis de Cellis suis  
progredi, quia non expedit animabus earum. Pedit etiam idem Apostolicus Ar-  
chiepiscopo et suis Suffraganeis unicuique in sua Diocæsi, potestatem visitandi,  
terminos limitandi, ordinandi et exponendi in Cellis dictarum Sanctimonialium;  
quos terminos et limitationes præterite non licebit, quavis causa necessitatis, ut  
dictæ inde confecta testantur. Which King *Edgar* and other of our Kings by  
their Royal Charters and Prerogatives did, and King *Edward* might have legally  
done, without this Popes authority.

\* Here, p. 684,  
685, &c.

\* Page 110,  
111, 112.

The Clergie of *England* having purchased the Kings favour and protection, by  
granting him such Aides and Subsidies as he demanded of them, against Pope *Boni-*  
face his \* premised Decree, without his special license, by which they conceived they  
had incurred his actual Excommunication; as likewise by procuring the Kings pro-  
tection and officiating in their cures, imployed their Proctors at *Rome* to purchase  
and procure special Absolutions from the Pope from the said Excommunication,  
though done only through force, and such fear as might happen even to a consti-  
ment man; who thereupon authorized the Archbishop of *Canterbury*, (the procurer a profe-  
cutor thereof,) to absolve them, upon their petitions and acknowledgement of their  
offences therein, and submission to such penance as should be imposed on them for  
that offence, after a short suspension, and promise that they would alwayes thence-  
forth obey the Mandates of the Pope and Church of *Rome* for the future, and this  
Constitution in particular, as is evident by certain Instruments of Absolution (remem-  
bred by none of our Historians) registred in the \* *Leiger Booke* of the *Priory of Bath*,  
out of which I have transcribed some of them, relating to that *Priory* and *Diocesse*  
of *Bath* and *Wells*, not unworthy publicke knowledge.

**V**enerabili in Christo Patri Dei gratia Archiepiscopo *CANTUAR.* vel ejus Vicario  
in Spiritualibus, Frater *Gentilis*, miseratione divina Ecclesiæ Sancti *Martini*  
in *Monibus* Presbyter Cardinalis salutem, & sinceram in Domino Caritatem. Ex  
parte *Johannis de Godmer* perpetui Vicarii Ecclesiæ de *Cheddar. Bathon. & Wellen.*  
*Dioc.* Nobis oblata Petitiõ continebat, Quod ipse olim per vim et metum qui ca-  
dere posset in constantem, inbitus Ministris seu Collectoribus illustris Regis *Ang-*  
*liæ*, contra nobis Constitutionis tenorem sanctissimi Patris Domini Bonifacii di-  
vina providentia Papæ octavi, Talles sibi Collectas persolbit; per quod sententi-  
am Excommunicationis incurrit, in tales generaliter promulgatam, et sic liga-  
tus; (non tamen in contemptum Clavium) in suis ordinibus ministrabit, et alias  
se ingressit divinis. Super quibus supplicari fecit humiliter sibi de absolutionis be-  
neficio et dispensationis gratia per Sedem Apostolicam salubriter provideri. Nos  
igitur auctoritate Domini Papæ, ejus Pœnitentiariæ curam gerimus, circum-  
spectiõni vestræ committimus, quatinus si ita est, ipsum Vicarium a dicta Ex-  
communicationis sententia, juxta formam Ecclesiæ absolutis. Proviso attentè,  
quod idem Vicarius super hoc mandatis Domini Papæ, et Romanæ Ecclesiæ sem-  
per parebit, et faciet illam pœnitentiam quam sibi duxerit injungendam, eoque ad  
tempus prout expedire videritis a suorum Ordinum executione suspensio. Demum  
Suffragantibus ei meritis, alioque Canonico non obstante super irregularitate di-  
cto modo contracta, cum eo misericorditer auctoritate dispensetis prædicta. Da-  
tum *Agnan.* sexto Idus *Augusti*, Pontificatus Domini Papæ Bonifacii octavi An-  
no sexto.

Sancto

An. 28 E. 1

Ibidem.

**S**ancto Patri in Christo & Domino reverendo R. Dei gratia Cantuar. Archiepiscopo, totius Anglia Primati, sui filii humiles & devoti, Thomas Prior & Conventus Bathon. salutem, & devotus obedientie & reverentie spiritus, cum omni honore debito tanto Patri. Ad petendum et recipiendum a vestra clementia sanctitatis, beneficium Absolutionis super Excommunicationis sententia quam incurrisse veremur, ex eo quod contra Constitutionem Sanctissimi Patris et Domini Bonifacii divina providentia Papae octavi editam, contra omnes qui collectas et orationes a Ministris, Punctis, seu Collectoribus Illustris Regis Anglia perhiberunt nolentes vel inhibiti, protectionem Domini Regis super hoc impetrantes recipientes; dilectum nobis in Christo Hugonem Godmer Praetorem Ecclesie nostrae Bathoniae Commonachum nostrum, nostrum in hiis constituimus Procuratorem. Dantes eidem liberam & plenam potestatem, vestra in hac parte recipiendi mandata, quae secundum Deum ad salutem animarum nostrarum iuxta tenorem, formam, vim et effectum mandati Apostolici super hoc vobis directi, nobis duxeritis injungenda, una cum potestate jurandi in animas nostras, secundum quod postulaverit ordo iuris. In cujus rei testimonium sigillo nostro communi signari fecimus hanc scripturam. Datum Capitulo nostro Bathon. 5 Idus Novembris, Anno Domini 1300.

**U**niversis presentes literas inspecturis pateat evidenter, quod nos Thomas Prior Bathon. & ejusdem loci Conventus, ordinis Sancti Benedicti, Bathon. & Wellen. Diocesis, bona fide promittimus, et sub ppotheca omnium bonorum Monasterii nostri habemus, quod nos semper Romanae Ecclesiae et Domini Papae mandatis parebimus, super Excommunicationis et Interdicti sententiis quas incurrimus, pro eo quod dudum contra Constitutionis tenorem Sanctissimi Patris nostri Domini Bonifacii Papae octavi, Punctis seu Ministris Domini Regis Anglia subsidium de bonis nostris Ecclesiasticis contribuimus, propter vim et metum qui cadere poterit in constantes. In cujus rei testimonium, &c. Datum in Capitulo nostro Bathon. 5 Idus Novembris, Anno Domini 1300.

**U**niversis presentes literas inspecturis, Robertus permissione divina Cantuar. Archiepiscopus, totius Anglia Primas, aeternam in Domino salutem. Literas venerabilis patris Domini Matthaei Dei gratia Portuensis & Sancti Rufinae Episcopi, Sanctissimi Patris Domini Bonifacii Papae 8. Pœnitentiarum, recepimus, tenorem qui sequitur continentes. Venerabili in Christo patri R. Dei gratia Archiepiscopo Cantuariensi, vel ejus Vicario in Spiritualibus, Frater Matthaeus miseratione divina Portuensis ac S. Rufinae Episcopus, salutem & sempiternam in Domino caritatem. Ex parte Prioris et Conventus Monasterii Bathonienensis, ordinis Sancti Benedicti, fuit propositum coram nobis, quod ipsi olim vi et metu qui cadere poterit in constantem, Ministris, Punctis, seu Collectoribus Illustris Regis Angliae, contra Constitutionem et tenorem Sanctissimi Patris et Domini, Domini Bonifacii divina providentia Papae octavi, nobiliter editae, contra tales, collectas et orationes sibi impositas persolverunt; propter quod Excommunicationis incurrunsententiam ex ipsius Constitutionis tenore in omnes et singulos contra facientes generaliter promulgatam: Et sic ligati in suis, non tamen in contemptum cladium, ministraverunt Ordinibus, et aliis divinis se ingererunt officiis, sicut prius. Tunc cum parati sint Sanctae Romanae Ecclesiae in omnibus obedire mandatis, supplicari fecerunt humiliter eis per Sedem Apostolicam salubriter prohiberi. Nos igitur ipsorum supplicationibus, quantum cum Deo possumus, libenter annuentes, auctoritate et mandato Domini Papae, cujus Pœnitentiarum curam gerimus, providentiae vestrae praesentium tenore committimus, quatinus si est ita, ipsos et eorum quemlibet a reatu excessus huiusmodi et excommunicatione quam propter hac incurrunsententiam, absolvas, iuxta formam Ecclesiae consuetam: Interdictum ab ipso Monasterio amovendo, et injuncta eorum cuilibet procul modo poenitentia saluari, et alia quae talibus debent et consueverunt injungi; quodque stabunt mandatis Ecclesiae, et facient illam poenitentiam, quam Sedes Apostolica eis duxerit injungendam; Super Irregularitate ex praemissa contracta dispensetis auctoritate et mandato praedictis, alio non obstante Canonico impedimento misericorditer



An. 28 E. 1. misericorditer eisdem, prout secundum Deum animarum ipsorum saluti viderit expedire. Datum Lateran. 3 Non. Martii, Pontificatus Domini Papa Bonifacii octavi anno sexto. Nos igitur dictos Priorem & Conventum Monasterii Bathon. & eorum quemlibet in persona fratris Hugonis Godmer Procuratoris ipsius Ecclesie Bathon. Commonachi & Procuratoris sui, a majoris Excommunicationis sententia memorata, praestita nobis primitus ab eisdem idonea cautione, quod habuit mandatis Ecclesie, et facient illam poenitentiam, quam Sedes Apostolica eis duxerit injungendam, auctoritate nobis in hac parte commissa juxta formam Ecclesie absolvimus, et eis injungimus poenitentiam salutarem, Interdictum de ipso suo Monasterio amovendo. Et super irregularitate quam ea occasione sic ligati in suis Ordinibus ministrando, et alias se divinis officiis immiscendo contraxerant, cum eisdem et eorum quolibet misericorditer auctoritate dispensamus praestibata, prout secundum Deum animarum ipsorum saluti vidimus expedire. In testimonium vero praemissorum sigillum praesentibus est appensum. Datum apud Lyminge 17 Kal. Decembr. Anno Domini 1300. Consecrationis nostrae septimo.

Ibidem.

Venerabili in Christo Patri Domino R. Dei gratia Cantuar. Archiepiscopo, totius Anglia Primati, suus filius devotus Jordanus, Vicarius Ecclesie de Weston juxta Bathon. obedientiam & reverentiam debitam cum honore. Gravi corporis zgritudine perpetua detentus, ad vestram venerabilem praesentiam accedere non valens, dilectum mihi in Christo N. Clericum, ad petendam meam absolutionem pro excommunicatione, quam contraxi pro protectione Regia quam recepi compulsus; necnon ad dispensationem super irregularitate, & quam contraxi in immiscendo me divinis sic ligatus, coram vobis meum constitui Procuratorem. Dans eidem potestatem liberam & plenam recipiendi mandatum vestrum, super his quae in mandato Apostolico super hoc vobis directo continentur; et jurandi in animam meam, et omnia facere alia vel facienda quae ad salutem animae meae, juxta dictum mandatum Apostolicum volueritis ordinare. In cujus rei testimonium sigillum meum, una cum sigillo Archidiaconi Bathon. praesentibus est appensum. Dat. apud Weston. 8 Idus Novembris, Anno Domini 1300.

No doubt all the rest of the Prelates, Abbots, Priors, Covents, Parsons, Vicars and Clergy of England purchased the like Absolutions, under the self-same hard terms and conditions, for obeying God and the King, against this Popes Antichristian Constitution; such Vassals were they to the Papal Chair.

This year I finde this exemplification of Pope Boniface his Bull for prolonging the Truce between the Kings of England and France, attested before the Archbishop of York, and Bishop of Covenry and Litchfield, entred in the \* Patent and Almain Roll.

\* Rot. Patent.  
An. 28 E. 1.  
m. 17. intus.  
Rot. Aleman.  
Anno 22 E. 1.  
usque 31. m.  
10. intus, nu.  
17.

Universis praesentes literas inspecturis, miseratione divina Thomas Archiepiscopus Ebor. Anglia Primas, & Walterus Covenr. & Litchfield. Episcopus, salutem in Domino sempiternam, Noveritis nos vidisse & diligentius inspexisse literas Sanctissimi in Christo Patris Domini B. divina providentia Sanctae Romanae ac Universalis Ecclesiae Summi Pontificis, vera Bulla ipsius cum filo deferico bullatas formamque sequitur continentes. Bonifacius Episcopus, &c. (verbatim as before, Here p. 763.) Dat. Anagnia 12 Kal. Augusti, Pontificatus nostri anno quinto. In cujus rei testimonium, & ad pleniorum fidem imposterum faciendam, praesentes literas patentes exinde fieri fecimus, & nostrorum sigillorum munimine roborari, Dat. apud Thorp juxta Ebor. 4 Idus Julii, Anno Domini 1300.

Thereupon the King to settle a speedy, firme, final Peace between himself and his Confederates, and the King of France and his Adherents, in pursuance of Pope Boniface his premised award, concerning all differences between them not fully determined therein, and to execute the same, issued this large Commission to his Proctors therein named, finally to conclude and execute the same, for the general good of Christianity, and relief of the Holy-Land, which he directed and signified to the Pope, thus entred on record.

Sanctissimo

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

**S**anctissimo in Christo Patri Domino B. divina providentia Sacrosanctæ Romanæ An. 28 E. 1.  
ac Universalis Ecclesiæ Summo Pontifici, Edwardus ejusdem gratia Rex An-  
glie, Dominus Hibernia, & Dux Aquitania, devota pedum oscula beatorum. Cum Pat. 28 E. 1.  
super negotio reformationis pacis inter Regem Francia & nos, juxta formam pro-  
nuntiationis per vos in quem tanquam in privatam personam et Dominum Bene-  
dictum Gaytanum, tam per dictam Francia Regem, quam per nos et confederatos  
nostros extitit compromissam, virtute compromissi ejusdem factæ plura restent  
vestre Sanctitatis arbitrio terminanda, et etiam exequenda. Nos ad honorem  
Dei, et commodum Terræ Sanctæ affectantes ea celeriter terminari, ad peten-  
dum et audiendum, recipiendum et acceptandum complementum, perfectionem  
et consummationem, pronuntiationes ac reformationis pacis prædictarum, dilectos  
& fideles nostros venerabilem in Christo patrem Johannem Winton. Episcopum, fra-  
trem Willielmum de Geynesburgh de ordine Minorum, Gerardum Archidiaconum  
Richmund. Galfridum de Geynwall, & Galfridum Russell Milites, Procuratores no-  
stros et Funcios speciales, necnon dilectos Clericos nostros Magistros Reynun-  
dum Arnaldi de Rama Vasaten, & Petrum Aimerici Sancti Severini Burdegalem  
Canonicos, ad vestre Sanctitatis præsentiam destinamus. Dantes & concedentes  
eisdem Episcopo, Fratri, Archidiacono, Militibus & Clericis, plenam, generalem  
et liberam potestatem ac speciale mandatum, complementum, perfectionem ac  
totalem consummationem pronuntiationis ac reformationis prædictarum, et omnia  
alia et singula quæ super reformatione pacis, et super omnibus guerris, discordiis,  
litibus, controverſis, causis, questionibus, dampnis et injuriis, petitionibus et  
actionibus realibus, personalibus et mixtis, quæ fuerint, et sunt, vel esse possent  
inter dictum Regem Francia et nos occasione quacunque, et præmissa quoquomodo  
contingentibus vestre Sanctitatis circumſpectio duxerit diffinenda, arbitraliter  
sententianda, præcipienda, ordinanda, disponenda, pronuntianda, addenda, minu-  
enda, corrigenda, interpretanda, seu etiam declaranda, petendi, audiendi, reci-  
piendi, acceptandi, homologandi, roborandi et vallandi per Juramentum in ani-  
mam nostram præstandum, et alitis modis et formis de quibus eis videbitur expe-  
dire: Necnon tractandi, paciscendi, concordiandi, et etiam transigendi, et omnia  
alia et singula faciendi, quæ ad plenam pacem et concordiam omniumque prædicto-  
rum perfectionem et confirmationem quoquomodo pertinent et poterunt perti-  
nere, et quæ nos faceremus vel facere possemus si præsentem essemus, etiam  
mandatum exigant speciale. Volumus etiam & concedimus, quod præfati Episcop-  
us, Frater, Archidiaconus & Milites, quatuor vel tres ex ipsis, si forsan ipsos quin-  
que insimul ad hoc concurrere non contingat, plenam, generalem & liberam habe-  
ant in præmissis omnibus & singulis: potestatem promittentes nichilominus, nos ra-  
tam imperpetuum habituros et firmum quicquid per prædictos Episcopum, Fra-  
trem, Archidiaconum, Milites aut Clericos, aut per ipsos Episcopum, Fratrem,  
Archidiaconum et Milites, quatuor aut tres ex ipsis Episcopo, Fratre, Archidia-  
cono et Militibus, si ipsi quinque ad hoc, ut præmissum est, insimul non concu-  
rant, petiti, acceptati, homologati, omologati, vallati, aut alias factum fuerit in  
præmissis et quolibet præmissorum, super quibus etiam per nostras litteras appro-  
bandis, tenendis, servandis et complendis nos et hæredes nostros, ac omnia bona  
nostra specialiter obligamus. Et hæc sanctæ paternitati vestre significamus, et  
omnibus quorum interest vel interesse potest aut poterit in futurum per nostras  
patentes litteras sigilli nostri munimine consignatas. Dat. apud Sanctum Albanum  
15 die Aprilis, Anno Domini 1300.

In pursuance whereof the King granted this license to the Bishop of Winchester and his Servants, to repair to Rome for the publick affairs of him and his Realm, with their money, plate and harnesse, notwithstanding all former general restraints of that kinde.

**R**EX Custodibus passagii Portus sui Devor. salutem. Licet vobis nuper man-  
daverimus, quod nullam monetam argenteam vel aliquam aliam mon-  
tam aliam de nostro vel alterius cuneo, vel bala aliqua argentea, seu argentum  
aliquod in massa vel alio quolibet modo per Portum prædictum ad partes transmar-  
inas deferri permetteretis sine nostra licentia speciali; Vobis nichilominus manda-  
mus,

Claus. 18 E. 1.  
m. 8. Pro  
Johanne Episcopo Winton.



An. 28 & 29 Edw. 1. **M**us, quod venerabilem patrem *Johannem Wynton*, Episcopum, pro quibusdam negociis *Ros* et regnum nostrum specialiter tangentibus ad Curiam Romanam profecturum, cum tota familia sua et toto barnello suo, et rebus suis sine scrutinio inde faciendo per portum predictum versus Curiam predictam transiret permissis, non obstante mandato nostro supradicto. Teste Rege apud Sanctum Albanum 15. die Aprilis.

Per ipsum Regem.

The like License he granted to the Earl of *Lincolne* and his followers, with a restraint to others who shrouded themselves under his advocacy and license.

Clauſ. 28 E 1.  
m. 2: De non  
permittendo  
transfretacio-  
nem fieri sub  
advocatione  
Comitis Linc.

**R**EX Custodibus passagii Portus sui *D. vort.* salutem. Quia intelleximus quod quidam Milites sub advocacione dilecti & fidelis nostri *Henrici de Lacy* Comitis *Lincolnia*, ad partes transmarinas versus Curiam Romanam pro quibusdam arduis negociis *Ros* et regnum nostrum specialiter tangentibus, profecturi, nituntur ad partes predictas sine nostra licencia transiret; Vobis mandamus, quod prefatum Comitem, ac *Willielmum le Lungf.* *Johannem le Espring*, *Milonem de Scapleton*, *Rogerum le Sauvage*, *Mauricium le Brun*, *Johannem de la Mare*, *Johannem de Molington* & *Bartholomæum de Badlesmere*, Milites, et familiares predicti Comitis, cum rebus, heredes, & familia sua ad partes predictas absque impedimento transire permittentes, alios Milites nomine ipsius Comitis licet per prefatum Comitem advocaverint transire nullatenus permittatis, contra formam inhibitionis nostre inde factæ. Teste Rege apud *Karlsolum* 13. die *Octobris*.

Per ipsum Regem, nunciante *W. Cov.* & *Lichf.* Episcopo.

\* See here, p.  
602, to 606.  
647, to 670.

During the Negotiations of the Kings Ambassadors at *Rome* to settle a final Peace, the Kings Proctors sent to the King of *France*, concluded this temporary Truce between them, wherein the *French King* cunningly included the late King of *Scots* and the *Scotish Nation*, as his allies, by virtue of their former League with him, which they\* had publicly abjured before King *Edw.* and his Nobles, thus published by King *Philips Letters*, which I found in the *White Tower*, with this brand of dislike prefixed to it.

*Trenga* inita inter Angliæ & Franciæ Reges per eorum Procuratores & Nuncios, Anno *Gratia* 1301. pro quibus dicti Principes Regis Angliæ reprehensi fuerunt, non solum per ipsum Regem et Prelatos et Nobiles, sed etiam per Communitatem Regni predicti; pro eo, quod permiserunt Regem et gentes Scotiæ includi in *trengis* predictis ex parte Francorum Regis, ratione Considerationis prius inita inter Francorum et Scotorum Reges predictos.

An. 29 E. 1.  
in Turre Lon-  
don.

**P**HELIP par la grace de Dieu Roy de France, a tous ceus qui cestes presentes lettres verront, salut. Sachent touz, qe come ascuns Treitz aient este euz entre nous pur nous et en nostre noun d'une parte, et les gentz le Roy *Dengleterre* nostre treschier Cousin, pur lui & en soun noun d'autre part, en la manere qui sensuit. Tretez est & accordez a *Anyers* entre les gentz du noble Prince *Philipp* par la grace de Dieu Roy de France, cestassavoir le Counte de *Seint Poole*, le Counte de *Brit.* Monsieur *Hugh de Blonille*, & *Piers Flote*, Chivalers de celui Roy d'une part, & les gentz du Noble Prince *Edward* par meisme cele grace Roy *Dengleterre*, cestassavoir Levesque de *Cestre*, le Counte de *Nycole*, *Lercediacne de Richemonde* & *Jehan de Berewik* Chanoyne *Deverwik*, dautre; Qui come ascuns traitiz de Pees assent & porra este euz entre les gentz le Roy de France & les gentz le Roy *Dengleterre*, & a ce qe il traitiz venissent plus leucrement a effect. Lui dit Roi de France eust envoie au dit Roy *Dengleterre* ses Messages, cestassavoir *L'abbe de Compigny*, Monsieur *Anbert de Hange*, & Meistre *Pierre de Flamgne*, par les queux il fist requere le Roy *Dengleterre*, sicome il avoit autrefois fait par plusieurs autres Messages & lettres especiales, qui des guerres, des molestacions, et des greifs qil fesoit au noble Prince *J. Roy* *Descoce*, et as *Escotz*, \* et allies et confederes du dit Roy de France il se suffrist et cessat, et la dite boye pur parlee ou traitiz dessusdit, nust pas este lors pursue par ascuns certains empeschements, et le dit Roy *Dengleterre* eut no-belement envoie ses solempnes Messages au dit Roy de France pur la pursue du dit traitiz de pees. Trayte est & accordez entre les gentz de devant dit Roy de France & les gentz le Roy *Dengleterre* desusdiz, qe les Messages de lun & de lautre Roys de France & *Dengleterre* s'assembleront a *Monstroill* a la *Quinzeine de Pasch* prochaine.

\* Here, p. 602,  
to 606.

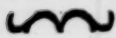
*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

procheinement avenir, pur le dit traitiz de Pees, pur suere & mettre a syn al ayde de celui qui est sefour & actour de Pees. Et pur ce qui le dit traitiz requier proces & ascun enloignement de temps. Treue est, acorde & prise entre le dit Roy de France, pur lui <sup>et pur la dite Roy Descoer, pur les Escotz, et pur les autres alliez;</sup> & le dit Roy Dengleterre pur lui et ses Alliez, desmeintenont jusques a la feste Seint Andren qe serra lan de grace 1302. le jour decele feste enclos en la dite treue. Les Conditions & les Declarations qui furent mises en lautre treue prise a Turnoy entre les ditz Roys de France & Dengleterre, sicome elles sont contenues es lettres faictes sur ce eues, pur mises & pur expresses en ceste presente treue taunt come elles sont ou pount faire a la seurte & a la fermete & declaration de la garde de ceste treue. Et exceptez qui entendu ne doit moi estre qui lui <sup>quiens de Barre & les</sup> <sup>Burgoynois,</sup> qui sont venuz a pees au dit Roy de France, ne Guy jadis Counte de Flandres, et ses enfans soient tenuz pur alliez du dit Roy Dengleterre. Et sauf ce qui lui Roy de France tendra en sa main les terres et les choses immobebles prises sur les Escotz, sicome il est en desouz escript. Item il est accordez, que les terres, possessions, rentes, heritages, et totes les choses immobebles qui le dit Roi Dengleterre ad pris et occupez sur le Roy Descoer ou sus les Escotz, depuis que les Messages le Roy de France desuznommez bindrent a lui, ou seront prises avant la ratification de cest present traitiz fait par le Roy Dengleterre, seront en la main du Roy de France jusques a la tous seintz prochein avenir. Les queles terres, cellastavoit teles que le devandit Rois Dengleterre et les Counte de Nyscole tiennent ils ont desore en droit mis par paroles en la main du dit Roy de France, et les mettront par fait dedens la quinzeime de la Chandelure prochein avenir, et les autres terres tenuz par autres dedens meisme cele terme. Item il est accorde, que les Chateaux, les Fortelefres, les Justices, les Seignours, et les gouvernementz des dites terres, le devandit Roy de France serra tenir et garder en sa main durant la dite treue par le Duc de Burgoyne, ou par celui ou ceux qil y establira pur lui a ce qui ne soit ou ne soient suspicionous notoirement: Sil envent ou poet prendre la Cure & la garde, ou par le Counte Dambrevill, ou par celui ou ceux qil mettra pur lui qui ne soit, ou ne soient suspicionous notoirement, si le Duc ne se voleit ou ne poiet entremettre. Et les terres gaynables desuzdites purra faire le Roy de France bailler a gayner et a retiner par quicunq; gentz lui plerra, & les fruitez, & les Rentz, les Issues & les Profiz des dites terres tant gaynables come autres, le dit Roy de France purra retener a soy, ou doner a qui lui plerra, et enfaire du tout sa volonte, durant le temps qil les doit tenir; sauve & excepte, qui la meine poeple du pays gaygnours des terres, qui sont en leur propres heritages, qil avoient, avant que les ditz Messages du Roy de France venissent au Roy Dengleterre de heritage ou a certeine temps solonc la custume du Pays, ne seront pas ostez, & luy rendront ceux qui tignent les terres agayner a temps a certein pension, cele pension par le dit temps qil doit tenir les dites terres: les queles choses taunt terres gaynables, come Chateaux, Justices, Fortelefres, & toutes les autres choses, qui seront mises en le main du Roy de France par ceste rayson en la manere qe elles yferront mises; Il promet en bone foy pur lui et pur ses heirs, qil rendra enterement, & remettra en la main du dit Roi Dengleterre ou de ses heirs, ou de ceux qil establira ou establiront pur eux a ce dedeinz la feste de la touz seintz prochein avenir, si effect qe ja navigne, ne sensuivoit du traitiz de susdiz; & si pees ne soit face de deins le dit terme. Et devient les ditz Roys Dengleterre & soun suiz aynez doner ayde a garder de source ceux qui seront establiz as gardes des dites terres, & leur dourra & serra doner le dit Roy Dengleterre seur & saufconduist par tout soen poer puis la treue faillie, si pees qui navigne ne sensuivoit du dit traitiz a ce partir ove totes les choses des dites terres & a retourner de leur lieux. Et ad bien de dit Roy de France fait retenue qe sauve soit a lui et au dit Roy Descoer et as Escotz ses alliez pur la suite des choses dessusdites, et des autres, qe le dit Roy Dengleterre ad pris ou occupez sur eux puis la dite premiere treue, et des surprises et des damages qe ont este faitz par lui ou par sa partie au Roy de France ou as Escotz dessusditz, ou as autres alliez du dit Roy de France, durant les treues. Et come les Messages du Roy Dengleterre facent retenue, qe sauve soit a celui Roy la poursuite des surprises des occupations & autres Damages qil dient, qui lui ont este faitz par le dit Roy de France, ou par les soeus durant la treue avandite, il plect bien as gentz le Roy de France en noun de lui, qe

An. 28 E. 1.

\* Nota.



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Edw. 1.

si aucuns damages ount este faitz au dit Roy Dengleterre ou as soens par le Roy de France, ou par les soens durant la treue, qil soient remandez & redreicez solonc la fourme de la treue, ou de la souffrance. Et totes foiz voent & promet le dit Roy de France, qui les dites terres, Chasteaux, Seignouries, & Fortelles, & totes les choses, qui seront mises en sa main par ceste cause soient rendues & rebailles entement au dit Roy Dengleterre ou a ses heires, ou a ceuz qil establira ou establiront par eux a ce, sicome dessus est dit dedeinz le jour de la touz seintz avantdir, noun contresteaunt Article ou Protestation contenuz en ses lettres, ou autre chose qui a venir puisse si la pees ne se fesoit, sicome dessus est dit. Et toutes les choses dessusdites & chescune de elles, sicome ellez sont dessus devisez les gentz le Roy de France dessus diz tendront, gardront & accompliront tant come in eux est, & procuront qui le dit Roy de France les tendra, accomplira & gardera fermement & loiaument, & de ce enuoyera ses lettres overtes au dit Roy Dengleterre contenantz les Paroles dessusdites. Et est assavoir, qe ia soit se, qui les gentz le Roy de France appellent tous jours Johan Roy Descote, et dient qe lui et les Escotez sont alliez de Roy de France, Les Messages le Roy Dengleterre meintenent touz le contraire, et le appellent Johan de Baillol, et dient qil nest pas Roy Descote, ne lui ne les Escotez ne sont alliez au dit Roy de France. Nous le traitiz dessusditz & toutes les choses cy dedens escriptes, sicome elles sont dessus expressez & devisees, voloms, looms, agreoms & approvoms; Et promettons en bone foy les tenir & accomplir fermement & loiaument tancome en nous est. En tesmoigne de queu chose nous avoms fait secler cestes presentes lettres de nostre secle. Faites & donnees a Saint Benoyt sur Leyre le jour de Noel Lan de grace 1301.

These Letters Patents of King Philip concerning the Truce being brought to King Edward by his Messengers, the King before they were read, made a publike Protestation against the clauses that concerned the King of Scots and the Scottish Nation, thrust into them by the King of France in favour of the Scots, against his Commissioners wills and protestation, as dishonourable to his former Judgement and proceedings against them, and derogatory to his Sovereign Dominion over them and the Realm of Scotland, which Protestation he caused to be solemnly registered and drawn up by the Popes publike Notary, which I found in this Original Instrument in Parchment in the White Tower.

An. 29 E. 1. in  
Turre London.

**I**N Nomine Domini, Amen. Anno Incarnationis ejusdem Millesimo tricesimo secundo, Indictione tertio, die ultimo mensis Aprilis, scilicet pridie Kal. Maii in Capella Castri de Devises Sarisburiensis Diocesis, coram magnifico Principe Edwardo Dei gratia Rege Angliz, Domino Hiberniz, & Duce Aquitaniz, in presentia mei Notarii publici infrascripti, & testium subscriptorum ad hoc vocatorum specialiter & etiam rogatorum. Magister Bertrandus Grymeward Clericus personaliter constitutus, dicit Regi eidem, quod ipse sibi, una cum Magistro Philippo Martel consorcio suo quasdam litteras patentes detulit, sigillo excellentissimi Principis Domini Philippi Regis Francie sigillatas super ratificatione & approbatione quarundam Treugarum initarum & concordatarum, ut dicit, apud Anyers in Francia per Regum Nuncios pranotatos, et quod ipse ei traderet, dum tamen placeret recipere & videre. Et concito Dominus Rex Angliz supradictus voluit et mandavit, quod Dominus Johannes de Benefede Clericus, qui presens aderat, quasdam protestationes suo nomine faceret coram eo et testibus infrascriptis, qui statim vivo voci oraculo protestabatur in lingua Francigena sub verbis quasi consimilem habentibus intellectum. Seigneurs, le Roy de France enueit vues Lettres a nostre Seigneur le Roy per ceste Clerke qui ci est, de ratifiement e de appreuvement des treues prises e accordees nadgares a Anyers par les messages le Roy de France, e les Messages nostre Seigneur le Roy qi est present, a tenir a eux deux e a leur aliez. Je fazz desore protestation en son noun pardevant vous, qe par nullies parolles contenues ou expressees en p celes Lettres de ratifiement ne par nul receibre deles, nentent nostre Seigneur le Roy qe Johan de Baillol, ne les Escotez soient alliez au Roy de France, ausi come si ne sunt mpe, ne quil assente en aucune manere qil soient enclos en celes treues a la requeste du Roy de France, au de ses Messages par cel achefon qe portant, qui portoit plus le gerement appzochier a la ptes entre celi Roy de France e nostre Seigneur le Roy Dengleterre, ne queuent nentent mpe nostre

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nostre Seigneur le Roi qil endebient come desore aber advantage, ou pzoiffit; Pur ce qe pus lassent des treues abantditas les Escotz benantz contre la du foi de celes les quels il bien savoient, cozurent obe grant company des Gentz e a chibaur darmes en les terres, e sur les gentz qi tindrent de nostre Seigneur le Roy Dengleterre, e qi estoient a la foi e a la pès, e encoze sunt, e furent aizous homicides e robberies tant des biens de Meint Eglise come des biens seculers, e autres come gentz de Religion malement treterent, e furent autres damages assez grieboules encontre le bien, e le deboir de mesme celes treues par quoi je facz encoze protestation en son noun, qil nentent point qe les Escotz soient enclos en celes treues, ne qe par celes ne doit creste a euz advantage ne pzoiffit.

*Quibus protestationibus sic peractis, prefatus Dominus Rex Anglix eadem protestationes ratificabit, et etiam approbabit, et super hiis sibi publicum instrumentum confici requisivit. Acta, dicta, mandata, & protestata fuerant omnia suprascripta, Anno, Indictione, die & loco praescriptis, praesentibus Dominis Johanne de Merk, & Johanne de Weston Militibus, ac Domino Roberto de Cottingham Clerico testibus ad hoc vocatis specialiter & rogatis.*

*Et ego Johannes dictus Boulis de London. Domini Papae auctoritate Notarius Publicus, actis, dictis, protestatis, ratificationi, et approbationi interfui suprascriptis, & scripsi omnia praenotata, ac etiam publicavi, meoque signo consueo signavi rogatus.*

I find 2. or 3. distinct Records more in K. Edward the 3<sup>d</sup> his reign, wherein these Articles which concern the Scots are particularly recited, & extracted out of K. Philips Letter, testifying the Kings, Prelates, Nobles, Commons dislike and reprehension of the Commissioners for consenting to them. After which follows, *Infra scripta sunt quaedam ex causis timoris, propter quas non erat aliquis ex Episcopis seu Comitibus, aut ceteris procur. et Punctis solemnibus per abum Domini nostri Regis ad Curiam Romanam et ad Franciam Regem solite destinatis pro pace reformanda et treugis ordinandis, et prozogandis inter Reges praedictos et eorum Subditos et Consideratos, qui a tempore ordinationis treugarum infra scriptarum quo ad illam partem in qua Rex et Centes Scotiae sunt inclusa, ex parte Franciae Regis ratione considerationis inter Franc. et Scotiae Reges prius initae, audebat sibi assumere onera officii Procuratoris et Puncti ad prosequend. et continuand. processus et tractatus super hiis inchoatos, quousque illa remedia fuerunt adhibita, de quibus fit mentio in duobus rotulis indorsatis, de subditorum singularitate, & negligentia, guerrarum materia, & inimicorum audacia. Et specialiter, quousque de ordinatione vel assensu majorum ex dictis Episcopis & ceteris dicti Regis Anglix Consiliariis, Procuratores constituti fuerunt per Magistros & Marinarios Navigii dicti Regis Anglix, ad prosequend. in in dicta Curia Romana contra Francorum Regem et suos per viam peccati super guerrarum materia in Anglia, Scotia, Wallia, Vasconia, et in Pari Anglix, ac aliis Terris et Insulis Coronae Anglix annexis. Et quousque certus erat, quod in processu per Papam Bonifacium 8. inchoat. ad prosecutionem Procuratorum, Magistrorum et Marinariozum praedictorum, contra Regem Franciae et suos late fuerunt in eorum personas excommunicationis, et in eorum terras interdicti sententiae, et ad hujus sententiarum executionem faciend. Ordinatum fuit auxilium brahii Secularis, cum Crucis signatione et aliis materiis; Et hujus causa ostendi non possumus ad praesens ex causis aliis expriment.*

*Prima causa hujus timoris, in processu per Dominum Papam inchoat. ad Gallicorum et Scotorum instantiam, against the King of England, concerning his claim to the Superior Dominion over the Realm of Scotland; thus related by Thomas Walsingham and other of our Historians.*

*Per idem tempus Scoti cognoscentes Romae omnia venalia, donis Dominum Papam uberius dirabunt, petentes ab eo consilium pariter et auxilium contra Dominum suum Regem Anglix. Quibus Papa promissit, et bene remedium contemplatione donatiozum, jubens ut celeriter sine tumultu repatriarent: Igitur Papa promissionis suae non immemor, illico direxit quendam Lombardum ad Archiepiscopum Cantuar. (his sworn creature) jubens, ut suae legationis bices ageret in hac parte, et Regem adiret cum literis imbullatis, eique mandata Papalia demonstraret. Archiepiscopus vero post trium hebdomadarum spacium pervenit ad Regem cum praedicto*

In Turre London.

\* Which I found in the White Tower Chappel.

\* Historia Anglix, p. 46, 47. Ypodigma Neustr. p. 88, 89.

† denariorum



*An. 28 E. 1.* dicto Lombardo, quem invenit contra Scotos demercentem. Ostendit et igitur papale mandatum, cuius tenor fuit, ut Rex resisteret Scotos inquietare le cetero, quorum regio et personæ exemptæ specialiter suæ Capellæ, ut asseruit, pertinebant. Neque prout dicebat, esse poterat, quin Civitas Jerusalem suus Ethes protegeret, et confidentes in Domino sicut Mons Sion confoderet. Rex autem intellectus hiis apicibus, mox alta voce sic respondit; Per sanguinem (inquit) Dei propter Sion non tacebo, & propter Jerusalem non quiescam, dum spiritus fuerit in naribus meis; quia ius meum toti mundo cognitum toto posse defendam. Post aliquot dies Scoti freti Papali favore, superciliose mandaverunt Regi Angliæ, ut permitteret illos tranquille videre donec pares suos et Regem Franciæ consulissent; communicantes nisi faceret, quod Papa pro illis interponeret suas partes. Ad hac Rex indignando subrisit, dicens; Ex quo vos omnes et singuli mihi fecistis homagia tanquam præcipuo Domino Regni Scotiæ, putatis me tenendum per ampullosa mendacia, ut (tanquam carens vobis) ius quod in vos habeo prætermittam? Cavete ne de cetero coram me cum tali mandato comperatis, quod si feceritis, Dominum testor, a mari usque ad mare totam Scotiam devastabo: (An heroick answer.) E contra Scoti satis audacter offerunt, se in hac causa sanguinem suum fusuros pro defensione iustitiæ & patriæ libertatæ. Rex Angliæ (upon this occasion) direxit Nuncios ad Papam, Comitem videlicet Lincolniam, & Dominum Hugonem le Spencer, qui declararent injurias sibi magnas per Scotos, & eorum falsitatem manifestarent. Insuper & Dominum Papam deprecantur, ne mendacii fabricatoribus, Scotis videlicet veritatem ostenditibus prociptis et homicidiis suum aperiret de cetero protectionis, quorum fraudulenta falsaque persuasio Papalem sollicitudinem circumbenerat fraudulenter. Papa vero cuius stomachus a corruptione Scotorum nondum gestus fuerat, etsi nosset iustam petitionem Regis, tamen preces armat et Regi mandat, ut sui contemplatione, Scotis treugas indulgeat, à die Omnium Sanctorum usque ad Pentecosten; quod & factum est.

Soon after, as <sup>a</sup> Walsingham, <sup>b</sup> Mat. Westm. str., and <sup>c</sup> Henry de Knyghton story, Eodem anno Papa Bonifacius per Scotos informatus, direxit literas Regi Angliæ secundarias, in quibus asseruit, Regnum Scotiæ ad ius Romanæ Ecclesiæ pertinere, Regemque Angliæ subjectionem ejus, contra Deum et iustitiam, et in præiudicium Sedis Apostolicæ vindicare. (against his own concession but the year before, upon the delivery of John Baliol to his Legate, whereof I found two special Records in the White Tower) allegans subscriptas rationes. Primò, quia cum Rex Henricus pater istius obtinisset auxilium in terra sua contra Simonem de Monte forti à Rege Scotorum Alexandro, ne hoc auxilium iure subjectionis ejuslibet, aut debiti petiti, aut præstitum putaretur, idem Henricus per literas suas patres recognovit, non ex debito recipisse, sed ex gratia speciali. Item, ad coronationem huius Regis vocatus per literas, ut ei præsentiam amicabilem in tantis solemnibus tanquam amicus exhiberet, non venit ex debito, sed ex gratia speciali. Insuper pro terra de Tindale & Penreth in regno Angliæ positis, cum Rex Scotiæ ad præsentiam Regis Angliæ se personaliter contulisset, eidem fidelitatem impensurus pro eisdem terris, tanquam in Anglia sitis, non ut Rex Scotiæ, nec pro Regno Scotiæ, fidelitatem eandem exhibuit, quia palam coram protestatum erat, quod pro Regno Scotiæ fidelitatem Regi Angliæ facere non debebat. Item, quod prædictus Alexander Rex reliquit puellam heredem, nomine Margaretam, nepem Regis Angliæ, tunc minoris ætatis, cuius custodia non ad Regem Angliæ, velut ad Dominum Supremum pervenit, sed ad certos ejusdem Regni Scotiæ Proceres, ad hoc electos. Redarguebat etiam Papa Regem, eo quod post mortem dicti Alexandri Regis, Scotos tanquam acerbalos et ducis suffragium non habentes, ipsos per vim sibi subjugavit et metum, in præiudicium et gravamen non modicum Romanæ Ecclesiæ. Adjiciens, quod cum Dominus Papa officium Legationis assensu committit erequendum in regno Angliæ, causa solutionis Decimæ, vel etiam quavis alia causa rationabili, et huius Legatio literis et privilegio speciali Apostolicæ Sedis ad dictum Regnum Scotiæ se non extendat. Resistendum est & obfistendum huiusmodi Legationi, prout tempora felici recordationis Adriani contigit evidenter. Nam Legatus ipse ad præfatum Regnum Scotiæ aliquatenus admissus non extitit, donec per literas Apostolicas speciales, sibi Legationis officium fuit in eodem commissum. Item addidit, quod idem Regnum

<sup>a</sup> Walsingham Hist. Angl. p. 48, 49, 50. Ypod. Neustr. p. 89, 90, &c. <sup>b</sup> Flores Hist. p. 417, 418. <sup>c</sup> De Event. Angl. l. 3. c. 13. col. 2529. \* See here p. 797, 798.

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*Regnum per beati Petri Apostoli venerandas reliquias non sine superni dono mun- Ar. 28 E. 1.*  
neris conuersum extitit ad fidei Catholice unitatem. Et qualiter in antiquis tem-  
poribus Eboracen. Archiepiscopus, qui tunc erat, mota per eum supra iure Metropolitano,  
versus Pralatos Scotie questione, pro se nequirit sententiam obtinere. His propositis  
motis Regem Dominus Papa per literas suas, quod Episcopos, Abbates, \* Clericos,  
omnes alios Regni Scotie, quos detinebat captivos in carcere, libere abire per-  
mitteret, et quod officiales suos de Regno Scotie memorato rebocaret, quos in  
prejudicium, injuriam, et grave scandalum fidei populoz, et oppressionem  
iustorum in dicto Regno statuerat et ordinaverat, ita quod acceptio et gratiosior  
fieret Deo, et laborum Apostolicę Sedis in hoc sibi acquireret plenius. Et si in  
eodem Regno Scotie vel aliquo ejus parte, jus aliquod habere se asseret, per Procura-  
tores et Puncios ad hoc specialiter constitutos, cum omnibus iuribus et munimen-  
tis huiusmodi negotium tangentibus, ad Sedem Apostolicam destinaret, super  
premissis plene complementum iustitie recepturus. In pursuance whereof,  
Papa mandat Archiepiscopo Cantuar. quod presentet Regi Anglie literas quas  
sibi mittit pro Scotis, by this most insolent imperious Bull, printed in Matthew  
Westminster, the original with another decayed transcript whereof I found in the  
White Tower Chappel.

\* Bonifacius Episcopus servus servorum Dei, venerabili fratri Archiepiscopo \* Mat Westm;  
Cantuar. salutem & Apostolicam benedictionem. Frequens & inculcata fidedigno  
rum assertio, ac famę divulgantis eloquium nostro patefecerunt auditui, excessus,  
molestias, turbationem, dampna, injurias et facturas, per charissimum in Christo  
filium nostrum Edwardum Regem Anglie illustrem, & officiales ac gentem ipsius,  
contra Regnum Scotia, ac Pralatos et Clericos, et personas Ecclesiasticas, Reli-  
giosas et Seculares, necnon Ecclesias, Monasteria, et alia Religiosa loca, et habi-  
tatores et incolae dicti Regni, et bona eorum etiam attemptata. Nosque nolentes,  
sicut nec debemus, talia sub dissimulatione transire, Regem ipsum per literas  
nostras quas tibi mittimus, per te presentandas eidem seriosas hortamur, Frater,  
ut Episcopos, Clericos, et personas Ecclesiasticas dicti Regni, quos adhuc tenere  
dicitur captivos, restitui faciat pristina libertati, et officiales rebocet, quos in  
eodem Regno asseritur posuisse, atque ad presentiam nostram suas mittat Pro-  
curatores et Puncios, cum omnibus iuribus et munimentis suis, si crediderit in  
dicto Regno, vel aliqua ejus parte jus aliquod se habere. Nichilominus lites,  
questiones et controverfias quaslibet inter ipsum Regem et prelatum Regnum  
Scotie, ac Pralatos, Clericos, et personas seculares ejusdem Regni subortas,  
et quę possant in posterum ex quibuscunque causis preteritis exoriri, totumque  
negotium ad decisionem et determinationem Sedis Apostolicę, per dictas nostras  
reducimus literas et etiam referbamus, ac decernimus scriptum et inane, si secus  
scienter vel ignoranter a quoquam in hac parte contigerit attemptari. Quocirca  
fraternitati tuę per Apostolica scripta in virtute obedientię, et sub pena suspen-  
sionis ab administratione Spiritualium et Temporalium districte precipiendo  
mandamus, quatinus prefatas literas nostras eidem Regi, sublato dilationis ob-  
staculo representas, ac ipsum ad ea quę sibi scribimus, ut in exhortationibus ac-  
quiescat efficaciter animas et inducas. Diem quoque quo sibi predictas presenta-  
beris literas, et quicquid feceris, quidbe ipse responderit et fecerit in hac parte,  
nobis per tuas literas patentes, harum seriem continentes, fideliter et seriosius  
intimare procures. Datum Anagnia 4 Kal. Julii, Pontificatus nostri anno quinto.

*Litera missa Regi Anglie Edwardo primo per Bonifacium Papam, quod Regnum* Mat Westm;  
*Scotie pertinet ad Ecclesiam Romanam:* (two ancient parchment Transcripts p. 420, 10 424.  
whereof I found in the White Tower Chappel, and another enrolled in the & in Turre  
Black Book of Scotland.) London.

Bonifacius Episcopus, Servus servorum Dei, charissimo in Christo filio Edwardo  
Regi Anglie illustri, salutem & Apostolicam benedictionem. Scimus, fili, & longo  
jam temporis spatio, magistra nos rerum experientia docuit, qualiter erga Romanam  
matrem Ecclesiam, quę te gerit in visceribus charitatis, Regię devotionis affectus  
exuberat, reverentię Zelus viget, quodque promptus & sedis ejus votis obtempe-  
ras, beneplacitis acquiescis. Quamobrem spem firmam gerimus, plenamque fi-  
duciam



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4.

An. 28 E. 1.

\* An impudent  
false averment.

duciam obtinemus, quod regalis sublimitas verba nostra benignè recipiat, diligenter intelligat, efficaciter prosequatur. Sanè ad Celsitudinem Regiam potuit pervenisse, & in tua libro memorie nequaquam ambigimur contineri, qualiter \* ab antiquis temporibus regnum *Scotia* pleno iure pertinuit, et adhuc pertinere dinoscitur ad Ecclesiam supradictam; quodque illud sicut accepimus, progenitoribus tuis regni *Anglia* Regibus, sibi tibi feudale non extitit nec existit. Qualiter etiam, claræ memoriæ *Henricus* Rex *Anglia*, pater tuus, tempore discordiæ sive belli inter ipsum & quendam *Simonem de Montforti* suosque fautores & complices suscitata, à recolendæ memoriæ *Alexandro* ejusdem *Scotia* Rege, ac ipsius *Henrici* genero auxilium sibi petiti exhiberi. Et ne hujusmodi auxilium iure cussu debet subjectionis aut debiti petiti seu præstitum notaretur, præfatus *Henricus* eidem Regi *Scotia* suas patentes duxit literas concedendas, per eas firmiter recognoscens, prædictum auxilium recepisse, vel se recepturum duntaxat de gratia speciali. Præterea, cum successu temporis præfati Regis *Scotia*, tui sorori, tunc viventis, in tua coronationis solemnibus habere præsentiam, non ex debito, sed tantum ex gratia intendebas. Et cum etiam Rex ipse pro *Tindalia* ac de *Poynerre*, terris in regno *Anglia* positis, se ad præsentiam tuam personaliter contulisset, tibi fidelitatem solitam impensurus, idem in præfatione fidelitatis hujusmodi, multis tunc præsentibus, vivæ vocis oraculo publicè declaravit, quod pro terris ejusdem sitis tantum in *Anglia*, non ut Rex *Scotia*, neque pro *Scotia* regno fidelitatem exhibeat eandem, quinimo ipsam exitit protestatus, quod pro regno ipso tibi fidelitatem præstare seu facere aliquatenus non debebat, utpote tibi penitus non subiecto. Tuque sic oblatam fidelitatem hujusmodi admisisti. E tua quoque non creditur excidisse memoria, qualiter eodem Rege de medio quondam sublato, *Margareta* puella, nepte tua, tunc minoris ætatis, hærede sibi relicta, non ad te velut ad Dominum perbenit custodia memorati, sed ceteri ejusdem regni Proceres, ad ejus custodiam extiterunt electi, quodque pessimum dispensatione ab Apostolica sede obtenta super matrimonio contrahendo inter dilectum filium nobilem virum *Edwardum* natum tuum et *Margaretam* prædictam dum haberet, si ad id Procerum dicti regni accederet vel haberetur assensus, tu eisdem Proceribus per tua scripta cavisse dinosceris, priusquam vellent hujusmodi matrimonio consentire, quod regnum ipsum penitus liberum, nullique subiectum, seu quobis modo submissum in perpetuo remaneret, quodque in prædictum seu talem ipsius statum restitueretur omnino, si ex hujusmodi matrimonio contrahendo liberos non extare contingeret, ac nomen et honorem, ut prius, pariter retineret, tam in suis sibi servandis legibus et præficiendis officialibus dicti regni, quam Parliamentis tenendis, tractandis causis in ipso, et nullis ejus incolis extra illud ad iudicium evocandis. Et quod in \* tuis patentibus literis inde confectis hæc plenius & ferrius contineri noscantur. Præfata insuper *Margareta* de præsentis luce substracta, & tandem super successione dicti regni *Scotia* suborta dissensionis materia inter partes, ipsius regni Proceres, metuentes sibi dictoque regno posse occasione hujusmodi præjudicium generari, non aliter ad tuam præsentiam extra ipsius accedere limites voluerunt, nisi per te patenti scripto caveretur eisdem, quod id non fiebat ex debito, sed ex gratia speciali; Quodque nullum exinde ipsius regni libertatibus posse dependium imminere. Et licet (ut dicitur) super statu ejusdem regni *Scotia*, ac ejus prius habita libertate, regno ipso tunc carente præsidio Defensoris, per ipsius regni Proceres, tunc velut acephalos, et ducis vel aurigæ suffragium non habentes, sibi per illum cui præfati regni regimen, licet indebitè, diceris commississe, contra morem solum aliqua fuerint hætenus innobata, ea tamen, utpote per vim et metum, quæ cadere poterant in constantem \* illicita, nequaquam debent de jure subsistere, aut in ejusdem regni præjudicium redundare. Cæterum nobis nullatenus venit in dubium, quin potius certi sumus, quod cum Apostolicæ sedis præcelsæ auctoritas per suas literas in *Anglia* ac *Scotia* regnis simul alicui legationis committit officium erequendum, vel pro quavis causa, quam rationabilem reputat, Decimarum solutionem indicit, hujusmodi Apostolicæ literæ ad præfatum *Scotia* regnum se aliquatenus non extendunt, speciali prædictæ sedis præbileo *Scotia* indulto penitus obfistente, prout tempore felicis recordationis *Adriani* Papæ Prædecessoris nostri, tunc Sancti *Adriani* Diaconi Cardinalis, & per ipsius Sedis literas simul in regnis ipsis legati, cum quo familiariter tunc eramus, contigit evidenter. Nam Legatus ipse ad præfatum regnum *Scotia* aliquatenus admissus non extitit, donec per

\* Here, p. 395, to 398. & in 2. Parchment Rolls 1 found in the White Tower

\* Therefore Kings John's Charter of resignation of his Realm & Crown to Pope Innocent by force, fear and fraud was much more voyd by this his Papal resolution; See Tom. 2. p. 325, 327, 328.

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per litteras speciales Apostolicas, sibi legationis fuit commissum officium in eodem. Præterea noscere potest Regia Celsitudo, qualiter regnum ipsum per beatæ \* *An. 28 E. 1.*  
*Not. S. Petri*  
*Apostoli: Er-*  
*go, it is a part*  
*of St. Andrews,*  
*not of St. Pe-*  
*ters Patrimo-*  
*ny, upon this*  
*account.*  
 Apostoli venerandas reliquias, non sine superni numinis grandi dono acquisitum, et conversum eritit ad fidei catholicæ unitatem. Qualiter etiam antiquis temporibus *Eborum* Archiepiscopus, qui tunc erat, mota per eum super jure Metropolitico adversus Prælatos *Scotie* quæstione, in qua dictum antiquitus fuisse commemorat; Memento quod sumus tui, ut cætera quæ inde sequuntur silentio relinquamus, pro se sententiam obtinere nequivit, quamvis alia plura & varia, quæ in hac parte rationabiliter proponenda se offerunt, ex quibus ad hæc tibi scribenda movemur, prætereat calamus, ne inde forsitan sensibus Regiis tardium generetur. Hæc profecto (sibi charissime) infra claustra pectoris sollicite considerare te convenit, & attendere diligenter, ex quibus nulli in dubium veniat, regnum *Scotie* prælatum ad præfatam *Romanam* Ecclesiam pertinere, quod tibi nec licet nec licuit, in ipsius Ecclesiæ ac multorum præjudicium, per violentiam subjugare, tuæque subicere ditioni. Cum autem, sicut habet fidedigna, & nostris jam pluries auribus inculcata relatio, famæque præcurrentis afflictiis divulgatur, tu præmissa (ut debueras) non attendens, neque debita consideratione discutiens, et ad occupandum et subjugandum ditioni Regiæ regnum ipsum, tunc Regis auxilio destitutum, vehementer aspirans, et tandem ad id exercens potentia tuæ vires, venerabilibus fratribus nostris *Roberto Glasguensi* & *Marco Soderensi* Episcopis, et nonnullis Clericis et aliis personis Ecclesiasticis dicti regni (ut dicitur) captis et carceralibus vinculis traditis; quorum aliquos (sicut asseritur) squalor Carceris violentis extingit: Ac etiam occupatis Castris, et (prout fertur) Monasteriis, aliisque Religiosis locis quampluribus dirutis, seu destructis, ac dampnis gravibus ejusdem regni habitatoribus irrogatis, in ejusdem regni partibus Officiales Regios posuisti, qui Prælatos, ceteros Clericos, et Ecclesiasticas ac etiam Seculares dicti regni personas, multimodis perturbare molestiis et afflictionibus variis et diversis impetere non verentur, in divina Majestatis offensam, Sedis memoratæ contemptum, Regiæ salutis et famæ dispendium, Juris injuriam, et grave Scandalum fidelium plurimorum. Regalem itaque Magnificentiā rogamus et hortamur attente, et obsecramus in eo, qui est omnium vera salus, quatinus solerter attendens, quod ex debito Pastoralis Officii nostris humeris incumbens, ad conservanda et gubernanda sollicite bona et jura omnia Ecclesiæ supradictæ tenemur, quodque homini plus quam Deo deferre non possumus nec debemus, prædictos Episcopos, Clericos, et personas Ecclesiasticas, quos adhuc Carcer Regius tenet inclusos, pro Divina et Apostolica Sedis, ac nostra reverentia (sublato difficultatis et dilationis objectu) benigne restitui facias prædictæ libertati, dictosque Officiales de regno *Scotie* reboces memorato. Sic te in hiis prout speramus et cupimus promptis et efficacibus studiis habiturum, ut apud cœlestem Regem pro minimis grādia rependentem, non immerito reddaris acceptior, gratior haberis, et præter laudis humanæ præconium tibi proinde probenturum, Apostolicæ sedis favorem et gratiam possis uberius promereri. Si vero in eodem regno *Scotia*, vel aliqua ejus parte jus aliquod habere te offeris, volumus, quod tuos Procuratores et Runcios ad hoc specialiter constitutos, cum omnibus iuribus et munimentis tuis, hujusmodi negotium contingentibus, infra sex menses a receptione præsentium numerandos, ad nostram præsentiam mittere non omittas; cum parati sumus tibi tanquam dilecto filio plene super præmissis exhibere iustitiæ complementum, et Jura, (si qua habes) inviolabiliter observare. Nos enim nichilominus extunc lites, quæstiones, et controverfias quaslibet inter te denique et regnum *Scotie*, ac Prælatos, Clericos, et personas Seculares ejusdem subortas, et quæ possunt in posterum ex quibusvis causis prædictis eroriri, totumque negotium prædictæ contingens, aut aliquod eorundem, ad cognitionem et determinationem sedis ejusdem, præsentium tenore reducimus, et etiam reservamus. Decernentes irritum et inane, si secus scienter vel ignoranter a quoquo in hac parte contigerit attemptari. Datum *Anagnia*, quinto Kalend. Julii, Pontificatus nostri Anno quinto.

*Nota.*

What the trayterous Archbishop did in pursuance thereof in obedience to the Pope, against his duty, oath and allegiance to the King and kingdom, this his certificate to the Pope will fully inform us.



An. 28 E. 1.

Mat. Westm.

P. 424. 425.

\* *Certificatio Archiepiscopi, Domino Papæ missæ,  
super negotia Scotiæ.*

Sanctissimo in Christo Patri & Domino suo reverendo, si placet, Domino Benifacio, divina providentia Sacrosanctæ Romanæ ac universalis Ecclesiæ Summo Pontifici, suus filius devotus Robertus permissione divina Cantuariensis Ecclesiæ Minister humilis, pedum oscula beatorum, cum promptitudine iuxta posse parendi mandatis papalibus ac præceptis. Mandatum sanctæ & reverendæ paternitatis vestræ sub Bulla plumbea nuper recepi, tenorem continens infrascriptum. Bonifacius Episcopus, &c. (de verbo ad verbum recitando totam Bullam proximo præcedentem.) Cujus delator quasdam alias literas Apostolicas nobili Principi Domino Edwardo Dei gratiâ Regi Angliæ illustri directas, et per me et injuncto paternitatis vestræ præsentandas incontinenti exhibuit, quasi sub eodem contextu. Quo quidem mandato vestro, una cum literis infrascriptis reverenter admissis, ac statim coram me recitato, præparavi sartinnuculas, vestitus & sumptus, extunc de die in diem, & familiam ordinavi ad veniendum pro expeditione & expeditione eorum, quæ mihi per vos mandabantur ad ipsum Dominum Regem, qui tunc agebat in remotioribus partibus regni sui, versus Scotiam distantibus, à loco ubi mandatum vestrum receperam, per viginti vel circiter moderatas dietas. Et antequam venirem continuatis dietis cum omni festinatione ad Civitatem Carleolum, quæræ in Marchia Scotiæ, ingressus suis idem Rex cum exercitu suo partem regni Scotiæ, quæ vocatur Galvedia. Cumque diligenter explorando recepissem à viris fidedignis, secularibus & religiosis, ipsius patriæ notitiam habentibus, quod ad Regem usque ad Kriandbright, in arduissimis locis Galwedix, mihi tutus non patebat accessus; tamen propter Scotos sine capitis regimine existentes, & alios latrunculos, pradas & sanguinem Anglorum facientes, qui cum duce exercitus eorundem occupaverant media loca inter Carleolum et ipsum Dominum Regem, distantem ab eadem Civitate serè per quadraginta Milliaria, cum propter vestitus & hospitii defectum, qui in itinere medio, vastata tota patriâ, reperire vel per eam asportare nequibant; Ego per obedientiæ necessitatem ex parte una, et per tanta pericula in tam longinquis partibus de mea Diocesi & Provincia, quæ ex altera nimium non urgebant arctus, maxime non invento inter Seculares vel religiosos quoquam, qui adventus mei causam ipsis Scotis verbotenus, vel per literas meas propter mortis periculum auderet deferre, et mihi securum conductum petere ab eisdem; aliud remedium prout potui exquirens, direxi duos de familiaribus meis ad Dominum Regem prædictum, cum literis meis, navigio per quosdam periculosos transitus maris, significans sibi per eandem adventum meum & ejus causam, et petens, quod propter reverentiam sedis Apostolicæ, cuius eram nuncius sibi, significaret ubi, qualiter, et quando, ad eum tute accedere possem propter vicinarum discrimina, quæ sibi per eandem meas literas nunciavi. Cujus responsio ab eisdem Nunciis, non minima pericula in mari & itinere eundo & redeundo evasis, per literas Regiæ mihi delato, quibus continebatur, quod ipse Dominus Rex nihil (cui pro mihi fecit ad vitanda dicta pericula, quàm quod cum Domina Regina uxore sua, pro qua miserat, venirem ad partes Gerewikes, ad locum ubi disposuit eodem Domina obviare, deficiente navigio, quo una cum equis et familiaribus meis necessariis vebi possem per mare, quod dum nuncii mei transferunt tam periculosè versus Regem, ventis etiam quasi continuis validis & contrariis existentibus, morabar in confiniis Scotiæ, quærando de loco in locum vestitus sufficientiam potius quam abundantiam, circa sex septimanas securioris progressus ad Regem opportunitatem non tam dispendiosè quàm anxie expectando. Denique cum audirem diligentius explorando, quod idem Dominus Rex cum exercitu suo in redeundo versus Castrum de Caerlandrock, quod prius ceperat, in Scotia fixisset tentoria, juxta novam Abbathiam de Duzques in Galvedia, malens periculo me, meos ac mea erponere, quàm in tam longinquis partibus quodammodo vacuis, extra meam Diocesium & Provinciam diutius sic languere, latitans in quibusdam locis secretis juxta mare, quod dividit Angliam & Galvediam, captata temporis opportunitate in refluxu maris, auctus ab hiis, quos non oportebat via transitus ignorasse, transivi per quatuor meatus aquarum maritimos cum equis et phaleris, nomine magis (ratione profunditatis aquarum) quam litoris & vivorum sabulorum introitu & exitu periculosos; & quasi inopinatè veni die Veneris proximo post festum sancti Bartholomæi Apostoli, ultimo jam transacto, ad dictum Regem, in medio exercitu suo tunc in prandio existentem & quia non potuit, ut dicebat, eo die vacare, mandavit mihi illo die in sero per duos de majoribus Comitibus, qui tunc assistebant ei, quod in crastino, videlicet Sabbato sequenti audi-

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ret me benigne. Adveniente igitur ipso die Sabbati coram devotissimo juveni Domino Edwardo filio dicti Regis, Comitibus, Baronibus, & aliis Militibus sui exercitus in magna multitudine confluentibus, ac dicto Domino Regi assistentibus, recitato mandato vestro predicto mihi transmissio, literas Sancte Paternitatis vestre prefato Domino Regi directas, auctoritate ejusdem mandati presentavi eidem, quas ipse Dominus Rex reverenter receptens, eas publice legi coram omnibus, et in Gallica lingua fecerat patenter exponi. Quibus auditis patienter à singulis, antinabi ipsum et induci modis quibus potui et scivi, quod vestris exhortationibus, quoad ea quæ in dictis literis proponebantur, pareret in omnibus reberenter. Postmodum me secedente ab eo cum Clericis meis ad mandatum suum, dum deliberaret super hiis cum dictis Proceribus suis, ac demum revocato, respondis mihi coram eisdem per interpositam personam sub hac forma.

An. 28 E. 1.

\* Responsio Regis Archiepiscopo Cantuar. ad literas Apostolicas.

\* Mat. Westm.  
P. 426, 427.

Domine Archiepiscopo, fecisti ex parte superioris & reverendi patris Domini Pape, quandam monitionem, contingentem statum & jus regni Scotiæ; verum quia consuetudo est Regni Angliæ, quod in negotiis contingentibus statum ejusdem Regni, requiratur consilium omnium quos res tangit, ac instans negotium Regni Scotiæ tangit statum et jus Regni Angliæ, pluresque sunt Prelati, Comites, Barones, et alii Regni Angliæ Proceres absentes, qui non sunt nec fuerunt in isto exercitu, quos dictum contingit negotium; quibus etiam inconsultis respondere non poterit dicto summo Patri nostro aut vobis finaliter; In hac parte intendit Dominus noster Rex super contentis in literis dicti patris, quam citius poteris commodè, eosdem absentes & nunc presentes simul consulere, & cum eisdem deliberatius tractare, ac per Nuncios proprios eidem Summo Pontifici super hiis de communi eorum consilio respondere. Quod quidem responsum idem Dominus Rex sic in sua presentia nomine suo factum ratificavit, & etiam expressè approbavit. Dum igitur cum tali responso coram tanta multitudinem Magnatum & aliorum fidedignorum mihi facto, licentiatum diversissem ab eo, & versus propria revertissem, audiivi, quod idem Dominus Rex statim infra quatuordecim post recessum meum, rediit cum exercitu suo ad partes Angliæ, & singulis quasi de exercitu suo ad propria cum equis & armis remeantibus, idem Dominus Rex exercitu sic disperso, paucis enim comitantibus & sicum retentis, perhennare disposuit, ut dicebatur communiter, apud quandam Abbatiam, qua vocatur Holmcoltram, in confiniis Scotiæ super mare. Et sic mandatum vestrum cum omni qua potui diligentia, sum reberenter in omnibus executus. Valeat semper & crescat in Domino ad sua Ecclesia regimen Apostolica Celsitudo vestra. Datum apud Ottesford 8 Idus Octobris, Anno Dom. 1300.

\* 411.

Thus we see how over-diligent and officious this Archbishop was in executing the Popes imperious Antichristian Mandates, in high derogation of his own Kings Crown, Dignity, and Sovereign Dominion over Scotland, which this Pope laid claim to by a false pretended antient Right, as a part of St. Peters Patrimony, and the Church of Romes Demefn.

The King upon the receipt of this Bull from the Pope, delivered to himself by the Archbishop, (on which I finde this Memorandum endorsed; Memorandum quod Dominus Rex tradidit Domino J. de Langeton Cancellario suo apud Northampton. 24 die Decembris, anno regni sui 29. Bullam quam Archiepiscopus Cantuariensis tulit eidem Domino Regi apud Cartanoks in Scotia, cujus tenor Bulla continetur hic infra;) upon his return into England out of Scotland, summoned a Parliament at Lincoln, in Octabis Sancti Hilarii, to advise with his Prelates, Nobles and Commons how to defend the Rights of his Crown, against this New Papal claim: In the Writs of Summons to the Archbishops, Bishops, Abbots and Priors thereunto, as well as in those to the Earls and Barons, he inserted this memorable clause; Paxime cum ipsi ad observandum et manutenuendum jura Regis et Coronæ nostræ prefatæ una nobiscum, jaramenti vinculo sint affecti. Moreover he issued special Writs to several Deans, Archdeacons, and other learned Scholars to appear at Lincoln, to advise with the Lawyers and others of his Counsil concerning his antient Right to the Realm of Scotland, penned in this forme.

\* Claus. 28 B.  
1. m. 3. dorso.  
See my First  
Part of a Brief  
Register of  
Parliamentary  
Writs, p. 121  
344, 345.  
&c Here, p.  
355.



An. 28 E. 1.

Clauf. 28 E. 1.  
m. 3. dorfo.

**R**EX dilecto Clerico suo Magistro Reginaldo de Brandon, salutem. Quia super iure et dominio quæ Nobis in regno Scotiae competit, et quæ antecessores nostri Reges Angliæ in eodem regno Scotiae habuerunt temporibus retroactis, cum Jurisperitis et aliis de Consilio nostro speciale Colloquium habere volumus et Tractatum: Vobis mandamus firmiter injungentes, quod modis omnibus suis ad Nos apud Lincoln. in Octabis Sancti Hilarii prox. futur. Nobiscum et cum ceteris de Consilio nostro super præmissis tractatur, vestrumque Consilium impensur. Et hoc sicut Nos, et honorem et commodum regni nostri diligitis nullatenus omittatis. Teste Rege apud le Rose 28 die Septembris.

Consimiles litteræ diriguntur subscriptis; viz. Magistro Willielmo de Grenfeld Decano Cicestr. Magistro R. Decano Sancti Pauli London. Magistro Willielmo de Sardene Official. Cantuar. Magistro Roberto de Radeswell Archidiacon. Cestr. Magistro Petro de Insula Decano Wellen. Magistro Johanni de Derby Decano Lichf. Magistro Johanni de Crancumbe Archidiacon. Eltring. Magistro Philippo Martell, Magistro Willielmo Piking. Magistro Roberto Piking, Magistro Willielmo de Kilkenny, Magistro Richardo de Plumpsted, Magistro Thomæ de Lugore, Magistro Petro de Dene, Magistro Johanni de Lacy.

He likewise sent this Writ to the Chancellor and University of Oxford to send 4. or 5. of the discretest and most expert Scholars in the written Law, to confer with him and his Council upon the premised business of Scotland.

28 E. 1.  
1. dorfo.  
the First Part  
of my Brief  
Register, p.  
345.

**R**EX dilectis sibi in Christo Cancellario et Universitati Oxon. salutem. Quia super iure et dominio quæ Nobis in regno Scotiae competit, &c. (verbatim, as in the precedent Writ.) Vobis mandamus firmiter injungentes, quod quatuor vel quinque de discretioribus et in iure scripto magis expertis Universitatis prædictæ ad Parlamentum nostrum apud Lincoln. mittatis; ita quod finiri in Octabis Sancti Hilarii prox. futur. ad ultimum, Nobiscum et cum ceteris de Consilio nostro super præmissis tractaturi sumusque consilium impensuri. Et hoc sicut Nos, et honorem et commodum regni nostri diligitis, nullatenus omittatis. Teste Rege ut supra.

Eodem modo mandatum est Cancellario et Universitati Cantabr. quod mittant ad dictum Parlamentum duo vel tres de discretioribus et magis in iure scripto expertis Universitatis prædictæ, &c. Teste ut supra. Wherein it is observable, that the University of Oxford was placed before Cambridge, and a double Number to be sent from thence to the Parliament to those of Cambridge; as being more eminent, and abounding with more learned men in that age, than Cambridge University.

\* Bundle Bre-  
vium & Lite-  
rarum, An.  
28 & 29 E. 1.  
in Turri Lon-  
don.

To these Writs the Chancellors and Convocations of the Universities of Oxford and Cambridge made these distinct returns, which I found in a \* Bundle of Writs in the White Tower Chappel.

**E**xcellentissimo Principi & serenissimo Domino, Domino E. Dei gratia Illustri Regi Angliæ, sui (si placet) Cancellarius Universitatis Oxoniæ, Cæterisque unanimis Magistrorum, Devotionis obsequium & reverentiæ debitum cum honore. Literas Regiæ Majestatis suscepimus, continentes, ut ad vestrum Parlamentum Lincoln. pro arduis Regni negotiis pertractandis cum ceteris de Consilio, quatuor saltem mitteremus Magistros. Sanè præceptis Regiis obtemperare propensius congaudentes, Serenitati Regali Magistros quatuor destinamus, quorum facta et nomina apud Scholasticos extolluntur, viros utique Scientiæ Juris præditos, et moribus veneratos, vestrique honoris et famæ fervidos Zelatores. Rogantes humiliter, ut Regiæ liberalitatis immensitas et affluentiæ bonitatis ipsos dignetur recommendatos habere, atque remittere prosperatis vestro pro beneplacito negotiis expeditos. Dierum longitudinem cum salute adjiciat vobis ille, per quem Reges regnant & Principes dominantur.

Ibidem.

**E**xcellentissimo Principi Domino, Domino Edwardo Dei gratia Regi Angliæ Illustri, debotti sui Cancellarius Cantabrig. et tota Universitas cum humili recommendatione; Seipfos ad mandata paratos, & in Rege Regum feliciter triumphare.

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phare. Ad mandatum Serenitatis vestre providos viros & discretos Magistros, Si-  
monem de Waldene Monachum, & Hugonem Sampsonis Jurisperitos, ad vestre domi-  
nationis presentiam destinamus, ut in hiis quæ vos et regnum vestrum contingere  
dinoſcuntur, pareant in omnibus & intendant. Conſervet vos, &c.

An. 28 & 29  
Edw. 1.

The King also issued Writs to these following Abbots, Priors, Deans and Chap-  
ters, to search out and send all their *Chronicles* to this Parliament, to make good his  
ancient Title to the Realm of Scotland.

**R**EX dilecto sibi in Christo Abbati & Conventui *Wism.* salutem. Quia super  
jure et dominio quæ Nobis in regno Scotia, &c. (as before, usque tractatum) Clauf. 23 E 1.  
Vobis mandamus firmiter injungentes, quod scrutatis diligenter omnibus Chroni-  
cis, Archiepiscopis et secretis domus vestre, quicquid invenire poteritis quod tangat dic-  
tum regnum Scotia quoquo modo, Nobis ad Parliamentum nostrum apud Linc. in  
Octabis Sancti Hillarii proximo futur. per aliquem de vestris, de quo confidentiam  
habueritis, et qui in hujusmodi negotio majorem noticiam habuerit, transmittatis.  
Et hoc sicut Nos, et honorem ac commodum regni nostri diligitis, nullatenus omit-  
tatis. Teste Rege apud la Rose, 26 die Septembris. dorlo 3, 2.

Consimiles literæ diriguntur subscriptis, videlicet, Abbati de *Waltham*, Abbati S.  
*Augustini* in *Cantuar.* Priori & Conventui Ecclesie Christi *Cantuar.* Abbati de San-  
cto *Edmundo*, Abbati de Sancto *Albano*, Abbati de *Evesham*, Abbati Sanctæ *Wer-*  
*burgæ Cistr.* Priori & Conventui *Dunelm.* Priori & Conventui *Karliol.* Abbati de  
*Malmesbury*, Priori & Conventui *Roffen.* Abbati de *Barlinges*, Abbati beati Petri  
*Gloucestr.* Abbati de *Furneys*, Abbati de *Holmcoltran*, Abbati de *Cirencestr.* Abbati  
de *Jerovall*, Abbati de *Fontibus*, Abbati de *Radynges*, Abbati *Glaſſen*, Abbati de  
*Rameſey*, Abbati beatæ *Mariæ Ebor.* Abbati de *Burgo S. Petri*, Abbati S. *Augustini*  
*Bristoll*, Abbati de *Thurmeys*, Priori & Conventui S. *Swithuni Wynton.*

Consimiles etiam literæ diriguntur Decanis & Capitulis, Abbatibus & Prioribus  
subscriptis, videlicet, Decano & Capitulo Ecclesie Sancti *Pauli London.* Decano &  
Capitulo Ecclesie beatæ *Mariæ Sarum*, Decano & Capitulo Ecclesie *Cicestr.* De-  
cano & Capitulo *Exon.* Decano & Capitulo *Willel.* Priori & Conventui *Bathon.*  
Decano & Capitulo *Hereford.* Priori & Conventui *Covenr.* Decano & Capitulo  
*Litchf.* Decano & Capitulo *Linc.* Priori & Conventui *Elyen.* Priori & Conventui  
*Norwycen.* Decano & Capitulo *Ebor.* Abbati & Conventui *Oſeneye*, Abbati & Con-  
ventui de *Abyndon*, Abbati & Conventui de *Alnewyke*, Abbati & Conventui de  
*Novo Monasterio.*

Upon reading the Popes Bull, there were divers debates among the Kings Coun-  
cil and Parliament, how the King should proceed in answering the Popes Bull, or  
whether he should return any answer at all thereto; and how he might avoyd the  
perils and difficulties that might ensue upon his proceedings therein; as this memora-  
ble parchment Roll I lately found in the *White Tower* (then drawn up and presen-  
ted to the King and his Council) will inform us: containing reasons *pro & con-*  
*tra* to 5. *Quæres* then propounded and debated concerning it; the first where-  
of, with the beginning of the second are torn or eaten off from this remaining  
part, which I shall present you with. It seems the second *Quære* then propoun-  
ded, was; Whether the King should send any Messengers to the Pope to declare  
and defend his right to the Realm of Scotland? to which these Reasons *pro & con-*  
*tra* were propounded and engrossed in this Roll. The Reasons against it there-  
in remaining, are these.

In Turre  
London, An.  
29 E 1.

**I**tem, Quia (sic) esset Papa Judex in propria causa.

**I**tem, Rex Angliæ rebocaret in dubium jus et possessionem suam regni Scotia,  
aggrediendo litem.

**I**tem, ammitteret secundum formam literæ supradictæ approbare reductionem et  
reservationem litium, quæſtionum, et controverſiarum subortarum, quæ possent  
impoſſerum exoriri ex quacunque causa inter Regem et regnum Scotia, ad cognitio-  
nem et determinationem Sedis Apostolicæ, et etiam decretum subsequens, per quod  
decernit



An. 28 E. 1

decernit irritum et inane si secus, ac. per quæ videtur interdicere manum militarem in subditos et rebelles regni Scotiæ, et auferre potestatem jurisdictionem, coactionem in eisdem iustitiam faciendi, et sua facta et jura regalia annullare.

*Item, cum Papa asserit, in libro memoriarum Regis contineri, ipsius regnum Scotiæ ad Romanam Ecclesiam pertinere pleno jure; ac etiam concludit, dictum regnum in bonis seu de bonis Ecclesiæ Romanæ esse; periculosum esset apud Sedem Apostolicam eorum Papam litigare; maxime cum Rex contra Papam (qui Papa se asserit judicem et partem) nullum in Curia Romana consilium vel auxilium inveniret. Et periculosum esset ibi Instrumenta et Punimenta deferre, quæ etiam et si valida essent, ea contra se et suam assertionem forsitan nullatenus approbaret.*

*Si verò non mittat Rex Angliæ secundum formam mandati prædicti, deliberandum est cujusmodi possent ex hoc pericula evenire. Tamen videtur quibusdam, quod si illud verbum (volumus, &c.) importat vim denunciationis, tunc erit his effectus, quod Dominus Rex Angliæ prosequatur jus suum infra tempus præfixum; alioquin cedat ab actione, ut, sicut destitutus a possessione, excludatur a jure. Si verò illa verba (volumus, &c.) cadant in vim citationis vel citationis (ut quidam opinantur) tunc creditur posse evenire, ut sit Rex non mittente juxta formam litterarum prædictarum, contracta contumacia vel mittetur Ecclesia Romana in possessione regni Scotiæ, vel excluso Rege Angliæ et benedictione juris regni Scotiæ, per decretum declarabit, regnum Scotiæ ad Romanam Ecclesiam pertinere, vel ad alias pœnas Domino Regi præjudiciales, tam spirituales quam temporales saltem, de facto usurpando jurisdictionem, potest extendere manus suas in personam scilicet vel in rem; præsertim cum Papa offerat eidem Regi plene exhibere iustitiæ complementum, et jura si quæ habeat irrevocabiliter observare: Unde Rege non mittente, forsitan Papa reputaret Regem oblata sibi iustitiæ et auctoritatis sedis Apostolicæ contemptorem, et de observatione etiam jurium suorum similiter oblata nullo curare.*

\* nolle.

*Circiterium: An sit mittendum ad declinandum judicium, cognitionem, jurisdictionem et forum; vel ad excusandum, quare non mittat secundum formam mandati? Deliberandum est ex quibus causis compunctibus Rex possit sic declinare vel excusare, et quæ possent ex his pericula evenire. Et videtur quibusdam, quod si Rex declinet Papam, quod non sit Juxta suus in temporalibus, quia Papa non debet judicare de Laico feodo, et Papa asserat Regem Angliæ esse Vassallum suum; posset forsitan esse periculum, quia Papa reputans eum negasse vassallagium suum, præsumperet in pronuntiationes Domino Regi præjudiciales super feodo, quod dicit eum tenere ab Ecclesia, et forte declinationem illam non admitteret, cum asserat regnum Scotiæ ad Romanam Ecclesiam pleno jure pertinere, et sic ipsum regnum sibi subesse in jurisdictione temporalis. Et si sic declinaret, quodammodo sibi attribueretur cognitio in dubio, an sua sit jurisdictio, cum unus asserat, et alius neget; nec est verisimile, quod pronuntiaret contra assertionem suam bullatam, immo potius pro eadem; et ulterius ad alia deteriora et Regi præjudicialia procederet.*

*Item, cum Papa reducat ad se omnes quæstiones et lites exortas inter Regem Angliæ et regnum Scotiæ, et quascunque personas de regno eodem; et in præcedentibus litteris Apostolicis narretur de injusta incarceratione Episcoporum, Prælatorum et Clericorum Scotiæ, et de destructione Monasteriorum et aliorum locorum Religiosorum regni ejusdem, et aliis excessibus et damnis datis, Rege comparente eorum Papam per Procuratores et Nuncios ad hoc specialiter deputatos, sicut in præfatis litteris Apostolicis continetur, quislibet in regno Scotiæ (ut videtur) posset contra Regem denunciare prædicta, et accusare eum de eisdem. Et sic haberet necessitas omnibus de se conquerentibus respondere in Curia memorata.*

*Circa quartum: Si vero se excuset, quia jura Coronæ suæ non potest in judicium deducere sine consensu Procerum et Magnatum regni sui; quodammodo videretur eum reputare Judicem suum.*

*Item, si excuset se, quia Proceres regni sui positi ad rationem, concorditer dicunt se nolle permitttere Regem jura Coronæ suæ, ad quorum conservationem et defensionem juramenti vinculo sunt affecti, contra libertates, leges et consuetudines regni Angliæ eorum Papam in judicium deducere, nec jus et possessionem suam regni Scotiæ, quæ clara sunt et certa, in judicium deducere, nec in dubium ac scrupulum quæstionis ponere quoquo modo. Et quod ipsi Proceres illud idem ita scribent: De liberetur an sit expediens; quia timetur, quod Papa reputaret istam excusationem*

tribolam

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frivolam, et procederet forsitan ad penas p̄judiciales p̄scriptas spirituales et temporales, in personam scilicet et rem, supponendo se esse suum judicem competentem.

*Circa quantum verò, videlicet de mittendo informationes correspondentes literis Apostolicis, si hic videatur Consilio expediens, deliberetur de modo mittendis an per Puncium cum literis de credentia, qui extrajudicialiter p̄dictas informationes Papæ seriatiim exponat, et de periculis qui possent inde contingere. Et videtur quibusdam periculum esse, quod cum laicum sit mandatum credentia et incertum, per interrogationes subtiles et astutas faciendas a Papa, posset Puncius hujusmodi injuncta sibi excedere, et aliqua p̄judicialia forte fatari.*

*Item, cum Puncius credentiam plenam habens, quandoque major sit omni procuratore propter generalitatem credentia, posset forsitan compelli respondere et alia dicere quam sibi erant injuncta, quorum nulla vel difficiles valde foret rebocatis in futurum.*

*Item, sic mittendo Puncium cum talibus informationibus, sus quod habet in regno Scotiæ contingentibus, videretur parere quodammodo, cum ibi contineatur, quod mittat nuncios cum juribus, &c. et infra certum tempus; Nec protestationes facto contraria valerent.*

*Item, forsitan Papa tali Puncio talia proponenti p̄figeret terminum, vel Regi in persona sua, ad offendendum et probandum jura et allegata coram eo; vel forsitan si p̄posita insufficientia et tanquam probata resiceret et cassaret, et ulterius ad p̄judicialia procederet contra Regem et regnum Scotiæ.*

*Item, si mittantur informationes per literas Regias sub Regis sigillo, si videretur expediens, consilio deliberetur de periculis quæ possent accidere. Et timeatur, quod Papa informationes hujusmodi et literas tanquam insufficientia documenta et munimenta reputabit; et ob hoc procedens ad alia, pronuntiabit aliqua p̄judicialia, ut supra. Et cavendum est summopere, ne aliquid obscurum, scrupulosum, dubium, vel p̄judiciale, quod possit contra Regem interpretari, in dictis literis inferantur; pro eo quod ipse literæ, si mittantur ad Papam, ad perpetuam rei memoriam remanebunt.*

*Item, sic mittendo et informando, videretur quodammodo parere mandato et voluntati Domini Papæ, et sibi obedire in temporalibus, et ei tribuere facultatem examinandi jura sua in eisdem informationibus sibi missa; et forsitan Papa decerneret Regem fore hocandum, ad docendum et ostendendum jura in hujusmodi literis comprensa et allegata.*

*Item, Papa intelligens in parte esse sibi paritum et non plene, p̄cludet Regi viam quoviam ulterius proponendi seu probandi.*

*Si vero Rex Angliæ nullo modo compareat nec mittat Procuratorem, nec Puncios, nec informationes extrajudiciales, nec se excuset, nec judicium declinet, tamen quia literæ Apostolicæ non videntur habere hinc citationis nec monitionis, nec ipsum Regem artare ad mittendum, prout in ipsis literis continetur; p̄cipue cum Papa non reputetur Index in Laico secundo; tamen quia etiam hujusmodi literæ aspera, insolita, et inaudita, ac juri communi contraria videntur continere, (in quo casu etiam, etsi Papa esset Index competente, videretur secunda jussio expectanda) tunc forsitan Papa contra Regem, tanquam contra contumacem et indefensum, ad pronuntiationes, p̄clusiones, et juris Ecclesiæ Romanæ declarationes, et ad alia procederet p̄judicialia, prout supra.*

After mature, serious debate, and consideration of these Questions and Reasons pro & contra in the Parliament at Lincoln, Rex Apostolica literis ex deliberato apud Lincolniam convocato Concilio, pro jure suo declarando, literas hujus tenoris rescripsit, (inrolled in perpetuam rei memoriam in the Records in the Tower, and registred at large to posterity, by <sup>b</sup> Matthew Westminster, <sup>c</sup> Thomas Walsingham, <sup>d</sup> Henry de Knyghton, and more briefly by <sup>e</sup> others.

**S**anctissimo in Christo Patri Domino Bonifacio, divina Providentia, Sanctæ Romanæ ac universalis Ecclesiæ Summo Pontifici, Edwardus eadem gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanie, Devota pedum oscula beatorum. Infrascripta non in forma nec in figura iudicii, sed omnino extra iudicium pro serenanda

a Claus. 19 E.  
1. m. 10. dor.  
fo. Ryley  
Placita Parl.  
Append. p. 496  
b Mat. West.  
An. 1301. p.  
427. to 435.  
c Tho. Walsingham, Hist.  
Angl. p. 49.  
d Henry de Knyghton de  
Event. Angl.  
l. 3. c. 4. col.  
2484, to 2490.  
e Polyd. Virgil, Fabian,  
Caxton, Holshed, Speed,  
Stow, Daniel.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4

An. 29 E. 1. *n*anda sanctæ paternitatis vestræ conscientia vobis transmittimus exhibenda. Altissimus inspector cordium, \* nostræ scrinio memoriz indelebili stylo novit inscribi, quod Antecessores et Progenitores nostri, Reges Angliæ jure superioris et directi domini ab antiquissimis retro temporibus Regno Scotia, et \* ipsius Regibus, in temporalibus et annexis eisdem præstiterunt, et ab eisdem Regibus pro regno Scotia, et ejusdem regni Proceribus, a quibus habere volebant, ligea homagia et fidelitatis juramenta receperunt: nos Juris et domini possessionem continuantes hujusmodi, pro tempore nostro, eadem \* tam a Rege Scotia, quam ab ipsis regni Proceribus recepinus: quinimo tanta juris et domini prærogativa super regnum Scotia et ejusdem Reges gaudebant, quod regnum ipsum suis fidelibus conferrebant, Reges etiam ex justis causis amovebant, et constituerunt sub se loco ipsorum alios regnuros, quæ proculdubio ab antiquo notoria fuerunt et existunt \*; licet aliud fortè paternis auribus per pacis amulos & rebelliones filios fuerit falsa insinuatione suggestum; quorum machinosa & imaginaria figmenta vestra providentia, quæsumus, aspernetur. (Which Maib. Westminster and Walsingham thus relate, Licet aliud forsitan paternis vestris auribus, &c. suggestum fuerit à quorum machinosi & imaginariis figmentis, ut vestræ Sanctitatis oculus avertatur, suppliciter quæsumus, & paternam clementiam & excellentiam devotis affectibus exoramus, ut brevitatis causa, gestis antiquorum temporum salvis, quædam exempli causa tangamus.) \* Sub temporibus itaque Ely & Samuelis Prophetæ, viz. quidam strenuus & insignis, Brutus nomine, de genere Trojanorum, post excidium urbis Troje, cum multis nobilibus Trojanorum, applicuit in quandam Insulam, tunc Albion vocatam, à Gigantibus inhabitatam, quibus sua & suorum devictis potentia & occisis, eam nomine suo Britanniam; sociosque suos Britones appellavit, & ædificavit Civitatem, quam Troinovantium nuncupavit, quæ modo Londonia nominatur. Et postea regnum suum tribus filiis suis divisit, scilicet Locrino primogenito illam partem Britannia, quæ nunc Angliæ dicitur; & Albanacto secundo natu, illam partem quæ tunc Albania à nomine Albanacti, nunc vero Scotia, nuncupatur; Et Cambro filio minori partem illam, nomine suo tunc Cambriam vocatam, quæ nunc Wallia vocatur; reservata Locrino seniori Regia dignitate. Itaque biennio post mortem Bruti applicuit in Albania quidam Rex Hunorum nomine Humber, & Albanactum fratrem Locrini occidit: quo audito, Locrinus Rex Britonum persecutus est eum, qui fugiens submersus est in flumine, quod de nomine suo Humber vocatur, & sic Albania revertitur ad dictum Locrinum. Item Dunwalle Rex Britonum Scatarum Regem Scotia sibi rebellem occidit, & terram ejus in deditionem recepit: Item duo filii Dunwallonis, scilicet Belinus & Brennius inter se regnum patris sui dividerunt: Ita quod Belinus senior Diadema Insulæ cum Britannia, Wallia & Cornubia possideret; Brennius vero, sub eo regnaturus, Scotiam acceperet: (Petebat enim Trojana consuetudo, † ut dignitas hæreditatis primogenito perveniret.) Item, Arturus Rex Britonum Princeps famosissimus, Scotiam sibi rebellem subjecit, & penè totam gentem delevit; & postea quendam nomine \* Anguselum, in Regem Scotia præfecit. Et cum postea idem Rex Arturus apud Civitatem Legionum festum faceret celeberrimum, interfuerunt ibidem omnes Reges sibi subiecti; inter quos † Anguselus Rex Scotia servitium pro regno Scotia exhibens debitum, gladium Regis Arturi detulit ante ipsum; & \* successe omnes Reges Scotiæ omnibus Regibus Britonum † fuere subiecti. Succedentibus autem Regibus Angliæ in prædicta Insula, & ipsius Monarchiam & dominium obtinentibus, subsequenter (An. Gratiz 907.) Edwardus dictus senior filius Elredi Regis Angliæ, Scotorum, Cumborum, & Strege Wallorum Reges, sibi, tanquam superiori Domino, subiectos habuit et submissos. (Anno Gratiz 933.) Adelfanus Rex Angliæ Constantinum Regem Scotorum, sub se regnaturum, constituit, dicens, Gloriosius est Regem facere, quam Regem esse. Et \* est dignum memoria, quod idem Adelfanus, intercedente Sancto Johanne de Beverlaco quondam Archiepiscopo Eborum, Scotos rebellantes ei † dimicavit, qui gratias Deo devotè agens, Deum exoravit, petens quatenus interveniente beato Johanne, sibi aliquod signum evidens ostenderet, quatinus tam succedentes quam præsentis cognoscere possent Scotos Anglorum regno jure subjugari. Et videns quosdam Scopulos juxta quendam locum propè Dunbar in Scotia prominere, extracto gladio de vagina, percussit in silicem; qui Lapis ad ictum gladii, Dei virtute agente, ita cavatur, ut mensura ulnæ longitudine posset coaptari; & hujus rei hætenus evidens signum appar-

An. 29 E. 1.

\* vestre

\* omnibus

\* Juramenta,

Here, p. 506,  
to 536. 649,  
to 665.

\* apud omnes

\* See Here, p.

490, to 496.

† quod

\* Ancelmum

† Ancelmus

\* successione

† fuerunt

\* In memoria

† divicit

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ret, & in *Beverlacenſi* Eccleſia, in legenda Sancti *Johannis* quaſi ſingulis Hebdomadis per annum ad laudem & honorem S. *Johannis* pro miraculo recitatur. Et de hoc extat celebris memoria tam in *Anglia* quam in *Scotia* uſque ad præſentem diem. Item *Conſtantiinus* Rex *Scotorum*, & *Eugenius* Rex *Cumbrorum* ad prædictum Regem \* *Anglia* *Adelſtanum*, poſt aliqualem diſſentionem inter eos habitam venientes, ſe cum ſuis regnis eidem *Adelſtano* dedidere; cujus facti gratia filium *Conſtantiini* ipſe *Adelſtanus* de ſacro fonte ſuſcepit. Item (Anno gratiæ 948.) *Edrido* Regi *Anglie* *Scoti* ſine bello ſe ſubdiderunt, et eidem Regi *Edredo* tanquam Domino fidelitatem debitam juraverunt, quodam *Yricio* Rege ſuper ipſos *Scotos* ſtatuto. Item (Anno gratiæ 974) cum *Edgarus* Rex *Anglia* Regem *Scotorum* *Kinadam*, & *Cumbrorum* *Malcolmum*, Regem plurimorum Inſularum *Makkum*, alios quinque Subregulos, ſcilicet *Dunwaldum*, *Syferth*, *Huwal*, *Jacob*, & *Inchil*, per fluvium *Dehe* remigare feciſſet, (in quadam navi pro-proram ſediſſet) fertur ipſum dixiſſe, Suceſſores ſuos gloriari ſe Reges *Anglorum* eſſe, cum tanta honorum prærogativa fruenterentur, ut ſubjectam haberent tot Regum potentiam. Poſt dictum *Edgarum* ſucceſſive ſucceſſerunt Reges *Anglie*, Sanctus *Edwardus* Martyr, *Egfredus* frater ejus, *Edmundus* dictus *Hirenside* filius *Egfredi*, & *Knutus* (Anno gratiæ 1017.) qui eorum temporibus regnum *Scotia* in ſua ſubjectione pacifice tenuerunt; hoc duntaxat excepto, quod anno quintodecimo regni *Knuti* prædicti, idem *Knutus* *Scotiam* rebellantem, expeditione illuc ducta Regem *Scotia* *Malcolinum* parvo ſubegit negotio; ſubdituſque eſt ei idem *Malcolinus*. Quibus *Heraldus* filius *Knuti*, & *Hardeknutus* frater ejus; unus poſt alium Reges *Anglia* ſucceſſerunt, qui, eiſ ſic regnantibus, ſibi ſubjectionem regni *Scotia* paciſſe habuerunt. Item (Anno gratiæ 1054) Sanctus *Edwardus* Rex *Anglia* regnum *Scotia* dedit *Malcolmo* filio Regis *Cumbrorum*, de ſe tenendum. Item (Anno gratiæ 1072) *Willielmus* dictus *Baſtardus* Rex *Anglia*, cognatus dicti *Edwardi*, à *Malcolmo* Rege *Scotorum*, tanquam a ſuo homine ſibi ſubdito, homagium recepit. Item (Anno gratiæ 1091.) *Willielmo* *Ruffo* Regi *Anglia* prædictus *Malcolmus* Rex *Scotorum* jureamento fidelitatis ſubjectus fuit. Item (Anno gratiæ 1092.) prædictus Rex *Willielmus* *Dunwaldum* de regno *Scotia* ex juſtis cauſis amovit, et loco ejus *Duncanum* filium *Malcolmi* Regem *Scotia* præfecit, et recepit ab eo fidelitatis jureamentum; dictoque *Duncan* dolose perempto, dictus Rex *Willielmus* præſatum *Dunwaldum*, qui iterum Regem *Scotia* invalerat, amovit ab eodem, & *Edgarum* filium dicti *Malcolmi* Regem *Scotia* conſtituit, et eidem illud regnum donavit; Cui ſucceſſit *Alexander* frater ejusdem *Edgari* conſeſſu Regis *Anglia* *Henrici* primi, fratris dicti Regis *Willielmi* *Ruffi*. Item (Anno gratiæ 1126) *Matildi* Imperatrici filia & hæredi Regis *Henrici* prædicti, Rex *Scotia* *David* fecit homagium et fidelitatem. Item Regi *Anglorum* *Stephano* *Henricus* filius dicti Regis *David* homagium fecit. Item *Willielmus* Rex *Scotorum* pro regno *Scotia*, & *David* \* frater ſuus, et Comitibus et Baronibus regni *Scotia*, debenerunt homines \* filius ejus, *Henrici* filii Regis *Anglia* *Henrici* ſecundi in cratiſſimo Coronationis prædicti *Henrici* filii *Henrici* ſecundi, patre vivente, et fidelitatem ei juraverunt contra omnes homines, ſalva fidelitate debita patri viventi. Anno vero viceſimo regni Regis *Henrici* ſecundi prædicti, dictus *Willielmus* Rex *Scotorum* rebellare incipiens, venit in *Northumbriam* cum Exercitu magno, & exercuit in populo ſtragem magnam; Cui occurrentes Milites Comitatus *Eborum* apud *Alnewyk* iplum ceperunt, & dicto *Henrico* Regi *Anglia* reddiderunt. Annoque ſequenti (1135) ſcilicet 15. Kal. Martii eſt idem *Willielmus* permiſſus liberè abire. Poſtea vero apud *Eborum* anno eodem 17. Kal. Septembris, idem *Willielmus* Rex *Scotorum*, de conſenſu Prælatorum, Comitum, Baronum, Procerum, & aliorum Magnatum regni *Scotia*, Domino ſuo Regi *Anglia* *Henrico* filio *Matildi* Imperatricis prædictæ, ſuis literis patentibus caviſſe noſcitur, quod ipſe et hæredes et ſucceſſores ſui Reges *Scotia* Episcopos et Abbates, Comitibus etiam et Barones, et alii homines regni *Scotia*, de quibus Dominus Rex habere voluerit, faciente Regibus *Anglia* homagium, fidelitatem, et ligentiam ut ligio Domino contra omnem hominem. Et in ſignum ſubjectionis hujusmodi, idem *Willielmus* Rex *Scotia* Capellum ſuum, et Cellam atque Lanceam ſuper Altare Eccleſiæ beati *Petri* *Eboracenſis* optulit, quæ in eadem Eccleſia uſque in hodiernum diem remanent et ſervantur. Item, Episcopos, Comitibus et Barones dicti regni *Scotia* conventionaverunt (ut verbis ejusdem Conventionis utamur) Domino Regi & *Henrico* filio ſuo prædictis, Quod ſi Rex *Scotia* aliquo caſu a fidelitate Regum

An. 28 E. 1.

\* See Here, p. 490. 491.

† See p. 491, 492.



An. 29 E. 1.

*Anglia et Conbentione prædicta recederet, ipsi cum Domino Rege Anglia tenebunt, sicut cum ligio Domino suo, contra Regem Scotia, quousque ad fidelitatem Regis Anglia redeat. Quam quidem compositionem felicitis recordationis Gregorij Papa 9. in diversis rescriptis Regibus Anglia & Scotia directis, mandabit firmiter observari; continentibus etiam inter cætera, quod Willielmus et Alexander Reges Scotorum, Regibus Anglia Johanni et Henrico ligium homagium et fidelitatem fecerunt, quæ tenentur successores eorum, Comites et Barones regni Scotia, ipsi et suis successoribus exhibere. Et iterum, quod cum idem Rex Scotia homo ligius sit ipsius Henrici Regis Anglia, et eidem fidelitatis præstitit juramentum, quo se principaliter adstringit, quod in ipsius Regis et regni Anglia detrimentum nihil debeat penitus attemptare. Et Papa Clemens scribens Regi Anglia, pro Johanne Episcopo S. Andrea, expulso ab Episcopatu suo per Regem Scotia, inter cætera rogavit, quod Willielmum Regem Scotia moneret et induceret; et (si necesse fuerit) districtione Regali quæ ei præminet, et concessa suæ Regiæ Celsitudini potestate compelleret, ut dicto Episcopo omnem rancorem remitteret, et Episcopatum suum habere in pace permetteret. Et post Conventionem prædictam in Ecclesia beati Petri Eboracorum prædictis Regibus Anglia & Scotia, & David fratre suo, & universo populo, Episcopi, Comites, Barones, Milites de terra Regis Scotia juraverunt Domino Regi Anglia, & Henrico filio suo et hæredibus eorum, fidelitatem contra omnem hominem, sicut ligeis Dominis suis. Et (Anno gratiæ 1194) idem Willielmus Rex Scotorum ad mandatum Regis Henrici prædicti venit apud Northampton, ad Parliamentum Domini sui, adducens secum omnes Episcopos, Abbates & Priores totius regni sui. Et venit etiam ad ejusdem Anglia Regis mandatum in Normanniam. Et idem Rex Willielmus post decessum dicti Regis Henrici veniens Cantuariam, Ricardo Regi Anglia filio & hæredi dicti Henrici fecit homagium. Quo Ricardo viam universæ carnis ingresso, sequebatur Willielmus Johanni Regi Anglia fratri & hæredi prædicti Regis Richardi extra Civitatem Lincolnia supra quandam montem, in conspectu omnis populi fecit homagium, et juravit ei fidelitatem super Cruem Huberti tunc Cantuariensis Archiepiscopi; et eidem Johanni tanquam Domino suo per Cartam suam concessit, quod Alexandrum filium suum sicut hominem suum ligium maritaret; promittendo firmiter in Charta eadem, quod idem Willielmus Rex Scotorum & Alexander filius suus, Henrico filio Regis Anglia Johannis, tanquam ligio Domino suo contra omnes mortales fidem et fidelitatem tenerent; à quo quidem Willielmo Rege Scotorum postmodum, pro eo quod desponderat filiam suam Comiti Bolonie præter ipsius Regis Johannis Domini sui assensum, pro transgressionem et temerariam præsumptionem hujusmodi, debitam satisfactionem accepit. Item Alexander Rex Scotorum, sororius noster, Regi Anglia Henrico patri nostro, pro regno Scotia, & postea nobis, homagium fecit. Vacante deinde regno Scotia post mortem Alexandri Regis illius, & subsequenter per mortem Margareta ejusdem regni Scotia Regina & Domina, Neptis nostræ, Episcopi, Abbates, Priores, Comites, Barones, Proceres, & cæteri Nobiles & Communitates totius regni Scotia, ad nos, tanquam ad legitimum Defensorem, Ducem, Aurigam, Capitaneum, et Dominum capitalem ejusdem regni sic vacantis gratis et spontanea voluntate accedentes, prout tenebantur de jure, jus nostrum, progenitorum, et antecessorum nostrorum, ac possessionem superioris et directi domini in regno eodem, et ipsius regni subjectionem ex certa scientia pure, simpliciter et absolute recognoverunt, et præstitis nobis ab eisdem tanquam superiori et directo Domino Scotia debitis et consuetis fidelitatum juramentis, ac Cibitibus, Burgis, Villis, Castellis, ac cæteris munitio-nibus regni ejusdem in manu nostra traditis ad Custodiam, ejusdem regni nostri certos jure nostro Regio Officiales et Pinistros deputabimus, quibus ipsi tempore vacationis hujusmodi concozider fuerant obedientes et intendentes in nostris præceptis Regis et mandatis. Postmodum autem diversæ personæ super successione in dictum regnum Scotia jure hæreditario inter se contententes, ad nos, tanquam ad superiorem Dominum regni Scotia accesserunt, petentes super jure succedendi in regnum prædictum sibi per nos exhiberi iustitiæ complementum, volentes et expresse consentientes coram nobis tanquam superiore et directo Domino regni Scotia stare furi. Et demum earundem partium petitionibus et juribus coram nobis tanquam superiore et directo Domino judicialiter propositis, ac sufficienter auditis, rimatis, examinatis et diligenter intellectis, in præsentia omnium Prælatorum et Nobilium*

\* Here, p. 493, 493.

\* Here, p. 494, 8cc.

\* Here, p. 497, 10 529.

Nobilium quasi totius regni Scotiæ, et de voluntate et assensu expresse eorundem  
 procedentes, Johannem de Balliolo debite \* præfecimus in Regem Scotorum, quem  
 tunc in successione ejusdem regni hæredem legitimum et iura habere invenimus po-  
 tiora. Qui quidem Prælati, Comites, Barones, Communitates ac cæteri Incolæ  
 ejusdem regni huiusmodi sententiam nostram expresse omologarunt, acceptarunt et  
 expresse approbarunt, et ipsum Johannem de mandato nostro virtute huiusmodi ju-  
 dicii in Regem suum admitterunt. Ac idem Johannes Rex Scotiæ pro regno suo, præ-  
 stito nobis † homagio debito et consueto, ac fidelitatis juramento, ad Parliamenta  
 nostra de mandato nostro veniens, eidem tanquam noster Subditus, sicut alii de  
 regno nostro interfuit, et nostris tanquam Domini sui superioris dicti regni Scotiæ  
 paruit beneplacitis et mandatis, nobis in omnibus obediens et intendens; quous-  
 que idem Johannes Rex Scotiæ, et Prælati, Comites, Barones, Nobiles, Com-  
 munitates, ac cæteri Incolæ majores regni ejusdem ex præconceptra malitia at præ-  
 locuta ac præordinata prodicione, factiones, confederationes, conspirationes et con-  
 jurationes, in exhæredationem nostram et hæredum nostrorum, ac regni nostri,  
 contra debitum homagii sui et fidelitatis juramentum inter se inierunt, in crimen  
 hæc majestatis nequiter incidendo. Unde cum præmissa ex fidei relatione, fama  
 publica consentiente, ad aures nostras pervenissent, volentes futuris periculis præ-  
 cavere, quæ ex hiis & aliis possent nobis, regno nostro, & regni nostri Incolis veri-  
 similiter provenire, † pro assuratione regni nostri accessimus ad confinium regni u-  
 triusque, pluries mandantes eidem Johanni tunc Regi Scotiæ, quod ad certa loca in  
 confinio prædicto ad nos accederet, super præmissis et aliis, pro statu, tranquillita-  
 te et pace utriusque regni assurationem facturum, et alia per nos et Consilium no-  
 strum sibi expedienda audiretur, et super hiis et ea contingentibus iustitiam recep-  
 turus: Qui spretis mandatis nostris, contumaciter in sua persistens perfidia, ad  
 bellicos apparatus cum Episcopis et Clericis, Comitibus, Baronibus regni Scotiæ,  
 ac etiam aliis exteris conductitiis, contra nos, regnum nostrum et Incolas  
 regni nostri hostiliter se convertens accinzit, et ad hostiles aggressus et incursus  
 procedens regnum nostrum invasit; quasdam villas regni nostri Angliæ per se et  
 suos depredatus est, easque vastavit incendio; homines nostros interfecit, et non-  
 nullis paucis nostris per eos peremptis, nabes hominum nostrorum regni Angliæ  
 comburi fecit: Et e vestigio \* redditis nobis homagio et fidelitate per Regem Scotiæ,  
 tam pro se quam pro aliis quibuscunque regni sui Incolis, per verba effectum diffi-  
 dentia exprimentia, Comitatus nostros Northumbriæ, Cumbriæ, et Westmor-  
 landiæ regni nostri Angliæ, congregato ingenti exercitu, hostiliter per se et suos in-  
 vastit, stragem innumeram hominum nostrorum, incendia Monasteriorum, Eccle-  
 siarum et Villarum inhumane perpetrando, et patriam undique depopulando, infan-  
 tes in cunis, mulieres in puerperio decubantes inhumano et atroci sceleris truci-  
 didarunt; et quod auditu horrendum est, a nonnullis mulieribus mamillas atrociter  
 absciderunt; parvos Clericales primas literas et Grammaticam addiscentes ad nu-  
 merum circiter ducentorum in Scholis existentes, obstructis hostis Scholarum, ig-  
 ne supposito concremarunt. Nosque cernentes tot dampna, opprobria, facinora et  
 injurias in exhæredationem nostram et destructionem populi regni nostri prodiciona-  
 liter irrogari; Nec volentes ratione juramenti, quo ad conservationem iurium Co-  
 ronæ regni nostri sumus stricti, tam execranda et nefanda facinora ulterius tolera-  
 re, nec iura nostra relinquere indefensa, cum idem Johannes et gens Scotorum nostri  
 Subditi per leges se iustificari minime permisissent, ipso regno Scotiæ, quod a lon-  
 gissimis temporibus, sicut superius exprimitur, nobis et progenitoribus nostris  
 feudale extitit ex causis præmissis, commissis deinde bello iuxta leges et consuetudines  
 regni nostri contra eos de consilio Procerum et Magnatum nostrorum badiato, con-  
 tra dictum Johannem et gentem Scotorum vires potentie nostræ extendimus, pro-  
 ut de iure nobis licuit; et processimus contra ipsos tanquam notorie proditores, con-  
 tumaces, et publicos hostes nostros. Subacta itaque regno Scotiæ iure proprieta-  
 tis nostræ ditioni, præfatus \* Johannes Rex Scotiæ ipsum regnum Scotiæ, quatinus  
 de facto tenuit, sponte, pure et absolute reddidit in manum nostram; prodiciones et  
 scelera memorata coram nobis et Proceribus regni nostri publice recognoscens. Quo  
 peracto, Prælati, Comites, Barones, Nobiles et Communitates regni Scotiæ quos  
 ad pacem nostram Regiam suscepimus, subsequenter homagia et fidelitates nobis  
 tanquam immediato et proprio Domino ejusdem regni Scotiæ fecerunt, ac etiam præ-  
 stiterunt.

An. 29 E. 1.

\* Here, p. 510.  
to 542.† Here, p. 519.  
530, 531.† Here, p. 645.  
to 650.\* Here, p. 647.  
648.

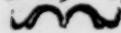
\* Here, p. 650.

\* Here, p. 647.  
to 665.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4

An. 29 E. 1.



stiterunt. Ac redditis nobis ejusdem regni Civitatibus, Villis, Castris, Puni-  
tionibus, et ceteris locis omnibus ad dictum regnum spectantibus, Officiales no-  
stros et Ministros ad regimen ejusdem regni Scotiæ præfecimus jure nostro. Cumq;  
jure pleni domini in possessione ejusdem regni existente dinoscimur, omitters non  
possumus nec debemus, quin insolentiam subditoꝝum nostrorū rebellium, si quos  
inbenerimus, præminentia Regia, prout justum fuerit et expedire viderimus, repri-  
mamus. Quia vero ex præmissis et aliis constat evidenter et notorium existit, quod  
prælibatum regnum Scotiæ tam ratione proprietatis quam possessionis ad nos perti-  
net pleno jure, nec quicquam fecerimus vel haberimus scripto vel facto, sicut nec  
possemus, per quæ juri vel possessioni prædictis debeat aliquo modo derogari; Sancti-  
tati vestræ humiliter supplicamus, quatinus præmissa probida meditatione pensan-  
tes, ex illis vestri motum animi dignemini informare, suggestionibus contrariis a-  
mulorum in hac parte vobis factis fidem si placet nullatenus adhibendo, quinimo  
statum nostrum et jura nostra Regia supradicta habere velitis, si placet, paternis af-  
fectibus commendata. Conserve vos Altissimus ad Regimen Ecclesiæ suæ sanctæ  
per tempora prospera & longæva. Dat. apud † Kemeſeſe septimo die Maii, Anno  
Domini 1301. & regni nostri viceſimonono.

† Kynardesey.

† Mat. West.

Anno 1300.

p. 416. Wal-

ſingham, Hiſt.

Angl. p. 54. 55.

Ypodig. Neu-

ſtrix, p. 94.

Cooks 2. In-

ſtitutes, p. 98.

Quantum vero ad hoc, quod petivit Papa, quod si Rex Angliæ jus haberet in reg-  
no Scotiæ, vel in aliqua ejus parte, Procuratores et instructos mitteret, et fieret ei  
justitiæ complementum. Rex per se noluit, sed hoc commisit Comitibus, et aliis  
terræ Proceribus, qui super hæc Domino Papa hujus tenoris literas, rescripserunt:  
or as he † elsewhere expresseth it, Concordati itaque Rex & Barones, ordinaverunt  
Domino Papa elegantem Epistolam, signatam centum Sigillis, petitoriam, ut jus  
Anglorum in regno Scotiæ ab initio habitum, juste protegeret, et falsis suggestio-  
nibus perjuratorum Scotorum aurem minime inclinaret.

\* Mat. West.

An. 1301. p.

435. 436.

\* Sanctissimo in Christo Patri, Domino Bonifacio, divina providentia Sanctæ Ro-  
mana ac universalis Ecclesiæ Summo Pontifici, sui devoti filii, Johannes Comes  
Warren. Thomas Comes Lancastria, Radulphus de Monte Hermeti Comes Glouce-  
stria & Herefordia, Humfridus de Bohun Comes Hereford. & Essex. & Constabula-  
rius Angliæ, Rogerius Bigot Comes Norff. & Mareſcallus Angliæ, Guido Comes  
Warwic. &c. (to the number of 100 Earls, Barons and Great men.) Devota pe-  
dum oscula beatorum, &c. Sancta Romana mater Ecclesiæ, per cujus ministerium  
fides Catholica in suis actibus cum ea, ut firmiter credimus & tenemus, maturitate  
procedit, quod nulli præjudicare, sed singulorum jura conferbari velit illæsa. Sine  
convocato nuper per Serenissimum Dominum nostrum Edwardum Dei gratia Re-  
gem Angliæ illustrem, Parlamento apud Lincolniam generali, idem Dominos nosſer  
quasdam literas Apostolicas, quas super certis negotiis conditionem & statum regni  
ex vestra parte receperat, in medio exhiberi ac serioſe nobis fecit exponi. Quibus  
auditis et diligentius intellectis, tam sensibus nostris admiranda, quam hactenus in-  
audita in eis audibimus contineri. Scimus enim, pater sanctissime, et est notori-  
um in partibus nostris, ac nonnullis aliis non ignotum, quod a prima institutione  
regni Angliæ, Reges ejusdem regni, tam temporibus Britonum quam Anglorum,  
superius et directum Dominium regni Scotiæ habuerunt in possessione, vel Capitanei  
superioritatis et recti domini ipsius Scotiæ successibus temporibus extiterunt, nec  
ullis temporibus ipsum regnum in temporalibus pertinuit vel pertinet, quodvis jure,  
ad Ecclesiā vestram supradictam. Quinimo idem regnum Scotiæ progenitoribus  
dicti Regis nostri, Regibus Angliæ, atque sibi feudale extitit ab antiquo; nec etiam  
Reges Scotorum et regnum aliis quam Regibus Angliæ subfuerunt vel subiecti con-  
sueverunt. Neque Reges Angliæ super juribus suis in regno prædicto, aut aliis  
suis temporibus, coram aliquo iudice Ecclesiastico vel seculari ex præminentia sta-  
tus suæ Regiæ dignitatis, et consuetudinis cunctis temporibus irrefragabiliter ob-  
servata, responderunt, aut respondere debebant. Unde habito tractatu et delibe-  
ratione diligenti super contentis in literis vestris memoratis, communis, concors  
et unanimis omnium nostrum et singulorum consensus fuit, ea, et erit inconculsa,  
Deo propitio in futurum, quod præfatus Dominus nosſer Rex super juribus regni  
Scotiæ, aut aliis suis temporalibus nullatenus respondeat judicialiter coram vobis,  
nec iudicium subeat quoquo modo, aut jura sua prædicta in dubium quæſtionis de-  
ducatur.

Nota.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

ducatur, nec ad presentiam vestram Procuratores aut Nuncios ad hoc mittat; p<sup>re</sup>cipue cum p<sup>re</sup>missa cedent manifeste in exheredationem juris Coronæ regni Angliæ et Regiæ dignitatis, ac subversionem status ejusdem regni notoriam, nec non in p<sup>re</sup>judicium libertatis, consuetudinum, et legum paternarum, ad quarum observationem et defensionem ex debito p<sup>re</sup>stiti juramenti astringimur, et quæ manu tenebimus toto posse, totisque viribus cum Dei auxilio defendemus. Nec etiam permittimus, nec aliquammodo permittemus, ut non possumus nec debemus, p<sup>re</sup>missa jam insolita, indebita, p<sup>re</sup>judicialia, et alias inaudita, p<sup>re</sup>libatum Dominum nostrum Regem, etiam si vellet facere, seu modo quolibet attemptare. Quocirca Sanctitati vestræ reuerenter et humiliter supplicamus, quatenus eundem Dominum nostrum Regem, qui inter alios Principes orbis terræ Catholicum se exhibet et Romanæ Ecclesiæ devotum, jura sua, et libertates, et consuetudines, et leges p<sup>re</sup>dictas, absque diminutione et inquietudine pacifice possidere, ac illibata perfrui benignius permittatis. *In cuius rei testimonium sigilla nostra, tam p<sup>ro</sup> nobis quam p<sup>ro</sup> tota Communitate p<sup>re</sup>dictæ regni Angliæ, p<sup>re</sup>sentibus sunt appensa.* *Datis & actis Lincolnæ Anno Domini 1301.*

An. 29 E. 1.

This memorable Epistle of the Earls, Barons, Great men, and Commons of England, sealed with \* one hundred of their seals, together with the premised Epistle in the Kings name, unanimously agreed and sent to the Pope in a full and famous Parliament specially summoned upon this occasion, is 1. A most remarkable evidence of the King of England's ancient indubitable Right to, and Sovereign Dominion over the Kingdom and Kings of Scotland in all ages. 2ly. An irrefragable refutation of this Popes pretended Claim, Title to, and Sovereignty over it. 3ly. A pregnant proof of his usurped Antimonarchical Innovation, in summoning the King of England to declare and defend his Title to it before his Papal Tribunal. 4ly. A unanimous resolute Protestation against his Antichristian claim, judicially to determine the Right or Title of our Kings or other Princes to their Crowns or Temporal Dominions. 5ly. A clear demonstration of their admirable prudence in opposing this Antichristian Popes endeavoured Usurpations over the Kingdoms, Crowns, Kings of England and Scotland, with so much deliberation, resolution, magnanimity and unanimity, which they endeavoured with greatest care to perpetuate to posterity, as a president for all succeeding Parliaments and Peers upon the like occasions.

\* Cooks 2 In-  
stit. p. 98.

How and by what means, degrees, and for what ends the precedent Bulls of Pope Boniface were procured, by the confederacy of the Kings of France, Scotland, & Scots, this memorable Record thereof ( which I found in two several Rolls in the White Tower, compiled upon the like occasion in the reign of King Edward the 3d. by advice of his Council, and represented to the Pope ) will inform us; which I shall here insert, as worthy publick view, relating wholly to these Transactions by his Grandfather King Edward the 1.

*Infrascripta sunt tres via quibus Francorum Rex & gentes Scotiæ instabant erga In Turre Bonitacium Papam 8. ad inchoandum processum contra E. quondam Regem Angliæ, London. Avum Domini nostri Regis, ad fines inferius contentos.*

In primis, instabant erga dictum Papam p<sup>ro</sup> cognitione habenda in Curia Romana via processus arbitralis, contra Regem Angliæ p<sup>re</sup>dictum, super iuribus dictam terram Scotiæ tangentibus, et super attemptatis per dictum Regem Angliæ et suos contra huiusmodi jura terræ p<sup>re</sup>dictæ, et contra conventiones treugarum inter dictos Angliæ et Franciæ Reges p<sup>ro</sup> ipsis et eorum subditis et confederatis initarum Anno gratiæ 1297. videlicet, super homicidiis, incendiis, et terrarum surprisitis, rapinis, et aliis dampnis per ipsum Regem Angliæ et suos datis gentibus dictæ terræ Scotiæ treugis durantebus supradictis. Et specialiter super corruptelis et defectionibus dictæ terræ Scotiæ p<sup>re</sup>dictæ Papæ denunciatis ex parte dicti Franciæ Regis, et gentium terræ Scotiæ p<sup>re</sup>dictæ, contra jura, leges et consuetudines in toto seculari in regno Angliæ observata; ac etiam super erroribus, iniquitatibus et nullitatibus ex parte dicti Franciæ Regis et gentium Scotiæ p<sup>re</sup>dictarum propositis contra processum factos per dictum Regem Angliæ et Curiam suam, et contra iudicia lata in Curia sua p<sup>re</sup>dicta p<sup>ro</sup> ipso Rege Angliæ contra Regem et gentem



An. 29 E. 1.

gentem terræ Scotiæ prædictæ, super jure quocunque tam antiquo quam nobis dicto Regi Angliæ pertinente in terra Scotiæ prædicta. Et hoc fieri petebant virtute quorundam compromissorum factorum in dictum Papam, tanquam in præbatam personam et Benedictum Gaitanum, per dictorum Angliæ et Franciæ Regum Procuratores, super omnibus guerris et dissensionibus, causis, questionibus, actionibus realibus et personalibus, &c. ac etiam virtute treugarum prædictarum, et consensu confederationis initæ Anno gratiæ 1295. inter dictum Franciæ Regem ex una parte, et Regem et gentes dictæ terræ Scotiæ ex altera, contra dictum Regem Angliæ et nationem Anglicanam.

Item, quando illa via expedire non poterant, propter rationes & causas per dictum Angliæ Regem & Consiliarios ejus ordinatas, & coram dicto Papa per dicti Angliæ Regis Procuratores propositas, instabant pro cognitione via ordinarii processus in dicta Romana Curia habenda contra Regem Angliæ prædictum, super hujusmodi juribus terræ Scotiæ, et cæteris omnibus attemptatis prædictis. Et hoc fieri petebant virtute Superioritatis et directi domini, quæ suggerebant dicto Papæ ad Ecclesiam Romanam pertinere in temporalibus regni Scotiæ prædictæ, prout in Bulla dicti Papæ prædicto Regi Angliæ inde directæ, plenius continetur.

Item, quando illa via expedire non poterant, propter rationes et causas contentas in literis per Comites et Barones, et alios Nobiles regni Angliæ dicto Papæ directis, respondendo pro dicto Rege Angliæ ad defensionem juris Regis et Coronæ prædictæ, ad quædam ex contentis in Bulla prædicta, instabant pro cognitione habenda loco quo super via processus ordinarii super homicidiis, et Ecclesiarum et domorum Religiosarum incendiis, et omnibus dampnis datis per dictum Regem Angliæ et suos Episcopis, et aliis personis Ecclesiasticis terræ Scotiæ prædictæ. Et hoc fieri petebant virtute Superioritatis quam dictus Papa habuit in personis Ecclesiasticis et rebus Spiritualibus terræ Scotiæ prædictæ: Et alibi super omnibus guerris in terris quibuscunque inter Regem Angliæ et suos subditos, confederatos et adjutores ex una parte, et alios quoscunque Christianos ex altera inchoatis, ad destructionem sanguinis Christiani, et succursus Terræ Sanctæ impedimentum, prout in supplicationibus, denunciationibus, accusationibus, et querellis dicto Papæ factis et delatis ex parte dicti Franciæ Regis, et gentium terræ Scotiæ prædictæ, contra dictum Regem Angliæ et suos, ab anno gratiæ 1297. finitis, usque ad mensem Decembris anno 1302. plenius apparet.

Fines ad quos processum erat per tres vias prædictas.

In eodem  
Rotulo.

*Infrascripti sunt fines ad quos dictus Franciæ Rex, & gentes terra Scotiæ prædictæ, instabant erga dictum Papam pro cognitione habenda in Curia Romana super præmissis, et pro sententia seu arbitrio ferendo, et executioni censura Ecclesiastica demandando.*

**I**n primis, ad compellendum dictum Regem Angliæ ad superlegendum in guerra sua contra inimicos suos inchoata.

Item, non solum ad annullandum omnes hujusmodi processus factos per dictum Regem Angliæ et Curiam suam, ad declarandum Superioritatem immediatam quam idem Abus habuit et habere debuit ratione forisfacturæ Domini Johannis de Balliolo quondam Regis Scotiæ, propter confederationem initam inter ipsum Regem Scotiæ ex una parte, et P. Francorum Regem tunc inimicum Regis Angliæ ex altera; una cum ceteris forisfacturæ causis alias plenus exprimendis; sed etiam ad annullandum omnes processus per dictum Regem Angliæ factos ad declarandum et superius dominium, quod ipse Rex Angliæ et ejus antecessores Angliæ Reges jure hæreditario habuerunt in terra Scotiæ prædicta.

Item, ad roborandam confederationem quondam initam inter ipsum Francorum Regem ex una parte, et dictum Dominum Johannem de Balliolo, ac Prælatos et Nobiles, et Universitates et Communitates Civitatum et Villarum dicti regni Scotiæ, pro ipsis et eorum hæredibus et successoribus ex altera. Et etiam ad includendum dictum Dominum Johannem et cæteros omnes terræ Scotiæ prædictæ in treugis inter dictos Angliæ et Franciæ Reges initis pro ipsis et eorum hæredibus, subditis, et confederatis ad fines infrascriptos.

Item

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*Item*, ad sustinendum Prelatos et Nobiles, ac alios supradictos dictæ terræ Scotiæ in libertate in secretis tractatibus eis promissa. An. 29 E. 1.

*Item*, ad acquirendum dictis Prelatis et Nobilibus ac cæteris omnibus incolis dicti regni Scotiæ, damna passis per Angliæ Regem et suos durantibus treugis supradictis, et eidem Francorum Regi huiusmodi damna passorum nomine, Actionem contra Regem Angliæ et suos, ad æstimationem damnozorū prædictorum.

*Item*, ad acquirendum eidem Francorum Regi et subditis suis et confederatis, bias et coheres intrandi regnum Angliæ, ac cæteras terras Domino Regi Angliæ subjectas, et ad complendum quasdam ordinationes factas contra nationem Anglicanam, ad finem universalis exheredationis et destructionis dicti Regis Angliæ et nationis Anglicanæ prædictæ, per Excommunicationis et Interdicti sententias, et per Crucisignationem, et invocationem barchi secularis. Quas quidem ordinationes et considerationes dictus Abus et ejus Consilarii magis timere solebant inter cætera omnia pericula nationi Angliæ imminencia, et contra quas magis laborabant remedia adhibere, ordinando, prosequendo et ad finem contrarium judicialiter et extra-judicialiter operando a tempore quo ipsis constabat de effectu finali proditoris, propter quam T. de Turbervill. erat suspensus, prout in dictis processibus & aliis, ac Procuratorum & Nunciorum ipsius Avi credentiis & Summis Pontificibus & Francia Regi expositis, & in aliis tractatibus literis & memorandis, & Nobilium regni Angliæ responsionibus super hiis factis plenius continetur. (Of which I found sundry Records and Memorials in the White Tower Chappel.)

*Supra scripta ostenduntur ad præsens ad finem, quod consideratis literis Apostolicis et literis Francorum Regis dicto Domino nostro nuper directis, et articulis credentiarum Nunciorum eorundem dicto Domino nostro expositis, si appareat quod huiusmodi articuli tendant ad aliquem finem et suprascriptis, vel ad aliquem alium similem in effectu, idem Dominus noster et ejus Consilarii uti valeant defensionibus juris et facti, per Abum suum et ejus Consiliarios quondam ordinatis et observatis, contra pericula imminencia ipsis et Nationi Anglicanæ in præmissis, quousque defensiones meliores inveniuntur.*

*Item*, ad finem quod Nobiles regni Angliæ, et Procuratores Communitatis Subditorum regni prædicti, admittantur per ipsum Dominum Regem ad huiusmodi defensiones proponend. prout eorum antecessores ab Avo dicti Domini nostri erant admitti. Et quod Consilarii et Puncii ipsius Domini nostri consilio et auxilio eis diligenter assistant, sub forma tempore Avi sui prædicti observata.

*Item*, ad quædam alia facienda et ipsorum nomina proponenda et prosequenda, quæ ex certis causis alias sunt secretius exprimentenda.

I likewise found two other Records in the White Tower Chappel, relating to and seconding the premises, in nature of a Popular Petition to the Kings Chancellor, thus relating all the proceedings in this affair.

Cancellario Domini nostri Regis;

*Ista Petitiō est popularis, facta ad prosecutionem quorundam Nantarum dampna passarum per inimicos nationis Angliæ.*

Quia pro certis causis contentis in Rotulo signato per B. & ex aliis causis de quibus apparet in Rotulo de defensionibus et remediis contra tres vias procedendi signatos per B. videbatur Avo Domini nostri et ejus Consiliariis, quod dampnosum et periculosum esse poterit Episcopis et aliis personis Ecclesiasticis proponere aliqua tendentia ad declinand. cognitionem Domini Bonifacii quondam Papæ 8. inchoatam ad instantiam Franc. Regis & confederatorum suorum terræ Scotia, & aliunde servire Coronæ Angliæ in contingentibus terram Scotia prædictæ, virtute compromissi in ipsum Papam sancti per Procuratores Regum prædictorum; Et specialiter aliqua tendentia ad justificand. guerram dicti Regis Angliæ contra gentes terræ Scotia prædictæ, & ad continuand. guerram supradictam, Dominus Robertus de Burgherssch constitutus erat Procurator. dicti Regis Angliæ ad proponend. Articulum contentum in Cedula presentibus annexo, & alios articulos, tendentes non solum ad justificand. guerram prædictam, et etiam ad ipsam confirmand. contra rebelles suos in terra Scotiæ supradictæ, et ad retinend. dictam terram Scotiæ perpetuo

In Turra London, relating to Am. 29, 30, &c. E. 1.



An. 29 E.1. tuo et immediate annexam Coronam Angliæ, et patrimonio Regum Angliæ incorporatum, ita quod nunquam poni poterat extra manus Regum Angliæ prædictorum, nec a dicta Corona segregari.

Item, quia postquam ad instantiam Procuratorum dicti Regis Franciæ & confederatorum suorum terræ Scotiæ prædictæ, dicto Papæ suggerentium, non solum superioritatem terræ Scotiæ in spiritualibus dictæ terræ set etiam in temporalibus ad Ecclesiam Romanam pertinere, processus per dictum Papam contra dictum Regem Angliæ erat inchoat. ad finem ipsum compellendi per excommunicationis et interdicti sententias ad supersedend. in guerra sua contra Scotos prædictos, necnon ad annullandum omnia iudicia per Curiam Angliæ lata contra dictos Scotos super corporum et bonorum forisfactura, sed etiam ad restituend. dictis Scotis omnes eorum terras per ipsum Regem Angliæ et suos, tam tempore guerræ, quam treugarum occupatas, et ad satisfaciend. eis de omnibus dampnis eis datis tempore treugarum prædictarum, necnon ad peiband. ipsum Regem Angliæ omnimoda superioritate quam habuit in terræ Scotiæ, et ad alios fines contentos in dicto Rotulo signato per B. Videbatur dicto Regi Angliæ et ejus Consiliariis, quod dampnosum et periculosum esse poterit non solum Episcopis et cæteris personis Ecclesiasticis regni Angliæ, set etiam sibi assumere. Unde per ordinationem Consilii in Parlamento Lincoln. Anno Gratiæ Millesimo Trecentesimo, omnes Comites et Barones, et cæteri Nobiles dicti Regi Angliæ ibidem præsentis, ipsum nomine et totius Communitatis regni prædicti dictum onus assumpserunt, ut apparet per eorum literas dicto Papæ directas sub sigillo eorundem, et contentas in dicto Rotulo signato per B.

† onus defensionis.

Item, quia Anno Gratiæ 1301. quando Franc. Rex & ejus confederati tantum confidebant de solitis singularitate & dissensione, & aliis Consuetudinibus quarundam gentium nationis Anglicanæ, et aliarum terrarum Coronæ Angliæ annexarum, et specialiter de assensu seu conniventia quarundam personarum aliàs secretius nominandarum, quod noluerunt consentire ulteriozi prozogationi treugarum inter ipsos et Regem Angliæ prædictum, nisi dicti Scoti includerentur in dictis treugis, tanquam Francorum Regis confederati, & Comites & cæteri dicti Regis Angliæ confederati de terris Flandr. Barr. & Burgund. exciperentur a Treugis supradictis, prout per literas \* Francorum Regis super hiis treugis factas, Anno 1302. & nunciorum & procuratorum dicti Regis Angliæ tractatus & excusationes plenius apparet.

\* Here, p. 875, 876.

Item, Quia Episcopi & alii solempnes nuncii & procuratores dicti Regis Angliæ per quos & alii ipsius Consilarii, de quorum Consilio & ordinatione compromissum fuit in Papam Bonifacium 8. super guerris & discordiis, &c. duæ primæ viæ tractandi et procedendi coram dicto Papa & aliis ad pacem reformand. inter dictos Angliæ & Franc. Reges et eorum subditos quondam ordinatæ fuerunt, & per septennium et amplius continuatæ, et informationes factæ dicto Papæ & Cardinalibus, & aliis Domini Papæ nunciis super hujusmodi guerrarum materia, et super hiis petita erant remedia primis duabus viis supradictis, in tantum reprehenßi fuerunt non solum per dictum Papam, set etiam per homines Nationis Angliæ, et specialiter per quosdam conquerentes de dampnis & gravaminibus eis datis durantibus treugis, tractatibus, et processibus morosis supradictis, non solum in laboribus et expensis, set etiam onerosis et Custumarum impositionibus insolitis.

Item, dicti Episcopi & cæteri prædicti tantum timebant hujusmodi conquerentium comminationes et guerras, resistentias & rebelliones quæ ex præmissis potuerunt in Angliam more solito provenire; et quia duæ primæ viæ prædictæ adeo erat desperata, ad tollendam principalem materiam guerrarum Scotorum & aliorum inimicorum Nationis Anglicanæ, seu impossibiles videbantur omnibus notitiam habentibus materiæ supradictæ, et conditionum personarum præstantium dictis inimicis auxilium & favorem contra rationem prædictam, & contra incolas terrarum Coronæ Angliæ annexarum dictæ Nationi adherentes, & eorum confederatos, adjuutores & amicos. Et quod via denunciationis vel querelæ ratione peccati procedere oporteret, contra inimicos prædictos. Et quod hujusmodi bia denunciationis vel querelæ tantum eret odiosa in Curia Romana et alibi, et periculosa esset personis Ecclesiasticis, et Comitibus et aliis Nobilibus regni Angliæ pro remediis necessariis impetrandis contra dictos inimicos prosequentibus, quod nullus ipsum audebat onera officii Procur. et Runcii assumere in præmissis; (Whereupon) Procurato-

res

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res Nautarum Portuum regni *Anglia*, et aliarum terrarum & Insularum Coronæ *Anglia* annexarum, assumpserunt de ordinatione dicti Regis *Anglia* et ejus Consilii, onus defensionis Jurium Coronæ *Anglia* in præmissis contra dictæ Nationis *Anglia* inimicos, et eorum adjutores et confederatos, via denunciationis et querelæ, coram quibusdam Cardinalibus per Dominum Papam Bonifaciam assignatis hujusmodi guerrarum materiam in scriptis proponendo, et dictis inimicis prædictam materiam imponendo, unâ cum passagii transmarini impedimentis, & aliis dampnis quampluribus dicto Regi *Anglia* & suis per dictos inimicos præstitis & illatis per 17 Annos & amplius, contra protectionem Sedis Apostolicæ ipsi Regi *Anglia* et suis ratione cruce signationis concessam, et in dictæ Sedis contemptum, et totius Christianitatis præjudicium. Ac dictus Dominus Papa ad hujusmodi Procuratorum instantiam, contra dictum Francorum Regem et suos super propositis contra ipsos inimicos, ratione peccati inchoavit processum Mense Decembris, Anno 1322. Cujus virtute, dictus Rex Franc. excommunicatus erat, et regnum suum interdictum, ante diem Sancti Johannis Baptiste proximo sequentem. Et eodem die appellationum erat per dictum Franc. Regem et Prælatos et Nobiles regni sui prædicti ab hujusmodi Excommunicationis et Interdicti sententiis ad Generale Concilium, ad præsentationem Domini Willielmi de Neugaretto et aliorum denunciantium Crimen Hæresis et alia crimina contra Papam prædictam; de fine vero dicti processus nihil dicendum est ad præsens et causam.

Item, dicti Nautæ à tempore mortis dicti Papæ Bonifacii extra adeo singulares fuerunt, negligentes & remissi ad prosequend. coram Summis Pontificibus via denunciationis & querelæ, ad finem resumendi & continuandi processum supradictum, vel inchoandi similem in effectu contra dictæ Nationis *Anglicana* inimicos, et eorum hæreses, confederatos & adjutores, quod ex hujusmodi eorum singularitate & negligentia, dictæ Nationis inimici audaciam fumentes insurgendi, & tam in terra quam in mare guerras movendi contra gentes Nationis prædictæ, et incolas terrarum, Insularum Coronæ *Anglia* annexarum, ex quibus mala infinita pervenerunt, tam in personis quàm in bonis Gentium prædictarum, et adhuc provenire non cessant.

Placeat Paternitati vestræ reverendæ, instare erga Dominum nostrum Regem & ejus Consilium, quod mandetur dictis Nautis, quod constituent Procuratores sufficientes ad prosequendum coram Summo Pontifice & ejus Nunciis in *Anglia* tunc præsentibus ante ipsorum recessum, vel saltem unius eorundem, ad finem resumptionis & continuationis processus supradicti, & ad alios fines per dicti Domini nostri Consilium ordinand. & specialiter ad duos fines vel tres alias secretius exprimendos ex causa.

I shall conclude this History, with \* *Polydor Virgils Narrative*. Bonifacius Pontifex à Scotis precibus fatigatus, et subiratus, quod Edwardo Balliolo filio Johannis non essent restituta possessiones, quas ille in *Anglia* habebat, interdixit Edwardo Regi, ne amplius post hæc Scotos bello vexaret, quod id regnum antea in Romani Pontificis fidem et potestatem a Scotis ipsis permissum fuisset, et ideo assererebat, sibi soli integrum esse cuicunque liberet dare auferre: Edwardus accepto Pontificis rescripto, habuit primo quoque tempore Principum Concilium, de eaque re maturè consuluit: postea, tam per literas quam per Nuncios Pontificem docuit, sus proprietatis terræ Scotiæ ad se pertinere, secumque facere, et propterea non passurum se eo perperam præbiri. His cognitis Bonifacius statim rescripsit, ut scilicet si pertinacius contenderet, ne inhoneste causa caderet. And so the imperious vapouring Bulls, and claims of this usurping Pope to the right and dominion of the Realm of *Scotland*, vanished into smoake; and King Edward vigorously pursuing his declared right thereunto, † In festo Pentecostes finitis Trengis quæ cum Scotis inita fuerunt, Rex contra festum Sancti Johannis Baptiste in Scotiam proficiscitur exercitu adunato, & in Scotia denique hiemavit.

\* *Angl. Hist.*  
l. 17. p. 342.

† *Tho. Walsingham, Hist. Angliæ, p. 55.*  
Ypodigma Neustriz, p. 95.

After the Parliament held at *Lincoln*, and the premised Letters of the King and Nobles sent to Pope Boniface concerning his Sovereign dominion over *Scotland*; the King writ and sent this complemental Letter of thanks to him for his great favour (in granting him a *Disme* for the pretended relief of the *Holy Land*, as I conjecture)



*An. 29 E. 1.* and to desire him speedily to compleat and put a final end to all remaining differences between the *French King* and him for the common good of the whole Christian Repuplick; (which the Pope delayed for his own private ends;) for which end he formerly and now again dispatched several Ambassadors and Proctors to him therein nominated,

*Claus. 29 E. 1.*  
m. 3. dorso.  
Pro Rege.

**S**anctissimo in Christo Patri *B. &c. Edwardus &c.* Quanta mansuetudinis gratia & quo liberalitatis munere nos fueritis hactenus prosecuti, non possumus esse immemores; nam quanto illud perspicaciori intuitu contemplamur, tanto nostris intellectibus altius se extollit, & in ejus consideratione Deo & vobis exinde laudes referimus pleniores. Dum itaque in mente revolvimus continuatas liberalitates et promptas quibus non pluries visitastis, et inter cetera munificentiam illam magnam per dilectum Clericum nostrum *Ger. Archidiaconum Rych*, nobis nuper ex parte vestra delatam, qua nos liberaliter honorastis, quantum vobis asringimur et tenemur nequibimus exprimere, neque sufficimus, ut condignas super hoc vobis gratias exhibamus, set pro illis superna clementia inestimabilis boni vobis premium recompenset. Ceterum finem et exitum negotii reformationis pacis quod est inter *Regem Francia et Nos*, quod adhuc pendere dignoscitur coram vobis, pro quo alias solempnes Nuncios nostros ad presentiam vestram transmisimus, & pro quo etiam dilectos & fideles nostros *Walterum Coventr. & Litchf. Episcopum, Amadeum Comitum Sabaudia, Otonem de Grandifono, Militem, & predictum Archidiaconum, Procuratores & Nuncios nostros ad vos mittimus iterato, desiderabiliter expectantes* sanctitati vestre omni prece qua possumus supplicamus, quatinus eosdem Nuncios, paternis affectibus recommendatos habentes, sic si placet circa expeditionem finalem & consummationem ipsius negotii curam sollicitam dignemini adhibere, quod pro bono & utilitate totius Reipublice Christiane, ad prosperum et optatum divina cooperante clementia perducatur effectum. Credentes, si placet, quae praefati Nuncii, vel tres ex ipsis, ex parte nostra vestrae beatitudini viva voce exponenda duxerint in praemissis. *Conservet &c. Dat apud Glasgu 24 die Augusti.*

He likewise issued and sent this Patent of Procuration by them to the Pope, to put an end to this long-deferred Treaty of Peace.

*Pat. 29 E. 1.*  
m. 2. intus.  
Procuratori-  
um Regis mis-  
sum ad Curi-  
am Romanam.

**S**anctissimo in Christo Patri Domino *B. Divina providentia, &c. Edwardus, &c.* Devota Pedum oscula Beatorum. Super expeditione negotii reformationis pacis inter magnificum Principem Regem *Francia & Nos*, juxta formam vestrae pronuntiationis virtute compromissi per dictum Regem & nos in vos facti, dudum habitae seu prolatae nunc auctoritate Domini finaliter terminandi, dilectos & fideles nostros *Walterum Coventr. & Litchfelden. Episcopum, & Nobiles viros Amadeum Comitum Sabaudia, Otonem de Grandifono Militem, & Ger. Archidiaconum Richmond, Procuratores & Nuncios nostros ad vestrae sanctitatis praesentiam destinantes;* damus eis et concedimus generalem, plenam et liberam tenore praesentium potestatem et speciale Mandatum petendi, audiendi, recipiendi & acceptandi complementum, perfectionem, ac totalem consummationem pronuntiationis ac reformationis praedictarum, & omnia alia & singula quae super reformatione Pacis praedictae, ac etiam super omnibus *Guerris, discordiis, litibus, contraderitis, causis, quæstionibus, damnis et injuriis, petitionibus et actionibus reatibus et personalibus atque mixtis, quae fuerunt et sunt, vel esse possent inter praedictum Regem Francia et nos occasione quacunque, et praemissa quoquo modo tangentibus vestra praesentia duxerit arbitranda, laudanda, dissimulanda, arbitraliter sententianda, praecipienda, ordinanda, disponenda, pronuntianda, addenda, minuenda, corrigenda, interpretanda seu declaranda, ac ea omologandi, roborandi, et vallandi per juramentum in animam nostram praestandum; Nec non tractandi, paciscendi, concordiandi, et etiam transigendi, et omni alia et singula faciendi quae ad plenam pacem et concordiam, ac pacis et concordiae omniumque praedictorum perfectionem et consummationem, quoquo modo pertinent et poterunt pertinere, et quae nos faceremus vel facere possemus, si praesentes essemus, etiamsi ea vel eorum aliquod mandatum exigant, vel exigat speciale. Volumus insuper & concedimus, quod tres ex ipsis, si forsan ipsos quatuor insimul ad hoc concurrere non contingat, plenam, generalem,*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1

generalem, & liberam habeant in præmissis omnibus & singulis potestatem. Pro-  
mittentes nichilominus, Nos ratum & firmum perpetuo habituros quicquid per præ-  
dictos Episcopum, Comitem, Militem & Archidiaconum, aut tres ex ipsis, si ipsi qua-  
tuor ad hoc ut præmittitur insimul non concurrant, petum, acceptatum, homologa-  
tum, vallatum, aut aliàs factum fuerit in præmissis, & quolibet præmissorum. Super  
quibus etiam per nostras literas approbandis, tenendis, servandis atque complendis,  
nos et hæredes nostros & omnia bona nostra specialiter obligamus: Et hæc Sancti-  
tati vestræ significamus, & omnibus quorum interest, vel interesse potest aut po-  
terit in futurum, per nostras patentes literas sigilli nostri munimine consignatas.  
Dat. apud *Glasen*, 24. die *Augusti*, Anno 1301. Regni vero nostri 29.

An. 29 E. 1

The King soon after for the hastier and speedier dispatch of this grand affair, and  
all other his busineses in the Court of *Rome*, (where nothing could then be obtained  
or speedily affected without Bribes and Pensions to the *Roman* Cardinals and other  
Officers) granted 4. Annuities of 50. *Marks a year* out of his Exchequer, payable  
at the Feasts of *Easter* and *St. Michael* to 4. of the principal swaying Cardinals, all  
of one date, thus recorded to posterity.

**R**EX omnibus ad quos, &c. salutem. Attendentes affectionis sinceritatem et  
diligentiam sollicitudinem quas venerabilem Patrem *Lucam de Flisco*, Sanctæ  
*Maria in via lata* Diaconum Cardinalem, Consanguineum & amicum nostrum Ca-  
rissimum erga Nos, et negotiorum nostrorum expeditionem gerere nobimus, et habe-  
re, quinquaginta *Marcas sterlingorum* annuatim per æquales portiones ad *Scaccarium* no-  
strum, videlicet in Festis *Pasche* & Sancti *Michaelis* percipiendas duximus  
concedendas. In cujus, &c. Dat. apud *Dony Pas* 14. die *Octobris*.

Pat. 29 E. 1.  
m. 6. intus.  
De pensioni-  
bus Cardina-  
libus Romæ  
per Regem  
concessis.

*Per breve de Privato Sigillo.*

Consimiles literas habet Venerabilis Pater Dominus *Petrus de Piperno*, Sanctæ  
*Maria nova* Diaconus Cardinalis, amicus Regis Carissimus, de quinquaginta  
*Marcis sterlingorum* percipiendis ad *Scaccarium* prædictum in festis prædictis. Teste  
ut supra.

*Per breve de Privato Sigillo.*

Consimiles literas habet Venerabilis Pater Dominus *Willielmus de Pergamo*, San-  
cti *Nicholai in Carcere Tulliano* Diaconus Cardinalis, amicus noster Charissimus, de  
quinquaginta *Marcis sterlingorum* annuatim percipiendis ad *Scaccarium* prædictum  
in festis prædictis. Teste ut supra.

Consimiles literas habet Venerabilis Pater *Franciscus*, Sanctæ *Maria in Cosme-  
dyn* Diaconus Cardinalis, et amicus Regis Carissimus, de quinquaginta *Marcis*  
*sterlingorum* annuatim percipiendis ad *Scaccarium* prædictum in festis prædictis.  
Teste ut supra.

*Per breve de Privato Sigillo.*

In a Bundle of Writs and Letters in the *White Tower* Chappel, I found this Writ  
of the King under the privy Seal to his Chancellor, to write Letters in his name to  
acquaint these Cardinals what Pensions he had granted them; and to direct other let-  
ters to them in usual form in his name, on the behalf of the Bishop of *Chester*, his  
Treasurer.

**E**Dward par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirland*, & Ducs *Daqui-  
taine*, a nostre chere Clerc, et feal, *Johan de Langeton* nostre Chancellor, salut.  
Par ce que Levesque de *Cestre* nostre Tresorier, irra prochainement a la Court de  
*Rome* en nostre Message, et nous luy abons graunte nostre Protection et general  
Attozne pur luy et pur les siens, qui vount oveuk luy, a durer par taunt de temps,  
come le dit Evesque voudra; Vous mandons, que sur ce, li facez aver nos lettres  
en duwe fourme. E pur ce que Levesque ad a faire de nos lettres de priere tot ne y  
aloit il point al Apostoille, et a Cardinaux, et a aucuns autres de cele Court, pur  
sa besoigne propre; Vous mandons, que vous lui facez aver al Apostoille, et as au-  
tres q'il vous fera asavoir, bones et especieles tieles come Levesque voudra debiser,  
de sicome vous savez la defautes que nous averons de luy tant come il est en ceu boi-  
age et plus averions de li, si li ne revenist tost defaute. E pur ce que le dit Evesque,  
le Counte de *Savoie*, Monseur *Otto de Grannson*, & Lercediakne de *Richemonde*  
vount en nostre Message al Apostoille, pur le besoigne dentre le Roy de France et

Bundela Bre-  
vium & Lite-  
rarum, in  
Turre London  
An. 29 E. 1.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4

An. 29 E. 1. nous fetes loz faire nos lettres obertes en loz nouns, sur tiele fourme, come nos Messages ont eu, q' p' sont autre fois alez; & come nous solums abitez a doner fies a 4. Cardinaux; Les queux Lercediakne de Richem. vous fera assaver, a chescun 50. mark par an, nous volons qe vous loz enfavez nos lettres tieles come autres fois ont este faitez a Cardinaux de semblable don. Don souz nostre prive Seale a Glasgw, le 25 jour de Augst, l'an de nostre Regne 29.

The Earl of Savoy, and Otto de Grandison, best acquainted with the state of the Kings affairs, and differences between him and the King of France, refusing to undertake this new Embassie and Procuration to the Pope, for the reasons \* premised, though oft times importuned thereunto by the King; he thereupon the next year authorized his other Proctors to proceed therein by this Writ.

Cl. 30 E. 1. m. 15 dorso. Rot. Alemannix ab An. 22 E. 1. usq. 31. m. 6. Procuratorum Missorum ad Curiam Romanam.

SANCTISSIMO in Christo Patri Domino B. Divina Providentia Sanctæ Romanæ et universalis Ecclesiæ Summo Pontifici, *Edwardus* ejusdem gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Acquitania*, devota pedum oscula beatorum. Nuper sanctissime Pater ante terminum festivitatis Sancti *Andree* Apostoli prox præteritum, dilectos & fideles nostros *Walterum Coventren.* & *Lischfelden.* Episcopum, & nobiles viros *Amadeum* Comitem *Sabaudia*, *Ottonem de Grandisson* Militem, & Magistrum *Gerardum de Wyppes* Archid. *Richmund.* ad vestræ Sanctitatis præsentiam providimus destinandos, quos simul vel saltem tres ex eis ad audiendum complementum, perfectionem ac totalem consummationem pronuntiationis & reformationis pacis in negotio compromissi per magnificum Principem Regem *Francia* & Nos in vos facti, juxta formam & continentiam ejusdem, Procuratores nostros & Nuncios fecimus speciales. Et licet supradictos Comitem & Militem, qui jus nostrum & statum negotii pro parte nostra præcipue noverunt, & alias Nuncii & Procuratores nostri in eodem negotio compromissi, (prout vestra novit Sanctitas) extiterunt, specialibus literis et Nunciis cum magna præcum instantia, ad assumendum laborem ad vestram præsentiam accedendi, requisiverimus diligenter, ipsi tamen ob quamplures notabiles causas et evidentes rationes (\*expressed in the premised Records and Petition to the Chancellor) se in hac parte multipliciter excusarunt, prout jam de novo ad nostrum pervenit auditum. De quo tedio afficimur in immensum. Re igitur vestra finalis pronuntiatio in memorato compromissi negotio, quantum ad Nos attinet, propter ipsorum Comitis & Militis absentiam impediatur, quod absit, quomodolibet, vel etiam differatur, prælibatis Episcopo & Magistro *Gerardo* & utrique eorum in solidum; ita quod non sit melior conditio occupantis, ad audiendum pro nobis, & nostro nomine pronuntiationem vestram, voluntatem & beneplacitum super hiis quæ inter Regem *Francia* & nos per vos, virtute compromissi prædicti restant pronuntianda vel etiam facienda, per alias nostras patentes literas potestatem nos noveritis commississe. Conservet vos altissimus ad regimen Ecclesiæ suæ sanctæ per tempora prospera & longæva. Dat. apud *Derlington* quinto die *Marci*, Anno Regni nostri 30.

\* Here, p. 896, 897.

But these Commissioners likewise delaying, or refusing to act any further therein, the King in September following, constituted and sent New Proxies to conclude this long-delayed business, by this Patent.

Pat. 30 E. 1. m. 9. intus. Procuratorum missum ad Curiam Romanam.

SANCTISSIMO in Christo Patri Domino B. Divina Providentia Sacrosanctæ Romanæ & Universalis Ecclesiæ, Summo Pontifici, *Edwardus* ejusdem gratia Rex *Anglia*, &c. devota pedum oscula beatorum. Super expeditione negotii reformationis pacis inter magnificum Principem Regem *Francia* & nos juxta formam vestræ pronuntiationis, virtute compromissi, per dictum Regem & nos in vos facti dudum habitæ seu prolata nunc auctoritate Domino finaliter terminandi, Religiosos viros fratres *W. de Geinsburgh*, & *H. de Herilepole* de Ordine Fratrum Minorum, & dilectos Clericos nostros Magistros *Johannem de Sancto Claro* Canonicum *London.* & *Philippum Martell* Juris Civilis professorem, ac *Wilhelmum de Dene* Militem, Procuratores & Nuncios nostros ad vestræ Sanctitatis præsentiam destinantes; damus eis & quatuor vel tribus eorum, si eos simul adesse non contigerit, ac concedimus generalem, plenam et liberam temore præsentium potestatem et speciale mandatum per-

tendi,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

tendi, audire et recipiendi complementum, perfectionem, ac totalem consummationem pronuntiationis et reformationis predictarum, et omnia alia et singula que super reformatione pacis predictarum; ac etiam super omnibus guerris, discordiis, litibus, controvertis, causis, questionibus, damnis, injuriis, petitionibus et actionibus realibus et personalibus atque mixtis, que fuerunt, et sunt, vel esse possent inter predictum Regem Francie et nos, occasione quacunque, et premissa quomodocumque tangentibus, vestra providentia duxerit arbitranda, laudanda, diffinienda, arbitraliter sententianda, precipienda, ordinanda, disponenda, pronuntianda, addenda, minuenda, corrigenda, interpretanda seu declaranda, et etiam omnia alia et singula faciendi, que ad plenam pacem et concordiam, ac pacis et concordie, omniumque predictorum perfectionem et consummationem queque modo pertinent et poterunt pertinere. Promittentes nichilominus nos ratum & firmum perpetuo habiturus quicquid per predictos Fratres, Clericos & Militem, aut quatuor vel tres ipsorum petiitum, receptum, actum, gestum, seu aliis factum fuerit in premissis & quolibet premissorum, super quibus etiam per nostras literas approbandis, tenendis, servandis atque complendis nos & Heredes nostros, & omnia bona nostra specialiter obligamus. Et hæc sanctitati vestre significamus, & omnibus quorum interest, vel interesse potest aut poterit in futurum per nostras Patentes Literas sigilli nostri munimine consignatas. Dat apud Arundel 9 die Septembris, Anno Domini 1302. Regni vero nostri tricesimo.

What proceedings the Pope made in this Affair to the excommunicating of the King, and interdicting the Realm of France, you have heard \* before, and I shall \* Here, p. 897. hereafter more fully relate.

In the Bundles of Writs I discovered in the White Tower of Anno 29 E. 1. I found these ensuing at the Kings, or Parties Suites, for holding and prosecuting Suites for Goods, Chattles, Trespasses, Adwosons and Freeholds in Court Christian, against the Kings Crown, Dignity and Prohibitions.

Bundels Bre-  
vium in Turre  
London, de  
Anno 29 E. 1.

Edwardus Dei gratia Rex Angliæ, &c. Vic. Suff. &c. Pont. &c. Johannem personam Ecclesiæ de Tudenham, &c. ostensurus quare cum placita de Catallis & Debitis que non sunt de Testamento vel Matrimonio ad nos et coronam et dignitatem nostram, et non ad aliam pertineant in regno nostro, idem Johannes, &c. secutus est placitum in Curia Christianitatis de catallis et debitis Prioris Canonicoz de Thetford, que non sunt de Testamento vel Matrimonio, in laudem Coronæ et dignitatis nostræ, et contra prohibitionem nostram. Teste meipso apud Glascon, 8 die Septembris, an. r. n. 29. Edwardus, &c. Vic. Suff. Pont. &c. Magistr. Johannem de Nassington sententem; Quare, &c. (ut supra) tenuit placitum in Curia Christianitatis de catallis & debitis Jacobi de Mohune personam Ecclesiæ de Brompton: que non sunt, &c. in laudem Coronæ et dignitatis nostræ, &c. Pone etiam Willielmum de Roynene, Willielmum Haldeyn, Robertum de Mundesby, (and three others) quare secuti sunt idem placitum in eadem Curia contra prohibitionem nostram. T. meipso apud Hereford, 26 die Aprilis, an. r. n. 29. Edwardus, &c. Vic. Glouc. &c. quod ponat Magistr. Rogerum de Stoke, quod sit, &c. ad respondend. Magistr. Radulpho de Leycestre, & Thomæ de Mitcham, quare ipse simul cum Magistro Johanne de Eboricis persona Ecclesiæ de Tredyngton secutus fuit (consimile) placitum in Curia Christianitatis contra prohibitionem nostram, &c. T. E. de Mekingham, 23 die Febr. an. r. n. 29. Vic. Not. &c. quod distringas Willielm. de Peterings per omnes terras & catalla, &c. ad respondend. Radulpho de Bedyngton, & Johanni de Eyleston; quare ipsi simul cum Magistr. Roberto de Candelbey, tenuerunt (consim.) placitum in Curia Christianitatis, &c. Et ad audiendum judicium suum de pluribus defaltis, T. J. de Mettingham apud Ebor, 16 die Maii, an. r. n. 29. Vic. Ebor. &c. Si Robertus Ughtred, &c. pone, &c. Magistr. Johannem de Nassington, & Magistr. Johan. de Berenys, &c. ostensuri quare tenuerunt (consimile) placitum de catallis et debitis que non sunt. Pone etiam Michaellem Chapeleyn, Johannem de Northaveron, Magistr. Rogerum de Hofseleron, & Thomam de Hofseleron, quare secuti sunt idem placitum contra prohibitionem nostram, &c. T. meipso apud Aberford, 27 die Novembris, an. r. n. 29.

Edwardus, &c. Vic. Essex, si Rogerus de Gras, &c. Pone, &c. Willielmum Atteforde personam Ecclesiæ de parva Badowe, &c. ostensurus quare secutus est placitum



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4

An. 29 E 1. in Curia Christianitatis de Advocationis Capellæ beate Mariæ de parva Badowe contra prohibitionem nostram. Teste meipso apud Strivelyn. 8 die Octobr. Anno regni nostri 29.

Edwardus, &c. Vic. Linc. &c. Si Christiana West, &c. pone, &c. Magistr. Benedictum de Muchewell, & Robertum personam medietatis Ecclesiæ de Stoks, &c. ostensuri, quare cum placita de Transgr. contra pacem nostram factis in regno nostro, ad nos, &c. idem Benedictus et Robertus tenuerunt placitum in Curia Christianitatis de hujusmodi Transgressionibus, in lacionem Coronæ et dignitatis nostræ, et grabe dampnum ipsius Christianæ, et contra Prohibitionem nostram, &c. Teste meipso apud Newelham, 28 die Januarii, An. r. n. 29.

Edwardus, &c. Vic. Hereford, &c. Si Johannes fil. Adæ de Marisco, &c. pone, &c. Richardum Episcopum Hereford, &c. ostensurus, quare tenuit placitum in Curia Christianitatis de Laico feodo prædicti Johannis in Prima Canonorum contra prohibitionem nostram. Pone etiam, &c. Magistr. Robertum de Gloucestr. quare secutus est idem placitum in eadem Curia contra prohibitionem nostram. Teste meipso apud Linlinc. 2. die Nov. An. r. n. 29.

But the principal Writs of this kinde, and of greatest concernment this year, are those which concern the Earl of Lancaster (made by advise of the Kings Counsil, Nobles and others upon mature consideration) against John de Ferrers for prosecuting, and the Archbishop of Canterbury and his Commissaries, for holding Plea of sundry of his Castles, Manors, Villages and Freeholds in several Counties in Court Christian, against the Kings Prohibitions, which I found in the White Tower Chapel, issued under the Kings privy Seal, and after under his Great Seal by the Chancellor.

Bundela Bre-  
vium de Pri-  
vato Sigillo,  
&c. in Turri  
London, An.  
29 E 1.

Edward par la grace de Dieu Roy Dengleterre, &c. a nostre chier Clerk & soial Johan de Langeton nostre Chancelier, salut. Nous avoms resceu la fourme des lettres, qe vous et nostre Conseil a Everwyk avez ordene sur la busoigne qui touche la Conte de Lancastre nostre Rebeu, dont nous vous mandasmes nadgires & lavoms monstree as Contes, Barons, et as autres bones gentz qui sont en nostre compaignie, & vous seifoms assavoir, quil nous semble, et a eur ausint, que la dite fourme est renable et seifable en cest cas; par quoy nous la vous renuoions et mandoms, qe vous facez nos lettres contenantz meisme la fourme, et les l'yez as gentz de dit nostre Rebeu don souz nostre p'ibie Seal a Pebles, le 10 jour Dausst, l'an de nostre regne vint & noevisme.

Edward, &c. a son chier & soial Johan de Ferreres. Per ceo, qe nous aboms entendu qe vous, un plai de lai fæ, dount la conissance apent purement a nostre Curt, suiez en la Curt Chrestienne vers Thomas Conte de Lancastre, en grant prejudice de nous et de nostre Reaume, et en blemissement, de nostre Corone, e de nostre Dignitie Royale; as queux sauber, meinteinir et garder vous estes tenuz e liez par le Serement qe vous nous abes fait; Nous mandoms e ensoignons en la homage qe vous nous avez fait, e la foy qe vous nous devez, e le Serement abant. dit, e sur forfetture de quanque vous nous poez forfere, De vous par vous, ne par autre, le dit plai ne suiez en la Curt Chrestienne abandite; e si nule suite enabes fait ou mande e faire, sanz delap le repelez e faitez repeler. E vous meimes soiez deuant nous a trois simoines de la Seint Michel ou qe nous seoms, pur fere a receibze en les choses abandites, ceo qe dreit enerra. E nous adunqes seroms prestz de vous fere dreit en cele busoigne, si abant come la conissance apent a nous, e a nostre Curt: E pes illoques cest b'ef.

Claus. 29 E 1.  
m. 7. dorso.

REX dilecto & fideli suo Johanni de Ferrariis salutem. Quia intelleximus quod vos quoddam placitum de Laico feodo, cujus cognitio ad nostram Curiam mere spectat, in Curia Christianitatis versus dilectum Nepotem & fidelem nostrum Thomam Comitem Lancastrie prosequimini, in regni nostri præjudicium manifestum, et Coronæ nostræ nostræque dignitatis Regiæ non modicam lacionem, ad quas tenendas, manutenendas, et etiam obserbandas, ascripti estis vinculo nobis præstiti Juramenti, Vobis sub debito homagii quod nobis fecistis, et in fidelitate qua nobis tenemini, necnon et juramento vestro prædicto, et etiam sub forfettura

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tura annuum quæ nobis satisfacere potestis, firmiter inhibemus, ne placitum prædictum per vos vel per alium in Curia Christianitatis prosequi præsumatis. Et si huiusmodi placitum in Curia illa prosequi feceritis, seu prosequi mandaveritis, sine dilatione qualibet rebocetis, et rebocari totaliter faciatis, et vos ipsi coram nobis sitis a die Sancti Michaelis in tres Septimanas ubicunque tunc fuerimus in Anglia, ad faciendum et recipiendum quod iustum fuerit in præmissis. Nos enim parati sumus et erimus vobis in hac parte plenam et celerem Iusticiam exhibere. Et habeatis ibi hoc breve. Teste Rege apud Pebles 10. die Augusti.

*Per breve de Privato Sigillo.*

The Archbishop of *Canterbury* and his Commissaries holding Plea, and *John de Ferraris* prosecuting it in Court Christian, against the Kings Prohibitions; the Earl of *Lancaster* thereupon brought this Action against the Archbishop and his Commissaries for this usurpation upon the Kings Crown, Dignity, Courts, and contempt of his Royal authority, to his damage of 20000 l. as the Plea Rolls of Anno 29 E. 1. which I found in the *White Tower* record, his Declaration running in the words of the premised Writs; upon which issue was joyned, whether he held plea or not, and this Writ to summon a Jury awarded to the Sheriffs of *London* to try the issue.

**E**dwardus Dei gratia, &c. Vicecomitibus *London.* salutem. Præcipimus vobis, quod venire faciatis coram Iusticiariis nostris apud *Ebor.* à die *S. Martini* in quindecim dies 12. tam Cives quam alios liberos et legales homines de Civitate *London.* quorum quilibet habeat Centum solidatas terrarum, tenementorum, vel redditus per annum, ad minus, per quos rei veritas melius sciri poterit. Et qui nec *Thomam* Comitem *Lancastria,* nec *Robertum* Archiepiscopum *Canthar.* aliqua affinitate attingant, ad recognoscendum super Sacramentum suum, si prædictus Archiepiscopus per se, & Magistrum *Robertum de Ros* Canonicum Ecclesie *S. Pauli London.* & Magistrum *Johannem de Bedesford* Archidiaconum *London.* Commissarios suos, die Martis proximam post festum Sanctæ Trinitatis, & die Mercurii proximam post festum Nativitatis *S. Johannis Baptista,* Anno regni nostri vicesimo nono, tenuit placitum in Ecclesia *S. Pauli London.* de Laicis feodis prædicti Comitis, ad sextam *Johannis de Ferraris,* viz. de *Tutchebyr.* Maneriis de *Barton, Rolleston, Villis de Tatenhull, Marhinton,* terris, pratis, pascuis, nemoribus, & redditibus eorundem Maneriorum & Villarum in Com. *Staff.* & Maneriis de *Hegham Ferrers & Russinden* in Com. *North.* Maneriis de *Duffeld & Beurepeyr* in Com. *Derb.* & Castro de *Lyverpol.* Maneriis de *West-Derby & Salford,* Nemoribus de *Toxtad & Croxtad,* & *Simondeswode* in Com. *Lancast.* contra prohibitionem nostram, sicut prædictus Comes dicit, vel non, sicut Archiepiscopus dicit; Quia tam prædictus Archiepiscopus quam prædictus Comes, inter quos inde contentio est, posuerunt se in iurisdictionem illam. Et habeatis ibi nomina Jur. & hoc Breve. Teste *R. de Hengham* apud *Eborum,* 27 die Octobr. Anno regni nostri 29. What Verdict and Judgement was given therein, I finde not.

Bundela Bre-  
vium in Tur-  
re London,  
An. 29 E 1,

In the decayed Plea Rolls at *Yorke* An. 29 E. 1. I found these 2. suites and Attachments for holding and prosecuting Pleas in the Court Christian for Lay fee and Chattels, against the Kings Prohibitions.

*Eborum.* *Robertus de Rypplingham persona Ecclesia de Aclum & Alex. vicarius Ecclesia de Aclum* attach. fuerunt ad respondendum *Johanni de Bernevill de placito, quare prædictus Robertus, &c. tenuit placitum in Curia Christianitatis de Laico feodo ipsius Johannis de Lenenyng, contra, &c. Et de placito quare prædictus Alex. secutus est idem placitum in eadem Curia, contra, &c. Et unde idem Johannes queritur, quod cum ipse die Dominica proxima ante festum Omnium Sanctorum anno regni Regis nunc vicesimo septimo in Ecclesia beati Petri Eborum, in presentia Magistri Thomæ de Corbrigg, (and others,) &c. posuisset Regiam prohibic. ne prædicti Robertus & Walterus tenerent placitum in præfata Curia Christianitatis de herbagio crescente in Curt. prædicti Johannis apud Levenyng, &c. Yet they proceeded to suspend, and excommunicate him, in contempt of the King and his Courts,*

Placita apud  
Eborum, Ann.  
29 E 1. in  
Turre Lond.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 4

An. 29 E. 1. Courts, to the hurt of his Crown and Royal Dignity, &c. et unde dampnum habet, &c. which is putrified.

*Eborum.* Robertus Ughtred per attorn. suum optulit se, &c. vers. Magistrum Johannem de Nassington, & Magistrum Johannem de Berewyk, Matheum de Chapeleyn, Johannem de Northalverton, & Magistrum Rogerum de Heseleton de placito quare pradiit. Magister Johannes & Magister Johannes tenuerunt placitum in Curia Christianitatis de catallis, &c. quæ non sunt, &c. contra, &c. Et de placito, quare pradiit Michaelis, Johannes, & Magister Rogerus secuti sunt idem placitum, &c. contra, &c. Et ipsi non veniunt; Et preceptum fuit Vic. quod attach. &c. Et Vic. mandat, quod praeceperat Ballivis, &c. Ideo preceptum est Vic. quod non omittat propter pradiitam libertatem quin attach. &c.

The King being informed, that the Archbishop of *Canterbury* this year, notwithstanding his \* *Prohibition* to him the year before, intended to visit his Free-Chappel within the Castle of *Hastings*, against the antient Priviledge of his Free-Chappels and Crown, issued this Writ to the Constable of the Castle, not to permit the Archbishop, or any other from him, to come within the Castle, to visit or exercise any Ecclesiastical Jurisdiction within the Free-Chapple thereof.

Claus. 29 E. 1. m. 9. De non permit-tendo Archi-episc. Cantuar. ingred. Castru de Hastings.

R EX *Stephano Sprot* Constabulario Castru sui de *Hastings*, salutem. Quia venerabilis pater R. *Cantuar.* Archiepiscopus liberam Capellam nostram in Castru pradiito, quæ ab omni Jurisdictione ordinaria est exempta, intendit ut intelleximus visitare, in nostri pradiictum, et libertatis Capellæ nostræ pradiictæ liberationem manifestam; Vobis mandamus firmiter injungentes, quod si contingat pradiictum Archiepiscopum, aut aliquem alium ex parte sua ad Castrum nostrum pradiictum accedere, ad dictam Capellam nostram visitandum, vel ad aliquid aliud faciendum aut attemptandum, quod in nostri pradiictum seu liberationem libertatis dictæ Capellæ nostræ cedere potest, ipsum Archiepiscopum vel alium ejus nomine ex hac causa Castrum pradiictum nobis inconsultis nullatenus ingredi permittatis. Teste Rege apud *Feckenham* 9 die Aprilis.

The Abbot of the *Cistercians* suing the Abbot of *Rewly* in Court Christian, and vexing him for farming a Church of a Prior alien, seised by reason of the Wars with *France* into the Kings hand, by advice of his Parliament, issued this Prohibition to stay all proceedings.

Claus. 29 E. 1. m. 16. dorso. Prohibitio pro Abbate Regalis loci.

R EX dilectis sibi in Christo Abbati de *Pynn*, salutem. Cum occasione guerræ inter Regem *Franc.* & nos motæ, de communi consilio regni nostri sit provisum, quod exitus et proventus terrarum, reddituum, et aliorum bonorum quæ alienigenæ habent in regno nostro infra idem regnum remaneant, saltem quousque pas inter dictum Regem et nos fuerit integre reformatæ, ac vos, sicut intelleximus, pro eo quod proventus qui de Ecclesia de *Saham* ante dictam guerram vobis solvi consueverunt infra regnum nostrum pradiictum, secundum formam provisionis pradiictæ hætenus remanserunt, dilectum nobis in Christo Abbatem *Regali loci* juxta *Oxon.* firmarium Ecclesiæ supradictæ coram Abbate *Cisterciensi* tractatis in placitum, ut intelleximus, & ipsum ea occasione multipliciter molestetis, in nostri pradiictum, & pradiicti Abbatis *Regalis loci* dampnum non modicum & gravamen, & contra formam provisionis pradiictæ, de quo vehementer miramur; Solentes quod aliqua pro his quæ pro utilitate regni nostri salubriter statuuntur, trahatur in placitum vel alias indebite molestetur; vobis sub satisfactione omnium quæ in eodem regno nostro satisfacere poteritis firmiter inhibendo mandamus, ne de cætero prosequamini placitum supradictum. Teste Rege apud *Linc.* 23 die Februarii.

Per Consilium.

The King being informed, that the Abbot of the *Premonstratenses* had sent some of his Canons into *England*, to demand and levy a great sum of money and Subsidie to his use from the Abbots of his Order in *England*, and all Ecclesiastical persons on whom they had conferred any Benefice, without his privy and Royal assent, to the

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the prejudice of himself and of the whole Realm, issued this Writ to the Constable *An. 29 E. 1.* of Dover and Warden of the Cinqueports, not to permit any Canon, Valler, or other Messenger of that Order to carry any money, or passe out of *England*, without his special license; agreeing with that before against the like practice by the Abbot of \* *Cluny*.

\* Here p. 858.

**R**EX dilecto & fideli suo Roberto Burghers custodi Quinque Portuum suorum, salutem. Datum est nobis intelligi, quod Abbas *Pramonstratensis* quosdam ex suis Canonicis in *Anglia* specialiter destinavit, ad petendum et levandum ad opus ipsius Abbatis quandam magnam pecunie quantitatem de Abbatibus ordinis *Pramonstratensis* in *Anglia*, et omnibus personis Ecclesiasticis quibus idem Abbatibus Ecclesiastica beneficia contulerunt; verum quia nunquam alias tale subsidium in regno nostro consuevit erigi absque nostra vel progenitorum nostrorum licentia et assensu, possetque huiusmodi subventionis inordinata subsidium in Abbatum praelatorum, ac totius regni nostri prejudicium de facili reboundare; Quoties mandamus firmiter injungentes, quod nullam Canonicum ordinis praelati, Walletum seu alium Banciam quemcunque pecuniam deferentem ad partes transmarinas transire permittatis, sine nostra licentia speciali. Teste Rege apud *Morpeth* 28 die Junii.

*Clauſ. 29 E. 1. m. 8 dorſo. Quod Canonici Pramonſtratenſes non tranſeant ad partes transmarinas.*

I found some Inquisitions issued to several Sheriffs to enquire what monies they had exacted and levyed in this kinde, to which an *Ignoramus* was for the most part returned, these Monks being unwilling or afraid to disclose the indirect practises, or incur the displeasure of their Superiors.

The Archbishop of *Canterbury* (during the \* hot contest between him, and the Abbot and Monks of St. *Augustines*) having excommunicated no less then 17. Parsons and V. cars in *Kent* at once, and imprisoned most of them in the Goal at *Canterbury* upon a Writ of *Capiat Excommunicatum*, till they satisfied him for their contempts and injuries against him; upon their complaint thereof to the King, he issued this Writ of Privy Seal to the Bishop of *Chester* his Treasurer, his Chancellor and Counsil, to take good advice thereon, and then to certifie him what course he should take for their relief; as this Writ of Privy Seal I found in the *White Tower Chapple* attells.

\* Here p. 823 831, 837.

**E**Dward par le grace de Dieu, &c. al honorable pierre in Dieu W. par la mesme grace Evêque de Cestre, nostre Tresorier, & a nostre chier Clerc & foial Johan de Lingeton nostre Chancelier, & as autres bones gentz de nostre Conseil demourantz a *Everwyk*, salut. Nous enveoms a vous Frere William de Tykenhurst Moigne de l'Abbe de Seynt Austyn de Canterbir, & Phelip de Intebergh Clerc, qui de par l'Abbe & le Couvent de meisme le lieu, nous ont en pleignant aucunes choses monstrees, que l'Ercevesque de Canterbir et ses Ministres ont faitez oretard en grant prejudice de euz, et contre la franchise, et l'estate de leur Eglise, et contre la forme des privileges, qu'il ont de l'Aposkille qui oze est, et d'aucuns de ses predecesseurs Evêques, et ainsi a grant damage d'aucunes personnes qui a leur jurisdiction purement appendent, sicome il dient, dont il se sentent molt grevez, et nous ont requis, que nous enmettons conseil et remede. Et pur ce que nous desirons molt a mettre bon conseil es besoignes que touchent la dite Eglise, la quele est de nostre aboerte espectralment par la devoiton que nous auons a Saint Austyn de Canterbir, et ainsi pur la bon volante, que nous auons a l'Abbe et au Couvent avantditz; Vous mandons, que vous euz a leisir & a tien diligence come il assiert, quantque les avantditz William & Phelip vous diront sur le fait du dit Ercevesque & de ses Ministres en cele partie, & euz conseil & bon avisement de ce que nous enporrons faire, par reison. Car nous enseriens volenters ce que nous poriens en bone manere. Et quant vous aurez conseilley sur ceste chose tant come il vous semblera que bon soit, mandez nous ent vos auz distinctement par vos lettres. Don sanz nostre prive seal a Kinges Clifton le 4. jour de Decembr. l'an de nostre regne vint & novisme.

*Bundela Bre-vium & Literarum in Turre London. An. 29 E. 1.*

The King upon their advice, soon after issued two several Writs to the Sheriff of *Kent*, to release them upon sufficient bayle who were taken and imprisoned, and not



*An. 29 E. 1.* to take or imprison the rest who absented themselves, upon putting in sufficient pledges to appear before him in the Parliament at *Lincoln*, to abide his order in this business.

Clauſ. 29 E. 1.  
m 14. intus.  
Pro Johanne  
Rectore Ec-  
clesiæ de Parva  
Monigham, &  
aliis.

**R**EX Vic. *Kanc.* salutem. Cum nuper ad denuntiationem venerabilis patris *R. Cantuar.* Archiepiscopi per literas suas patentes nobis significantis, quod *Johannes* Rector Ecclesiæ de *Parva Monigham*, *Johannes* Rector Ecclesiæ de *Eastlangedon*, *Walterus* Rector Ecclesiæ de *Stonore*, *Johannes* Vicarius Ecclesiæ de *Chistestud*, *Johannes* Vicarius Ecclesiæ de *Menre*, *Edmundus* Vicarius Sancti *Laurentii* in *Taneto*, *Matthæus* Vicarius Ecclesiæ de *Northborus*, *Thomas* Rector Ecclesiæ de *Frythindonne*, *Johannes* Vicarius Ecclesiæ de *Tenterdene*, *Johannes* Vicarius Ecclesiæ de *Leanhām*, *Martinus* Rector Ecclesiæ de *Borewaremersh*, *Sampson* Rector Ecclesiæ de *Wynlesbergh*, *Willielmus* Rector Ecclesiæ de *Bracklond*, *Thomas* Rector Ecclesiæ de *Stone*, *Laurentius* Rector Ecclesiæ de *Kingsdonne*, *Thomas* Vicarius Ecclesiæ de *Shildwych*, & *Willielmus* Vicarius Ecclesiæ de *Middleton*, propter manifestam contumaciam suam excommunicati sunt, nec se volunt per censuram Ecclesiasticam iustificari; tibi præcepimus, quod prædictos *Johannem*, *Johannem*, *Walterum*, *Johannem*, *Edmundum*, *Matthæum*, *Thomam*, *Johannem*, *Johannem*, *Martinum*, *Sampsonem*, *Willielmum*, *Thomam*, *Laurentium*, *Thomam*, & *Willielmum* per corpora sua, secundum consuetudinem *Anolia* iustificares, donec Sanctæ Ecclesiæ tam de contemptu quam de injuria ei illata ab eis esset satisfactum. Et postmodum postquam iidem *Johannes*, *Johannes*, *Walterus*, *Johannes*, *Johannes*, *Edmundus*, *Matthæus*, *Thomas*, *Johannes*, *Johannes*, *Martinus*, *Sampson*, *Willielmus*, *Thomas*, *Laurentius*, *Thomas*, & *Willielmus*, prædicti mandati nostri prædicti per te capti, et in persona nostra *Cantuar.* detenti fuerant, tibi ob aliquas certas causas coram nobis propositas præcepimus, quod accepta sufficienti securitate a prædictis *Johanne*, *Johanne*, *Waltero*, *Johanne*, *Johanne*, *Edmundo*, *Matthæo*, *Thoma*, *Johanne*, *Johanne*, *Martino*, *Sampson*, *Willielmo*, *Thoma*, *Laurentio*, *Thoma*, & *Willielmo*, quod essent coram nobis in Parlamento nostro apud *Lincoln*. In Octabis Sancti *Hilarii* proximo præteritis, ad informandum nos plenius super causis prædictis, ipsos *Johannem*, *Johannem*, *Walterum*, *Johannem*, *Johannem*, *Edmundum*, *Matthæum*, *Thomam*, *Johannem*, *Johannem*, *Martinum*, *Sampsonem*, *Willielmum*, *Thomam*, *Laurentium*, *Thomam*, & *Willielmum*, a persona illa occasione prædicta et non alia detenti essent in eadem, interim deliberari faceres per securitatem prædictam. Et haberes hoc breve tunc ibidem. Atque nobis returnaberis, quod omnes in dicto brevi nominati capti fuerunt, et per bonam securitatem postmodum deliberati, exceptis prædictis *Waltero* Rectore Ecclesiæ de *Stonore*, *Johanne* Rectore Ecclesiæ de *Eastlangedon*, *Thoma* Rectore Ecclesiæ de *Frythindonne*, *Martino* Rectore Ecclesiæ de *Borewaremersh*, & *Laurentio* Rectore Ecclesiæ de *Kingsdonne*, qui in Balliva tua inventi non fuerunt. Nos habito super præmissis tractatu in Parlamento prædicto, dictam securitatem continuare volentes; tibi præcipimus, quod accepta hujusmodi securitate si bene manucapione a prædictis *Waltero*, *Johanne*, *Thoma*, *Martino*, & *Laurentio*, prout nobis returnasti non inventis si se iustificari permiserint, et nova securitate a prædictis *Johanne*, *Johanne*, *Johanne*, *Edmundo*, *Matthæo*, *Johanne*, *Johanne*, *Sampson*, *Willielmo*, *Thoma*, *Thoma*, & *Willielmo*, quod erunt coram nobis ad voluntatem nostram super præmissis, omnibus responsuri ad captionem eorundem *Johannis*, *Johannis*, *Walteri*, *Johannis*, *Johannis*, *Edmundi*, *Matthæi*, *Thoma*, *Johannis*, *Johannis*, *Martini*, *Sampsonis*, *Willielmi*, *Thoma*, *Laurentii*, *Thoma*, & *Willielmi* non procedas, donec aliud super hoc a nobis habueris in mandatis. Teste Rege apud *Lincoln*. 18 die Febr.

*Per Regem & Consilium.*

From which Writ, as we may observe the excessive malice, vexation and impiety of the Archbishop, in excommunicating so many Rectors and Vicars of Parish Churches at once, upon the premised suits and contest between him and the Abbot and Monks of *Canterbury*, whereby the people of those places were long deprived of the spiritual food of their souls; so we may well inferre:

1. That it is the Kings Prerogative, Office, duty to examine, redresse and rectifie such vexations, abuses, and Excommunications of Rectors, Vicars, and other his Subjects,

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Subjects, even by the Archbishop of *Canterbury* himself, much more by other Bishops or their inferior Officers. *An. 29 E. 1.*

2ly. That such extravagant abuses and Excommunications are thought fit and worthy examination and redresse even in Parliament in that age.

3ly. That the King by his Prerogative might enlarge persons taken upon a *Capital Excommunication* out of Prison upon security, without any Oath, and supersedeat his Writs of Excommunication against others, not actually taken and imprisoned, till their causes were heard and determined by him in his Parliament, and that by the resolution of the King and his Council in Parliament, by whose order this Writ issued forth,

This year there fell out this memorable case in Law touching the Kings prerogative, contained in the ensuing Writ. The King presenting his Clerk to the Archbishop of *Canterbury* to admit him to a Benefice accruing to him by reason of a Wardship, the Archbishop refusing to admit him because he was under age, being contrary to the Canonons, he thereupon committed the Church to one of the Kings Chaplains till he should be of age: The Archbishop dying, his successor finding no person inducted therein, and so holding it voyd, admitted the Clerk of the right patron presented to it, contrary to the Kings prerogative, \*against whom no time nor lapse incurs; who thereupon commanded him to admit his first presented Clerk (now of age) thereto, by this Writ. *† See here, p. 331.*

**R**EX Archiepiscopo *Caninar.* salutem. Meminimus quod nuper vacante Ecclesia de *Rolnyngden* vestre Dioc. per mortem talis quondam ejusdem Ecclesie Rectoris, & ad nostram donationem spectante, ratione Custodie terrarum & Hereditatis de *S.* defuncti, qui de nobis tenuit in Capite, tunc in manu nostra existentis; Nos bonarum memoriarum *J.* tunc Archiepiscopo *Caninar.* predecessori vestro dilectum Clericum nostrum *Willielmum de Halstede* ad eandem Ecclesiam duximus presentandum: sed idem Archiepiscopus quia dilectus Clericus noster erat tunc temporis minor annis, secundum Canonicas sanctiones *R. de S.* Capellano nostro, nomine dicti Clerici nostri commisit custodiam Ecclesie antedictae; Verum quia vos in eadem Ecclesia institutum neminem inveniistis, *Stephanum de Certesya* Clericum ad presentationem *J. de Lerham* Militis, qui ejusdem Ecclesie asserit se patronum, in prejudicium Juris nostri, cum nobis tempus non currat in talibus, ad eandem Ecclesiam admittistis, dicto Sacerdoti auferendo custodiam antedictam. Volentes igitur permittere Jus Regium, ad cuius conservationem, fidelitatis nobis prestatum debitum vos astringit, taliter absquebeat. Vobis mandamus, quod illud quod per vos de dicta Ecclesia, in Juris Regii, ut praedictum est, prejudicium est taliter acceptatum, reseriter rebocantes, praedictum Clericum nostrum, cui nihil hiis diebus obesse Canonice credimus in hac parte, ad presentationem nostram ad praefatam Ecclesiam admittatis. Quid autem super hoc duxeritis faciendum nobis per latorem presentium rescribatis. Teste Rege apud *Feckenham*, 12 die Aprilis. *Class. 29 E. 1. m. 17. dorso. De revocando presentatione factam contra statum Regni & Clerico Regis admittendo.*

The Abbot and Convent of *Thorney* having paid 500 Marks to Pope *Boniface* his Collectors for arrears of the Dismes collected for relief of the Holy Land, borrowed by the King, for which summe they were bound in the \*14th year of his reign, and had the Kings Counterband to discharge them thereof; upon his Petition in the Parliament of *Lincoln*, the King issued this Writ to his Treasurer and Barons of the Exchequer for their satisfaction and discharge thereof, by such means as they should deem most expedient. *\* Here, p. 306. &c.*

**R**EX Thesaurario & Baronibus suis de *Scaccario* salutem. Dilecto nobis in Christo Abbati & Conventui de *Thorney* per petitionem suam coram nobis & Consilio nostro in Parlamento nostro *Lincoln.* exhibitam supplicarunt, quod cum ipsi nuper per \* literas suas patentes sigillo suo communi signatas, pro nobis in quingentis marcis sterlingorum, quarum ad manus nostras de pecunia Decimarum in subsidium Terrarum Sanctarum in regno concessarum debuerunt, se erga Dominum Summum Pontificem obligaverint; Nosque per literas nostras patentes obligaverimus Nos, haeredes & successores nostros, praefatis Abbati & Conventui & successoribus suis ad plenam *Cl. 29 E. 1. m. 13. Pro Abbate de Thorney. \* See Here, p. 360, 361, 362.*



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*An. 29 E. 1.* plenam & integram ejusdem pecuniæ solutionem infra duos menses postquam ab eisdem Abbate et Conventu super hoc requisiti fuerimus faciend. necnon ad ipsos inde conservandos indemnes. Et iidem Abbas et Conventus virtute obligationis suæ prædictæ de prædictis quingentis marcis Collectoribus dictæ Decimæ per præfatum Summum Pontificem specialiter deputatis, jam satisfecerint, sicut dicunt; Voluimus ei in satisfactione prædictarum quingentarum marcarum in firmis annuis et debitis quæ nobis debent ad Scaccarium prædictum facere allocationem, vel alio competenti modo eis super hoc providere. Nos igitur supplicationi ipsorum Abbatis & Conventus in hac parte annuere, ipsorumque indemnitati volentes prospicere ut tenemur, vobis mandamus, quod inspectis literis nostris prædictis, habitoque cum eodem Abbate super præmissis diligenti tractatu de aliqua bona & competenti forma, per quam de prædictæ pecuniæ summa exoneremur, et eisdem Abbati & Conventui in firmis & debitis prædictis debita allocatio vel alio modo competens satisfactio inde fiat, provideatis, prout juxta discretionem vestram vobis videbitur melius faciendum, & prout per nos & Consilium nostrum vobis præfata Thesauraria plenius est injunctum. Teste Rege apud *Lincolniam*, 26. die Febr. Per *Petitionem de Consilio*.

The like Writ issued to them upon a Petition of the Abbot of *Peterburge* in the same Parliament, who was bound, and secured by the Kings Counterbond for 500 l. more of that money which he had paid to the Popes agents, *Clasf. 29 E 1. m. 3.* to omit all others.

Thus the money pretended and collected for the Holy Land after the King had made use of it for divers years, was exacted and pursed up by this avaritious Pope at last, and never employed for its pretended end. An impious Papal fraud.

The Popes *Italian* Agent appointed by him to demand and receive Ten thousand markes of the money long before granted for relief of the *Holy Land*, which the King borrowed from the Popes Collectors upon the bonds of these Abbots, his sureties, to repay it within 2. Moneths upon the Popes demand, whom the King was bound to save harmlesse by his Counterbonds to them, exacting one mark in every hundred Marks for his expenses, or else refusing to give up their bonds till paid. The King upon complaint thereof issued this memorable Writ to him, prohibiting this his extortion, and commanding him to deliver up their bonds, the debt being his, upon payment only of the principal moneys; else he would take some other course for their relief against him.

*Cl. 29 E 1. m. 10. intus.*  
Pro quibusdam  
Abbatibus & Prioribus  
Angliæ.

**R**EX discreto Viro Magistro *Bonich. de Florenc.* ad recipiendum nomine Domini Papæ solutionem decem millium Marcarum a quibusdam Abbatibus et Prioribus Regni nostri debitarum occasione quarundam obligationum, quas pro eis nostro nomine et pro nobis dudum fecerant, assignato, salutem. Datum est nobis intelligi, quod vos de singulis Centum Marcis prædictæ summæ pecuniæ unam Marcam pro expensis vestris a prædictis Abbatibus et Prioribus, antequam dictas obligationes eorum quæ penes vos residere dicuntur, restituere velitis eisdem, exigitis et exigere præsumitis pro libito, minus iuste, in grave ipsorum dispendium, immo verius nostrum, qui Abbates et Priores tenemur eisdem in hac parte conferbare indemnes, utpote qui pro nobis et ad nostram instantiam obligationem et satisfactionem hujusmodi subierunt. Nos igitur præfatis Abbatibus et Prioribus quatenus honeste poterimus super hoc subvenire volentes; Vobis mandamus, firmiter injungentes, quod ipsa sola forte contentus, ab exactione prædictæ Marcæ de dictis Centum Marcis habendæ desistatis, et juxta quod præfati Abbates et Priores et eorum quilibet pro rata portione contingentis eisdem et eorum quemlibet, prout in obligationibus eorumdem inde confectis plenius continetur satisfecerint, vel satisfecerit in hac parte, obligationes easdem eis et eorum cuilibet omni modo difficultate postposita restituere nullatenus omittatis. Taliter super præmissis vos habentes, ne si secus feceritis aliud remedium super hoc nos oporteat addidere, Dat. apud *Evesham* 27 die *Marcii*.

The King upon the Complaint of the Masters and Scholars of the University of *Oxford*,

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*Oxford*, of the want of paving, and of the filth, dung in the streets, and other places, both within the Town and Suburbs of *Oxford*, which corrupted the air, and annoyed their health, issued these memorable Writs for repairing & cleansing their streets, and removing the Swine out of them, by the oversight of such as the Chancellor and Proctors of the University should appoint, and to keep them clean for the future.

**R**EX Majori & Ballivis suis *Oxonia* salutem. Quia ex parte dilectorum nobis in Christo Magistroz et Scholarium Universitatis *Oxon.* nobis est con- querendo monstratum, quod pavementum Villæ nostræ prædictæ adeo enormiter est dirutum & con fractum, quod ex hoc universi & singuli transeuntes & inceden- tes per Villam eandem dampna non modica sustinent & gravamina, et etiam quod per fimos & fimaria, & plures alias seditates quæ in stratis et venellis villæ prædi- cte ponuntur et colliguntur, aer ibidem in tantum corrumpitur et inficitur, quod Magistris et Scholaribus prædictis, et aliis ibidem conbersantibus et transeunti- bus horroz abominabilis incutitur, commoditas salubrozis aeris impeditur, sta- tus hominum grabiter læditur, aliaque intollerabiles incommoditates et quam- plura discrimina et corruptione huiusmodi provenire noscuntur, in Magistroz et Scholarium prædictorum et alioz ibidem conbersantium et transeun- tium nocentum et periculum manifestum. Volentes super hoc congruum remedium ad- hiberi, Vobis mandamus, quod pavementum Villæ prædictæ per visum alicuius vel aliquozum quem vel quos Cancellarius et Procuratores Universitatis prædi- cte ad hoc duxerit deputand. in stratis & venellis ibidem reparari & emendari facia- tis, et Comburgenses vestros ad hoc modis omnibus quibus melius expedire vide- ritis inducatis, & si necesse fuerit, modo debito compellatis, ut unusquisque coram ten. & tenuris suis in Villa prædicta pavire faciat, ac stratas prædictas & venellas fi- mus & fimariis universis mundari, et eas sic mundatas imposterum mundas con- servari, ac pozarias in stratis et vicis existentes per quas huiusmodi seditates ac- cumulantur et plurimum colliguntur, amoveri faciat, ita quod Villa nostra præ- dicta adeo munda de huiusmodi seditatibus de cætero conservetur, quod clamor ad nos inde non perveniat iteratus, per quod manum ad hoc debeamus apponere gra- biozem. Teste Rege apud *Wodestok* 18 die *Marci*.

Cl. 29 E. 1.  
dorfo. m. 14.  
vel 15. De  
stratis & ve-  
nellis in *Oxon.*  
paviandis.

**R**EX Vic. *Oxon.* salutem. Quia ex relatu plurimorum accepimus, quod pavi- mentum Suburbii Villæ nostræ *Oxon.* adeo est dirutum & con fractum, quod ex hoc universi et singuli transeuntes et cedentes per pavementum illud dampna non modica, &c. (ut supra) & etiam quod per fimos, &c. quæ in suburbio prædicto po- nuntur & colliguntur, aer ibidem corrumpitur, &c. quod Magistris et Scholaribus Universitatis *Oxon.* & aliis in eodem suburbio conversantibus, &c. Volentes, &c. tibi præcipimus, quod pavementum Suburbii prædicti per visum alicuius vel aliquo- rum, &c. emendari facias, & Burgenses ac alios ten. & tenuras in eodem suburbio habentes modis omnibus quibus, &c. inducas, & si necesse fuerit, &c. ut unus- quisque coram ten. & tenoris suis in suburbio prædicto pavire faciat, ac stratas Suburbii prædicti fimis, &c. & eas sic mandatas, &c. Ita quod strata Suburbii prædicti adeo munda, &c. conserventur, &c. ut supra. Teste, ut supra.

Ibidem. De  
stratis & ve-  
nellis in sub-  
urbio ejusdem  
Villæ pavien-  
dis.

The King by his Prerogative sent an old Servant of his maimed in his Ser- vice, to the Prior and Covent of *Coventry*, to be there relieved by a Corody dur- ing life, by this Writ.

**R**EX dilectis sibi in Christo Priori & Conventui de *Coventria*, salutem. Quia *Rogerus de Cestria*, serviens noster ad arma, qui nobis diu benè fi- deliter deservivit, & in servicio nostro mahemiatu existit, per quod nobis non sufficit amplius famulari, ipsum ad vos duximus transmittendum; Rogantes qua- tinus ipsum *Rogerm* in domo vestra admittatis, & ei cum uno garcione deser- venti eidem necessaria sua in victu & vestitu, juxta status ipsius *Rogeri* exigenci- am, quoad vixerit exhiberi nostris precibus faciatis, pro quo vobis ad grates teneamur merito speciales. Teste Rege apud *Lincolniam*, vicesimo primo die *Februarii*.

Ibid. m. 16.  
dorfo. Pro  
*Rogero de*  
*Cestria*.

The



K. Edward 1 *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4*

*An. 29 E. 1.* The King being informed by the Abbot of *Peterburgh* (who loved Venison) that by several Charters of his predecessors he ought to have the Tithe of all his Venison within his Forests in the County of *Northampton*, and to have Writs issued for that purpose, issued this Writ for to have the arrears thereof due unto him for three years.

*Claus. 29 E. 1. m. 4. Pro Abbate de Burgo Sancti Petri.* **R**EX dilecto & fideli suo *Ada de Welles* Senescallo Forestarum suarum inter pontes *Oxon. & Stannford*. salutem. Quia constat nobis per inspectionem Chartarum *Willielmi, Richardi & Johannis* progenitorum nostrorum, & *Henrici* patris nostri, quondam Regum *Angl.* quod Abbas de *Burgo Sancti Petri* qui pro tempore fuerit, habere debet ex concessione dictorum Regum *Angl.* Decimam venationis caprarum in Forestis nostris infra *Com. Northampton*. & etiam constat nobis per inspectionem Rotulorum Cancellar. dicti patris nostri, quod Abbates ejusdem loci semper habuerunt breve suum de Decima venationis illius habenda; vobis mandamus, quod Abbat ejusdem loci Decimam in Forestis predictis de annis regni nostri vicesimo septimo, vicesimo octavo, et de anno presentis habere faciat, prout ipse et predecessores sui eam habere consueverunt; nisi prius eam habuerit per aliud breve nostrum. Teste Rege apud, &c. 23 die Augusti.

The King carrying the Banner of *St. John of Beverly* with him into *Scotland* for his better success, upon his return from thence, restored it by this Writ.

*Claus. 29 E. 1. m. 18. De Vexillo Sancti Johannis Beverlaci remisso.* **R**EX dilectis sibi in Christo Capitulo Ecclesie Sancti *Johannis Beverlaci*, salutem. Vexillum Sancti *Johannis* quod nobiscum habuimus in guerra nostra *Scotie*, vobis per dilectos Clericos nostros *Galfridum de Welleford* Capellanum, & *Robertum de Halwell* exhibitores presentium destinamus. Teste Rege apud *Aberford* 27 die Novembrii.

The King this year out of his special grace granted this Patent and Privilege to the Prior and Monks of *St. Albans*, that they during every avoidance should hold the Temporalties of the Abby, (except Knights Fees, and Advowsons of Churches) rendering to him a thousand Marks for every time it fell, or year it continued void.

*Pat. 29 E. 1. m. 8. Pro Abbate & Conventu de S. Albano.* **R**EX omnibus ad quos, &c. salutem. Sciatis quod ob devotionem quam erga Sanctum *Albanum* gloriosum Christi Martyrem gerimus & habemus, & ut Monachi Abbatis de Sancto *Albano* de cetero possint quietius & tranquillius altissimo famulari, concessimus pro nobis & heredibus nostris Abbati & Conventui Abbatis predicti, quod Prior & Conventus Abbatis ejusdem & eorum successores, in singulis vacationibus ejusdem Abbatis, quociens videlicet ipsam exnunc vacare contingeret, habent et teneant eandem custodiam Abbatis illius, et omnium temporalium ejusdem, cum omnibus rebus et bonis ad Abbatis illam qualitercunque spectantibus, adeo plene et integre, sicut aliquis Abbas ejusdem loci Abbatis illam et temporalia, cum rebus et bonis predictis, sede plena aliquibus retroactis temporibus habere et tenere consuevit. Ita quod ipsi Prior & Conventus de temporalibus & bonis ac rebus illis plenam & liberam administrationem habeant, & inde disponere & ordinare possint, prout eis melius & utilius videbitur faciendum, & prout Abbas dicti loci inde posset ordinare & disponere sede plena; salvis nobis et heredibus nostris feodis illis quae tenentur de Abbatis predicta, et Advocationibus Ecclesiarum cum acciderint, temporibus vacationum predictarum. Ita tamen quod omnes redditus & servitia annua de feodis predictis in vacationibus illis provenientia remaneant Priori & Conventui predictis: Salvis etiam nobis & heredibus nostris escaetis quas accidere contigerit temporibus predictis, quae quidem escaeta singulis hujusmodi vacationibus finitis, videlicet post fidelitatem ipsius quem ibidem eligi, confirmari seu praefici contigerit in Abbatem, nobis vel heredibus nostris factam, liberentur & remaneant Abbati, Priori & Conventui, & successoribus suis dicti loci, sine occasione vel impedimento nostri vel heredum nostrorum quorumcunque: Reddendo nobis et heredibus nostris pro qualibet vacatione Abbatis predicti, sive duraverit per annum integrum, sive per minus tempus, mille marcas, infra annum a tempore quo Abbatis illa vacare inceperit computandum; videlicet,

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videlicet, quingentas marcas in fine primi dimidii anni illius, et quingentas marcas in fine ejusdem anni. Et si forte vacatio Abbacie illius duraverit ultra annum, tunc predicti Prior et Conventus pro proximo anno integro sequenti, si tanto tempore duraverit, solvant nobis et heredibus nostris mille marcas ad terminos predictos, et sic pro quolibet anno integro post primum annum, durante vacatione predicta, ad eosdem terminos mille marcas. Et si ultra annum integrum, vel annos integros duraverit, vel minore tempore quam per annum, tunc pro illo minori tempore de predictis mille maris minus pro rata temporis illius proportionaliter nobis solvant. Et volumus & concedimus pro nobis & heredibus nostris, quod predicti Prior & Conventus, & eorum successores, imperpetuum habeant & teneant custodiam Abbacie predictae singulis temporibus vacationum ejusdem in forma predicta. Ita quod nullus Vicecomes, Escaetor, seu quicumque alius Ballivus, vel Minister noster, vel heredum nostrorum de custodia Abbacie predictae, seu Cellarum suarum, Maneriorum, aut aliarum rerum seu bonorum quorumcumque ad dictam Abbaciam seu Cellas suas spectantium quoquo modo, ratione vacationis illius, se in aliquo intromittat. Hoc tamen excepto, quod Escaetor vel alius Minister noster, seu heredum nostrorum qui pro tempore fuerit, infra portas tantum Abbacie predictae in principio cujuslibet vacationis ejusdem, quandam simplicem seisinam nomine nostri regis dominum capiat, et ea sic capta statim erigere recedat absque alio inde capiendo, seu etiam asportando. Ita quod ultra unum diem occasione seisinae predictae moram ibi non faciat, nec aliquem ibidem substituat loco suo. Volumus insuper & concedimus pro nobis & heredibus nostris, quod si nos forsitam vel heredes nostri aliquo tempore vacationis Abbacie predictae, exercitum nostrum fecerimus summoneri, predicti Prior & Conventus & successores sui pro propriis et dominicis feodis militum Abbacie illius, in manibus ipsorum Prioris et Conventus tunc existentibus, ad servicium in eodem exercitu faciendum minime teneantur, nec occasione servicij illius molestantur in aliquo seu gradentur, set inde penitus sint quieti: Silvis tamen nobis & heredibus nostris serviciis feodorum militum quae tenentur de Abbacia predicta temporibus vacationum ejusdem ad nos pertinentibus ratione exercitus supradicti. In cujus, &c. Teste Rege apud *Caldestrem* 30 die Julij.

*Per ipsum Regem.*

The King likewise released all Debts owing to him by the Abbot and Convent of *St. Albans*, in recompence of the 1000 Marks for which they were bound for him to the Church of *Rome*, and had satisfied it to the Popes Agent; and 300 Marks more they gave him as an Ayl for his expedition into *Scotland*.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod pro remissione quam dilecti nobis in Christo Abbas & Conventus de Sancto *Albano* nobis fecerunt, tam de illis mille maris quas ab eis pro quibusdam arduis negotiis nostris expetendis, mutuo recepimus de pecunia Decimarum in subsidium Terrarum Sanctae a Clero regni nostri nuper concessae, eisdem Abbati et Conventui nomine Summi Pontificis liberata in deposito custodienda, et quas idem Abbas et Conventus postmodum pro nobis dicto Summo Pontifici solverunt; quam de aliis debitis quibuscunque in quibus eis ex quacunque causa usque ad diem consecrationis presentium tenebamus, necnon et pro trescentis maris quas idem Abbas et Conventus nobis in subsidium expeditionis nostrae *Scotiae* jam dederunt, pardonabimus eis omnia debita in quibus ipsi nobis ex quacunque causa usque ad diem predictum tenebantur: Volentes & concedentes pro nobis & heredibus nostris, quod idem Abbas & Conventus de debitis predictis penitus sint quieti. In cujus, &c. Teste Rege apud *Pebbles* secundo die Augusti.

*Per ipsum Regem.*

Et mandatum est Thesaur. & Baronibus de Scaccario, quod ipsos Abbatem & Conventum de debitis supradictis quietos esse faciant juxta tenorem literarum Regis predictarum. Teste Rege ut supra.

The King sending the Archdeacon of *Richmond* to *Rome* about his affairs, (to procure a Disme for 3. years from the Clergy of *England* and *Ireland*) he rendered him this account of his expenses in that journey, which he ordered to be satisfied out of the Disme and Quindisme granted him, by this Obligation.

**REX**

Pat. 29 E. 1.  
m. 17.

Here p 360,  
361. Bunchla  
brevium de  
Privato Sigillo  
Anno 30 E. 1.  
in Torre  
London,



An. 29 E. 1.

Pat. 29 E. 1.  
m. 7. De Gerardo Archidiacono Richem.

**R**EX omnibus ad quos, &c. salutem. Sciatis nos teneri dilecto Clerico nostro Gerardo Archid. Richemund. in Trescentis et nobem libris tribus solidis et quatuor denariis de expensis suis, per ipsum in nuncium nostrum pro quibusdam negociis nostris specialibus ad Romanam Curiam nuper proficiscentem factis, videlicet a quindodecimo die Aprilis, anno regni nostri vicesimo octavo, usque ad vicesimum tertium diem Junii, anno regni nostri vicesimo nono, prout per compotum ejusdem Archidiaconi coram dilecto Clerico nostro Johanne de Drogheda Custodæ Garderobæ nostræ inde redditum evidenter apparet. Quam quidem pecuniæ summam præfato Archidiacono in festo Paschæ proximo futuro de pecuniæ decimæ vel quintadecimæ nobis in regno nostro concessæ, nos promittimus soluturos. In cujus, &c. Teste Rege apud Dony Pas 14. die Octobr.

Per literas dicti Johanni Patentes.

Ibid m. 7. De Protectionibus Pat. 29 E. 1.

**W**alterus Coventr. & Lychf. qui pro negociis Regem et regnum suum specialiter tangentibus profecturus est ad Cur. Romanam, habet literas Regis de protectione per unum annum duraturas, cum claus. volumus & exceptis Pres. &c. T. Rege apud Dony Pas 27. die Septembris.

The King granted these Licenses and Protections to the Prior of *Durham* and others to go to the Court of *Rome* about their affairs and their Churches, who could not go thither without his license.

m. 22 De Protectione.

**R**icardus de Hoton. Prior Dunelm. qui de licencia Regis profecturus est ad Curiam Romanam habet literas Regis de protectione simplices sine clausulis, per biennium duraturas. Pres. &c. Teste Rege apud Lincolniam primo die Martii.

Per ipsum Regem, &amp; duplicatur.

Ibidem.

**A**lex. de Pynzumbi qui cum eodem Priore profecturus est ad dictam Curiam habet literas Regis de protectione, simplices, &c. duraturas ut supra. Pres. &c. Teste Rege ut supra.

Per ipsum Regem duplicatur.

Ibidem.

**R**EX omnibus amicis suis ad quos, &c. salutem. Cum dilectus nobis in Christo Ricardus de Hoton Prior Dunelm. de licencia nostra ad Curiam Romanam pro quibusdam negociis suis expediendis se daret; Vos rogamus, quatenus eidem Priori aut familiæ suæ secum eunti, in rebus aut personis suis, in eundo versus partes prædictas, ibidem morando, & exinde redeundo non inferatis, &c. set potius eis cum ipsis per partes vestras transitum facere contigerit, saluum & securum conductum nostri contemplatione habere faciatis, cum ab ipsis ex parte nostra fueritis super hoc requisiti. In cujus, &c. per biennium duraturas. Teste ut supra.

Per ipsum Regem.

Consimiles literas de conductu habet præfatus Ricardus sine mentione facta de Priore, duraturas ut supra. Teste ut supra.

The King this year granted restitution of the Temporalities of a Nunnery belonging to his Patronage by the death of the Earl of *Cornwall*, upon the Certificate of the Bishop of *Lincoln*.

Pat. 29 E. 1.  
m. 29. intus.  
De restitutione Temporalium.

**R**EX dilecto & fideli suo Waltero de Glouc. Escaet. suo citra Trentam. Cum venerabilis pater I. Lincolnienfis Episcopus examinato processu electionis nuper in Ecclesia Conventuali de *Garing*. de duabus Monialibus ejusdem domus in discordia factæ, alteram earundem, videlicet *Margeriam Neel* quæ nobis extitit præsentata in Priorissam Domus illius, cujus advocatio per mortem bonæ memoriæ *Edmundi* quondam Comitis *Cornubii* Consanguinei nostri, ad manus nostras devenit præfecerit, sicut per literas patentes ipsius Episcopi nobis inde directas nobis constat. Nos præfectionem acceptantes, cepimus fidelitatem ipsius *Margerie* & Temporalia domus prædictæ, prout moris est restituimus eidem. Et ideo vobis mandamus, quod eidem *Margerie* Temporalia domus prædictæ liberetis in forma prædicta. Teste Rege apud *Nettleham* 9. die Februarii.

The

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The King upon the Petition of the Prioress and Nunnes of the Monastery of St. *Mary de Bello Porto* in Ireland, issued this Patent of special grace for the election, confirmation, and restitution of the Temporalties to a New Abbess by his Chief Justice in Ireland, they giving security by their patent under Seal, that this special grace should not prejudice the rights of his Crown, nor be drawn into consequence for the future.

An. 29 E 1.



**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibernia*, salutem. Cum dilecti nobis in Christo Priorissa & Moniales beatæ *Mariæ de Bello Porto* juxta *Waterford*. nobis per literas suas Patentes significaverint, quod Abbatia sua prædicta per mortem *Johannæ* quondam Abbatissæ illius loci Pastoralis et solatio destituta; supplicantes Nobis, prout moris est, quod licentiam sibi aliam eligendi in Abbatissam eisdem concedere dignaremur: Ac nos precibus earundem Priorissæ & Monialium in hac parte favorabiliter inclinati, licentiam illam eis duxerimus concedendam. Mandantes ipsis, quod talem sibi eligant in Abbatissam, quæ Deo devota, regimini Ecclesiæ suæ necessaria, nobisque et terræ nostræ *Hibernia* utilis et fidelis existat. Nos earundem Priorissæ et Monialium laboribus et expensis in hac parte parcere volentes, ista vice concessimus eis de gratia nostra speciali, & vobis dedimus potestatem, quod facta Electione prædicta, sc. assensum Regium vice nostra præbeatis; significantes loci Diocesano, quod id quod suum est in hac parte exequatur. Volumus etiam & vobis dedimus potestatem, quod, &c. tunc accepta ab eadem Electa fidelitate in casu isto nobis debita, temporalia ejusdem Abbatissæ eidem Electæ, prout moris est, liberetis, vice nostra. Receptis prius ab ipsa Electa literis suis patentibus sigillo suo, necnon et sigillo Capituli sui signatis, quod hæc gratia nostra quam eidem Electæ ad præsens ex mera liberalitate nostra concessimus, nobis vel hæredibus nostris non cedet in præjudicium vel exheredationem, seu trahetur in consequentiam temporibus futuris. In cujus, &c. Teste Rege apud *Nettleham*, 5. die Februarii.

Pat. 29 E 1. m. 29 intus. De licentia eligendi, & potestate data restituendi Temporal. in Hibernia.

Per ipsum Regem nunciante J. de Benstede.

The King likewise issued this Writ to his Chief Justice and other Officers in Ireland to commit the Temporalties of the Bishoprick of *Imelac*. seized into his hands for \*debt owing him by the Bishop, to new Guardians, by reason of the ill administration of them by the former Guardian.

\* See Here, p. 303.

**R**EX Justic. suo *Hibernia*, & Thes. & Baronibus suis de Scaccario *Dublin*. salutem. Licet pro quibusdam debitis in quibus Venerabilis Pater *W. Imelacensis* Episcopus nobis tenetur; Vobis mandaverimus, quod Temporalia Episcopatus prædicti cum pertin. caperetis in manum nostram, et Custodiam Episcopatus illius Magistro *Bartholomæo de Sutton* liberaretis, ita quod de exitibus Episcopatus illius nobis & præfato Episcopo ad Scaccarium nostrum *Anglia* responderet. Ac jam intellexerimus, quod præfatus *Bartholomæus* minus bene se gessit in Custodia prædicta, per quod de assensu prædicti Episcopi præfatum *Bartholomæum* a Custodia prædicta amovendum, & loco ipsius Magistrum *Richardum Berard*. & Rogerum de *Clifford* Clericos, quamdiu nobis placuerit in eadem Custodia duximus subrogandos. Vobis mandamus, quod eisdem *Richardo* & *Rogero* vel eorum alteri has literas nostras deferenti, Custodiam Episcopatus prædicti. cum bonis in Maneriis ejusdem Episcopatus existentibus liberetis. Ita quod nobis & præfato Episcopo inde respondeant ad Scaccarium nostrum *Anglia* supradictum ad mandatum nostrum. Proviso, quod prædictus *Bartholomæus* coram vobis securitatem inveniat, quod de exitibus Episcopatus prædicti per ipsum dum Custodiam prædicti. habuit hucusque perceptis, nobis ad Scaccarium nostrum prædictum respondeat, ut debet. In cujus, &c. Teste Rege apud *Nettleham*, 12 die Febr. Duppl.

Pat. 29 E 1. memb. 28. intus. De Custodia Episcopatus Imelac. liberand. Magistro Richardo Berard. & Rogero de Clifford, Clericis.

The Archbishop of *Ardmach* being amerced 40 Marks by the Kings Justices of the Common Bank in Ireland, upon which process issued against him out of the Exchequer; the King upon his complaint issued a Writ to moderate it, who thereupon reduced it to 5. Marks, which although he paid, yet process continuing against him for the residue, he obtained this second Writ to the Treasurer and Barons there, for his relief.

6 A

R E X



An. 29 E. I.

Cl. 19 E. I.  
m 7. Pro  
Archiep. Ard-  
mach.

**R**EX Theſ. & Baronibus ſuis de Scaccario *Dublin*. ſalutem. Ex parte venerabilis patris J. Archiepſcopi *Ardmach*. nobis eſt oſtenſum, quod cum pro eo quod quadraginta librarum ad quas ipſe coram Juſtic. noſtris de *Banco Dublin*. inſoluntarie et abſque cauſa rationabili fuerat, ut dicitur amerciatus, ab eodem Archiepſcopo per ſummonicionem Scaccarii prædicti exigebantur; Vobis nuper mandaverimus, quod conſiderata quantitate delicti ob quod ſic fuerat amerciatus, amerciamantum illud juxta diſcrecionem beſtram moderaretis, et diſtrictionem ſibi ea occaſione factam quouſque moderatio illa facta fuiſſet relaxaretis: Vos licet amerciamentum illud virtute mandati noſtri prædicti, habito reſpectu ad parvitatem delicti ob quod ſic extitit amerciatus, ad centum ſolidos moderaberitis, idem Archiepſcopus illos centum ſolidos cito poſtmodum nobis ad Scaccarium prædictum ſolverit, & quietanciam inde habeat, tamen triginta & quinque libras ab eodem Archiepſcopo: ac ſi prædictos centum ſolidos in partem ſolucionis prædictarum quadraginta librarum, & non ratione moderacionis amerciamenti prædicti nobis ſolviſſet, jam de novo exigi, & ipſum ea occaſione graviter diſtringi faciatis, in ipſius Archiepſcopi non modicum diſpendium & gravamen. Nolentes igitur quod idem Archiepſcopus aliter indebitè prægravetur; Vobis mandamus, quod inſpecta quietancia quam prædictus Archiepſcopus de prædictis centum ſolidis dicit ſe habere, ſi vobis conſliterit dictum amerciamentum quadraginta librarum, uſque ad centum ſolidos per vos moderatum fuiſſe, tunc à diſtrictione eidem Archiepſcopo pro prædictis triginta & quinque libris ratione amerciamenti prædicti per vos facta penitus deſiſtentes, ipſum de prædictis triginta & quinque libris quietum eſſe, prout juſtum fuerit, faciatis. Teſte Rege apud *Morpeth*, 28 die Junii.

I ſhall cloze this year with this memorable Epiſtie of *Petrus Caſſiodorus*, a Noble Italian Knight, written to the *English Church* about this time, exhorting them to caſt off the yolk of the Popes Roman Tyranny, and rapines, and redeem their ancient liberties.

\* Johan. Balz-  
us De Rom.  
Pontificum  
actis, l. 6. p.  
359, 360, &c.  
Script. Britan.  
Cent. 4. c. 7.  
Appendix, p.  
359. Fox Acts  
& Monuments  
Vol. 1. p. 460,  
461.

\* *Petri Caſſiodori ad Anglos Epiſtola, ſuper extrema Angliæ exſpilationis per Papam, circa Annum Domini 1302. ut Komani tyrannidis jugum excuterent; Ex vetuſto Codice ad ſanum Sancti Albani deſcripta.*

**E**cceſiæ nobili Anglicanæ in luto et latere ancillatæ, (as the *Jews* did in times paſt under the *Egyptians*) *Petrus filius Caſſiodori, Miles Catholicus, Pugil Jeſu Chriſti devotus, ſalutem, et captivitatis jugum abjicere, et habitum accipere libertatis.* Super *Cathedram Moſi* ſederunt *Scribae & Pharisei, &c.* Sequitur, Cui comparabo te, vel cui aſſimulabo te, *Jerusalem filia?* cui exquabo te *virgo filia Syon?* Magna enim eſt tua contritio; belut mare ſola facta eſt ſine ſolatio, toto die meroze conſecta. Data es in manus ejus, de quo non potes ſurgere abſque auxilio ſubſequentis. Nam *Scribae & Pharisei* ſuper *cathedram Moſi* ſedentes, Principes *Romani* hoſtes in capite facti, ſua phylacteria dilatantes, ambientes locupletari tuoꝝum oſſum et medullis, grabia et impoſtabilia in tuiſ et tuoꝝum miniſtroꝝum imponunt humeris onera: et ultra quam decet, te conſtituunt ſub tributo, quæ libera fueras ab antiquo. Recedat abhinc omnis admirationis materia, quia mater tua domina gentium, viduarum moꝝe ſuo ſubdito deſponſata tibi, ipſum in patrem conſtituit, et *Romanæ urbis Pontificem* ſummum prælegit: qui quod ita ſit, tibi in nullo paternitatis genere oſtendit. Super te quidem ſuas magnificat ſimbrias, et experimento edecet ſe tuæ matris eſſe maritum. Commemorat enim apud ſe propheticum ſæpe verbum, quod eſt in ſcrinio pectoris ſui ſic digeſtum: *Sume tibi libram grandem, & ſcribe in eo ſtylo hominis velociter, ſpolia detrahe, cito prædare;* Nunquid cum *Apoſtolus*, ad hoc conſtituendum, ſic ſcribit? \* *Omnis Pontifex ex hominibus aſſumptus, pro hominibus conſtituitur in his quæ ſunt ad Deum? non ad ſpolia et rapinas, non pro annuis cenſibus imponendis, nec pro necandis hominibus, ſed ut offerat dona & ſacrificia pro peccatis, qui etiam hic condolere poſſit qui ignorant & errant?* Et de *Petro* legitur *Piſcatore*, cui ſe eſſe commemorat ſucceſſorem, quod poſt *Chriſti reſurrexionem* cum cæteris *Apoſtoliſ* ad piſcandi officium eſt reſerſus, qui cum nichil in ſiniſtra navigii parte ceperat, *Chriſto jubente*, ad dextram ſe convertit, & in terram plenam magnis piſcibus rete traxit. Eſt igitur miniſterium Ecceſiæ

Jer. 36. 2.

\*Hebr. 5. 1, 2.

\*Ioh. 21. 3.

\*Ioh. 7.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1<sup>st</sup>

*Ecclesia utile in parte dextera exercendum, per quod & diabolus vincitur, & eidem An. 29 E. 1. Christo copia animarum adducitur. Certe sic labor sinistra partis navigii non se habet: quia in eo fides titubet, dominatur tristitia, cum quod inquirendo appetitur, minime inveniuntur. Quis enim credat, simul et semel posse servire Panimonæ atque Deo: ac suæ voluntati placere, et carnis ac sanguinis revelationibus inhaerere, et offerre Christo munera digna? Et dubio procul Pastor qui supra gregis adificationem non vigilat, aliunde rugienti leoni, quærenti quem debozet, parat biam. Vide (inquam) facta inaudita nuncupatibi filia Patris tui, qui bonos Pastores a caulis obitum amobet, et suos nepotes, consanguineos et parentes, aliosque nonnullos, literas ignorantes, et velut mutos et surdos, obitum earundem non intelligentes balatum, nec ne moribus luporum curantes, velut mercenarios bellera auferentes, et merentes semina et olivorum in ipsis, non ut profint, sed ut præstent, constituit pro eisdem, quorumque manus in copinis serbiunt, et ipsorum docta ab cneribus dibrantur. Ex quibus, liquet, quod Sacerdotium prætermittitur his diebus, obsequium dibrinum subtrahitur, et elemosinarum largitio annullatur; per quod Regum, Principum et Christianorum sancta debitorum evacuatur. Nonne debet in oculis omnium mirabile reputari, quod ubi \* Christus pro se & Petro Regibus solvi iussit tributum, ipse regna et regnorum Principes contra voluntatem illius, cuius dicit se esse Vicarium, qui ab se regna et mundi iudicia abdicabit, suæ subicere nititur ditioni, dominio sui Appli, quia totum sibi vendicat quod scripserat esse suum? De te, filia, quid plus agit? Ecce a te trahit quod libet, nec tamen reputat se contentum, si partem rerum tuarum decimam a te sumat, nisi primos fructus beneficiorum tuorum habeat ministrorum, ut tam pro se quam pro suo sanguine nobis constitutur patrimonium, de eisdem abiectionis diuissimis voluntatibus fundatorum: et alia etiam execrabilia pro cursum suorum stipendiis, quos transmittit in Angliam iam imponit, qui non tantum tuum ac tuorum viduum auferat et besturas, sed eorum pelles ac carnes lacerant, sicut canes. Nunquid Nebuchodonosor Regi debeat comparari, qui templum Domini devastavit, & vasis suis argenteis spoliavit? quod egerat enim ille, agit et iste, et ille Domus Dei spoliabit Ministros, et ipsam destituebat auxilio: hæc et hic facit. Certe melius est occisus gladio, quam fame aliquo modo interfectis; quia illi sunt mortui statim, et isti sunt a terræ sterilitate consumpti. Compatiantur tibi filia omnes transeuntes per biam, quia non est dolor similis sicut tuus: iam enim præ dolore nimio atque effusione tua nimia lacrimarum super carbones, & facies tua denigrata ita, quod non est cognita amplius in plateis, in tenebris se tuus præfatus superior collocabit, inebriabit te absinthio et felle: afflictionem populi tui, esusque gemitum audi; vide domine et descende; quia cor dicti viri super cor Pharaonis est nimium induratum, quem populum abire liberum non dimittit, nisi in fortitudine manus suæ, non enim super terram flagitat miserabiliter, sed post mortem: quia quorumcumque Christianorum bona sub nomina tituli de Intestatis consistunt omnia, post decemum omnia debozat. Et enim Ecclesia Anglicana, qualiter retroactis temporibus Franciæ in regnum Angliæ suos concupiscentiæ oculos dirigentes, machinabantur illud suæ subsicere potestati: sed quod in ipsis hæcenus desinit, est timendum, ne suppleat prædicti viri nobis conjecturatio nobis hostis: quia regni deficiente thesauro, et ejus destructo sacerdotio, efficietur vere regnum impotentius contra hostes. Ne igitur tu (filia) tuque Sacerdotes in miseriam deducamini longiorum, expedit ut pro tua et tuorum salute, quod Rex tuus Christianissimus et regni Potentes, qui amplissimis beneficiis te ornauerunt, quique vos et beneficia huiusmodi haberent in hoc casu tueri, resistent conjecturationibus, conspirationibus arrogantibus ac superbis dicti viri, qui non Dei contemplatione, sed pro præmissis, et pro suis ditando parentibus, ac pro nido suo, quasi Aquilam exaltando per præmissa et alia imposita per eundem, totalem pecuniam Anglicanam nobis dominii genere iam compellit, ne dissimulata in hac parte simplicitas (in) regni huius subversionem auferat, velut suam, et addibatur sero remedii tunc cautela. Abertat nempè Dominus virtutum de corde viri illius belamen, sibi que cor contritum et humile largiatur, et agnoscere eum faciat vestigia veri Dei, per que à suis tenebris eruat, & præmissos labores sinistros dimittere compellatur: necnon & vinea quam plantavit Dei dextera, sacra fidei cultoribus repleatur. Animadvertite enim verba Domini, & Prophetiam Jeremix, ad propulsandum huiusmodi inchoata, qua disunt; Tu Pastor, qui populum meum dispersisti, & eum de suis habitationibus eie-*

† Ioliorum

\* Mat. 17. 27.

Nota.

\* See Tom. 2; p. 664, 671, 672, 682, 683.



An. 29 & 30  
Edw. 1.

\* In Mr. Fox  
his English  
Copy.

\* Acts and Mo-  
numents, vol. 1.  
p. 461.

An. 30 E. 1.  
Bundela Tre-  
vium in Tur-  
London. An.  
30 E. 1.

cisti, ecce visitabo super te tuorum malitiam studiorum, nec erit vir qui super Solum David de tuo semine sedeat, nec qui in *Juda* ultra habeat potestatem; fiat nudus tuus desertus, & sicut *Sodoma & Gomorra*, taliter sit subversus: qui si perierint ab his dictis non desisterit ab incipitis, & restitutionem non fecerit de preceptis, psallent pro eo extunc nequiter corde indurato, Psalmum centesimum octavum, illi cui omnia serbiunt, aperte Anguli singulis fletus in Christo debilissimi dicimus laudem.

\* For truly as favour, grace, benevolence permitteb and neglecteth many things, so again the gentle benignity of man being too much oppressed and grieved seeketh to be delivered and freed from the same, striveth and searcheth to have the truth known, and casteth off that yoke by all means possible that grieveb him.

What effect (writ-s \* Mr. Fox) this Letter wrought in them to whom it was directed, is not a story expressed: This by the way may be conjectured, that no reason of persuasion could prevail, but that the Pope retained here still his Exactions, wherefore was said or written to the contrary notwithstanding.

In a broken Bundle of Writs Anno 30 E. 1. rot. 118. in the White Tower, I found only this one Writ of Attachment for a suit in Court Christian, against the Kings Prohibition. Edwardus, &c. Vic. Ebor. &c. Precipimus tibi, quod capias Walterum de Whyteby & Willielmum de Shyreburne Capellanum, si inventi fuerint in Balliva tua, & eos salvo custodias: Ita quod habeas corpora eorum coram Justiciariis nostris apud Ebor. in Obed. Sancti Michaelis, ad respondend. Agnetæ de Linc. de placito, quæ ipsi simul cum Waltero de Seteby secuti sunt placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram, ut dicit, & unde tu ipse mandasti Justiciariis nostris apud Ebor. à die Pasche in 15. dies, quod predicti Walterus & Willielmus non sint inventi nec aliquid habent in Balliva tua per quod possint attachari. Et habet ibi hoc breve. Teste R. de Hengham apud Ebor. 25 die Maii, Anno regni nostri 30. On which this return is endorsed; Walterus de Whyteby, & Willielmus de Shyreburne Capellani, non fuerunt inventi in Balliva mea post receptionem istius brevis, nec aliquid habent per quod possint attachari. The rest are lost or perished.

In the Clause Roll of this year, I finde this memorable Writ of Prohibition sent by the King to the Archbishop of *Canterbury*, who had presumptuously excommunicated the Kings Constable of *Dover* Castle, and other of his Officers, for imprisoning the Abbot of *Faversham* in *Dover* Castle, (upon a Judgement given against him in the Court of *Shipwey*, the chief Court for all the Cinque ports, for certain Trespasses committed by him within that Jurisdiction) according to his office and duty, against his Crown, Dignity, and Customs of the Realm, to their great prejudice and scandal; commanding him forthwith to absolve them, revoke all his Citations and sentences denounced against them, upon his allegiance, or else he would proceed severely against him for this high contempt.

Clauſ. 30 E. 1.  
m. 13 dorſo.  
Prohibitio pro  
Ministris Regis  
super his quæ  
fecerunt ratio-  
ne officii sui.

R EX venerabili in Christo patri R. eadem gratia *Canthar.* Archiepiscopo, totius *Anglia* Primati, salutem. Cum secundum consuetudinem in regno nostro approbatam hactenus et optentam, et ratione juris nostri Regii Ministri seu Ballivi nostri, pro aliquibus quæ ratione officii sui et per considerationem Curie nostre fecerunt, coram aliquibus Ordinariis seu Judicibus Ecclesiasticis citari, seu etiam in placitum in Curia Christianitatis tibi non debeant quocumque modo: Ac vos dilectum & fidelem nostrum Robertum de *Bugherſh* Constabular. Castri nostri *Dovor.* & custodem Quinque Portuum nostrorum, et quosdam alios Ministros nostros in munitione dicti Castri existentes, pro eo quod Abbatem de *Faversham* personam nostram pro quibusdam transgressionibus per ipsum in lesionem Coronæ et Regiæ dignitatis nostre, ut dicitur, perpetratis, per considerationem Curie nostre de *Shipwey*, quæ est magna Curia nostra Portuum predictorum, adjudicatum, infra Castrum predictum iuxta officii sui debitum arrekarunt, coram vobis ad certum diem ubicunque in Provincia vestra essetis citari, et sententias Excommunicationis in ipsos ea occasione feceritis, ut accepimus, fulminari, in nostri juris regii predicti preiudicium, et ipsius Roberti et aliorum Ministrorum nostrorum predictorum dispendium non modicum et scandalum manifestum; necnon contra consue-

tudinem

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tudinem supradictam. Volentes nobis saper statu nostro regio aliquantuliter derogari, aut Ministros nostros pro hiis que judicialiter sunt indebitè satigari: Tobis mandamus in fide qua nobis tenemini firmiter insurgentes, quod huiusmodi Citationibus p[re]fato Roberto et Ministris nostris p[re]dictis ea de causa faciendis, super sedentes, sententias p[re]dictas in ipsos per vos, ut p[re]mittitur, salminatas, faciat sine dilacione aliqua rebocari: Ita quod non oporteat nos ad hoc aliter apponere manum nostram. Teste Rege apud Gulseford 15 die Maii.

An. 30 E. 1.

\* Anno 30 E. 1. there fell out this memorable case. King Henry the 1. by his Charter in the year 1130. gave to William Archbishop of Canterbury and his successors the Church of St. Martin in Dover, with all the Prebendaries, Rents and Franchises thereto appertaining by Land or Sea, commanding him to place therein Religious persons to sing Masse for his ancestors, his own, and his heirs souls; and ordained in his Charter, That these Religious persons themselves should have the free election of the Abbot, and the Archbishop the examination and confirmation of their election: Whereupon the Archbishop began to found a New Monastery near Dover, intending to place therein Canons of the Order of St. Augustine, but dyed before it was finished. King Henry the 2. by his Charter renewed the grant of Henry the 1. to Archbishop Theobald and his successors, and commanded him according to the said Kings order, to place Monks of the Order of St. Benedict therein, and that he should give them all the Prebendaries, Possessions, Rents and Franchises belonging to the old Church of St. Martin; which Archbishop Theobald did accordingly, as intirely as he received them by gift from the King. Also he gave the Monks a Prior of the Convent of Canterbury, not perpetual, but removable at his pleasure, to teach the new Monks their order, and put the Monks into possession of all the Prebendaries but two which the Abby of St. Augustines held: Apres le dit Ercevesque Tibaud, sanz conge, et sanz assent du Roy, et contre le forme de la Chartre le Roy, et contre les privileges le Pape en Bulles, donna la Chartre au Prior et au Capitre de Canteburi, qe le Prior de Dove feust a touz jours fait del Convent de Canteburi, et nemi d'ailleurs. Ce d'un aleste encheison & matiere de confusion & destruction a la Maison de Dove a touz jours, de mal ou p[er]s. Nemy par ce un Ercevesque Baldwyn per noun, ne aboua mys cel noun, mes leur dona Prior de euz mesmes, cest assavoir Osberne, q[ui] moult amenda la Maison en son temps. After which, l'an de regne Edward 1. trespas, le Prior de Dove Anselme, Moigne de Canteburi, avoit tant degaste les biens de leur Eglise, qe les Moignes n'avoient dont vivre, ne estre vestuz; et si avoit il endette la Maison, de mil et centz marcs. Adonques il le encuserent de dissipation et le engetterent, come cele q[ui] n'estoit pas profitable: le Prior de la Trinite et son Convent maintenant aloient procurant l'Ercevesque Johan, q[ui] donast Prior a Dove un del Convent de Canteburi, et disoient qe ce estoit leur droit a touz jours usee puis la fondation de la Maison de Dove, les Moignes de Dove entenderent ce et fesoient assevoir au Conseil nostre Seigneur le Roy. Per quoy le Prior de Canteburi fust appellez en Juggement a monstrier per quoy droit il fesoit cel chalunge. A la fin il monstre la Chartre l'Ercevesque Tibaud, q[ui] leur avoit fait sanz assent du Roy, sicome dessus est dit; la chose fust despute, en la Court le Roy; et par ce qe l'Ercevesque avoit passe l'ordinance, a la volonte du donneur, agarde feust (nemy) qe cele Chartre n'avoit nule balour, et ensi fust le Prior et la Capitre en Canteburi forloge de leur demaunde: Et par ceo qe l'Ercevesque avoit tant mespris contre la forme de dit donn, agarde fust, qe le Prior de Dove feust pris en la meyn le Roy, et qe l'Ercevesque queist grace du Roy, s'il pouist mes soit la boeson de la dit Maison. Et adonques le Roy commanda q[ui] eussent franche election de leur Prior, et qe l'Ercevesque cele soit li reconst en noun du Roy; en q[ui] mein l'aboeson estoit adonques et uncoze est. Et l'Ercevesque Johan a leur nomination recoust, et fit Prior Robert Whitacre, Moigne de la Maison de Dove, q[ui] estoit Prior vint et neof ans, et plus; et oze darrein moast. Ensi ad le Maison de Dove estre en possession de Prior de euz mesmes per gard, et per Juggement de la Court nostre Seigneur le Roi, et d'illoques jusques a tant qe le dit Prior Robert se leste moir.

Brevia Regis in Turre London. An 14 E. 2. nu. 45. Monasticon Angl. vol. 2. p. 1, 2.

The



An. 30 E. 1.

\* See Godwins  
Catalogue of  
Bps. p. 111.

The Bishoprick of *Ely* becoming void by the death of *Ralph Walpole*, translated from *Norwich* thither by Pope *Boniface* his provision, the Monks of *Ely* by the Kings license unanimously elected \* *Robert Orford* their Prior, to whom the King giving his Royal assent, the Archbishop of *Canterbury* deferred his confirmation, for which he appealed to *Rome*, and before his appeal could be tendred to him he nulled his election, whereupon he appealed the second time against him to the Pope; into whose hands he resigning his right, he thereupon conferred the Bishoprick on him by his provision, desiring the King to restore his Temporalities by this Bull, the original whereof I found in the *White Tower Chapple*, reciting the whole proceedings.

Anno 30 E. 1.

in Turre Lon-

don.

\* fiducialius.

**BONIFACIUS** Episcopus servus servorum Dei, charissimo in Christo filio *E. Regi Angliæ* illustri, salutem & Apostolicam benedictionem. Ad fovendum in charitatis visceribus Ecclesiarum Prælatos, ac eos præcipue, qui Episcopali dignitate præminent, eo te \* fiducialibus nostris precibus invitamus, quo in bonorum operum executione vestrum affectum extimamus promptum ac facilem invenire, maximè cum apud Deum (cujus Prælati hujusmodi sunt ministri) retributionis æternæ præmium, & apud homines laudis præconium exinde acquiratur. Olim siquidem Ecclesia *Eliensis* Cathedralis per obitum bonæ memoriæ *Radulphi Elien.* Episcopi, pastoris solatio destituta, venerabilis frater noster *Robertus* Ecclesiæ *Eliensis* tunc Prior, & Conventus ejusdem Ecclesiæ, vocatis omnibus qui voluerunt, debuerunt & potuerunt commodè interesse, die (ad eligendum) futurum Pontificem præfixa, ut moris est, convenientes in unum, ac deliberantes in hujusmodi Electionis negotio per viam procedere compromissi, septem ex dicto Convento, videlicet, dilectis filiis *Petro* Suppriori, *Alexandro* Præcentori, *Radulpho* Sacristæ, *Stephano* Cellarario, *Warino* Elemosinario, *Johanni* Subsacristæ, & *Richardo* Hostiliario, ipsius Ecclesiæ providendi ea vice ipsis & eidem Ecclesiæ de Prælato, concesserunt liberam potestatem die illa usque ad pulsationem completorii duraturam, promittentes illum in Episcopum & Pastorem recipere, quem iidem compromissarii, ut præmittitur, ducerent concorditer eligendum. Qui hujusmodi potestate recepta secedentes in partem, post diligentem quem inter se super hoc habuere tractatum, in ipsum *Robertum* direxerunt unanimiter vota sua, & deinde dictus Præcentor ex potestate sibi & aliis prædictis compromissariis ejus Collegis, (ut prædicatur) tradita, de ipsorum ibidem præsentium mandato vice sua & eorundem Collegarum ac prædictorum Conventus, eadem die ante præfatam completorii pulsationem, memoratum *Robertum* in Episcopum *Eliensem* elegit, ac electionem hujusmodi à dictis Conventu concorditer acceptatam solemniter publicavit, idemque *Robertus* infra tempus à jure statutum, ad eorundem Conventus instantiam, electioni prædictæ consensit. Cumque postmodum memoratus Conventus fecissent ejusdem electionis decretum per quosdam ex eis Procuratores ad hoc ab ipsis Conventu constitutos, venerabili fratri nostro *Canuariensi* Archiepiscopo præsentari, & tam dictus *Robertus* personaliter, quàm iidem Conventus per eosdem Procuratores postularent ab eo infra tempus à jure statutum, ut eandem electionem auctoritate *Petropolitica* confirmaret: Eodem Archiepiscopo confirmare dictam electionem, prout spectabat ad eam nimium differente, demum fuit ex parte dictorum *Roberti* et Conventus, tam ab eo quàm ejus Commissariis per ipsum in hac parte deputatis ex quibusdam causis coram nobis viris, cum eorum præsentiam commodè adire non possent, ad sedem Apostolicam appellatum: Sed prædictus Archiepiscopus, cui dicti *Robertus* & Conventus hujusmodi appellationem notificare volebant, antequam facere illum valerent, præfatam electionem contra justitiam infirmavit; propter quod pro parte prædictorum *Roberti* & Conventus iterato ad sedem appellatum extitit prælibatam, siquæ hujusmodi negotio per tales appellationes ad dictam sedem legitime devoluta, & præfato *Roberto* personaliter dictisque Conventu per prædictum *Richardum* & dilectum filium *Willielmum de Clara*, Ecclesiæ prædictæ Monachos, eorundem Conventus speciales Procuratores & Nuncios pro dicto negotio prosequendo, infra legitimam tempus in nostra præsentia comparentibus, et facientibus coram nobis negotium ipsam præponi, nos processus tam circa electionem prædictam, quàm in Curia memorati Archiepiscopi in negotio prædicto habitos, necnon personam ipsius *Roberti* per venerabilem fratrem *L. Episcopum Albani.* & dilectos filios nostros

Gentilem

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*Gentilem titulo Sancti Martini in Montibus Presbyterum, & Mathæum Sanctæ Maria in Parisien Diaconum Cardinales, examinari fecimus diligenter. Dicitur verò Robertus post factam nobis super hujusmodi examinatione à dictis Cardinalibus relationem fidem, volens expeditam Ecclesiam à dispendiis, quæ incurrere poterat per subdiles anfractus durante dicto negotio, præferbari, omne jus quod sibi ex præfata electione fuerat acquisitum, sponte ac libere in manus nostras resignabit: (as \* Thomas Archbishop of York had done before him, through this Popes craft and delays.) Nos igitur hujusmodi resignatione recepta, cupientes regimini ejusdem Ecclesiæ illam personam, de cujus pœnitentia plenam haberemus notitiam per nostræ provisionis studium, præbere; quia constitit per confessionem ab ipso Roberto coram Archiepiscopo memorato factam, dum de dicta confirmatione facienda per ipsum Archiepiscopum agebatur, Excommunicationis sententiam latam à Canone dictum Robertum quodam tempore incurrisse, pro eo quod ipse manus injecerat in quendam Clericum temere violentas, et ab eadem sententia rite fuisse sine mora culpabili absolutum, licet id sen etiam aliud Canonum contra eundem Robertum objectum et nobis offensum non obstat, quo minus debuisset præfata electio confirmari. Nos ne occasione hujusmodi Excommunicationis quicquam detractiois circa statum suum ab aliquibus, qui nituntur interdum eas inevitare sincerum valeret impingi, nebe inde ipsius opinio gravata quomodolibet remaneret, omnem maculam sibi notam, si de Apostolicæ potestatis plenitudine abolentes, ipsum hiis nequaquam obstantibus nunciabimus habilem ad Episcopalem et quamlibet dignitatem Ecclesiasticam obtinendam; & deinde attendentes, quod sibi literarum scientia, vitæ mundities, morum honestas, regularis observantia, prudentia spiritualium, & temporalium providentia, & alia virtutum dona suffragari noscuntur, super quibus etiam multorum fidedignorum testimoniis multipliciter commendatur, considerantes insuper, quod ex præfata resignatione, ut prædictum, ab ipso facta præsumitur vehementer, ipsum ambitionis vitium quod est penitus reprobandum, potissime in promovendis ad dignitates Ecclesiasticas, fugere: ac per hæc, & ex eo etiam quod jam dicti Conventus præfatum electionem, ut prædictum est, concorditer acceptarunt, non immerito extimentes quod dicta Ecclesia per ipsum poterit salubriter gubernari, de fratrum nostrorum consilio, et ex nostræ plenitudine potestatis eundem Robertum præfecimus etiam in Ecclesiæ in Episcopum et Pastorem, curam sibi et administrationem ipsius Ecclesiæ in spiritualibus et \* temporalibus committendo, & subsequenter sibi fecimus insuper munus consecrationis impendi; firma spe fiducias tenentes, quod eadem Ecclesia per ipsius industriam providentiæ à noxiis præservabitur, & adversis, optatis quoque prosperitatis commodis spiritualiter & temporaliter augeatur. Cum itaque hii charissime, sit virtutis opus Ecclesias et personas Ecclesiasticas, præsertim Pontificali prædicas dignitate, benigno favore prosequi, ac eas verbis & operibus pro Regis æterni gloria venerari; Serenitatem Regiam rogamus & hortamur attentè, quatinus dicto Episcopo pro nostra et Apostolicæ sedis reverentia, ejusdem Elien. Ecclesiæ quæ per te vacationis ejus tempore teneri dicuntur, sine qualibet libet difficultate restituens, alias ipsum & Ecclesiam sibi commissam habeas propensius commendatos, te reddens ipsis in regio favore munificum, et in cunctis necessitationibus gratiosum. Ita quod idem Episcopus tuo fultus auxilio, in commissa sibi cura Pastoralis officii possit Deo propitio prosperari, ac tibi exinde à Deo perennis vitæ premium, et a nobis condigna præbeniat actio gratiarum. Dat. Latran. 4 Kal. Novembris, Pontificatus nostri anno octavo.*

*An. 30 E. 1.*

\* Here, p. 859, 860.

\* Nota.

This usurping Pope, as he perswaded or enforced by threats or long delays this Bishop and others whose Elections were questioned or opposed, though never so canonical and legal, to resign their Elections into his hands, that so he might conferre the Bishopricks on them by his own Papal Provisions; so he likewise inserted this new clause into his Provisions, whereby he committed the Temporalities as well as the Spiritualities, *Curam sibi & administrationem ipsius Ecclesiæ in Spiritualibus & Temporalibus committimus*, in derogation of the Kings Prerogative; who thereupon refused to restore their Temporalities till they \* publicly renounced this clause, as prejudicial to the Kings Crown and Dignity.

\* Here, p. 864, 866.

Pope



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4*

*An. 30 E. 1.* Pope Boniface this year likewise sent this Bull to the King, to signifie his confirmation of the Election of the Abbot of St. Edmunds, and his benediction of him, immediately belonging to the Church of Rome, desiring the King to restore his Temporalities: the Original whereof I rescued from the rubbish in the *White Tower* Chappel.

In Turre  
London.

**B**onifacius Episcopus, Servus servorum Dei, Charissimo in Christo Filio E. Regi Anglorum illustri, salutem, & Apostolicam benedictionem. Gratia tibi Divina primum & humana praconium laudis acquiritor, *Si Ecclesias, Monasteria, et Personas Ecclesiasticas praeceptis, regni tui Regali praesidio foveas, et favore benivolo prosequaris.* Nosque ad id Celsitudinem tuam eo fiducialius Apostolicis exhortationibus excitamus, quo magis illam in operum executione bonorum speramus promptum & facilem invenire. Vacante siquidem dudum Monasterio Sancti Edmundi ad Romanam Ecclesiam nullo medio pertinente, Ordinis Sancti Beudisti Norwicens. Dioc. per obitum quondam Johannis Abbatis ipsius, Conventus ejusdem Monasterii vocatis omnibus qui debuerunt, potuerunt & voluerunt commodè interesse, die ad hoc praefixa convenientes in unum pro futura facienda electione Abbatibus, ac deliberantes ad id per viam procedere compromissi, fratribus Rogeri de Cheventon Camerario, Petro de London Elemosinario, Richardo de Brun Sacrista, Thoma Abbati dicti Monasterii tunc Suppriori, Johanne de Eversden Cellario, Alano de Walsingham & Reginaldo de Denchmer Monachis ejusdem Monasterii, providendi ad vice dicto Monasterio de Abbate concesserunt unanimiter potestatem, usque ad certi temporis spatium duraturam; promittentes, illum in eorum & dicti Monasterii Abbatem recipere et habere quem dicti Compromissarii, vel major eorum pars de se ipsis vel aliis de gremio dicti Monasterii infra dictum spatium dacerent eligendum. Cumque idem Thomas Abbas & alii Compromissarii Collegae sui praedicti hujusmodi potestate recepta, secedentes in partem deliberationem habuissent, prout expediebat, super hujusmodi negotio diligentem, demum Collegae dicti Thoma Abbatis vota sua in eum unanimiter direxerunt: Ac dictus Johannes Cellerarius unum de Compromissariis supradictis, nomine suo & aliorum praedictorum Collegarum suorum, & totius Conventus vice, de ipsorum aliorum Collegarum mandato, infra dictum spacium praefatum Thomam duxit in Abbatem dicti Monasterii eligendum, & electionem hujusmodi coram ipsis, Conventu illam acceptantibus publicavit: Ipseque Thomas Abbas praestito ad ipsorum Conventus instantiam electioni hujusmodi de ipso factae consensu, ac *Willielmus de Lucham & Guilielmus de Harlawe* ejusdem Monasterii Monachi Procuratores ipsorum Conventus ad sedem Apostolicam accesserunt, Decretum nobis electionis ejusdem servatis in hiis omnibus statutis à jure temporibus, praesentantes, eamque confirmari a nobis cum instantia postulantes. Nos autem tam ipsius Electionis formam, quam ejusdem Thoma Abbatis personae merita per Venerabilem fratrem M. Episcopum Portuen. & dilectos filios nostros G. Sancti Martini in Montibus Presbyterum, & Franciscum Sanctae Luciae in Silice Diaconum Cardinales, examinari fecimus diligenter. Et quia demum facta nobis per eos relatione fidei, electionem illam invenimus de ipso Abbate persona ydonea Canonice celebratam, illam de ipsorum Episcopi Cardinalium et aliorum fratrum nostrorum consilio duximus confirmandam, praeficiendo ipsum dicto Monasterio in Abbatem, ac faciendo sibi postmodum per Venerabilem fratrem nostrum L. Episcopum Albanen. munus benedictionis impendi: firma de ipso concepta fiducia, quod cum eidem Abbati vitz munditia, Religionis Zelus, morum gravitas, Literarum scientia, Providentia Spiritualium & Circumspectio Temporalium, aliaque virtutum dona sicut habent fidedignorum testimonia suffragentur, Monasterium ipsum per suae cooperationis ministerium, Gratia sibi favente divina, grata sub ipsius felici regimine recipiet incrementa. Quocirca magnificentiam tuam rogamus & hortamur attentè, quatinus eundem Abbatem & commissum sibi Monasterium habens pro Divina dictae sedis ac nostrae reverentiae propensius commendata, exhibeas te illi benivolum & in cunctis oportunitatibus gratiosum: ita quod ipse Regio favore suffultus commissum sibi dicti Monasterii regimen possit salubriter exercere, tuque proinde concrescas meritis apud Deum, apud nos gratia, & apud fidelium populos clara fama. Dat. *Anagnina*, — Kalend. Junii, Pontificatus nostri Anno Octavo.

He

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He likewise sent another Bull to the King, the date whereof is torn out, to certify him of his confirmation of the election of *Johannes de Marines*, to another exempt Abby of the Order of St. *Benedict* within the Diocese of *Lincoln*, the Original whereof (somewhat torn and mutilated) I found in the *White Tower*, and shall not insert at large, since it runs almost in the same words, with that for the Abbot of St. *Edmunds*, differing only in the Electors and elected persons Names, and other petty circumstances, and praying his restitution of the Temporalities.

Pope *Boniface* the 8. out of a pretence to gratify and supply the King in his necessities, for his extraordinary piety and affection toward the Church of *Rome*, granted him the moiety of the 3. years Dism of all the Possessions and Livings of the Church and Clergy within *England* and *Ireland* he had \* formerly imposed on them; reserving (like a cheating *Roman Pontiff*) the other moiety of it to himself, appointing the Treasurers that should receive and keep it, to gain the Kings royal assent thereto, without which he could not levy it, which he easily consented to, publishing it to all his Subjects by these Letters Patents, to make it a foundation of credit to satisfy his Creditors by assignments thereof.

**R**EX omnibus ad quos, &c. salutem. Noveritis nos recepisse Literas Apostolicas in hæc verba. Bonifacius Episcopus Servus servorum Dei, Charissimo in Christo filio Edwardo Regi Angliæ illustri salutem, & Apostolicam benedictionem. Clara Celsitudinis tuæ merita et sinceræ devotionis affectum quoad Deum et Romanam Ecclesiam Patrem tuam, quibus servisti hactenus, biges ad præsens, et sicut speramus et credimus in futurum, Domino auxiliante, servabis. Benigna consideratione pensantes, et attendentes, quod tam præteriti quam moderni malitia temporis te sumptibus plurimis, ac laboribus et angustis aggrabavit, pia meditatione prohibemus, ad te super hiis animum paternæ compassionis extendere, ac ad sublevationem tuam munificentiam Apostolicæ sedis tibi reddere gratiosam. Cum igitur in toto regno Angliæ ac tota Hybernia Decimam omnium Ecclesiasticorum reddituum et probentium prædem, ut nosti, pro oneribus et necessitatibus Ecclesiæ memoratæ ad Triennium duxerimus imponendam; Nos volentes, ut tu in effectu percipias quod erga te gerit in hac parte nostræ mentis affectus, et eligentes potius in nobis ipsis egere, ut oportuna, tibi quod possumus subsidia ministremus, medietatem totius hujusmodi Decimæ prædictorum trium annorum tibi in hujusmodi sublevationem sumptuum et laborum præsentium auctoritate concedimus de gratia speciali. Reliquam vero medietatem nobis et Ecclesiæ prælibatæ remanere volumus, pro nostris et ejus oneribus et necessitatibus supradictis. Et ecce venerabili fratri nostro Episcopo, et dilecto Magistro Bartholomeo de Ferentino Canonico London. prædictæ Collectoris Decimæ, damus per alias nostras literas in mandatis, ut hujusmodi medietatem tibi concessam tam collectæ, quam colligendæ in posterum Decimæ prælibatæ tibi vel procuratori seu procuratoribus tuis assignare procurent. Tu ita, fili charissime, sic ad ea quæ divini Majestati complacent, et honoris et exaltationis Ecclesiæ prælibatæ respiciant incrementa mentem tuam dirigas, atque confozmes, quod apud Deum et homines, ac sedem Apostolicam commendari valeas, et amplioribus attolli favoribus in tuis oportunitatibus merearis. Dat. Lateran. 4 Idus Marcii, Pontificatus nostri Anno Octavo. In cujus rei Testimonium sigillum nostrum præsentibus duximus apponendum. Dat. apud *Heryng* primo die Septembris.

After which I finde (in a Bundle of Writs of Privy Seal I discovered in the *White Tower Chappel*,) that the King and Pope equally sharing this Disme between them, issued Privy Seals to the Treasurers thereof to pay several summes of money to his Creditors out of those Dismes, and to his Chancellor, to give them receipts thereof under his Great Seal, and particularly of the summe of 2000 marks payed by his order to an *Italian Usurer*.

**E**dwardus, &c. Custodibus magni Sigilli nostri, salutem. Quia recepimus in Garderoba nostra à Venerabili Patre R. London. Episcopo, & Magistro Bartholomæo de Ferentino, Canonico Sancti Pauli London. Collectoris Decimæ Cleri Angliæ de assensu nostro per summum Pontificem per tres Annos impostæ, per manus Philippi Gerardin & sociorum suorum, Mercatorum de Societate Spinorum de *Florentia*, recipientium denarios de eisdem Collectoris, pro tanta pecuniæ summa, quam eidem Mercatores vobis nuper liberarunt in Garderoba nostra prædicta,

An. 30 E. 1.

\* Here, p 889.

Pa. 30 E. 1.  
m. 8. intus.  
Exemplifica-  
tio Bullæ per  
quam Papa  
concessit Regi  
Decimam Ec-  
clesiasticarum  
in Anglia &  
Hibernia.

Bundle B.  
vium de priva-  
to sigillo, An.  
30 E. 1. in  
Turre Lond.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4*

An. 30 E. 1. Duo millia marcarum de medietate predicta Decimus, nobis per dictum Summum Pontificem concessa, de secundo anno ejusdem Decimus: Vobis mandamus, quatinus eisdem Collectoribus literas Acquietantiarum, dicto magno Sigillo nostro signatas de receptione hujusmodi in forma predicta habere facias. Dat. sub privato sigillo apud Westm. 12 die Novembris, Anno regni nostri tricesimo.

How he ordered the residue of the Money of these Dismes to be paid to the Proctors of his Officers and Souldiers in Gascoigne, to satisfie the Debts he owed them, this Writ of Privy Seal will inform us; which I found in the same bundle.

In eadem Bundle a in Turre London. Anno 30 E. 1.

Edward, &c. al honorable Pierre en Dieu Richard par meime la grace Evêque de Londres, & a n. stre bien amez Maître Bartholomeu de Ferentyn assignez a prendre & a recevoir la Disme de les biens de la Clergie de nostre Roiaume abantdist, sanz. Come nous vous grantez per nos lettres overtes a nos amez et freres gentz hommes, Clerks, & autres Soudoyers de Gascoigne, tout l'argent et tout le profit, que lui tres saint Pere Boniface Pape utisme nous ad graunte de la Disme que il ad nobelement mise en posee a prendre des biens des Eglises, et de la Clergie de nostre Roiaume Dengleterre, et tut le Droit et toute la Reson, que nous avons ou poons ou devons avoir en la disste Disme, et quanque poert issir et avenir de la disste Disme en tut la disste Roiaume Dengleterre, en quelle nous entendons estre contenue tote la terre de Gales, a prendre et a recevoir, par eux ou par leur Procurateurs nommez: Cest assavoir par Maître Arnaut de Masterin, & par Arnaut de Bic Clercs, par Johan Lunozm, par Gualhard Dabad, par Vitan Brana, & par Vitan Manent, & par quatre de eux, si touz ensemble ne poent estre, ou par les substitutz de leur avant nommez ausi entierement, & en teli meime firme & manere come nous le devons prendre dedens le terme que seussint: cest assavoir de la prochaine feste de Saint Michel que vent a deux ans prochain suivanz & accompliz en partie de paie de antiques dettes, que nous leur devons, sicome plus plenerement est contenue en nos lettres avantdistes, les queles il vous pourront monstrier, vous prions & mandons, que au avantdistz gentz hommes & Clercs & autres Soudiers, ou a leur certains Procurateurs avantdistz, ou Attornes ou substitutz de leur Procurateurs livrez & paierez en nostre noun tot l'argent et le profit a nous apoztenant de la Disme abantdiste ausi entierement et as meismes les termes, come vous estoiez tenuz de paier la a nous. E de ce que vous avrez paierez a eux ou a leur Procurateurs, ou Attornes, ou as Substitutz de eux dont vous avrez leur lettres overtes d'aquittance resmoignance la receite des Deniers, a eux par vous paierez, vous ferez aver due allowance & acquittance en vostre acount. E avons ordonne & volons que Johan de Sandale & Thomas de Cantebrigg. nos Clercs fectent a la partie fere od l'un de eux des Deniers par ordiner la manere coment la partie serrra fectee sanz tot delay a chescun sonz par sonz, & livre par livre, & puissent en dresser sonz leur lettres selon que chascun avera pres de toun paiement. E volons que vous retenez a nostre oeps des premiers deniers que vous porrez aver de la disste Disme Trois mille marcs que nous abons ordonne de paier as avantdistz gentz, hommes, Clercs, et autres Soudiers de Gascoigne hors de nostre Garderoba, a la quinsme de cest Saint Michel prochain avenir de prest sur meismes la Disme par leur provisions. En resmoignage, &c. Donnez a Herting le primer jour de Septembr. l'an de nostre regne Trentisme.

I pretermitt all other particular Debts assigned by sundry other Privy Seals in the same Bundle to be paid out of this Disme to other persons.

The Collectors refusing to pay any monies upon these Privy Seals out of the Dismes, unlesse the King would give them his obligation under the Great Seal to save them harmlesse against the Pope, (whom they feared more then the King) he hereupon issued this Privy Seal to his Chancellor to make them such Obligations as the Keeper of his Wardrobe John de Drekensford should direct.

In eadem Bundle, Anno 30 E. 1.

Edward, &c. a meisme Chancellor, sanz. Pur ce que nous avons grant mestre de deniers, & avons entendu, que les quillours de la Disme, que l'Apостоille nous ad graunte en nostre Roiaume, ne vueillent rien paier, si ne rent lettres obligatoires de nous, le quen chose nous semble, que ni serroit mie molt prejudiciele a nous, puis

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puis que nous entendoms, qe le dit Apostoill nous enuerra par temps sur ce ces lettres de garant, vous mandoms qe vous facez tiens lettres sur ce as ditz quillours, come nostre chier Clerk Johan de Droknesford Gardein de nostre Garderobe, vous dirra de par nous. Et en droit, des Terres & de la garde de deux Chasteux, cestassaver de Nottingham & de Bristead, qui deivent estre baillez au Conte Mareschall, facez ausint fair tiens lettres come meisme celi Johan vous dirra. Et par ce qe nous avoms ordene dennoier en Gascoigne aucuns deniers, par la sustenance de nos bonex gentz celes parties, Vous mandoms qe vous facez faire lettres as Gardeinz des Portz, en les deniers seront mis en mer, qil les sueffrent passer peissiblement, & sanz nule manere dempeschement, selonc ce qe le dit Johan vous avisera de par nous. Don souz nostre prive Seale a Berkhamstede le 10 jour d'Averill, l'an de nostre Regne Trentisme.

An. 30 B. 1.

The Archbishop having excommunicated the Bishop of London, Collector of the Dismes and some of his Clerks, the King upon their complaint issued this Writ to his Chancellor, not to grant any Writ de Excommunicato Capiendo against them upon the Archbishops suggestion, till he gave further order therein.

Edward, &c. D'autre part nous vous mandoms, qe par la suggestion ou requeste de l'Arcevesque de Cantebir. ne facez faire Briefs de Caption sur l'Arcevesque de Londres, ne sur ses Clerks, ne autres de sa meisme tanque vous eueoms autre chose orde. ne. Don souz nostre prive Seal a Saint Alban le 9. jour de Averill, l'an de nostre Regne Trentisme.

In eadem Bunde.

Some Merchants \*formerly bound as the Kings Sureties to repay the Moneyes of the Dismes given to the Holy Land, (which the King long before had seised) when ever the Popes Collectors should call for it, petitioning the King to secure them, or discharge their bonds; he thereupon issued this Writ of Privy Seal to his Chancellor, to contrive the best way he could for their indemnity; in which Writ he informs him, that the Pope by his Bull had released to him all the Dismes he had seised, which were not formerly paid in to his Agents.

\* See here, p. 559, 560.

Edward, &c. a meisme Chancelier, saluz. Come les Marchantz de la Compaignie de Pouche & de Rembertyns de Florence jadis a nostre priere se obligassent par de b-ne memoire Elmon jadis nostre frere, a honorable pere Johan Evsque de Wyncestre & a Oliver donques Evsque de Nicole, assignez par la Court de Rome de cuiller la Disme grante en eide de la Terre sainte en dps mil lib. de sterlinges; les queux le dit Elmon enprumpra & recust a nostre oeps des Evsques avantdiz, & les queux deniers furent en nos besoignes especialement mis et dispenduz: et Brache Girard Marchant de la dite Compaignie, nous eut monstre unes lettres overtes sealees de nostre grant seal, par les queles nous sumus tenez & aucuns promis des meismes les Marchantz garder de damage en ceste partie, & nous eut incontinement requis, qe nous vueillions ordener bone voie, coment li & ses Compaignons puissent estre acquitez de la dite somme de Deniers, & sauvez de damage sicome apent. Nous vueillantz a la priere le dit Brache gracionsement entendre, & nostre promesse avant dite tant avant come nous purroms parfourmir sicome nous sumus tenez, Vous mandoms, qe einz par vous & les autres de nostre Conseil qui sont a Everwyk sur ceste chose avisement & treitiz plus plener, regardez deligeamment le transcrit dune Bulle que nous avoms baillie a nostre chier Clerk Johan de Droknesford, par la quelle Bulle l'apostoille de sa grace nous ad releste et done tot quanque nous avoms pris, ou fait prendre de quecunque Dismes grantees en eide de la Terre sainte, en quelque lieu qe ce feust, selonc ce qe vous porrez par meisme la transcrit plus pleinement voair et entendre, ordenez entre vous tiele voie par nos lettres ou en autre maniere come vous verrez qe mieulz face faire, par quoy les ditz Marchantz soient quitez de la dite some, & gardez de damage, & qe nous ausint en puissions estre quitez selonc la tenour de la Bulle abant dite. Et ceste chose en nulle maniere ne lessiez. Don souz nostre prive Seal a Rakesburgh, le 16 jour de Fevrez, l'an de nostre Regne Trentisme.

In eadem Bunde.

The King likewise issued these Writs for the repaying and satisfying several sums of money, for which the ensuing Abbots were obliged as his Sureties to



An. 30 E. 1. the Popes Agents, and counter-secured by his Recognizances to them.

Claus. 30 E. 1.  
m. 9. Pro  
Abbate de  
Rameleye.  
\* Here p. 362.

**R**EX Thesaur. & Baronibus suis de Scaccario, salutem. Recolimus vobis alias per nostras dedisse literas in mandatis, ut inspectis literis quas dilectis nobis in Christo Abbati & Conventui de \* *Rameleye*, qui se dudum pro nobis in mille libris sterlingorum, quæ ad manus nostras de pecunia Decimæ in subsidium Terræ Sanctæ in terra nostra concessæ, debenerunt, erga summum Pontificem per suas literas obligarunt, et eam jam solverunt, sicut dicant, super conseruatione indemnitate suæ fieri fecimus, cum eodem Abbate diligenti tractatu præhabito, provideretis de aliqua via bona, per quam erga prædictos Abbatem & Conventum in firmis & debitis quibus nobis tenentur ad Scaccarium prædictum, exonerari possemus à prædicta pecuniæ quantitate, de quo, sicut accepimus, nichil hucusque fecistis. Nos igitur prædictorum Abbatis & Conventus indemnitate volentes in hac parte prospicere ut tenemur, vobis iteratò mandamus, quod inspectis literis nostris prædictis, si vobis constiterit eisdem Abbatem & Conventum pro nobis, sicut prædictum est, prædictam summam pecuniæ persolvissæ, tunc ipsis de dictis mille libris in debitis quæ nobis debent, & firmis annuis, in quibus nobis tenentur ad Scaccarium prædictum debitam allocationem, quousque prædictis Abbati & Conventui de dictis mille libris plenarie fuerit satisfactum. Teste Rege apud Westm. 28. die Julii.

*Per ipsum Regem.*

Eodem modo mandatum est præfatis Thesaur. & Baronibus pro Abbate & Conventui de \* *Abyndon*, de mille marcis quas solverunt pro Rege in forma prædicta. Teste ut supra.

\* Here p. 362.

Eodem modo mandatum est præfatis Thesaur. & Baronibus pro Priore & Conventu *Elion*, de quingentis libris quas solverunt pro Rege, ut supra, cum ista clausula, tunc ipsis de dictis quingentis libris in debitis quæ nobis debent ad Scaccarium prædictum debitam allocationem fieri faciatis. Teste Rege ut supra.

The King also issued these Writs of Privy Seal to his Chancellor, to write Letters to the Pope on the behalf of the Bishop of *Chester* his Treasurer in the best form he could under his Great Seal, for the speedy dispatch of his business in that Court, and his dismissal thence, in regard of the great businesses and employments which required his presence at *Monstroll* and elsewhere.

Bundela Bre-  
vium de pri-  
vato sigillo,  
An 30 E. 1.  
in Turre Lon-  
don.

**E**dward par la grace de Dieu Roy Dengleterre, Seignour Dirland, & Ducs Daquaine, a nostre chier Clerk & foial Johan de Langeton nostre Chancelier, salut. Nous vous mandons, qe en auxi espeeiele maniere, come vous venez, qe face a faire enbrez au Pape par cest message nos lettres desouz nostre grant seal, par lesquelles, nous le prioms, qil vueille delivrer l'Escheque de Cestre, au plus tost qil porra endroit des besoignes qui li touchent en la Court espeeiaument, por ce qe nous boudiens molt et auriens grant mestier, qil fust a Monstroill. a la jornee qe se doit tenir illueques, a la quinzeyne de Pasques prochains avenir, entre les gentz le Roy de France & les noz, et por plusez autres besoignes que nous auons faire de li en nostre Roiaume. Don souz nostre prive seal a Lynchlisu le 13 jour de Janevoir, l'an de nostre regne Trentisme.

The King approving the draught of Letters to the Pope, sent these two Writs of Privy Seal to the Chancellor for the speedy sending of them, and other Letters to the Pope touching his speedy dispatch, and the Duke of *Savoy* and *Otho de Grand* disons refusals of the Embassie to *Rome* concerning the Truce between him and the King of *France*, with directions who should carry and deliver them.

In eadem Bun-  
dela.

**E**dward par la grace de Dieu Roi Dengleterre, &c. a nostre chier Clerk & foial Johan de Langeton nostre Chancelier, salut. Nous auons bien entendu les fourmes des lettres qe vous avez ordenees, que nous deuons enuoler a l'Apostolle, les queles nous pleissent bien, & volons qe selonc meismes les fourmes, les queles nous vous rennoions cy dedenz encloses, facez faire lettres au Pape, et que l'Escheque de Cestre et l'Archevesque de Richemond puissent bailler au Pape les unes lettres ou les autres, selonc ce quil verront qe intely sacs a faire. Mais quant a la fourme que

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que vous auez ordonné par ce que nous vous mandasmes par nostre chier Clerk Johan de Benstede de la busoigne Descoce, que le dit Evesque deveroit procurer deters l'Apostolle, sachez que par les raisons, que meisme celi Johan nous en ad mandees par ses lettres depar entre vous qui enestes Conseil, nous vous envolons souffrir quant a ore. Et par ce vous mandons que Wynebaud Messag. le dit Evesque facez delivrer par porter ses autres lettres avantdites, & hastez sa delivrance, & levez avant le plus en haste que vous porrez. Don souz nostre prive seal a Derlington le 5. jour de Marz, l'an de nostre regne Trentisme.

An. 30 E. 1.

**E**Dward par la grace de Dieu Roy Dengleterre, Seigneur Dirland, & Ducs Daquintaine, a nostre chier Clerk & foial Johan de Langeton nostre Chancelier, salut. Nous entendons que vous sachez bien, & que vous trouverez par Roule, comme nous donasmes nuzaines lettres ouertes al Evesque de Cestre, au Comte de Savoye, a Monsieur Ores de Grantzon, & al Archevesque de Rychemont, par air la volonte l'Apostolle sur les busoignes, que sont entre le Roy de France & nous, dont nous sumes mis sur li, & que les dites lettres en donnent poir a eux quatre ou a trois de eux, & ne pas a meins. Et par ce que le dit Comte & Monsieur Ores ny puent entendy, si volons par eschuire aucun peril que purroit avenir, que vous faciez tantost faire lettres ouertes contenantz en gros, que nous envoions au Pape les abantditz Evesque et Archevesque, en tiel maniere que cur, et chascun de euz pensent ou peusse oir la volonte et la bon plaisir du dit Pape sur les busoignes abandonnes. Car nous nentendons quil en facient ne faire puissent autre chose a ceste foiz. Et enbee auant au Pape nos lettres closes, contenantz, comment nous eusmes ordenez denboier sur ce, a la presence les quatre persones abantditz, et que les abantditz Comte et Monsieur Ores se sont excusez par plusieurs grantz raisons, q'il ny puent entendre. Par quoi nous li prioms, quil en voille tenir par excusez nous et euz, et sa volonte, et son bon plaisir dire es abantditz Evesque et Archevesque, au al un de euz, sur les dites busoignes. Faites ausint faire unes autres lettres closes au Pape, contenantz, comment le dit Evesque est molt nostre Secretaire, & comment nous avons grant defaute de li & de sa presence en nos parties, & comment il serroit molt necessaires a la journee qui se doit tenir a Montroill. a la quinzeime de Pasque entre les gentz le Roy de France & les noz. Par quoy nous prioms au Pape, quil voille bonement et gracieusement, et le plus tost quil porra, en bone maniere, entendre a la delivrance du dit Evesque, et de la busoigne, par quoy il est venuez a li, et quil voille estre remembrant comment il vient a li par son mandement, comme ci fut est et estre boet humbles et obeissant a son plaisir, come droit est. Par quoy il li ploisse estre plus gracieux et plus debonefres envers le dit Evesque, que envers ceuz qui ne li obeissent mie. Notes ces lettres volons que se facent si hastivement et si adroitement, come vous sachez et porrez, et que vous les envoiez sanz delay au dit Evesque par cest message, sealees de nostre Seal, ensemblement obe les transcriptz des choses sealez du vostre. Don souz nostre prive seal a Noef Chastell sur Tyne le 25 jour de Faverer, l'an de nostre regne Trentisme.

In eadem

Rundela.

An. 30 E. 1.

\* Herr p. 892,

899.

\* See here p.

900, 901,

The Letters then sent by the King to the Pope in the Bishops behalf, ( long suspended by him principally at the prosecution of *John de Lovetot*, whom the King by his instigation caused to be imprisoned for sundry offences upon his return from Rome ) with the Kings Certificate to the Pope against *Lovetot*, I finde thus recorded.

**S**ANCTISSIMO in Christo Patri Domino B. divina providentia Sacrosanctæ Romanæ ac Universalis Ecclesiæ Summo Pontifici, *Edwardus* eadem gratia Rex Angliæ, &c. devota pedum oscula beatorum. Dum gemitus frequentiam & acuti doloris amaritudinem quibus charissimus nobis in Christo Dominus *W. Covenr. & Lichf.* Episcopus Thesaur. noster ab officio et administratione tam spiritualium quam temporalium per Apostolicam sedem suspensus, et sic sub statu humili et depresso vitam suam agens jam premittitur oculis nostris subicimus, et et doloribus suis ob laudabilia merita nobis per ipsum diu impensa, et affectu intimo quem ad ipsum gerimus intus compatimur; eo nichilominus jam acerbius molestrati, quod *Johannes de Lovetot* tamæ suæ prodigus, quem falsum ac proditorem nobis asserimus, malicis malicias p̄toribus nobis accumulans, literas Apostolicas dictum Episcopum et su-

Claus. 30 E. 1.

m. 6. cedula.

am



*An. 30 E. 1.* um negotium contingentes, et ut intelleximus, Domino *CANTUAR.* Archiepiscopo ac Collegis suis directas, per vias et malicias excogitatas presentare et exhibere studiose hactenus distulit, nec adhuc tempore scriptiois presentium animum preten-  
debat exhibendi eadem, ut sic per languoris dispendium virum perimeret et destrue-  
ret, probo dolor innocentem, licet per procuratores dicti Episcopi super presentatione  
et exhibitione literarum earundem dicto Domino Archiepiscopo et Collegis suis  
facienda cum omni fuisset instantia requisitus. Cessis itaque pedibus proboluti  
quasumus, pie Pater, ut huiusmodi malicia ex paterna pietate remedium appone-  
re, et oleo mitigationis ex Apostolica sedis benignitate infuso, respectu habito ad  
labores, anxietates ac varia inconvenientia quae iam sustulit, statui dicti Episcopi mi-  
sericorditer providere, nostrumque in hoc per dilectum Clericum nostrum Magistrum  
G. de Blash. latorem presentium, quem propter id ad nos specialiter destinamus re-  
focillare animum, intuitu dignemini Regiae dignitatis. Postremo Apostolica sedes  
sciat, quod dum praefatum Theof. nostrum, cuius Ministerio et industria magis ac  
magis singulis dierum processibus indigemus, in suo statu sic languere conspiciamus  
laxitiam quencunque a nostris praecordiis penitus erusamus. Super hiis igitur  
tam nobis quam sibi dignetur prospicere pius pater. Ad Regimen Ecclesiae suae Sanctae  
Alissimus vos conservet in dierum longitudine Deo grata. Dat. apud *Concham* 24  
die *Augusti*.

Ibidem.

*S*anctissimo in Christo Patri *B. &c. Edwardus, &c.* devota pedum oscula beato-  
rum. Ne in alterius dampnum factum alienum redundet, vestrae Sanctitati no-  
tum facimus per praesentes, quod *Johannem de Lovetot* postquam de *Curia Romana*  
iam pridem reversus fuerat, et in terra nostra *Anglia* moxam aliquandiu traxerat,  
ob diversas culpas et offensas a multis retro temporibus in Regiam Majestatem  
nostram commissas arrestari fecimus, et per aliquos dies licet paucos arrestatum  
detinimus, prout secundum modum & consuetudinem terrae & regni nostri facere  
debeamus. Merum quia ipsum falsum, mendacem, famae suae prodigum et prodito-  
rem nobimus, ne per solitam malitiam arrestationem huiusmodi, Karissimo nobis  
in Christo *Coventr. & Litchf.* Episcopo Theof. nostro mendaciter impingere in  
praesentia vestra praesumeret, eundem proditorem ob Apostolicae sedis reverentiam  
ad debotam Episcopi praefati instantiam ea vice ab arrestatione huiusmodi durimus  
liberandum, quodque vobis testificamur veraciter per praesentes. Ad regimen ut su-  
pra. Teste ut supra.

Claus. 30 E. 1.  
m. 5 d. 150.  
Pro W. Co-  
ventr. &  
Litchf. Epif-  
copo.

*R*EX Sanctissimo in Christo Patri Domino *B.* Divina Providentia Sacrosanctae  
*Romanae* ac universalis Ecclesiae Summo Pontifici; *Edwardus* ejusdem gratia,  
&c. devota pedum oscula beatorum. Inter ceteros nostris adherentes obsequiis  
Venerabilis Pater *W. Coventr. & Litchf.* Episcopus Theof. noster locum praecipuum  
optinens, sic affectis nostra exhiberat erga ipsum, quod sui commodi et honoris aug-  
mentum cordis ex intimo respicimus et optamus. Nos itaque praedictum Episco-  
pum qui in conspectu nostro habetur multipliciter graciosus, ac sua negotia quanto  
balemus affectu vestrae Clementiae commendantes, Sanctitati vestrae prece qua  
possumus supplicamus, quatinus sic nostram personam in ipso dignemini contem-  
plari, quod nostrae intercessionis instantia sibi locum nunc saltem in eo teneat po-  
tiorum, quo in desideriis nostris multis de causis quas secundum Deum sanas cre-  
dimus et salubres intimius geritur, ut praedicta sua negotia iuxta votum pro ipso  
sceptantur effectum prosperum et felicem. Et ecce, sanctissime Pater, is qui prose-  
quitur contra eum captiosa querens diffugia, malitiose prosecutionem eandem pro-  
rogat et protelat, ut eum prolixiore languore fraudulenter aggravet et affligat, ad  
quod si placet de clementiae vestrae bonitate condignum respectum habentes, praefata  
sua negotia, quae sub gratia vestrae dependent arbitrio, cum Apostolico benigno sabo-  
re beatitudo vestra dignetur feliciter maturare: quia non praesumitur quod prose-  
cutor ille, immo verius perfidus persecutor de jure prosecutionis suae confidat, qui  
differt jam prosequi quod subdole inchoavit. Conservet vos Altissimus ad regimen  
Ecclesiae suae per tempora prospera & longeva. Dat. apud *Lewis* 13 die *Sept.*

He likewise sent these earnest passionate Letters to several Cardinals at *Rome*, his  
special friends and pensioners, in behalf of his Treasurer.

Venerabili

Venerabili in Christo Patri Domino J. Dei Gratia titulo Sanctorum *Marcellini & Petri* Presbyteri Cardinali, amico suo Karissimo; *Edwardus* ejusdem gratia &c. salutem, & sinceræ dilectionis affectum. Non sine Cordis amaritudine paternitati vestræ do'enter referimus, quam anxie intus torquemur quantaque doloris immensitate intrinsecus molestemur, dum karissimum nobis in Christo Patrem Dominum *W. Coventrensem & Lychfeld.* Episcopum *Essex.* nostrum, qui nobis in majoribus festorum solemnibus, cum insignis Pontificalibus divina celebrare solebat, ob officii sui executione, ac spiritualium et temporalium administratione suspensum fore oculis nostris conspiciamus; præcipue cum per hoc in Episcopalis dignitatis obprobrium vitupendatur, et quasi hominum derisio et plebis abjectio qui aliis præesse debuerat videatur. Ob grandem itaque affectionem quam propter ipsius laudabilia merita ad ipsum gerimus, personam ipsius vestræ reuerendæ paternitatis specialiter commendamus intimis precoribus. Nos rogantes et mitigationem, si quam poteritis et benignitate Apostolica moderandam, quoad ea quæ statum suum contingunt procurare et impetrare velitis eidem, ut sic Regiam Majestatem ad ea quæ vobis grata fuerint perpetuis reddatis temporibus obligarum. In diuinum longitudine feliciter valeatis. Dat. ut supra. Telle ut supra, (as that to the Pope \* Here, p 916.

\* to the same effect.)  
Eodem modo scribitur subscriptis, videlicet, Fratri *G.* titulo Sancti *Martini in Montibus,* & Domino *R.* titulo Sanctæ *Potentianæ,* Presbyteris Cardinalibus.

I found two petitions of the Abbot of St. *Augustines* complaining of the malicious proceedings and appeal of the Archbishop of *Canterbury* and his adherents against many of his imprisoned Tenants, with the Kings order to appear before him and his Council.

A Nostre Seigneur le Roy Monstre le Abbe de Seint *Austyn* de *Canterbyre*, que come *Johan* le fiz *Thomas* de *Greule* en la (Curt) le Abbe de *Faversham* queist de la Franchise de Cinc-Ports eust appelle *Johan* de *Gravenal*, *Adam* le *Orfreiser*, et autres plusours des gentz le dit Abbe de Seint *Austyn*, de la mort *Christien* frere mesmes celui tue en *Faversham*, sicome in son appel illoc fet est contenuz: cel appel par compassement del Meyre, Baillifs, & de la Comunaute de la dite ville de jur en jur avoyraunt, amunefaut, & changeaunt a lur volunte; et sur ceo par acuns enchesuns nostre Seignour le Roy eust maunde par son Bref al Abbe de *Faversham*, quil eust le Record & le proces de cel Appel devant lui as oitaves de la Seint *Hill.* dercein passe, mesmes celui *Johan* pendant ceo bref par le Abbe & maliciouse compassement des ditz Meire, Baillifs & Commune, & des gentz *Lercesvesque* de *Canterbyre* elleindre cel purchas, & a greyndeur grevance del dit Abbe de Seint *Austyn* & de ses gentz a purioigner le detrimet de la mort avaunt dite, & que le dit *Ercevesque* par duresce avant parlee en le temps de lemprisonment le Abbe de Seint *Austyn*, & des soens son droit possessions, & sa exemption puisse a sa volente occuper et anentier, *Adam* le *Orfreiser*, & les autres par luy avant en la dit Curt appelez, & estre ceux le dit Abbes de Seint *Austyn*, *Robert* de *Burges* Gardein de Cinc-ports, a qui la conissance de ceux faiz par le custume des ditz Portz soloic aperteiner, & plusurs autres par bref le Roy devant Justices en Baunk pendant, de mesme la mort, ad de novell l'appellee, en anientissement des conissances au Roy en les Portz apendant par son Gardeyn, & desheritaunce et empovrissement de l'Abeye de Seint *Austyn*, dont il est Patron, et en arrierissement del ordinaunce nostre Seignour le Roy, que tust que le Gardeyn des Portz avant ditz cel appel oy & determinee par queux desturbances et compassementz, de jour en jour faitz par ses adversaires avant ditz son droit defendre ne puet, ne homme trouver qui de chose que luy touche se ose entremettre. De quoy il prie nostre Seignour le Roy, que de ci come quant que a la dite Eglise de Seint *Austyn* appent de lui est tenuz, que de sa grace especiele, lui & le soens de la dite mort fausement & malicieusement appelez puissent estre a sa meinprise demenie, ou a autre meinprise suffisante, de estre par tot a droit a sa volente del appel avaunt dit, ou encountre tiels malices & compassementz autre remede especiel ordene, que par destresce de prisoun detenuz ne desturbe, ne soit quil ne puisse le droit de sa Eglise par lui et par les soens fraunchement pursure, meintenir & defendre.

In Bunde  
Brevium de  
Privato Si-  
gillo, &c. An.  
30 E. 1.

E prie



*An. 30 E. 1.* E prie le avantdit Abbe pour li & pour ses hommes, qui prest sont de ester a la ley par tot, ke nostre Seigneur le Roy veille commander, qe aucune Justice eit pouver a oier & terminer le avantdit appel: Issi ke le Abbe & ses hommes de teles angines procures passent estre delivres.

*Dors.* Bene licet Domino Regi ponere appellandos ut per manucaptionem usque ad diem Placiti. Et ideo fiat Breve Vicecomiti quod accepta sufficienti manucaptione, unde voluerit respondere, & videlicet corpus pro corpore, eos liberet, &c. Et inseratur etiam in Brevi, videlicet, quod hoc pertinet ad Regem; eo quod intellexit quod malitia intervenit in Appello predicto.

Item videtur Consilio, quod Justiciarii bene possunt assignare ad audiendum et terminandum Appellum predictum; et quo Appellum illud non est adhuc impositum in Banco.

*Assignentur R. Brabazon, & H. Spygurnell.*

In eadem  
Bundala An.  
30 E. 1. in  
Turre Lond.

**A** Nostre Seigneur le Roy monstre le son Abbe de Seynt *Austyn* de *Canterbyr*, ke par la ou nostre Seigneur le Roy ad de la grace ordine, ke au teles seyers qe le Erchevesque de *Canterbyr* prie qe les soyetz le avantdit Abbe sopen pris cum escuminges pendant les plays entre eus en la *Curt de Rome*, ke les soietz le avantdit Abbe issi pris par la temoniance, ke il sunt de sa jurisdiction, la quele il clame par ses privileges seient delibz par suffisant seurte de estre a la volonte nostre Seigneur le Roy, le avantdit Erchevesque ad oze par la caption set prendze plusieurs de soietz le Abbe, les queus tot eit le Abbe temonie par sa lettre patente, qe ils sunt ses soietz et de sa jurisdiction, ne poent estre delibz sorke as utabes de la seinte *Hilleyr*, e issi qe le Abbe dunc soit a *Everwyk* por averrer qe il sunt ses sojets & de sa jurisdiction; de quele jurisdiction le lai est entre la Erchevesque e li en la *Court de Rome*, de quei le Abbe prie a nostre Seignour le Roy com son Conservatour en cest cas e semblable, ke il veille comander a son Chancier, ke ses soietz, issi pris, soient delibz, selonc la ordonnance e jurisdiction desusdite. Et ke L'abbe ne seit travayli a *Everwyk* sans selon par le procurement le Erchevesque.

Derichers a nostre Seignour le Roy prie le avantdit Abbe, qe pour le pryne de *Johan de Graven*, *Adam le Orfriser*, e plusieurs autres de ses hommes ke sunt en sa prisone de *Dover* por la mort *Christien de Brunley* tue a *Faverham* a ceo — em lur met sus, & ke par procurement de aucune gentz ki sont de consent le Erchevesque apeles par *Johan de Brunley*, prie le avantdit *Christien*; Les queus *Johan* & les autres hommes sont prests de ester a la Ley, et de eus aquiter de cele mort par les leys & usages des *Cynk-ports*. E ke il — le comander ke son gardeyn de ses *Cynk-ports* ou autre a ses volentes, eyent especial Garrant et pouver de fere la delivrance de les prisoners, & d'oier et terminer le apel desusdit si — mester seyt ke les prisoners, avantdits seient meues a — deliveres — il sunt pris deveront aver este set en memes la vyle de *Faverham*.

Et — a oier & terminer le Apel ke *Johanne Aldwyn* fet vers le dessusdit *Johan de Graven* — de sa meson bruse en *Faverham* desusdit.

*Nomina Imprisonatorum pro morte Christiani de Brunley, Johannes de Graveney, Adam le Orfriser, &c.*

Derichers, por ceo qe mouts des gentz par procurement de Ministres de Ercheveske de *Canterbir* sunt grantz grevances et dibers damages al Abbe de Seint *Austyn* de *Canterbirs* et a sa gentz, prie le avantdit Abbe, ke nostre Seignour le Roy li veille prendre en sa protection, & ses hommes, & ses possessions, issi ke le avantdit Abbe & ses hommes toutz jours seient responsables a chescun en checun Court, de checun manere de play, de torre et de trespas, & de dette, & de checun autre play.

Ceste Proteccion prie le Abbe ke les Allies le Erchevesque le plus avys facent mal e despites a li e as seus.

En mesmes la manere prie il delivrance de *Robert de Laterel*, *Henry Panlin* & *Williams Walran*. Li sont emprisonnez a *Faverham* por la mort le avantdit *Christien*.

Upon which Petitions, the King issued this Writ of Privy Seal to his Chancellor for relief of the Abbot and his Tenants.

*Edward*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Ab. 30 E. 1.

**E**Dward, &c. a nostre chier Clerk & foial Johan de Langeton nostre Chancelier salut. Nous vous enveoms cy dedenz aucunes requestes, que nostre chier en Dieu Abbe de Seint Augustin de Canterbir. nous ad faites, dont une si est endroit d'aucunes persones de sa exemption, qui sont pris, et detenus en nostre prison par suggestion Letrebetque de Canterbir. par out meisme L'abbe nous ad requis, qe par sa testmoignance les venissiens faire deliverer. Et pour ce que nous avoms lor delivrance attroie tant come en nous est, tot ausi come il la requiert: Nous voloms qe vous li en facez aver lettres de nostre grant Seal en due fourme. Et quant al autre requeste, comes de ses hommes priz & detenus en nostre prison, pur apel fait contre eux par Johan de Brunleze, pur la mort Christian de Brunleze, Vous mandoms, qe a oir & terminer cel apel, et a faire la delivrance de celes gentz, selonc la Ley & la usage de celes parties, & a oir & terminer ausint l'apel qe Johan Aldewyn fait envers Johan de Gravenye & Richard son filz, de la burgerie de la meison meisme cele Johanne, assignez par lettres de nostre grant seal, Monsieur Robert de Borghersb nostre Gardeine des Cinc-Portz, ensemblement ove aucun autre, que vous semblera a ce suffisant, selonc ce, qe la Bufoigne demande. E voloms ausint, qe au dit Abbe, pur li, & pur ses hommes, ses terres, ses choles, ses rentes, & totes ses possessions, facez aver nostre Protection, sanz la clause, qui forsprent les pledz & les queeles en du fourme. Don souz nostre privie Seal a Linlisc le 24 jour de Novembr. l'an de nostre regne 30.

This Archbishops malice, injustice, and oppression will further appear by his refusing to accept sufficient caution from two persons he had imprisoned upon a *Capias Excommunicatum*; as this Writ de *Cantione admittenda*, and the Sheriffs return thereon informs us.

**E**Dwardus Dei gratia Rex Anglia, &c. Vic. Kanc. salutem. Ex parte Humfridi atte Grenibelde de Est Farnleghe, quem ad denunciacionem venerabilis patris R. Cantuariensis Archiepiscopi tanquam excommunicatum et claves Ecclesie contempnentem, per corpus suum secundum consuetudinem Anglie per te justiciari precepimus, donec Sancte Ecclesie tam de contemptu quam de injuria ei illata ab eo fuerit satisfactum, nobis est ostensum; quod licet idem Humfridus eidem Archiepiscopo frequenter optulerit idoneam cautionem de parendo mandatis Ecclesie in forma juris, ut per hoc absolucioni beneficium consequi possit, idem tamen Archiepiscopus cautionem illam ab eo hactenus admittere recusavit, de quo miramur quamplurimum et movemur. Et quia nolumus, quod idem Humfridus diucius in prisona contra justitiam detineatur; Tibi precepimus, sicut alias precepimus, quod in propria persona tua ad prefatum Archiepiscopum accedas, & ipsum ex parte nostra moneas, & efficaciter inducas, ut accepta a prefato Humfrido cautione predicta, a prisona qua occasione predicta detinetur mandet deliberari. Et si idem Archiepiscopus in prisona tua id facere noluerit, tunc ipsum Humfridum a prisona predicta, si ea occasione & non alia detineatur in eadem, deliberari facias, vel causam nobis significes quare mandatum nostrum alias tibi inde directum exequi noluisti vel non potuisti. Teste meipso apud Cantuariam, 15 die Junii, Anno regni nostri Tricesimo.

Bundela Bre-  
viem, An. 30  
E 1. in Turre  
London.

*Dorso.* Accessi ad Robertum Archiepiscopum Cantuar. & ipsum secundum tenorem hujus brevis ex parte Domini Regis monui, quod accepta idonea cautione de Humfrido Grenibeld de Est Farlee de parendo mandatis Ecclesie in forma juris, ut per hoc mandaret ipsum a prisona Domini Regis deliberari, idem Archiepiscopus respondit, quod minime ei optulit sufficientem cautionem; Tamen Humundus de Lopo, & Thomas Golde de Estfarlee optulerunt se plegios pro idonea cautione quod idem Humfridus parebit mandatis Ecclesie in forma juris, set non de satisfaciendo.

The Collectors of the Quindisme granted by the Parliament to the King, levying it on the Temporalities of the Clergy, (charged with three years Dismes to the King and Pope) the King issued this Writ for their exemption from it, but not their Tenants, as being liable to the payment thereof.



K. Edward 1.

*An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4*

An. 30 E. 1.

Bundela Bre-  
vium de Pri-  
vato sigillo,  
An. 30 E. 1.

**E**dward par la grace de Dieu, &c. a mesme Chancelier, saluz. Come nous eons entendu qe les Taxors & Cuillors tiel Quinzime se targent de cuillir & lever meisme le Quinzime des biens des Prelatz et des autres persones de Seynte Eglise par aucunes raisons et paroles, qe les ditz Prelatz & persones lor ont dites & demonstrees; & nous entendoms qe en cest chose ne cobendra mettre nul estoignement ne nul delay quant a oze. Car nostre entencion est tot outre, qe les biens clerement esperitant, qe sont as persones de Seynte Eglise, ne soient de rien tenuz a ceste Taxation doze, ne qe les Taxors en doibent rien demander, ne les Cuillors cuillir a nostre oeps. Mais bien entendoms & tote foiz auons entendu, qe les Temporautez qe sont en tenance des Prelatz, des gentz de Religion, & de tote maniere de persones de Seynte Eglise, de quelque condicion qil soient, sont tenuz au dit Quinzime en lor afferont; ausi come les autres Temporautez de nostre Royaume, sicome il ont este touz jours cea en arieres en temps de nous & de nos auncestres Roys *Dengleterre*: Vous mandoms qe a pluis en haste qe vous porrez, mandes per brieves souz nostre grant Seal as ditz Taxors & Cuillors par tot en nostre dit Royaume, qe hastinement taxent & lievent le Quinzime ausi bien des Temporautes dont Prelatz, e gentz de Religion, ou autres persones de Seynte Eglise sont en tenance, come des autres selonc la fourme qe lor fust baille de par nous a nostre Eschequer. Et en meisme le maniere mandez a touz noz Viscontes, qe a cele chose faire & perfourmir, soien en eide & en conseil as ditz Taxors & Cuillors totes les foiz qe mestier serra, & meismes les Taxors & Cuillors lor foront a favoir, & qe ceste chose ne lessent sicome ceux Taxors, Cuillors & Viscontes voudront eaux meismes sauver de grief damage. Don a *Rokesburgh* suz nostre prive Seal le 9. jour de *Favrier*, l'an delusdit.

The Kings Escheator challenging the Palfry, Cup, Ring, and Cry of doggs of the Abbot of St. *Albans*, after the Abbots decease, as due to the King from the Prior and Covent, who alledged they were exempted from paying them by the Kings Letters Patents, granting them all the profits and goods of the Abby during the vacancy thereof for 1000 Marks, issued this Writ to the Escheator to forbear the exaction of them till the next Parliament, when he would advise with his Counsil concerning it.

Claus. 30 E. 1.  
m. 16. Pro  
Prior & Con-  
ventu de S. Al-  
bano.  
\* See here p.  
910, 911.

**R**EX dilecto & fideli suo *Waltero de Glouc.* Escaetori suo ultra *Trentam*, salutem. Quia dilecti nobis in Christo Prior & Conventus de Sancto *Albano* per quoddam \* literas nostras patentes, per quas eis concessimus custodiam Abbacie suae de Sancto *Albano*, & omnium Temporalium ejusdem, cum omnibus rebus & bonis ad Abbaciam illam spectantibus, quotiens eam vacare contingeret, afferunt se quletos esse debere a praestatione *Palefry, Cuppe, Annuli, et Spote* Abbatum ejusdem loci, post mortem eorundem Abbatum; Vobis mandamus, quod exactionem quam praefatis Priori et Conventui facitis pro *Palefredo, Cuppe, Annulo, et Spota* nobis ratione praesentis vacationis Abbacie praedictae praestandis, ponatis in respectum, usque ad proximum Parliamentum nostrum; ut tunc inde fiat, quod de Consilio nostro duxerimus faciend. Et habeatis ibi hoc breve. Teste Rege apud *Lynliscu* 30 die *Januarii*.

Per breve de Privato Sigillo.

By which Writ it is evident, That the King by his Prerogative then claimed the Palfry, Cup, Ring, and Cry or Kennel of Hounds of every Abbot after his death, as his due; as this ensuing Writ in the same Roll will farther inform us.

Claus. 30 E. 1.  
m. 16. Pro  
Prior & Con-  
ventu de Wal-  
tham.

**R**EX praefato Escaetori, salutem. Licet dilecti nobis in Christo Prior & Conventus Ecclesiae Sanctae *Cruce* de *Waltham*, per Chartas progenitorum nostrorum Regum *Anglia* quas inspeximus, habere debeant custodiam domus suae praedictae & omnium bonorum ejusdem in singulis vacationibus suis, post mortem Abbatum suorum quorumcunque; per quod vobis mandavimus, quod occasione mortis *Roberti* nuper Abbatis ejusdem domus, vos de eadem domo aut bonis ejusdem quibuscunque, in aliquo non intromitteretis, & si quid inde recepissetis occasione praedicta, id

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1

id eis sine dilatione restitui faceretis; intentionis tamen nostræ fuit et est, quod *An. 30 E. 1.*  
*Annulus, Cuppa, Palestrinus, et Pota Canum* qui fuerunt prædicti Abbatis de  
 quo oblit, a prædictis Prioribus et Conventu per vos ad opus nostrum, et ad nos per  
 moxtem ejusdem Abbatis pertinere debeant, erigantur. Ita tamen quod *Annulo,*  
*Cuppa, Palestrino, et Pota* sic exactis, vos exactionem illam ponatis in respectum,  
 usque ad proximum Parliamentum nostrum, ut tunc inde fiat, quod de Consilio no-  
 stro super hoc duxerimus ordinand. Et ideo vobis mandamus, quod facta exactione  
 hujusmodi, eam ponatis in respectum, usque ad proximum Parliamentum nostrum,  
 Et habeatis ibi tunc hoc breve. Teste Rege apud *Edenburgh* secundo die Febr.

*Per breve de Privato Sigillo.*

This year the King made these Certificates to the Pope of his Royal assent to the  
 Elections of the Abbots of *St. Albans, St. Edmunds, and Waltham,* (immediately  
 subject to the See of *Rome*) for their confirmation.

**S**ANCTISSIMO in Christo patri Domino *B. divina providentia Sacrosanctæ Romanæ ac* *Claus. 30 E. 1.*  
*Universalis Ecclesiæ Summo Pontifici, Edwardus* ejusdem gratia Rex *Angliæ,*  
*&c.* devota pedum oscula beatorum. Sciat vestra paternitas reverenda, quod e-  
 lectioni nuper factæ in Ecclesia Conventuali de Sancto *Albano,* de Fratre *Johanne de*  
*Marines* Priore ejusdem Domus in Abbatem illius loci, Regium assensum attribui-  
 mus et favorem: Et hoc Sanctitati vestræ tenore præsentium significamus, ut quod  
 vestrum est in hac parte exequi dignemini cum favore. In cujus, &c. Dat. apud  
*Linliscu* 30 die Januarii. *m. 32. inus. De assensu Regio.*

*Per breve de Privato Sigillo.*

**S**ANCTISSIMO in Christo patri Domino *B. divina providentia, &c.* ut supra. Sciat  
 vestra paternitas reverenda, quod electioni nuper factæ in Ecclesia Conventuali *Pat. 30 E. 1.*  
 de Sancto *Edmundo,* de Fratre *Thoma de Totyngton* Supprie ejusdem Domus in *m. 33. De*  
 Abbatem illius loci, Regium assensum attribuiimus et favorem: Et hoc Sanctitati *assensu Regio*  
 vestræ tenore præsentium significavimus, ut quod vestrum est in hac parte exequi  
 dignemini cum favore. In cujus, &c. Dat. ut supra.

*Per breve de Privato Sigillo.*

**S**ANCTISSIMO in Christo patri Domino *B. divina providentia, &c.* ut supra. Sciat  
 vestra paternitas reverenda, quod electioni nuper factæ in Ecclesia Conventuali *ibid. m. 27.*  
 Sanctæ *Crucis* de *Waltham,* de Fratre *Johanne de Badburgham* Canonico ejusdem *De assensu*  
 Domus in Abbatem loci illius, Regium assensum attribuiimus et favorem: Et hoc *Regio.*  
 Sanctitati vestræ significamus præsentium per tenorem, ut quod vestrum est in hac  
 parte exequi dignemini cum favore. In cujus, &c. Dat. apud *Walsingham* 30 die  
*Martii.*

*Per breve de Privato Sigillo.*

The King upon receipt of the Popes Bull of the confirmation of the Abbot of  
*St. Edmunds,* issued this Writ to restore his Temporalities.

**R**EX dilecto & fideli suo *Waltero de Glouc.* Escaetori suo citra *Trentam,* salutem. *Pat. 30 E. 1.*  
 Cum Dominus *Bonifacius* Summus Pontifex electionem nuper celebratam in *m. 14. De*  
 Ecclesia Conventuali Sancti *Edmundi,* de Fratre *Thoma de Totyngton* Supprie ejus- *restitutione*  
 dem Domus in Abbatem illius loci, cui prius Regium assensum attribuiimus et fa- *Temporalium*  
 vorem, confirmaverit, sicut per literas ipsius Summi Pontificis bullatas nobis inde *Ab. S. Edm.*  
 directas plenius nobis constat: Nos confirmationem illam acceptantes, cepimus fide-  
 litatem ipsius Electi, & Temporalia dictæ Abbatis, prout moris est, restituimus eidem.  
 Et ideo vobis mandamus, quod eidem Electo Temporalia Abbatis prædictæ liberetis  
 in forma prædicta. Teste Rege apud *Westm.* 10 die Augusti.

The King granted this license to some Priors of the Order of *Cluny* in *England,* to  
 go to a general Chapter beyond the Seas, provided they carried no money nor silver  
 with them, against former Prohibitions.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B.5. ch.4*

An. 30 E. 1.  
 Claus. 30 E. 1.  
 m. 9. Pro  
 Prioribus de  
 Beremundese  
 & de Wenlok.

**R**EX dilecto & fideli suo Roberto de Burghersh Constabulario Castri sui Dover. & custodi Quinque Portuum suorum, salutem. Quia dilectis nobis in Christo Priori de Beremundese, & Priori de Wenlok in regno nostro commorantibus, ad generale Capitulum suum Carisaten. proximo celebrandum. de gratia nostra speciali licentiam dedimus transfretandi. Vobis mandamus, quod eosdem Priores ad dictum Capitulum suum in Portu nostro Dover. transire permittatis. Ita tamen quod pecuniam aliquam seu argentum aliquod ad partes transmarinas secum non portant, contra formam Inhibitionis de huiusmodi transfretantibus vobis facta. Telle Rege apud Westm. 20 die.

Consimile breve pro Priore S. Trin. Ebor. Ibid. m. 16. Telle Rege apud Edendburgh. 2 die Febr. Per breve de Privato Sigillo.

The King by the misinformation and violent prosecution of the Archbishop of Canterbury, having by his Writ de vi laica amovenda, dispossessed the Abbot and Convent of St. Augustines of the Church of Selving long appropriated to them, against their Priviledges from, and Appeals to the See of Rome, at the Popes request, issued this Writ to the Sheriff of Kent to restore them to, and protect them from all force in the quiet possession thereof, wherein he expresseth his Sovereign care and duty to protect and right them against all grievances and injustice.

Claus. 30 E. 1.  
 m. 2. Pro  
 Abbate Sancti  
 Augustini Cantuar.

**R**EX Vic. Kanc. salutem. Circa manutenenda & conservanda jura Monasterii Sancti Augustini Cantuar. eo potius debemus esse solliciti, quo super hoc per Apostolicas literas atque preces specialius excitamur. Cum itaque Abbas & Conventus predicti Monasterii Ecclesiam de Selving diutius in proprios usus tenuerint, juxta quod per quorundam privilegia eis ab Apostolica sede inde concessa, coram nobis & Consilio nostro ex parte ipsorum nuper exhibita evidenter apparet; ac pretextu cujusdam brevis de vi laica a predicta Ecclesia amovenda, ad instantiam venerabilis patris R. Cantuar. Archiepiscopi nuper concessi super possessione ipsius Ecclesie, contra indulta dictae sedis, et appellationes ab eandem sedem interpositas per eodem molestantur, sicut accepimus, multipliciter et turbentur; quo minus administrationem fructuum & bonorum ejusdem Ecclesie gaudere pacifice valeant, ut solebant: Nos predictis Abbati & Conventui super oppressionibus ipsorum indubitatis subvenire volentes, ac eos favore Regio, quatinus sine iuris offensa poterimus in sua iustitia confovere; tibi precipimus, quod non obstante aliquo mandato nostro, tibi prius inde inconsulte, (pro eo quod tunc predictorum Abbatis & Conventus diutina possessio nos latebat) directo, eos in possessionem in qua tempore receptionis predicti mandati nostri invenisti reducens, ipsos possessione sua huiusmodi pacifice gaudere permittas. Omnibus ex parte nostra inhibens & injungens, ne predictis Abbati & Conventui super eadem possessione sua violentiam aliquam inferre presumat. Telle Rege apud Westm. 15 die Novembris.

Per ipsum Regem.

The King likewise at the Popes request, issued this Writ to restore the Goods, Money, Jewels and Merchandize of some Italian Merchants, seised and forfeited to him for a Murther committed by them.

Claus. 30 E. 1.  
 m. 7. Pro  
 Mercatoribus  
 de Societate  
 Spinorum de  
 Florentia.

**R**EX Luca de Havering, & Richardo de Caumpes nuper Vicecom. London. & Coronatoribus Civitatis ejusdem, salutem. Ad instantiam Domini Summi Pontificis nobis pro Mercatoribus de Societate Spinorum de Florentia supplicantis; Vobis precipimus, quod omnia bona & catalla Mercatorum eorundem pro morte Willielmi Baman quem Thouse le Lombard de precepto Philippi de Spina interfecisse dicebatur, in manum nostram capta, quae in pannis lineis & laneis, argento numerato, jocalibus aureis & argenteis, vasis argenteis, equis, sceno, busta, & aliis rebus diversis consistunt, & quae appreciantur ad centum & septem libr. decem solidos, & quatuor denarios, prout per Inquisitionem de mandato nostro inde factam, & in Cancellariam nostram returnatam, plenius nobis constat, predictis Mercatoribus integre restituatis de gratia nostra speciali. Telle Rege apud Westm. 4 die Augusti.

Per ipsum Regem.

No doubt the Pope had a reward for this favour, though the King lost by it.

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The King issued this Writ to the Earl of *Chester* to remove a Lay force out of the Church of *Thorneton*, to which he had presented his Clerk by reason of a Wardship. *An. 30 E. 1.*

**R**EX *Edwardo* filio suo charissimo Comiti *Cestriae*, salutem. Cum nuper in Curia nostra coram Nobis, per considerationem ejusdem Curiae nostrae recuperaverimus versus *Willielmum de Venables & Katerinam* uxorem ejus, & *Petrum* filium *Ranulphi le Restor*, praesentationem nostram ad Ecclesiam de *Thorneton* super *Moram* in Comitatu *Cestriae*, tunc vacantem, & ad donationem nostram, ratione minoris aetatis *Petri* filii & haeredis praedicti *Ranulphi* in custodia nostra existentis, spectantem; & mandaverimus per Breve nostrum de judicio venerabili patri *W. Coventren.* & *Litchfeld.* Episcopo, loci Diocesano; quod non obstant Reclamatione praedictorum *Willielmi*, *Katerinae*, & *Petri* ad praesentationem nostram, ad Ecclesiam praedictam idoneam personam admitteret; ac Vicarius ipsius Episcopi, in remotis agentis, dilectum Clericum nostrum *Robertum de Askeby* ad dictam Ecclesiam ad praesentationem nostram admiserit, & Rectorem restituerit in eadem; prout per literas Patentes praefati Vicarii dicto Clerico nostro inde concessas evidenter apparet; idemque Vicarius nobis significaverit, quod tanta vis laica & resistantia rebellium se tenent in Ecclesia memorata, quod officii sui debitum non potest ad praesens inibi exercere, supplicando ut hujusmodi vim faciamus ab eadem Ecclesia amoveri; Vobis mandamus, quod omnem vim laicam, quae se tenet in dicta Ecclesia ad perturbandum praefatum Vicarium, quominus Officium suum spirituale exercere possit ibidem, sine dilatione amoveri faciatis ab eadem, praefatum Clericum nostrum in possessione sua Ecclesiae praedictae quantum in vobis est, manutenendo, protegendo, & etiam defendendo. Teste Rege apud *Lynliscu*, 26 die *Jan.*

*Gl. 30 E. 1. Ced. m. 18. dorso. De vi Laica amovend. ab Ecclesia de Thorneton. super Moram.*

The King issued this Writ to the Bishop of *Exon* and his Officials, and to the Archdeacon of *Penwyck*; not to attempt any thing to the prejudice, or to exercise any Ecclesiastical Jurisdiction in the Church of *St. Beriens* in *Cornwall*, which antiently was, and ought to be his Free Chappell, or in the Chappels and Prebendaries thereto belonging, being now reunited to his Crown.

**R**EX venerabili in Christo Patri *Th.* eadem gratia Episcopo *Exon.* & ejus Offic. salutem. Cum Ecclesia Sanctae *Beriane de Cornubia*, libera Capella nostra esse debeat, & Antecessorum Progenitorumque nostrorum quondam Regum *Angliae* fuerit ab antiquo, ac una cum Praebendis eidem Capellae annexis, ab omni jurisdictione ordinaria exempta, libera penitus et immunis, sitque eadem Capella ad Coronam, ut ad suam naturam revertere; Vobis firmiter inhibendo mandamus, ne quicquam quod in nostri seu libertatis nostrae Capellae praedictae praesudicium cedere valeat quoquo modo, attemptare aliquantulum presumatis; Taliter vos in praemissis habentes, ne si secus feceritis remedium aliud congruum in hac parte nos oporteat adhibere. Teste Rege apud *Westm.* 7. die *Julii.*

*Claus. 30 E. 1. m. 11. dorso. Prohibitio pro libera Capella Regis.*

Eodem modo mandatum est Archidiacono de *Penwyck* in *Cornubia* & ejus Offic. Teste ut supra.

The Archdeacon of *Lewes* intending to exercise Ordinary Jurisdiction in the Kings Free Chappel of *Hastings*, and the Chappels thereunto annexed, to the prejudice of his Crown and Dignity, issued this memorable prohibition to him against this his intended Usurpation.

**R**EX Archid. *Lewen.* & ejus Offic. ac eorum Commissar. salutem. Cum libera Capella nostra beatae *Mariae* in Castro de *Hastings*, una cum Praebendis et Capellis eidem annexis sicut in ceteris liberis Capellis nostris in regno nostro ab omni Jurisdictione ordinariis sit exempta, libera et immunis. Ac hos in Capella praedicta, Praebendis et Capellis eidem annexis intendatis, sicut accepimus, Jurisdictionem exercere, in nostri et Regis dignitatis nostrae, et praedictae Capellae nostrae praesudicium manifestum: Nos attendentes per hoc nobis et Regis nostrae dignitati, necnon exemptioni, libertati et immunitati ipsius Capellae posse de facili derogari,

*ibid. m. 6. dorso. Prohibitio pro Capella Regis.*



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*An. 30 E. 1.* derogari, nisi ad hoc oportunitate remedium apponamus; Vobis firmiter inhibemus, ne in prædicta libera Capella nostra seu membris ipsius Jurisdictionem aliquam exercere, seu quicquam aliud attemptare, in nostri et Regis dignitatis nostræ, ac dictæ liberæ Capellæ nostræ præjudicium aliquo modo præsumatis; Taliter vos in præmissis habentes, quod super hoc aliud remedium nos non oporteat adhibere. Teste Rege apud Newendenne 15. die Septembris.

The King being frequently importuned by the Cardinal of St. Maries in Rome, to consent to the Popes appropriation of two Prebendaries in the Churches of York and Lincoln to two Churches in Rome, or depositing the profits thereof to their use in their Proctors hands, sent this answer to him why he could not assent thereto, being so prejudicial to the rights of his Crown, and contrary to his Oath, to maintain them.

Claus. 30 E. 1.  
m. 6. dorso.

Venerabili in Christo Patri Domino M. Sanctæ Mariæ in Porticu Diacono Cardinali, amico suo charissimo, *Edwardus* Dei gratia, &c. salutem, & sinceram dilectionis affectum. Satis occurrit memoriæ nostræ, & debet occurrere illa frequens instantia, quæ super negotia præbendarum Eboracen. & Lincolnienfis Ecclesiarum, & facto depositi proventuum præbendarum ipsarum erga noscuratis insistere dicibus successibus; quod vestris Procuratoribus faceremus depositum hujusmodi assignari, juxta quod nuper vestra littera nobis missa plenius continebant. Sane scire vos volumus, quod si vestris annueremus precibus in hac parte, non aliud videretur, nisi appropriationi petita, (quam estis diligenter hactenus prosecuti) præbere consensum, quod quidem in nostri præjudicium, et Coronæ nostræ Regiæ, (ad cujus conservationem vinculo juramenti sumus astricti) læsionem enormem cederet manifeste, quod utique nolle, ut credimus, vestra discretio circumspexit. Verumptamen nobis admodum complaceret, ut super dicto negotio, cum Domino Papa, cui super hoc scribimus colloquium haberetis, ut de aliqua via seu forma congrua, quæ tolerabilis foret et conventiens, nos in hac parte eximia sue circumspeditionis industria informaret, et nobis informationem suam hujusmodi aperiret; quam ob affectionem quam ad vos gessimus ab antiquo, et adhuc gerimus et habemus, libenter, in quantum bono modo possemus, condescenderemus vestris beneplacitis atque votis. Dat. apud Arundell. 9 die Septembris.

After which the King writ this second Letter to this importunate Cardinal, advancing 335 marks to his Proctors by way of gift and bounty only, and in lieu of the *Florens* which he received, not as a *depositum* for the profits of the Prebendaries; and promising him payment of the arrears of his annuity formerly granted to him, when he should be enabled, to stop his further importunity in this his illegal suit.

Claus. 30 E. 1.  
m. 1. dorso.  
De Prebendis  
in Ecclesiis  
Eborum &  
Lincoln. &  
facto depositi  
proventuum  
ipsarum Pre-  
bendarum.

Venerabili in Christo Patri Domino M. Sanctæ Mariæ in Porticu Diacono Cardinali, amico suo charissimo; *Edwardus* ejusdem gratia, &c. salutem & sinceram dilectionis affectum. Sane occurrit, &c. (verbatim as in the former Letter, to) Verumptamen, ob affectionem quam ad vos gessimus ab antiquo, et adhuc gerimus et habemus, vobis placere volentes, in quantum possumus bono modo, pro Florenis inventis London. depositum, de quo fecerunt prædictæ vestra littera mentionem, trescentas et triginta et quinque Marcas Sterlingorum procuratoribus vestris fecimus numerari, valorem videlicet Florenorum ipsorum, et eisdem Florenis ad opus nostrum mandabimus recipi, et in utilitatem nostram converti. Nec intelligat vestra discretio, quod prætextu præfati depositi vobis mittamus pecuniam memoratam, set ex causa propterea alia, et de dono nostro ac munificentia speciali. Ceterum per guerrarum &urbationum grandium tempestates sumptibus plurimis, ac laboribus & angustis aggravati, quo minus ad præfens de arreagiis illius annuæ pensionis quam vobis dudum concessisse recolimus satisfacere valeamus, quæsumus ut super hoc in nos patientiam habeatis, et quamprimum tempora commodiora successerint, de omnibus satisfactionem condignam vobis faciemus impendi, juxta quod nos teneri poterit apparere. Dat. apud Westm. decimoquinto die Novembris.

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The King being in like manner importuned by the Cardinals, returned the like answer to their reiterated Letters touching the Church of *Monketon*, as he did concerning these prebendaries.

**V**enerabili in Christo Patri Domino *Franc. Sanctæ Lucie in Silice* Diacono Cardinali, amico suo charissimo: *Edwardus* Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, salutem. Literas et preces tam ex parte vestra quam quorundam aliorum Cardinalium super facto Ecclesiæ de *Monketon*, quam quidem *Pepos* vestre habere contendit, nobis frequenter directas recipimus; ad quas alias certum recolimus dedisse responsum, quod absque Regis juris nostri injuria, et Coronæ nostræ præjudicio et læsione enozmi, non poterimus immutare. Verumptamen volentes per aliam viam satisfacere votis vestris, dicto *Pepoti* vestro vel alii quem nobis duxeritis nominandum, de certo reddere qui in Laico seculo consistit, vestri contemplatione libenter providebimus, cum ad id habuerimus facultatem; Et ut super hoc certam concipiat et fiduciam injunximus dilecto Clerico nostro *J. de Benstede* Rectori prædictæ Ecclesiæ de *Monketon*, qui juxta latus nostrum moratur assidue, ut inde nobis memoriam faciat, cum optulerit se facultas. Dat. apud *Lewes* 13 die *Septemb.*

Cl. 30 B 1. m.  
5. dorso. De  
Ecclesiæ de  
*Monketon*.

**R**EX discreto viro *Jacobo*, Domino *Matthæi Ursy* de filiis *Ursy* Nepoti venerabilis patris Domini *F. Sanctæ Lucie in Silice* Diaconi Cardinalis, salutem & dilectionem sinceram. Literas et preces tam ex parte dicti Domini Cardinalis patris vestri, quam quorundam aliorum Cardinalium, super facto Ecclesiæ de *Monketon*, quam habere contenditis, nobis frequenter directas recepimus, ad quas eidem Domino Cardinali certum recolimus alias dedisse responsum, quod absque regni juris, &c. (ut supra) Veruntamen votis ipsius Domini Cardinalis & vestris per aliam viam satisfacere in hac parte, vobis vel alii quem, &c. Teste ut supra.

Ibidem.

By these Letters of the King we may discern; 1. The restless importunity of avaritious *Roman* Popes, Cardinals, and their Nephews, to usurp upon the rights of the Crown by appropriations, provisions of Prebendaries, Churches, to gain Church-preferments in *England*, to the prejudice of the King, kingdom, and peoples souls. 2ly. The Kings prudence in opposing, and putting them off with reiterated answers and excuses, or proffering them other compensations to prevent their designs, and stop their importunities.

This year the King by his Prerogative sent several of his Servants to these several Monasteries by his Writs, to be there maintained and provided for during life.

*Johannes de Wyndesor.* Serviens Regis mittitur Priori & Conventui *Bathon*. Teste Rege apud *Westm.* 15 die *Octobris*.

Pro pluribus  
Servientibus.

*Johannes de Toshull* Serviens Regis, mittitur Abbati & Conventui de *Cogeshale*. Teste ut supra.

*Regin. de Saus.* Serviens Regis, mittitur Abbati & Conventui de *Colcestre*. Teste ut supra.

*Gilbertus del Bed.* Serviens Regis, mittitur Abbati & Conventui de *Burgo Sancti Petri*. Teste ut supra.

Per ipsum Regem Nunc. fratre *W. de Wintreburn*.

The King this year sent these Letters to the Pope and Cardinals, by his Proctors appointed to conclude a final peace between him and the King of *France*.

**S**anctissimo in Christo Patri Domino *B.* Divina providentia Sacrosanctæ *Romana* ac universalis Ecclesiæ Summo Pontifici; *Edwardus*, &c. devota pedum oscula beatorum. De circumspectione & fidelitate Religiosorum virorum fratrum *W. de Grinsburgh* & *H. de Hertpole* de Ordine Fratrum Minorum, ac dilectorum Clericorum Magistrorum *Johannes de Sancto Claro* Canonici *London*, *Philippi Martell* Juris Civilis Professoris, & *Willielmi de Deen* Militis nostrorum fiducie plenitudinem obtinentes, ipsos super finali expeditione negotii reformationis pacis inter Regem

Claus. 30 E 1.  
m. 6. dorso.  
Literæ directæ  
Papæ pro Rege.

*Francia*



**AN.** 30 E. 1. *Francia* & nos juxta formam vestre pronunciationis dudum habitæ & prolata, nunc autore Domino terminandi, ad beatitudinis vestre presentiam duximus destinandos; Sanctitati vestre affectuose & humiliter supplicantes, quatinus prædictis fratribus, Clericis et Militi, aut quatuor vel tribus ipsorum si eos non contigerit simul adesse, in hiis quæ super præfato negotio et aliis quæ eis commissimus vestre, Clementiæ referenda ex parte nostra vobis exponant oraculo vivæ vocis, fidem si placeat indubiam dignemini adhibere. Conserve vos altissimus ad regimen Ecclesiæ sue sanctæ per tempora feliciter longiora. Dat. apud *Arundell*. nono die Septembris.

**PAT.** 30 E. 1. m. 9. intus, & Rot. Alemann. m. 6. intus. Procuratorium missum ad Curiam Romanam.

**S**anctissimo in Christo Patri Domino *B.* Divina providentia Sacrosanctæ Romanæ ac universalis Ecclesiæ Summo Pontifici; *Edwardus* ejusdem gratia Rex *Angliæ*, &c. devota pedum oscula beatorum. Super expeditione negotii reformationis pacis inter Magnificum Principem Regem *Francia* & nos juxta formam vestre pronunciationis virtute compromissi per dictum Regem & nos in vos facti dudum habitæ seu prolata nunc (autore Domino) finaliter terminandi, Religiosos viros fratres *W. de Geysburgh* & *H. de Hertpole* de ordine fratrum Minorum, & dilectos Clericos nostros Magistros *Johannem de Sancto Claro* Canonicum *Londoniensem*, & *Philippum Martel* Juris Civilis professorem, ac *Willielmum de Dene* Militem, procuratores & nuncios nostros ad vestre Sanctitatis presentiam destinantes. Damus eis & quatuor vel tribus eorum, si eos simul adesse non contigerit, ac concedimus generalem, plenam & liberam tenore presentium potestatem & speciale mandatum petendi, audiendi et recipiendi, complementum, perfectionem ac totalem consummationem pronunciationis ac reformationis prædictarum, et omnia alia et singula quæ super reformatione pacis prædictæ, ac etiam super omnibus guerris, discordiis, litibus, controversiis, causis, questionibus, dampnis et injuriis, petitionibus et actionibus realibus, et personalibus atque mixtis, quæ fuerunt, et sunt, vel esse possent inter prædictum Regem *Francia* et nos occasione quacunque, ac præmissa quoquo modo tangentibus, vestra providentia duxerit, arbitranda, laudanda, et diffinienda, arbitraliter sententianda, præcipienda, ordinanda, disponenda, pronuntianda, addenda, minuenda, corrigenda, interpretanda seu declaranda, et etiam omnia alia et singula facienda quæ ad plenam pacem et concordiam, ac pacis et concordie omniumque prædictorum perfectionem et consummationem quoquo modo pertineat et poterunt pertinere; promittentes nichilominus nos ratum et firmum perpetuo habituros quicquid per prædictos Fratres, Clericos et Militem, aut quatuor vel tres ipsorum petiitum, receptum, actum, gestum, seu alias factum fuerit in præmissis, et quolibet præmissorum: Super quibus etiam per nostras literas approbandis, tenendis, servandis atque complendis, nos, haeredes nostros, et omnia bona nostra specialiter obligamus: Et hæc Sanctitati vestre significamus, & omnibus quorum interest, vel interesse potest aut poterit in futur. per nostras parentes literas Sigilli nostri munimine consignatas. Dat. apud *Arundell*. 9 die Septembris, Anno Domini 1302. Regni vero nostri Tricesimo.

Ibid m. 12. dorso. Literæ directæ Cardinalibus pro Rege.

**V**enerabili in Christo Patri Domino *M.* permissione divina Sanctæ *Mariae novæ* in *Porticu*, Diacono Cardinali; *Edwardus* ejusdem gratia, &c. salutem, & sinceræ dilectionis continuum incrementum. Dilectos & fideles nostros Magistrum *Petrum de Dene* Canonicum *Londoniensem*, & *Rogero* dictum *le Sauvage* Militem, pro quibusdam negotiis nostris quæ multum insident cordi nostro ad Domini Summi Pontificis presentiam destinantes; Paternitatem vestram de qua plenè confidimus, affectuose requirimus & rogamus, quatinus religioso viro fratri *W. de Geysburgh* de Ordine Minorum in Romana Curia commoranti, quem Nunciis prædictis adjunximus, ac nichilominus eisdem Nunciis & duobus eorum in hiis quæ super præfatis negotiis ex parte nostra vobis oraculo vivæ vocis duxerint exponenda, fidem velitis, si placeat, indubiam adhibere, ac ea penes Dominum Summum Pontificem diligenter et efficaciter juxta speratam fiduciam promovere, quotiens oportunum fuerit, et ab eisdem Nunciis nostris vel duobus eorum fueritis requisiti. Nos igitur paratos semper invenietis et promptos ad ea quæ fore noverimus vobis grata. Dat. apud *Chartham*, 13 die Junii.

Consimiles

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Consimiles literæ diriguntur Cardinalibus subscriptis; videlicet,

Domino L. Sanctæ Maria in via lata

Domino P. Sanctæ Maria nova

Domino W. Sancti Nicholai in carcere Tull.

Domino Francisco Sanctæ Maria in Cosmedyn.

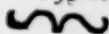
Domino J. Titulo Sanctorum Marcellini & Petri

Domino G. Titulo Sancti Martini in Montibus

} Diacon. Cardinal.

} Presbyter. Cardinal.

An. 30 E. 1.



The Kings daughter *Mary* being a Nun professed at *Ambresbury*, the King granted her 40 Oakes each year, 20 Tun of Wines, and several Mannors of above the value of 200 l. a year, for her maintenance, (by which you may guess how well she fasted, prayed, and mortified her flesh in that Nunnery) by these Patents.

**R**EX omnibus ad quos, &c. salutem. Sciatis nos dedisse & concessisse pro nobis & hæredibus nostris, charissimæ filiæ *Maria* Sanctimoniali *Fontis Ebroldi* apud *Ambresbur.* commoranti, quadraginta robora singulis annis in forestis nostris de *Chuyt* & *Bokholt*, per manus custodum earundem Forestarum qui pro tempore fuerint, ad focum ejusdem filiæ nostræ in Camera sua, quamdiu moram apud *Ambresbur.* fecerit percipienda. In cujus, &c. Teste Rege apud *Wilm.* 10 die *Augusti*.

Pat. 30 E. 1.  
m. 14. Pro  
Maria filia Re-  
gis Moniale de  
Ambresbur.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod in recompensationem ducentarum librarum, quas nuper pro nobis & hæredibus nostris concessimus charissimæ filiæ nostræ *Maria* Sanctimoniali *Fontis Ebroldi* apud *Ambresbur.* commoranti, singulis annis ad sustentationem Camere suæ ad Scaccartum nostrum percipiendas, & etiam pro illis viginti bolis vini, quæ eidem filiæ nostræ similiter concessimus singulis annis per manus Vic. nostri *Sutht.* qui pro tempore fuerit, percipienda, quamdiu ipsa filia nostra infra regnum nostrum *Anglia* fuerit; concessimus ei Manerium de *Cosham* cum pertin. in Com. *Wilt.* in valorem quaterviginti et decem et septem librarum; Burgum *Wilton.* & *Bereford.* cum pertin. in eodem Com. præter elemosynas constitutas in valorem quatuor librarum; Manerium de *Sherston* cum pertin. in eodem Com. in valorem sexaginta librarum; Manerium de *Porstok* cum pertin. in Com. *Dors.* in valorem decem et octo librarum; Manerium de *Herdecote* cum pertin. in Com. *Sumers.* in valorem decem et septem librarum; & Maneria de *Freshwater* & *Whytefeld* in *Insula Vecta* cum pertin. in Com. *Sutht.* in valorem sexaginta et decem librarum, tredecim solidorum, et quatuor denariorum; habenda eidem filiæ nostræ ad sustentationem Camere suæ quamdiu vixerit, & infra regnum nostrum fuerit supradictum. In cujus, &c. Teste ut supra.

Ibidem.

The King this year granted a license to elect a Bishop for the Church of *Lincola*, then void, \* Teste Rege apud *Wulloure* 20 die Febr. Per breve de Privato Sigillo.

\* Pat. 30 E. 1.  
m. 30.

He likewise issued this Writ for restoring the Temporalties to the Bishop elect of *Bath* and *Wells*.

**R**EX dilecto & fideli suo *Nicholao Fermband* custodi suo Episcopus *Bathon.* & *Wellen.* sede vacante, salutem. Cum venerabilis pater R. Archiepiscopus *Cantuariensis* totius *Anglia* Primas, electionem nuper celebratam in Ecclesia Cathedrali Sancti *Andree Wellen.* de discreto viro Magistro \* *Waltero de Helshagh* Decano illius loci, in *Bathon.* & *Wellen.* Episcopum, cui prius Regum assensum adhibuimus et favorem, confirmaverit, sicut per literas patentes ipsius Archiepiscopi nobis inde directas, nobis constat: Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, et Temporalia Episcopatus prædicti, prout moris est, restitimus eidem. Et ideo vobis mandamus, quod eidem Electo Temporalia Episcopatus prædicti sine dilatione liberetis in forma prædicta. Teste Rege apud *Picsham* 12 die Septembr.

Pat. 30 E. 1.  
m. 9. De  
restitutione  
Temporalium  
\* See Godwins  
Catalogue, p.  
300. The  
Leiger Book  
of the Priory  
of Bath, p.  
216, 217, 219,  
to 238.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4*

*An. 30 E. 1.* The King by Judgement of his Court seising the Liberty of the Bishop of *Durham* into his hands, for a contempt and offence of the Bishop, thereupon appointed a Custos, Sheriff, Justice in it, and a Keeper of the Seal, allowing them salaries by these Patents.

*Pat. 30 E. 1.  
m. 19. De  
libertate Episcopa-  
tus Dunelm. com-  
misso Roberto  
de Clifford.*

**R**EX Militibus, liberis hominibus, & omnibus aliis tenentibus de libertate Episcopatus *Dunelm.* salutem. Sciatis quod commisimus dilecto & fideli nostro *Roberto de Clifford*, libertatem prædictam cum pertin. in manum nostram per considerationem Curie nostræ coram nobis captam, custodiendam quamdiu nobis placuerit: Ita quod Vicecomitem & alios Ministros idoneos ad eaque libertatem illam contingunt exercenda & facienda, sub ipso deputet & assignet; & quod idem Vicecomes de exitibus inde provenientibus nobis respondeat ad Scaccarium nostrum. Et ideo vobis mandamus, quod præfatus *Roberto* tanquam custodi nostro libertatis prædictæ, in omnibus quæ ad custodiam illam pertinent intendentes sitis & respondentes, sicut prædictum est. In cujus, &c. Teste Rege apud *Westm.* 17 die Julii.

*Ibid. m. 16.  
Pro Roberto  
de Clifford  
custode liber-  
tatis Episcopa-  
tus Dunelm.  
de feodo suo.*

**R**EX dilecto & fideli suo *Roberto de Clifford*, salutem. Cum per literas nostras patentes vobis commiserimus libertatem Episcopatus *Dunelm.* cum pertin. in manum nostram per considerationem Curie nostræ coram nobis captam, custodiendam quamdiu nobis placuerit, prout in literis nostris prædictis plenius continetur, concessimus vobis ducentas marcas, ad sustentationem vestram percipiendas de exitibus libertatis prædictæ, singulis annis dum custodiam illam sic tenueritis ex commissione nostra. Ita tamen quod si minori tempore quam per annum dictam custodiam nomine nostro tenueritis, seu majori, semper percipiat pro sustentatione vestra pro rata temporis, quo habueritis custodiam memoratam. Teste Rege apud *Westm.* 24 die Julii.

*Ibid. m. 19.  
De Justic. Re-  
gis in eadem  
libertate con-  
stituto.*

**R**EX omnibus ad quos, &c. salutem. Sciatis quod constituimus dilectum & fidelem nostrum *Willielmum de Ormesby* Justiciarium nostrum, ad placita libertatem Episcopatus *Dunelm.* in manum nostram per considerationem Curie nostræ coram nobis captam, tangentia, tenenda quamdiu nobis placuerit; & ad justitiam singulis de eadem libertate conquerentibus, seu conqueri volentibus faciendam. In cujus, &c. Teste Rege ut supra.

*Ibid. m. 16.  
Pro Will. de  
Ormesby Ju-  
stic. Regis ibi-  
dem de feodo  
suo.*

**R**EX dilecto & fideli suo *Willielmo de Ormesby*, salutem. Cum constituerimus vos Justic. nostrum ad placita libertatem Episcopatus *Dunelm.* &c. ut supra, captam, tangentia; tenenda quamdiu nobis placuerit, prout in literis nostris patentibus vobis inde confectis plenius continetur, concessimus vobis sexaginta marcas ad sustentationem vestram, percipiendas de exitibus libertatis prædictæ singulis annis, dum officium illud sic tenueritis ex commissione nostra. Ita tamen, &c. dictum officium nomine nostro, &c. In cujus, &c. ut supra.

*Per ipsum Regem nunciante Thesaur.*

*Ibid. m. 19.  
De sigillo Re-  
gis ad custodi-  
am prædictæ  
libertatis de-  
putato com-  
misso.*

**R**EX omnibus ad quos, &c. salutem. Sciatis quod commisimus dilecto Clerico nostro *Henr. de Guldeford* sigillum nostrum, ad custodiam libertatis Episcopatus *Dunelm.* in manum nostram per considerationem Curie nostræ coram nobis captæ deputatum, custodiendum quamdiu nobis placuerit. In cujus, &c. Teste Rege ut supra.

What Acquittances the King gave for monies received out of the three years Disme granted him by the Pope, these Records will in part inform us.

*Pat. 30 E. 1.  
m. 26. Pro  
Episcopo Lon-  
don. & Magi-  
stro Barthol.  
de Ferentino  
Collectoribus  
Decimar.*

**R**EX omnibus ad quos, &c. salutem: Sciatis nos recepisse & habuisse per manus dilecti Clerici nostri *Johannis de Drogheda* custodi Garderobæ nostræ, à venerabili patre Domino *R. London.* Episcopo, & à discreto viro Magistro *Bartholomæo de Ferentino* Canonico *London.* Sanctissimi patris Domini *Bonifacii* divina providentia Papæ octavi Clerico, Collectoris Decimar in regno nostro *Anglia* per tres annos ad commodum nostrum per præfatum summum Pontificem impostæ, duo millia librarum sterlingorum de pecunia ejusdem Decimar, ad quendam arduum

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

ardua negotia nostra inde expedienda. Quam quidem pecunie summam eisdem Collectoribus aut alteri eorumdem solvere promittimus, ad voluntatem ipsius Summi Pontificis, cum per eosdem Collectores aut eorum alterum super hoc fuerimus premoniti. In cujus, &c. Teste Rege apud Berkhamsted 12 die Aprilis. *An. 30 E. 1.*  
*Per breve de Privato Sigillo.*

**R**EX omnibus ad quos, &c. salutem. Sciatis nos recepisse & habuisse, &c. *Claus. 30 E. 1.*  
*m. 22. intus.*  
*Pro Episcopo*  
*London. &*  
*Magistro Bar-*  
*tholomæo de*  
*Ferentino.*  
*Par. 30 E. 1.*  
*m. 18. Pro*  
*Episcopo Lon-*  
*don. & Magi-*  
*stro Barthol.*  
*de Ferentino*  
*Collectoribus*  
*Decimæ,*  
*ibid. m. 14.*  
*De Decima Clero Angl. &c. recepimus à venerabili patre R. London. Episcopo, & Magistro Bartholomæo de Ferentino, &c. mille, centum, et sexaginta et duas libras, &c. ut supra. Teste Rege apud Westm. 23 die Julii.*  
*Per breve de Privato Sigillo.*

**R**EX omnibus ad quos, &c. salutem. Sciatis quod de pecunia proveniente *Par. 30 E. 1.*  
*m. 18. Pro*  
*Episcopo Lon-*  
*don. & Magi-*  
*stro Barthol.*  
*de Ferentino*  
*Collectoribus*  
*Decimæ,*  
*ibid. m. 14.*  
*De Decima Clero Angl. &c. recepimus à venerabili patre R. London. Episcopo, & Magistro Bartholomæo de Ferentino, &c. mille, centum, et sexaginta et duas libras, &c. ut supra. Teste Rege apud Westm. 23 die Julii.*  
*Per breve de Privato Sigillo.*

Consimiles literæ sunt præfatis Collectoribus de ducentis libris præfato Johanni liberatis. Teste Rege ut supra. *Per breve de Privato Sigillo.*

Consimiles, &c. de ducentis quaterviginti et decem et novem libris, et decem solidis. Teste Rege apud Westm. 19 die Julii. *Per breve de Privato Sigillo.*

Consimiles, &c. de quadraginta et viginti et tribus libris, decem et septem solidis, et sex denariis. Teste Rege apud Westm. 17 die Julii. *Per breve de Privato Sigillo.*

**R**EX omnibus ad quos, &c. salutem. Sciatis quod de pecunia proveniente *ibid. m. 14.*  
*De Decima Clero Angl. per Dominum Bonifacium Summum Pontificem de assensu nostro nobiliter imposita per tres annos, recepimus à venerabili patre R. London. Episcopo, & Magistro Bartholomæo de Ferentino Canonico London. Collectoribus ejusdem Decimæ, quadraginta libras, dilecto Clerico nostro Johanni de Drogheda custodi Garderobæ nostræ à prædictis Collectoribus nomine nostro liberatas. In cujus, &c. Teste Rege apud Westm. 29 die Julii.*  
*Per breve de Privato Sigillo.*

Consimiles literæ sunt de diversis pecuniarum summis infrascriptis; viz.

De mille marcis } Teste Rege apud Westm. primo die Augusti.  
 De quingentis marcis } *Per breve de Privato Sigillo.*

De ducentis sexaginta & decem & octo libris, decem & octo solidis, quatuor denariis, & uno obolo. Teste Rege apud Westm. 7 die Augusti.  
*Per breve de Privato Sigillo.*

De quadraginta & quinque marcis. Teste Rege apud Westm. 17 die Augusti.  
*Per breve de Privato Sigillo.*

De quingentis marcis }  
 De duobus millibus quingentis } Teste Rege apud Westm. 8 die Augusti.  
 & viginti libris } *Per breve de Privato Sigillo.*  
 De centum & quinquaginta libr. }  
 De septingentis libris }

**R**EX omnibus ad quos, &c. salutem. Sciatis quod de pecunia proveniente *ibid. m. 7.*  
*De Decima Clero Angl. &c. recepimus à venerabili patre R. London. Episcopo, & Magistro Bartholomæo de Ferentino Canonico London. & Collectoribus ejusdem Decimæ, centum et triginta et novem lib. septem solid. et novem denar. dilecto Clerico nostro Johanni de Drogheda custodi Garderobæ nostræ à prædictis Collectoribus nostro nomine liberatas. In cujus, &c. Teste Rege apud Westm. 14 die Octobris.*  
*Per breve de Privato Sigillo.*



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B.5. ch.4

An. 30 E. 1.

The King granted this Patent to the Gentlemen, Officers, Soldiours, and Clerks in *Gascoigne* who had lost their estates for him in the wars with *France*, for satisfaction of their losses and his Debts out of the Dismes granted to him by the Pope.

Pat. 30 E. 1. m.  
12. Pro ho-  
minibus de  
Vascon de  
Decima R.  
concessa eis  
assign.

**L**E Roy a tous ceus qui cestes lettres verront ou orront, saluz. Sachietz qe come nous soiems tenus en plusours e diverses dettes a aucuns gentieux hommes, e Clerz, e autres Souders de *Gascoigne*, qui nous ont servi en tens de nostre guerre de *Gascoigne* contre le Roy de *France*, tant par raison de provisions, qe nous pur la perte de leur terres, rentes, e benefices, leur avoms assignees, qe par raison des gages e de restor de Chevaux du tens de la dite guerre — sicom il piert plus pleinement per nos lettres overtes, e par les lettres de ceus qui ont tenu nostre lieu en *Gascoigne*, e des Clerz illoques assignez pur fere les despens e les accountes oir, les queles lettres ont este enroulees, ou seignuees per nos Clerz avantditz. Nous voillantz en le plus covenable maniere, quil nous semble quant a ore purveier a eux de fere paiement de dettes avantdites, grauntoms pur nous, pur nos heirs, e pur nos successeurs, e assignetz, a eux tout l'argent, e tout le profit, qe le tresaint Pere *Boniface* Papa utisme nous ad grantie de la Disme, qe ad novelement mise, e postez apprenz des biens des Eglises e de la Clergie de nostre Roiaume *Dengleterre*, e tout le droit, e tote la raison, que nous avoms ou pooms ou devons avoir en la dite Disme, e quanque poet issir, e avenir de la Disme desudite, en tout le dit Roiaume *Dengleterre*, en quel nous entendoms estre contenue tote la terre de *Gales*, a prendre e receivre per eux ou per leur Procurours, ausi enterement e en cele mesme forme e maniere, come nous le deberioms ou pozioms prendre dedens le Terme que sensuit; Cestassavoir, a deus anns continues & accompliz, qui devient comencer a la feste de Saint *Michel* prochainement avenir, en partie de paiement, e en amenuisement e rebatement des avantdites dettes. E voloms qe les dites purvoiances qe sont dues ove Lettres patentes de nostre Grant Seal jefques a la date de ces lettres, soient primes paiees; e le remenant soit departi entre les ditz Soudiers pur leur dettes de Gages, & de restor de Chevaux, Soutz pur Soutz, e Livre pur Livre, uncore leur grantoms qe tout quanque est a cuilles de la dite disme, jefques a la dite procheine feste Saint *Michel*, tant come apertient ou poet appartenir a nous, e qe per nous nad este assigne a autre persone leur soit baillie e assigne en accroissement du dit paiement. E promettons e grantoms a eux, pur eux pur leur heirs, e pur leur Successeurs, les quieux auront este, ou seront de nostre partie, qe nous feroms quil leur heirs e leur Successeurs, e leur Procurours prendront e recevront per tout le dit tens tout quanque nous, nos heirs, e nous successeurs deurioms ou porrioms prendre de la dite Disme; e de tout quanque de meisme la Disme purroit avenir, e qe ceo si mestiers estoit, leur emporteroms bone e ferme garrantie contre totes gentz. Estre ceo leur promettons a prestier sur les issues de la dite Disme, dedeinz le quinzain de la dite proschein Feste de Saint *Michel*, trois Mile Mars, pur avancement du dit paiement des purvoiances avantditz. E est asaver, qe ceo qe est arere des vint Mile Mars, qe nous leur avoms promis a paier sont contenuz en cest paiement. E pur ceo qil soient plus seurs des choses desudites nous promettons & obligoms a eux nous, nos heirs, touz nos successeurs, e touz nos biens per touz les lieux ou il soient, a garder, tenir, e complir totes les avantdites choses, e chescune de eles, e cele meisme chose, avoms fet graunter e promettre en bone foi a *Edward* nostre trescher fiz Prince de *Gales* tant come en li serra. Estre ceo les honorables Peres *Richard* Evesque de *Londres*, *Walter* Evesque de *Cestr*, e nos amez e foiaux *Henry* de *Lacy* Counte de *Nicole*, *Johan* fiz au Duc de *Bretaigne* nostre cher neveu, *Aymer* de *Valence* nostre cher Cousin, *Hugh* le *Dispencer* Chevalier, e *Johan* de *Drokenesford* nostre cher Clerk e Gardein de nostre Gardrobe, ont promis; Cestassavoir les ditz Evesques en leur foi, e les autres jure sur saintes Evangiles, qil seront e purchaceront a leur poer en bone foi, qe les avantdites choses e chescune de eles soient gardees, e acompliez, as ditz nos gentz e leur procurours. E nous avantditz *Edward* Prince de *Gales* per la volunte e l'assent nostre cher Seignour e Pere lavoms remis en la forme desudite, Evesques, Counte, *Johan* de *Bretaigne*, *Aymer* de *Valence*, *Hugh* le *Dispencer* e *Johan* de *Drokenesford*, a la requeste du dit nostre Seigneur le Roy avoms promis e promettons: Cestassavoir nous Evesques en nostre foi, et nous Counte, *Johan*, *Aymer*, *Hugh*, e *Johan* avantditz per nostre Serement

sur

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sur les saintz Euaristiles corpozement touchés, a gardir e accomplir en la manere de susdite tant come a nous assiert, e a nostre poer, totes les choses abantdites, e chescune de eles. **E** est nostre entendement qe ceus qui ont nos lettres overtes seles de nostre grant Seal de purvoiances, preignent de la paie desusdite; e autres qui ont lettres overtes de purvoiance d'autre Seal qe du nostre, riens ne preignent. En tesmoignance de quieux choses nous avoms fet fere cestes nos lettres overtes, seles de nostre grant seal. **E** nous *Edward* Prince de *Gales* ses filz, e nous *Evesques*, *Comte*, *Johan de Bretagne*, *Amyer de Valence*, *Hugh le Dispenser*, e *Johan de Drokenesford* avaunt ditz a la requeste e mandement du dit nostre Seignour le Roy, avoms ausint mis nos Seaus a cestes presentes lettres. Don, a *Loundres* le 16 jour *Danff*, L'an de nostre Regne Trentisme.

An. 30 E. 1.

**L**E Roy al honorable Pere en Dieu *Richard* par mesme la grace *Evesque* de *Lundres*, e a nostre ben ame *Maistre Bertelmew de Ferentyn* assignez a prendre e a recevoir la *Disme* des biens de la *Clergie* de nostre Roiaume abantdit, saluz. Come nous eoms grante per nos lettres overtes a nos amez & seaux gentiux hommes, *Clers*, e autres souders de *Gascoigne*, tout l'argent e tout le profit, qe la tres-saint Pere *Boniface* Pape utisme, nous ad grante de la *Disme* qil ad nobelment mise e pose apprenze des biens des *Eglises*, e de la *Clergie* de nostre Roiaume *Dengleterre*, e tout le droit, e tote la raison, qe nous avoms, ou pooms, ou devons avoir en la dite *Disme*, e quanque poer issir e avenir de la dite *Disme* en tout le dit Roiaume *Dengleterre*, en quel nous entendoms estre contenue tote la terra de *Gales*; a prendre e a recevoir per eux ou per leur procurours, ausi enterement, e en cele mesme forme e manere, come nous le deurioms prendre dedeinz le terme qi sensuit: Cest assavoir de la prochein feste de saint *Michel* qui vient a deuz anns prochein suains & accompliz, en partie de paie de aucunes dettres qe nous leur devons, sicome plus pleinement est contenu en nos lettres avaunt ditz, les queles il vous porront mostrer; Vous prioms e mandoms, qe as avant ditz gentiux hommes, e *Clers*, e autres *Souders*, ou a leur certains *Procurours* ou *Attornez*, liveretz e paieez en nostre noun, tout l'argent e le profit a nous appartenant de la *Disme* abantdit, ausi enterement, e a meimes les termes, come vous estoiez tenu de paie a la nous. E de ceo qe vous averetz paie a eux qua leur *Procurours*, dont vous averetz leur fovertes d'aquitance, tesmoignantz la receite de *Deniers* a eux per vous paieez, vous feroms avoir due allowance aquitance en vestre acunte. **E** avoms ordene e voloms qe a la paie fere soient *Johan de Sandale* e *Thomas de Canterigg*, ou l'un de eux, pur ordener la manere, coment la paie se doit fere. **E** voloms qe vous reteignetz a nostre oes des primer *Deniers* qe vous purretz aver de la dite *Disme* tres Mile *Mars*, qe nous avoms ordene de paie as avant ditz gentiux hommes, *Clers*, e autres *Souders* de *Gascoigne* hors de nostre Garderobe, a la quinzaine de ceste Saint *Michel* prochein avenir, de prest sur mesme la *Disme*. En Tesmoignance de queu chose nous avoms fet fere cestes nos lettres overtes seles de nostre Grant Seal. Don a *Westm*, le 16 jour *Danff*.

Pat. 30 E. 1. m. 12. De dicta Decima prefatis Valconibus solvenda.

† lettres

**R**EX omnibus ad quos, &c. salutem. Sciatis quod assignavimus dilectos Clericos nostros *Johannem de Sandale* & *Thomam de Cantebrieg*. vel alterum ipsorum, ad supervidendum solutiones per venerabilem patrem *R. Episcopum London*. & dilectum Clericum nostrum *Magistrum Bartholomaeum de Ferentino* Canonicum *London*. Collectores *Decimar* per Dominum *Bonifacium* Summum Pontificem Clero regni nostri *Anglia* de assensu nostro impositar, de *Denariis* de dicta *Decima* probenientibus, hominibus & creditoribus nostris de *Vascon*. juxta Concessionem nostram faciendas, & ad ordinandum quod predictae solutiones eisdem Creditoribus debito modo fiant. In cujus, &c. Teste Rege apud *Westm*. 17 die *Augusti*.

Ibid. m. 11. De supervidend. solutiones prefatis Valconibus faciend.

The King likewise assigned to them the Profits of all the Religious Aliens seised into his hands by reason of the French wars.

**L**E Roi, a touz ceus qui cestes lettres verront ou orront, saluz en nostre Seignar. Come nous eoms assigne per nos lettres overtes, seles de nostre grant Seal, as aucuns de nos amez e seaux gentiux hommes, e *Clers*, e autres de *Gascoigne*, Regem.

Ibid. De ex-tibusterr. alienigenarum in Angl. assign. hominibus de Vascon, per Regem.



*An. 30 E. 1.* *coigne*, certaines sommes de Deners a recevoir a nostre Eschequer per an, a deus termes, en noun de provision, per le reson de leur rentes e terres, qil ont perdu per la guerre qe ad este entre le Roy de France e nous, vous sesoms assavoir qe nous assignoms per cestes nos lettres overtes, totes les issues des terres e rentz des aliens religieux e autres dedeins nostre Roiaume Dangleterre, as avantditz gentieus hommes e Clerg e autres; Cestassavoir du tens avenir, apres la date de ces lettres en partie de paiement de leur provisions avantdites, a recevoir per les mains de *Johan de Sandale* e *Thomas de Cantebrygg* nos Clerg, ou un de eus; les queux nos avoms assigne a les dites issues cuillir e recevoir a nostre Eschequer; e as avantditz nos gentz de *Gascoigne*, e Clerg, e autres, sicome est avantdit, paier chescun an as termes per nous a eux assignez ausi enterement, come les dites issues ont este en tens passe leverz a nostre oes demeine, tant qe les dites gentz de *Gascoigne* serront par paiemens des provisions avantdites, solom la forme contenue en nos dites lettres de provisions a eux fetes. E voloms e commandoms qe les ditz nos Clerg a nous ne a null' autre fors qe seulement a les ditz nos gentz de *Gascoigne*, ou a leur procurours ne soient responantz desore enavant des dites issues, e qe a ceo fere e accomplir loiaument, soient juretz sur les Saintz Evangiles Dieu: E de ceo qil paieront as avantdites gentz de *Gascoigne* ou a leur Procurours, il reçoivent duwe *Acquittance* per leur lettres overtes. E promettons qe les avantditz nos Clerg, ne nul de eux ne remueroms hors de leur Office avantdit, sanz le gre e le assent de nos gentz de *Gascoigne* avantditz, ou de leur Procurours. En tesmoignance des queux choses nous avoms fet fere cestes nos lettres overtes, seleez de nostre grant Seal. Don, a *Wistm*, le 17 jour *Dunst*.

The Archbishop of *Dublin* residing in *England* from his Archbishoprick, the King issued this Writ for his Bailiffs to send moneys from thence to him into *England* for his support, giving security not to transport it elsewhere, notwithstanding his former Writs, that no money should be exported from thence, by which the return of his money from thence was stayed.

Cl. 30 E. 1.  
m. 13. Pro R.  
Archiep.  
*Dublin*.

**R**EX dilecto & fideli suo *Johanni Wogan*. Justiciario suo *Hibern*. vel ejus locum tenenti. Licet nuper ordinavimus, quod nulla bona moneta de nostro seu alterius *Cuneo*, extra potestatem nostram portaretur: mandaverimusque ordinationem illam in Terra nostra *Hibern*. firmiter observari: Intentionis tamen nostrae non extitit nec existit, quin hujusmodi moneta a praedicta terra in *Angliam* deferri potuisset: Et ideo vobis mandamus, quod Pecuniam de exitibus terrarum & tenementorum venerabilis patris *Richardi* Archiepiscopi *Dublin* in *Hibern*. per Ballivos suos ibidem, de mandato ipsius Archiepiscopi levatam & collectam, quam iidem Ballivi ad sustentationem praedicti Archiepiscopi in *Anglia* detulisse voluerunt, & quam occasione Ordinationis nostrae praedictae fecistis arectari; sicut ex querela ipsius Archiepiscopi accepimus, si eam occasione illa & non alia feceritis arectari, sine dilatione dearectari faciatis, & Ballivos praedictos eam in *Angliam* absque impedimento deferre permittatis; accepta prius ab eisdem Ballivis securitate, quod pecuniam illam alibi quam in *Angliam* ad praedictum Archiepiscopum non deferrent, seu deferri facient quoquo modo. Teste Rege apud *Lynliscu* decimo sexto die *Novembris*.

The King issued this Privy Seal for a Protection under his Great Seal to this Archbishop of *Dublin* and his Tenants in *Ireland* in as beneficial a manner as could be, without doing any wrong.

Bundela Bre-  
vium de Pri-  
vato Sigillo,  
*An. 30 E. 1.*  
in Turre Lon-  
don.

**E**Dward a meisme Chancelier, saluz. Nous vous mandoms qe a l' onourable Peere en Dieu R. Ercevesque de *Dyvelyn*, qui par nostre conge demoert en *Engleterre*, facez faire nos Lettres de Protection, pur li, pur ses hommes, ses terres, ses choses, ses rentes, & totes ses possessions en *Ireland* en ausi profitable fourme come nous lees pooms doner, sanz tort faire, meismes les lettres a durer pur un an. Donn souz nostre prive Seal a *Linliscu* le xiiij. jour de *Decembre*, l'an defusdit.

*Richard*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

*Richard de Ferariss* Archbishop of *Dublin* residing in *England*, during his Nonresidency from his Archbishoprick, made *Thomas de Chaddesworth*, (whose election the Pope had nulled) his *Vicar General*, to execute his office. After which being informed he was unable to discharge that office, or his own, by reason of infirmity and age, he writ these Letters to the Canons of *St. Patrick* and to him, to persuade him to relinquish his *Vicar General's* office, and recommend some other fit person to him, able to manage it; which Letters I found in a Parchment Scroll with others (interferred to defray the expenses of his Election, and take his accounts) in the *White Tower Chappel*.

An. 30 E. 1.

**R** *Icardus* permissione Divina *Dublinensis* Electus, discretis viris Canonicis in Ecclesia nostra Sancti *Patricii Dublin.* residentibus, vel eorum uni, salutem, &c. Cum nos à retroactis temporibus discretum virum Magistrum *Thomam de Chaddesworth* dictæ Ecclesiæ nostræ Sancti *Patricii Dublinensis* Decanum in Vicarium (ut vos scimus non latere) præfecimus generalem; ex insinuatione & delatione publica venientium de dictæ *Hibernia* partibus, qui non levis dicuntur opinionis intelleximus, eundem Magistrum *Thomam*, propter corporis sui debilitatem notoriam et ætatem suam decrepitam quasi, ad onera nostræ Vicariæ ac Spiritualitatis supportanda, nec (quod magis est) ad sui Decanatus regimen hiis diebus sufficere non valere; Vobis & vestrum cuilibet firmiter injungendo mandamus, quatinus de statu dictæ nostræ Vicariæ & Decanatus supportanda sufficiat in præsentem, & si pro honore & utilitate dictæ Ecclesiæ nostræ & bono statu ejusdem Decanatus recuperando parconomo indigeat seu custode; necnon, ut si insufficiens inveniatur, quis vel qui de fratribus vestris ad prædicta onera supportanda, idoneus vel idonei reputentur; nobis infra mensem, à tempore receptionis præsentium continuè numerandum, per literas vestras harum seriem continentes rescribatis; aut rescribat unus vestrum ad quem præsentem literæ fuerint præsentati, aliis (ut convenit) legitime convocatis. Datis, &c.

Bundela Bre-  
vium, &c. An.  
29 & 30 E. 1.  
in Turri  
London.

**R** *Icardus*, &c. Discreto viro Magistro *Thoma de Chaddesworth* Ecclesiæ nostræ Sancti *Patricii Dublin.* Decano, Vicario nostro generali, salutem, &c. De industria & fide vestra approbata, vestraque sollicitudine quam circa Vicariæ nostræ ac Spiritualitatis curam vobis per nos commissam gessistis ac geritis hiis diebus, vos merito commendamus; volentes ut voluntatem vestram inceptam diligentia vestra maturitas, si commodè fieri poterit, libentius exequatur. Sanè a temporibus regiminis curæ prædictæ vobis commissæ in eodem officio vos gratanter ministrasse (pro quo vos regratiamur in immensum) ac labores varios & incommoda ac alia gravamina non modica in jurisdictionem vestram conservandam sustinuisse invenimus: considerantes vos in senectute laudabili nunc existentes, cui labores, sollicitudines & gravamina hujusmodi non incumbunt, à cura & onere supradictis, si vestra placeat voluntati, et alium idoneum et fidelem per vos invenire poterimus, pro bono vestro, vellemus exonerare. Discretionem vestram nobis charam requirimus, quatinus voluntatem vestram in præmissis, si laborem prædictum, ut prius, velitis & possitis prout ipsius Vicariæ cura requirit continuare, vel omnino recedere ab eodem, & si hoc, quem nos ad eandem Vicariam admittere consulitis nobis infra — (tornè out) dies receptionis præsentium continuè numerand. nostris precibus & amore rescribatis. Dat, &c.

The King out of his charity granted this protection and Patent to collect Almes to the Prior of *St. Briget* in *Vercelles* in *Lumbardy*.

**R** EX Archiepiscopis, Episcopis, Abbatibus, Prioribus, & omnibus Ballivis & aliis Christi fidelibus in *Hibernia* ad quos præsentem Literæ pervenerint, salutem. Cum dilectus nobis in Christo Prior Hospitalis Sanctæ *Brigide de Vercellis* in *Lumbardia* mittat *Thomam de Latymer* Clericum suum ad partes prædictas pro Elemosinis ad sustentationem pauperum in Hospitali prædicto commorantium colligendis; Nos ad requisitionem *Edwardi* Principis *Wallia* & Comitissæ *Cestria* filii nostri karissimi, suscepimus ipsum *Thomam* & alios Attornatos quos ad hoc substituere voluerit in protectionem & defensionem nostram specialem, vobis, & Ballivis nostris præcipientes,

Cl. 30 E. 1.  
m. 16. intus.  
De Protectione  
pro Priore  
Hospitalis S.  
Brigide Vir-  
ginis de Ver-  
cellis in Lum-  
bardia.



res, quod manuteneatis, protegatis & defendatis prædictum *Thomam* & substitutos ejusdem in hac parte, non inferentes, seu inferri permittentes eisdem injuriam, molestiam, dampnum aut gravamen. Et si quid eis torisfactum fuerit, id eis sine dilatione faciatis emendari. Vos etiam Prælatos rogamus, quatinus cum idem aut substituti sui ad loca vestra, pro hujusmodi elemosinis petendis & colligendis accesserint benignè in Ecclesiis vestris recipientes eosdem ipsos in eisdem Ecclesiis admonere populum & elemosinas liberè querere permittatis, & eidem *Thoma* & substitutis suis ad hujusmodi elemosinas in vestris Dioc. sic deputatis, petendas & colligendas literas vestras convocatorias liberaliter concedere velitis, pro quo a Deo præmium & à nobis grates mereamini reportare. In cujus, &c. per biennium duratur. Teste Rege apud *Westm.* 22 die *Julii*.  
Per ipsum Regem.

What Licenses and royal assents the King by his Ecclesiastical Sovereignty gave this year to Bishops, Abbots, and others in *Ireland*, these Records will inform us.

Pat. 30 E. 1.  
m. 6. intus.  
De assensu  
Regis adhib.  
& Temporalibus restitu-  
end in Hibern.

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo in *Hibern.* vel ejus locum tenenti, salutem. Cum dilecti nobis in Christo Prior & Conventus beate *Marsæ de Keul.* nobis per literas suas patentes significaverint, quod Ecclesia sua prædicta per resignationem fratris *Roberti* quondam Abbatis illius loci, pastoris est solatio destituta; supplicantes nobis, prout moris est, quod licentiam sibi alium eligendi in Abbatem, eisdem concedere dignaremur; ac nos præcibus eorundem Prioris & Conventus in hac parte favorabiliter inclinari, licentiam illam eis durissimè concedendam; mandantes ipsis quod talem sibi eligant in Abbatem & Pastorem, qui Deo devotus, regimini Ecclesie sue necessarius, nobisque et terræ nostræ *Hibernie* utilis et fidelis existat: Nos eorundem Prioris & Conventus laboribus & expensis in hac parte parcere volentes ista vice, concessimus eis de gratia nostra speciali, & vobis dedimus potestatem, quod facta electione prædicta de futuro Abbate, (sicut prædictum est) eidem Electioni, cum Electus hujusmodi per Priorem & Conventum dictæ Ecclesie vobis fuerit præsentatus, assensum Regium vice nostra præbeatis: significantes loci Diocesano, quod id quod suum est in hac parte exequatur. Volumus etiam & vobis dedimus potestatem, quod si contingat Electionem hujusmodi per loci Diocesanum canonicè confirmari, & vobis per literas ejusdem Diocesani inde constiterit, tunc accepta ab eodem Electo fidelitate in casu isto nobis debita, Temporalia ejusdem Abbatie eidem Electo, prout moris est, liberetis vice nostra; Receptis prius ab eodem Electo literis suis patentibus, sigillo suo necnon sigillo Capituli sui signatis, quod hæc gratia nostra, quam eidem Electo ad præsens et mera liberalitate nostra concessimus, nobis vel hæredibus nec cedat in præjudicium vel exheredationem, seu trabatur in consequentiam temporibus futuris. In cujus, &c. Teste Rege apud *Westm.* 24 die *Octobris*.

Per ipsum Regem.

Ibid. m. 7.  
De Assensu  
Regio.

**R**EX venerabili in Christo Patri *R.* eadem gratia Archiepiscopo *Dublin.* salutem. Sciatis quod Electioni nuper celebratæ in Ecclesia Cathedrali *Offoren.* de discreto viro Magistro *Willielmo* filio *Johannis* Canonico ejusdem Ecclesie in Episcopum illius loci, Regium assensum adhibuimus et favorem; Et hoc vobis tenore præsentium significamus, ut quod vestrum est in hac parte exequamini. In cujus, &c. Teste Rege apud *Westm.* 18 die *Octobr.*

Ibid. m. 6. De  
temporalibus  
in Hibern.  
restitut.

**R**EX præfato Justic. vel ejus locum tenenti, salutem. Cum electioni nuper celebratæ in Ecclesia Cathedrali *Offoren.* de discreto viro Magistro *Willielmo* filio *Johannis*, Canonico ejusdem Ecclesie, in Episcopum illius loci Regium assensum adhibuimus et favorem; & hoc venerabili Patri *R.* Archiepiscopo *Dublin.* per nostras patentes literas significaverimus, ut quod suum est in hac parte exequatur; Volentes ipsius Electi laboribus & expensis in hac parte parcere ista vice. Concessimus ei de gratia nostra speciali, et vobis dedimus potestatem, quod si contingat dictam electionem per præfatum Archiepiscopum canonicè confirmari, & vobis per literas ejusdem Archiepiscopi inde constiterit, tunc accepta ab eodem Electo fidelitate in isto casu nobis debita, Temporalia Episcopatus prædicti eidem Electo fide-

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fidelitate in isto casu nobis debita, Temporalia Episcopatus prædicti eidem Electo, prout moris est, liberetis vice nostra; Receptis prius ab ipso Electo literis suis patentibus, &c. ut supra. Teste Rege ut supra.

*Per ipsum Regem.*

**R**EX omnibus ad quos, &c. salutem. Sciatis quod dedimus & concessimus dilecto Clerico nostro Magistro *Thoma Cantok* Præbendam de *Molaghymon* in Ecclesia *Cassalen*, in *Hibernia*, vacantem & ad donationem nostram spectantem, ratione Archiepiscopatus *Cassalen*, vacantis, & in manu nostra existentis. Habend. cum suis juribus & pertin. quibuscunque. In cujus, &c. Teste Rege apud *Westm.* 15 die *Augusti*.

*Per ipsum Regem. Nuke. Ottone de Grandisfono. dupl.*

Et mandatum est Decano & Capitulo Ecclesie, quod eidem Magistro *Thoma* stallum in Choro & locum in Capitulo ratione Præbendæ prædictæ (prout moris est) assignent. Teste ut supra.

Consimiles literæ sunt Magistro *Johanni Cantok* de Præbenda de *Kylardry* in Ecclesia prædicta vacante, ut supra. Teste ut supra, &c.

Et mandatum est Decano & Capitulo Ecclesie prædictæ, quod eidem Magistro *Johanni* stallum in Choro, &c. ut supra. Teste Rege ut supra.

**R**EX Electioni nuper celebratæ in Ecclesia Cathedrali *Lymer*, de discreto viro Magistro *Roberto de Dundosnyld* Canonico ejusdem Ecclesie in Episcopum illius loci, Regium assensum adhibuit et favorem. Et hoc Custodi Spiritualitatis Archiepiscopatus *Cassalen*, sede vacante, significatum est, ut quod suum est in hac parte exequatur. In cujus, &c. Teste Rege apud *Westm.* 30 die *Julii*.

Pat. 30 E 1;  
m. 13. De  
Præbendis da-  
tis, Hibern.  
Regio.

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* vel ejus locum tenenti, salutem. Cum nos Electioni nuper celebratæ in Ecclesia Cathedrali *Lymer*, de discreto viro Magistro *Roberto de Dundosnyld* Canonico ejusdem Ecclesie in Episcopum illius loci, Regium assensum adhibuimus et favorem, & hoc Custodi Spiritualitatis Archiepiscopatus *Cassalen*, sede vacante, per nostras patentes literas significaverimus, ut quod suum est in hac parte exequatur; Volentes ipsius Electi laboribus & expensis in hac parte parcere ista vice, concessimus ei de nostra gratia speciali, et vobis dedimus potestatem, quod si contingat dictam electionem per præfatum Custodem Spiritualitatis canonice confirmari, & vobis per literas ejusdem Archiepiscopi inde constiterit, tunc accepta ab eodem Electo fidelitate, in isto casu nobis debita, Temporalia Episcopatus prædicti eidem Electo, prout moris est, liberetis vice nostra. Receptis prius ab ipso Electo literis suis patentibus sigillo suo, necnon et sigillo Capituli sui signatis, quod hæc gratia nostra quam eidem Electo ad præsens ex mera liberalitate nostra concessimus, nobis vel heredibus nostris non cedat in præjudicium vel exheredationem, seu trahatur in consequentiam temporibus futuris. In cujus, &c. Teste Rege ut supra.

Ibid. De Tem-  
poralibus in  
Hibern. retin-  
tend.

*Per ipsum Regem.*

**M**agistri *Mauricius* fil. *Mauricii*, & *Arnaldus de Burdens* Canonici Ecclesie *Limericæ*, nunciantes Regi mortem *G.* nuper Episcopi illius loci, habent li-  
teras Regis de licentia eligendi. In cujus, &c. Teste Rege apud *S. Albanum* 9.  
die *April.*

Ibid. m. 26.  
De licentia  
eligendi.

*Per breve de Privato sigillo.*

**R**EX venerabili in Christo Patri *S.* eadem gratia Archiepiscopo *Cassalen*, salutem. Sciatis quod electioni nuper celebratæ in Ecclesia Cathedrali *Korkagen*, de discreto viro *Johanne Mackerwil* Decano ejusdem Ecclesie in Episcopum illius loci, Regium assensum adhibuimus et favorem: Et hoc vobis tenore præsentium significamus, ut quod vestrum est in hac parte exequamini. In cujus, &c. Teste Rege apud *Chartham* 11 die *Junii*.

Ibid. m. 21.  
De assensu  
Regio.

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo in *Hibern.* salutem. Cum nos Electioni nuper celebratæ in Ecclesia Cathedrali *Corkagen*, de discreto viro *Johanne Mackerwil* Decano ejusdem Ecclesie in Episcopum illius loci, Regium assen-

De Temporal.  
in Hibern. re-  
stituend. si E-  
lectio confir-  
metur.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B.5. ch.4*

An. 30 E. 1. *sum adhibuimus et favorem, & hoc venerabili patri S. Archiepiscopo Cassanen. per nostras literas, &c. (ut supra, pro Episcopo Lymer.) Teste ut supra.*

Pat. 30 E. 1.  
m. 30. Pro  
J. de Hothum  
Clerico Hib.

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* salutem. Promotionem dilecti Clerici nostri *Johannis de Hothum* suis exigentibus meritis, affectantes, ipsam ad Beneficium Ecclesiasticum valoris sexaginta marcarum per annum ad minus, ad nostram presentationem spectans, quamprimo hujusmodi Beneficium in terra nostra predicta vacare contigerit, nostro nomine presentandi, vobis plenam committimus tenore presentium potestatem. Et ideo vobis mandamus, quod prefatum Johannem ad hujusmodi Beneficium nostro nomine presentetis, quamcito ad hoc optulerit se facultas. In cujus, &c. Teste Rege apud *Rokesburgh* 16 die *Februarii*.

*Per Petitionem missam ad Regem.*

\* Placita Parl.  
Anno 30 E. 1.  
nu. 1. See Ry-  
ley, p. 231, &c.  
Mr. Cambden  
Britannia, p.  
312, 313. Sir  
Idw. Cooks  
1 Instit. f. 32.  
Sc 2 Instit. p.  
435: 436.

In the Parliament of 30 E. 1. there happened this memorable case. \* *William Paynel* and *Margaret* his wife, petitioned the King in the 28th. year of his reign for the third part of the Mannor of *Torpel*, with the appurtenances, as her Dower, belonging to her as the Freehold of *John de Cameys* her first husband, &c. Et *Nicholaus de Warrewyk*, qui pro Domino Rege sequebatur, tunc dixit, quod predicta *Margareta* non debuit inde dotem habere, nec ad aliquam dotem inde petendam audiri debeat vel admitti, eo quod ipsa per longum tempus ante mortem dicti *Johannis* quondam viri sui, &c. sponte ac gratis de eodem viro suo recessit, & cum prefato *Willielmo* tunc viro suo vivente predicto *Johanne* in adulterio mozam traixit, nec ante mortem ipsius *Johannis* per ipsum Johannem reconciliata fuit: per quod juxta formam statuti Domini Regis nunc editi, de mulieribus se a viris suis elongantibus, et cum adulteris suis mozantibus, & ante mortem virorum suorum sponte et absque coercione Ecclesiastica non reconciliatis; prefata *Margareta*, a petitione sua predicta totaliter debet repelli, & petit Judicium pro Rege, &c. Et super hoc prefati *Willielmus* & *Margareta* protulerunt quoddam scriptum factum sub nomine predicti *Johannis de Cameys* primi viri, &c. in hac verba. Omnibus Christi fidelibus ad quos presens scriptum pervenerit, *Johannes de Cameys* filius & haeres Domini *Richardi de Cameys*, salutem in Domino. Roberitis me tradidisse et dimisisse spontanea voluntate mea Domino *Willielmo Paynel* equiti, *Margaretam de Cameys*, filiam & heredem Domini *Johannis de Gatesdon* uxorem meam, et etiam dedisse et concessisse eidem *Willielmo*, relaxasse et quietum clamasse omnia bona et catalla quae ipsa *Margareta* habet, vel de cetero habere posset, et etiam quicquid mei est de predicta *Margareta* bonis et catallis cum pertinentiis suis. Ita quod nec Ego, nec aliquis alius nomine meo in predicta *Margareta*, bonis et catallis ipsius *Margareta*, cum suis pertinentiis de cetero exigere vel vindicare poterimus nec debemus; imperpetuum volo et concedo, et per presens scriptum confirmo, quod predicta *Margareta* cum predicto Domino *Willielmo* sit et remaneat pro voluntate ipsius *Willielmi*. In cujus rei testimonium huic presenti scripto sigillum meum apposui, Hiis testibus, *Thoma de Depeston*, *Johanne de Ferringes*, *Willielmo de Icombe*, *Henrico de Biron*, *Stephano Caver*, *Waltero le Blound*, *Gilberto de Batcombe*, *Roberto de Bosco*, & aliis. Et dixerunt, quod eadem *Margareta* in forma in dicto scripto contenta cum ipso *Willielmo* mozam fecit, et ex assensu et voluntate *Johannis* tunc viri ipsius *Margareta* vivente ipso *Johanne*, et ex traditione et dimissione ejusdem *Johannis*, prout expresse per verba in eodem scripto contenta Domino Regi et Coronae suae constare potuit, et non cum eodem *Willielmo* ut adultero suo. Et super hoc petterunt Judicium. Et tunc dictum fuit eisdem *Willielmo* & *Margareta*, quod essent ad proximum Parliamentum futurum audiri inde judicium suum, &c. Postea ad proximum Parliamentum sequens, videlicet, ad Parliamentum Domini Regis apud *Lincolniam* in Octabis Sancti *Hilarii* anno regni nostri 29. predicti *Willielmus* & *Margareta* per attornatum suum venerunt & instanter petierunt dotem ipsius *Margareta* predictam; & datus fuit dies eisdem ad proximum Parliamentum sequens, &c. Postea ad proximum Parliamentum ipsius Domini Regis sequens, videlicet apud *Westm.* in Octabis Sancti *Johannis Baptistae* anno regni sui 30. venit predictus *Willielmus* & similiter predicta *Margareta*, per quendam *Walterum de Blound* attornatum ipsius *Margareta*, coram *Johanne de Abel* per breve Domini Regis factum, & petierunt

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petierunt prædictam dotem ipsius Margarete in forma prædicta, &c. Et super hoc, *An. 30 E. 1.*  
 recitata coram ipso Domino Rege et Consilio suo in pleno Parlamento, respon-  
 sione pro Domino Rege superius facta, & etiam audito & intellecto tenore scripti prædicti  
 per ipsos Willielmum & Margaretam prius porrecti, & similiter lecto, audito & in-  
 tellecto statuto prædicto per ipsum Dominum Regem & Consilium suum facto, & pro ipso  
 Domino Rege allegato, & in quo expresse continetur, \* Quod si uxor sponte relin-  
 quit virum suum, & abierit & moretur cum adultero suo, amittet imperpetuum actio-  
 nem petendi dotem suam quæ ei competere posset de ten. viri sui, si super hoc  
 convincatur, nisi vir suus sponte & absque coercionem Ecclesiasticam eam sibi recon-  
 ciliat, & secum cohabitare permittat. *Ipsi Willielmus & Margareta tunc dixerunt,*  
 quod per patriam verificare parati fuerunt, quod prædicta Margareta non mora-  
 batur cum ipso Willielmo ut adultero suo, vivente prædicto Johanne primo viro suo,  
 & c. nec aliquid aliud dixerunt. Et quia ipsi Willielmus & Margareta dedicere non  
 potuerunt, quin ipsa Margareta vivente prædicto Johanne primo viro suo abiret, & cum  
 prædicto Willielmo moram faceret, virum suum, videlicet Johannem prædictum, em-  
 nino relinquenda, & sponte, ut patet manifeste, cum ipsa Margareta in vita ipsius Jo-  
 hannis nunquam per se vel per alium, in aliquo aut alio modo reclamavit, nec adhuc  
 reclamavit. Immo primam voluntatem suam spontaneam declarando, & affectionem ver-  
 sus ipsum Willielmum vivente prædicto Johanne conceptam continuando, eidem Willi-  
 elmo post mortem ejusdem se nubere permisit, nec eidem Willielmus & Margareta  
 aliquid dicunt seu ostendunt per quod Curia certiorari potest, quod præfatus Johannes  
 primus vir suus tempore suo eam reconciliavit aliquo modo: Et per scriptum prædictum  
 per ipsos Willielmum & Margaretam porrectum expresse apparet, quod eadem Mar-  
 gareta tempore prædicti Johannis ex dimissione et traditione sua cum dicto Willi-  
 elmo imperpetuum remansura concessa fuit. Nec est necesse Curia Regis ad In-  
 quisionem patriæ capiendam super hiis qua prius dedicere non potest, & Curia appa-  
 rent manifeste, seu super hiis qua per partem \* implacitando proponuntur & conceduntur.  
 Ac sit verisimile potiusque præsumendum, & in Curia Regis & alia quacunque magis  
 est credendum, quod ex quo uxor alienius vivente marito suo cum aliquo alio viro  
 moram sponte faciat, in nullo reclamando vel contradicendo, quod in adulterio  
 jaceat, quam alio modo debito aut legitimo; et maxime ubi rationem uxoris tanta  
 postea prosequitur spontaneæ voluntatis declaratio, quod nuptiæ post mortem  
 mariti inter eosdem subsequuntur, nec ad Coronam Regis pertineat super adulterio  
 Inquisitionem patriæ capere: videtur Curia, quod non est necesse contra tantas  
 et tam manifestas evidencias præsumptiones, probationes, et præfati Willielmi  
 & Margarete concessionem, ad aliquam Inquisitionem patriæ capiendam procedere  
 in forma prædicta, qua dicti Willielmus & Margareta eum prætendunt. Immo quod  
 prædicta Margareta per formam statuti prædicti, ad dotem suam petendam admitti  
 non debet seu audiri, rationibus prædictis. Et ideo consideratum est, quod prædicti  
 Willielmus & Margareta nichil capiant per petitionem suam prædictam, set sint in  
 misericordia pro falso clamore.

\* Quadam alia littera per ipsos Willielmum & Margaretam in iudicio porrigebantur, \* Placita Parl.  
 tres videlicet, quarum duæ fuerunt de purgatione ipsorum Willielmi & Margarete  
 super crimen Adulterii sibi impositi, & tertia fuit de quodam annuo redditu viginti  
 quatuor marcarum. Et quarum transcripta remanent in Garderoba, & de quibus litteris  
 in iudicio isto non fit mentio, eo quod ad iudicium istud multum non pertinet.  
 Nec super testimoniis Episcoporum sunt iudicia in Curia Regis facienda, licet  
 litteræ Episcoporum in Curia Regis fuerint porrectæ, nisi iidem Episcopi ad man-  
 datum Regium ipsi Regi rescriberent, &c. *An. 30 E. 1.*  
*See Ryly, p. 233.*

From which memorable Case, and Judgement in full Parliament (the first I finde  
 given upon the Statute of *Westm. 2. c. 34. Anno 13 E. 1.*) after long deliberation  
 and debate, and the proceedings in it, I shall observe; 1. That the King and Par-  
 liament themselves prescribed and inflicted this penalty on Adulterous Wives, de-  
 parting from their Husbands and living with others in adultery, that they should  
 lose their Dowers unless they were reconciled to their Husbands, and returned to  
 them before their deaths. 2ly. That the Bishops and Ecclesiastical Courts being  
 apt to favour Adulteresses, and to enforce their Husbands by Ecclesiastical censures  
 to receive and cohabit with them, notwithstanding their adulteries with them and  
 others, the King, Lords and Commons in Parliament specially provided, that this



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4*

*An. 30 E. 1.* forced reconciliation should not enable them to demand or receive Dowers out of their Husbands Freeholds. 3ly. That Certificates and Letters of Purgations made by such Adulteresses before the Bishops, (which were usually partial in the Adulteresses behalf) were never admitted or allowed as evidences in the Parliament or Kings Courts, to acquit them from their adultery and forfeiture of their Dowers by vertue of this Act. 4ly. That where any matter of fact, crime or elopement appears evidently to the Court by the parties own plea, evidence, confession, or shewing, it shall not be referred to a Tryal by Jury, or any others Certificate. 5ly. That the Husbands deed, grant and consent to his Wives elopement and cohabitation in adultery with another, doth no way justifie her elopement or adultery, nor enable her to claim her Dower, against the provision of this Act. 6ly. That though our Bishops and Ecclesiastical Courts then claimed and exercised Jurisdiction in causes of Matrimony and Adultery in some cases, by the grant or connivance of the King or Parliaments, yet they would no wayes admit thereof in cases of elopement, in reference to the recovery or forfeiture of Dowers, referred wholly to the Kings Temporal Courts, Judges, and High Court of Parliament: Nor of Bishops voluntary Certificates, but where the King and his Courts commanded them to certifie by special Writs.

Placita An. 39  
& 30 E. 1. in  
Turre Lond.  
Rot. 64 Midd.

In the Plea Rolls, or *Placita Term. Sancti Michaelis Anno vicefimo nono Ed. primi, incipiente tricesimo*, I found this Action and Declaration of the Earl of Lancaster against the Archbishop of Canterbury, for suing him in Court Christian for divers Castles, Mannors, Lands and Rents, and adjorning him upon an Appeal thereon into the Court at Rome, against the Kings Prohibition, Crown and Dignity, to his damage of One Hundred Thousand Pounds, in pursuance of the \* *premissa Writs*.

\* See here, p.  
902, 903.

**R**obertus Archiepiscopus Cantuariensis attachiatus fuit ad respondendum Thomæ Comiti Lancastrie, de placito, quare cum placita de laicis feodis in regno Regis, ad Coronam et dignitatem Regis specialiter pertineant; Idem Archiepiscopus simul cum Magistro Roberto de Ros Canonico Ecclesie Sancti Pauli London. et Magistro Johanne de Bedeford Archidiacono London. de castris, villis, maneris, terris, pratis, pascuis, nemoribus, et redditibus, ac aliis butasmodi feodis ipsius Comitis in regno Regis tenerent placitum in Curia Christianitatis; in laesionem Coronæ et dignitatis ipsius Regis, et grave dampnum ipsius Comitis, et contra Prohibitionem, &c. Et unde idem Comes per attornatum suum queritur, quod prædictus Archiepiscopus summonire fecit ipsam Comitem in Castro Leycestrie per Archidiaconum Leycestrie, & in Manerio de Hegham in Com. Norht. per Archidiaconum Norht. & in Castro de Kenilworth in Com. Warr. per Officialem ejusdem loci, quod esset coram ipso Archiepiscopo et prædicto Magistro Roberto & Johanne Commissariis ipsius Archiepiscopi apud London. in Ecclesia Sancti Pauli London. in crastino Sancti Georgii anno Regis nunc vicefimo nono, ad respondendum Johanni de Ferariis de laicis feodis, &c. scilicet, de Castro de Tuttebury, Maneris de Barton, Rolleston, Willis de Tatenhull & Marchynton, terris, pratis, pascuis, nemoribus et redditibus eorundem Maneriorum et Villarum in Com. Staff. et Maneris de Hegham Ferers, & Russinden in Comitatu Norht. Maneris de Duffield & Beurepeyr in Com. Derb. et Castro de Lyverpoll, Maneris de Westderby & Salford, nemoribus de Toxthad, Croxthad, & Simondeswode in Com. Lancastrie. Et quod prædictus Archiepiscopus per se, et prædictos Magistros Robertum & Johannem Commissarios suos, tenuit inde placitum in Ecclesia prædicta die et anno prædictis in Curia Christianitatis, ad prosecutionem prædicti Johannis de Ferariis. Ac idem Comes postmodum die Veneris proxima ante festum Sancta Trinitatis eodem anno, per quendam Richardum de Staunton nuncium ipsius Comitis apud Wechyndon in Com. Gloucestrie, liberasset prædicto Archiepiscopo Regiam Prohibitionem, ne prædictum placitum teneret, &c. in presentia Richardi de Crupys, Richardo de Staunton, & Nicholai Clerici de Kenilworth, prædictus Archiepiscopus contra Prohibitionem Regis, nichilominus placitum tenuit per se et prædictos Commissarios suos in Ecclesia Sancti Pauli prædicta, die Martis proxima post festum Sancta Trinitatis, & die Mercurii proxima post festum Nativitatis Sancti Johannis Baptistæ proximè sequentibus, in presentia Radulphi

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

Radulphi de Sandwico *custodis Turris London.* & Eliz Russell *Majoris Civitatis An. 30 E. 1.*  
London. & aliorum. Et clausis ostiis *prædicta Ecclesia* quendam Magistrum Thomam  
de Teshunte *Procuratorem ipsius Comitis ibidem eodem die Mercurii detinuit,* quous-  
que quædam appellatio facta in eodem placito ex parte prædicti Johannis de Ferariis  
perlecta fuit, et dies inde partibus per prædictum Archiepiscopum & prædictos Commis-  
sarios suos præfixus in Curia Romana, proximo die Juridico post festum Sancti  
Michaelis proximo sequente, in lectionem Cozonæ, &c. et contemptum Domini Re-  
gis, &c. et contra prohibitionem, &c. Unde dicit, quod deterioratus est et damp-  
num habet ad valentiam \*Centum Milie Librarum. Et inde producit scilicet.

\* Nota.

Et Robertus Archiepiscopus per Attornatum suum venit & defendit vim & injuri-  
am quando, &c. Et bene defendit, quod ipse nunquam tenuit placitum in Curia  
Christianitatis de aliquibus Castris, Villis, Maneris, terris, pratis, pascuis, ne-  
mozibus, redditibus, nec aliquibus aliis laicis feodis contra prohibitionem, &c. si-  
cut prædictus Comes Lancastrie queritur; et de hoc ponit se super patriam, et Comes  
Lancastrie similiter. Et quia prædictus Comes queritur, quod prædictus Archiepisco-  
pus per se & prædictos Commissarios suos tenuit prædictum placitum apud London. Præ-  
ceptum est Vicecomiti London. quod venire faciat hic a die Sancti Martini in 15 dies  
12. &c. per quos, &c. Et qui nec, &c. Quia tam, &c.

Robertus Archiepiscopus Cantuariensis in misericordia pro pluribus defaltis, ibidem dorso  
&c. as before.

Præceptum fuit Vicecomitibus London. quod venire facerent hic ad hunc diem 12. tam  
Cives quam alios liberos & legales homines de Civitate London. quorum, &c. per quos, &c. et qui nec Thomam Comitem Lancastrie nec Robertum Archiepiscopum Cantuar.  
aliqua, &c. ad recognoscendum, &c. si prædictus Archiepiscopus per se & Magistrum  
Robertum de Ros Canonicum Ecclesie Sancti Pauli London, Magistrum Johannem  
de Ford Archid. London. Commissarios suos, die Martis prox. post festum Sanctæ  
Trinitatis, et die Veneris proxima post festum Nativitatis Sancti Johannis Baptistæ, An-  
no Domini Regis nunc vicesimo nono, in Ecclesia Sancti Pauli London. tenuit placi-  
tum de catallis et debitis quæ non sunt de Testamento vel Patrimonio, ad sectam  
Johannis de Ferariis, videlicet de viginti milibus libris de exitibus Castri de Tutte-  
bury, Maneriorum de Barton & Rolleston, Villarum de Tatenhull & Marchynton  
cum pertinentiis in Com. Staff & Maneris de Hegham Ferers & Russindon in Com.  
North. Maneriorum de Duffeld & Beurepyre in Com. Derb. & Castri de Lyverpol  
& Maneriorum de Westderby & Salford in Com. Lanc. contra prohibitionem, &c.  
sicut prædictus Comes dicit, vel non, &c. Et Vicecomes nichil inde fecit, sed mandavit,  
quod breve ad id tardè, &c. Ideo sicut alias præceptum est Vicecomiti, quod venire fa-  
ceret hic in Octabis Sancti Hillarii 12. &c. per quos, &c. Et qui nec, &c. ad recog-  
noscendum in forma prædicta, &c. Quia tam, &c. et unde, &c.

Præceptum fuit Vicecomitibus London. quod venire facerent hic ad hunc diem 12. ibidem.  
tam Cives, &c. de Civitate London, quorum, &c. per quos, &c. et qui nec Thomam  
Comitem Lanc. nec Robertum Archiepiscopum Cantuariensem aliqua, &c. ad recog-  
noscendum, &c. si prædictus Archiepiscopus per se et Magistrum Robertum de Ros  
Canonikum Ecclesie Sancti Pauli London, eo Magistrum Johannem de Bedesford  
Archidiaconum Londoniensem, Commissarios suos, die Martis proxima post festum  
Sanctæ Trinitatis, & die Mercurii proxima post festum Nativitatis Sancti Johannis  
Baptistæ anno Regis nunc vicesimo nono, tenuit placitum in Ecclesia Sancti Pauli Lon-  
don de laicis feodis prædicti Comitis ad sectam Johannis de Ferariis, videlicet de  
Castro de Tuttebury, Maneris de Barton & Rolleston, &c. as before in the Decla-  
ration. What Judgement or Verdict was given therein I finde not.

In the same Plea Roll, I finde this Declaration for another Plea held and prose-  
cuted for Goods and Chattels in Court Christian, against the Kings Prohibition.

Ricardus Persona Ecclesie de Brayton Beauchamp attachiatus fuit ad responden-  
dum Domino Regi de placito, quare cum placita de catallis et debitis in regno  
Anglæ quæ non sunt de Testamento vel Patrimonio, ad cozonam et dignitatem  
Domini Regis specialiter pertineant; Idem Ricardus (sicut ex relatu plurium accep-  
sit Rex) secutus est placitum in Curia Christianitatis de catallis et debitis Abba-  
tis Sancti Nicholai Andegaviz quæ non sunt de Testamento vel Patrimonio, in

Placita Anno  
29 & 30 E. 1.  
Bock. Rot 67.



*An. 30 B. 1.* lationem Coronæ et Dignitatis Regis, et contra prohibitionem Domini Regis, &c. Et unde Dominus Rex per Egidium de Kirkeby qui sequitur pro eo queritur, quod cum predictus Ricardus traxisset ipsum Abbatem in placitum in Curia Christianitatis coram Decano de Arcubus London. in Ecclesia beata Mariæ de Arcubus, &c. exigendo ab eodem Abbate sex quarteria frumenti et decem libras argenti, quæ non sunt de Testamento vel Patrimonio, &c. Et idem Abbas die Lunæ proximo post festum sancti Thomæ Apostoli, anno regni Regis nunc vicefimo nono apud Drayton Beauchamp in aula predicti Ricardi, in presencia Thomæ le Provost et Simonis le Warner predicti Ricardo Regiam Prohibitionem per Ricardum Neot nuncium ipsius Abbatis liberasset, ne idem Ricardus Persona Ecclesiæ predictæ predictum placitum in præfata Curia Christianitatis, contra prohibitionem Regis sequeretur: ipse tamen, &c. secutus est, &c. in contemptum Domini Regis centum librarum, &c.

*Et Ricardus persona, &c. venit et defendit vim et injuriam, &c. Et bene defendit, quod ipse nunquam secutus fuit predictum placitum in Curia Christianitatis contra prohibitionem Domini Regis, &c. Et de hoc ponit se super patriam, &c. Ideo preceptum est Vicecomiti quod venire faciat hic à die Sancti Hillarii in 15 dies 12. &c. per quos &c. Quia tam, &c.*

<sup>a</sup> Flores Hist. An. 1301, p. 417. See Joan. Balz. Scrip. Brit. Cent. 4 p. 358.

<sup>b</sup> Hist. Angliz, p. 48.

<sup>\*</sup> See Platina, Cresp. & Balz. in Bonifacio 8. Cent. Magd. 13 c. 10. col. 1016, 1017. John de Serres, and Grimstons Gen. Hist. of France, p. 135, 136.

I shall conclude this Year and Chapter, with the memorable high publike contests which happened between King Philip of France, and Pope Boniface the 8. evidencing his Antichristian usurpations, arrogance, pride, insolency, treachery, tyranny, both by his Speeches, Letters, Nuncios, actions, censures, thus briefly expressed by Matthew Westminster our Monkish Historian, <sup>a</sup> *Hoc Anno (1301) orta est dissensionis materia inter Papam et Regem Franciæ, utroque confidente de sua potentia magna; ita ut Dominus Papa diceret Nuncio Regis Francorum, Petro de Flote, Nos habemus utramque potestatem. Et ille pro Domino suo respondit; Utique Domine; Sed vestra est verbalis, nostra realis. Et in tantum excaudit ira Domini Papæ, ut diceret, mobere se belle contra eum cælum et terram. What the real cause of this deadly feud between them was, and how violently prosecuted by both parties, Walsingham, and other Historians thus relate; <sup>b</sup> *Hoc tempore, &c. (Anno 1302) Apamensis Episcopus de conspiratione contra Regem Franciæ accusatus, et ad Regis vocatus Curiam, in custodia detinetur. Mense vero Februario ad mandatum Domini Papæ liberatus, subetur, una cum Nuncio Domini Papæ regnum ebaduare infra certum terminum a Rege præfixum. Papa talibus nobis exasperatus (who would suffer no trayterous Bishop or Nuncio to be imprisoned or banished by his Sovereign for Treason or conspiracies against him) omnes gratias a se vel suis prædecessoribus concessas Francorum Regibus revocavit, et in eundem Regem cito post Excommunicationis sententiam fulminabit. Quam tamen Regi nemo ausus est nunciare, vel in regno Franciæ publicare. Fecit etiam citari Prælatos omnes de regno Franciæ, necnon et omnes Magistros in Theologia et in Jure, tam Canonico, quam Civili, ut coram eo Romæ in Calendis Novembris comparerent. Rex vero Franciæ publico prohibuit edicto, Ne quis aurum vel argentum, seu merces quascunque asportarent de regno suo, sub satisfactione omnium bonorum, adjuncta nihilominus pœna grabi: fecit etiam exitus et introitus utrique diligentissime custodiri: to hinder all exportation of gold, silver, other Commodities or Letters to the Pope and Court of Rome, or import any Bulls of Excommunication or Interdict from thence. <sup>\*</sup> Platina, the Century Writers, John de Serres, and others story, That Pope Boniface sent Stephen Bishop of Apamiers in the County of Foix, within the Archbishoprick of Tholouse, (where he erected this new Bishoprick, and made Stephen Bishop thereof without the King of France his privy or consent) as his Nuncio to Philip King of France, (then involved in wars with the Flemings, who had newly given him a great overthrow) with a Bull, whereby he not only exhorted, but commanded him proudly and imperiously to succour the Tartar and Christians in the Holy Land, under pain of Excommunication: This Bishop coming to Philip with the Popes Bull, the King mildly represented to him the greatnesse and state of his affairs at home, which disabled him to obey the Popes commands; whereupon the Bishop with a bold face, *scilicet adhortando nihil efficeret, minas addidit, threatning, That if the King would not obey the Pope, he would deppeize him of his Realm. The subject, the manner, and the person (thus advanced against his will) did so move* and**

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

and exasperate Philip (grieved and disturbed with his late losse and overthrow by the Flemings, as if the Pope would insult over him for this his unfortunate successe) for this disloyal menace and affront, et quod ingenua puella per bim turpia intulerat Legatus (such was his vowed Episcopal chastity) hominem petulantem, ita uti dignus erat, in vincula coniecit. Bonifacius factus ea de re certior (thereupon transported with choler) protinus Petrum Narbonensem Archidiaconum commisit, qui publicè omnibus audientibus mandaret, ut quamprimum ipsum dimitteret, interminata pœna, nisi dicto obediret Franciæ regnum ad Romanam sedem devolvendum: itemque ut subditos ipsius ab obedientia absolberet, et diris ipsum debobere. The Chronicle of St. Denys written in that age, <sup>a</sup> Laurentius Bochartus, and <sup>b</sup> others superadde, Au mois de Fevrier l'an 1301. l'Archevesque de Narbonne, envoie par le Pape Boniface, vint en France de par iceluy Pape, denunciant au Roy de France, qui et luy rendest l'Evesque de Pamiers en sa gard detenue (for seditious practises, speeches and defamations uttered by him against the King in many places) Et il luy monstre les Lettres esquelles le Pape mandoit au Roy de France, qu'il vouloit qu'il sceust luy tant es temporelles choses, come es spirituelles estre soubmis en la dition du Pape de Rome, et ensemblement mandoit au Roy, si come esdites Lettres estoit contenu: que des Esclises desormais en avant, ne des prebendes baquans en son Royaume (jacoit ce qu'il eust le garde d'eux) les fructs, proffites, ou le rentes a luy ne presentist, nene presentast detenir, et tout ce gardast au successeur des moirts. Et abec ce rappeloit iceluy Pape de Rome toutes les fabeurs, graces, indulgences lesquelles pour l'ayde du Royaume de France ou au Roy avoit octroye pour la raison de la guerre. En devoiant le quel, aucune collation de prebendes ou de benefices, n'entreprest a luy usurper, poursuivre ne detenir; la quelle chose si desormais le faisoit, le Pape le tenoit pour vain, et pour faux, Et tenoit len et disoit, que tous ceuz qui se consentans seroient, il les reputoit pur heretiques. Mira hominis impudentia fuit (dit Messire Jean du Tiller, Evesque de Meaux, en son abbrege bres del Cronique) qui Regnum Gallie Pontifici manifestari beneficium asserere ausus est. Verum multo stolidiores esse puto qui disceptant, an tantum liceat Pontifici. La teneur de Lettres de sa Saintete se trouve encores a present telle.

**BONIFACIUS** Episcopus, Servus servorum Dei, Philippo Francorum Regi. Deum time, et mandata ejus observa. Scire te volumus, quod in spiritualibus et temporalibus nobis subest, Beneficiorum et prebendarum ad te collatio nulla spectat: et si aliquorum vacantium custodiam habeas, fructus eorum successibus reserves. Et si quæ contulisti, collationes tales irritas decernimus, et quantum de facto processerunt revocamus. Aliud credentes hæreticos reputamus.

King Philip was so highly displeased with these insolent Letters, that as Giovan Villani a Citizen of Florence then living, and sundry others story, per dispetto le gitto in sul fuoco et arsello. Ou bien comme dit le Continuateur de L'archevesque de Cosenza, fuerunt in Regis palatio eorum pluribus concremata, et sine honore remissi nuntii, qui postarant eas; ausquels encore le Roy delivra response de ceste teneur.

**PHILIPPUS** Dei gratia Francorum Rex, Bonifacio se gerenti pro Summo Pontifice, salutem modicam, seu nullam. Sciat maxima tua fatuitas in temporalibus nos alicui non subesse. Ecclesiarum et prebendarum collationem, ad nos jure Regio pertinere, et fructus earum vacatione durante nostros facere. Collationes a nobis hactenus factas, et in posterum faciendas, fore validas; et illarum vigore, possessores contra omnes viriliter nos tueri. Secus autem credentes, fatuos et dementes reputamus. Dar. &c.

Hereupon this insolent Antichristian Pope was so highly incensed against King Philip of France, in a season when he thought him to be drawn dry both of men and monyes by his warr with Flanders, (which had wasted about three hundred thousand Frenchmen and infinite Treasures in lesse then eleven years) solemnly excommunicated Philip in a General Council, with Saints Reliques and the Crosse, & accursed him to the fourth generation, for prohibiting any monyes to be carryed to him out of France, and to deprive

An. 30 E. 1.

a Decret. Eccles. Gallicane, l. 2. Tit. 16. Reges Francie & ejus Officiales excommunicationi & Interdicto non subiacere, c. 2. p. 321. b John de Serres & Edward Grimston in the General History of France, p. 135, 136. Cent. Magd. 13. cap. 9. col. 969, 970. Joh. Balzus Script. Brit. Cent. 4. c. 76. Appendix, p. 358. Christianus Massius in Chronic. An. 1301.

c See Pierre de Pithou, Preuves des Libertez de L'Eglise Gallicane, ch. 7. p. 237. Mr. Fox his Acts & Monuments Vol. 1. p. 448;

449.



An. 30 E. 1. *prive him of his Crown and kingdom by armed force, he confirmed Albert, elected and crowned K. of the Romans (whose election he had not long before oft rejected, because made without his privy) and proclaimed him Emperor, upon this condition, That he should seize upon the Realm of France, which he gave unto him (together with the Title and Arms thereof) by his Papal authority. Francorum regnum propter violatum jus gentium Alberto Imperatori subiecit, et titulum Imperii Romani primum multociens denegatum concessit, ut Rex quoque Francorum pateretur: Quod cum Albertus consensisset, Pontifex una eademque celebritate, hinc Philippum Franciæ regno pribatum, inde Albertum Romano et illo ornatum pronuntiavit; as <sup>b</sup> Hermannus Schedel, and others story: Yea <sup>c</sup> Thomas Walsingham and H. Knyghton inform us, Eodem tempore Papa Bonifacius per literas suas Regem Anglorum interpellavit, ut Regi Francorum guerram commoveret, (against all his own former Letters, Treaties, Bulls, Legates, Awards, to settle a perpetual Peace between them, and contrary to the League, Peace they had newly made, and ratified by their respective Oathes) ad quod faciendum ingens subsidium pollicetur; Sed Rex Angliæ cum alias Domini Papæ erga se affectum expertum insidum, rem diffulit, si possibile fuit recuperare per viam aliam suam, malens.*

King Philip hereupon, to countermine the Plots of Pope Boniface who had thus insolently excommunicated, deposed, and given away his kingdom; (in imitation of King Edward the 1.) <sup>d</sup> Franciæ Archiepiscopos, Prelatos, Decretistas, Theologos et Magistros, et omnes Barones, Milites, et Pagis regni Franciæ Parisiis coegit. Quibus confedentibus, Pontificem ipsum, schismaticum, hæreticum et sedis inhabilem nominans, et homicidam, ad futurum Concilium aduersus illum appellabit, quandoquidem sedem illam tunc vacare diceret, quod fraude et dolis eam occupasset. Per Arelatensem quoque Archiepiscopum de his capitibus Romanum Pontificem incusat. 1. Quod sit Simoniacus. 2. Quod dicat se non posse committere Simoniam. 3. Quod homicida sit. 4. Quod usurarius, idque esse manifestissimum. 5. Quod non adhibeat fidem conscientibus Eucharistiam. 6. Quod anima sit mortalis, et quod aliud gaudium non sit, quam in hac vita. 7. Quod sit rebelator confessionum. Nam coegit quandam Cardinalem ut Confessionem à quodam Hispaniæ Episcopo sibi factam revelaret: qua cognita, Episcopus loco movit, sed post pecunia placatus Papa, eundem restituit. 8. Quod habeat duas Septas concubinas, et ex utraque filios progenuerit. 9. Quod fecundum patrem. 10. Quod Regi Angliæ concesserit omnes Decimas de Ecclesiasticis bonis, in subsidium belli contra Franciam. 10. Quod stipendio allexerit Saracenos ad invadendam Siciliam. After which he caused them all to renew their Oathes of Fealty to him, and to compile, send these 2. memorable Epistles, the one to Pope Boniface by the Prelates and Ecclesiastical persons; the other to the Cardinals by all the Nobles and Commonalty of the whole Realm of France, (in imitation of our English Barons Epistles to him in the Parliament of Lincoln) against this Innovation, and his Papal Provisions of Bishopricks and Benefices in France to aliens, with other grievances; which I shall here insert, as pertinent to my History.

e Ex Veteri MS. Bibl. S. Victoris. Registre du thesor des Chartres, cote B. 23. f. 243. Bzovius Hist. Ecclesiastica, p. 34. Ex Bibliotheca Vaticana, Pierre de Pichou, Les Libertez de l'Eglise Gallicane, c. 7. l. 14. p. 237. &c to 251.

<sup>c</sup> *Littera missa Papæ Bonifacio ab Ecclesiasticis totius regni Franciæ, super eo, quod ipse scripserat Regi, quod nedum in spiritualibus, sed etiam in temporalibus sibi suberat.*

**S**ANCTISSIMO Patri ac Domino suo charissimo, Domino Bonifacio divina Providentia Sacrosanctæ Romanæ ac universalis Ecclesiæ Summo Pontifici, sui humiles & devoti, Archiepiscopi, Episcopi, Abbates, Priores Conventuales, Decani, Praepositi, Capitula, Conventus atque Collegia Ecclesiarum Cathedralium, Collegiatarum, Regularium et Secularium totius Regni Franciæ Parisiis congregati, Devota pedum oscula beatorum. Non absque cordium dolore, & amaritudine lachrymarum, Beatitudini vestræ significare compellimur, quia Serenissimus Princeps Dominus noster Christianissimus Philippus Dei gratia Francorum Rex illustris, auditis quæ per venerabilem virum Archidiaconum Narbonensem, Notarium et Runcium vestrum, nuper sibi ex parte vestra relata fuerunt, ac inspectis Apostolicis literis clausis, ei per eundem Archidiaconum presentatis, & quibusdam licet paucis, Baronibus suis, tunc sibi assistentibus, eorum communicato tenore; ex his, tant Dominus

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 Dominus Rex; quam Barones ipsi, ingenti admiratione, et belementi turbatione commoti, statim idem Dominus Rex de Baronum ipsorum consilio, Barones ceteros tunc absentes, ac nos, videlicet Archiepiscopos et Episcopos, Abbates, Priores Conventuales, Decanos, Praepositos, Capitula, Conventus, atque Collegia Ecclesiarum, tam Cathedralium, quam Collegiarum, Regularium, ac Secularium, necnon Universitates et Communitates villarum regni, ad suam mandavit praesentiam evocari, ut Praelati, Barones, Decani, Praepositi, ac duo de peritioribus uniuscuiusque Cathedralis vel Collegiatae Ecclesiae, personaliter, ceteri vero, per Deconomos, Syndicos, et Procuratores idoneos, cum plenis et sufficientibus mandatis comparere statuto loco et termino curaremus. Porro nobis ceterisque personis Ecclesiasticis supradictis, necnon et Baronibus, Deconomis, Syndicis, et Procuratoribus Communitatum, et villarum, et aliis, sic vocatis, ex praemissa vocationis forma, ad mandatum Regium hac die Martis 10. praesentis Mensis Aprilis, in Ecclesia beatae Mariae Parisiensi in praefati Regis praesentia constitutis, idem Dominus proponi fecit, cunctis audientibus palam & publice, sibi ex parte vestra fuisse inter alia per praedictum Archidiaconum & literas intimatum, quod de Regno suo, quod a Deo solo, ipse et praedecessores sui tenere hactenus recognoscunt, temporaliter vobis subesse, illudque a vobis tenere deberet; nec contenti verbis huiusmodi, sic mirabilibus, sicque nobis et inauditis a saeculo, apud incolas dicti Regni, sed ea tradere satagentes executionis in actum, Praelatos omnes sui Regni ac Magistros in Theologia et professores utriusque iuris optundo de Regno praedicto, pro corrigendis excessibus, necnon et pro culpis, insolentis, injuriis, atque damnis, quae Praelatis, Ecclesiis, et personis Ecclesiasticis, Regularibus, et Secularibus in regno constitutis eodem, et alibi, per ipsum Dominum Regem et Officiarios, seu Ballivos suos, ac etiam a Paribus, Comitibus, Baronibus, aliisque Nobilibus, Universitatibus, et populo sui regni, inferri praetenditis, emendandum, ad vestram praesentiam evocatis, ut sic regnum praefatum preciosis locis, incomparabilibusque Thesauris, clypeis fortium praeferebatis, sapientia videlicet Praelatorum, et sapientium etiam aliorum, quorum fidelis maturitate consilii, et providentia circumsperta, regi habet et dirigi regnum ipsum, firmari fides, Sacramenta Ecclesiastica exhiberi, et ministrari iustitia, et per eos facultatibus et debitis vacuatum penitus et exhaustum, dubii casus eventus, miserabilis Ruinae periculis, et desolationis extremam dispendiis exponatur; in quibus, et aliis diversis gravaminibus, quae per vos, et Romanam Ecclesiam, sibi, regno, et Ecclesiae Gallicanae, tam in reservationibus, quam ordinationibus voluntariis Archiepiscopatum, Episcopatum, et collationibus beneficiorum insignium dicti Regni personis extraneis, et ignotis, et nonnunquam suspectis, nullo tempore residentibus in Ecclesiis vel Beneficiis supradictis, et quibus divini cultus diminutio sequitur, praefundantium seu donantium voluntates pro pulso pietatis officio defraudantur, pauperibus dicti Regni elemosinarum largitio consuecta subtrahitur Regni depauperatio probent, et Ecclesiae sacrum deformationis incurrunt, dum stipendiorum perceptione subtrahita, obsequiis destituta remanent servitorum, earum probentibus extraneorum commoditatibus deputatis: et Praelati, dum non habent quod pro meritis tribuant, immo retribuunt, Nobilibus, quorum Progenitores Ecclesias fundaverunt, et aliis literatis personis, non inveniunt servitores, ac huiusmodi ex causis debitione tepescere fidelium, non est hodie qui ad Ecclesias manum liberalitatis extendat, ut alias ex praemissis edictis praebetur exemplum, necnon pensionibus nobis et censibus Ecclesiis de nobis impositis, immoderatis servitiis, aliisque exactionibus et extortionibus variis, praesudicialibus signis, et damnosis novitatibus, ex quibus generalis status Ecclesiae immutatur, Praelatis superioribus dandi coadjutores suffraganeis Episcopis, et alias tam ipsis quam Suffraganeis, ea quae ad suum spectat officium, exequendi facultas adimitur, ut pro his ad Apostolicam Sedem cum nummis recurratur, aliisque diversis casibus, et nonnullis articulis, a longe retro lapsis, et vestris praesertim temporibus, illatae fuisse, et continue inferri conqueritur, suam et successorum suorum, et Regni exhaudationem tam enormem et grabem, tamque manifestum sui et Regni honoris dispendium, et evidens detrimentum non intendens, sicut non poterat, diutius tolerare: et se certum asserens, quod superiorem in temporalibus, sicut nec sui Progenitores habuerunt, prout est toti mundo notorium, non habebat; ac sancto in praesente negotio, sicut Doctorum in Theologia et Magistrorum



*An. 30 E. 1.* gistrozum in utroque Jure, de regno suo oriundorum, et aliorum, qui inter Doctores alias et peritos orbis peritiores et famosiores habentur, relatione concordati, habuerat iustam causam. Nos uniberlos et singulos, tam Prelatos, quam Barones et alios requisivit instantius, precepit ut Dominus, et rogabit ac precibus instaret ut amicus, ut cum ad conseruationem libertatis antiquæ, honorum, et status Regni predicti, ac incolarum ipsius, et releuationem grabaminum predictorum, reformationem Regni, et Ecclesiæ Gallicanæ, de nostro et Baronum ipsorum consilio, ad laudem dibini nominis, exaltationem Catholicæ fidei, honorem uniuersalis Ecclesiæ, et dibini Cultus augmentum salutaris disponat inire consilia, et efficacem operam addibere, preteritum circa grabamina per Officiales suos, et alios de Regno predicto, si qua sunt Ecclesiis et Ecclesiasticis personis illata, super quibus debita cozectionis remedium, ante aduentum prefati Archidiaconi, ordinauerat addibere, quod iam durisset in executionis effectum, nisi quod id ex metu, vel ad mandatum bestrum fecisse forsitan aliquibus videretur, id quod vobis ascribere non possetur: ad hæc non solum omnia, quæ in bonis forent ipsius, sed et etiam personam et liberos, si casus exigeret, exponendo sibi in his, in quibus singulariter omnium, et generaliter singulorum res agi dignoscitur, causa probebitur, et proprium uniuscuiusque tangitur interesse, prout ex debito fidelitatis asringimur, curaremus adesse consiliis et auxiliis opportunitis, petens sibi statim super his ab uniuersis et singulis praticise et finaliter responderi. Barones simul cum Syndicis, & Procuratoribus supradictis, secedentes in partem, et demum deliberato consilio redeuntes, prefato Domino Regi, de huiusmodi suo laudabili proposito et beneplacita voluntate, ad multa laudum preconiis, et gratiarum actiones exuberes assurgentes, unanimiter responderunt, se ad ea paratos, nedum exponere res et bona quæ extant, sed ad hæc totaliter offerebant se et suas personas, usque ad mortis supplicium, tormentorum quoumlibet grabamina non vitando; adicientes expressius viva voce: Quod si prefatus Dominus Rex premissa, quod absit, eligeret tolerare, vel sub dissimulatione transire, ea ipsi nullatenus sustinerent. Itaque a nobis subsequenter responsione petita, licet longioris deliberationis inducias postulantes, ipsum Dominum Regem et maiores et Baronibus memoratis, quod non ea intentione ad eundem Dominum Regem Apostolicæ literæ processissent, ut bestre voluntatis existeret in Regni predicti libertatem impingere, vel quicquam honori Regis contrarium in hac parte quomodolibet innobare, (multa lenitate verborum, persuasionibus studiosis, et multiplicatis excusationum prelatibus) nisi fuimus informare, ac ipsum ad seruandum vinculum unionis, quod inter sanctam Romanam Ecclesiam et predecessores suos, et ipsum, usque ad hæc tempora viguisse dinoscitur, multiplici inductione: ulteriori tamen dilatione negata, ac predicto patenter et publice uniuersis, quod si quis voluntatis contraria appareret, extunc pro inimico Regis et Regni notorie haberetur, consultius attendentes, et conspicientes apertius, quod nisi Dominus Rex et Barones predicti ex nostra forent responsione contenti, preter alia pericula et gravia scandala, quorum non esset numerum, neque finis tam Romanæ quam Gallicanæ Ecclesiæ debotio, et obedientia omnimoda laicorum, et totius populi, quæ extunc irrecuperabiliter tollebatur, non nisi multæ perplexitatis angustia, sic durissimum respondendum; Quod ipsi Domino nostro Regi in conseruatione personæ suæ, suorumque, et honorum, ac libertatis et Iurium dicti Regni, prout quidam nostrum, qui Ducatus, Comitatus, Baronias, Feoda, et alia membra Rebus dicti Regni tenemus, ex forma Iuramenti, et ceteri, qui omnes debito sibi sumus fidelitatis ascripti, adessemus eidem debitis consiliis, et auxiliis opportunitis; Eidem Domino nostro Regi humiliter supplicantes, ut cum Apostolicæ Sanctitati ad obedientiam teneamur, ad beatitudinis bestre pedes, iuxta premissæ vocationis bestre tenerem, permitteret nos perferre. Ex parte cuius, & Baronum est secuta responsio: Quod nos nullo modo abire permitterent: Regnum sic periculose, sic deformiter, sic irrecuperabiliter bacuari, quin potius exhauriri totaliter nullatenus sustinerent. Considerantes igitur tam vehementem commotionem, et turbationem tam periculosem et gravem, immo gravissimam, Regis, Baronum, et aliorum Laicorum Regni predicti, et jam cognoscentes apertius, quod antiqui hostis, pacis in uli, zizaniorumque satozis, quia suæ Ruinæ principio conatur, ut Ecclesiæ unitatem pacis turbatione rescindat, charitatem vulneret, Sanctorum dulcedinem operum inuidiæ veneno sellis inficiat, humanumque genus evertat modis omnibus et perturbet, faciente

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\* Like our English Barons before them, p. 893.

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faciente nequitia, amabilis fœderis unitatis, et amicitia singularis, quæ inter sapientiam Romanam Ecclesiam, ac præfatum Dominum nostrum Regem, ac prædecessores ejus, et Regnum, ad laudem Altissimi in fœci Christianæ profectum, et tam Ecclesiæ, quam Regis et Regni exaltationis monumenta felicia, hæcenus diguerunt, dissolutioni et separationi lugubri et flebili, (proh dolor!) porta patet, et insurgunt undique frementia scandala, excresecunt angustia, Ecclesiasticisque personis expositionis, ac rerum et bonorum direptionis pericula intentantur, cum jam abhorreant laici, et proflus effugiant consortia Clericorum, eos a suis omnino consiliis et allocutionibus abdicando, ac si contra eos prohibitoria factionis consilii, vel participes existissent, et ad contemnendam Ecclesiasticam censuram, et processus si quâvis auctoritate forsan fierent contra eos, jam separant et muniant, in grave periculum animarum, et alia varia et diversa pericula, quæ nec lingua referre sufficeret, nec posset scriptura differere. Hinc in promptu ad Sanctitatis vestrae providentiam circumspectam in hoc summe necessitatis articulo durimus recurrendum, flebilibus vocibus, et lachrymosis angustibus, paternam clementiam implozantes, ac supplicantes humiliter, quod salubre remedium in præmissis, per quod forma tam longi decursu temporis inter Ecclesiam, Regem, et Regnum fructuosæ unionis, et mutua dilectionis integritas, in antequa caritatis dulcedine conserbatur, status Ecclesiæ Gallicanæ in pulchritudine pacis et quietis optatæ remaneat; prospiciatur nobis, nostrisque statibus, rebocando vestrae vocationis Edictum, ac prædictis periculis et scandalis obvietur, Apostolicæ providentiæ studio, ac paternæ officio pietatis, dignemini prohibere. Conservet Altissimus B. V. Ecclesiæ suæ sanctæ per tempora longiora, Datum Parisiis die Martis prædicta.

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The Nobles of France likewise sent this following Epistle to all the Collidge of Cardinals.

*Lettre envoyée par tous les Barons de Royaume de France au Collège des Cardinaux, quant le Roy appella contre Boniface Pape.*

Pierre de Pithou Preuves des Libertez de l'Eglise Gallicane, c. 7. sect. 15. p. 140, 141.

**A** Honorables peres lors chiers & anciens amis, tout le Colliege, & a chacun des Cardinaux de la Sainte Eglise de Rome, li Duc, li Comte, li Baron, & li Noble, tuit du Roialme de France, salut, & continuel encreissement de charite, d'amour, & de toutes bonnes adventures a leur desir. Seignours, vous especialement sçavez & chacun qui a sain entendement, comment l'Eglise de Rome, & li Royaume de France, li Rois, li Baron, li Clergie, & li peuples d'iceluy Royaume, ont d'anciennete & continuellement de custume este conioints ensemble par ferme & uraye amour, & charite, & les grans miseres, les peins, & les travaux que nos anteceßours, & li plusieurs de nous & des nostres, ont souffert, souffrent & souffrent tous jours en l'honneur de celuy qui pour nous souffrit passion & mort, pour soutenir & effaucier la loy, & la foy Chrestienne, & Sainte Eglise, pour laquelle plusieurs d'eux ont maintes fois souffert moult de griefues peines & travaux, & estes pris & naures a mort, & les grans cures que la divine Eglise a mises pour le bon estat du Royaume. Et pour ce que trop griefue chose seroit a nous, se celle uraye unite qui si longuement a dure entre nous, se demenuisoit & defailloit maintenant par la male volente & par lennemie longuement nourrie sous l'ombre de amitie, & par les torcionnieres & desrenables entreprises de celuy, qui en present est ou siege du gouvernement de l'Eglise, nous vous certifions par la tenour de ces lettres aucunes mauvaises & outrageuses nouvelletez, que il a de nouvel entreprises a faire a nostre treschier & redoute Seignour *Phelippe* par la grace de Dieu Roy de France, & a tout le Royaume; les quelles nostre Sire li Roy fit exposer entendiblement par devant nous, & tous les Prelats, les Abbez, & les Priours, les Doyens, les Provosts, les Procureurs des Chapitres, & des Convents, des Colliges, des Universitez, & des Comunautés des Villes de son Royaume, presens devant luy, par les quiels se ils par sa desordenee volente estoient poursuivies, l'unitez & l'amitie devant dites, se deferoient & deshoinderoient entre la dite Eglise, & le Roy, & le Royaume, & nous; car nous, ne le purrions, nene pourrions souffrir en nulle maniere, pour peine, perte, ne metchief que souffrir en deultens, en personnes, en enfans, en heritages, ne en autres biens. Pre-



*An. 30 E. 1.* miers entre les autres choses que au dit Roy nostre Sire furent envoyees par messages, & par lettres, il est contenu, que du Royaume de France, que nostre Sire li Roy, et li habitans du Royaume, ont tousiours dit estre subget en temporalite de Dieu tant seulement, si comme c'est chose notoire a tout le monde, il en duroit estre subiet a luy temporellement, et ne luy le devoit et doit tenir; et plus que il encoires avec ce a fait appeller les Prelats, les Docteurs en Theologie, les Maistres en Canon et en Loys du dit Royaume de France, par amander et corriger les erres, les griefs, les oppressions, et les dommages, que il dit par sa volente, estre faiz par nostre Sire li Roy, par les Ministres, et par les Baillifs, as Prelats, as Eglises, as persones des Eglises, a nous, aux Universitez, et au peuple du dit Royaume, jacoit ce que nous ne les Universitez, ne li peuples du dit Royaume, ne requirons, nene voulions avoir, ne correction, ne amende sur les choses debantistes par luy ne par l'authorite, ne par son poutoir, ne par autre, fors que par le dit nostre Sire le Roy; et ja avoit pourveu li Roy nostre Sire, a mettre remede a griefs, l'aucun en y eust, mais pour ce a retarde, puis que ces nouvelles sont venues a luy; que il ne veult nuyse que il apere, que il la face par cremeur, ou par commandement, ou par correction de luy, ou d'autroy. Par la quelle conbocation ainsi faite, li Roiaumes remonstroient en grand geril et en grand deconfort, se il se vultoit de si precieus joyau et thesors, auxquels nuls se comperent, et que lendoit mettre avant toutes forces, et avant toutes armes, c'est a sçavoir, le sens des Prelats et des autres saiges, par quel conseil, par quel sens, et par qui pourbeance le gouvernement du Roiaume est adrechiez et maintenu, la foy est tenue et eslaice en sermete, li Sacremens de Sainte Eglise sont amenistrez, et tenus, et justice faite et gardee en celuy Roiaume, pour lesquelz choses, et pour autres, les quelles trop longs chose seroit a escrire. Et pour ce especialment, que cil qui a present siet ou siege du gouvernement de l'Eglise, a fait et fait encoires chacun jour par ces ordenances de volente, les confirmations, et les collations des Archevesques, et des Evesques, et des autres nobles Benefices du Roiaume debantist, et y a mises par grandes quantitez et sommes d'argent, par quoy il les a grebees et chargees, si que il conbient, que li menus peuples, qui leur est subgez, soient grebez et ranconnez; car autrement ne pourroient payer les exactions, qui leur a faiz par persones meconneues, et aucunes suspecconneues, et telles, et plusieurs, si comme enfens et plusieurs autres, qui de nul Benefice d'Eglise tenir ne sont dignes, et qui nulle residence ne font es Eglises ou ils ont Benefices, ne ja n'y entrent; et ainsi les Eglises sont defraudes de leur services, et les volentez de ceur qui les Eglises fonderent, sont anienties, par quoy les aumosnes sont laisses, pitie arriere mise, et les bien faiz substraiz qui aux Eglises souloient estre faiz, et les Eglises en sont si abaties et decheues, que a peine y a nuls qui les desfordent, ne li Prelats ne poent donner leurs Benefices aux nobles Clercs, et autres bien nez et bien nettrez de leurs Dioceses, de qui antecessours les Eglises sont fondees; par quoy malvois exemple est donnez communement a tout le pui, le, et pour les pensions nouvelles et les services ontragious et desaconformes, et les exactions et extorsions diverses, et les dommagesables nouveleitez, li general estat de l'Eglise du tout macz et ostez a souverains Prelats, li pooires de faire ce qui a eue de leur office appartient, et est accoustumez de faire, et encoire ne luy souffist ce mie, mais les collations des Benefices, que nostre Sire li Roy et nos antecessours ont fondez, et a li et a nous appartiennent, et ont de tout temps appartenu a li et a nous debanciers, et est accoustume a appartenir, il nous empesche et les veut adjeuster et traire debers li par grand conboille, pour plus grans exactions et plus grans services atraire a luy; et les quelles choses nous ne pourrions ne pourrions souffrir des oyes en avant en nulle maniere pour meschief nul qui nous puisse avenir, et se ainsi estoit que nous, ou aucuns de nous le vouissent souffrir; ne les soufferoit mie li dits nostre Sire li Roy, ne li commun peuples du dit Royaume, et a grand douleur et grand meschief, nous vous faisons a sçavoir par la teneur de ces lettres, que ce ne sont choses qui plaisent a Dieu, ne ne doivent plaire a nul homme de bone volente, ne oncques mes telles choses ne descendent en cuer d'homme, ne oyes, ne furent, ne entendues advenir  
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soz abeques Antechrist; et jacoit ce que il die en ses lettres, que ce a il fait du conseil de ses freres, si scanons nous certainement, ne autre chose ne vouions, ne ne pourrions croire, que ce ne vous desplaise, et que a telles nouvelletes si grans erreurs, et si folles entrepises vous donnassiez voire assentement; ne vos consens, ne ne voulussiez que cette unitez, que si longuement et si serrement a dure, a le honneur de Dieu, et a l'essancement de la soy Chrestienne, au grand bien, et au profit, et au bon estat de l'Eglise et du Royaume, par la perberte volente, ou par la folle enbechie d'un tel homme, se deüssit et deüssinss. Par quoy nous vous prions & requérons tant affectueusement, comme nous pouvons; que comme vous soiez establis & appelez en partie ou gouvernement de l'Eglise, & chacun de vous en cette besoigne veilliez tel conseil mettre, & tel remede, que ce qui est par si legier & par si desordenne mouvement commancie, soit mis a bon point, & a bon estat, si que l'amour, et li unitez qui a tousiours dure entre l'Eglise et le Royaume, puisse demourer et accroistre, et que li griefs esclandres, qui pour ce est meus et est appareillez d'estre si grans et si cruels, que le generale Eglise et toute la Chrestiente, l'en purroit donloir a tous iours, puissent par vostre vertu, bon conseil, et par vostre amendement cessier; et que l'en puissent entendre profitablement au saint voyage de oultre mer et as autres bonnes aures, que li bons Chrestiens du Royaume ont accoustume a faire, il soit chastiez en telle maniere, que li estas de la Chrestiente soit et demeure en son bon point, et en son bon estat; et de ces choses nous faites a seavoir par le porteur de ses lettres vostre volente et vostre entencion: car pour ce nous l'en voyons espectralment a vous, et bien voulons que vous soiez certain que ne pour vie, ne pour mort, nous ne departirons, ne ne beons a departir de ce proces, et seussiez, \* ainsi que li Rois nostre sire le voulüst bien. Et pour ce que trop longue chose et chargeans seroit, se chacun de nous mettroit seel en ces presentes lettres faites de nostre commun assentement, nos Loys fils le Roy de France, Cuens de Eux, Robert Cuens d'Artois, Robert Dux de Bourgoignat, Jean Dux de Bretagne, Ferry Dux de Lorraine, Jean Dux de Hainaut & de Hollande, Henry Cuens de Luxembourg, Guis Cuens de S. Pol, Jean Cuens de Dreux, Hugues Cuens de la Marche, Robert Cuens de Bonloigne, Loys Cuens de Nivers & de Retel, Jean Cuens d'En, Bernard Cuens de Comminges, Jean Cuens d'Aubmarle, Jean Cuens de Fores, Valeran Cuens de Perigors, Jean Cuens de Joigny, J. Cuens d'Auxerre, Aymars de Poitiers Cuens de Valentinois, Estenes Cuens de Sancerre, Renauld Cuens de Montbeliard, Enjorant Sire de Coucy, Godefroy de Brehan, Raou de Clermont Conestable de France, Jean Sire de Chastiau-vilain, Fordain Sire de Lisle, Jean de Chaylon Sire de Darley, Guillaume de Chauvigny Sire de Chastiau-Raoul, Richars Sire de Beauen, & Amaury Vicuens de Narbonne, auons mis a la requeste & en nom de nous, et par tous les autres, nos seals en ces presentes lettres; (as \* one hundred of the English Earls and Nobles did to their Epistle to this Pope not long before.) Donne a Paris le 10 jour d'Avril, l'an de grace mil trois cens & deux. *Du Tresor des Chartres Registre, B. 28. fol. 246.*

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\* See here p. 893.

\* See here p. 892.

Moreover the People and Commons of France in that Parliament, made this following Supplication to King Philip against Pope Boniface the 8. for the defence of his Sovereignty in the Realm and Churches of France, against his Papal claims and Usurpations thereon in his precedent Bull and Letter, and to declare and pronounce him an Heretick for his assertions therein.

*Le Supplication de Pueuble de France au Roy, contre le Pape Boniface le 8.*

**A** Vous tresnoble Prince nostre sire par la grace de Dieu Roy de France, supplie & requiert le pueuble de vostre Royaume, pour ce que il li appartient que ce soit fait, que vous gardiez la Souveraine franchise de vostre Royaume, qui est telle, que vous ne reconnissiez de vostre temporell Souverain en terre, soz que Dieu, et que vous faciez declarer, si que tout le monde la seache, que le Pape Boniface erra manifestement, et fist pechie mortel notoirement, en vous mandant par lettres bullees, que il estoit vostre Souverain de vostre temporell, et que vous ne poudiez prentendes donner, ne les fruits des Eglises

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An. 30 E. 1. Eglises Cathedrales vacans retenir, et que touz ceuz qui croient le contraire, il tenoit pour heresges.

Item, que vous facez declarer que l'en doit tenir le dit Pape pour heresge; non pas vous, et toute la gent de vostre Royaume, qui tousloiz ont creu et croient le contraire: Et pour ce que il ne veult cette erreur rappeler, ayant dit mont de fois que en cette creance viroit et mourroit, et que sa pour nul homme ce ne rappelleroit: les quelles choses il pouoit faire, ne dire, ne croire, sans pecher mortellement contre vous, contra vos boirs, et contre vos antecessours, et contre tous vos suiets, et contre tout le pueble Latin, qui croit la Decretale, qui dit, que vous ne reconnoissez nul Souverain en terre, et que le Pape qui la fist, ne vouloit pas, ne ne devoit surredon demander sur vostre temporel; si que le dit Pape vous vouloit tollir a tort la graigneur noblesse, et le plus haut point de vostre Seigneurie, en faisant contre le commandement de la Loy nostre Sire, tout sarchamutement, en disant que il li lisoit sere encontre, et que soit voir, il pert; pour ce que li, qui disoit que il estoit sers Dieu, ne pouoit la Loy de son Seigneur oster, ne refuser a la garder, mesmement, quant as commandements de la Loy, que il ne fust, et deust estre tenu pour bongre, len puet prouver par vbe force, sans que nul y puisse par raison respondre, que le Pape n'eut onques Seigneurie de vostre temporel, ne en autre, ne avoir, ne chalengier, ne doit, fors tant comme ceuz qui la Seigneurie avoient on temps Sainct Sylvestre, et puis l'en ont donne, et se il paroist plus chalement, et demandeurs convoltise, et rapine seroit par les raisons qui ensuivent. Quand Dieu le pere apres le Ciel, & les quatre Elements ont forme Adam & Eve, il dit a eux & a leur succession, *Quod calcaveris pes tuus, tuum erit*, si comme se dit le commencement de la Bible; cest a dire, que il vouloit, que chacun homme fust le Seigneur de ce quil occuperoit de terre. Ainsi departirent les fils d'Adam la terre, & en furent Seigneurs, trois mil ans & plus, avant le temps Melchisedec, qui fust le premier Prestre, & fust Roy, si comme dit l'histoire; mais il ne fust pas Roy de tout le monde, & obeissoient la gent a li comme a Roy du temporel, non pas comme a Prestre, & fust avant Roy que Prestre. Apres sa mort fust graund temps, 600 ans ou plus, autant qe nul autre fust Prestre. Et Dieu le pere que donne la Loy de Moise, le stable Prince de son pueble Israel, & li commanda, que il fist Aaron son frere Souverain Prestre, & son fils apres li. Et Moise baille & commist, quand u deust mourir, du mandement de Dieu, la Seigneurie du temporel, non pas au Souverain Prestre son frere, ains a Josue sans debat, que Aaron & son fils apres y meissent, ains gardoient le Tabernacle, & entendoient illec au service de Dieu, & se aidoint au temporel defendre, & conquerir par armes, & autrement. Et tous les autres Prestres & Diacre le firent apres eux, aussi comme les autres gens. Et puis quand il vint a partir la Terre Saincte entre les douze lignies, qui conquise l'avoient, celui Dieu, qui toutes les choses & avenir seavoit, commanda a Josue leur Prince, que il partist la terre entre les ouze lignies; & que le lignie des Prestres & des Diacres eussent en lieu de leur partie, les disiesmes & les premisses de tout, & en vesquissent sans terres avoir, si que ils peussent plus profitablement Dieu servir, & prier pur le pueble. Et puis quand il vint grand piece apres, que le pueble d'Israel demande Roy a nostre Seigneur, ou fist demander par le Prophete Samuel, il ne leur e lit pas le Souverain Prestre, mais Saul, qui surmontoit le graudeur tout le pueble, de tout le col, & de la teste. Apres nostre Seigneur eleut David en Roy, non pas le Souverain Prestre, si que il not nul Roy en Jerusalem sus le pueble de Dieu, qui fust Prestre, mais avoient Roy & Souverain Prestre en diverses personnes & avoit lan assez a faire de gouverner le Temporel, & le autre le Spirituel du petit pueble; & si obeissoient tous les Prestres du Temporel aux Roys. Apres nostre Seigneur Jesus Christ fust Souverain Prestre, & ne trouve len point escrit, quil eust onques nulle possession du Temporel, neque il voulsist que Herodes, qui Roy estoit, ne Pilate, qui estoit garde de ce que li Empereur de Rome avoit en pais, li en obeissent de riens ains dit, que l'en rendist a Cesar ce que l'en luy devoit, & a Dieu aussi; & fist paier pur li, & pur Saincte Pere son Vicair d'un deniere d'or, quil fist prendre en le guelle d'un poisson, & le fist a fin quil ne feist esclandre en luy, par le quel ils paient, non pas pour ce que il ne deussent riens. Apres ce Sainct Pere, & Sainct Pol, Sainct Clement, & les autres Sainctes

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Saincts Apostles, ne les autres jusques au temps du dit *Boniface*, ne demanderent oncques Seigneurie, fors en ce que *Constantinus* donno a l'Eglise. Ce fut grand abomination a ouir que cest *Boniface*, pour ce que Dieu dit a Sainct *Pere*, ce que tu lieras en terre, sera lie au Ciel; cette parolle, d'espirituellement, entendi malement, comme bougre quant au Temporel; se il meist un homme en prison temporelle, le meist pour ce Dieu en prison en Ciel. Et si dist *S. Augustin* contra *Vincetium Donatistam*, len puet en prescher user de la Saincte Escriture, en sens de mystere, si comme le prescheur voit que bien est; mais len doit user in dispuoison, en sens de la lettre, non mie par mystere. Et si dient les Docteurs que les faits de nostre Seigneur, escrits au vieil Testament, sont figure & exemple du nouvel Testament. Et l'Apostre dit, *que nous devons prendre exemple au fils Jesus Christ*. Donques quand Dieu le pere bailla a deux personnes le gouvernement de son petit pueble d'*Israel*, a un le Temporel, a l'autre l'Espirituel, comment osa dire le dit *Boniface*, & mander, que la volonte de Dieu, il devoit l'abolir la poubair et la charge de gouverner l'Espirituel et le Temporel de tout le monde; quar se il eust le pouvoir du Temporel sur vous & sur vostre Royaume; par plus forte raison il eust ce pouvoir sur tous les Princes Chrestiens: pour ce que il n'en y a nul, qui par droit escrit peut monstrier sa franchise, fors que vous: pour quoy vous li puez dire que a tort, par tresgrande conboitise, vouloit se souprendre de neubel par dessus vous, et par le greignour orgueil que len peult trouver, que homme eust oncques demande poeste en monde. Comment pourroit homme dire parole plus enlee d'orgueil, que celle, Dieu m'a commis en terre son poubair en temporalite, et en spiritualite, si que sus toutes gents en toutes manieres l'eussent mon poubair et ma poeste. Len puet bien voir se l'entente de si sage seculier, comme il estoit, fust de bien gouverner tout le Temporel et l'Espirituel. Il n'empist pas si grand fais, quas nul plus sage et plus soyn n'i lessissent pas. Li meismes ne souffisoit pas a l'Espiritualite gouverner, ne son devoir ne faisoit; car il estoit tenu de garder les commandements de la Loy, du vieil Testament, et du noubel, qui dient, que il devoit amer et enseigner chascun homme du monde, comme soy mesme, et que qui ne sera baptise, et ne croire en Jesus Christ, sera condampne; et que si, comme il qui est Pape, aimoit Dieu, il estoit tenu sauber et lui rendre toutes armes, et les enseigner par faites et par paroles. Orne les enseignoit il pas bien en fait de tel orgueil, et de telle conboitise; quar il querolt son profit et sa volente, non pas de tout le pueble, et si n'enseignoit par paroles, ne mes en pais ou il fust nez, de moult la mendre partie de la gent. Et n'ensuivoit pas nostre Seigneur Jesus Christ, qui envoya precher la foy Chrestienne par soixante et donz Disciples, ausquelz il donna le sens et les langages de toutes gents; mais le dit *Boniface* fu en ce negligent: quar onques par soy ne par autre ne regarde ne n'enseigna la centiesme partie de la gent du monde. Il estoit greigneur besoing que il sceut *Arabic*, *Caldic*, *Griex*, *Ebriex*, & tous autres langages, desquelz il est moult de Chrestiens, qui ne croient pas comme l'Eglise de Rome, pour ce que ils n'out este de ce enseigniez, si comme les Pantacors devers Orient, neuf cens Evsques quique il y a sons li pres de tous les *Griex*, & plusieurs autres desquelz enseigner il laissa la cure, pour les plus obeissans suppediter, grever, & molester, que il est dessusdit. Se celui qui par miracles ne pouvoit donner les langages, eust fait apprendre en tous les langages des lettres, tant descoliers, bien despoiez pour apprendre, que ils souffissent pour envoyer a routes les puebles precher la foy Chrestienne; & fils n'eussent asses sceu pour ce fere a sa vie, ses successeurs les eussent envoyez, en par faisant ce que il eust commencie: aussi comme *Moise* commença la conquete de la Terre Saincte, & ce ne la vit onques, mes establist par soy, quand il deult morir, en son lieu *Josue*, & commanda au pueble qui luy obeist. Pour ce appert, puis que dire le convient; quar qui folie dit, folie doit oyr, pour quoy en respondre sens et verite ne puet per il abentr. Quar si *Boniface* pour soy et pour tout son Clergie eus a Dieu renda tout le pueble Latin, qui moult, tant comme il eust en cure, que il en laissa quatre cens peril par sa negligence, et pour ce que il ne garda les commandements de la Loy, en ce que nostre Seigneur Jesus Christ dit a Sainct Pere, *Passe oves meas*, & entendi de toutes de quelconque lieu, & de quelconques lignages que ils fussent, & il laissa ce a faire, pour entendre a pourboir et a noblir son lignage,

An. 30 E. 1.

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*An. 30 E. 1.* et pour vous tollir vostre greigneur Franchise, il ne puet nier, que par se fait, plus encores que ce il deist, pour ce que len croit plus exemple de fait, que de paroles, que il ne donnaist occasion a tous Princes mescreans, et a tous les Chrestiens Princes desobeissans, de refuser le Baptisme, et l'obeissance del Eglise de Rome: pour ce que ils peussent perdre le plus haut point de leurs Seigneuries, c'est ascavoir, de non reconnoistre Souverain de leur fins. Se les Apostres, et les autres Disciples eussent fait, ou dit ainsi, nul ne cui deroit qu'ils peussent avoir un tout seul Prince converti. Et si droit en qu'il commenca, a vous, bon Roy, pour ce, que vous, et vos Antecessours, et tout le peuple soumissa, vous avez tout temps este les plus obeissans, et les plus debors a l'Eglise de Rome, et a toutes les autres; si comme il pert bien, regarda la Jurisdiction & l'autorite des Eglises de vostre Royaume, et des autres. Et pour ce il pert, que Boniface, l'exemple de Zacharias, soufferra de faire contre le greigneur bien, le greigneur mal, que il puet, quand il oyt qu'il vous & vostre Conseil et tout vostre pueble, qui tant est grand, vous teniez pour si mal pnyez de son mandement. Et que si grand esclandre en estoit par tout le monde, comme le fait greigneur, que len ne pourroit dire ne escrire, & si eult este trop greigneur, se len eult use de semblable sur tout le pueple Latin: quar null homme n'y eult obey, tant comme ils en peust defendre, le cuer & la volente du mandement, qui cuidoit faire tout le monde trembler, s'endurcissent sans repentir, & sans retraire a l'exemple de Pharaon. Ne onques homme ne s'aperceut, que il ne morut en si grand iniquite, en faisant le contraire de nostre Seigneur Jesus Christ, & de Saint Pol, qui dit ainsi, *Se mon frere estoit esclandre, pour len estre, je me garderoye de mengier char a tousioursmais*: & pource qu'il ne parlait sans faire, et sans que il ne fust greveur au pueble, & que esclandre ne issist, ice celuy sage Apostre, quand il alloit prechant, par son art, & par ses mains queroit, en faisant panners, ce que necessaire y estoit pour luy, et pour ceux qui avec li estoient: et l'Apostre en son Canon mesme dit, *que pour esclandre escheuer, l'en doit faire & laisser a faire tout ce que l'en peut sans pechie mortel*. Et si fut, et est, esclandre greigneur du dit mandement, de lozguet, et de la conboitise; pour ce que les sages regardoient, que les Apostres & les Emperours, en firent leur droet, qui pour eux establirent le plus qu'ils peurent. La quelle chose pert bien, a ce que l'Emperour dit, que il estoit Seigneur du monde, sans rien excepter, qui ne avint onques a Alexandre, ne a autre. Et se n'oserent il dire que l'en ne se peut defendre contre l'Eglise de Rome, et contre li Empire, par prescription de Cent ans. Autrement il convenist revenir a faire comme les poissons, qui ont toute la mer comune, si que le plus fort boure hors le plus foible, et occupe le lieu, tant comme il luy plaist a demourer. Ainsi servent la gent, se longue teneure ne diffendoit les tenens. Dont semble il bien que le dit Pape vouloit tou le monde destruire, et mettre en guerre, qui de nouvel vouloit occuper cette Seigneurie, qui tenue et posside avoit este plus de mille ans en bonne soy des Roys des France. Par autele raison puet len demander tout l'heritage que Dieu le Pere partit entre Adam et ses enfans, quand il dit, *Ce que ton pied marchera, & que tu occuperas, sera tien*. Par quoy il pert, quil alloit droitement contre la loy de Dieu, et contre le comandement. Onques quand le dit Boniface sceut si grand esclandre esmeue par le dit mandement, ne sen suffist pour se appaisier. Il appert bien, que il ne doute esclandre de riens, & que cette entente de li fu perverse, E que len aperceut onques sur se amendement. Et quand len ne puet nier quil ne sceust tel esclandre, et il ne luy en chalo, mais poursui comme melencholieux sa folle entente, plus fort que devant, par plusieurs fois, persez perners, par les queulx il renua Dieu, et en ce se rendurci, sans resortir de riens en sa vie. Et fit ces choses notoirement, en disant, qui lui lisoit a faire. Et si appert clerement, que il ne la puet faire sans plusieurs pechiez mortels, qui ne puent estre excusez, que ce ne fust verite notoire. Pour quoy, par les dits de Saint Pol, & de Saint Augustin, il renoia Dieu notoirement, et en cest Estat fu mort, sans que len onques apperceust sa repentance, si comme ceux qui furent presens, & la renommee de Rome le tesmoigne; & in Epistola ad Titum 1. c. 9. q. 3. c. existimant. Et se maintint tousiours, comme Pharaon, que il luy lisoit a faire; pour quoy il par raisonablement quil fu herege, & in cette erreur mourat. E saucuns voulon le dit Boniface excuser de tout cest esclandre, en disant que le dit Pape ne pouvoit laisser, que il ne fist son pouvoir des choses dessusdites, que il ne cheist en pechie mortel, et que sentence fu telle: Con-  
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tre ce puet l'en dire, que il appert, que ce fust faux; car il s'ensuiuroit quil creust, que tous les Apostoilles eussent rescu tous dix en pechie mortel, pour ce qu'ils ne firent ainsi. Par quoy que aucun autre ne praigne exemple a faire aussi, et pour ce que la peine de luy face poeur aux autres: et mesmement pour ce que ils que fust Pape, et devant mesmes, ou li vit notoirement fere moult de choses, qui ne pouvoient estre faites en bonne maniere, desquelles ou nappercent onques signe d'amenement; Vous, noble Roy, sur tous Princes, heritage defendeur de la Roy, destruisseur de Bougres, pouez et duez, et estes tenus requerre et procurer, que le dit Boniface soit tenu et jugiez pour herege, en la maniere que len le pourra et deura, et doit faire apres ce mort; si qua vostre Souveraine Franchise soit gardée et declarée, et qu'elle ne perissa, ne ne soit avilée en nostre temps, et si que vous gardiez le serment, lequel vous faites en vostre Couronnement: l'honneur et le profit de vous, et de vos antecessours, et de vos heires, et de tout vostre grand pueble, la greigneur franchise de vostre Royaume ne soit perdue, ne en doute remedie, et que celle injure fait a vous, et a vostre pueble, soit bien et suffisamment esmendee. *De Tresor des Chartes* Registre 129. fol. 114.

What further proceedings and disputes there were in this Parliament, against and about the Popes pretended Supreme Authority, you may read in Mr. *Fox his Acts and Monuments*, whereunto I referr the Readers.

London  
1640. Vol. 1.  
P. 443. to 445.  
468, to 478.

The Colledge of Cardinals upon receipt of the Peers and Nobles of France premised Letter, returned this following Letter in Answer thereunto, in defence and excuse of Pope Boniface and his Provisions made in France.

\* **M**iseratione divina Episcopi, Presbyteri, & Diaconi, S. Romanæ Ecclesiæ Cardinales, Nobilibus viris, Ducibus, Comitibus, Baronibus, & Nobilibus Regni Francia, in vero salutari salutem. Recepimus literas vestras Nobilitatis & nuncios, quas quidem per eosdem Nuntios latores presentium destinastis, quarum intellectus tenor nostros amaricavit animos, & turbavit auditus. Vobis igitur presentibus respondemus, quod sanctissimus Pater & Dominus noster, Dominus Bonifacius, divina providentia Sacrosanctæ Romanæ ac universalis Ecclesiæ Summus Pontifex, & nos ipsi vinculum charitatis & sinceritatis affectus, quæ inter ipsum Dominum nostrum Summum Pontificem, Prædecessores ipsius Romani Pontifices, & nos, & Prædecessores nostros S. R. Ecclesiæ Cardinales, ac Magnificum Principem Dominum Philippum Francia Regem illustrem, ac Prædecessores suos fuerunt & viguerunt ab olim, manutinemus libenter; & ut firma & stabilia maneant, promptis studiis laboramus; ad hoc etiam invenimus ipsum Dominum nostrum paratum & promptum. Inimicus tamen homo seminavit zizania, quæ Deo authore in fasciculos colligata erunt in combustionem & cibum ignis; & volumus vos pro certo tenere, quod prædictus Dominus noster Summus Pontifex nunquam scripsit Regi prædicto, quod de Regno suo sibi subesse temporaliter, illudque ab eo tenere deberet, & providus vir Magister Jacobus Archidiaconus Narbonensis, Notarius & Nuncius Domini nostri prædicti, sicut constanter affirmat, ipsi Domino Regi hoc ipsum vel simile nunquam verbaliter nuntiavit aut scripto. Unde propositio quam fecit Petrus Flor in presentia dicti Domini Regis, Prælatorum et vestra, et aliorum multorum, arenosum & falsum habuit fundamentum, & ideo necesse est, quod cadat ædificium, quod ædificabitur super illud: Prælati vero, Doctores in Theologia, & utriusque Juris Magistri vocati fuerunt ad ipsius Domini nostri præsentiam, certo eis peremptorio termino assignato, ut cum eis super agendis posset deliberare consultius, sicut personis ipso Domino Regi non suspectis, immo acceptis & gratis, et diligentibus nomen ejus, & affectantibus statum prosperum & tranquillum ipsorum Domini Regis & regni. Hec est nobis per sedem Apostolicam pro qualitate temporum et necessitate causarum, Concilia non solum particularia, sed etiam generalia convocari, quorum aliqua plurimum ex nobis temporibus congregata noscuntur. Detulit tamen dictus Dominus noster ipsi Domino Regi & regno, generale Concilium non vocando, in quo forsitan convenissent nonnulli nationum & regnorum illorum, qui minus dilectionis ad dictum noscuntur habere. Et si ad eorundem Prælatorum & vestram pervenisset notitia literarum tenor, quas idem Archiepiscopus dicto Domi-

\* Pierre de Pithou Preuves des Libertez de l'Eglise Gallicane, c. 7. sect. 16. p. 244, 245.



An. 30 E. 1. no Regi, ex parte ipsius Domini nostri Summi Pontificis presentavit, et fuissent expositus diligenter, reddendæ fuissent Deo & Domino vestro gratiæ copiosæ super paterna cura & materna dulcedine, quam ipse Dominus noster gessit & gerit, ut ipsi Rex et regnum habeant statum prosperum et quietum, et ut tollantur gravamina, quæ Prælati, Ecclesiis ac Monasteriis, et nonnullis ex vobis, et Clero et populo sunt illata. Cum utique dictus Dominus noster Summus Pontifex, si Ecclesiam *Gallicanam* gravavit, hoc fecit concedendo ipsi Domino Regi decimam plurimum Annorum Ecclesiasticorum proventus regni sui. Et quod ad dictum ejus in qualibet Ecclesia Cathedrali & Collegiata regni prædicti, una persona idonea poneretur; nonnullis etiam dignitates et beneficia contulit consideratione Regis ejusdem, Prælatorum et aliquorum ex vobis. Dispensationes quoque multas concessit et magnas, quæ non latent Regem ipsum et multos ex vobis; ex quibus per ingratitudinem non dilectionis & reverentiæ, recipit idem Dominus noster debitam responsivam. Ad hæc non venit in dubium homini sanæ mentis, Romanum Pontificem obtinere Prælatum, et esse summum Hierarcham in Ecclesiastica Hierarchia, et posse omnem hominem arguere de peccato. Nostræ quoque memoriæ non occurrit, quod Cathedralibus Ecclesiis dicti Regni prohiberit de personis Italicis, nisi Bituricensi, et Attrebatensi Ecclesiis, quibus de personis prohibuit ipsi Regi non suspectis et regno, quorum eminens scientia late patet, nec sint conditiones eorum incognitæ. Multis vero aliis Ecclesiis Cathedralibus prohibuit de personis oriundis de regno prædicto, nec Regi, nec regno prædictis probabili ratione suspectis. Quis unquam prædecessorum suorum formas providendi pauperibus Clericis plus extendit, quibus per nonnullos ex Prælati non fiebat Provisio, et mendicare quodammodo cogeantur in opprobrium Clericale? Exsurgant cum ipso Domino Magistri in Theologia, quibus ipse in *Parisiensi* Ecclesia Canonatus contulit & Præbendas. Exsurgant Magistri et alii literati, et in acie stent cum ipso, qui paupertate gravati multis sudoribus, multis vigiliis, multis laboribus adepti sunt scientiæ Margaritam, et dicam quomodo illorum pietas, ad quos beneficiorum collatio pertinebat, respexit eosdem. Invenietis pro uno extraneo, cui est per ipsum Dominum in dicto regno provisum, trecentum qui de prædicto regno traxerunt originem, ab eo provisionis gratiam recepisse. Et si de vacantibus beneficiis regni prædicti, aut vacaturis prohibuit, nonne prohibuit de personis oriundis de regno eodem, et familiaribus, et Clericis Regis, Prælatorum regni et vestris. Ad hæc ut non taceamus vobis solidam veritatem, non decuit, immo licuit, nec etiam expedivit sanctissimum Patrem et Dominum nostrum, Dominum *Bonifacium*, divina providentia Sacrosanctæ *Romane* ac universalis Ecclesiæ Summum Pontificem in literis vestris, quas nobis misistis, non nominare Summum Pontificem; sed, quod dolenter referimus, missis filialis et solitæ reverentiæ more ac stylo, ipsum nominastis per quendam circumlocutionem indebitorum verborum et nobiter inventorum. Hujusmodi autem literarum nostrarum placeat vobis habere bonum interpretem & fidelem. Datum *Anagninæ* 6. Kal. Julii, Pontificatus vero præfati Domini nostri Dom. *Bonifacii* Papæ 8. Anno octavo, Sigill. 17 sigillis ceræ rubræ. *Du Thresor des Chartres* cofre Boniface, num. 4.

Soon after, King *Philip* out of his Sovereign Authority issued these ensuing Letters for the constant, inviolable Protection and defence of all his Nobles, Prelates and Subjects adhering to him against Pope *Boniface* in this quarrel, against all his Citations, Excommunications, Interdicts, Censures, and proceedings whatsoever, ratified by Oath, from which he would not recede for any dispensation or cause whatsoever; thus registered for his honor to posterity.

Pierre de Pithou, Preuves des Libertés de l'Eglise Gallique, cap. 19. p. 680, 681.

**P**hilippus Dei gratia *Francorum* Rex, universis presentes literas inspecturis, salutem. Cum Prælatos, Barones, & alios fideles & subditos nostros defendere teneamur, nos dilecto nostro P. Monasterii *S. Cornelii Compendiæ* Abbati promissimus, quod personam suam, statum, honorem, libertates, et jura ipsius, Monasterii sui, Consanguineorum, parentum, affinum, amicorum et subditorum suorum, qui de adherentibus fuerint, et aliorum adherentium, et adherere volentium, efficaciter defendimus, sibi que assistemus in eorum defensione contra omnem hominem, qui vellet statum, honorem, libertates, et jura prædicta infringere, vel etiam adnullare: et specialiter contra B. tunc Ecclesiæ *Romane* Regimini præsentem, qui multis

multis contra nos, ipsum, et alios Prelatos, et regnum dicitur comminatus fuisse; nec nos ab eo, et suis, ut promissum est, nec ipsos a nobis in defensione predicta sepe-  
 rabimus, nec etiam excludemus; facientisque de convocatione Concilii generalis, quod alias promissimus, sicut in Instrumentis publicis inde confectis plenius conti-  
 netur. Cum tam nos, quam Prelati, et Barones regni nostri sub certis formis probocaverimus et appellaverimus, et in scriptis, ne dictus Bonifacius, commotus occasione promissorum vel aliquorum ex eis, procederet contra nos, Prelatos, Barones, subditos nostros, prout in Instrumentis publicis inde confectis plenius continetur; Promittimus, quod si dictus B. jam forte processerit, occasione promissorum, vel quia Prelati per nos retenti pro defensione necessaria regni nostri, post ejus vocationem, ex inopinato emergente, ad vocationem hujusmodi non iberint, sed ad requisitionem nostram se ex causis legitimis excusarunt, vel procedat pendente negotio dicti Concilii, vel etiam terminato, promissorum occasione, quocunque quæsito colore, excommunicando, interdicens, suspendendo, deponendo, absolviendo a juramento fidelitatis, vel homagii, aut alterius cujuscunque obligationis hinc inde, seu alias quoquo modo contra nos, Prelatos, Barones, Consanguineos, parentes, affines, amicos, vel subditos eorundem, aut alios adhaerentes, vel adhaerere volentes; Nos dictis Prelatis, Baronibus, et aliis adhaerentibus, vel adhaerere volentibus assistemus, et defendemus eisdem, nec nos separebimus de eis, nec absolute-  
 nibus a juramentis quibuscunque in presenti negotio in animam nostram factis vel præstitis per quoscunque, vel aliis quibuscunque relaxationibus induitis vel indulgendis, impetratis vel impetrandis, ultro oblatis vel concessis, offerendis vel etiam concedendis, utemur: immo, semper eisdem Prelatis, Baronibus, et aliis adhaerentibus, et adhaerere volentibus, adhaerebimus: nos, haeredesque nostros, ad omnia promissa et singula promissorum inviolabiliter observanda, specialiter obliga-  
 mus; et ea propositis sacrosanctis Evangelii tenere et inviolabiliter observare, ac etiam adimplere, jurari fecimus, in presentia nostra, et in animam nostram, per dilectum et fidelem nostrum Comitem S. Pauli. Caterum charissimæ Consorti nostræ Johanne Regine Francie, ac charissimo Ludovico primogenito, & Philippo secundogenito natis nostris, & Baronibus supradictis, damus presentibus in mandatis, ut eidem Abbati P. omnia et singula promissa promittant, seque expresse et specia-  
 liter obligent ad observationem eorundem, et similibus juramentis astringant. Nos vero per promissiones & juramenta, quæ dictus Abbas super promissis & præmissa tangentibus, nobis fecit & præstitit, non intendimus, nec volumus novum homagium, juramentum, seu aliam novam servitutem, in ipso, & in monasterio suo, et ipsius successoribus, in aliis acquirere in futurum. Nos autem Joanna, Francie & Navarre Regina, Campanie, Brieg, Comitissa Palatina, nosque Ludovicum & Philippum præfati, præmissa omnia et singula tenere firmiter, & fideliter observare, quantum ad nos pertinet, vel in futurum poterit pertinere, promissimus et per præfatum Comitem S. Pauli in animas nostras jurari fecimus nos, haeredes et successores nostros ad hæc expressè, et specialiter obligantes. Nos vero prænominatus Rex præmissa omnia & singula, per præfatos Consortem & liberos nostros, de mandato nostro, promissa, jurata, & prædictas obligationes, modo prædicto factas fuisse testamur. Et ad majorem cautelam, sigillum nostrum, nos Regina prædicta literis his appendi fecimus, una cum sigillo præfati Domini nostri Regis. Datum Parisi die 15 Junii, Anno Domini 1303.

The like \* Protection he issued Decano & Capitulo Ecclesie Parisiensis, Parisiis die Martis post festum Sancti Laurentii, Anno Domini 1303. with sundry others in like form and words.

He likewise published this Royal Mandate, to seise the good of those Ecclesiastical persons who should depart out of his Realm, without his special license, (upon this Popes summons or any other pretence) contrary to his Defences formerly published.

\* Commandement fait par le Roy de saisir les biens des Ecclesiastiques sortis hors son Royaume, sans son commandement.

\* Pierre de Pithou les Preuves des Libertez Degallicane. ch. 13. sect 8. p. 300, 301.

\* Ibid. chap. 19. Sect. 6. p. 681.

Philippus Dei gratia Francorum Rex, Ballivo Avelianen, vel ejus locum tenenti, u tem. Cum nos regni nostri his diebus utilitate pensata, deliberationeque



An. 30 E. 1. super hoc præstita, sub certis semel et iterum formis districte duxerimus prohibendum, ne quis de Incolis regni nostri, certis rationibus et causis, in ipsa prohibitione contentis, ab eodem regno absque nostra speciali licentia exire præsumeret quoquo modo: Nonnulli nihilominus Prælati, Abbates, Priores, Magistri in Theologia, Doctoresque Juris Canonici et Civiles, et alia quædam Ecclesiastica et secularia personæ, prout ad nostrum nuper venit auditum, Inhibitione hujusmodi nostra scripta, ab eodem regno egredi (quod molestum gerimus) præsumperunt. Nolentes igitur ob ipsarum absentiam personarum, bona earum temporalia dissipari, & potius ea cupientes providè conservari; mandamus tibi, quatinus bona omnia temporalia personarum quarumlibet Baillivæ tuæ, quæ prohibitionem nostram prædictam transgresserunt, ad manum nostram causa custodiæ ponere non omittas, eaque diligenter custodiri facias, donec de certis eorum Custodibus, duxerimus prohibendum, de nominibus verò ipsorum, & quantitate bonorum immobilium singulorum te diligenter informes, Informationem quam inde feceris, nobis quamcunque relaturus, vel sub sigillo tuo interclusam missurus. Actum Parisiis Domini- ca post festum B. Lucæ Evangelistæ, Anno Domini, 1353.

\* Pierre de Pithou, Preuves des Libertés Gallicanes, chap. 12. scd. 7. p. 682, 683.

\* *Defensis fait par le Roy à tous Ecclesiastiques de sortir hors le Royaume*, under pain of confiscation of all their lands, goods, and perpetual banishment as Traytors to the King and kingdom, and to intercept, seise all Letters to or from them.

Philippus Dei gratia Francorum Rex dilecto & fideli nostro Archiepiscopo Remensi salutem & dilectionem. Olim pro defensione necessaria regni nostri, ad cujus impugnationem hostilis iniquitas conatus suæ malignitatis exercet, aliisque cæteris & legitimis causis inducti, constitutiones et inhibitiones, ne quis de fidelibus, vel subditis nostris, vel incolis regni nostri, cuiuscunque status et conditionis existant, exire limites regni ejusdem, vel in via se poneret ereundi, et de auro, argento, pecunia, et aliis cæteris rebus non extrahendis de regno nostro, absque licentia nostra speciali, sub diversarum poenarum adjectione, duximus promulgandas; certis ad conservationem Constitutionum & Inhibitionum ipsarum executionibus, & portuum & passagiorum finium dicti regni Custodibus deputatis. Verum ex Constitutionibus & Inhibitionibus hujusmodi nullas vel modicus, quod non sine turbatione referimus, est hæcenus secutus effectus, cum per dissidiam, negligentiam & defectum quorundam ex istis Custodibus, ac fraudem & malitiam aliquorum post editionem, & contra tenorem & formam Constitutionum ipsarum personarum, nobis & regno suspectarum, ingressæ fuerint, ac de die in diem quædā propriis & aliis mutatis habitibus passim, & indifferenter ingrediantur, & quædam egrediantur terminos dicti regni, ac de regno ipso hujusmodi res prohibita absque nostra licentia extrahantur. Cum igitur præsentis conditio temporis, regni status, & ingruentium exigat qualitas agendorum, ut Constitutiones et Inhibitiones prædictæ solito strictius et firmiter observentur, præsertim cum Flandrensi rebellium prædictorum abhorrenda rebellio, detestanda sævitia, ferinaque rabies magis ac magis de die in diem invalescat, & periculosa succrescat, adeoque ipsi mala malis, & excessibus excessus cumulantes, et ad subversionem, destructionem omnimodam, & finale excidium dicti regni, et Ecclesiarum totis conatibus satagentes, nuper ad Civitatem Morinensem, et ad alias diversas villas & loca Morinensis, Astrebatensis, & Tornacensis Diocæsium collecta satellitum hostiliter accedentes, beatæ Mariæ Morinensis, & aliorum prædictorum locorum Ecclesias, ipsius Virginis & aliorum Sanctorum Imagines existentes in eis, reverentia retrojecta, & divino amore postposito, nefandis ausibus & temeritate sacrilega, ignis incendio concremarunt, ac villas & loca prædicta per cædis, depopulationis, & devastationis voraginem, deposita omni humanitatis mansuetudine, horribili crudelitate totaliter destruxerunt, nec Deo, nec homini, nec personæ, nec dignitati aliquatenus deferentes, nec sexui nec ætati parcentes, et alios diversos enormes et detestabiles comiserunt excessus, qui humanis sensibus horrorem & stuporem ingerunt, & audientium, dura quantumlibet, corda impunguntur. Nos ad necessariam ipsius regni, & Ecclesiarum, ac personarum Ecclesiasticarum defensionem totis, ut condecet, studiis intendentes, ac propter hoc exponentes quibuslibet personarum laboribus & dispendiis non vitatis totaliter nos et nostra, et ad defensionem eandem nostram, et aliorum Prælatorum dicti regni, quorum in hac causa agitur, et proprium

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um cuiuslibet prosequitur interesse, presentium pro consilio impendendo, exhortatione, sollicitatione, & confortatione populi, animarum regimine, divinis mysteriis & officiis exequendis, aliisque diversis ex causis utilem & necessariam reputantes, cum ad defensionem natalis patriæ, Ecclesiarum & fidei omnes & singuli teneantur: Vos attentè requirimus, & sub naturalitatis officii debito, quo nobis & regno astricti tenemini, districtè præciendo mandamus, quatinus nobis in defensionis prædictæ negotio consiliis & auxiliis opportunis & debitis assitatis, inhibentes vobis districtius sub capitali, et amissionis bonorum omnium pœnis, et omnibus aliis quas iura et consuetudines statuunt, et nos infringere possumus, ne nos, Regnum, et Ecclesiam nostram in tantæ necessitatis articulo, negligendo seu contemnendo defensionem primam deferentes, exeat limites dicti Regni, vel vos in via exundi ponatis. Vos enim, si secus præsumpseritis attemptare, vos et omnes tam Clericos quam Laicos vestros hac parte sequaces, et vobiscum, ut præmittitur, fugiendo defensionem primam deferentes, extra gardiam et protectionem nostram, et a Regno nostro extunc perpetuo relegamus et exponimus, tanquam nostros et Regni notorios proditores in personis et rebus impune per quoslibet offendendos. Datum apud *Vicennas* Dominica post festum *Magdalena*, Anno Domini 1303.

**P**hilippus Dei gratia *Francorum* Rex, Senescallis, Ballivis, Præpositis, cæterisque nostris, ac Custodibus Portuum & Passagiorum finium regni nostri ubilibet deputatis, salutem. Turbamur non modicum, quod cum olim pro defensione, &c. usque ad hæc, *Corda impunguntur*, (ut supra.) Nobis et vestram singulis sub capitali, et amissionis omnium bonorum pœnis firmiter injungimus, et districtè præciendo mandamus, quatinus ad conservationem constitutionum & inhibitionum ipsarum solito diligentius & efficacius intendentes, provideatis attentius, ne persona quæcunque Ecclesiastica, vel Secularis cujuscunque dignitatis, ordinis, status vel conditionis existat, etiam si Archiepiscopus, Episcopusve existat præprios, vel juramento, habitu (Mercatoribus & Nunciis Mercatorum duntaxat exceptis) exeat dictum regnum, nebe literæ apertæ vel clausæ quibuscunque personis transmissis, etiam si ab aliquos de affinibus, consiliariis, vel familiaris nostris hujusmodi sortiant literæ, vel ab ipsis ad alios dirigantur, afferantur in regnum, vel extrahantur de ipsa hujusmodi literæ, aut aliæ res prohibita in Constitutionibus et Inhibitionibus supradictis, nisi de egressu, emissionem, vel extractionem prædictis patentes literas nostras recipere vos contingat; omnes literas quas ad manus nostras debentur continget, quibuscunque absque personarum acceptatione directas, nobis et non aliis clausas et integras, sine apertione vel inspectione mittentes, bona omnia illorum, si quos sortian exire contigerit absque nostra licentia speciali, capientes ad manum nostram, & tanquam confiscata nostris commodis applicantes, ad præmissa omnia & singula diligenter & fideliter exequenda, si be indignationem nostram perpetuam, et corporum ac bonorum nostrorum pericula capitis evitare, totis viribus, totisque conatibus intendentes; cum nos proculdubio gravius offendere non possitis, quam si in negligentia vel defectu, dolo, fraude vel malitia vos, quod absit, contigerit inveniri. Vos enim non solum omnes illos, cujuscunque status, dignitatis, vel conditionis existerent, etiam si Archiepiscopali vel Episcopali fulgerent dignitate, qui nos in regno in presentis necessitatis articulo deferendo, contra nostræ sortiam prohibitionis exirent, sed et vos exire in casu negligentia, fraudis, malitiæ, vel defectus, nostros et regni nostri reputaremus non immerito proditores. Datum ut supra.

Thus did our King *Edward* the 1. with his Nobles, Clergy, Commons, and Universities in *England*, and King *Philip* with his Nobles, Prelates, Clergy, University of *Paris*, and Commons in *France*, by their president, though formerly at mortal enmity and Wars against each other, when reconciled by this Popes award and Legates as a private person, who endeavoured to usurpe a Papal Jurisdiction and Sovereignty over themselves, their Realms, Crowns, Prerogatives, as well in Temporals as Ecclesiasticals, which he publicly claimed by his Bulls, most strenuously and heroically oppose him in their *Parliaments* and *Councils*, and soon after laid his Papal Honour, Miter, Person in the dust, with highest contumely and disgrace.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 4*

An. 30 E. 1. disgrace. In order whereunto the King, Prelates, Nobles, and People of France in the Parliament at Paris, drew up this memorable Appeal to the next General Council, against this Pope and his detestable errors, crimes, vices, contained in sundry Articles.

Pierre de Pithou Preuves des Libertez de l'Eglise Gallique, c. 13. p. 487, to 492.

*Appellatio facta per Philippum Regem Franciæ & Regnicolas ad futurum Concilium Generale, contra Papam Bonifacium 8.*

**I**N Nomine Domini Amen. Anno ejusdem Domini 1303. Indictione 13. mensis Junii, Pontificatus Domini Bonifacii Papæ 8. anno 9. tenore presentis Instrumenti publici. Noverint universi quod presentibus serenissimo Principe Domino Philippo Dei gratia Rege Franciæ, illustribus & reverendis in Christo patribus Archiepiscopis & Episcopis, ac religiosis viris Abbatibus & Prioribus, ac etiam nobilibus viris Comitibus, Baronibus, & quamplurimis aliis personis tam Ecclesiasticis quam Secularibus infrascriptis, in presentia nostrorum Notariorum publicorum subscriptorum, ad hoc specialiter vocatorum & requisitorum, prout in subscriptionibus infrascriptis continetur; magnifici ac nobiles viri Domini Ludovicus Regis Franciæ filius, Ebroicensis, Guido Sacelli Pauli, & Johannes Drocentis Comites, ac Gulielmus de Pleisseiano Dominus Vicenobrii Miles, moti, ut dicebant, serboze fidei, sinceræ devotionis affectu, et zelo charitatis induiti, Sacrosanctæ Romanæ ac Universalis Ecclesiæ matri suæ, quam sub dicto Domini Bonifacii præsentia periculose deperit, ac deformationem enormem, et iacturam pati dicebant, compatiētes ab intimis, ac Christianæ fidei in qua salus animarum consistit, et quæ suis temporibus (proh dolez!) miserabiliter contabescit et deperit, ut dicebant, periculo conbolantes, ad ipsius Ecclesiæ et totius Christianitatis salutis regimen, et bonum statum, ac reparationem et exaltationem Catholicæ fidei, votis, ut dicebant, ferventibus intententes; maxime cum eidem Ecclesiæ, fidei fundamento, & animarum saluti summe expediat, ut Domini gregis obli non nisi verus et legitimus, ac vere et legitime pastor præsit, et quod ab eadem Ecclesia sponsa Christi, quæ non habet maculam neque rugam, omnis error, scandalum, iniquitas et iniustitia repellatur, ac tot mundo quem ex perverbis actibus, detestandis operibus, et perniciosissimis exemplis dicti Domini Bonifacii in guerris et tenebris munere dicebant, salus pax et tranquillitas, divina favente misericordia, procuretur; contra dictum Dominum Bonifacium hæreticæ præbitionis, et alia diversa horribilia et detestabilia crimina quibus eum trethum esse dicebant, et super eis publice et notorie diffamatum, presentibus dicto Domino Rege, Archiepiscopis, Episcopis, et aliis Prælati ac personis Ecclesiasticis qui pro suis et Ecclesiarum suarum agentibus convenerant, ac Baronibus, Comitibus, et aliis Nobilibus quorum nomina sunt inferius conscripta, dixerunt et asseruerunt; ac dictus Gulielmus proposuit & objecit, jurantes, ad Sancta Dei Evangelia tacta corporaliter, se præmissa omnia et singula crevere esse vera, et posse probari: Adjiciens idem Gulielmus de Pleisseiano, hujusmodi juramento, quod præmissa credebat se probare posset, et quod hujusmodi negotium contra dictum Dominum Bonifacium in Generali Concilio, vel alibi vel quando, et coram quibus de jure fuerit faciendum, ad finem debitum persequeretur. Requirētes instanter dictum Dominum Regem, tanquam fidei pugilem et Ecclesiæ defensozem, ut pro declaratione veritatis huius, ad tandem obtinere nomis, augmentam et exaltationem Catholicæ fidei, et honorem ac bonum statum Ecclesiæ Universalis, et totius populi Christiani, Concordationi et Congregationi dicti Concilii Generalis prout ad eum pertinet, opem daret et operam efficacem, cum in talibus et similibus omnibus ex serboze fidei et zelo iustitiæ directrix semper extiterit veritatis Regia domus sua, quodque Archiepiscopos, Episcopos, et Prælatos alios supradictos instanter requireret et instaret efficaciter apud eos; ipsique Comites et Milites requisierunt etiam instanter, et plures Prælatos eodem tanquam Ecclesiæ filios et columnas, ut modis legitimis, iuxta Sanctorum Patrum instituta, et Canonicas sanctiones, Concordationi et Congregationi dicti Concilii opem darent, et operam efficaciter ut tenerentur. Idem vero Prælati objectionibus supradictis auditis, & plenius intellectis, hujusmodi negotium non solum arduum, immo arduissimum & maturi indigere deliberatione Consilii reputantes de loco recesserunt eodem.

Die

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

Die autem *Veneris* proxima sequenti, scilicet 14 die ejusdem mensis *Junii*, p[re]sente p[re]sente p[re]sente Domino Rege, necnon Dominis Archiepiscopis p[re]sentibus, ac in p[re]sencia nostrorum Notariorum publicorum ad hoc specialiter vocatorum & requisitorum, p[re]dictus *Gulielmus de Plesseiano* Miles dixit, proposuit, objecit, asseruit & legit prout in quadam *Schedula* quam tenebat in manibus continetur plenius, cujus tenor talis est.

*Ego* *Gulielmus de Plesseiano Miles*, dico, propono et assero Bonifacium nunc sedis Apostolicæ p[re]sidentem, Hæreticum fore perfectum; in hæresibus, sacris enoziis, et perverbis dogmatibus insertis declaratis, quæ vera fore, et me probare posse credo, vel quæ sufficient ex ipsis, ad probandum ipsum perfectum Hæreticum, loco et tempore competentem, et coram quibus hoc fieri de jure poterit et debet, et hoc iuro super hæc Sancti Dei Evangelia corporaliter pertacta.

The particular Articles to make good this Charge, are thus Englished and recorded by \* Mr. Fox, worthy special observation.

\* Acts & Monuments, Vol. 1. p. 450. 451.

**F**irst, \* That he believeth not the Immortality of men, and Christian souls, but thinking much like as the Sadduces did believe, that there is no everlasting Life, and that men cannot get at the length Joy, but that all the lott and part of comfort and gladness is in this World, and by this means he affirmeth, that it is no sinne for the Body to live daintily in all dainties: And out of the abundance of this leaven he was not ashamed to say and openly to confess, that he had rather be an Ass, or a Dogg, or any other brute beast then a Frenchman; which thing he would not have said if he believed a Frenchman had a soul that could enjoy everlasting life. This thing he taught many men, which acknowledged this at the point of death, and the common report goeth thus on him in these things.

\* Ergo the Pope may be an Heretic, and is not infallible.

2. And he believeth not faithfully that by the words ordained of Christ, and spoken over the Host after the fashion of the Church, by a faithful Priest, that is lawfully ordered, the body of Christ to be there; and therefore it cometh to passe, that he giveth no reverence to it (no not a little) when it is lifted up of the Priest, yea he riseth not to it, but turneth his back to it, and makes himself and his seat to be honoured where he sitteth, rather than the Altar where the Host is consecrate; and he is commonly reported to do this.

3. Also he is reported to say, that Whoredome is no sinne, no more then rubbing of the hands together, and thus commonly runs the voice and brute.

4. Also he said often, that to thrust down the King and Frenchmen, (if it could not be otherwise done) he would overthrow himself, the whole World, and the whole Church. And when he had said so, some that stood by said, God forbid; he answered, God grant. And when good men that heard the words replied against him, that he should not say so, because the Church of God, and all Christian men should suffer great slander so; he answered, I care not what slanders soever come, so that the Frenchmen and their pride be destroyed; for it is necessary that slanders and offences come.

5. Item, he called again and allowed a Book made by Mr. Arnold of Newton, containing and smelling of Heresie, condemned by the Bishop of Paris, and reproved by the Masters of Divinity, and burned openly by Boniface himself, and in the full Consistory of Cardinals being likewise reproved, condemned, and burned, yet he allowed it being written again, and conteyning the same fault.

6. Item, that he might make the most damnable remembrance of him perpetual, he caused his Images of silver to be set in the Church, by this means bringing men to Idolatry.

7. Item, he hath a private Devil whose counsell he useth in all things, and through all things.

8. Item, he said once, that if all men were of one side, and he on another, they could not deceive him neither in law nor in deed; which thing could not be done except he used a Devilish Art; and of this he is openly thus reported.

9. Item, he is a Witch, asking counsel: at Southsayers both men and women, and thus he is commonly judged.

10. Item, he said openly, that the Romish Pope could not commit Symony, which



*An. 30 E. 1.* which is heretical to say: This is a sinne reprov'd as well in the Old Testament as in the New, and generally in the Holy Councils. Also he is wont to make Merchandise of Prelates Livings, Dignities, Superiorities and Benefices, to which the Holy Orders be necessarily joyned, and of Absolutions and Dispensations, like as Usurers and Merchants use to buy and sell common things in the Market; and of this the common brute reports him (guilty.)

11. Item, he letteth with all his might among Christian men the special embassage of Christ, made to his own sonnes, saying, Peace I leave to you, and solveth discord and warres; wherefore once it was said before him, that certain parties would friendly agree after a good sort, but he letteth the peace: And when the other party did humbly beseech him that he would give license to agree, he said, he would not: Yea, if the Son of God, or Peter the Apostle would come down into the Earth and command him, he would say, I will not believe thee.

12. Item, because the French Nation (being manifestly a most Christian Nation) followeth not his errors in the Faith, he reckoneth and openly calleth all and every of them Paterniani.

13. Item, he is infect with Sodomitical sinne, keeping with him Boyes for Concubines, and of this fault he is most commonly and openly reported.

14. Item, he hath caused many murders of Clerks to be done in his presence, commending it, and rejoycing at their death: And if they were not deadly wounded at the first by his Servants, as oft as he saw them smiting he said, smite, smite, by which example many were slain.

15. Item, when he had condemned a certain Nobleman, he forbade the Sacrament to be given him at the point of death, he desiring it, and being penitent; saying, that the Sacrament of penance was not necessary to salvation.

16. Item, he compelled certain Priests to shew unto him the confessions of men, and he published them openly afterwards, contrary to the will of them that were confessed, to their shame and confusion, and compelled them to redeem their sinnes: Insomuch that once he depesed a certain Bishop of Spain for the faults that he confessed to a certain Cardinal, confessing unto him a certain privy horrible fault under Benedicite, and compelled the Cardinal against his will to declare his confession, and yet afterwards restored the same Bishop again to his place for a little money: wherefore he is thought to play the Heretick in the Sacrament of penance.

17. Item, he fasteth not on the fasting dayes, nor Lent, but eateth flesh indifferently, and without cause suffereth his Household and Friends to eat, saying it is no sinne; doing in this thing against the general state of the Holy Church.

18. Item, he oppressed the Order of the Cardinals, and oppressed the Order of Black and White Monks, of Gray Friars and Preachers, and said oft, that the World was destroyed by them, and that they were false Hypocrites, and that never good could chauce unto any that would be confessed to them, or would be familiar with them, or would keep them in their house; and he never said good word of any Prelate, Religious man, or Clerk, but ever rebuketh and slandereth them, taking away their good name, and to compell them to redeem their faults, he is glad of their accusations; and this is the common voice and repore of him.

19. Item, of old time, he going about to destroy the Faith, conceived a hate against the French King, even to the abhorring of the Faith, because of the light of Faith which is there, and because of the great witness and example of Christianity which is and hath been there: And before he had this Seat he is proved to have said, that if he were Pope, he would rather overthrow all Christendome, but he would overthrow and destroy the Nation, which he calleth the Pride of the French.

20. Also it is reported, that when the Ambassador of the King of England in the name of the said King, did require and intreat for the Tenth of the Realm of England to be given him, he answered, that he would not give them the Tenths but on this condition, that he would make Warre with them against the French King. And besides this, he is reported to have given great summes of money to certain persons, to hinder that peace should not be between the said Kings. He himself also with all his might hath tested it, by Messengers, Letters, and other ways that he could, yea by gibing bybes.

21. Item,

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21. Item, he is reported also to have commanded Frederick which keepeth the Isle of Sicil, that if he would betray Charles the King and break the peace which he made, and swear that he would keep with him, and would stir against the King and kill the Frenchmen, that then he would give him aid, help, and counsell; and so; so doing he would give and grant him the said Kingdoms. An. 30 E. 1.

22. He confirmed also the King of Almaine to be Emperour, and said openly, that he did it to destroy the Nation which he calleth the Poyse of the Frenchmen, which say they are subject to none in Temporal things. wherein saith he they lyed on their heads; declaring moreover, that whosoever (yea if it were an Angel from Heaven) would say that all Kings of the World were not subject to the same King of Almaine, he were accursed.

23. Further, he brake the agreements of Peace between the King of Almaine and the French King, in which either of them should have their own saved; and what encroachings former had been on either side, should be brought to a due state, and under an Oath orderly given and taken; he is reported to have commanded the same King of Almaine, that he should not keep those conditions of Peace, but be an Enemy, and go about to sow debate among Christian men.

24. Item, it is openly reported, that the Holy Land was betrayed through his fault, and came to the enemies of God and of Faith, and that he suffered this for the nonce, and denyed to give aid to the Christians which defended it, spending the Treasures and money of the Church (which should have been bestowed on that use as the Patrimony of Christ) in persecuting of faithfull Christians and friends of the Church, and therewith would enrich his friends.

25. Item, he is openly reported to use Simony, not only in bestowing of Benefices, but in giving of Orders, and making Dispensations: He hath set to sale all Benefices of the Church, and would bestow the Church commonly on him that would offer most; and he made his Servants Prelates of the Church, not for wealth of the Faith, nor to thrust down Infidels, but to oppress the faithfull, and to enrich his kindred by the Churches goods, and of the Patrimony of him that was Crucified; and presumed to make them Marqueses, Carles, and Barons, and was not afraid to bulke them strong holds, rooting out and oppressing many Noblemen and others.

26. Item, it is commonly reported, that he hath divorced many Marriages lawfully made, to the contempt, hurt, and slander of many; and he did promote his Nephew to a Cardinalship, being married, unlearned, and altogether unworthy to live; and openly married one that was divorced, and compelled him to make a vow of Chastity, and after that he is reported to have had two Bastards by her; and so goeth the common brute of him.

27. Item, it is commonly reported, that he handled ungently his predecessor Celestinus of holy memory, leading a holy life, ( peradventure knowing in Conscience that he could not forsake his Popedom, and therefore Boniface himself had no lawfull entrance to the See ) and imprisoned him, and there quickly and privily caused him to die; And of this the common brute and report is through all the World, that he caused many great and learned men, living a regular life, ( which disputed of this, whether he might renounce the Popedom or not ) to be set in prison, and there to die.

28. Item, he is reported to have railed at Religious persons leading a regular life, without a reasonable cause to the World, to the slander of many.

29. Item, he is reported to have said, that within short time he would make all the Frenchmen either Martyrs, or forsakers of their Faith.

30. Item, it is commonly reported, that he seeketh not the health of the souls, but the destruction of them.

\* Quibus sic propositis & perlectis, idem Gulielmus protestatus fuit, dixit, juravit, provocavit, appellavit & supposuit, legendo in scriptis, per hac verba.

Protestor autem ego Gulielmus de Pleseiano Miles, quod prædicta non propono, nec dico, propter odium aliquod spectale ipsius Bonifacii, ( quia non habeo eum

gesse Philippus Galliarum Rex & mendicantes Monachi quibus Octavius adversabatur. Ea proferre ne prociacitatis atque petulantiae vitio obnoxius esse videar, mihi religio est. Joh. Aventinus Annal. Boiorum, l. 7. p. 582.

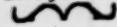
\* Pierre de Pithou, Preuves des Libertez de L'Eglise Gallicane, ch. 13. p. 489.

490. In hunc conviciis, maledictis,

probraque obsecra crimina n. sanda, con-



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Nota.

odio, sed maleficia sua prædicta) nec infamiam ipsius, nec alterius, sed propter zelum fidei, et propter debortionem, quam habeo ad Sanctam Dei Ecclesiam, et ad sanctum sedem Romanam, dicens, quod per ea quæ vidi, & a fidedignis audiivi de factis ejusdem, et ex verisimilibus conjecturis et probabilibus presumptionibus collectis, ex prædictis et aliis quamplurimis diversis articulis suo loco & tempore declarandis, ad sancta Dei Evangelia tacta manu mea juro me credere, ipsum esse perfectum hæreticum, et me etiam credere quod de prædictis et aliis talia probari poterunt contra eum, quæ secundum statuta Sanctorum Patrum sufficient ad eundem hæreticum judicandum: Juro etiam, me pro viribus contra eundem persecuturum prædicta in Concilio Generali congregando in loco mihi tuto et securo ad honorem Dei et exaltationem fidei Christianæ, jure, honore, et statu sanctæ Sedis Apostolicæ in omnibus semper salvis, propter quæ instanter et cum reverentia requiro vos Dominum Regem, ad quem spectat sanctæ Patris Ecclesiæ fideique Catholicæ defensio, et de hoc estis rationem in extremo examine redditurus, et vos Dominos Prælatos qui columnæ fidei estis, et qui de prædictis simul cum aliis reverendis patribus Sanctæ Ecclesiæ Prælati Catholicis in Generali Concilio congregandis, debetis esse iudices, quatinus procuretis & detis operam efficacem, ut Generale Concilium in loco congruo et securo, et tempore opportuno congregatur: coram quo prædicta proponi, procedi et probari valeant, ut præmittitur, contra eundem Bonifacium. Vosque & Dominum Regem instanter requiro, ut eosdem Prælatos præsentem et absentes ubicunque terrarum, ad quos spectat, requiratis et efficaciter inducatis ut laborent viriliter, et alios requirant fideliter, quod prædictum Concilium ad prædicta, modo quo præmittitur, congregetur. Et quia hoc pendente, habeo ipsum Bonifacium suspectum probabiliter, ne propter prædicta commotus et concitatus contra me, ad hærentesque mihi procuratores, et adjutores amicos, et familiares meos, bonaque mea, et ipsorum, quoquomodo procedat, vel procedere hoc pendente attente, idcirco in his scriptis coram vobis Domino Rege, et Dominis Prælati, ac coram vobis publicis tabellionibus hic personaliter, ad dictum sacrum convocandum Generale Concilium, et Apostolicum et Catholicum futurum, et ad sanctum sedem Apostolicum, et ad illud et illos, ad quem et quos de jure melius possum, et debeo, prodeco et appello, Apostolos et literas testimoniales semel, secundo, et tertio instanter per vos mihi dari et tradi petens, supponens me, ad hærentes, fautores, familiares, amicos, procuratores meos, et omnes illos, qui in posterum mihi voluerint adhærere, bonaque mea, et ipsorum sub protectione et custodia beatorum Apostolorum Petri et Pauli, et dicti sacri congregandi Concilii et Apostolici et Catholici futuri, et sanctæ sedis Romanæ, adherens nihilominus ad cautelam, et adhærere volens appellationi et appellationibus, processui et processibus super his factis per nobilem virum Dominum Gulielmum de Nogaretto Militem, in quantum ritè et legitime factæ, et facti reperientur, non recedendo ab appellatione præsentem.

*Quibus sic lectis & peractis, præfatus Dominus Rex respondit, Prælatos prædictos requisivit, procuravit, appellavit, & requisitionem & provocationem, & appellationem fecit, prout infra scripta schedula ibidem, eo et Prælati, aliisque infra scriptis presentibus et audientibus lecta plenius continetur; cujus tenor talis est.*

\* Ibidem, p. 490.

**N**os Philippus Dei Gratia Franciæ Rex, Auditis & intellectis propositis & obiectis per vos G. de Pleffiano Militem, & antea per dilectum et fidelem Militem nostrum G. de Nogaretto, contra Bonifacium nunc Romanæ Ecclesiæ regimini præfidentem, licet pudenda Patris cuiuslibet proppio libenter pallio tegeremus, ob servorem tamen Catholicæ fidei ac debortionem extremam, quam ad sacrosanctam Romanam et Universalem Ecclesiam matrem nostram, et omnium fidelium, sponsam Christi, progenitorum nostrorum inhærendo vestigis gerimus, qui pro exaltatione ac defensione Ecclesiasticæ Libertatis et fidei, proppium sanguinem fundere minime dubitaverunt, fidei negotio, et Ecclesiæ statui consuli cupientes pro vitanda dispensatione scandali generalis, præmissa nequeunt ulterius urgente Conscientia sub convenientia vel dissimulatione transire, cum super his et frequentibus, et assiduus clamoribus per fidedignos, et magnæ auctoritatis viros, sæpe et sæpius inculcatis ejus opinio vehementer et notabiliter sit grabata, cum super excidio fidei nostræ, et quorumlibet aliorum, et præcipue Regum et Principum orbis terræ, qui ad ejus exaltationem

altationem et augmentum, collatum nobis a Domino suscepisse cognoscimus potestatem, debet negligentia reprobari, vestris in hac parte requisitionibus pro debini reverentia nominis; salvis in omnibus sacrosanctæ Romanæ Ecclesiæ honore et reverentia debitis, assentimus, ac conbocationi, et congregationi dicti Concilii, ut super præmissis veritas elucescat, et omnis error abscedat, Universali Ecclesiæ et totius Christianitatis statui, et Terræ Sanctæ negotio consulatur, ac scandalis, et periculis ingruentibus occurratur, parati sumus; quodque libenter cesserimus, quantum ad nos attinet, opem dare et operam efficacem; vosque Archiepiscopos, Episcopos et Prælatos alios hic præsentis, tanquam Ecclesiæ filios, et columnas fidei, ad exaltationem, augmentum et conservationem ipsius fidei, a Domino in partem sollicitudinis evocatos, instantè requirimus, et obsecramus per viscera misericordiæ Jesu Christi, quatinus hujusmodi Conbocationi, et congregationi Concilii, in quo personaliter intendimus interesse, totis, ut concedet, studiis intendatis, ac viis et modis congruis efficaciter laboretis. Ne autem dictus Bonifacius, qui animosè et insuriose contra nos pluries fuerit procedere comminatus, impedire satagens ne sua, si qua sint, in lucem veniant opera tenebrarum, hujusmodi Conbocationi et Congregationi Concilii, directe vel indirecte, impedimento præstando, vel aliter quovismodo status noster in eo integer existat, contra nos, statum nostrum, Ecclesias, Prælatos, Barones, et alios fideles, vassallos et subditos nostros, terras nostras vel ipsorum, regnum nostrum et ipsius regni statum in aliquo, spiritali gladio abutendo, de facto procedat, excommunicando, interdicens, suspendendo, vel alio quocumque modo pro nobis, et nobis ad hærentibus, et adherere volentibus, ad prædictum generale Concilium, quod instantè convocari petimus, et ad verum legitimum futurum summum Pontificem, vel alios, ad quem et ad quos fuerit appellandum, provocamus et appellamus in scriptis, non recedendo ab appellatione per dictum G. de No-gareto interposita, cui extunc adhæsimus, ac etiam adhæremus, Apostolos testimoniales a vobis Prælati et Notarii, cum instantia postulantes, ac expresse protestantes de innovando probocationem, et appellationem hujusmodi, ubi, quando, et coram quibus nobis visum fuerit expedire. Infra scripti vero Archiepiscopi, Episcopi, Abbates et Priores, præmissis sic factis et habitis responderunt, probocaverunt, appellaverunt, supposuerunt, et protestati fuerunt, ac responsiones, probocationes, appellationes, suppositiones, ac protestationes fecerunt, prout in scheda quadam ibidem publice ac seriose perfecta plenius continetur, cujus tenor sequitur in hæc verba.

**N**Os Nicosiensis, Remensis, Senonensis, Narbonensis, & Turonensis Archiepiscopi, Ibidem, p. 490  
 Laudanensis, Belluacensis, Cathalaunensis, Antistiodorensis, Meldensis, Niver-  
 nensis, Carnotensis, Aurelianensis, Ambianensis, Morinensis, Silvanctensis, Andega-  
 vensis, Abrincensis, Constantiensis, Ebroicensis, Lexoviensis, Saginensis, Claramontensis,  
 Lemovicensis, Avenensis, Matisconensis Episcopi; Cluniacensis, Præmonstratensis,  
 majoris Monasterii Cisterciensis, Sancti Dionysii in Francia, Compendiensis, Sancti  
 Victoris, Sanctæ Genovefæ Parisius, Sancti Martini Laudanensis, Figiacensis, & Bel-  
 liloci, in Lemovicinio, Abbates, Frater Hugo Visitator Domorum Ordinis Militiæ  
 Templi, ac Sancti Johannis Hierosolymitani in Francia, & Sancti Martini de Campis  
 Parisiensis Priores, auditis quæ per vos Domini, Comites, et Gulielmi prædicti heri  
 et hodiè dicta, proposita, et objecta fuerunt contra Dominum Bonifacium Papam  
 octavum, hujusmodi dictis, propositis, assertionibus, & juramentis, vestris requisitionibus, & aliis legitimis causis, inducti, & quadam quasi necessitate compulsi attendentes, quod in præmissis negotium fidei, quod est Christi, qui ad ipsius defensionem, & exaltationem fidei, & animarum regimen sumus, licet immeriti, in partem sollicitudinis evocati, cupientes obviare periculis, quæ imminet, expressis Convocationem et congregationem dicti Concilii, præmissis, & aliis causis, utilem & omnino necessariam reputantes, ut ipsius Domini Bonifacii innocentia clareat, sicut recte conscientia exoptamus, aut de impositis sibi per Concilium discutiatur, statuatur, & fiat quod discernunt Canonice sanctiones, vobis Domine Rex, et vobis Domini Comites & G. respondemus, quod salvis in omnibus sacrosanctæ Romanæ Ecclesiæ honore et reverentia debitis, vestris in hac parte requisitionibus, super ipsius Conbocatione Concilii, assentimus: et parati sumus Conbocationi et Congregationi dicti Concilii, juxta Sanctorum Patrum instituta, et Canonicas et legitimas sanctiones.



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ctiones, opem dare et operam efficaces, non intendentes quoquo modo partem in hoc negotio facere, seu quibuscunque partem facientibus adharere. Verum ne dictus Dominus Bonifacius, motus seu provocatus ex iis, prout timemus ex verisimilibus conjecturis, & comminationibus multis de procedendo contra nos, ab eo factis, contra nos, Ecclesias, Parochos et subditos nostros, quoquomodo procedat, aut procedi faciat, sua aut alia auctoritate quacunque excommunicando, suspendendo, interdicendo, deponendo, privando, vel alio quovismode, quocunque colore quæsito, in impedimentum vel perturbationem dicti Concilii, et quin in eodem Concilio consedere, consudicare, et omnia alia facere, quæ ad officium Prælati pertinent, facere valeamus, nostrique, adharerentium nobis, et adharere volentium status, in omnibus salvi debeant remanere, pro nobis, Ecclesiis, Parochiis, et subditis nostris, ac pro nobis adharerentibus, seu adharere volentibus in hac parte, ad prædictum Concilium congregandum, et ad futurum verum et legitimum Summum Pontificem, et ad illum vel illos, ad quem, vel quos de jure fuerit appellandum, provocamus vel appellamus in scripto, et Apostolos cum instantia petimus, supponentes nos, Ecclesias, Parochos, subditos, et amicos nostros, et adharerentes nostrorum et ipsorum, statum et jura, nostraque et eorum bona protectioni divinæ, Concilii prædicti, ac futuri veri et legitimi Summi Pontificis, ac protestantes de innobando appellationem hujusmodi, ubi, quando, et coram quibus nobis visum fuerit expedire. Actum Parisius apud Lupram in Camera dicti Domini Regis, Anno, Indictione, mense, diebus Jovis & Veneris, ac Pontificatu prædictis, præsentibus nobilibus viris, Dominis Andegaven. Bolon. Dampni-Martini, & aliis Comitibus superius nominatis, Mattheo de Trya, Petro Domino Chanbliaci, P. Domino de Wormes, Hugone de Bonilla, Militibus, necnon Magistris Stephano Archid. Brugen. Nich. Archid. in Ecclesia Remen. G. Thesaurario Andegaven. Petro de Bello Porticu, Reginaldo dicto Burdon, & Johanne de Montegneyo, ac nonnullis aliis, tam Clericis quam Laicis, ad hoc vocatis specialiter et rogatis testibus. Et ego Evenus Phylis de Sancto Nicasio Clericus Corisopitenfis Diocesis, Apostolica publicis autoritate Notarius, præmissis omnibus & singulis, duntaxat die Veneris actis, dictis et habitis interfui, & hic me subscripsi, et solitum signum meum apposui requisitus. *Au thesor des Chartres coffre Boniface, num. 14. & au livre cote a au livre B. 28. fol. 281. &c. Au livre 129.*

\* Pierre de Pithou Preu-  
vez des Li-  
bertez de  
l'Eglise Galli-  
cane, ch. 13.  
Iccl. 2. p. 492,  
493. Consen-  
sus Prælato-  
rum regni  
Franciæ pro  
Regis defen-  
sione, et ap-  
pellatione ad  
Concilium 15  
Junii 1303.

\* **U**niversis præsentis Literas inspecturis, miseratione Divina Nicosenfis, Remen-  
fis, Senonenfis, Narbonensfis, & Turronensfis, Archiepiscopi, Landunen, Belua-  
cen. Cathalaunen. Antissiodoren. Melden. Nivern. Carnoten. Aurelianen. Ambianen.  
Morinen. Silvanecten. Biteren. Andegaven. Abrincen. Constantien. Ebroicen. Lexo-  
vien. Sagien. Claromonten. Lemovicen. Anicien. & Matisconen. Episcopi, Cluniacen.  
Pramonstraten. Majoris Monasterii Turbonen. Sancti Dionysii in Francia Compendien.  
Sanctæ Genovefæ, Sancti Victoris Paris. Sancti Martini in Landunen, Figiacen. & Bel-  
li loci in Lemovicinio Abbates. Frater Hugo Visitator Domorum Ordinis Militiæ  
Templi, ac Sancti Martini de Campis Parisien. Priores, æternam in vero salutari sa-  
lutem. Cum personam Domini nostri Regis Francia, statum, honorem, et jura de-  
fendere teneamur, eidem Domino Regi promissimus, quod personam suam, Domi-  
næ Reginæ, & filii sui hæredis in regno, statum, honorem, jura, & libertates ejus-  
dem totis viribus quantum secundum Deum poterimus, defendemus, et in eorum  
tuitione sibi assistemus, contra quamcunque personam, quæ eum bellet impetere,  
statum, honorem, jura, et libertates ejus infringere, aut etiam annullare, etiam  
contra Dominum B. Papam Octavum, qui multa contra eos et regnum Francia  
dictur comminatus fuisse. Nec ab eo unquam sepebimus in defensione prædicta  
S. Sedis Apostolicæ reberentia semper salva, faciemusque de Convocatione Gene-  
ralis Concilii, prout alias concessimus, prout in concessionibus nostris in Instrumen-  
tis inde confectis plenius continetur. Cumque tam dictus Dominus Rex quam nos,  
ac Magnifici viri Domini K. & Lud. fratres dicti Domini Regis, G. S. Pauli, & J.  
Droacen. Comites, et alii multi Barones & Nobiles Regni, sub certis formis provoca-  
vimus et appellavimus et in scriptis, ne dictus Dominus Papa commotus occasione  
præmissorum, vel aliquorum ex eis, procederet contra ipsum Dominum Regem,  
Regnum, Barones, nos & subditos, et nobis adharerentes et adharere volentes, prout  
in Instrumentis inde confectis plenius continetur. *Promissimus, quod si dictus Do-  
minus*

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minus Papa procedat quocunque quæsito colore, occasione præmissarum appellatio-  
num, adhesionum, et quocumque aliorum Convocationem dicti Concilii tangen-  
tium, excommunicando, interdicens, suspendendo, deponendo, absolviendo a iura-  
mento fidelitatis, homagii vel alterius cuiuscunque obligationis, vel alias quoquo-  
modo, procedendo contra Regem, prædictos K. L. et Comites, aut Magnificum  
virum R. Ducem Burgundie, qui appellationi prædictæ dicitur adhaerere, et alios  
adherentes, et adherere volentes, qui se nobis sub forma, qua se Dominus Rex et  
alii prænominati nobis obligarunt et obligant, obligabunt; nos dicto Domino  
Regi et Baronibus, ac sibi assistentibus, assistemus, et secundum Deum pro bi-  
ribus defendemus, nec nos separamus ab eisdem, nec absolutionibus a iuramen-  
tis fidelitatis, vel aliis quibuscunque relaxationibus indultis et indulgendis, impe-  
tratis vel impetrandis, vel ultro oblati vel offerendis, seu concessis seu conceden-  
dis, utemur; immo semper eidem Domino Regi, Baronibus, et adherentibus ad-  
hærebimus. Et hæc omnia & singula supradicta promissimus, volumus et iuravimus  
jure Romane Ecclesiæ, nostrorum, et Ecclesiarum nostrarum, in omnibus, et per  
omnia semper salvo, et illicita conspiratione, seu conjuratione cessante. Nolentes  
quod idem Dominus Rex novum homagium seu iuramentum acquirere in nobis &  
nostris Ecclesiis valeat in aliis, per prædicta. In cuius rei testimonium præsentibus  
Literis nostra fecimus apponi sigilla. Datum Parisius die 15 Junii, Anno Domini  
1303. Sigillatæ 32 sigillis. *An Tresor des Chartes coffre Bonifac. num. 1.*

\* *Acte de ceux de l'Université de Paris, par le quel ils déclarent que la Convocation d'un Concile General, propose par le Roi est nécessaire, y consentent, et en suite adhe-  
rent à l'appel interiecté par le Roy au dit futur Concile, au cas que le Pape Boniface  
voulust proceder contre ceux qui auront promu cette Convocation.* *ibid. m. 3.  
p. 493, 494.*

**U**niversis præsentibus literas inspecturis. Universitas Magistrorum & Scholarium  
Parisius studentium, salutem in Domino. Ad noticiam singulorum volu-  
mus pervenire, quod nuper nonnullis ex nobis majorem partem Facultatum nostro-  
rum & totius Parisien. studii facientibus, pro certis causis & negotiis accedentibus ad  
præsentiam Excellentissimi Principis Domini Philippi Dei Gratia Regis Franc. Il-  
lustris, ipso Domino Rege, ac nonnullis Archiepiscopis, Episcopis, Abbatibus, Prio-  
ribus, Comitibus, Baronibus, et aliis magnæ Authoritatis personis, tam Ecclesiasti-  
cis quam Secularibus, apud Luparium Paris. existentibus, recitatum fuit, nobis ex-  
positum, narratum ibidem, quod die Jovis, & die Veneris præcedentibus ipsis Do-  
mino Rege, Archiepiscopis, et aliis personis prædictis præsentibus, per quosdam  
Comites, et alios Nobiles regni Franc. contra Dominum Bonifacium 8. proposi-  
ta et significata fuerunt diversa enozmia, et horribilia ac detestabilia Crimina, quo-  
rum quadam hæresim sapiunt manifeste, quibus eum irretitum esse dicebant et su-  
per iis publice ac notorie diffamatum, præstito ibidem ab eisdem proponentibus ad  
sancta Dei Evangelia tacta corporaliter iuramento quod huiusmodi proposita et sig-  
nificata credebant esse vera, et posse probari in Generali Concilio, vel alias ubi,  
quando et coram quibus de jure faciendum, et per proponentes eosdem a Domino  
Rege, tanquam fidei pugili, et Ecclesiæ defensoze, ac Archiepiscopis, Episcopis,  
Abbatibus, Prioribus, et personis aliis Ecclesiasticis supradictis, tanquam Ecclesiæ  
fideique Columnis petiitum fuerat, ac instanter et pluries requisitum, ut pro decla-  
ratione veritatis hujus, ut omnis error abscedat, ut periculis & scandalis, quæ uni-  
versali Ecclesiæ imminere occurratur, convocationi et congregationi dicti Concilii  
Generalis, ad laudem Dei nominis, et exaltationem et augmentum Catholicæ fidei,  
ac salubre regimen, et bonum statum universalis Ecclesiæ, et totius populi Christi-  
ani, opem darent & operam efficaces: Quodque idem Dominus Rex Archiepis-  
copi, Episcopi, Abbates, Priores et aliæ personæ Ecclesiasticæ supradictæ auditis et  
intellectis plenius propositis & significatis, et requisitionibus supradictis, conside-  
rantes, quod in hoc casu negotium agitur fidei quod est Dei, et quod ad defensionem  
et conserbationem, et exaltationem ipsius fidei ipse Dominus Rex collatam sibi re-  
cipit a Domino potestatem, iidemque Prælati sunt in partem sollicitudinis evocati,  
super præmissis per dies multos discussione ac deliberatione præhabita diligenti, ex  
præmissis, et aliis legitimis causis moti, convocationem et congregationem dicti  
Concilii generalis utilem, et omnino necessariam reputantes, hujus Convocationi et  
Congregationi



*Ar. 30 E. 1.* Congregationi consenserunt ac responderunt, quod Convocationi & Congregationi prædictis opem & operam darent efficaciter, ut deberent, & ne dictus Dominus B. motus seu provocatus ex iis, prout timebant ex verisimilibus conjecturis et comminationibus multis contra eos, Ecclesias, Parochianos, et subditos suos quoquomodo procedat aut procedi faciat sua vel alia auctoritate quacunque excommunicando, suspendendo, interdicens, deponendo, vobando, aut alias quolibet modo in impedimentum, et perturbationem Concilii congregandi, et quin concedere, consudicare, et alia quæ ad officium Prælati pertinent, facere in eodem Concilio possent, salique eorum et sibi adhaerentium status manere deberent, pro se, Ecclesiis, Parochianis et subditis suis, et pro sibi adhaerentibus seu adhaerere volentibus in hac parte, ad prædictum Concilium congregandum, et ad futurum verum et legitimum Summum Pontificem, et ad illum vel ad illos, ad quem vel quos de iure fuerit appellandum, provocarunt et appellarunt in scriptis et Apostolos testimoniales cum instantia petierunt, supponentes se, Ecclesias Parochianos et subditos, ac sibi adhaerentes, ipsorum status, iura et bona protectioni divinæ, prædicti Concilii, ac futuri veri et legitimi Summi Pontificis, ac protestantes de innovando appellationem huiusmodi ubi, quando, et coram quibus eis visum fuerit expedire. Quare pro parte præfati Domini Regis, petebatur a nobis, ut Convocationi & Congregationi dicti Concilii Generalis assentire, ac quantum in nobis est opem dare et operam curaremus. Nos autem præmissis considerationibus & causis inducti Convocationem & Congregationem ipsius Concilii reputantes utilem, necessariam & salubrem, ac expedientem fidei negotio, & Ecclesie Sanctæ Dei, ejusdem Convocationi et Congregationi Concilii assentimus, ac opem et operam libenter dabimus juxta posse, et provocationi et appellationi præfati Domini Regis adhaeremus, quantum de jure possumus et debemus secundum Deum et iustitiam, et sanctæ permittunt Canonice Sandiones, supponentes nos, ac nobis adhaerentes et adhaerere volentes, statum nostrum, et Universitatem nostram protectioni divinæ, et prædicti Concilii Generalis, ac futuri veri et legitimi Summi Pontificis. In quorum omnium testimonium sigillum nostræ Universitatis prædictæ præsentibus literis duximus apponendum. Datum die Veneris ante festum Nativitatis beati Johannis Baptiste, Anno Domini 1303. *An Thresor des Chartes coffre Boniface. num. 51, & 53.*

\* Ibid. sect. 4.  
P. 494, 495.

\* *Forme de la Lettre envoyee par le Roy a toutes les Villes, Eglises & Communitez de son Royaume, a ce quelles eussent a consentir a la Convocation du Concile general, & a l'appel par luy interiette au futur Concile.*

**P**hilippus Dei gratia Francorum Rex, discretis viris dilectis nobis in Christo Cathedralium, Collegiatarum Ecclesiarum Decanis & Capitulis, Prioribus Prædicatorum, Gardianis Minorum Fratrum, aliorumque Religiosorum Conventibus, Nobilibus, Consulibus, Civibus, aliisque personis Ecclesiasticis & Secularibus *Theolosan*. Civitatis & Diocesis, salutem & dilectionem in Domino. Nuper nobis multis Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, aliisque pluribus personis, tam Ecclesiasticis quam Secularibus, præsentibus *Parisi*, contra *Bonifacium* nunc Sedi Apostolicæ Præsidentem, plura enormia et horribilia crimina, quorum aliqua immanem hæresim continent manifeste, ex parte plurium Illustrissimorum personarum, quorundamque Militum, fervore dilectionis Sanctæ Matris Ecclesiæ, ac zelo fidei Catholicæ accensorum, significata, dicta propositaque fuerunt, juramentaque assertivè super ipsis criminibus præstita ab eisdem illustribus & nobilibus personis, ea proponentibus & significantibus, prout in Instrumentis publicis super hac confectis plenius continetur. Per quos proponentes & significantes ipsa crimina, instantè & pluries tam nos quam præfati Prælati, requisiti & adjurati fuimus, ut ad honorem Dei, fidei Catholicæ, & Ecclesiæ Sanctæ Matris, super convocatione Generalis Concilii convocandi, per quos fuerit faciendum, ad veritatem inquirendam & sciendam super ipsis loco & tempore, & ubi decebit proponendis intenderemus, & operam daremus efficacem; quod deliberatione diligenti præhabita necessario debere fieri visum fuit; nihilominus ad cautelam, & ut possit malis obviari per nos, ipsos Prælatos, Barones, Nobiles, Universitatem *Parisiensem*, Magistros in Theologia, Conventus Religiosorum, & Capitula Ecclesiarum appellationes &

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& provocationes interpositæ fuerunt, prout in quibusdam Instrumentorum super *An. 30 E. 1.* hæc confectorum videre poteritis contineri. Quare ad vos dilectos & fideles Clericos nostros Archidiaconum *Algia* in Ecclesia *Lexovian.* & Magistrum *Petrum de Latiliaco* Canonicum *Parisi.* & eorum quemlibet mittimus pro prædictis vobis aperiendis & clarius significandis; vos vestrumque singulos ex affectu requirentes pro honore Dei, fidei Catholicæ, & Sanctæ Matris Ecclesiæ, quatinus tanquam ipsius Ecclesiæ veri filii, cujus negotium agitur, convocationi Concilii Generalis consentire, appellationibusque et provocacionibus interpositis adharere velitis, nihilominusque ad tuitionem vestrum expressiorem quam sincero affectu procurare proponimus, de nobis provocare et appellare secundum formam et modum quos in præfatis Instrumentis videbitis contineri; ac nobis super hoc patentes literas per ipsos vel eorum alterum sigillis vestris mittere sigillatas. Actum *Parisi.* die *Jovis* post festum Nativitatis beati *Johannis Baptista*, Anno Domini Millesimo Trecentesimo tercio.

\* *Le Roy declare, qu'au cas que le Pape procede contre luy & ceux qu'il a assemblez, pour adviser les moyens d'assembler un Concile, il en appelle au futur Concile, ou au Pape qui sera legitime, du 1 Juillet 1303.* \* Ibid. sect. 5. P. 435. 496.

**P**hilippus Dei gratia Francorum Rex, universis præsentis literas inspecturis, salutem. Et si Catholicæ fidei et Universalis Ecclesiæ matris florem sponse Christi, negotium cunctos, quos ejusdem participatio fidei et religio Christiana complectitur, principaliter et immediate contingat, ac proprium interesse respiciat singulorum. Nos tamen et alios Reges et Principes orbis terræ, eo principalius atque paramplius tangit et respicit, et ad ipsius promotionem negotii, cum causa deposcit, eo affixi tenemur obnoxio quo ad exaltationem et augmentum ejusdem fidei, et defensionem Ecclesiæ et Ecclesiasticæ libertatis committam suscepisse recognoscimus, et satemur et traditam divinitus potestatem. Nuper siquidem nonnulli Comites, Barones & Milites regni nostri, fide dignæ quidem & magnæ autoritatis personæ, moti, ut dicebant, fervore fidei, sinceræ devotionis affectu & zelo charitatis inducti, Sacrosanctæ Romanæ & Universalis Ecclesiæ matri suæ, quam sub præsentia B. nunc ejusdem Ecclesiæ regimini præsentis miserabiliter deprimi, ac deformationem enormem & jacturam pati dicebant, patientes ab intimis, ac Christianæ fidei, in qua salus animarum consistit, et quæ suis temporibus, prohibeo! contabescit et deperit, excidio condolentes, ad ipsius Ecclesiæ et totius Christianitatis salubre regimen, et bonum statum ac reparationem et exaltationem Catholicæ fidei, votis, ut dicebant, ferventibus intendentes, maxime cum eidem Ecclesiæ, fidei fundamento et animarum saluti, summe expedit, ut dominici gregis ovili non nisi verus et legitimus, ac vere et legitime Pastor præstet, et quod ab eadem Ecclesia sponsa Christi, qua non habet maculam neque rugam, omnis error, scandalum, iniquitas, ac justitia repellatur, ac toti mundo quem ex perverbis actibus, detestandis operibus, et perniciosissimis exemplis dicti Bonifacii in guerris et tenebris manere dicebant, salus, pax et tranquillitas, divina sabente misericordia, procurantur contra dictum Bonifacium hæreticæ pravitatis, et alia diversa enormia horribilia ac detestabilia crimina, quibus eum irretitum esse dicebant, et super eo publice ac notorie diffamatum; Nobis ac Archiepiscopis, Episcopis, & aliis Prælati ac personis Ecclesiasticis qui pro suis & Ecclesiarum suarum agendis convenerunt, ac Baronibus, Comitibus, & aliis Nobilibus regni nostri præsentibus, asseruerunt, proposuerunt & objecerunt, publice & patenter, præstitis ab eisdem objectoribus ut vestram in hac parte conscientiam informarent, nostrumque ad exauditionem petitionis suæ animum facilius inclinarent, ad Sancta Dei Evangelia tacta corporaliter juramentis, quod hujusmodi crimina credebant esse vera, & se posse probare, quodque ipsa in Generali Concilio, vel alias ubi, & coram quibus expedire viderint, & de jure fuerit faciendum, ad finem debitum prosequantur; Petentes à nobis, tanquam fidei pignori, et Ecclesiæ defensori, ac Archiepiscopis & Episcopis supradictis, tanquam Ecclesiæ fideique columnis, ut pro declaratione veritatis hujusmodi, ut omnis error abscedat, ac periculis & scandalis quæ Universalis Ecclesiæ imminere occurrant, convocationi & congregationi dicti Concilii Generalis, ad laudem divini nominis, augmentum & exaltationem



An. 30 E. I. tionem Catholicæ fidei, honorem & bonum statum Universalis Ecclesiæ, ac totius populi Christiani opem daremus & operam efficaces, cum in talibus & similibus casibus semper directrix veritatis extiterit Regia domus nostra. Nos autem licet pendenda patris proprio libenter pallio tegeremus, ob specialis tamen devotionis & dilectionis zelum, quem ad præfatam Ecclesiam matrem fidelium sponsam Christi, cujus tanquam Christianæ legis & Catholicæ fidei zelatores devotum nos filium profitemur, & defensorem recognoscimus specialem, progenitorum nostrorum insequendo vestigia gerimus, præmissa nequeentes urgente conscientia sub conniventia vel dissimulatione transire, præsertim cum super excidio fidei, nostra et aliorum quorumlibet, et præcipue Regum et Principum orbis terræ deberet patientia reprobari; huiusmodi propositionibus & objectionibus, ac requisitionibus auditis & plenius intellectis, ac super iis cum Prælati videlicet, Archiepiscopis, Episcopis, Abbatibus, Prioribus, Universitate Parisiensi studii, ac Magistris in Theologica facultate, & in utroque jure Doctores, Religiosis & aliis de regno nostro oriundis, ac etiam aliunde, ac in regno ipso & alibi Prælaturas, & beneficia obtinentibus, necnon Baronibus & aliis Nobilibus, deliberatione & discussione habita pleniori, convocationem & congregationem dicti Concilii, ex præmissis & aliis iustis & legitimis causis, utilem & salubrem expedientem fidei negotii & Ecclesiæ Sanctæ Dei, & omnino necessariam reputantes; Convocationi & congregationi huiusmodi faciendam ut præfati B. innocentia clareat, sicut teste conscientia exoptamus, aut de impositis sibi per Concilium discutitur, statuatur & fiat, quod præcipiunt & decernunt Canonice Sanctiones, deliberato Concilio expressè consentimus & proponentibus respondimus memoratis, quod eidem convocationi & congregationi opem libenter & operam, prout ad nos pertinet, præberemus. Certis ne idem B. ex iis provocatus, contra nos Prælatos, Barones, & personas prædictas Ecclesias, terras, fideles & subditos nostros, & eorum aut nobis adherentes vel adherere volentes in hac parte procederet, ad prædictum Concilium, & ad futurum verum & legitimum Summum Pontificem, & ad illum vel ad illos ad quos de jure fuerit appellandum, ex parte nostra, & ipsorum sub certis formis provocationibus & appellationibus interjectis. Nos itaque ad petendum prædictum Generale Concilium convocari & etiam congregari, & ad faciendum omnia & singula quæ circa hæc fuerint opportuna, dilectos & fideles Gulielmum de Chacenay & Hugonem de Cella Milites nostros, exhibitores præsentibus, & utrumque ipsorum in solidum Procuratores nostros constituimus & Nuncios speciales, dantes eis & alteri ipsorum in solidum super præmissis omnibus & singulis, ac ea tangentibus vel dependentibus eidem plenam & liberam potestatem & speciale mandatum, ratum habituri & gratum quicquid per eos vel eorum alterum factum, gestum vel procuratum fuerit in hac parte. In cujus rei testimonium sigillum nostrum præsentibus literis duximus apponendum. Datum Paris. die 1 Julii, Anno Dom. 1303. Et scelle, Au Tresor des Chartres cõtre Boniface, num. 50.

\* Ibid sect 6.  
P. 477.

\* Lettre du Roy aux Cardinaux, aux fins des Lettres precedentes.

\* Nota.

Philippus Dei gratia Francorum Rex, venerabilibus & amicis in Christo charissimis eadem gratia Episcopis, Presbyteris & Diaconis, Cardinalibus Sacrosanctæ Romanæ Ecclesiæ, salutem & sinceræ dilectionis affectum. Ineffabilis amoris dulcedine sponfus & \* caput Ecclesiæ Dei filius Dominus noster Jesus Christus amplectens & prosequens sponsam suam, ipsam fundavit in Petri vocabulo supra petram, vosque ipsius columnas Ecclesiæ, fidei Cardines & Apostolorum constituit successores; unde super iis quæ augmentum & exaltationem fidei orthodoxæ, ac honorem & bonum statum Universalis Ecclesiæ & totius populi Christiani respiciunt, vos fiducia securam requirimus, ac specialibus cum causa deposcit literis & precibus excitamus. Nuper siquidem nonnulli Comites, &c. (ut supra, usque ad verba, provocationibus & appellationibus interjectis.) Quapropter venerabilem cœtum vestrum attentè requirimus & rogamus, quatinus ad convocationem et congregationem prædicti Concilii Generalis, loco et tempore congruis celebrandi, pro honore Dei et augmento Catholicæ fidei, ac bono statu Universalis Ecclesiæ, et totius populi Christiani, diligenter et unanimiter, prout ad vos pertinet intendatis; per quod omni ab Ecclesia Dei errore propulso, ac sedatis scandalis, resurgant pax & tranquillitas;

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tranquillitas, paretur miserabili Terræ Sanctæ subsidium, vobis quæ pro tam laudabili opera à divina clementia condignè proveniat retributionis augmentum. *An. 30 E. 1.* Credentes dilectis & fidelibus *Gulielmo de Chacenayo, & Hugoni de Cella* Militibus nostris, vel eorum alteri, quos ad vos propter hæc specialiter destinamus, in iis quæ circa hæc vobis ex parte nostra duxerint exponenda. Datum *Parisi*. die 1 Julii, Anno Dom. 1303. *Et scelle, Au Tresor de Chartes coffre Boniface.*

\* *Alles par le quel les villes du Languedoc adherent a l'appel interiette par le Roy au futur Concile, Aoust 1303.*

\* Pierre de Pithou, Preuves des Libertez de L'eglise Gallicane, p. 497, 498.

**U**Niversis præsentis literas inspecturis, Consules Civitatum & Burgorum *Narbon, Carcasson, Biter, Apam, Albia, Agathen, & Lodaven*, ac Villarum de *Monte Regali, de Castris, de S. Pontio Thommeriarum, de Lautreco, de Crassa, de Lunso, de Pedenacio, de Trib. bonis, de Cancio, de Florenciaco, de Capite Stagxo, de Barbarrano, de Villamagna, de Amacio, de Burlacio, de Saxiacho, de Rivo, de Montanhaco, de Mirapisco, de Centennon, de Berenchis, de Sancto Tiberio, de Sancto Paulo, de Sancto Gervasio, de Podio Naucerio, de Dozenchie, de Gimbaco, de Pateracho, de Olargio, de Monte Olivo, de Laurano, de Cossolento, de Villalherio, de Conchis, de Villaigino, de Villamostausson, de Ledmiano, de Brisatesta, de Granbeto, de Senegatio, de Sancto Dionysio, de Albanno, de Ambileto, de Palma, de Regali Monte, de Savardimo, & Procuratores, Syndici & Rectores locorum, Castrorum seu Villarum de Elesto, de Paulmbio, Terra Salus, de Lodeva, de Africano, de Claromonte, de Sancto Aniano, de Podio territo, de Bizano, de Carma, de Aniana, de Bisano, de Granolheris, de Cannis, de Sancto Gulielmo, de Falgeriis, de Pipionibus, Senescalliarum *Carcasson*, salutem in Domino *Jesu Christo*. Præsentium literarum serie vobis fieri volumus manifestum, quod cum Nobiles viri Dominus *Amalricus Vicomes, & Dom. Narbon, Gulielmus de Plaisiano* Dominus de *Vicenobr.* Milites, & Magister *Dionysius de Senonis* Clericus Domini nostri *Francorum* Regis, nobis & nonnullis Prælatiis, Prioribus, Capitulum & Conventum, Ecclesiarum Cathedralium, Collegiarum, & Monasteriorum, Syndicis & Procuratoribus, Baronibus, Nobilibus, Consulibus Universitatum, Civitatum, Castrorum & Villarum insignium præfata, & *Bellicadri, & Ruthenen.* Senescalliarum, convocatis & præsentibus die præfati apud *Monem Pessulanum* in domo Fratrum Minorum dicti loci, coram eis diligenter ostenderint & exposuerint, quod nuper nonnullis Archiepiscopis, Episcopis, Abbatibus, Comitibus, Prioribus, Universitate Magistrorum & Scholarium *Parisi* studentium, & multis aliis magnæ autoritatis personis tam Ecclesiasticis quam Secularibus *Parisi* apud *Luparam*, in dicti Domini Regis præsentia constitutis, recitatum fuit eis & expositum ac narratum ibidem, quod ipsis Domino Regi, Archiepiscopis, Episcopis, & aliis personis supradictis, per quosdam Comites & alios Nobiles regni *Francorum* contra Dominum *Bonifacium* Papam 8. proposita & significata fuerunt, diversa enormia, ac horribilia ac detestabilia crimina, quorum quædam hæc sunt sapienter manifeste, quibus eum irretitum esse dicebant, et super eis publice ac notorie diffamatum, præfatis ibidem ab eisdem proponentibus ad Sancta Dei Evangelia tacta corporaliter juramentis, quod hujus proposita & significata credebant esse vera, & posse probari in Generali Concilio vel aliis, ubi, quando, & coram quibus de jure fuerit faciendum, & per proponentes eisdem à Domino Rege, tanquam fidei pugile et Ecclesiæ defensore, ac Archiepiscopis, Episcopis, Abbatibus, Prioribus, & personis aliis Ecclesiasticis supradictis, tanquam Ecclesiæ fideique columnis, petitum fuerat ac instantè & plenius requisitum, ut pro declaratione veritatis hujus, ut omnis error abscedat, ac periculis & scandalis quæ Ecclesiæ Universali imminent occurratur, convocationi & congregationi dicti Concilii Generalis ad laudem Dei nominis, & exaltationem & augmentum Catholicæ fidei, ac salubre regimen & bonum statum Universalis Ecclesiæ, & totius populi Christiani, opem darent & operam efficaces, quodque idem Dominus Rex, Archiepiscopi, Episcopi, Abbates, Priores, & aliarum personarum Ecclesiasticarum supradictarum, auditis & intellectis, propositis & significatis, ac requisitionibus supradictis considerantes, quod in hoc casu negotium agitur fidei, quod est Dei, et quod ad defensionem, et conservationem et exaltationem ipsius fidei, ipse Dominus Rex collatam sibi recepit a Domino potestatem iidemque Prælati sunt in partem sollicitudinis*



An. 30 E. 1. evocati, super præmissis per dies multos discussione & deliberatione præhabita diligenti, ex præmissis & aliis legitimis causis moti, convocationem & congregationem Concilii Generalis utilem & omnino necessariam reputantes, hujus convocationi & congregationi consenserant & responderant, quod convocationi & congregationi prædictis opem & operam darent efficaciter ut deberent. Et ne dictus Dominus B. motus seu provocatus ex iis, prout timebant ex verisimilibus conjecturis & comminationibus multis, contra eos, Ecclesias, Parochianos, & subditos suos quoquomodo procedat aut procedi faciat, sua vel alia autoritate, excommunicando, suspendendo, interdicens, deponendo, privando, aut aliis quovismodo in impedimentum & perturbationem Concilii congregandi, & quin confedere, conjudicare, & alia quæ ad officium Prælati pertinent, facere in eodem Concilio possent, salvi que eorum & sibi adhærentium status manere debeant, pro se, Ecclesiis, Parochianis & subditis suis, & pro sibi adhærentibus seu adhærere volentibus in hac parte, ad prædictum Concilium congregandum, & ad futurum verum & legitimum Summum Pontificem, & ad illum vel ad illos, ad quem vel quos de jure fuerit appellandum, provocarunt & appellarunt in scriptis & Apostolos testimoniales cum instantia petierunt; supponentes se, Ecclesias, Parochianos, subditos, & sibi adhærentes, ipsorum status, jura & bona protectioni divinæ, prædicti Concilii, ac futuri veri & legitimi Summi Pontificis, ac protestantes de innovando appellationem hujus ubi, quando, & coram quibus eis visum fuerit expedire. Quare cum pro parte Domini Regis, per dictos Dominos peteretur à nobis, ut convocationi & congregationi prædicti Concilii Generalis assentire, ac quantum in nobis est opem dare & operam curaremus, & de præmissis nobis ac cæteris ibidem congregatis, processus *Parisius* coram Domino Rege habitos per Instrumenta authentica & literas diversis sigillis sigillatas ostenderint. Nos præmissis considerationibus & causis inducti convocationem & congregationem ipsius Concilii, utilem, necessariam, salubrem, ac expedientem fidei negotio, ac Sanctæ Dei Ecclesiæ reputantes, eidem convocationi & congregationi Concilii pro nobis & Universitatibus locorum prædictorum, & aliis Universitatibus locorum expressorum superius & non expressorum Seneschallie *Carcasson*, prædictæ, & nobis adhærentibus & adhærere volentibus, assentimus et opem et operam libenter dabimus, et dare promittimus juxta posse, et probationi et appellationi, ac appellationibus prælati Domini Regis, per ipsum et quoscunque alios ejus nomine factis, et aliorum quorumlibet sibi adhærentium, adhæremus quantum de jure possumus et debemus secundum Deum et iustitiam, et ut Sanctæ permittunt Canonice sanctiones, salvis auctoritate et reverentia Sedis Apostolicæ, Sanctæque ac Catholicæ Ecclesiæ unitate. Et ne dictus Dominus B. motus seu provocatus ex iis, prout timemus ex verisimilibus conjecturis & comminationibus variis factis per eum, contra nos, vel aliquem ex nobis, seu Universitatum prædictarum & aliorum quorumcunque nobis adhærentium, quoquomodo procedat vel procedi faciat, sua vel alia autoritate quacunque excommunicando vel suspendendo, interdicens, vel alias quoquomodo in impedimentum vel turbationem congregandi Concilii, & quin alias status nostri, salvi remaneant pro nobis & Universitatibus prædictis, & singulis hominibus ex eisdem, & aliis nobis adhærentibus, seu adhærere volentibus ad præfatum sacrum Concilium congregandum, & ad futurum verum & legitimum Summum Pontificem, & ad illum seu ad illos, ad quod seu quos de jure fuerit appellandum, provocamus & appellamus publicè in iis scriptis, in præsentia Tabellionum & Notariorum publicorum, aliorumque testium subscriptorum, & Apostolos & literas testimoniales cum instantia petimus ab eisdem, supponentes nos, Universitates prædictas, & ex eis singulos ac quoslibet nobis adhærentes, & adhærere volentes, status nostros & eorum fautores, & adjuutores nostros, bona & jura nostra, & Universitatum prædictorum, & singulorum ex eis, nobisque adhærentium & adhærere volentium in hac parte, protectioni divinæ, & beatorum *Petri & Pauli*, & dicti Concilii Generalis, ac Sedis Apostolicæ, & futuri veri & legitimi Summi Pontificis, ac protestantes de innovando appellationem seu appellationes hujus, ubi, quando, & coram quibus nobis visum fuerit expedire. In præmissis enim omnibus nos consentientes, adhærentes & appellantes prædicti, consentimus, adhæremus & appellamus sub modis & formis quibus Dominus Rex, et alie *Universitates* regni *Francia* consentientes consenserunt, adhæserunt et appellaverunt. Acta hæc fuerunt in loco prædicto,

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8 Kalend. *Augusti*, Anno Domini 1303. Domino *Philippo* Dei gratia Rege *Francorum* regnante, in præsencia & testimonio Fratrum *Petri de Pollia* Gardiani, *Petri Rabelli*, *Johannis de Fonte*, *Rever*, *Fabri* Fratrum Minorum Conventus Domus prædictæ de *Monte Pessulano*, Magistrorum *Boneti Jaca* Cur. *Magalon* Episcopi, *Bernardi de Ferreriis*, & *Petri de Manso* ejusdem Domini Episcopi & Domini Regis Notariorum publicorum, aliorumque plurium testium ad hæc specialiter vocatorum, & mei *Petri de Malbaco de Vauro* publici Senescalliarum *Tholosa* & *Carcass*. Domini Regis prædicti Notarii, qui præmissis interfui & requisitus à dictis Consulibus, Syndicis, Rectoribus & Procuratoribus hoc Instrumentum de prædictis recepi, scripsi, & meo sequenti signo solito consignavi. Et ego *Bonetus Jaca* Notarius publicus, &c. signum meum apposui. Et ego *Bernardus de Ferreriis* publicus, &c. signum meum appono. Et ego *Petrus de Manso* publicus, &c. signum meum apposui. Sigillar. 60 sigillis.

Thus did King *Philip*, with all the Peers, Earls, Barons, Archbishops, Bishops, Abbots, Priors, Cathedrals, Clergy, University of *Paris*, the Cities, Villages, and Commonalty of *France*, unanimously oppose, Appeal and Article against Pope *Boniface* the 8. his person, crimes, Interdicts and Excommunications, to the next General Council, in the ruffe of his Papal Pride, Tyranny, as a most detestable Heretick, Atheist, Symoniack, Adulterer, Sorcerer, and monster of Impiety; and soon after seised, imprisoned and brought him to a shamefull Tragical end, the History whereof, according to my Chronological method, I must referre to the beginning of the ensuing Year and Chapter.



## BOOK V. CHAP. V.

Containing the imprisonment and death of Pope Boniface the 8<sup>th</sup>. The Letters, Bulls, Negotiations between King Edward the 1. and this Popes Successors, with their Succession in the See of Rome: This Kings Acts of Soveraign Ecclesiastical Jurisdiction over the Churches, Prelates, Clergy of England, Scotland and Ireland. His Prohibitions, Statutes, Edicts against Papal Provisions, Exactions, and Prelatical Usurpations upon the rights of his Crown and Temporal Courts; The Succession of Archbishops, Bishops, Abbots, and other Prelates in the Churches of England, Scotland, Ireland; With other particulars relating to their publike affairs, from the beginning of the 31 year of King Edward the 1. till his death, in the 35 year of his reign; Collected out of the Records of those years, and our Historians.

**A**fter the proceedings, Declarations, Articles and Appeals of our King Edward the first, his Parliament, Nobles, and of Philip King of France with his Parliament, Nobles, Prelates, Clergy and Commonalty, against Pope Boniface the 8. related in the precedent Chapter, the Papal dignity, authority, and pretended Soveraignty over all Kings, kingdoms, Churches, Nations, claimed and exercised by this Antichristian Pontiff and the See of Rome, together with his Excommunications, Censures, became so contemptible and detestable, that by the instigation and procurement of King Philip, this proud Pope was soon after suddenly seized upon, imprisoned, plundered of all his extorted Treasure, which was very great, shamefully intreated, and came to an infamous death, the particulars whereof are thus related by our own Historians, more largely than any others.

a Flores Hist.  
P. 442, 443.

<sup>a</sup> Matthew Westminster renders us this account thereof; *Anno Dom. 1303. in vigilia Nativitatis Mariæ, Papa Bonifacius, procurante ut creditur Rege Francorum, inter quas horrenda dissentionis per longum tempus extitit materia, à quibusdam inimicis suis, & specialiter à quodam nomine Saira de Campania, atrocissime, irreverenterque dignitate Papali non obstante, in præjudicium totius Ecclesiæ, im-misericorditer depredatus fuit in palatio suo Anagninæ Civitatis, spoliatus fuit bonis suis omnibus, et in carcere per triduum custoditus, &c. Verum quia a seculo non est auditum, postquam pax Ecclesiæ per universum mundum est reddita tam arduum flagitium, falsos Christianos, qui se dicunt Christianos et non sunt, in summum commisit Pontificem, ad notitiam futurorum, non sufficit dixisse, Papa Bonifacius spoliatus fuit omnibus bonis suis, nisi modus & forma facinoris subnectatur. (which he repeats in his former words, without any particular relation thereof; Adding) Postea rediit Romam, et ibi tactus dolore cordis et angustia, præ irreverentia Ecclesiæ Romanæ, et sibi Dei Vicario illata, infra breve temporis spacium vitam finivit, viz. 12. die Octobris, et sepultus fuit in crastino in Ecclesiâ beati Petri in mirifico sepulchro, quod sibi præparaverat adhuc vivens, De quo quidam versificator sic scripsit:*

*Ingredditur Vulpes, regnat Leo, sed Canis exit,  
Re tandem vera, si sic fuit ecce Chimera.*

*Alter verò sic:*

*Vulpes intrabit, tanquam Leo pontificabit;  
Erit utque Canus, de dibite factus inanis.*

<sup>b</sup> Thomas

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<sup>b</sup> Thomas Walsingham more largely and particularly records the catastrophe of this avaricious, tyrannical, antimonarchical insolent Pontiff. Anno 1304. circa festum S. Johannis Baptistæ milites quidam in præsentia Cleri et populi Parisiis congregari, Papæ Bonifacio multa imposuerunt enozmia, puta hæresim, simoniam, et homicidam: propter quæ per Regem Franciæ appellatum est contra eum ad illum cuius interest. Circa festum Nativitatis beatæ Virginis, videlicet in vigilia Nativitatis ejusdem, venit summo manè magnus exercitus hominum armatorum missus ex parte Regis et Cardinalium Columnensium damnatorum repenti ad portum Civitatis Anagninum, in quam Papa confugerat ad tutelam, quia ibidem natus fuerat. Invenientes igitur portas apertas ingressi sunt Civitatem, et mox dederunt insultum pallacis D. Papæ, et Marchionis nepotis Papæ et trium Cardinalium. Communitas verò villa comperta, quod Scaira frater Columnensium Cardinalium, & Willielmus de Longareto Senescallus Regis Franciæ advenissent ex conspiratione, ut Papam deponerent vel necarent (who had unjustly and tyrannically deposed them) statim pulsata communi campana, et tractatu habito, in communi eligerunt sibi Capitaneum quendam Adnolphum, nunc ex majoribus Dominis de Campania, per quem instanti negotio regerentur: Qui quidem Adnolphus, illis ignorantibus, Domini Papæ extitit Capitalis inimicus. Interim Domini Papa adversarii ejus Palacio, & Marchionis nepotis sui, triumque Cardinalium acerrimos dederunt insultum: sed familiaribus Domini Papa & Marchionis viriliter se defendentibus, illorum palacia\* invadere nequiverunt. Trium tamen Cardinalium palatia, qui reputabantur specialiter amici Papæ, per vim et potentiam sunt ingressi, et omnia bona ibidem reperta diripuerunt et asportaverunt. Ipsi verò Cardinales per latrinam vix evaserunt. Interea intervenit Dominus Adnolphus villa Capitaneus, adducens secum Dominum Reginaldum de Supine qui habuit de Campania magnum dominium, et erat Papæ Capitalis adversarius, cum quo etiam venerunt filii Domini Johannis de Chitau, quorum patrem Dominus Papa tunc in carcere detinebat. Cumque discessit Capitaneus cum suis sociis supradictis venisset ad Scairam de Columna, & ejus exercitum, statim cum omni populo quem ducebat, conjunxit se eidem. Et communibus votis irruerunt tantum in Papam et Nepotem suum, quod diu ut putebatur eis resistere non valerent: Ob quam causam Dominus Papa timens sibi, treugas petiit a Scaira, quas sibi concessit & Nepoti suo, usque ad horam nonam discessit diei: qua videlicet trenga capta fuerunt hora prima. Durante trenga, Papa misit secreta ad populum Anagum, supplicans, ut salvarent vitam suam; promittens, si hoc facerent, quod ipsos in tantum locuplicaret, quod omnes suo perpetuo merito gaudere deberent. Populus verò se excusavit, dicens, se nihil posse jubare in hac parte, præsertim cum tota potestas villæ Capitaneum sequeretur. Tunc Papa supplicabit Scairæ, ut significaret articulos, in quibus fuerat nunciatum sibi & suis fratribus, et ipse paratus esset, secundum consilium Cardinalium facere restitutionem sibi. Scaira verò respondit, quod non permetteret Papam vivere, nisi duos Cardinales fratres suos plene restitueret, scilicet Petrum & Jacobum de Columna, quos prius damnabatur, ad temporalia et spiritualia, et non solum illos restitueret, sed et omnes de eorum sanguine et parentela; et quod idem Papa post hujusmodi restitutionem renuntiaret Papatui; et quod postmodum corpus ejus esset ad voluntatem ipsius Scairæ. His auditis, ingemuit Papa, & ait. Veu me, durus est hic sermo: cumque concordari non possent, & advenisset hora discessit nona, iterum Scaira cum exercitu dedit insultum Papæ et nepoti suo: at ipsi se viriliter defendebant. Tandem videntes adversarii, quod principalis Ecclesia Anagum, qua erat de sancta Maria, esset eis impedimento quo minus poterunt accingere pro votis palacium Papa, apposuit ignem ad ostium Ecclesiæ supradictæ. Itaque valvis Ecclesiæ combustis, totaliter Ecclesiam sunt ingressi homines Scairæ, & dispoliaverunt omnes Clericos & Laicos mercenarios, habentes cultellos ibidem & alia mercimonia ad vendendum, ita quod non dimiserunt valorem quadrantis ex omnibus que apprehendere potuerunt. Tandem Marchio nepos Papæ perpendens quod se ulterius non posset defendere, reddidit se discto Scairæ & Capitaneo memorato, ea conditione, ut vitam ipsius & filii sui salvarent, servientiumque suorum. Quibus auditis, Papa flebit amare. Post hæc, ruptis ostiis & fenestris palatii Papa, & pluribus locis igne supposito, per vim ad Papam exercitus est ingressus. Quem tunc permulti verbis contumeliosis sunt aggressi, minæ etiam ei a pluribus sunt illatæ. Sed Papa nulli respondit. Enimvero cum ad rationem positus esset, an vellet renunciare Papatui: constanter respondit,

An. 31 E. 1.  
b Ypodigma  
Neustrix, p.  
95, 95. Hist.  
Anglicæ, p. 57.  
58. & p. 26.  
See Polychronicon, l. 7. c.  
39. Centurie  
Magiebur, 13.  
c. 10 col. 1017.  
H. de Knyghton de Event.  
Anglicæ, l. 3.  
col. 2472.  
2529.

\* intrare;



An. 31 E.1.

\* Papa emori  
potius vult,  
quam Papatui  
cedere.

\* Nota.

Papa ignomi-  
niose tractatus.

Cibum jejunis  
emendicis.

Papa fameli-  
nus familiaris.

\* Hist. Angl.  
p. 60. Ypodig.  
p. 96.

dit, non : immo citius vellet perdere caput suum, *dicens in suo vulgari* ; & le col, et le cape, *quod est dicere*. Ecce collum, ecce caput. Et statim protestatus est coram omnibus, quod Papatui nunquam renunciaret ; quamdiu posset habere vitam. Scaira vero voluit libenter interfecisse Papam, sed per quosdam fuit prohibitus, ita quod Papa in corpore malum non recepit. Attamen ostiarius Papæ fugatis & quibusdam interfecit, ejectisque tam majoribus quam minoribus de sua familia, deputati sunt Custodes Papæ per Scairam et Capitaneum, Dominus Reginaldus de Suppina, & multi alii cum eodem : Acta sunt hac in vigilia natiuitatis Sanctæ Mariæ, septima hora diei : exercitus vero postquam irrupit palatium, mox despoliabit Papam, et ejus cameram atque thesauriam suam, et asportabit vestimenta cum ornamentis, et aurum atque argentum cum omnibus aliis rebus inuentis ibidem, et reuera creditur, quod omnes Reges mundi non possent tantum de thesauro reddere infra unum annum, quantum fuit de Papali palatio asportatum, et de palatiis trium Cardinalium et Marchionis. Remansit autem Papa et nepotes sui sub custodia Militum et custodum Scairæ usque in diem tertium. Medio tempore Scaira tractavit cum suis, quomodo Papam morti traderet, vel mitteret ad Regem Franciæ corpus ejus. Sed populus Anagum hoc comperiens, facta convocatione secreta ignorantibus Capitaneo & Scaira, quasi ad 10000. hominum, concurrunt ad palatium ubi Papa seruebatur in custodia, et expulsi atque peremptis custodibus, ingressi sunt, & deliberaverunt Papam et Nepotes ejus, habituri eorum custodiam penes se. Sed ante hæc omnia sciendum, quod cum primo Scaira et Capitaneus cum Seneschallo Regis Franciæ comprehendissent Papam, in equum posuerunt effrenem, ad caudam versa facie, et sic discurrere fere usque ad novissimum halitum coegerunt, et tandem pene fame necaverunt, donec eum populus Anagum (ut promittitur) liberasset. Scaira vero propter id offensus villa communibus cum exercitu de villa recessit. Tunc populus fecit Papam deportari in magnam plateam, ubi Papa laqueando populo prædicabit, inter omnia gratias agens Deo et populo Anagum de vita sua. Tandem in fine sermonis dixit ; Boni homines & mulieres, constat vobis qualiter inimici mei venerunt & abstulerunt omnia bona mea, & non tantum mea, sed et omnia bona Ecclesiæ, & me ita pauperem sicut Job dimiserunt. Propter quod, dico vobis veraciter, quod nihil habeo ad comedendum vel bibendum, & jejunis remansi usque ad præsens. Et si sit aliqua bona mulier, quæ me velit de sua juvare elemosina in pane vel vino, & si vinum non habuerit, de aqua permodica, dabo ei benedictionem Dei et meam, & omnes qui quicquam portaverint quantumcumque modicum in meam subventionem, absolvo ab omnibus peccatis suis. Tunc omnes hac audientes ex ore Papæ, clamabant, Vivas Pater sancte. Et mox cerneres mulieres currere certatim ad palatium, ad offerendum sibi panem, vinum, vel aquam, in tantum, quod statim camera Papæ vicinalibus repleta fuit. Et cum non inventirentur vasa ad capiendum allata, fundebant vinum & aquam in arca Camera Papæ in maxima quantitate. Et tunc potuit quisquam ingredi et cum Papæ loqui sicut cum alio paupere qui volebat, Tunc Papæ exiens, absolvit omnes existentes in cibitate ab omnibus peccatis eorum generaliter, præter despoliatores Ecclesiæ Romanæ, spoliatores etiam Cardinalium et aliorum de Curia non absolbat, nisi bona hujusmodi infra triduum reportarent. Veruntamen Papa expresse remisit omnibus qui bona sua asportaverant, dum tamen illa bona de thesauro Ecclesiæ non fuerunt, & statim protestatus est coram omnibus, quod voluit habere pacem cum Columpnensibus Cardinalibus et suis aliis inimicis, et paratus erat ipsos restituere ad temporalia et spiritualia Cardinales, et hoc fecit proclamari per villam. Interea reportata fuerunt bona illius quædam, sed non omnia prius ablata. His itaque gestis, Papa subito & inopinatè recessit de villa Anagum, progrediens versus Romam, cum maxima multitudine armorum : et cum pervenisset ad Sanctum Petrum, ex timore quam conceperat, quando captus fuit, et morose rerum inextimabilium perditio, et fame quam contraxerat sub custodia adversariorum suorum cito defecit. Et sic completa est in eo prophetia prædecessoris sui, qui dixit ; Ascendisti ut Vulpes, regnabis ut Leo, morieris ut Canis. Upon this occasion, Thomas Walsingham thus concludes that year ;

\* Transiit annus iste durus divitibus, pauperibus penuriosus, Papæ, Curiaque Romanæ probozulus, propter malam captionem Papæ. Sed tamen in hoc etiam consolari potuit, quia nullus eorum quicquid captioni interfuit, vel facinori tanto consenserit, iudicium ultionis evasis. (A grosse mistake & forgery.) Nam quidam insanabili æli sunt furia, quidam & precipue qui manum injecerunt Christi Vicario, manus proprias comederunt.

Regis

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*Regis etiam Franciæ consanguinitas & cognatio tacta est usque in generationem septimam igne sacro.* An. 31 F.I.

† William Thorne a Monk of Canterbury, thus relates this avaritious proud Popes † Chronica, infamous spoiling, usage and death, somewhat different from others in some particular. Anno 1304. idem Bonifacius dum mundi hujus gloriam thesauris innumera-  
bilibus sollicite et cautelose adquisitis æstuarer, in solo patrio in manibus inimico-  
rum suorum Dominorum Jacobi & Petri de Columna Cardinalium, quos a Cardina-  
latu et ab urbe una cum nepotibus suis violenter ejecerat, eorumque palacia solo te-  
nus eberteret loca sale conspergendo, ut quasi terram omnino faceret inutilem;  
tandem miserabiliter ab omni proptus auro et argento, ac universis quæ præci-  
osa penes eum fuerunt inventa, spoliatus est; quia abundanter thesaurizavit et  
ignovabit cui congregabit ea. Ipsi vero Petrus & Jacobus Papam triduo sicum de-  
tinentes, ut Papam cederet pluries hortati sunt. Illo vero in Papatu bibere et mori  
affirmante, asina pelle repente excoziata eum induerunt, carcerali custodia cum  
per triduum coartantes. Non multum post dolore cordis absorptus, 12. die mensis  
Octobris, anno Pontificatus sui nona diem cum luctu clausit extremum, dignam præ-  
meritis subituro terminationem; Unde propheta ejusdem, Culpes intravit, &c.  
as in Matthew Westminster.

This was the Tragical shamefull end of this covetous, ambitious insolent Antichri-  
stian Pope. Hic ille est (as Balanus and others story) qui Decretalia promulgavit;  
Romanum Pontificem a nemine debere judicari, etiam si innumerabiles animas se-  
cum mancipio gehennæ traderet. Hic ille est, de quo Platina scriptor Pontificus ait;  
Qui Imperatoribus, Regibus, Principibus, nationibus, populis terrorem potius  
quam religionem inspicere conabatur, quique dare regna et auferre, pellere homi-  
nes ac reducere pro arbitrio animi conabatur, lucrum undique conquistum plus  
quam dici potest sitiens. Qui omnes ferme præ se contempsit superbissime. 2.  
die Cinerum Procheti Holtiensis Archiepiscopo ad ipsius pedes devoluto, cinerum  
magnam quantitatem in oculos coniecit, non in caput, ut illis mos est; additis hisce  
verbis; Memento homo quia Gibellinus es, et cum Gibellinis in cinerem redigeris;  
instead of Memento homo quod cinis es, & in cinerem reverteris. After whose death  
(as Matthew Westminster and others story) Rex Francorum à Domino Papa (Cle-  
mente 5.) ossa Bonifacii prædecessoris sui petiit ad comburenda, tanquam hæretici,  
instantia oportuna. Petiit etiam Sanctorum Catalogo ascribi Petrum de Murone,  
qui quondam fuerat Papa, dictus Celestinus quintus; whom this ungratefull Pope  
Boniface imprisoned, starved to death; and therefore was now by divine retaliation  
likewise imprisoned and almost starved, as you have heard.

† Bonifacio defuncto & sepulto, in crastino convenientes in unum Cardinales, elige-  
runt Episcopum Ostiensem, de ordine Prædicatorum, & decimo die post creatus in Sum-  
mum Pontificem, Benedictus 11. est vocatus; Lombardus natione, quem Papa Boni-  
facius, cujus Magister erat, fecerat Episcopum Ostiensem. De isto Episcopo quidam  
dicit,

A te nomen habe, benè dic, benè fac Benedicte,  
Aut rem perverte; maledic, malefac Maledicte.

Columnenses, mortuo Papa Bonifacio, de suis egressi latibulis ad Papam Benedictum  
venerunt, misericordiam implorantes, quos ille benigne suscipiens absolvit, ac bonorum  
suorum tribuit facultates: Sed eos ad gradum Cardinalatus tam subito restituere non  
decrevit. Papa Benedictus per hoc tempus Episcopum Spoletanum ad Cardinalatum  
assumens, fecit Episcopum Ostiensem; fratrem etiam Willielmum de Makelesfield,  
Doctorem sacre Theologie, ordinis Prædicatorum, natione Anglicum, Diocesis Coventren-  
sis, tituli Sanctæ Sabinæ fecit Presbyterum Cardinalem. Qui antequam ad eum rumor  
perveniret, in fata concessit. Cujus morte cognita, Papa fratrem Walkerum Winter-  
burne similiter ordinis Prædicatorum, Regis Angliæ Confessorem, Sarisburiensis  
Diocesis ad eundem titulum Cardinalatus promovit. Of whose promotion, John  
Bale renders us this account. Mox ut mortuum luxissent patres (Prædicatores) præ-  
dictum Gulielmum Maclesfeldium, apud Benedictum suum ejus nominis undecimum  
Papam, multis pecuniis egerunt, ut hic venerabilis eorum Doctor illius in officio  
succederet. Speciosum certe, imo splendidum balde, excelsis et turgidis eorum ani-  
mis videbatur Cardinalium diadema a suis rabbinis geri, eosque propterea a mag-  
nis Principibus salutari.

How

\* Flores Hi-  
storiar. p. 443.  
Stella, Bal-  
tus in Bonifacio 8.  
Cent. Magd. 13  
cap. 10. col.  
1018.  
b Balus in  
Bonif. 8. &  
Cent. Magd.  
col. 1008,  
1015.  
c in vita Bo-  
nif. 8.  
d Abbas uf-  
pergens Pa-  
raclipon p.  
343.  
e Flores Hist.  
An. 1306. p.  
463. Balus  
Scriptor. Brit.  
Cent. 4. c. 82,  
p. 364.  
f Mar. Westm.  
An. 1303. p.  
44. Tho. Wal-  
lingham, Hist.  
Angl. p. 55. co.  
Y. odg. Neu-  
trix, p. 36.  
Chron. W.I.  
Thorn, col.  
2003. Hen. de  
Knyghen, de  
Event. Angl.  
13. c. 5. col.  
2434. & cap.  
13. col. 2529.  
See Platina,  
Onuphris,  
Stella, Balus,  
volaterranus,  
Hermannus  
Schedel, Op-  
merus, & La-  
ertius Cheru-  
binus in Bene-  
dicto 11.  
g See Balus  
Script. Brit.  
Cent. 4. c. 81.  
p. 361.  
h Scriptorum  
Brit. Cent. 4.  
c. 85. p. 360.



*Edward 1. An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

An. 31 E. 1.

How our Archbishops, Bishops, and their Officers still continued their Usurpations upon the Kings Temporal Jurisdiction, Courts, Free Chappels, Crown and Dignity, this year, will appear by several Prohibitions, Writs, Suits and Attachments against them.

In a broken Bundle of Writs in the *White Tower*, I met only with this, at the Kings prosecution, for suing in Court Christian against his prohibition.

Bundela Bre-  
vium, An. 31  
E. 1. in Turri  
London.

**E** *Edwardus Dei gratia Rex Angliæ, &c. Vic. Essex salutem. Pone per vadios & saluos plegios Priorem de Colne, & Hugonem de Hamshaye Commonachum suum, quod sint coram Justic. nostris apud Ebor. in crastino S. Martini, offens. quare cum placita de Catallis et debitis in regno nostro quæ non sunt de Testamento vel Patrimonio, ad Coronam et Dignitatem nostram specialiter pertineant, iidem Prior et Hugo, sicut ex relatu plurimum accepimus, secuti sunt placitum in Curia Christianitatis de catallis et debitis Johannis de Catesfeld persona Ecclesiæ de Rochings Ayturp, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram, &c. Teste meipso apud Kynlos 9. die Sept. Anno regni nostri Tricesimo primo.*

The Archbishop of *Canterbury* excommunicating the Prior and Canons of *St. Oswalds Church* in *Gloucester* anciently the Kings Free Chappel, (exempted from all Episcopal and Metropolitan Jurisdictions by the Kings Charters, and Popes Bulls confirming them, but after united to the Archbishoprick of *Torke*, and subjected by King *Williams* Charter and Popes Bulls only to that Archbishops Visitation,) and withall inhibiting all persons to pay Tithes, or have any communion with them as with excommunicate persons, (notwithstanding their Appeal against his Excommunication to the Court of *Rome*,) only because they refused to be visited by him in his Metropolitan Visitation, to the prejudice of the Kings Charters, Crown and Dignity. The King upon complaint thereof, issued this memorable Writ to the Archbishop, to revoke these his illegal sentences and proceedings against them, as prejudicial to his Crown and Dignity.

Class. 31 E. 1.  
m. 12. dorso.  
Pro Priore S.  
Oswaldi Glou-  
cestr.

**R**EX Venerabili in Christo patri R. eadem gratia Archiepiscopo *Canthar.* totius *Angliæ* Primate salutem. Cum Ecclesia *Sancti Oswaldi Gloucestr.* de Elemosinis progenitorum nostrorum quondam Regum *Angliæ* fundata, libera Capella eozundem Progenitorum nostrorum fuerit ab antiquo, et ab omni Jurisdictione ordinaria exempta penitus et immunis, ac bonæ memoriæ *Willielmus* quondam Rex *Angliæ* Progenitor noster, per Chartam suam prædictam Ecclesiam cum juribus suis cuidam *Thoma* dudum Archiepiscopo *Eborum*, pro quibusdam exactionibus et calumpniis suis quas erga quendam *Robertum* tunc *Lincoln.* Episcopum de quibusdam Ecclesiis et possessionibus fecerat remittendis, dedit et concessit; habendam eidem Archiepiscopo et successoribus suis Archiepiscopis ejusdem loci imperpetuum, ab omni Jurisdictione Diocesani vel Metropolitanæ alterius quam sui ipsius exemptam penitus et immunem, sicut progenitores nostri eam ante donationem et concessionem prædictas tenuerunt, quas quidem donationem et concessionem quidam Summi Pontifices postmodum per suas Papales Literas confirmarunt: Ac Priores et Canonici ejusdem loci, tam virtute donationis et confirmationis prædictarum, quam ratione exemptionis prædictæ, ab omni Jurisdictione loci Diocesani vel Metropolitanæ alterius quam Archiepiscopi loci prædicti semper hucusque extiterunt, ut dicitur, liberi penitus et immunes. Ac jam intellexerimus, quod vos ad exemptionem, donationem, et confirmationem prædictas nullam habentes considerationem in Ecclesiam *Sancti Oswaldi* prædictam, ac Priorem et Canonicos ejusdem loci Officium visitationis, et alias Jurisdictionem ordinariam nuper nitebamini pro viribus exercere, et sententias Excommunicationis in ipsos Priorem et Canonicos, pro eo, quod vos super hoc impediverunt, sicut debuerunt, fulminastis. Et licet ipsi a sententiis prædictis tanquam ab iniquis, ad Curiam Romanam legitime appellaverint, et appellationis illius negotium effectualiter prosequantur, Nos nihilominus in Episcopatu *Wygornie* ne quis eidem Priori et Canonicis tanquam excommunicatis et a communione fidelium seperatis de Decimis aut aliquibus aliis Spiritualibus respondeat, ac aliquatenus communique cum eisdem fecisset publice inhiberi.

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hiberi. Quæ si sic tollerarentur, in nostri præjudicium et exemptionis, donationis An. 31 E 1  
et confirmationis earundem derogationem manifeste redundarent. Vobis manda-  
mus, quod sententias in prædictos Priorem et Canonicos per vos aut alios autho-  
ritate vestra, ut prædictum est, fulminatas, ac alia si quæ in hac parte in nostri et  
exemptionis, donationis et confirmationis prædictarum præjudicium attemptaveri-  
tis, vel attemptari feceritis, faciatis revocari, nihil in hac parte in nostri et ipso-  
rum præjudicium attemptantes, ne pro defectu vestri de alio remedio super hoc nos  
oporteat prohibere. Teste Rege apud Alnewyke 9. die Maii.

By which Record it is evident. 1. That our Kings by their Royal Prerogative  
and Charters, anciently did, and may exempt Churches and Chappels both from the  
Jurisdiction and Visitation of Archbishops and Bishops; and likewise Subject Chur-  
ches and Chappels within the Province of *Canterbury*, to the Archbishoprick and  
Province of *York*. 2ly. That by their Writs issued out of Chancery and other  
Temporal Courts, they may command Archbishops and Bishops to revoke all Sen-  
tences of Excommunication, and all proceedings or interdicts grounded thereon;  
that are illegal, irregular, uncanonical, or intrenching upon their Charters, or Pre-  
rogatives royal. 3ly. That Popes Bulls of exemptions in confirmation of our Kings  
Charters, added no real nor legal efficacy or vigor to them, being valid to all in-  
tents without them.

This Archbishop of *Canterbury* presuming by his Archiepiscopal authority, to  
sue the Kings Sheriff, Officers and Bailiffs in *Kent* in his Ecclesiastical Court, for  
executing the Kings Writs, *de vi Laica amovenda* (placed therein by the Archbishop  
in the contest between the Abbot of *St. Augustines* and him) in several Churches, and  
threatning to excommunicate them for the same, against the Kings Crown and digni-  
ty, he thereupon issued this memorable Prohibition to him not to sue, molest, or ex-  
communicate them, and to reverse all Sentences of Excommunication thundred  
out against them for obeying his commands.

REX Venerabili in Christo patri R. eadem gratia *Cantuar.* Archiepiscopo, totius Clauf 31 E 1.  
*Angliæ* Primari, salutem. Cum nos per Breve nostrum *Henr. de Cereham* nu. m. 11. dorso.  
per Vic. nostrum *Kanc.* præceperimus, quod omnem vim laicam & armatam quæ se  
tenuit in Ecclesiis Sancti Pauli extra muros *Cantuar.* *Chisleter*, *Mensfre*, *Wyneles-*  
*bergh*, *Keninton parva*, *Merringeam*, *Esflangedon*, *Stonore*, *Swalechye*, *Kyngejdonne*,  
*Frithindenne*, *Stone in Oxene*, *Borewardesmarsh*, *Domecherch*, *Brocland*, *Omnium San-*  
*ctorum Cantuar.* Sanctæ *Mariae Magdalene Cantuar.* Sancti *Johannis Cant.* & San-  
*ctæ Mildrede Cantuar.* in læsionem pacis nostræ, quam inviolabiliter tenemur ob-  
servare, sine dilatione amovere faceret ab eisdem; (placed in them by the Archbi-  
shops direction) Et idem Vic; unâ cum *Willielmo de Cotes* Subvicem. *Kanc.* &  
*Johanne de Helles* & *Stephano de la Dore* Ballivis & Ministris, dictum mandatum no-  
strum exequi fecisset; vos asserentes præfatus *Henricum*, *Willielmum*, *Johannem* &  
*Stephanum*, ut ex querela sua accepimus, in excommunicationis sententiam in-  
cidisse, pro eo, quod idem mandatum nostrum fuerant executi, trahitis eos in-  
de in placitum in Curiam Christianitatis. Et quia manifeste est contra coe-  
nam et dignitatem nostram, quod Ministri nostri, seu quicunque alii, pro eo quod  
mandata nostra sunt executi, trahantur in placitum in Curia Christianitatis, aut  
quoquo alio modo nobis inconsultis inde occasionentur, vel inquietentur; Nos  
prohibemus ne placitum illud exequamini in Curia Christianitatis, nec ipsos occa-  
sione præmissorum in aliquo grabetis vel inquietis; et sententiam excommunica-  
tionis, si quam in eis ex causa prædicta fulminaveritis, sine dilatione quacunque  
revocare faciatis, Teste Rege apud *Edenburgh* 4. die Junii.

This Archbishop likewise excommunicating *William de Berdewell*, and suing out  
an Excommunication against him, notwithstanding his Appeal to the See of *Rome*  
against his sentence as unjust, the King issued this Writ of *Superfedas* for his relief.

REX Vic. *London.* salutem. Cum nuper ad requisitionem venerabilis patris R. Cl. 31 E 1.  
*Cantuar.* Archiepiscopi per literas suas patentes nobis significantis, quod *Wil-* m.  
*lielmus de Berdewell* propter manifestam contumaciam suam excommunicatus est, Pro Will. de  
Berdewell.  
nec



*An. 31 E. 1.* nec se vult per censuram Ecclesiasticam iusticiari, per breve nostrum vobis præceperimus quod prædictum *Willielmum* per corpus suum secundum consuetudinem *Anglia* iusticiaretis, donec sanctæ Ecclesiæ tam de contemptu quam de injuria ei illata ab eo esset satisfactum, & jam intellexerimus, quod prædictus *Willielmus* a sententia in ipsum per præfatum Archiepiscopum lata tanquam ab iniqua sedem Apostolicam legitime appellabit, et appellationis suæ negotium prosequitur cum effectu. Nolentes quod prædicto *Willielmo* per prædictum breve nostrum via præcludatur quo minus appellationis suæ negotium prosequi possit in forma juris, maxime cum hujusmodi breve nostrum de gratia nostra procedat, & appellantis status integer esse debeat; Vobis præcipimus, quod executioni hujusmodi nostri prædicti vobis inde directi faciendæ supersedeatis pendente appellationis negotio supradicto, vel donec de consilio nostro aliud inde duxerimus ordinandum. Teste Rege apud *Aberdeen* 24. die *Augusti*.

The same Archbishop about the same time endeavouring by Ecclesiastical censures to enforce one of the Kings Clerks, who was preferred by him to a benefice before he was made a Priest, to take the Order of Priesthood upon him and reside upon his benefice, whiles actually employed in and about the Kings special service, against the ancient Prerogative of the King, and privilege of his Clerks; he thereupon issued this Prohibition to him on his Clerks behalf.

Claus. 31 E. 1.  
m. 12. dorso.  
Pro Magistro  
Johanne de  
Cadamo.

**R**EX Venerabili in Christo Patri R. eadem gratia Archiepiscopo *Cant.* totius *Anglia* Primati salutem. Cum Clerici nostri nostris insistentes obsequiis ad ordines suscipiendos, vel ad residentiam personalem in suis beneficiis faciendam compelli non debeant, seu alias ea de causa inquietari dum eisdem obsequiis immorantur; Nosque et progenitores nostri quondam Reges *Anglia* hujusmodi privilegia et prærogativa pro Clericis nostris usi sumus semper hactenus a tempore quo memoria non existat, vos, ut accepimus, dilectum & familiarem Clericum nostrum Magistrum *Johannem de Cadamo* personam Ecclesiæ de *Stanford London*. Dioc. qui tempore quo Ecclesiam illam ex præsentatione nostra asscetus fuerat, nostris de mandato nostro speciali insisteret, et adhuc continue insisteret obsequiis, eo quod infra annum a tempore asscutionis ejusdem Ecclesiæ se non procurabit, sicut prætenditis, in Presbyterum ordinari, citari fecistis coram vobis, et ea de causa graviter procedere intenditis contra eum in nostri præjudicium et derogationem prærogativæ nostræ Regiæ manifestum; Et quia sustinere nolumus, sicut nec debemus, quod Clerici nostri dum nostris intenderint obsequiis, per hujusmodi Citationes et processus, qui si tolerarentur, in nostri præjudicium manifeste redundare, voscantur inquietentur taliter seu grabantur, vobis mandamus rogantes, quatenus ab hujusmodi molestatione et inquietatione præfato Clerico nostro occasione prædicta de cætero inferend. penitus desistatis, processum, si quem contra ipsum in hac parte feceritis sine dilatione aliqua rebocantes. Teste Rege apud *Rokesburgh* 21 die *Maii*.

This Archbishop of *Canterbury* then likewise citing one of the Prebends of the Kings Free Chappel of *Hastings* invested therein by the Kings collation without any presentation of him to, or admission by the Bishop of *Wynchester*, during a suit and question depending in the Kings Court between the Bishop of *Chichester*, the King and Canons; the King issued this memorable Writ of Prohibition to him, in defence of the rights of his Crown, as bound thereunto by the tenor of his Oath.

ibid. m. 14.  
Pro Magistro  
Johanne de  
Cadamo.

**R**EX Venerabili in Christo Patri R. eadem Gratia *Cantuar.* Archiepiscopo, totius *Anglia* Primati, salutem. Operam studiosam exhiberi nos convenit, ne Coronæ et dignitatis nostræ Regiæ aliquantulum jura depereant, ad quæ conserbanda et manutenenda, eo potius debemus esse solliciti, quo ad hoc vinculo juramenti teneri dinoscimur et astringi. Cum itaque collationes Præbendarum in libera Capella nostra de *Hastings* ad nos pertineant pleno jure, et sumus in possessione eas cum bacaverint conferendi, quamvis inter nos & Venerabilem patrem *G. Cicestrensem* Episcopum super Jure Institutionis in Præbendis prædictis in Curia nostra coram nobis questio pendeat indecisa; Nos dilectum et familiarem Clericum nostrum Magistrum *Johannem de Cadamo*, pro eo quandam Præbendam in Capella nostra prædicta

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prædicta, virtute Collationis nostræ sibi inde factæ dudum adeptus fuerat, sicut alii *An. 31 E. 1.*  
 Præbendarii ejusdem Capellæ nostræ hujusmodi Præbendas ibidem sunt hactenus  
 assecuti, super hinc intrusionis citari fecistis, ut accepimus, coram vobis, et inten-  
 ditis hac de causa graviter procedere contra eum. Nos igitur attendentes, quod si  
 occasione prædicta procederetis taliter contra ipsum, in Juris et Regiæ dignitatis  
 nostræ grabe præjudicium, et enormem etiam cederet læsionem; Vobis prohibe-  
 mus firmiter et districte, ne quid in hac parte quod in dicti nostri Juris Regii et  
 Coronæ nostræ præjudicium aliquatenus cedere valeat attemptantes, de negotio  
 prædicto, dum in Curia nostra prædicta pendet (ut prædicitur) indecissum, hos aliqua-  
 liter introumittere præsumatis. Teste Rege apud *Huntindon* 22 die *Marci*.

How ill the Archbishop himself was beloved even in *Canterbury* it self, and how  
 odious he with his Ecclesiastical Officers and their proceedings then were to the peo-  
 ple, will appear by this Patent and Writ to inquire of an Assault made this year upon  
 his Palace, Servants, pillaging of his goods, setting his Dean on horseback with his  
 face to the horses Tayl, held in his hand for a bridle, and so carrying him to *Sellinges*  
 with songs, shours and dances, abusing his horse and throwing him into the dirt, to his  
 great disgrace, and hindrance of the execution of his office.

**R**EX dilectis & fidelibus suis *Rogero de Hegham, Willielmo Haward, & Radul-*  
*pho de Sandwico*, salutem. Ex parte Venerabili Patris *Roberti* Archiepiscopi  
*Cantuar.* nobis graviter conquerendo, est ostensum, quod quidem Malefactorum et  
 pacis nostræ perturbatores, mensum ipsius Archiepiscopi apud *Cantuar* ipso in eo-  
 dem manso tunc existente, nodanter bi et armis invaserunt, portus ejusdem Archie-  
 piscopi, mansi illius in partes secuerunt et fregerunt, et in servientes ac Ministros  
 suos ibidem tunc inebentis insultum ex præcogitata malitia fecerunt, et ipsos ber-  
 beraverunt, vulneraverunt, et male tractaverunt, et bona et catalla ejusdem Ar-  
 chiepiscopi ibidem ceperunt et asportaverunt, et *Richardum Christian* Decanum ip-  
 sius Archiepiscopi de *Ospringe* per ipsum Archiepiscopum usque *Sellinges* missum,  
 ad quasdam citationes et alia, quæ ei ratione officii sui Spirituales incumbabant  
 facienda, apud prædictam *William de Sellinges* ceperunt, et ipsum versus posteroza  
 equi illius retroversum et caudam ejusdem equi in manu sua loco freni tenentem ex-  
 quitare inhumane comulerunt; ipsum etiam sic equitanti per medium ejusdem villæ  
 de *Sellinges* canibus et thoreis illudendo duxerunt, et peltea caudam illam, et auriculas  
 et labia ejusdem equi absciderunt, et ipsum Decanum in lutum sordidum projecerunt,  
 ipsamque quo minus officium suum super sibi per præfat. Archiep. commissis et inun-  
 ctis exercere potuit impediverunt, et alia enormia eidem Archiepiscopo multipliciter  
 intulerunt, ad grave dampnum ipsius Archiepiscopi, et libertatis Ecclesiæ suæ  
 Cantuar. derogationem, ac universalis Ecclesiæ scandalum manifestum, et contra  
 pacem nostram. Et quia tam enormes et detestabiles transgressionem, et taliter  
 perpetrata sunt transire nolumus impunitas; Assignavimus vos Justic. nostros ad  
 inquirendum per Sacramentum proborum, &c. de Com. *Kanc.* per quos, &c. de  
 nominibus Malefactorum prædictorum, et transgressionibus prædictis plenius veri-  
 tatem, & ad transgressionem illas aud. &c. secundum legem, &c. Et ideo vobis  
 mandamus, quod ad certos, &c. inquisitionem illam faciatis et transgr. prædictas  
 audiaris & terminetis in forma prædicta, facturi, &c. Mandavimus enim  
 Vic. Com. nostro Com. prædicti quod ad certos, &c. venire faciat, &c. coram tot &  
 tales, &c. de balliva sua per quos, &c. In cujus, &c. Teste Rege apud *Dunfer-*  
*melyn*. 6 die *Novembrii*.

*Per finem factum ad Scaccarium.*

The King having recovered in his Court his Presentation to a Church in the  
 Diocese of *Lincoln*, by Judgement against the Abbot of *Faversham*, and presenting  
 his Clerk thereunto, his Clerk being prosecuted both before the Bishop of *Lincoln*,  
 and in the *Arches*, for intrusion, in procuring an Institution to the said Church, in  
 derogation of the Kings Crown, Dignity, and of the Judgements and proceedings  
 of his Temporal Courts, which ought not to be examined in any Ecclesiastical  
 Consistory, issued this memorable Writ of Prohibition against this Usurpation.



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An. 31 E.1.  
 Claus. 31 E.1.  
 m. 9 dorso.  
 Prohibicio  
 pro Rege.

**R**EX Decano de Arcubus *London.* & ejus Commissariis, salutem. Cum nuper in Curia nostra coram nobis per considerationem ejusdem Curie nostrae recuperaverimus versus Abbatem de *Faversham* presentationem nostram ad Ecclesiam de *Tryng.* *Linc.* Dioc. & per breve nostrum de judicio mandaverimus venerabili patri *Linc.* Episcopo, loci Diocesano, quod non obstante reclamazione predicti Abbatis idoneam personam ad Ecclesiam predictam ad presentationem nostram admitteret; ac dilectum Clericum nostrum *Petrum de Abynton* presentaverimus ad Ecclesiam antedictam, *Robertus Ing.* Clericus, prefatum Clericum nostrum, pro eo quod institutionem in Ecclesia predicta ad presentationem nostram supra considerationem nostram sibi fieri prosequitur, coram Episcopo memorato trahit in placitum coram vobis in Curia Christianitatis, sicut ex relatu plurium accepimus. Et quia manifeste esset contra Cozonam et dignitatem nostram Regiam, si Clerici nostri, pro eo quod ius nostrum et executiones Iudiciorum in Curia nostra, secundum legem et consuetudinem regni nostri, rite reddituorum prosequuntur, traherentur in placitum in Curia Christianitatis; vobis prohibemus, ne placitum illud teneatis in Curia Christianitatis, seu quicquam in hac parte quod in Iuris nostri Regis predicti vel retardationem executionis Iudicii predicti, cedere valeat, aliqualliter attemptare presumatis. Teste Rege apud *Clacmanan* 12 die Junii.

The Bishop of *Hertford* in three of his Visitations demanding *Procurations* from *Philip de Waleys* Rector of a Parish Church whereof the King was Patron, and of others, although the Archbishops and other Bishops of the Realm in that and former ages never received any *Procurations* from Parochial, but only from Cathedral and Collegiate Churches, and Religious Houses; the King thereupon issued this memorable Prohibition to him, totally to desist from exacting any such *Procurations* from him.

Claus. 31 E.1.  
 m. 15 dorso.  
 Pro Magistro  
 Philippo le  
 Waleys.

**R**EX venerabili in Christo patri *R.* eadem gratia *Hertford.* Episcopo, salutem. Ex insinuatione dilecti Clerici nostri Magistri *Philippi le Waleys*, Rectoris Ecclesie de *Stratton* in *Tratton:* scilicet vestre Diocesis, quae de nostro patronatu existit, nuper accepimus, quod vos ratione Visitationis quam in Ecclesia sua predicta tribus vicibus, ut dicitur, iam fecistis, duodecim marcas nomine *Procurationis*, videlicet pro qualibet vice quatuor marcas exigitis ab eodem, licet alii Episcopi regni nostri suas Dioceses, et etiam Archiepiscopi suas Provincias visitantes, a Cathedralibus et Collegiatis Ecclesiis, et Religiosis domibus duntaxat, non autem a Parochialibus Ecclesiis *Procuracionem* exigere consueverint, a tempore cuius memoria non existat, prout ex relatu didicimus plurimorum. Solentes igitur prefatum Clericum nostrum taliter indebite peragrari, nec Ecclesie predictae ad diminucionem nostri patronatus onera consueta per vos aut alios quoscunque imponi. Paternitatem vestram affectuose rogamus, quatinus ab exactione dictae pecuniae, si ex causa predicta et non alia a prefato Rectore eam exigitis, totaliter desistatis. Teste Rege apud *Waltham Sancta Crucis* 23 die Febr.

From which memorable Record I shall observe: 1. That no Archbishops, Bishops or others, in that and former ages, exacted or received any *Procurations* but only when they actually visited. 2. That they received them only from Cathedral and Collegiate Churches, and Religious Houses which had great Revenues; not from any Parish Churches whatsoever. Therefore *Procurations* exacted from Parish Churches by them or their Deputy-Visitors, or Officers since, is an illegal Innovation and Exaction. 3ly. That the exaction of such *Procurations*, (not settled by any Act of Parliament) is not only a grievance to the Incumbents, but injury to the Patrons of Parish Churches. 4ly. That the King by his Royal Prerogative and Writs, may and ought in justice totally to prohibit and suppress such illegal *Procurations* when exacted by Archbishops, Bishops, or any others in their Visitations, as King *Edward* then did by the preceding Writ.

In a bundle of Letters and Writs in the White Tower, I met with this Letter of *Bartholomew de Ferentin* the Kings Agent at *Rome*, concerning Pope *Boniface* his downfall and deceitfull dealings towards him, feeding him only with good words; and

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and his successors good affections towards him, and his discourses with him concerning the Dismes granted him by Pope Boniface his Bull, not unworthy publick view. *An. 31 E. 1.*

**A** Mon trescher & treshonorable Seignour mon Sire *E.* par la grace de Dieu noble Roy de *Engleterre*, Seign. de *Hyrelaunde*, & Duk de *Aquitaigne*, vostre petit Clerk, si vous pleist, *Barisolemeu de Ferentyn*, due reverence, &c. Sachez Sire qe je me remuay de la Court de *Roume* vers *Engleterre* la veille del *Aurenoef*, & fu si tresdurement greve de une male goute en cheminaunt com je fu vers la Court, quil me convenit sere de une jornee deus, par quey je ai este longement en le chemyn. Si arivay a *Dovere* le dimeigne del my quareme au vespre, & ma gente ma mena si fort par ses leis, qe a grant peine vink a *Londr.* la veille de *Palmes* & la fuy taunt de ly greve, qe je ne puis nule part aler ne a pe ne a chival; par quey vous pri, cher Sire, qe vous eiet ma demoere escusee sauns prendre la a mal, por la dite acheson: Car ele me greve taunt ou plus com mon mal. Mes si tost com je puis chivacher en nule manere, je me hastaray vers vous a mon poer. J. tochey Sire de vos bosoignes a l'Apostolle *Boniface*, qe est a Dieu comande, et les porray taunt com je poey, mes je ne poey ouk rien aver de ly fors qe beles promesses, taunt qe le aventure ainst dont bene sauet. Et puis sa mort ay je toche a nostre Seignour qe ore est, et ly dis des beaus donas qe vous ainst regarde la Court le queus il avoit et ad en *Chambre*, et il me respoundi bonement, qe se ne aney nul message depart bons a ly, mes a son predecesseur. Et quant nul messenger especial enuerret a ly, il fra bons pteres si avant com gracionse selon le force. Je le dis ainst de la *Dyme* qe son predecesseur bus granta en cont. *luy*, qe si la guerre de *Cecille* fust apesee, ou il morist avant la *Dyme* perq. *l'ye*, qe b. us eussent enterement, quant qe fust a quiller apres cel tans. Et il me demanda, si vous ainst de ce *Bulle*? Et je respoudre, vous ainst de ceo tesmaigne de *bi e* boiz de mon Sire *Othes* et de moy, qe sumes outent de part son predecesseur, qe nous le vous deissom de part ly, & ne ly dult pas sembler qe nous vouassom dire tens paroles de part si grant Seignurie, si eles ne feussent veritables. Et il me respondi, quil launz *Bulle* ne le creerreit. Mes ne pur quant bien est fet cor qe vous auct de cele bosoigne comence, & bon est, quil seit cheuv. Et qe le dite nunciacion de mon Sire *Othes* & de moy soit mis en escrit de main comune. Autres choses Sire qe font a dire, vus dirray de bouche a plus tost qe je porray, car trop ferreit demaunder les vus toz en leltre. Deu par sa pite vus sauve de maus, & vus doint bene fere vos bosoignes. Escrites a *Loundre* le jour de *Palmes*.

The King having seised the Franchises of the Bishop of *Durham* in Parliament *An. 30 E. 1.* for sundry oppressions and encroachments upon his Tenants, and his Crown, Dignity, Courts, complained of to the King; the Bishop and his Tenants at last came to an agreement in Parliament the next year, whereupon the King restored his Franchises, and the Bishop remitted his indignation against them; which accord is thus recorded.

**C**ome nadgeres par aucunes enchesons la franchise del *Evescop de Durfme* fut prise en la main nostre Seignour le Roy *Edward* suiz le Roy *Henry*, a son Parlement a *Westmonstier*, as Octaves de la Seint *Jehan*, l'an de son regne trentisme, & les gentz de la communaute, de la franchise de *Durfme* eussent monstre diverses plaintes e grebaunces vers *Antoine* donk *Evescop de Durfme*, e ses Ministres, a eux fet. Et puis a *Durfme*, a treis simeynes de Pasque l'an du regne le Roy avandit Trente primer, devant son Conseil fut amiablement trece, entre les avandiz *Evescop*, e communaute, sur les plaintes e grevances avandites. E apres ilques devant le dit nostre Seignour le Roy feut cel treitiz reherce en la presence des parties appelees e acordees en la forme qe ensuit. Cest a sayer, qe par la, ou le avandiz gentz, se sentirent grebetz, de ceo qe nul frank homme, ne doit estre pris, ne emprisonne, si ne soit par enqueste, ou par sacroboz, ou pris a mamoeure, la prissent les Baillifs l'Evescop, les gentz du pais, e les retindrent en prisone a leur volonte, en contre la forme avandite: Si graunte l'Evescop, qe nul ne soit emprisonnez par ses Baillifs, en sa franchise, autrement qe n'est use aillours en le Roialme, e qe les enquestes soient fetes pas les Coroneers de l'Evescop, ausi come est aillours use en le Roialme, solonc la forme del estat.

Et

In bundela Li-  
terarum, &c. in  
Turre Lond.  
*An. 31 E. 1.*

*Claus. 31 E. 1.  
m 6 dorso.  
Concordia in-  
ter A. Episcopum  
Dunelm. & homines  
Communitatis  
libertatis Episcopatus Dunelm.*



An. 31 E. 1.

Nota.

1. Et par la ou la dite communalte prient, que nul fraunk homme de l'Evesche, soit empledé en Curt Crestine, fors que de Testament e de Patrimoign, e que ceus que de autres choses sont empledéz en meisme la Curt, esent la prohibition e l'atachement sur le Official, ausi bien come sur la partie; Si graunte l'Evesque, que la prohibition, ne l'atachement, ne soit a null bre, e que ceus qui viennent en contre la prohibition, soient puniz selonc la loi, quel juge de Seint Eglise ne ceo sont. Et endreit des terres e des tenementz que sont tenuz en drengage, cleime l'Evesque la garde des tenementz de li tenuz, e par cele encheson ne cleime il mie garde des tenementz tenuz d'autres, sauve des tenantz le Priour. Et a ceo que les gentz de la communalte se senturent greverz, que l'Evesque fit seisir e tenir en sa gardes terres, que sont tenues d'autres par servise de Chevaler, par encheson que meismes ceus tenauntz, tindrent de li par service de Chevaler; dit l'Evesque qil devoit aver tieles gardes par sa Prerogative, des terres que meismes ceus tenauntz tindrent de autres par servise de Chevaler entre Tyne & Teyse, ausi come le Roi, les ad aillours en *Engleterre*. E pur ceo que l'Evesque e les ditz gentz, ne poient acorder sur ceo point, si se mistrent eus en le dit nostre Seigneur le Roi. Et le Roi

Nota.

al honurace de Dieu e de Seint Cuthbert, granta, que l'Evesque le eust, ausi come il meismes la d'aillours en *Engleterre*. Et par la ou list a chescun fraunk homme, fere molin en sa terre demeyne e prendre mine de charbon, e de feer, les Baillifs Levesque desturberent, ausi bien les Seignurs des viles, come autres fraunks tenauntz, que eus ne poient des choses avandites lor profit fere; si voet Levesque e grante, que chescun homme face molyn, sil ne soit sur terre que seute deyue a son molyn, ou nufant ali, ou autre aureit remede. Et que chescun homme preigne mine de carbon, e de feer, en sa terre severale, e ausint la ou autres ont commune, en meisme la manere, come il meismes fet en sa terre severale, e la ou autres ont commune. Et par la ou nul fraunk homme de Levesche, ne soleit estre empledéz, fors que en la fraunche Curt Levesque, vindrent les Baillifs Levesque, e les firent empler as balymotz, e les amercierent entre les vileins, en contre commune lei du Roiaume; si voet Levesque e grante, que nul fraunk homme ne veigoe, si il ne voille la venir, e pleindre sei de aucun vilein; & si tort li seit fet par aucun vilein, e il sen voille pleindre aillours en fraunche Curt, bref li soit grante. Et pur la ou nul franck que est pris en la franchise de *Duresme*, pur fet en meisme la franchise, soit enprisoné en le Wapentak de *Sadebergh*, ne nul homme pris pur trespas fet en le Wapentak, soit emprisone a *Duresme*, que nest pas ore suffert: si voet Levesque e grante, que issint soit, hors pris ceus qui sont areltuz pur trespas fet a li meismes. Et par la ou touz les franck hommes de Levesche soleient estre quites de *Thounn*, e de totes maneres ducatz sets en ville *Uppelannde*, la vindrent les baillifs Levesque, e prist rent *Thounn* communalement, ausi ben de ceus que achatent un acre de ble en terre, boef, ou vache, ou nul autre manere de sustenance, en totes les villes de *Uppelannde*, come en ville *Marchannde*, e ceo par extorsion, que unkes ne fu fet en tens de ses predecessurs: Si disoit Levesque, que ceo ne fu mie par li, si voet e grante que desoremes nul *Thounn* ne soit pris, fors que en meismes les lieux, e en meisme la manere, come il soleit estre pris en tens de ses predecessurs. Et que nul de ses Ministres ne seise autri terres ne chateus en sa main sanz brief de la Chancelerie de garant, sil ne soit apres la mort de Auncostre qui tint en chef de li que nest pas ore soffert: ben voet Levesque que nule terre ne chatel seient seisi en sa main, autrement que nad este use en tens de ses predecessurs. Et que nul de ses Ministres ne levé dette de nul franck homme, si ele ne soit conue, ou en curt recovere, ou sa certeine dette: ben le voet Levesque e le grante e la ou il prient, que nul cariage soit pris de frank hommes, se il ne soit pur certain donant, sicome est use par mi le Roiaume, hors pris ceus qui tenant leur terres par tien servise, e ceo nest pas soffert: ben voet Levesque e grante que autrement ne soit fet, si ceo ne soit au tens de guerre, sicome le Roi e autres Seignurs font en tiel caas. E que nul suthbaillif de Coroner soit a Cheval, fors que les quatre Coroners, sicome fu en tens de ses predecessours: ben le voet Levesque e le grante. Estre ceo, la ou touz les hommes del Evesche, soleient aver franck issue e entre a la porte du Bayl, \*daler a le corps seint, li et ses Ministres point ne le suffirent, a ceo qil disoient: si voet Levesque e grant, que nul seit desturbe par li, mes en tens de guerre e en autres tens quant mestier serra de garde, e uncore en meismes cel tens voet Levesque e grante que len puisse fraunchement

\* St. Cuthbert,  
for which  
they exacted  
monies.

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chement entrer e issir, sauve gentz de male suspicion. E de ceo que il prient que chescun fraunkhomme puisse courre e prendre totes maneres des bestes, hors des boundes de la fraunche chace, hors de Parks, e dedenz le fraunche chace, dedenz Acregarth a leure, e a Copyl, Chat, e teissun, qe nest pas ore soffert: Si voet Levesqe e grante, qe ben list, a chescun fraunk homme, courre e prendre totes maneres des bestes veneison, troue hors des boundes de la fraunche chace, sil ne soit en park, ou beste chacee, est luy de homme, ou de chen hors de la chace, quant il fet par li, ou par autre en son noun chacer: et quant a courre a prendre leure Gopil, Chaat ou Teissun dedenz la dite chace, dedenz Acregarth, ben voet Levesque e graunte, qe ceus qe sont especiaument fessietz par chartre par li, ou par ses predeceffours, de courre illoques, e prendre tiel manere dedut, y puissent courre e prendre, sauve sa veneison. Et estre ceo, la ou les fraunks hommer del Eveschee, qui furent attachet par vert ou pur veneison, de la fraunche chace, se soleient aquiter par bon pais, en touz tens de ses predeceffours, ses Ministres les ont pris e emprisonet, e retenuz a lour volentez, par le surdit de un forester, saunz nule lei rescieivre, ou enqueste prendre, e ceus qi suiient atteintz de vert, soleient estre amercietz solom la quantite du trespas, e ceo par les seuters de la Curt, de la fraunche chace; ses baillifs les amercierent a lour volentez saunz nule taxation des sutiers: Voet Levesqe e grante qe tiens maneres de attachementz ne soient desoremes ulez pur trespas de veneison, en la dite frauncise; Mes qe a presentement de foresters soient enquestes prises de office en la Curt de la dite chace, par prodes hommes juretz, e ceus qe serront enditez par enqueste, de trespas de veneison, soient attachetz devenir a la Curt avantdite, e illoques se mettent enquest du pais; si il voillent le trespas dedire, dont ens sont enditez par enqueste, e si eus soient de trespas de veneison atteintz par enqueste, ou sus se mettent, ou le trespas degre voillent conoistre, soient puniz pur le dit trespas, ausi come en set ailours en Engleterre, en caas semblable, & pur vert sil soient atteintz par enqueste, ou pris a main oeure, soient amerciez solom la quantite del trespas. Estre ceo, ceus qe soleient estre attachet par surdit de veneison prise en Park, se soleient aquiter par bon pais, la vindrent ses baillifs, e les retindrent en prisone a lour volonte, saunz nule enqueste prendre: Voet Levesque e grante qe les enditez de tien trespas se puissent aquiter par bon pais, sil ne soient trouez o main oeure. Et par la ou touz les hommes qe meinent en la fraunche chace soleient aver husebote e heibote, de arder, edesier, e de enclorre, e estre quites de paunage qe eus deveint avec de Aunceserie, ou de fessement, e ceo ne fu pas soffert: Voet Levesque e grante qe lor estat soit sauve, tel come il fut en tens de ses predeceffours, e tiel come il ont e uset par Aunceserie, ou de fessement. Et que les fraunks hommes de la fraunche chace ne soient chargez de plus de Foresters qe eus ne soleint aver, e qe nule garde soit partie en deus, e qe nul Forester soit a cheval, fors les deus mestres. Et qe les Foresters a pie ne priegnent garbes, ne autres choses, fors qe desormes, grasmen e de ses bondes, mes sicome il soleient prendre avant, en tens de ses predeceffours: Si voet Levesqe e grante, quant a garbes prendre, qil ne preignent garbes, ne autres choses des fraunks tenantz, ne de autres, autrement qe il ne soleient fere en tens de ses predeceffours. Et quant a Foresters mettre a sa volonte, soit a pie, ou a cheval, ou meins; ben li list, qar ses Foresters sont a ses custages demeyne, e de ses vileins, e voet e graunte qe ceus qe y met plus qe ne soleient estre, rien ne preient du pais, ne garbes, ne autres choses. Et la ou la dite communaute prient, qe il voille redrescer les appruementz fetz en la fraunche chace, e de hors, e de lur entrees, e de leur issues estopees a greve nufance de la dite communaute, issi qil ne ont fraunche entre ne issue, ne suffisant pasture aportenaunt a lor fraunks tenementz. Voet ben Levesqe e grante, qe la ou tiens appruementz, de son tens demeine, sont nufantz, issi qe les gentz ne ont pas suffisante commune, solonc lei soient adrescet, & voet le Roi qe le redrescement se face dedenz le Seint Johan prochain avenir. Et la ou ses waltz furent lesset a ferme e puis weynez par poverte, en la fraunche chace e de hors, la vindrent ses baillifs e pristrent les bestes de veisins prochains, e leuerent la ferme de eux encontre commune usage du pais, dit Levesqe qe ce ne fut mie par li, e voet e graunte qe mes ne soit fet. Estre ceo prient les gentz de la dite communaute qe nules issues ne soient levetz en la fraunche avantdite; Mes a fere destresces pur defautes, e les destresces retenir, e plus prendre, tant qe la

Am. 31 B. 1.

partie



**An. 31 E. 1.** partie veigne en Curt a respondre, sicome ad este use du tens dont y ny ad memoire dit Levesque qe il ne fet autre chose, ne tere ne cleime, fors qe sicome homme fet ailleurs en le Roiaume, en eas semblable. Et totes les choses desus grauntees, voer levesque e graunte pur li e pur seglise, e pur les successeurs taunt come en li est, qe eles se teignent e remaignent fermes e estables, as gentz de la dite communaute e a lour heirs, a touz jours. Et estre ceo, pur ceo qe touz les articles e grevances, avanditz, amiablement sont acordetz, dont les gentz de la dite communaute touz, e chescun de eus, ont relestet a la propre persone le dit Evesque touz les damages qe il out eus e rescus, par acheson des articles avanditz le dit Evesque pur le honneur e la reverence de nostre Seignur le Roi qe de cest acord sest entremis, ad releste tote manere de ire, de rancor, e de mal boillaunce qe il ad, ou ad eu, envers eus, e chescun de eus, par acheson des contens avanditz. En tesmoignance de cestes choses, li dit Evesque ad mis son seal a cest escrit. Don. a. *Everwyk* le dis e noefisme jour de *Juyl*, l'an del Incarnation nostre Seignur, 1303. e du regne li dit Roy *Edward* Trente primer.

<sup>a</sup> *Mit. Westm.*  
An. 1301, p.  
1417 *God-*  
*wins p. 364.*  
*Spelman. Con-*  
*cil. Tom. 2. p.*  
435 *Ex cod.*  
*M. S. in Bibl.*  
*Cotton sub*  
*effizem Cleo-*  
*patre E. 1.*

After the death of <sup>a</sup> *Godfry Giffard* Bishop of *Worcester*, Anno 1301. A Monk was elected Bishop thereof, qui non inveniens gratiam consecrationis ab Archiepiscopo Cantuariensi, ad sedem Apostolicam profectus est. Quo cum venisset, discussa electionis ejus ordine coram Papa, electio Wygorniensis Monachi penitus est quassata; Debitque ergo Dominus Papa Bonifacius Episcopatum illum (by his Papal provision) cuidam de ordine Fratrum Minorum, to wit, *Gulielmo de Geynsburgh*, *Roma* *Satanici sacri Palatii Lector*, & quia hanc in Concienibus ac Scholasticis congressibus defendebat doctrinam, Papam non posse errare, neque a quoquam esse judicandum licet mille Christianorum animas ad opum detrusionem, effectus est a Bonifacio octavo (excecrabilissime Romanæ sedis monstro) Wygorniensis Episcopus, An. Dom. 1301. as <sup>b</sup> *John Bale* Bishop of *Osory* relates. King *Edward* having formerly sent him and *Hugh Mauncestre* a Dominican as his Nuncios to the King of *France*, about reparations for the damages done by him to the Province of *Aquitain*, was content to accept his fealty, and restore the Temporalities of the Bishoprick to him; but upon his solemn renunciation of a clause in the Popes Bull before the King and his Council in *Wyndesore* Castle, which invaded and prejudiced his royal prerogative, as this Record and Memorandum thereof informs us.

<sup>b</sup> *Pat. 31 E. 1.*  
*m. 39.*

**R**EX dilecto & fideli suo *Humfrido de Waleden* Custodi Episcopatus Wygorn. se de vacante, salutem. Cum Dominus Bonifacius Summus Pontifex dilectum nobis in Christo fratrem *Willielmum de Gaynesburgh* de Ordine Minorum in Episcopum Wygorn. prefecerit et Pastorem, sicut per literas ipsius Summi Pontificis bullatas, nobis inde directas, plenius nobis constat; Nos prefactionem illam acceptantes, cepimus fidelitatem ipsius *Willielmi*, & Temporalia Episcopatus prædicti, prout moris est, restituimus eidem; Et ideo vobis mandamus, quod eidem *Willielmo* Temporalia Episcopatus prædicti sine dilatione liberetis, sicut prædictum est. Teste Rege apud *Wyndesore* 4. die *Februarii*.

Et mandatum est Militibus, liberis hominibus, & omnibus aliis tenentibus de Episcopatu prædicto, quod eidem *Willielmo* tanquam Episcopo & Domino suo, in omnibus, quæ ad Episcopatum illum pertinent, intendentes sint & respondentes, sicut prædictum est. In cujus, &c. Teste Rege ut supra.

Et memorandum, quod eadem die præfatus Episcopus in Castro Regis apud *Wyndesore*, oblata Regi Bulla Apostolica, in qua continebatur inter cetera, quod Papa sibi commisit administrationem Spiritualium et Temporalium Episcopatus prædicti; pro eo, quod dicta Bulla, in hoc, juri Regio præjudicialis fore videbatur, præfate Commissioni, quantum ad Temporalia dicti Episcopatus, expresse renunciavit, et se dicta Temporalia a dicto Rege velle admittere; eaque ab ipso tenere in præsentia dicti Regis et sui Consilii recognovit: et pro transgressione, quæ dicto Regi fieri videbatur in admissione Bullæ Apostolicæ, in qua continebatur, quod Papa sibi administrationem Temporalium dicti Episcopatus commisit, fecit dictus Episcopus finem *Wille Parcarum* dicto Regi, ad voluntatem suam solvendatum. Postmodum vero dictus Episcopus fecit fidelitatem consuetam dicto Regi, et

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et idem Rex præcepit Cancellario suo, quod faceret sibi literas de restitutione Lem. *Ap. 31 E. 1.*  
pozallum Episcopatus prædicti.

The Pope by his *provision* conferring a Prebendary in the Kings Free Chappel of *Wolverhampton* upon an *Italian*; and issuing processe to put him into possession thereof, in prejudice of the Kings royal Crown and Dignity; the King thereupon issued this memorable Prohibition to the Dean and Chapter by no means to admit him, and to send the processe to him.

**R**EX dilectis sibi in Christo Decano & Capitulo liberæ Capellæ suæ de *Wolverhampton* salutem. Quia Cozonæ et dignitatis nostræ Regiæ jura depereant audiosam nos decet operam adhibere, et ad ea manutenenda et conserbanda, eo potius debeamus esse solliciti quoad hoc vinculo juramenti teneri dinoscimur et astringi. Cum itaque quoddam negotium probisozium de quadam Præbenda in Capella nostra prædicta cuidam *Ottobono Malestina* auctoritate Apostolica assignanda sit vobis commissum, sicut accepimus, exequendum, quod utique si procederet, in nostri cederet præjudicium manifestum, et dictæ Cozonæ ac dignitatis nostræ Regiæ læsionem; Vobis inhibemus firmiter injungendo, ne nobis inconsultis ad executionem aliquam in hac parte faciendam procedatis, seu procedere præsumatis, per quod nobis, Regio juri nostro, et liberæ Capellæ nostræ prædictæ præjudicium aliquod generari valeat in futurum. Et si forsitan ad receptionem alicujus auctoritate prædicta processeritis nobis inconsultis processum hujusmodi penitus revocetis, et faciatis quod ab aliis rebocetur. Taliter super hiis vos habentes, ne ad vos tanquam ad iuris et Cozonæ nostræ violatores graviter capere debeamus. Teste Rege apud *Hampstedæ*, secundo die Decembris.

Claus 31 E. 1.  
m. 19 dorso.  
Prohibitio  
pro Capellæ  
Regis de Wol-  
verhampton.

He likewise issued this memorable Writ to the Sheriff of *Stafford*, to defend and maintain his Clerk in the possession thereof, and not permit him to be removed by the Popes provision or authority.

**R**EX Vic. *Staff.* salutem. Intelleximus, quod cum dilectus Clericus noster Magister *Johannes de Lovetos*, præbendam de *Kyswaldston* in libera Capella nostra de *Wolverenhampton*, ex collatione dilecti nobis in Christo Decani ejusdem Capellæ nuper adeptus, & in possessionem ejusdem per eundem Decanum inductus canonicè extitisset, quidam *Ottobonus Malestina* clamans habere præbendam prædictam per provisionem sedis Apostolicæ sibi factam, præfatum Clericum nostrum a possessione sua præbendæ prædictæ expellere nititur hiis diebus, quod in Cozonæ et Regiæ dignitatis nostræ si toleraretur cederet præjudicium manifestum; Solentes igitur nobis et Cozonæ nostræ Regiæ injuriari taliter in hac parte; Tibi præcipimus firmiter injungentes, quod præfatum Clericum nostrum in possessione sua Præbendæ prædictæ manuteneas, protegas et defendas, non permittens ipsum per præfatum *Ottobonum*, vel quemcunque alium super possessione prædicta viriute provisionis prædictæ sic in præjudicium nostrum factæ aliququaliter impediri. Teste Rege apud *Odyham* 12 die Januarii.

Ibid. m. 17.  
dorso. Pro  
Magist. Nich.  
de Lovetos.

In the Plea Rolls of *Anno 31 E. 1.* in the Receipts of the *Exchequer*, I likewise find this suit of the King against the Dean of *Wolverhampton*, for conferring this Prebendary on the Popes Clerk, against the privilege and rights of his Crown and Realm, at the Popes command.

**D**ominus Rex implacitat Decanum liberæ Capellæ suæ de *Wolverhampton*, eo quod ipse contra privilegia regni sui, et contra Jus Regni sui contulit Præbendam in dicta Capella super quendam *Ottobon.* de *Malestina* ex mandato Papæ, &c. Decanus venit, et posuit se voluntati Domini Regis, Alto et Basso, si in aliquo deliquit, &c. remaneat quousque locutum fuerit cum Rege, &c.

\* Hill. Anno  
31 E. 1. apud  
Westm. coram  
Rege.  
Staff. rot. 47.

To which I shall subjoyn this Prohibition of the King to the Archbishop of *Canterbury*, not to visit his free Chappel of *S. Martins London*, nor the Prebendaries thereunto



K. Edward 1. *An Exact History of Popes Intolerable Usurpations, B. 5. ch. 5*

An. 31 E. 1. thereunto belonging, exempt from all Episcopal Jurisdiction, against their privileges, and hurt of his Crown and Dignity.

Claus. 31 E. 1.  
m. 17. dorso.  
Prohibitio  
pro liberis  
Capellis Regis.

**R**EX venerabili in Christo patri R. eadem gratia Cantuar. Archiepiscopo totius Angliæ Primati, salutem. Cum libera Capella nostra Sancti Martini magni London. cum Præbendis ad eandem Capellam spectantibus, sicut alia libera Capellæ nostræ in regno nostro ab omni Jurisdictione ordinar. exempta sit, libera penitus et immunis, ac vos visitationis officium in Capella et Præbendis prædictis jam intendatis, sicut acceptimus, exercere. Nos attendentes, nostræ Regiæ dignitatis per hoc posse de facili derogari; Nobis prohibemus ne Jurisdictionem aliqualem in prædictis Capella et Præbendis exercere, seu quicquam quod in nostri seu Coronæ aut Regiæ dignitatis nostræ præjudicium, seu libertatis Capellæ et Præbendarum prædictarum læsionem cedere possit, aliquammodo attemptare præsumatis. Teste Rege apud Langeley 10 die Februarii.

Per Regem & Consilium.

\* Here, p. 989,  
990.

Soon after the \* premised accord between the Bishop of Durham and his Tenants before the King and his Council in Parliament, the King issued this Writ of Privy Seal to his Chancellor to make a special Writ of Restitution of the Franchises, which the King had seized, by advice of his Judges of both Benches, and Barons of his Exchequer, and to make Rolls and Memorials thereof, and send them to him.

Ex Bupdela  
Brevium de  
Privato sigil-  
lo, &c. An. 31  
E. 1. in Turri  
London.

**E**Dward par la grace de Dieu Roy Dengleterre, &c. A nostre chier Clerk & soial Meistre William de Grenesend nostre Chancelier saluz. Nous entendons que vous savez bzebi, coment nagaires par agard de nostre Court, seismes seiser et prendre en nostre meyn la Franchise de Lebesthe de Dureme, pur aucunes acheisons contenues en le Record du Jugement, que pi e ceo en fu renduz, per devant nous, et coment nous assignames Gardein, Justices, Chancelier et autres Ministres por la dite Franchise garder, et por faire ce que a meisme la garde appendent, & por tenir a droit touz ceux de la dite Franchise qui pleindre se voustrent, ausi bien des honeurable pere Antioigne Evêque de Dureme et de ses ministres qui de droite ior avoient faillu en plusurs manieres, sicome il disoient, come dautres. E por ceo que le dit gardein et nos autres Ministres avantditz, ont ia grant piece des dites choses usez ne per nous, la dite Franchise demorant en nostre meyn, sicome est avantdit, dont plusors queeles entamees entre le dit Evêque et ses Ministres dune part, & les gentz de la Communante de meisme la Franchise dautre, por lor commun assent, furent hagaires sur certeine forme de pes devant nous & nostre Conseil a Dureme apposees finalement, & les autres pais redresceez en due manere, solonc ce que acordez sent entre eux, a ceo que tesmoignes nous est por nos soiaux & loiaux William de Berisford, Rog. de Hegham, William Ormesby, & Henric. de Budeford, les queux nous assignames pursurveer les redrescements des choses avantdites, si que totes les dites queeles sont ia terminees en bone manere, sauve aucunes, que nous avoms mises & ajornees devant nous a nostre prochein Parlement. Nous pur la dedoclon que nous adoms a seint Cuthbert adboe de leglise de meisme Lebesthe, et por la bone volente que nous a lavandite Evêque, vueillantz au dit Evêque faire grace especiale, rendoms au dit corpe Seint, et a meisme Lebesthe ausint la Franchise abantdit, a avoir tener et user a li et a ses successeurs auxi entioement, et ausi franchement, sicome li ou ses predecessours Evêques de meisme le lieu resnablement la aboient, tindrent et userent, abavant le temps de la prise de la dite fraunchise en nostre meyn. En tien mande, que saubez soient a nous et au nos heires nostre Roiale dignete, et les choses que a nous et a nostre Coroune p appendent, & que totes les choses acordees & aposees entre le dit Evêque, & les gentz de la dite Commune, devant nous & devant nostre Conseil, & les redrescements faitz par lour commun assent, y taunt come la dite franchise ad este en nostre meyn, soient fermement tenz a touz jour. Et si nul peraventure viegne a lencontre en nul point, que nous ou noz heirs mettons la meyn, totes les foiz que nous verrons qil face a faire. Et pur ce vous mandoms, que au dit Evêque facez aver lettres de nostre grant seal, de ceo que nous li rendoms la dite Franchise en la forme avantdit. Et mandez per lettres de meisme le seal Monsieur Robert de Clifford nostre gardein de mesme la Franchise, ou y son lieutenant.

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tenant, quil sueffre le dit Evesque user et joyr de la dite Franchise en la forme que nous li la avoms rendue a quil en ouste la meyn, et en meisme la manere mandez a Monsire *William D'ormesby* nostre Justice de meisme la Franchise, de ce qe a li en affiert per reison de la dite Justicerie: Et ausint a *Henr. de Budeford* nostre Chancellor de meisme la Franchise, de ce qe a li en appent par la reison de la dite Chancelerie, & qe nostre seal assignez au gouvernement de la dite Franchise, qe nous li baillames, face rendre en nostre Garderobe; au plustest quil porra bonement. Et jasoit ce qe nous vous mandoms ceste forme, coment il nous semble qe la dite franchise fait a rendre. Nemye pur ce nous volons & vous mandoms, qe pris a vous les avantditz *William de Bersford*, *Roger de Hegham*, *William D'ormesby*, & *Henr. de Budeford*, ensemblement ove les autres gentz de nostre Conseil, ausibien nos Justices de lun baunk et de lautre, come ceux de Leschekier, qui la ferront presentz, et qe vous porrez bonement assembler, eez conseil et avisement sur le proces, ausi bien de la prise de la Franchise, come des autres choses qe en sont passees des le commencement jusques encea, dont nous vous enveoms souz nostre prive seal aucuns roulles et aucuns remembrances qui sont demorez devers nous, touchantz meisme la busoigne. Et sil semble a vous et a eux qe la forme de cest rendre, face a changer en nul point, si voloms qe par lor conseil et lor avisement soit le changement fait, et la forme ordeneez tiele come entre vous verrez qe a faire se face. Et nous enveez par aucun certain homme la forme du rendre de la Franchise de la dite Evesche, desouz vostre seal, ensemblement les roulles et les remembrances avantditz; et nous facez ausint savor, quantque vous enaurez fait au plustest que vous porrez. Don souz nostre prive Seal a la ville Seint *Johan de Perth* le 8. jour de *Joigner*, & lan de nostre regne 31.

In obedience to which Writ, the Chancellor, Judges and Barons framed this ensuing Writ of restitution, from whence we may observe; 1. That our Kings by their Royal Prerogative may seise and retain the Franchises and Liberties of any of their Bishops, when they or their Officers abuse and exceed them, to the oppression and grievance of their Tenants, or other Subjects, till they be righted. 2ly. That the King in such cases may constitute such Justices, Chancellors, Stewards, and other Officers by his own Royal authority, as the Bishops used to constitute; to exercise all Jurisdictions in the Kings Name and Right alone, not in the Bishops: Therefore he may constitute all their Ecclesiastical Officers too by like reason, when they exceed or abuse their authority, in holding Plea in their Ecclesiastical Courts of matters belonging to his Temporal Courts, Crown or Dignity, or unjustly vex or excommunicate his Subjects, or refuse to issue out their Process in the Kings Name, stead, and under his Seal, according to the Statutes of 37 H. 8. c. 17. & 1 E. 6. c. 2; The Writ they then formed runs in this forme.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod cum regalem libertatem Episcopatus *Dunelm.* quibusdam de causis per considerationem Curie nostre coram nobis in Parlamento nostro apud *Westminsterium* in Octabis Sancti *Johannis Baptiste* anno regni nostri tricesimo, in manum nostram capi fecerimus et cessari, & certos Custodem, Justic. Cancellarium, & alios Ministros ad dictam libertatem deputaverimus nostro nomine custodiend. & ad faciendum ea quae ad dictam custodiam pertinebant, ac ad justitiam tenendam et faciendam omnibus et singulis de eadem libertate conqueri volentibus, tam de venerabili patre *Antonio* ejusdem loci Episcopo, & Ministris suis ejusdem libertatis, qui etiam in justitia exhibenda, ut dicebant, modis variis destiterunt, quam de aliis quibuscunque, ac dictis Custos, Justic. Cancellar. et alii Ministri nostri praedicti praemissa nostro nomine exercuerunt, jam est diu dicta libertate per dictam considerationem factis nostris manibus existente, per quod plures querelae inter praedictum Episcopum et Ministros suos ex parte una, et homines de Communitate ejusdem libertatis ex altera motae, per communem assensum eorundem Episcopi, et Ministrorum ac conquerentium praedictorum, coram nobis et Consilio nostro apud *Dunelm.* a die *Pasche* in tres septimanas, anno regni nostri tricesimo primo, sub certa forma fuerant pacificate finaliter & sedatae, ac etiam quaedam aliae modo debito postea inter partes praedictas amicabiliter sunt correctae, prout inter eosdem partes extitit concordatum, sicut

Pat. 30 E. 1.  
m. 19. incus.  
De Episcopo  
*Dunelm.* de  
libertate sua  
sibi restituta.



*An. 31 E. 1.* per dilectos & fideles nostros *Willielmum de Beresford, Rogerum de Hegham, Willielmum de Ormesby, & Henr. de Gildesford*, per nos ad prædictas correctiones super-videndas assignatos, nobis testificatum existit. Ita quod omnes dictæ querelæ bono modo jam terminatæ sunt & finitæ, exceptis aliquibus ex ipsis quas coram nobis in proximo Parlamento nostro poni feci & adjornari. Nos ob devotionem quam erga beatum *Cuthbertum* gloriosum Christi Confessorem, Ecclesiæ *Dunelm.* patronum, & affectionem quam erga præfatum Episcopum gerimus & habemus, volentes eidem Episcopo gratiam in hac parte facere specialem, præfatis Sancto & Episcopo prædictam reddidimus libertatem; habendam, tenendam & utendam eidem Episcopo & successor. suis adeo integrè & liberè, sicut idem Episcopus & predecessores sui Episcopi ejusdem loci eam rationabiliter tenuerunt, & ea usi fuerunt ante captionem ejusdem libertatis in manum nostram. Ita videlicet quod salva sint nobis et hæredibus nostris regia dignitas nostra, jura, et res quæ ad nos et Coropnam nostram pertinent ibidem, & quod omnia concordata & pacificata inter dictum Episcopum & homines dictæ Communitatis coram nobis & Consilio nostro, ac reformationes & correctiones per communem assensum eorundem factæ, dum prædicta libertas exitit in manu nostra, imperpetuum teneantur & firmiter observentur. Et si quis forsan contravenerit in aliquo præmissorum, quod nos & hæredes nostri ad id manum apponamus, quociens nobis & ipsis hæredibus nostris videbitur faciendum. In cujus, &c. Teste Rege apud Villam Sancti *Johannis de Perth* 8 die *Julii*.

Ibidem.  
\* See p. 938.

**R**EX dilecto & fideli suo *Roberto de Clifford* \* custodi suo libertatis Episcopatus *Dunelm.* in manu nostra existentis, vel ejus locum tenenti, salutem. Cum libertatem prædictam quam quibusdam de causis per considerationem Curia nostra coram nobis in Parlamento nostro apud *Westmonasterium* in *Octabis Sancti Johannis Baptiste* anno regni nostri tricesimo, in manum nostram capsi fecimus et scissit, venerabili patri *Antonio Dunelmensi* Episcopo per literas nostras patentes ob devotionem quam erga beatum *Cuthbertum* gloriosum Christi Confessorem, Ecclesiæ *Dunelmensis* patronum, ac affectionem quam erga præfatum Episcopum gerimus & habemus, reddiderimus de nostra gratia speciali, prout in literis nostris prædictis plenius continetur: Vobis mandamus, quod de dicta libertate vos ulterius non intromittentes, ac etiam Vicecomites & omnes alios Ministros in officiis quibuscunque in eadem libertate per vos nostro nomine deputatos penitus amoventes, ipsum Episcopum libertate illa uti & gaudere permittatis, juxta tenorem literarum nostrarum patentium prædictarum. Teste ut supra.

Ibidem.  
\* See p. 938.

**R**EX dilecto & fideli suo *Willielmo de Ormesby* \* Justic. suo ad placita libertatem Episcopatus *Dunelm.* in manu nostra existentis tangentia tenenda assignato, salutem. Cum libertatem prædictam, &c. reddiderimus, &c. prout, &c. Vobis mandamus, quod de dicta libertate ratione officii Justiciariæ prædictæ vos ulterius non intromittentes, ipsum Episcopum libertate illa, &c. ut supra. Teste ut supra.

Ibidem.  
\* See p. 938.

**R**EX dilecto Clerico suo *Henr. de Gildesford* \* Cancellario suo libertatis Episcopatus *Dunelm.* in manu nostra existentis, salutem. Cum libertatem prædictam, &c. reddiderimus, &c. prout, &c. Vobis mandamus, quod de dicta libertate ratione officii Cancellariæ prædictæ vos ulterius non intromittentes, ipsum Episcopum libertate illa uti & gaudere permittatis, juxta tenorem literarum nostrarum patentium prædictarum sigillum nostrum, ad regimen dictæ libertatis deputatum quod vobis nuper liberavimus, nobis in Garderoba nostra custodiendum quam citius commodè poteritis liberetis. Teste ut supra. Et fuerunt patentes.

The Kings Escheator distraining the Abbot of *Sr. Benedi de Hulmo* for the Palfrey and Cup of his predecessor, pretended to be antiently due to the King by his prerogative, and received from his predecessors upon every occasion; whereas there was never any received by the King before: Thereupon a Writ of Inquiry of the truth thereof issued to the Kings Escheator; upon which an Inquisition was found for the Abbot against the King, which I discovered in the *White Tower* Chappel.

Edwardus

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**E***dwardu* Dei Gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, dilecto & fideli suo *Waltero de Gloucest.* Escaetori suo citra *Trentam* salutem. Ex querela dilecti nobis in Christo Abbatis Sancti *Benedicti de Hulmo* accepimus, quod cum ipse ad aliquem *Palefridum* vel *Cuppam* aliquam nobis ratione alicujus vacationis domus suae praedictae praestand. nullatenus teneatur, et nos seu aliquis progenitorum nostrorum quondam Regum *Angliae* occasione aliquarum vacationum ejusdem Abbatis hujusmodi *Palefridum* et *Cuppam* de praedecessoribus suis Abbatibus ejusdem loci non habuerimus, seu habere consueverimus temporibus retroactis, nos nihilominus unum *Palefridum* et unam *Cuppam* a praefato Abbate, ratione ultimae vacationis Abbatis praedictae, ad opus nostrum exigitis, et ipsum ea occasione graviter distringi fecistis minus iuste, in ipsius Abbatis dampnum non modicum, et domus suae praedictae exheredationis periculum manifestum. Et quia super praemissis plenius certiorari, & praefato Abbati quod iustum fuerit fieri volumus in hac parte; Vobis mandamus, quod per Sacramentum proborum & legalium hominum de balliva vestra, per quos rei veritas melius sciri poterit diligenter inquiratis, utrum nos vel progenitores nostri praedicti *Palefridum* aliquem vel *Cuppam* de Abbacia praedicta, ratione alicujus vacationis ejusdem temporibus praeteritis habere consueverimus, necne, & si sic, tunc quis vel qui nostrum, & quo tempore, & qualiter & quomodo. Et inquisitionem inde distincte & aperte factam, nobis sub sigillo vestro & sigill. eorum per quos facta fuerit sine dilatione mittatis, & hoc breve. Teste me ipso apud *Walkhamstead* 27. die *Februarii*, Anno regni nostri 31.

An. 31 E. 1

Bundela Bre-  
vium & Lite-  
rarum in Tur-  
re London,  
An. 31 E. 1.

**I**nquisitio facta apud *Harehill* in Com. *Norff.* coram *W. de G.* Escaetor. Domini Regis in Com. *Norff.* die Jovis in Septimana *Pascha* Anno regni Regis *Edwardi*, tricesimo primo, videlicet, utrum Dominus Rex, vel Progenitores sui aliquem *Palefridum* vel *Cuppam* de Abbacia Sancti *Benedicti de Hulmo*, ratione alicujus vacationis ejusdem Abbatis temporibus praeteritis habere consueverunt, per *Rogervm de Hales* & *Bartholomaeum de Sumerton* Milites, *Robertum Trunchemer*, *Johannem Sprigg*, *Willielmum de Ailburgh*, *Richardum de Gravelle*, *Richardum de Brauntwyte*, *Willielmum le Garner*, *Galfriadum le Treswre*, *Thom. fil. Moricii de Upton*, *Robertum le Vernoun*, & *Hugonem le Newman de Statham* Jur. dicunt super Sacramentum suum, quod nullo tempore a quo extat memoria, Dominus Rex vel Progenitores sui *Palefridum* aliquem vel *Cuppam* aliquam de Abbacia Sancti *Benedicti de Hulmo* ratione alicujus vacationis ejusdem Abbatis temporibus praeteritis habere consueverunt. In cujus rei testimonium dicti Jur. huic Inquis. sigilla sua apposuerunt.

There was likewise another Writ of Inquiry issued, and Inquisition about the same time at the suit of the Prior and Covent of the said Abby, touching certain Lands and Tenements which they held and enjoyed for their sustentation, divided from the residue of the Temporalties time out of minde, which neither the Abbots during the plenarty, nor Kings Escheators during the vacancy ever intermeddled with in any Kings reign; which the Kings Escheator seised into his hands upon the last vacation, to their prejudice, as they suggested; which was found for the Prior and Covent.

**E***dwardu* Dei gratia Rex *Angliae*, Dominus *Hybernia*, & Dux *Aquitania*, dilecto & fideli suo *Waltero de Glouc.* Escaetori suo citra *Trentam* salutem. Ex parte nobis in Christo Prioris & Conventus Abbatis Sancti *Benedicti de Hulmo* nobis est ostensum, quod cum ipsi quasdam terras, & quasdam tenementa ad Abbaciam praedictam pertinentia, pro sustentatione sua separatim teneant, & Praedecessores sui Priores & Conventus ejusdem loci terras illa & tenementa semper hactenus separatim tenuerint, & plenam demonstrationem inde habuerint. Ita quod Abbates ejusdem loci temporibus suis, seu Escaetores, vel Custodes nostri, vel Progenitorum nostrorum quondam Regum *Angliae*, aliquibus vacationibus ejusdem Abbatis de terris & tenementis praedictis seu exitibus eorundem se in aliquo intromittere non consueverunt temporibus retroactis: vos nihilominus exitus terrarum & ten. praedictorum jam in ultima vacatione Abbatis ejusdem, cepistis in manum nostram, et eos ac si ad nos sicut alii exitus Abbatis ejusdem, ratione dictae vacationis pertinerent aliter

In eadem Bundela, Anno  
31 E. 1.



*An. 31 E. 1.* ter quam aliis vacationibus Abbatis prædictæ temporibus retroactis fieri consuevit eisdem Priori et Conventui detinetis, in ipsorum Prioris et Conventus dampni non modicum et grabamen. Et quia eisdem Priori & Conventui injuriari nolumus in hac parte, set potius super præmissis volumus certiorari ut eis inde quod justum fuerit fieri faciamus; Vobis mandamus, quod per Sacramentum proborum & legalium hominum de Balliva nostra, per quos rei veritas melius sciri poterit diligenter inquiratis, utrum iidem Prior & Conventus aliquas terras & tenementa ita separatim teneant & hætenus tenuerunt, quod Abbates ejusdem loci temporibus suis de terris & tenementis illis vel exitibus eorundem se in aliquo non intromiserunt, necne; et si sic, tunc utrum Escaetores vel Custodes nostri, vel progenitorum nostrorum prædictorum de eisdem terris & ten. vel eorum exitibus aliquibus vacationibus ejusdem Abbatis se intromittere, vel nobis inde respondere consueverint, necne; et si sic, tunc de quibus terris & ten. & quo tempore, & qualiter & quomodo. Et inquisitionem inde distinctè & apertè factam, nobis sub sigillo vestro & sigill. eorum per quos facta fuerit, sine dilatione mittatis, & hoc breve. Teste meipso apud Hospital. Sanctæ Katerina juxta Turrim London. tercio die Februarii, Anno regni nostri 31.

**I**nquisitio facta apud Harhill in Com. Norff. coram Escaetore Domini Regis in Com. Norff. die Jovis in Septiman. Paschæ, Anno regni Regis Edwardi tricesimo primo, videlicet, utrum Prior & Conventus Sancti Benedicti aliquas terras & tenementa teneant dictæ Abbatis pertinent. & hætenus tenuerunt; ita quod Abbates ejusdem loci temporibus suis retroactis nec Escaetor, vel Custod. Domini Regis, vel progenitorum suorum aliquibus vacationibus ejusdem Abbatis se intromittere consueverunt, necne; per Rogerum de Hales, Bartholomeum de Burle, Johannem de Juggelose, Johannem Hogged, Stephanum de Cottingham, Hugonem de Burr, Thomam de Heme, lyngton, Martinum Gulion. & Robertum Crispin Jur. Qui dicunt super Sacramentum suum, quod Prior & Conventus Abbatis Sancti Benedicti omnes terras & tenementa sua pro sustentatione sua, & certis officiis ejusdem Abbatis assignata, ita separatim ubique tenent, & hætenus temporibus retroactis tenuerunt, quod nec Abbates ejusdem loci temporibus suis, tempore a quo non extat memoria, de terris & tenementis illis seu de exitibus eorundem in aliquo se intromiserunt, nec Escaetores vel Custod. Domini Regis, vel Progenitorum suorum Regum Anglia de eisdem terris & tenementis aliquibus vacationibus ejusdem Abbatis, a tempore quo non extat memoria se intromittere, nec de exitibus eorundem, ad opus Domini Regis respondere consueverunt. In cujus rei testimonium huic Inquis. sigilla sua apposuerunt.

The Pope having granted the King the moiety of the *Disme* for 3. years, which he imposed on the Clergy of *England* and *Ireland*, the King not only disposed the moiety thereof, but likewise commanded all of it to be seised and secured till further order, that none of it might be transported, by this Writ.

Claus. 31 E. 1.  
m. 2. intus.  
De pecunia  
proveniente  
de Decima  
custodienda  
ad opus Regis.

**R**EX Venerabili in Christo patri R. eadem gratia London. Episcopo, Collectori Decimæ Papalis, una cum Magistro Bartholomæo de Ferentino Canonico Sancti Pauli London. salutem. Mandamus vobis, quod omnes denarios qui recepti et levari sunt de Decima prædicta per totum regnum nostrum, tam in manus vestras, quam in manus subditorum vestrorum quorumcunque prædictam Decimam colligentium, vel eandem per vos vel tales subditos vestros in deposito custodientiam existentes, et etiam omnes denarios qui erunt levari sunt de eadem Decima in eodem regno nostro, absque omni dilatione integre, et absque diminutione arestetis, et arestari et salvo et secure custodiri faciatis, quousque aliud super hoc a nobis habueritis in mandatis. Et hoc in fide qua nobis tenemini, et sub omni eo quod nobis satisfacere poteritis nullatenus omittatis. Mittimus insuper ad vos dilectum Clericum nostrum Johannem de Sandale, vobis mandantes, quod eidem Johanni in negotiis prædictæ Decimæ, & aliis quæ idem Johannes vobis vivæ vocis oraculo intimabit, adhibeatis firmiter certam fidem. Teste Rege ap. d. Chamberkyeth primo die Novembr.

Eodem

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

Eodem modo mandatum est Magistro Johanni Bonichi de Senis Commissario *An. 31 E. 1.*  
Bartholomaei de Ferentino Canonici Sancti Pauli London. Collectoris Decimæ Papalis,  
una cum præfato Episcopo. Teste ut supra.

The King sending to the Bishop of London to order the Popes Collector of the Clergies Dism in Ireland, to pay one thousand marks thereof into the Treasurer of Ireland, he thereupon desired to receive the Kings acquittance upon payment thereof, by this Letter to the King.

**A** Tresnoble Prince e son treschier Seigneur sire Edward par la grace de Dieux Roy Dengleterre, Seigneur Derlande, &c. lo soen humble Chapeleyn Evêque de Londres salut, e quantq il siet e poet de reverence e de honur. Treschier Seigneur iceo Mardy apres la Cluse Pasche receumes vos lettres de credence par sire Walter de Pederton vostre Clerc, qe nous dist de par vous qe nous faisons en hast maunder a les Cuillours de la Dyme mise par nostre Seigneur le Apostole en Hirlande qe i facent lyverer a Sire Richard de Beresford vostre Tresourer en la dite terre Dirland mille Mars, e pur ceo qe nous desiroms e touz jours presz ferroms a faire voz pleisirs e comandemenz a nostre poer, si serons faire noz lettres overtes e closes a Cuillors susditz de mille Marz avantditz a paer au dit tresourer en la forme susdite, issi qe nous epoms vostre lettre de aquittance de deners abantnoime, solom la forme de voz autres lettres avant ces heures festes de tieux paemenz, quele nous avoms baille al portour de cestes lettres a reporter a Londres al houstel mestre Bertilmeu de Ferentyn, ou noz lettres a Cuillours avantditz serront prestemenz trouez. Nostre Seigneur vos doynt bone saunt e longe vie. Escrit a Suthministre le 16. jour de April.

Bundela Bre-  
vium & Lite-  
rarum in  
Turre Lond.

Dorso. A tresnoble Prince e sun treschier Seigneur sire Edward par la grace de Dieux Roys Dengleterre. Par Levesqe de Londres.

How this money was to be disposed of, this Writ informs us.

**R**EX Collectoribus Decimæ in Hibernia assignatis, per venerabilem patrem R. Episcopum London, & Magistrum Bartholomæum de Ferentino Canonicum London. Collectores ejusdem a sede Apostolica deputatos, salutem. Cum nostras patentes literas continentes, quod nos de pecunia proveniente de dicta Decima recepimus a præfatis Episcopo et Bartholomæo mille marcas sterlingorum dilecto Clerico nostro Ricardo de Beresford. Thef. nostro Hibernia, et prædictis Collectoribus nostro nomine liberatas, fieri, et eas præfatis Episcopo et Bartholomæo fecerimus liberari; Vobis mandamus rogantes, quod à præfatis Episcopo et Bartholomæo habueritis in mandatis de dictis mille Marcis præfato Richardo ad opus nostrum liberandis, tunc eas eidem Richardo ad cicius quod poteritis liberetis, ad faciendum inde quod ei dedimus in mandatis: Et hoc sicut nos & honorem nostrum, ac regni nostri commodum diligitis, nullatenus omitatis. Teste Rege apud Beverlacen. 21. die April.

Cl. 31 E. 1.  
m. 12. De  
pecunia libe-  
randa ad opus  
Regis in Hib.

Per ipsum Regem nunc. J. de Drokenesford & J. de Benefede.

He likewise ordered this thousand Marks of the Dism collected in Ireland, to be sent to him into Scotland, by this ensuing Writ.

**R**EX dilecto Clerico suo Ricardo de Beresford Thef. Scaccarii sui Dublin. salutem. Cum nostras patentes literas continentes, quod nos de pecunia proveniente de Decima Cleri Hibern. per Dominum Bonifacium Summum Pontificem de assensu nostro nobiter imposita per tres annos, recepimus à venerabili patri R. London. Episcopo, & Magistro Bartholomæo de Ferentino Canonico London. Collectoribus ejusdem Decimæ, mille marcas sterlingorum, vobis à prædictis Collectoribus nostro nomine liberatas fieri, et eas prædictis Collectoribus fecerimus liberari; Vobis mandamus, quod prædictas mille marcas à prædictis Episcopo & Bartholomæo recipiatis; et eas nobis ad partes Scocie per Clericum qui cum hominibus ad arma de partibus Hibern. ad dictas partes Scocie est venturus, mittatis; dilecto Clerico nostro

1b. m. 12.  
De pecunia  
mittenda Re-  
gi de partibus  
Hibern.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5.*

An. 31 E. 1. Iro Johanni de Drogheda Custod. Garderobz nostrz ibidem liberandus; Et hoc nullatenus omittatis. Teste Rege ut supra.

*Per ipsum Regem, ut supra.*

The King to raise present monies granted this privilege to several Abbots and Monasteries, that when ever the Abbeyes should become void by death or cession, they should have the Custody of the Temporalities for 3. Moneths, prohibiting his Bailiffs and Escheators to intermeddle with them; as is evident by this Writ for the Abbot of St. Maries in Torke.

Claus. 31 E. 1.  
m. 2. Pro  
Priore &  
Conventu B.  
Mar. Ebor.

**R**EX dilecto Clerico suo Ricardo de Haveringe Escaetori suo citra Trentam salutem. Cum literas nostras patentes concesserimus dilectis nobis in Christo fratri Benedicto Abbati beate Maria Eborum ac Conventui ejusdem loci, quod cum dictam Abbaciam per mortem vel cessionem dicti Abbatis vacare contingeret, Prior et Conventus ejusdem loci qui pro tempore fuerint habeant custodiam Abbacie predictae, cum omnibus ad Abbaciam illam pertinentibus, & quae ad nos pertinere possent, si custodiam ejusdem in manu nostra teneremus, a tempore quo Abbacia illa vacare inceperit usque ad finem trium mensium proximo sequentium completorum; Ita quod nullus Escaetor aut alius Ballivus seu Minister noster vel hared. nostrorum se de custodia predicta vel aliquibus ad eam spectantibus durantibus predictis tribus mensibus intromittat, nec ipsos Priorem et Conventum super hoc aliquo modo impediat, quo minus ipsi per predictos tres menses habeant liberam et plenam administrationem omnium possessionum, proventuum & reddituum ad Abbaciam illam spectantium, necnon omnium exituum inde provenientium: salvis nobis et haredibus nostris feodis Militum, advocacionibus Ecclesiarum, Wardis, et Maritagiis liberorum tenentium ejusdem Abbacie quae tempore vacationis ejusdem accidere contigerit: Ita tamen, quod si vacacio illa ultra tres menses predictos duraverit, nos vel hared. nostri finitis eisdem tribus mensibus custodiam Abbacie predictae, cum omnibus ad custodiam illam spectantibus durante vacatione predicta habeamus, prout in literis nostris predictis plenius continetur; Vobis mandamus, quod de custodia Abbacie predictae vel aliquibus ad Custodiam spectantibus, cum Abbaciam illam per mortem vel cessionem dicti Abbatis vacare contigerit, per tres menses a tempore quo vacare inceperit computandos vos nullatenus intromittatis, contra tenorem literarum nostrarum predictarum: Proviso, quod feoda Militum, advocaciones Ecclesiarum, Wardz et Maritagia liberorum tenentium Abbacie predictae, si quae infra predictos tres menses acciderint, in manum nostram capiantur et salvo custodiantur, donec aliud inde a nobis habueritis in mandatis. Teste Rege apud Northalverton 28 die Aprilis.

Eodem modo mandatum est Waltero de Glouc. Escaetori ultra Trentam.

Ibid. Pro Priore & Conventu de S. Albano,

Consimile cum literis patentibus scriptis antea in Rotulo Patentium de Anno 29 E. 1. scilicet de custodia Abbacie S. Albani tempore vacationis. Teste Rege apud Clacmanan. 14 die Junii.

The King having summoned all those that held of him by Knight-service, and amongst others all Archbishops, Abbots, Priors, and other Ecclesiastical persons, women and others, unable to serve in person, to repair with their horses and arms to Berwyk against the Scots; he thereupon issued this Writ to inable them to make a certain fine in money to be paid by a set day, for their service due to him by their Tenures, or else actually to perform it by others, at their election.

Claus. 31 E. 1.  
m. 12. dorso.  
De fine facienda cum Rege pro servicio Regi debito in exercitu Scotie.

**R**EX Vic. Eborum salutem. Licet nuper tibi praceperimus, quod summoneri faceres Archiepiscopos, Episcopos, Abbates, Priores, & alias personas Ecclesiasticas, et etiam viduas et al. mulieres de balliva tua qui de nobis tenent per servitium Militarie, vel per Serjanciam, seu de custodiis Archiepiscopatum & Episcopatum, aut aliis Custodiis sive Wardis in manu nostra existentibus, quod habeant ad nos in festo Pentecostes prox. futuro apud Berewyk super Tmedam, totum servicium suum nobis debitum, cum equis et armis bene munitum & paratum, ad proficiscendum nobiscum et cum aliis fidelibus nostris contra Scotos inimicos nostros; Volentes tamen ipsorum Praelatorum, Religiosorum, Mulierum, ac aliorum qui ad arma minus

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minus potentes, aut etiam minus idonei existunt, parcere gratiose laboribus ista vice; tibi præcipimus firmiter injungentes, quod statim visis præsentibus, in pleno Com. tuo, & nichilominus in villis Mercatoris & alibi per totam Ballivam tuam, ubi melius videris expedire publicè proclamari facias, Quod ipsi Prælati, Religiosi, Mulieres, et alii ad arma minus sufficientes aut idonei qui servicium suum nobis debent, et finem pro eodem servicio nobiscum facere voluerint, veniant coram Thes. & Baronibus nostris de Scaccario in Crastino *Ascensionis Domini* prox. futuro, citius si possint apud *Eborum*, vel aliquem pro ipsis Vicecomitibus ibidem mittant ad faciendum finem nobiscum pro servicio suo prædicto, et ad eundem finem videlicet viginti librarum pro feodo unius Militis, et Abbas pro quantitate servicii sui militaris vel serjantie nobis debiti in hac parte, nobis idem in eodem crastino solvendo: Alioquin quod sint ad nos in prædict. festo *Pentecostes* cum equis et armis, et toto suo servitio, ut tenentur. Et habeas ad dictum Scaccarium hoc breve in crastino supradicto. Teste Rege apud *Lann.* 17 die *April.*

Hereupon sundry Bishops and Abbots made Fines to the King accordingly, as well as the Temporal Lords and Knights, as the *Roll* of those Fines (as I conjecture) which I found in the White Tower, assures us.

De Episcopo *Wigorn.* pro tribus feodis Militum 20 l. solvend. med. in festo Sancti Petri ad vincula, & aliam in festo Sancti Michaelis prox. sequen.

Fines Episcoporum. In Turle Lond.

De Episcopo *Dunelm.* pro decem feodis, 500 Marc.

De Episcopo *Cicestræ* pro duobus feodis & dimid. 100. Marc. solvend. citra festum Sancti Michaelis.

De Episcopo *Sarum* pro tribus feodis & dimid. 116 l. 13 s. 4 d. fecit servitium pro uno feodo et dimid.

De Episcopo *Lincoln.* pro quinque feodis, 250 Marc.

De Episcopo *London.* pro quinque feodis, 250 Marc.

De Episcopo *Normic.* pro quinque feodis, 250 Marc.

*Suth.* De Abbate de *Hyda Wynton.* pro tribus feodis Militum 100 l. solvend. citra festum Sancti Michaelis, per manus Custodum Episcopatus *Wynton.*

Fines Abbatum.

*Hunt.* De Abbate de *Ramesey* pro quatuor feod. Militum 200 Marc. solvend. unam medietat. in festo Sancti Petri ad vincula, & alteram medietatem in fest. Sancti Michaelis.

*Suff.* De Abbate Sancti Edmundi pro sex feodis, 300 Marc.

*Dorf.* De Abbate de *Shireburne* pro duobus feodis, 80 Marc.

*Norht.* De Abbate de *Burgo Sancti Petri*, pro quinque feodis, 250 Marc.

*Wygorn.* De Abbate de *Perfort*, pro uno feodo, 40 Marc.

*Devon.* De Abbate de *Tavistoke* pro uno feodo 50 Marc. solvend. in festo Sancti Michaelis.

*Norff.* De Abbate Sancti Benedicti de *Holme* pro duobus feodis et dimid. 125 Marc. solvend. in festum Sancti Michaelis.

*Dorf.* De Abbatissa *Shafton* pro tribus feodis, 150 Marc.

De Abbate de *Abboteshur.* pro uno feodo 50 Marc.

*Somerf.* De Abbate *Glaston.* pro tribus feodis 100 l.

*Warr.* De Priore de *Coventr.* pro quatuor feodis, 200 Marc.

The King this year wanting monies for the great affairs of the kingdom and his wars, after all other means used to raise it, issued these Writs to the Assessors, Collectors, and Sheriffs of several Counties, for the taxing and levying of the Quintisme formerly granted to him on the temporal goods of the Archbishops of *Canterbury* and Clergy of his Province, which he had twice respited at the Archbishops requests, but could now no longer forbear to levy.

**R**EX Taxatoribus & Collectoribus Quintædecimæ in Com. *Kanc.* salutem. Li. Rot. Fin. An. 31 E. m. 11. De Quintade. cima de bonis temporal. Cleri Cleri levandis.

Ret nuper ad instantiam venerabilis patris *R. Cantuar.* Archiepiscopi totius *Anglie* Primatis, & Cleri regni nostri, Vobis mandaverimus, quod lebacioni et collectioni Quintædecimæ prædictæ de bonis temporalibus prædictorum Archiepiscopi et



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

*An. 31 E. 1.* Cleri in Com. prædicto superfederetis, usque ad diem Sancti Michaelis anno Regni Tricesimo, & postmodum ad iteratam requisicionem eorum Archiepiscopi, et Cleri, vobis iterato mandaverimus, quod lebatoni et collectioni ejusdem Quintædecimæ de prædictis bonis temporalibus ipsorum Archiepiscopi et Cleri in eodem Comitatu superfederetis, usque ad festum Pasche prox. præteritum; Quia tamen pro quibusdam arduis et urgentibus negotiis, nos et statum nostrum, necnon defensionem et salvacionem regni nostri tangentibus, lebacionem et collectionem dictæ Quintædecimæ non possumus ulterius prorogare; Vobis mandamus firmiter injungentes, quod dictam Quintamdecimam de bonis temporalibus prædictorum Archiepiscopi et Cleri in Com. prædicto, sine dilatione qualibet leveris et colligatis, juxta formam vobis prius inde liberatam; ita quod nobis inde plenè respondeatis ad Scaccarium nostrum in Octabis Sanctæ Trinitatis prox. futur. ad ultimum. Et hoc sicut nos & defensionem ac salvacionem regni nostri diligitis, dampnumque vestrum vitare volueritis, nullatenus omitatis. Ne per vestri defectum, quod absit, in hac parte negotia prædicti nobis incumbencia hiis diebus infecta remaneant quoquo modo, per quod ad vos & vestra graviter capere debeamus; et habeatis ibi tunc hoc breve; Sciennes, quod si dictam Quintamdecimam non feceritis in forma prædicta colligi & levare, ac eam nobis in Octabis prædictis non solveritis, ut prædictum est, tunc eam de terris, bonis & catallis vestris sine dilatione aliqua levare faciemus. Teste Rege apud Lannum 16 die April. Et Taxatores & Collectores dictæ Quintædecimæ in Com. Warr. Leys. Nott. Derb. Lanc. Linc. Eborum, Westmerl. Cumbr. Northumbr. respondeant in crastino Sanctæ Trinitatis.

Ibidem.

**R**EX Vic. Kanc. salutem. Cum nuper ad instanciam, &c. ut supra, usque ulterius prorogare, mandaverimus prædictis Taxatoribus & Collectoribus, quod dictam Quintamdecimam de bonis temporalibus prædictorum Archiepiscopi & Cleri in Com. prædicto sine dilatione qualibet colligi faciant et levare, juxta formam eis prius inde liberatam; ita quod nobis inde plenè respondeant ad Scaccarium nostrum in Octabis Sanctæ Trinitatis prox. futur. ad ultimum; Tibi præcipimus firmiter injungentes, quod præfatis Taxatoribus et Collectoribus ad prædictam Quintamdecimam in forma prædicta colligendam & levandam sis intendens, consulens & auxilians quociens opus fuerit, et ab ipsis ex parte nostra fueris requisitus. Et hoc sicut nos et defensionem ac salvacionem regni nostri diligis, dampnumque tuum grave, et indignacionem nostram vitare volueris non omitas. Sciens pro certo, quod si in te defectus aliquis inveniatur quo minus de dicta Quintadecima nobis ad diem prædictum respondeatur, ad te et tua graviter capiemus, dictamque Quintamdecimam de terris, bonis et catallis tuis ubicunque fuerint levare faciemus. Teste Rege apud Lannum 16 die Aprilis.

Consimiles literæ diriguntur singulis Vicecomitibus per Angliam.

Ibid. m. 8. in-  
tus. Pro R.  
Episcopo Lon-  
don. ac Magi-  
stro Barth. de  
Ferentino  
Collectoribus  
Decimæ.

**R**EX omnibus ad quos, &c. salutem. Sciatz quod nos pro arduis negociis Nos & regnum nostrum tangentibus, recepimus et habuimus nomine mutui à venerabili patre R. eadem gratia Episcopo London. Collectore Decimæ per sanctissimum Patrem Dominum Bonifacium Papam octavum, in regno Angliæ in subsidium Ecclesiæ Romanæ per tres annos impositz, una cum Magistro Bartholomæo de Ferentino Canonico London. deputato, & Magistro Johanne Bonichi de Senys ejusdem Magistri Bartholomæi Commissario, duo millia librarum sterlingorum de pecunia dictæ Decimæ, per manus dilecti Clerici nostri Johannis de Droghesford, Custodis Garderobæ nostræ; Quæ quidem duo millia librarum sterlingorum eidem Episcopo, Bartholomæo, vel Johanni, London. in festo beati Michaelis proximo futuro solvere promittimus per præsentem; Et si fortè accidente impedimento non solverimus in dicto festo totam pecuniam supradictam; promittimus sicut prius, quod ipsam plenam allocabimus Collectoribus prædictis in parte dictæ Decimæ quæ ad nos pertinet et concessione dicti Domini Papæ, et ipsis Collectoribus plenam inde acquietanciam facimus, non obstantibus assignationibus vel mandatis de dicta Decima per nos prius tactis eidem vel personis aliis quibuscunque. In cujus, &c. Teste Rege apud Clacmannan. 14 die Jun.

Rex

**R**EX venerabili in Christo patri R. eadem gratia Episcopo, & Magistro Bartholomaeo de Ferentino Canonico London. Collectoribus Decimarum in Subsidium Romanae Ecclesiae per Dominum Bonifacium divina providencia Papam octavum per tres annos in regno nostro impositae, salutem. Licet nuper per nostras patentes literas concesserimus et assignaverimus quibusdam Nobilibus & aliis de terra nostra Vasconia in partem satisfactionis debitorum in quibus tenebamur eisdem, totum id quod de praedicta Decima triennali per duos annos ultimos ad nos poterit et debet ex liberalitate sedis Apostolicae pertinere, prout in literis nostris praedictis inde confectis plenius continetur. Volentes tamen pro quibusdam arduis nostris negotiis quae noviter emerferunt, quosdam Nobiles & alios de dicta terra nostra Vasconia ad partes suas celeriter destinare; Vobis mandamus, quod tria millia marcarum de eo quod ad nos pertinere dinoscitur, de praefata Decima, de duobus annis praedictis, non obstante assignatione vel concessione qualicumque per nos de praefata Decima in toto vel in parte solvenda, praefatis Vasconibus vel aliis personis quibuscumque prius facta; dilecto Clerico nostro Johanni de Drokenesford Custodi Garderobae nostrae absque omni dilationis incommodo liberetis, quam quidem pecuniam summam praefatis Nobilibus & aliis ad partes praedictas transfretantibus pro expensis suis, et in partem solutionis debitorum in quibus adhuc tenemur eisdem, per praedictum Johannem volumus liberari. In cujus, &c. Teste Rege apud Wyndesore. 6. die Febr.

An. 31 E. 1.  
Pat. 31 E. 1.  
m. 37. De  
pecunia de  
Decima libe-  
randa Johanni  
de Drokenes-  
ford Custodi  
Garderobae  
Regis.

**R**EX Omnibus ad quos, &c. salutem. Sciatis, quod nos pro quibusdam arduis negotiis nostris quae noviter emerferunt, recepisse a venerabili patre R. Episcopo, et Magistro Bartholomaeo Ferentino Canonico London, Collectoribus Decimarum in subsidium Romanae Ecclesiae per Dominum Bonifacium divina providencia Papam octavum per tres annos in regno nostro impositae, per manus dilecti Clerici nostri Johannis de Drokenesford Custodis Garderobae nostrae, tria millia marcarum in partem solutionis dictae Decimarum, nos de duobus annis ultimis dicti triennii contingentis. De qua pecuniae summa praefatos Episcopum & Bartholomaeum tenore praesentium quietamus, non obstante assignatione vel concessione qualicumque per nos de praefata Decima in toto vel in parte solvenda personis quibuscumque prius facta. In cujus, &c. Teste Rege in supra.

Ibidem Pro  
Collectoribus  
Decimarum.

This year the King having collected a vast summe of money to carry on his Wars against the Scots, and laid it up in his Treasury at Westminster, his Treasury was broken up in the night, and one hundred thousand pounds in money, besides Plate and Jewels, stolen out of it by the \*Abbot and Monks of Westminster, and other their confederates; who were then suspected, accused, indicted thereof, and thereupon committed prisoners to the Tower of London; who afterwards petitioning the King, that they were falsely and maliciously accused of this fact, desired the truth thereof might be inquired, and speedy justice done thereupon; the History whereof and proceedings thereupon are thus recorded in the Records in the Tower.

\* See Cooks &  
4 Inst. p. 118.

**R**EX dilectis & fidelibus suis Radulpho de Sandwico, Waltero de Gloucestria, Johanni de Banquelle, & Rogero de Suthcotes, salutem. Quia ex testimonio fidedignorum accepimus, quod quidam malefactores & pacis nostrae perturbatores Thesaurariam nostram infra Abbatiam Westm. vi et armis fregerunt, et magnam partem Thesauri nostri in eadem Thesauraria innotam ceperunt et asportaverunt, et alia enormia nobis ibidem intulerunt, in nostri contemptum manifestam, et dampnum inestimabile, et contra pacem nostram. Nos super tam enormi facto congruum et festinum remedium fieri volentes, assignavimus vos ad inquirendum per sacramentum tam Militum quam aliorum proborum & legalium hominum de Civitate nostra London. quam etiam de Com. nostro Midd. & Surr. per quos rei veritas melius sciri poterit, qui sunt illi malefactores & eis consentientes, consilium & auxilium in praemissis praestantes, & ipsorum malefactorum scienter receptores, & ad quorum vel cujus manus praedictus Thesaurus vel partem ejus devenit, & in quorum vel in cujus manibus nunc existit, & cujusmodi Thesaurus sic asportatus fuerit & cujus precii, & de omnibus aliis circumstantiis factum illud qualiter-

Pat. 31 E. 1. m.  
23. dorso.  
De inquirend.  
de Thesauraria  
Regis fra-  
cta.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

*An. 31 E. 1.* cunctis contingentibus plenius veritatem. Et ideo vobis mandamus, quod ad certos, &c. inquisitionem illam faciatis, & omnes illos quos per inquisitionem illam culpabiles de facto illo consilio vel auxilio, seu de ipsorum malefactorum receptamento inveniri contigerit, sine dilatione arrestari, & in prisona nostra salvo & securè custodiri faciatis, donec aliud inde præceperimus, et **Thesaurum quem in manibus hujusmodi malefactorum inveniri contigerit, in certo et securo loco pontificiatis, ita quod nobis inde respondere possitis ad mandatum nostrum.** Mandavimus enim Vicecomitibus nostris *London. & Com. Midd. & Surr.* prædictorum, quod ad certos, &c. venire faciant coram vobis tot & tales tam Milites quam alios, &c. de Ballivis suis, per quos, &c. In cujus, &c. Teste Rege apud *Lyntiscu* 6 die Junii.

*Pat. 31 E. 1. m. 13. dorso. De abbate & Monachis Westm. ind. Etis de thesauro Regis.*

**R**EX dilectis & fidelibus suis *Rogero Brabazon, Willielmo de Beresford, Rogero de Hegham, Radulpho de Sandwico, & Waltero de Gloucestria,* salutem. Cum *Walterus Abbas Westm.* Frater *Alex. de Pershore,* Frater *Rogerus de Bures,* Frater *Radulphus de Morton,* Frater *Thomas de Dene,* Frater *Adam de Warefeld,* Frater *Johannes de Butterle,* Frater *Johannes de Nortele,* Frater *Robertus de Cherring,* Frater *Johannes de Salop,* Frater *Thomas de Lichfeld,* Frater *Simon de Henle,* Frater *Walterus de Arkesden,* Frater *Willielmus de Chalk,* Frater *Robertus de Bures,* Frater *Richardus de Sudbur,* Frater *Henr. atte Rye,* Frater *Adam de Laibam,* Frater *Johannes de Lond.* Frater *Johannes de Wyntenaye,* Frater *Radulphus de Middleton,* Frater *Richardus de Cubeworth,* Frater *Rogerus de Aldenham,* Frater *Johannes de Wantinge,* Frater *Willielmus de Breybrok,* Frater *Robertus de Reding,* Frater *Petrus de la Croix,* Frater *Henr. Payn,* Frater *Henr. de Bircheffton,* Frater *Philippus de Sutton,* Frater *Guido de Affhewelle,* Frater *Willielmus de Kertinton,* Frater *Thomas de Woburn,* Frater *Willielmus de Glaston.* Frater *Johannes de Wigorn.* Frater *Robertus Bede,* Frater *Willielmus de Almaly,* Frater *Johannes de Ringfede,* Frater *Willielmus de Huntingdon,* Frater *Laur. de Beamster,* Frater *Alex. de Newport,* Frater *Jordanus de Wretting,* Frater *Riginaldus de Haldham,* Frater *Reymundus de Wenlok,* Frater *Richardus de Waltham,* Frater *Richardus de Finslore,* Frater *Henr. del Temple,* Frater *Henr. de Wantinge,* & Frater *Johannes de Wenlok,* Commonachi ejusdem Domus; *Geronimus de Sancto Egidio,* *Rogerus de Presthepe,* *Walterus de Echellesford,* *Rogerus de Wenlok,* *Hamo de Wenlok,* *Adam le Skynner,* *Johannes Sharp,* *Richardus Smart,* *Johannes de Sancto Albano,* *Johannes de Lanton,* *Johannes de Latham,* *Henr. le Ken,* *Richardus de Weston,* *Richardus le Brazun,* *Thomas de Knyghtebrygge,* *Galsfridus del Celer,* *Radulphus de Diston,* *Radulphus de Huntindon,* *Johannes de Sudbur,* *Richardus de Hurle,* *Jocens de Cornub.* *Galsfridus de Kanc.* *Johannes de Exon.* *Richardus del Em,* *Johannes del Bratyn,* *Johannes de Beamster,* *Robertus le Potter,* *Petrus le Monner,* *Rogerus le Orferre,* *Robertus Bolthed,* *Maur. Morel,* & *Godinus de Lombish,* de fractione **Thesaurarii nostræ apud Westm. nuper furtive factæ, et Thesauri nostri ibidem ad valentiam Centum Millium Librarum capto et asportato inditanti, et ex occasione in prisona nostra Turris nostræ London. detenti, asseruerint se inde falso et maliciose inditatos fuisse, & nobis attentè supplicaverint, quod veritatem inde inquiri, & eis plenam & celerem justitiam exhiberi faciamus, assignavimus vos Justic. nostros ad inquirendum per sacramentum tam Militum quam aliorum, &c. de Comitibus *Midd. & Surr.* per quos, &c. super negotio prædicto plenius veritatem, & ad negotium illud audiendum & terminandum secundum legem, &c. Et ideo vobis mandamus, quod ad certos, &c. præmissa expleatis in forma prædicta, facturi inde, &c. salvis, &c. Mandavimus enim Vicecomitibus nostris Comitatum prædictorum, quod ad certos, &c. venire faciant coram vobis tot & tales tam Milites quam alios, &c. per quos, &c. In cujus, &c. Teste Rege apud *Kynlos* 10 die Octobris.**

*Per breve de Privato Sigillo.*

*Pat. 31 E. 1. m. 9. dorso. De inquirend. de Thesauraria Regis fracta.*

**R**EX dilectis & fidelibus suis *Rogero Brabazon, Willielmo de Beresford, Rogero de Hegham, Radulpho de Sandwico, & Waltero de Glouc.* Sciat is quod assignavimus vos Justic. nostros ad inquirendum per sacramentum tam Militum quam aliorum, &c. de Civitate nostra *London.* & Comitibus *Midd. & Surr.* per quos, &c. qui malefactores, nuper furtive thesaurariam nostram apud *Westm.* notanter fregerunt

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fregerunt, et thesaurum nostrum in eadem *Thesauraria* inventum ad valenciam *As. 31. E. 1.* centum milium librarum ceperunt et asportaverunt, et alia enormia inestimabilia nobis ibidem intulerunt, in nostri contemptum manifestum et dispendium non modicum, et contra pacem nostram, & ad negocium illud aud. & terminand. secundum legem, &c. Et ideo vobis mandamus, quod ad certos, &c. inquisitionem illam capiat, et negocium illud audiat et terminetis in forma prædicta, facturi inde &c. salvis, &c. Mandavimus enim Vicecomitibus nostris *London.* et Comitatum *Midd. & Surr.* quod ad certos, &c. venire faciant coram vobis, tam Milites quam alios, &c. de Civitate et Comitatus *Midd. & Surr.* prædictis per quos, &c. In cujus, &c. Teste Rege apud *Kynlos*, 10. die *Novembris*.

Upon this Inquisition I found a particular Roll in the *White Tower*, of many Witnesses examined upon Oath, who attested that they saw sundry of those Monks and other persons in the night time passing often times to and from the Kings Treasury within the Abby, carrying some things in their arms and laps; that they sent and conveyed away by water great hampers which were very heavy, wherein they conceived the Kings mony and plate were conveyed away, and some peeces of the Kings Plate and Jewels were found and seized in *London* and elsewhere; whereupon the Monks were long detained in prison, till afterwards released by the Kings special command, when he repaired to *Westminster* to render thanks to God for his Victory over the *Scots* upon his victorious return from *Scotland*.

*Matthew Westminster* a Monk of that Abby, somewhat abruptly relates the story of this robbery of the Kings Treasury, and imprisonment of ten Monks only for it (when as it appears by the Record that 48 of them, with the Abbot, were imprisoned and indicted for it) in favour to the Monks; together with their enlargement out of prison by the Kings reiterated command, the Judges being unwilling, and denying to release them, because they reputed them more criminal than this Historian renders them. \* *Spoliatus fuit Rex Angliæ Edwardus de Thesauris suis per unicum latronem in Angliā, propter quod decem Monachi Westmonasteriensis fuerunt incarcerati cum injuria. Non sufficit dixisse, Presumptuosissimi latro per se Thesaurariam Domini Regis Angliæ subintravit, nisi modus & forma subnectatur. Rursusque cogitatio hominis semper est ad malum quam ad bonum propensior, cum auditur 10. Monachorum incarcerationis pro Thesauris Regis Angliæ, subrepit statim iniqua suspitionis cogitatio. At cum non declaratur eorum innocentia, auditor congruet contumeliis nec opprobriis desinit insultare. Ad hoc filii qui nascuntur, et exurgunt, nisi super his fiat declaratio, ac aut desidia vel inertia illos, qui tunc erant, arguent, vel quod formidolosus est ad dicendum; in omittendo causam aestimabant eos facti culpabiles existisse. Ad hoc subest alia declaranda incarcerationis necessaria ratio. Qui in rerum natura cum hæc fierent, nondum erant cum discipulis Jesu, quando tentabatur à Diabolo, & post multas & varias tribulationum pressuras demum à Domino visitatis. Post multas retro generationes nasciturus, forsitan est dicturus in Regis Annalibus continetur 10 Monachos pro Thesauraria sua incarceratos fuisse. Hoc nomen horroris est, nomen suspicior statim malum. Cum enim incarceratur quispiam, hoc inde convictum, aut ergo inobediens jussis Principum, aut transgressor Regiæ Pacis, erat hæc responsio. O Didime, super te conqueritur vox Ecclesiæ. Infer digitum tuum huc, & cognosce loca clavorum, & noli esse incredulus, & maliloquus cum falsiloquis, sed fidelis. Ostendam tibi summam, & aliis maliloquis superbie tue, ad præterita falcanda \* in propria, modum & formam spoliationis Domini Papa in unica lectione. Nec non loca clavorum & fossuram lateris muralis in Thesauraria Regis Angliæ, atque causam incarcerationis cum molestiis, quæ exinde Monachis illius loci per viros Diabolicos perbenerunt, posteris manifestissime derelinquam. Quæ tamen hic omittuntur, quia in præsentis Codice nimis prolixum esset inserere: \* Anno Gratiæ 1305. ad Annunciationem Dominicam aderat Rex Edwardus cum Magnatibus Populi sui apud Westmonasterium alturus Deo Gratiar, & beato Edwardo, pro triumpho de Scotisposito. Compallusque super injusta incarceratione Monachorum Westmonast. iussit mori fieri liberationem eorum; sed superabundante perbersorum iudicum malitia, prolongantium iniquitatem suam, ultra præceptum Regis tenuerunt per octo dies Monachos in Carcere. Quo audito, præcepit Rex Iustitiariis suis ut omittis cæteris curis, incarcerati Monachi eorum Abbati continuo redderentur.*

\* Anno 1303.

P. 442, 443.

\* impropria.

\* Anno 1305.

P. 449.

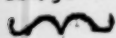
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K. Edward 1.

*An Exact History of Popes Intolerable Usurpations, B. 5. ch. 5*

An. 31 E. 1.



The King wanting monies to supply his occasions, by Writs directed to the Mayor and Sheriffs of *London*, commanded them to seise so much of the monies of *Blanch* Queen of *Navarre* deposited in the house of the *Freers Minorits* in *London*, as would satisfy his debt, after her decease, as these Records will at large inform us.

Pat. 31 E. 1.  
m. 40. Pro  
Radulpho de  
Shepeye,  
quondam Re-  
ceptore Blan-  
chie Regine  
Navarr.

**R**EX dilecto sibi *Radulpho de Shepeye* quondam Receptori bonæ memoriæ *Blanchie* tunc Regine *Navarr.* quæ fuit uxor *Edmundi* fratris nostri jam defunctæ salutem. Quia præfata Regina in mille quingentis sexaginta & sex libris, tresdecim solidis, & quatuor denariis, quos ei diu ante mortem suam de præfatis fecimus liberari nobis die quo obiit, ut recolimus tenebatur; Et nos pro urgentibus et arduis negotiis nos et totum regnum nostrum contingentibus quæ de nobis emerferunt, pecuniam ad præfens plurimum indigemus, de denariis ipsius defunctæ quos in domo fratrum *Minorum London.* novimus per vos nomine ejusdem Regine depositos fuisse, usque ad summam prædictam per *Hugonem de Pourte* et *Simonem de Parys* Vicecomites nostros *London.* ad opus nostrum et causas prædictas capi fecimus et numerari. Volentes & tenore præsentium concedentes, quod facta inter nos & executores testamenti dictæ Regine inde legali computatione, prædictam pecuniæ summam vel partem ejusdem, quatenus per compotum illum inveniri contigerit, quod ad restitutionem ejusdem in toto vel in parte teneamur, restitui faciemus: Quod autem facere & etiam vos indemnes super hoc versus executores prædictos & alios quoscumque conservare promittimus bona fide. In cujus, &c. Teste Rege apud *Guldsford.* 19 die Jan.

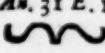
Ibid. Pro  
Gardiano Fra-  
trum Mino-  
rum Lond.

**R**EX dilecto sibi in Christo fratri *Thome de Whaplad* Gardiano fratrum *Minorum London.* salutem. Quia bonæ memoriæ *Blanchie* quondam Regina *Navarr.* quæ fuit uxor *Edmundi* fratris nostri nuper defunctæ, in mille quingentis sexaginta et sex libris, tresdecim solidis, et quatuor denariis, quos ei diu ante mortem suam de præfatis fecimus liberari, nobis die quo obiit ut recolimus tenebatur, & nos pro urgentibus et arduis negotiis nos et totum regnum nostrum contingentibus quæ de novo emerferunt pecunia ad præfens plurimum indigemus, de denariis ipsius defunctæ, quos in domo vestra prædicta novimus nomine ejusdem Regine depositos fuisse, usque ad summam prædictam per *Hugonem Pourte* & *Simonem de Parys* Vicecomites nostros *London.* ad opus nostrum ex causis prædictis capi fecimus & numerari. Volentes et tenore præsentium concedentes, quod facta inter nos & executores testamenti dictæ Regine inde legali computatione, prædictam pecuniæ summam vel partem ejusdem quatenus per compotum illum inveniri contigerit, quod ad restitutionem ejusdem in toto vel in parte teneamur, restitui faciemus. Quod autem facere et etiam vos & ordinem vestrum indemnes super hoc versus executores prædictos et alios quoscumque conservare promittimus bona fide. In cujus rei Testimonium has literas nostras vobis fieri fecimus patentes. Teste ut supra.

Ibid. De de-  
nariis Blanch.  
quondam Re-  
gine Navarr.  
cap. ad opus  
Regis.

**R**EX dilectis & fidelibus suis *Johanni de Blund* Majori, & *Hugoni Pourte* & *Simoni de Parys* Vicecomitibus suis *London.* salutem. Quia pro quibusdam arduis nostris et regni nostri negotiis, necnon pro defensione ipsius regni contra inimicos nostros invasores ejusdem, pecunia ad præfens plurimum indigemus, assignavimus vos ad duo millia Marcarum de denariis bonæ memoriæ *Blanchie* quondam Regine *Navarr.* quæ *Radulphus de Shepeye* nuper Receptor denariorum ipsius Regine in domo fratrum *Minorum London.* nomine ejusdem Regine deposuerat, ad opus nostrum capienda, & dilecto Clerico nostro *Johanni de Drokensford* Custodi Garderobæ nostræ liberanda, & ad quædam jocalia nostra præcii duorum milium, centum sexaginta & trium librarum, sex solidorum, & octo denariorum, una cum una parte cujusdam Indenturæ inde factæ, cujus altera pars remanet in Garderoba nostra prædicta, quæ vobis per præfatum Clericum nostrum mittimus in Ecclesia fratrum prædictorum in deposito, in nomine pignoris pro prædicta pecunia ad securitatem prædictæ *Radulphi* deponenda. Et ideo vobis mandamus, quod ad domum fratrum prædictorum personaliter accedentes pecuniam prædictam ad opus nostrum capiat, et præfato Clerico nostro liberetis, et jocalia nostra prædicta una cum alia parte Indenturæ prædictæ, et etiam literas nostras patentes, quas similiter pro securitate

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securitate prefati Radulphi factas vobis mittimus, ibidem deponatis custodienda *As. 31 E. 1.*  
 Juxta tenorem litterarum nostrarum predictarum. In cujus, &c. Teste   
 Rege apud Gulesford 20 die Januarii.

The King having borrowed 2000 l. of the 3. years *Disme* imposed by Pope Boniface for the use of the Church of Rome, paid into his Wardrobe by the Treasurers and Collectors, issued this Patent for repayment or discharge thereof, notwithstanding all former assignations thereof made to the *Gascoigners* or any others.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod Nos pro arduis negotiis Nos & regnum nostrum tangentibus, nomine mutui recepimus et habuimus a venerabili Patre R. London. Episcopo, Collectore Decimarum Clero Anglia per Dominum Bonifacium Papam 8. in subsidium Romana Ecclesie per tres annos impositarum, una cum Magistro Bartholomao de Ferentino Canonico London. per ipsum Dominum Papam deputato, & Magistro Johanne de Bonichi de Senis ejusdem Magistri Bartholomai Commissar. duo millia librarum sterlingorum de pecunia dictarum Decimarum de duobus annis ultimis impositionis ejusdem, per manus dilecti Clerici nostri Johannis de Drokenesford Custodia Garderobae nostrae; quae quidem duo millia Librarum eidem Episcopo & Bartholomao vel Johanni in festo Pasche prox futur. London. reddere & solvere promittimus, vel saltem eis debitam allocationem in parte quae ad nos de dicta Decima pertinet ex concessione dicti Domini Papae, et plena acquietantia inde fieri faciemus; non obstantibus aliquibus mandatis ejusdem Collectoris per nos prius directis, vel assignationibus Vasconensibus, aut personis aliis quibuscunque de dicta Decima per nos factis. In cujus, &c. Teste Rege apud Camismell primo die Novembris.  
*Per Litteram J. de Drokenesford.*

*Pat. 31 E. 1.  
 m. 10. Pro  
 Collectoribus  
 Decimarum.*

Pope Boniface the 8. out of his bounty and good affection to King Edward, to supply his necessities occasioned by his Wars, granted him all the moneys collected for the Ayde of the Holy Land he had formerly seised, together with all the arrears uncollected, and all the monyes he had unduly levied from the Clergy, so as he or his Son would in convenient time ayde and assist the Holy Land to their power, by this memorable Bull; by virtue whereof the King covenanted to secure the Collectors and Subcollectors thereof and their Churches against the Pope and his Nuncios, commanding them to deliver up the Obligations of the Merchants and Abbots who were bound as his Sureties to repay it upon demand to the Pope and Church of Rome, by this Patent.

**B**onifacius Episcopus, Servus servorum Dei, carissimo in Christo filio Edwardo Regi Angliae illustri, salutem & Apostolicam benedictionem. Celsitudinis tuae condiciones ac merita, et devocionis affectum quem ad Deum et Apostolicam sedem, ac Terram sanctam hactenus habuisti, ac te habere speramus et confidimus in futurum, benigna consideratione pensantes, ac attendentes quod moderni malicia temporis te sumptibus plurimis ac laboribus et angustiis aggravabit, pia meditatione prohibemus ad te super hoc animum compassionis; extendere, ac tu prohibendo saluti Apostolicae sedis munificentiam tibi super hiis reddere graciosam: Ut igitur nostrae benignitatis affectum percipias in effectu, totum et quicquid de quibuscunque Decimis in quibuscunque regnis, locis, et partibus, et quibuscunque temporibus olim per Apostolicam sedem in praedicta Terrae Sanctae subsidium deputatis per te, vel alium seu alios usque in hodiernum diem percepisti, vel ad te pervenit, tibi auctoritate Apostolica de nostra gratia remittimus et donamus. Ceterum quia occasione guerrarum, turbacionum et scandalorum quae tibi et regno tuo insurrexerunt, tu compulsus indigentia et necessitate coactus, Ecclesias et personas Ecclesiasticas dicti regni per impositiones et exactiones illicitas forsitan aggravasti. Nos attendentes quod tu jam declinas ad senium, & propterea saluti tuae super hiis providere salubriter intendentes, totum et quicquid per impositiones et exactiones huiusmodi per te, vel alium seu alios percepisti, vel ad te inde pervenit, eadem tibi auctoritate Apostolica Dei gratia remittimus et concedimus, et ampliori gratia absolventes te auctoritate praefata a qualibet excommunicationis sententia, si quam propterea incurristi. Tu itaque fili benignitatem nostram devota mente respiciens, ac mentem

*Pat. 31 E. 1.  
 m. 37. inter.*

&



An. 31 E. 1. & oculos erigens reverenter ad Deum, erga præfatam Terram Sanctam super his sic te liberalem exhibeas, sicque Deo et Ecclesiæ matri tuæ te gratum et debitum intentis studiis repræsentens quod dignis attolli laudibus merearis. Dat. Laterani 4. Id. Marcii. Pontificatus nostri anno septimo.

Ex tenore & virtute literarum earundem manifestè constat, quod decem millia librarum quæ bonæ memoriæ *Edmundus* quondam Comes *Leys*. germanus noster pro quibusdam arduis nostris & regni nostri negotiis tunc in *Vasconia* & alibi ex in-junctione & mandato nostro speciali expediendis, & venerabilibus patribus *J. Wynton.* & *O. Ling.* Episcopis dudum Collectoribus Decimæ per sex annos in subsidium Terræ Sanctæ in regno nostro concessæ, per Dominum *Summum Pontificem* deputatis, de præcepto nostro nomineque nostro recepit, ad cujus pecuniæ solucio-nem, dictis patribus vel eis in dictæ Collectionis officio succedentibus faciendam, di-ctus Comes per suas, & pro eodem Comite Mercatores de Societate *Pallicum* & *Rembertinorum* de *Florentia* per isorum literas se obligarunt. Nosque postmodum literas nostras de indemnitatem, tam fratri nostro & Mercatoribus quàm etiam Col-lectoribus memoratis, in munificentia sedis Apostolicæ ut præmittitur nobis facta, tanquam ad opus nostrum capta et in utilitatem regni nostri conversa, sine dubitacio-ne qualibet includuntur; Propter quod dilectis nobis in Christo Abbati de *Waltham* & Decano Sancti *Pauli London.* in dictæ Decimæ collectione prædictis patribus sub-rogatis pluries mandaverimus, & ipsis sub forisfactura omnium quæ nobis foris-facere possent in regno nostro præceperimus, quod ipsi ponderatis præcepto lite-risque nostris de indemnitatem, ac munificentia Domini *Summi Pontificis* supra-dictis, & etiam periculo quod nobis & heredibus ac executoribus testamenti præ-dicti fratris nostri, nisi dictæ literæ celerius restituerentur, posset de facili evenire, dictas literas obligatorias, & similiter literas nostras de indemnitatem præfatis Col-lectoribus ut præmittitur factas, quæ penes eosdem Abbatem & Decanum reside-bant, nobis absque cujuslibet difficultatis obstaculo exhiberent & restituerent indi-latè; Quibus quidem literis nobis tandem per hujusmodi præceptum nostrum exhibitis, ipsas literas tanquam specialiter nos tangentes ratione dictæ pecuniæ summæ in prædicti Domini *Papæ* munificentia, ut prædictum est incluse, durimus retinen-das, non obstante protestacione per prædictos Abbatem & Decanum prius emissâ de illis literis rehabendis, quas ut asseriebant, ad inspiciendum nobis tantummodo tradiderunt. Ne igitur iidem Abbas & Decanus vel eorum Ecclesiæ dampnum vel periculum aliquod incurrant impofterum ex hac causa, promittimus pro nobis et heredibus nostris eosdem Abbatem et Decanum et eorum Ecclesias, versus Domi-num *Papam* ac alios quoscunque super retentione literarum prædictarum indem-pnes penitus conservare. In cujus, &c. Teste Rege apud *Langesle*, 11 die Februarii. duppl.

*Per Consilium.*

The monies due upon some of these Bonds being formerly paid to the Popes Collectors; the King took care to see them satisfied, as this Patent to the Vicar and Covent of *Merton* informs us.

Pax. 31 E. 1.  
m. 33. vel 34.  
ictus.

**R**EX Omnibus ad quos, &c. salutem. Inspeximus literas patentes sigillo Scaccarii nostri consignatas in hæc verba. *Edwardus* Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, Omnibus ad quos præsentis literæ perve-nierint salutem; Scitis quod pro illis quingentis libris quas pro quibusdam arduis & specialibus negociis nos et regnum nostrum *Anglia* contingentibus vicelimo quinto die *Aprilis*, anno regni nostri quartodecimo, mutuo recepimus de Priore & Conventu de *Merton*. de denariis penes eosdem Priorem et Conventum in Prioratu prædicto in deposito existentibus, de pecunia Decimæ a Clero regni no-stri in subsidium Terræ Sanctæ dudum concessæ, et de quibus quingentis libris fidem Prior et Conventus literas nostras patentes quas eisdem Priori et Conventu fieri fecimus, per quas obligabimus Nos, hæredes et successores nostros ad plenam et integram ejusdem pecuniæ solucionem, seu restitutionem infra certum tempus fa-ciend. et per quas promissimus bona fide pro nobis hæred. et successor. nostris ad conserband. ipsos Priorem et Conventum et successores suos ac Monasterium suum erga *Summum Pontificem* et quemcumque certum nuntium sedis Apostolicæ illarum

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illos penitus et indemnes, nobis restituerunt ad Scaccarium nostrum, et quas quingentas libras per evidencias penes Thesaurarium et Barones nostros de eodem Scaccario residentes constat ipsos Priorem et Conventum persoluisse Magistro Bartholomæo de Ferentino, ad dictum depositum colligendum et recipiendum per B. Summum Pontificem deputato, commissimus et concessimus pro nobis et heredibus nostris predictis Priori et Conventui triginta libras annuas de firma .... Prioris de Bernewell, quam idem Prior nobis reddit ad Scaccarium nostrum pro manerio nostro de Cestreton, percipiend. per manus dicti Prioris de Bernewell a crastino Sancti Michaelis anno regni nostri Tricesimo finiente, usque ad finem octo annorum proximo sequentium plenarie completorum, in allocationem Ducentarum & quadraginta librarum in partem solucionis predictarum quingentarum librarum. Concessimus etiam eisdem Priori et Conventui de Merton triginta et duas libras, decem et octo solidos, et decem denarios annuos de redditu assiso qui fuit Ada de Stratton in Civitate et suburbio London. in manu nostra per forisfactum ejusdem Ada existens, percipiend. per manus Vicecomitum nostrorum London. qui pro tempore fuerint ab eodem crastino Sancti Michaelis per octo annos prox. sequentes plenarie completos in allocationem predictarum quingentarum librarum; Quarum quidem concessionum per tempus predictum summa est quingentæ et tres libræ, decem solidi, et octo denarii: Et sic sexaginta & decem solidi, & octo denarii, excedunt predictas quingentas libras, quos quidem sexaginta et decem solidos & octo denarios eidem Prior et Conventus reddent nobis vel heredibus nostris de exitibus redditus predicti in fine octavi anni supradicti. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste venerabili patre W. Coventr. et Litchf. Episcopo Theſ. nostro apud Eborum 4. die Octobris. anno regni nostri Tricesimo. Nos autem Commissionem et concessionem predictas ratas habentes et gratas, ipsas pro nobis et heredibus nostris concedimus et confirmamus. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste Rege apud Sanctam Katerinam juxta Turrim London. primo die Martii.

*Per Consilium.*

Et mandatum est Priori de Bernewell quod predict. triginta libras, &c. Teste Rege, ut supra.

The King being engaged in a Warre in Scotland, out of his piety and devotion issued these Writs to the *Cartusian Monks and Freers Predicants*, to make fervent prayers unto God for himself, his Queen, children, and good successe in this Warr.

**R**EX Religiosis viris in Christo sibi dilectis Priori et Conventui Ordinis *Majoris Cartusie de Hempton*. salutem. Qualiter pro tranquillitate et pace regni nostri ad proterviam et maliciam *Scotorum* inimicorum et rebellium nostrorum in sua pertinacia perdurancium reprimendam, sumus nos ipsi cum comitiva Nobilium dicti regni in dictis partibus *Scocie* constituti, non credimus vos latere; et quia in homine non est auxilium sine Deo, ac propter hoc oportet impotenciam nostram divinæ manus præsidio sustentari; Nos affectuose requirimus et rogamus, quatinus Nos, Margaretam consortem nostram karissimam, liberos, ligios et fideles nostros, et omnes nobis adhaerentes, ac expeditionem nostram in predictis partibus et alibi ubicumque in *Missarum* solemnibus, orationum suffragiis, et aliis beneficiis specialiter recommendatos habentes, Deum et Dominum nostrum protectorem pro nobis et ipsis suppliciter exoratis; Ita quod per vestra orationum suffragia gratiam nobis et ipsis adaugeat; nosque et dictam Consortem nostram, liberos, ligios nostros et fideles predictos nobis adhaerentes, ac regnum nostrum sua pietate ab omnibus aduersitatibus tueatur: Et de numero *Missarum*, orationum et beneficiorum quæ in hac parte duxeritis facienda, nos reddatis per vestras literas certiores. Teste Rege apud Villam Sancti Johannis de Perth 10. die Julii.

*Per breve de Privato Sigillo.*

**R**EX Religiosis viris in Christo sibi dilectis Priori Provinciali Ordinis Fratrum Prædicatorum in *Anglia*, ac fratribus ejusdem Ordinis ad instans Generale Capitulum suum apud *Pontemfractum* conventuris salutem. Qualiter pro tranquillitate et pace regni nostri ad proterviam et maliciam *Scotorum* inimicorum & rebel-

*Caſ. 31 E. I. m. 7. dorſo. De orando pro Rege.*

*Ibidem. De orando pro Rege.*



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5.*

An. 31 E. 1. *lium nostrorum in sua pertinacia perdurancium reprimendam sumus nos ipsi cum comitiva Nobilium dicti Regni in dictis partibus Scotia constituti, non credimus vos latere; et quia, &c. verbatim ut supra. Teste ut supra.*

The King wanting men in his Wars against the *Scots*, authorized the Bayliff of *Holderneffe* to take security from all persons fit to serve him in his Wars, who had taken Sanctuary within the Liberties of *St. John of Beverly* for Murders, Robberies, or other Trespasses, to serve him in his Wars according to their respective qualities, and to certifie their names to his Chancellor, who thereupon should grant them pardons, and receive them to his peace, as this Record informs us.

Par. 31 E. 1. m. 23, 24. De securitate a fugitivis apud Beverlacen. capienda, quod venient in obsequium Regis ad partes Scotia.

**R**EX dilecto & fideli suo *Richardo Oysel* Ballivo suo de *Holderneffe*, salutem. Quia pro expeditione instantis guerræ nostræ *Scotia*, & ut ad optatum finem citius cum Dei adiutorio perducatur, hominibus validis & ad arma potentibus indigemus plurimum hiis diebus, & quamplures hujusmodi homines validi & potentes qui usque ad Villam de *Beverlaco* pro securitate & immunitate juxta libertatem ejusdem Villæ ibidem habenda, de homicidiis, latrocinis, roberis, et aliis transgressionibus per ipsos, ut dicitur, contra pacem nostram factis in obsequio regni nostri Comitatus fugerunt, infra eandem libertatem, ut didicimus, commorantur: dedimus vobis potestatem recipiendi ab hujusmodi fugitivis infra libertatem prædictam sic commorantibus, quos ad eundem nobiscum in guerra nostra prædicta idoneos reputaveritis & potentes, & qui ad pacem nostram & ad partes *Scotia* prædictas, in obsequium nostrum venire voluerint, sufficientes manucapiones, quod erunt ad nos in propriis personis suis, in Octabis *Sanctæ Trinitatis* prox. futur. ad ultimum ubicunque tunc fuerimus in *Scotia*, armis competentibus bene muniti, videlicet quilibet eorum juxta conditionem & statum suum, ibidem in obsequio nostro in guerra nostra prædicta ad voluntatem nostram moraturi. Et ideo vobis mandamus, quod manucapiones prædictas recipiatis in forma prædicta: Et de nominibus illorum qui sic coram vobis fuerint manucapti, & etiam de nominibus manucaptorum suorum, & qualiter, & quomodo, & sub qua forma manucapiones illæ factæ fuerint, Magistro *Willielmo de Grenfeld* Cancellario nostro sub sigillo vestro distinctè & aperte constare faciatis, ut idem Cancellarius noster hujusmodi manucaptis juxta formam manucapionum prædictarum, literas nostras patentes de pardonatione sectæ pacis nostræ quæ ad nos pertinet pro homicidiis, latrocinis, roberis, & aliis transgressionibus contra pacem nostram factis, unde indictati sunt, fieri faciat, prout præfato Cancellario nostro per nos plenius est intimatum. In cujus, &c. Teste Rege apud *Novum Castrum super Tynam* 7 die *Maii*.

*Per ipsum Regem.*

Hereupon sundry Malefactors to procure their pardons, obliged themselves to serve the King in his Wars, as the Patent Rolls and Rolls of *Scotland*, An. 31 & 32 E. 1. assure us, fraught with such malefactors pardons; against his former resolution in the like case, thus related by \**Mat. Westm.* Ad augmentandum igitur Rex exercitum suum, mandavit liberationem omnibus vinculis, profligatisque pacem, & etiam profugis nunciare, si ipsi in prima transgressionem vellet cum Regis fidelibus transfricare, qui etiam omnes gavisimè unanimiter sponserunt. Consuebant quidem max. ad Regem multa millia de talibus, et post pusillum murmurantes abbertum patrem familias pro denariis diuturnis, recalcitrando discesserunt a regia clientela. Tactus igitur Rex dolore cordis intrinseco, et præcavens in futurum, juravit ex eo tempore nunquam hujusmodi literas dimissionis talibus concedere sceleratis: Which Oath he now forgoat.

\* An. 1294. p. 392, 393.

Cl. 31 E. 1. m. 17. dorso. Pro Magistro Johanne de Kenleye, de pensionatione novæ creationis.

The King in that age by his Royal Prerogative upon the creation of every New Abbot, challenged from the Abby an annual convenient pension for one of his Clerks he should recommend unto them, untill they promoted him to some competent Benefice in their gift, as this Writ will inform us.

**R**EX dilectis sibi in Christo Abbati & Conventui de *Waltham Sanctæ Crucis*, salutem. Cum vos ratione novæ creationis vestræ præfatus Abbas tenemini

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mini uni de Clericis nostris quem vobis duxerimus nominandum, in quadam pensione de domo vestra singulis annis percipienda, quousque eidem per vos probisum fuerit de Beneficio Ecclesiastico competenti: Ac nos promotionem dilecti Clerici nostri Magistri *Johannis de Kenleye* suis meritis exigentibus affectamus, ipsum vobis nominaverimus ad hujusmodi gratiam obtinendam; Vobis mandamus rogantes, quatinus eidem *Johanni de domo vestra* pensionem hujusmodi concedatis, talem videlicet quæ dantes debeat, recipientem vobis reddere debeat fortius obligatum. Ita quod vobis exinde reddamur in vestris oportunitatibus merito promptiores, sibi super hoc vestras patentes literas fieri facientes. Teste Rege apud Wyndesf. 3 die Febr.

An. 31 E. 1.

The King likewise by the same Prerogative, sent divers of his old decayed Servants and Soldiers, for whom he was unable to provide, to several Abbies, Priors and Religious Houses whereof he was Patron, to be there maintained with competent necessities and Corodies during their lives, as these Writs assure us.

**R**EX dilecto sibi in Christo Priori & Conventui Sanctæ *Fredeswyde Oxon.* salutem. Quia *Johannes de Tackels* qui nobis diu & fideliter deservivit, cui in vitæ suæ necessariis nondum providimus, ut vellemus, nobis non sufficit amplius famulari; Nos statui ipsius *Johannis* pio compatiens affectu, ipsum ad vos duximus destinandum, affectuose rogantes quatinus eundem *Johannem* in domo vestra prædicta admittere, & ei in vitæ suæ necessariis juxta status sui exigentiam, quoad vixerit exhibere velitis, nostri rogamini interventu, sibi super hoc vestras patentes literas fieri facientes, pro quo vobis grates scire volumus speciales, & de eo quod inde duxeritis faciend. nobis per vestras literas rescribatis.

Cl. 31 E. 1. m. 15 dorso. Pro diversis servientibus Regis missis ad abbas & conventus de Bundela Brevis de Privato Sigillo An. 31 & 32 E. 1. in Turris London.

Eodem modo mandatum est Abbatibus, Prioribus & Conventibus subscriptis, pro subscriptis, videlicet,

Abbati & Conventui *Gloucestr.* pro *Rogero Schrich.*  
Abbati & Conventui *Leycestr.* pro *Willielmo Papilion.*  
Abbati & Conventui de *Furnys,* pro *Thoma de Kendale.*  
Abbati & Conventui de *Bardeneye,* pro *Willielmo Mone.*  
Abbati & Conventui Sancti *Petri de Gypeswico,* pro *Roberto de Walsham.*  
Priori & Conventui de *Coventr.* pro *Stephano Frere.*  
Abbati & Conventui Sancti *Augustini Bristol,* pro *Simone de Robis.*  
Priori & Conventui de *Dunstaple,* pro *Hugone de Brikhull.*  
Abbati & Conventui de *Seleby,* pro *Hugone Miriweder.*  
Abbati & Conventui de *Messenden,* pro *Johanne de Wyndesfor.*  
Abbati & Conventui de *Sancta Osth.* pro *Willielmo de Westm.*  
Priori & Conventui Sancti *Jacobi Bristol,* pro *Simone le Bulg.* postea missus fuit Abbat de *Melsa.*

Priori & Conventui de *Normico,* pro *Waltero de Norwyco.*  
*Adam de Swynsford,* mittitur Abbat & Conventui de *Whyteby.*  
*Simon des Bulges,* mittitur Priori & Conventui de *Neuburgh.*  
*Johannes de Yatingeden* serviens Regis, mittitur Abbat & Conventui de *Derleye.*

Ibid. m. 13.

Many of which excused themselves by reason of their great debts, poverty, losses, and Corodies formerly granted to others.

The King also by his Ecclesiastical Prerogative and Sovereignty issued this Writ to the Abbot and Convent of *St. Edmunds,* to grant a competent Corody to one of his ancient Servants answerable to his merits and condition during his life.

**R**EX dilecto sibi in Christo Abbati et Conventui de Sancto *Edmundo* salutem. Cum nuper per nostras literas vos rogaverimus pro dilecto Serviente nostro *Rogero le Ussher,* qui nobis à multis retroactis temporibus bene & fideliter deservivit, & cui in vitæ suæ necessariis juxta suorum exigentiam meritorum nondum providimus ut vellemus, quatinus ipsum *Rogeron* in domo vestra prædicta nostri intuitu admitteretis, cum duobus equis, et duobus garcionibus in biatu et vestitu, et aliis vitæ suæ necessariis honorifice quoad vixerit exhibend. literasque vestras sigillo vestro communi signatas super hoc sibi fieri faceretis; ac vos nobis rescripseritis suppli-

Claus. 31 E. 1. m. 9. dorso. Pro Rogero le Ussher.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B.5. ch.5*

*An. 31 E.1.* supplicando, ut cum domus vestra prædicta de quodam *Willielmo de Camera* serviente nostro ad consimilem rogatum nostrum onerata existeret, velimus vobis super hoc parcere ista vice; Nos onerationem illam pensantes, et præfato *Rogero* pro bono et diutino servicio suo in hujusmodi necessariis provideri corditer affectantes, Vobis iterato mandamus rogantes, quatenus eundem *Rogero* in domo vestra prædicta falsem cum uno equo et uno garcione admittere, & eis necessaria sua, juxta alterius mandati nostri continenciam exhibere velitis nostris precibus & amore, literas vestras sigillo vestro signatas sibi super hoc fieri facientes. Pro eo enim quod domus vestra prædicta per prædictum *Willielmum* ad nostri instantiam est, ut asseritis onerata, vos in recompensationem oneris illius, volumus de altero equo et altero garcione prædicti *Rogeri* in prioribus literis nostris contentis exonerari. Quid autem in præmissis duxeritis faciendum nobis per latorem præsentium rescribatis. Teste Rege apud *Kyncardyn* 17 die *Augusti*.

The King by his prerogative writing to the Prior and Covent of *Ely* for a Corody for the same *Roger Uffer*, received this excuse from them, by reason of their great expenses in the Court of *Rome*, (about the election of their Bishop) and other oppressions.

Bundela Bre-  
vium & Lite-  
rarum in Tur-  
London. An-  
no 31 E.1.

**M**agnifico Principi Domino E. Dei gratia Regi *Anglia* illustri sui per omnia devoti, Prior *Elyensis* & ejusdem loci humilis Conventus cum omni reverencia seipsum, et felices in Domino semper ad vota successus. Literas vestras pro *Rogero le Uffer* nuper nobis porrectas summo honore ut decuit recepimus. Quocirca Serenitati vestræ non sine cordis et spiritus lamentatione significamus, quod vestra *Elyensis* Ecclesia jam per varia causas et discrimina, tam in *Romana* Curia quam in *Anglia*, aliasque oppressiones multimodas, ad tantam hinc diebus vergit inopiam, quod propriæ sustentationi ejus non supererunt facultates; Propter quod vestræ petitioni pro dicto *Rogero* factæ ad præsens satisfacere non valemus; Regiam igitur celsitudinem, quæ afflictis more solito pio affectu compati consuevit, humiliter imploramus, quatinus nostram impotenciam in hac parte habere dignetur excusam, saltem donec facultas uberius se optulerit, ut ex hoc apud Deum vestrorum augeatur cumulus meritorum. Vitam et incolumitatem vestram ad regni vestri regimen conservat Altissimus per tempora diuturna.

What Protections the King granted to such who by his special license went to the Court of *Rome*, upon his, their Churches, or their own affairs this year, these Records inform us.

Pat. 31 E.1.  
m. 4. De pro-  
tectionibus.

**W**alterus de *Maydestan* persona Ecclesiæ de *Bukenhale*, qui cum *Waltero Count. & Lychf.* Episcopo profecturus est ad Curiam Romanam, habet literas de protectione per biennium dur. cum clausula, volumus et exceptis. Pres. &c. T.R. apud *Gildesford* 20 die *Januar.*

Ibidem.

**J**ohannes Prior de *Maresfye*, qui de licentia Regis profecturus est ad Curiam Romanam, habet literas Regis de protectione per biennium dur. Pres. &c. Teste Rege apud *Certesfye*, 27 die *Januar.* Per ipsum Regem.

The King issued this Writ for repayment of moneys borrowed by his Agent for his affairs in the Court of *Rome*, out of the Hanaper.

Ibid. m. 4. Pro  
Philippo Ge-  
rardun Mer-  
catore de So-  
cietate Spino-  
rum.

**R**EX Omnibus ad quos, &c. salutem. Cum dilectus Clericus noster Magister *Reymundus de Pinibus* nuper à *Fredolo Baudun* Mercatore *Lumbardia* sexaginta et duas marcas sterlingorum mutuo receperit, pro quibusdam negotiis nostris per ipsum *Reymundum* in *Romana* Curia prosequendis, de quibus idem *Reymundus* in Garderoba computavit, prout in quadam billa quam habet sub sigillo dilecti Clerici *Radulphi de Mantou* Coferarii nostri plenius continetur, & *Philippus Gerardun* Mercator. de *Societate Spinorum de Florentia* dictas sexaginta & duas marcas, præfato *Fredolo* pro nobis & dilecto Clerico se promiserit soluturum, promittimus quod eidem *Philippo* de prædictis sexaginta & duabus marcis citra festum *Pascha* proximo

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proximo futuro de exitibus Hanaperii nostri per manus Custodis ejusdem Hanaperii satisfieri faciemus. Ita tamen quod idem *Philippus* nos & præfatum Clericum nostrum, erga prædictum *Fredolum* penitus quietet de summa pecunie memorata. In cujus, &c. T. R. apud *Guldeford*. 20 die *Januarii*. Ar. 31 E. 1.

*Per Consilium.*

The King for the more expeditious, successfull promotion of his affaires in the Court of *Rome*, (where nothing was done gratis in that age) conferred a pension of 50 l. a year on a *Roman* Cardinal for his forepast, and encouragement for his future services of this kind.

**R**EX omnibus ad quos, &c. salutem. Qui sinceræ affectionis serbo et græ-  
tuitæ benevolentia studio nostris utilitatibus procurandis inbigilant et in-  
stunt, dignum duximus, et naturali consonum esse nobis æquitati, ut eis mu-  
tæ beneficentia beneficia rependamus. Attendentes igitur Venerabilis patris  
Domini *Gentilis* titulo Sancti *Martini* in *Montibus* Presbyteri Cardinalis amici no-  
stri charissimi, circumspiciam industriam et sollicitudinem operosem quæ in no-  
stris negotiis in sancta *Romana* Curia promovendis, hactenus adhibuit, eumque ad-  
hibiturum speramus, Deo propitio in futur. pensionem annuam quinquaginta *Par-*  
rarum *Sterlingorum*, ad *Decem* nostrum percipiend. ad duos anni terminos,  
videlicet, in festis *Pasche*, et Sancti *Michaelis*, per æquales portiones sibi duximus  
tenore præsentium concedendam. In cujus, &c. Teste Rege apud *Odyham* 11.  
die *Januarii*.

Par. 31 E. 1.  
m. 41. inus.  
De pensione  
concessa Car-  
dinali.

*Per ipsum Regem.*

The King out of his piety and charity granted this Protection for 5. years for the Freers of the Hospital of the Holy Spirit in *Rome*, to collect Alms throughout *England* once every year, desiring all Archbishops, Bishops, and others to assist them therein, and all Officers to apprehend all false counterfeit Collectors of their Alms.

**R**EX Archiepiscopis, Abbatibus, Prioribus, & omnibus Ballivis & alijs Christi-  
fidelibus in *Anglia* ad quos præsentis literæ pervenerint salutem. Cum *Do-*  
minus *Papa* dilectis nobis in Christo Magistro & fratribus Hospitalis Sancti *Spiri-*  
tus *Rome* duxerit indulgend. quod semel in Anno recipiantur in Ecclesiis ad colligendum  
Elemosinas, propter quod ipsi ad loca diversa pro Elemosinis suis colligen-  
dis accedunt. Nos dilectum nobis in Christo fratrem *Algucium* Custodem Do-  
mus de *Wristle*, qui est Cella Hospitalis prædicti, generalem Attornatum Magistri  
& fratrum prædictorum, et alios Attornatos quos sibi substituere voluerit homines,  
terras, res, redditus, et omnes possessiones suas suscepimus in protectionem et de-  
fensionem nostram specialem; Vobis Ballivis nostris præcipientes, quod manue-  
neatis; protegatis & defendatis prædictum fratrem *Algucium* & substitutos ejusdem;  
necnon homines, terras, res, redditus, & omnes possessiones eorundem, non in-  
ferentes seu inferri permittentes, eisdem injuriam, molestiam, dampnum aut grava-  
men, &c. Vos etiam Prælatos rogamus, quatenus cum idem frater *Algucius* aut  
prædicti Hospitalis Attornati per ipsum fratrem substituti ad loca vestra pro hu-  
jusmodi Elemosinis colligendis accesserint, benignè in Ecclesiis vestris recipientes  
eosdem, ipsos in eisdem Ecclesiis vestris admonere populum, et Elemosinas libere  
querere permittatis; et eisdem fratri *Algucio* et alijs Attornatis ad hujusmodi Ele-  
mosinas in Diocesibus sic deputatis colligendas, literas vestras convocatorias libe-  
raliter concedere velitis; Ita quod à Deo meritum & a nobis grates reportare de-  
beat speciales; Et quia intelleximus, quod quidam malevoli advocantes se per  
Magistram et fratres Hospitalis prædicti Elemosinas colligunt & recipiunt nomi-  
ne ipsorum licet ad hoc per ipsos potestatem non habeant; Nos hujusmodi mali-  
tiam reprimere cupientes, vobis Ballivis nostris præcipimus, quod ipsos malevolos  
cum per vos transitum fecerint, prout rationabiliter fuerit faciendum, arrestari  
faciatis, donec aliud inde præcipimus, seu ipsi malevoli de hujusmodi competentes  
emendas fecerint, prout alias in casu consimili fieri consu. vit. In cujus, &c. per  
quin-

Par. 31 E. 1.  
m. 44. De Pro-  
tectione pro  
fratribus Hos-  
pit. S. Spiritus  
Romæ.



K. Edward 1. *An Exact History of Popes Intolerable Usurpations, B. 5. ch. 5.*

An. 31 E. 1. quinquennium duratur. Teste Rege apud *Marlebergh*. octavo die *Decembris*.  
Per breve de Privato Sigillo.

The King also granted this Protection to the Vicar General of the Freers *Carmelites*, sent into *England* to visit those of his Order.

Pat. 31 E. 1.  
m. 39. intus.  
De protectione  
pro Fratribus  
de Monte Car-  
meli.

**R**EX omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Sciatis quod cum dilectus nobis in Christo Prior generalis Ordinis beate *Maria de Monte Carmeli* jam miserit in *Angliam* dilectum nobis Fratrem *Willielmum Pagain de Hantburgh* ejusdem Ordinis Vicarium suum generalem, ad fratres et domos *Ordinis illius ibidem juxta ejusdem Ordinis regulam visitandos*, Nos ad requisitionem dicti Prioris, prefatum Fratrem *Willielmum* ceterosque confratres suos in comitiva sua ratione Visitationis predictæ existentes, in protectionem et defensionem nostram suscepimus specialem. Et ideo vobis mandamus, quod ipsum Fratrem *Willielmum* & confratres suos predictos in comitiva sua existentes, manuteneatis, protegatis & defendatis, non inferentes eis, vel quantum in vobis est inferri permittentes, injuriam, molestiam, dampnum aliquod vel gravamen. Et si quid eis forisfactum fuerit, id eis sine dilatione faciatis emendari. In cujus, &c. per biennium duratur. Teste Rege apud *Guldeford* 20 die *Januarii*.

Per ipsum Regem, & breve suum de Privato Sigillo.

Two Freers Predicants turning Apostates and deserting their Order this year, the King upon certificate thereof issued this Writ for their apprehending and punishment.

Pat. 31 E. 1.  
m. 33. intus.  
Pro Fratribus  
vagabundis  
arrestandis.

**R**EX Vicecomitibus & omnibus aliis Ballivis suis ad quos, &c. salutem. Quia per Religiosum Fratrem *Thomam de Forz* Priorem Provinciale Ordinis Fratrum Predicatorum in *Angl.* intelleximus, quod Frater *Robertus de Kenyngton*, & Frater *Benedictus de Offord* professi in Ordine predicto, habitu Religionis suæ rejecto, & professione sua contempta prefatum Ordinem temerè sunt egressi, & per varios Comitatus regni nostri in animarum suarum dispendium, & predicti Ordinis scandalum non modicum dampnabiliter evagantur; volentes ipsorum insolentiam reprimere, & Fratribus dicti Ordinis specialiter subvenire: Maxime cum ipsis per litteras Apostolicas sit indultum, quod hujusmodi Apostatas capere, ligare et incarcerare valeant, seu alias subdere disciplinæ rigori, ubicunque eos contigerit inventi: Vobis distictè præcipimus, quod predictos Fratres *Robertum* & *Benedictum* ubicunque in Ballivis vestris eos inveneritis, prout Prior Provincialis vel quicunque Prior Conventualis predicti Ordinis vobis intimaverit, salva temper immunitate Ecclesiæ faciatis sine dilatione qualibet arrestari, et eosdem Prisonibus aut eorum alicui liberari. Talem ad hoc diligentiam apponentes quos vos exinde debeamus merito commendare, & quod propter vestri defectum nulla super hoc ad nos querimonia deferatur. In cujus, &c. Teste Rege apud *Cestreburne* 14 die *Marci*.

Per ipsum Regem nunciante J. de Benstede.

The King issued these Writs for the restitution of the Temporalities of the Bishop of *Ely*, and Abbot of *Waltham*, confirmed by the Pope.

Pat. 31 E. 1.  
m. 39 intus.  
De restituti-  
one temporal.

**R**EX dilectis & fidelibus suis *Roberto Hereward* & *Johanni de Ditton* custodibus Episcopatus *Elyen*. sede vacante, salutem. Cum Dominus *Bonifacius Summus Pontifex* dilectum nobis in Christo Fratrem *Robertum* nuper Priorem *Elyen*. in Episcopum *Elyen*. præfecerit & pastorem, sicut per litteras ipsius Summi Pontificis bullatas nobis inde directas plenius nobis constat: Nos præfectionem illam acceptantes, cepimus fidelitatem ipsius *Roberti*, & temporalia Episcopatus predicti, prout moris est, restituimus eidem. Et ideo vobis mandamus, quod eidem *Roberto* temporalia Episcopatus predicti sine dilatione liberetis, sicut prædictum est. Teste Rege apud *Wyndesf.* 4 die *Febr.*

Et mandatum est Militibus, &c. In cujus, &c. Teste Rege ut supra.

REX

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**R**EX dilectis & fidelibus suis *Roberto Hereward & Johanni de Ditton* nuper custodibus Episcopatus *Elyensis* sede vacante, salutem. Cum nos quarto die *Febr.* proximo præterito, præfectionem per Dominum *B. Summum Pontificem* factam, de venerabili patre *Roberto* Episcopo *Elyensi* nuper Priore *Elyensi* in Episcopum illius loci acceptantes, cepimus fidelitatem ipsius *Roberti*, & temporalia Episcopatus illius eidem restituerimus, ut est moris; vobisque mandaverimus, quod eidem *Roberto* temporalia Episcopatus prædicti sine dilatione liberaretis, ac vos ipsum exitus temporalium Episcopatus prædicti à prædicto quarto die *Febr.* percipere & habere non permittitis, ut accepimus, de quo miramur; vobis mandamus, quod ipsum Episcopum exitus temporalium Episcopatus prædicti ab eodem quarto die *Febr.* plenarie percipere & habere permittatis: Et si quid inde post eundem diem perceperitis, id eidem Episcopo sine dilatione liberetis; Et hoc nullatenus omittatis. Teste Rege apud *Morpeth* 9 die *Maii*.

An. 31 E. 1.

Claus. 31 E. 1.  
m. 11. Pro  
R. Episcopo  
Elyensi.

**R**EX omnibus liberis hominibus, & omnibus aliis tenentibus de Abbate de *Waltham*, salutem. Cum Summus Pontifex dilectum nobis in Christo *Johannem de Badburgham* electum in Abbatem Sanctæ Crucis de *Waltham*, cui prius Regium assensum adhibuimus et favorem, ejusdem Ecclesiæ in Abbatem præferebat et Pastorem, sicut per literas dñi Summi Pontificis bullatas accepimus, nos præfectionem illam acceptantes, cepimus fidelitatem ejusdem *Johanni*, & temporalia Abbatii prædictæ, prout moris est, restituiimus eidem. Et ideo vobis mandamus, quod eidem *Johanni* tanquam Abbati & Domino vestro in omnibus quæ ad Abbatiam prædictam pertinent, intendentes sitis & respondentes, sicut prædictum est. In cujus, &c. Teste Rege apud *Wyndesore* 6 die *Febr.*

Pat. 31 E. 1.  
m. 38. Pro  
Abbate de  
Waltham  
Sanctæ Crucis.

What Elections were made, Royal assents given, and restitutions of Temporalities granted by the King this year of and to Bishops, Archbishops, and others in Ireland, by the Kings Letters Patents, these Records will best inform us.

**R**EX Postulationi nuper factæ in Ecclesia Cathedrali *Clonen*, de discreto viro Fratre *Dovenaldo Obruyn* Gardiano Fratrum Minorum de *Killish*, in Episcopum *Clonen*, Regium assensum adhibuit et favorem: Et hoc significatum est venerabili patri *N. Archiepiscopo Ardmach.* ut quod suum est in hac parte exequatur. In cujus, &c. Teste Rege apud *Wylgtreby* 14 die *Aprilis*.

Pat. 31 E. 1.  
m. 10. De  
assensu Regio.

Per breve de Privato Sigillo.

**S**anctissimo in Christo patri Domino *B.* divina providentia Sacrosanctæ *Romana* ibidem. ac Universalis Ecclesiæ Summo Pontifici, *Edwardus* ejusdem gratia Rex *Anglia*, &c. devota pedum oscula beatorum. Sciat vestra paternitas reverenda, quod cum dilecti nobis in Christo Decanus & Capitulum *Ardmach.* in *Hybernia* nuper per mortem bonæ memoriæ *N.* quondam Archiepiscopi illius loci, petita a nobis prout moris est licentia alium sibi eligendi in Archiepiscopum, et optenta, discretum virum Fratrem *Michaellem* Lectorem Fratrum Minorum de *Ardmach.* in suum postulaverint Archiepiscopum & Pastorem, nos postulationi illi Regium assensum adhibuimus et favorem; Et hoc vestræ Sanctitati innotescimus per præsentem, ut quod vestrum est in hac parte exequi dignemini cum favore. In cujus, &c. Dat. apud *Dunde* in *Scotia* 20 die *Octobr.*

Per breve de Privato Sigillo.

**R**EX dilecto & fideli suo *Waltero de la Hays* Escaetori suo in *Hibernia*, salutem. Cum vicesimo quarto die *Octobris* anno regni nostri Tricesimo, electioni nuper celebratæ in Ecclesia Cathedrali *Ossoren.* de discreto viro Magistro *Willielmo* filio *Johannis* Canonico ejusdem Ecclesiæ in Episcopum illius loci, Regium assensum adhibuimus et favorem; & hoc venerabili patri *R. Archiepiscopo Dublin.* per nostras patentes literas significaverimus, ut quod suum esset exequeretur in hac parte; ac etiam per alias literas nostras patentes dederimus potestatem dilecto & fideli nostro *Johanni Wogan* Justic. nostro *Hibern.* quod si contingeret dictam electionem per præfatum Archiepiscopum canonice confirmari, & sibi per literas patentes

Claus. 31 E. 1.  
m. 12. Pro  
Episcopo Ossoren  
ensi Hibern.



**An. 31 E. 1.** patentes ipsius Archiepiscopi inde constaret, tunc accepta ab eodem Electo fidelitate in casu illo nobis debita, temporalia Episcopatus prædicti eidem Electo liberaret illa vice, sicut per inspectionem Rotulorum Cancellariæ nostræ nobis constat: Ac licet idem Justic. virtute potestatis hujusmodi post dictam electionem sic confirmatam, fidelitatem prædicti Episcopi diu ante festum Pascha prox. præteritum ceperit, & literas nostras patentes sub sigillo quo utimur in Hibernia de dictis temporalibus sibi restituendis vobis direxerit, ut est moris; vos nichilominus ipsum Episcopum exitis provenientes de temporalibus Episcopatus prædicti post datam dictarum literarum nostrarum vobis super hoc directarum, percipere & habere non permittitis, in ipsius Episcopi dampnum non modicum & gravamen, sicut ex parte ipsius Episcopi nobis est ostensum. Et quia ipsum Episcopum nolumus in hac parte indebitè prægravari, vobis mandamus quod si ita est, tunc eidem Episcopo exitis de temporalibus Episcopatus prædicti post datam literarum nostrarum vobis directarum, ut prædictum est, provenientes, & per vos perceptos liberari & habere faciatis. Ita tamen quod idem Episcopus de sumptibus & misis, si quos ante datam earundem literarum in terris Episcopatus prædicti seminandis, vel alio modo nostro nomine posueritis, nobis respondeat ut debet. Teste Rege apud Morpash 9 die Maii.

Pat. 31 E. 1.  
m. 33. De licentia eligendi

**A**dam de Roches nuncios Regi mortem bonæ memoriæ A. nuper Episcopi Elfinen. in Hibern. habet literas Regis de licentia eligendi. In cujus, &c. Teste Rege apud Westm. 8 die Martii.

Ibid. m. 19.  
De assensu Regio.

**R**EX venerabili in Christo patri — eadem gratia Archiepiscopo Tuamen. salutem. Sciatis quod electioni nuper celebratæ in Ecclesia Cathedrali Elfinen. de discreto viro Fratre Donato Abbate de Buell Cisterciensis Ordinis in Episcopum Elfinensem, Regium assensum adhibuimus et favorem; Et hoc vobis tenore præsentium significamus, ut quod vestrum est in hac parte exequamini. In cujus, &c. Teste Rege apud Villam Sancti Johannis de Perth 28 die Junii.

Ibidem.  
De potestate data Justic. Hibern. restituendi temporalia in Hiber.

**R**EX dilecto & fideli suo Johanni Wogan Justic. suo Hibern. salutem. Cum nos electioni nuper celebratæ in Ecclesia Cathedrali Elfinen. de discreto viro Fratre Donato Abbate de Buell Cisterciensis Ordinis in Episcopum Elfinensem, Regium assensum adhibuerimus et favorem; Et hoc venerabili patri — Archiepiscopo Tuamensi per nostras patentes literas significaverimus, ut quod suum est in hac parte exequatur, volentes ipsius Electi laboribus & expensis in hac parte parcere ista vice, concessimus eis de gratia nostra speciali, et vobis dedimus potestatem, &c. Acceptis tamen, &c. In cujus, &c. Teste ut supra.

Per breve de Privato Sigillo.

Ibid. m. 31.  
De licentia eligendi.

**G**ilbertus de Clobon Canonicus Fynnaboren. nuncios Regi mortem bonæ memoriæ S. quondam Episcopi Fynnaboren. habet literas Regis de licentia eligendi. In cujus, &c. Teste Rege apud Ware 16 die Martii.

Per breve de Privato Sigillo.

Ibid. m. 10.  
De potestate data Justic. Hibern. restituendi temporalia in Hiber.

**R**EX dilecto & fideli suo Johanni Wogan Justic. suo Hibern. salutem. Cum dilecti nobis in Christo Decanus & Capitulum Fynnabor. post mortem bonæ memoriæ S. nuper Episcopi illius loci, petita a nobis prout mortis est licentia alium sibi eligendi in Episcopum, et optenta, ad electionem de futuro Episcopo processissent; & David Præcentor, Johannes Thesaurarius, Karolus Archidiaconus, Tsaak Cancellarius, Benedictus, Mattheus, Thomas & Maur. dictæ Ecclesiæ Fynnabor. Canonici, dilectum nobis in Christo Magistrum Maur. Obryen, itemque ejusdem Ecclesiæ Confratres & Concanonici, Decanum ejusdem Ecclesiæ in Episcopum illius loci in discorsia elegerint, & Officialis Decani & Capituli Cassel. custodum Spiritualitatis Archiepiscopatus Casselensis sede vacante, autoritate eorundem Decani & Capituli Cassel. examinatis vicis electionibus diligenter, electionem factam de prædicto Decano cassaverit jure ordine in omnibus observato, sicut tam per literas ipsorum Decani & Capituli Cassel. quam prædicti Officialis literas patentes nobis inde directas plenius nobis constat; Ac nos ad requisitionem prædictorum

Præ-

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Præcentoris, Theſaur. Archid. Cancellar. *Benedicti, Matthæi, Thomæ & Maur. An. 31 E. 1.*  
 electioni factæ de prædicto Magistro *Obryen* in Episcopum loci illius, ut prædictum  
 est, quantum in nobis est Regium assensum adhibuerimus et favorem; & hoc  
 præfatis Custodibus per nostras patentes literas significaverimus, ut quod suum est  
 in hac parte exequantur; Volentes ipsius Magistri *Mauricii Obryen* laboribus &  
 expensis in hac parte parcere ista vice, concessimus, &c. Acceptis tamen prius, &c.  
 In cujus, &c. Teste Rege apud *Kyndrowyn* 8 die Octobr.

*Per breve de Privato Sigillo.*

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hib. rn.* salutem. Cum dilecti  
 nobis in Christo Prior & Conventus de *Antro Sancti Fynbarr.* Diocæs. *Cork.*  
 nobis per literas suas patentes significaverint, quod Abbatia sua prædicta per mor-  
 tem bonæ memoriæ *J.* nuper Abbatis illius loci, Pastoris est solatio destituta, sup-  
 plicantes nobis prout moris est, quod licentiam sibi alium eligendi in Abbatem eis-  
 dem concedere dignaremur; ac nos precibus eorundem Prioris & Conventus in  
 hac parte favorabiliter inclinati, licentiam illam eis duximus concedendam;  
 mandantes, quod talem sibi eligant in Abbatem, &c. Nos eorundem Prioris &  
 Conventus laboribus & expensis in hac parte parcere volentes ista vice, concessimus  
 eis de gratia nostra speciali, et vobis dedimus potestatem ista vice, quod facta  
 electione prædicta, &c. Acceptis tamen prius, &c. In cujus, &c. Teste Rege apud  
*Rokesburgh* 21 die Maii.

*Per breve de Privato Sigillo.*

**S**ANCTISSIMO in Christo patri Domino *B.* Divina providencia Sacrosanctæ *Romana*  
 ac universalis Ecclesiæ Summo Pontifici; *Edwardus* ejusdem gratia, &c. devo-  
 ta pedum oscula beatorum. Sciatis vestra paternitas reverenda, quod electioni nu-  
 per celebratæ in Ecclesiâ Cathedrali *Cassell.* de discreto viro Magistro *Mauricio* Ar-  
 chidiacono *Cassellensi* in Archiepiscopum illius loci, Regium assensum adhibuimus  
 et favorem; Et hoc vestræ Sanctitati tenore præsentium significamus, ut quod ve-  
 strum est in hac parte, exequi dignemini cum favore. In cujus, &c. Dat. apud  
*Rokesburgh*, 17 die Maii.

*Per breve de Privato Sigillo, dupp.*

The King out of his free grace assenting to the election of this *Maurice* Arch-  
 bishop of *Cassell*, without any knowledge of his person, or testimony of any of his  
 Loyal Subjects from thence, made this publike obligation, promise and oath for his  
 fidelity to the King and his heirs, in case the Pope should confirm his Election, ra-  
 tified with his Seal, the original whereof I found in the White Tower.

**U**NIVERSIS Christi fidelibus ad quorum noticiam præsentis literæ pervenerint,  
*Mauricius* Archidiaconus Ecclesiæ *Cassellensis* Electus in Archiepiscopum Ec-  
 clesiæ prædictæ salutem. Cum excellentissimus Princeps et Dominus meus Do-  
 minus *Edwardus* Dei gratia Rex *Angliæ* illustris, Dominus *Hiberniæ*, & Dux *Aqui-  
 taniæ*, Electioni prædictæ de me factæ, nulla prius per ipsum habita noticiâ de per-  
 sona mea, nec aliquo testimonio fidelium suorum in partibus *Hiberniæ* existentium  
 inde recepto, Regium assensum adhibuerit et favorem, de sua gratia speciali; Pro-  
 mitto & obligo me per præsentem, & nichilominus corporale præstiti juramentum,  
 quod si contingat me in Archiepiscopum Ecclesiæ prædictæ per Dominum Summum  
 Pontificem admitti et etiam consecrari, fidelis ero dicto Domino Regi et regno  
 suo, et maxime terræ suæ *Hiberniæ*, et antequam temporalia Archiepiscopatus præ-  
 dicti michi restituantur, bonam et sufficientem securitatem inveniâmi eidem Regi,  
 quod fidelitati suæ et hæredum suorum semper constanter et firmiter adharebo, quod-  
 que pax sua vel hæredum suorum in dictis partibus *Hiberniæ* per me vel per meos,  
 vel per procuratorem meum, seu etiam consilium meum aut iudicem, nullatenus  
 impediatur, set quod pacem ipsius Regis et hæredum suorum in partibus prædictis  
*Hiberniæ* semper per me et meos manutenebo pro viribus et fovebo. In cujus rei  
 testimonium has literas meas patentes Sigilli mei munimine roboravi. Dat. apud  
*Eborum* 14 Kal. Junii, anno ab Incarnatione Domini 1303. Regni vero Regis  
 prædicti Tricesimo primo.

\* Claus. 31 E.  
 1. m. 11. dor-  
 so. & Bundels  
 Brevium &  
 Literarum in  
 Turri London.  
 An. 31 E. 1.



An. 31 H. 1.

Pope *Benedict* the 10. having confirmed the election, and consecrating the person of *Maurice* Archbishop of *Cassil*, by whose consecration the Archdeaconsry of *Cassil* which he formerly held, became voyd, the Pope thereupon pretending it belonged to his donation, conferred the Archdeaconsry by his Papal provision upon *Thomas Olenxy*, and his Prebendary in that Church upon one *Peter*, usurping on the Kings right and prerogative, to whom the donation of the Archdeaconsry & Prebendary of right belonged, by reason of the vacancy of the Archbishoprick. This *Thomas* and *Peter* procured the Popes Letters, to put them into a actual possession of the Archdeaconsry and Prebendary, under several penalties and Ecclesiastical censures; but afterwards understanding, that the right of conferring them was only in the King, and that they could not gain possession thereof by the Popes Letters; they thereupon publicly renounced all their right and interest therein by vertue of the Popes Provisions and Letters, by these two original Instruments which I found in the *White Tower* Chappel, worthy observation.

\* Bundela Bre-  
vium & Lite-  
rarum, An. 31  
& 32 E. 1. in  
Turre Lon-  
don. Hibernia.

**I**N Nomine Domini Amen. Cum jam Sanctissimus in Christo Pater Dominus *Benedictus* Sanctæ Romanæ & Universalis Ecclesiæ Summus Pontifex, venerabili Patri Domino *Mauricio* nunc Archiepiscopo *Cassellensi* in ipsius *Sedis* Archiepiscopum dudum Electo, sede ipsa vacante, apud sedem Apostolicam munus consecrationis impenderit, ac per ipsam consecrationem Archidiaconatum *Cassellensem* quem idem *Mauricius* usque ad eandem consecrationem tenuit, adhuc temporalibus Archiepiscopatus ejusdem cum advocacionibus dignitatum, personatum, præbendarum et Rectoziarum Ecclesiarum, quæ sede plena ad loci Archiepiscopum pertinent, in manibus Excellentissimi Principis, Domini *Edwardi* Dei gratia Regis Angliæ, Domini *Hiberniæ*, & Ducis *Aquitaniæ* existentibus, mihi *Thoma Olenxy* ipsum Archidiaconatum *Cassellensem* contulerit, credens idem Summus Pontifex ad ipsum *Ius* Collationis hujusmodi pertinere debere, cum ad ipsum nullo modo pertineat in hac parte, datis super hiis literis executionis ab eadem sede Apostolica directis, scilicet .... Priori de *Fullinis* *Spolitane* Diocesis, ac Decano de *Fyibred*, & *Nicholao Florincii* Diocesis ad me *Thomam* inducendum in possessionem Archidiaconatus prædicti cum Juribus et pertinentiis universis, sub penis et censuris Ecclesiasticis expressis in ipsis, cum cæteris clausulis consuetis. Animadvertens postmodum ex circumspectione consilii sanioris, quod ad ipsum Dominum Regem tempore vacationis hujusmodi et non ad alium spectat hujusmodi Archidiaconatus collatio in hac parte, et quod per collationem ipsius Summi Pontificis ipsum Archidiaconatum nec ipsius possessionem possem de Jure nancisci aliquammodo nec habere, unde ego *Thomas* prædictus omni mihi jure competenti vel quod mihi competere poterit ad dictum Archidiaconatum, seu quibuscumque executionibus, processibus, prosecutionibus, inductionibus et possessionibus habitis et habendis occasione collationis ejusdem, renuncio in hiis scriptis, et protestor hanc meam renunciationem velle per omnem jurisdictionem dicti Archidiaconatus innobare, et pro Jure Regio in hac parte publice protestari.

In eadem Pundela An. 32  
E. 1.

**I**N Nomine Domini Amen. Cum jam Sanctissimus in Christo Pater Dominus *Benedictus* &c. (verbatim as before, usque cum cæteris clausulis consuetis.) Et ob hoc idem Magister *Thomas* quandam præbendam quam in eadem Ecclesia *Cassellensi* optinuerit, in manibus ipsius Papæ renunciaverit, et mihi *Petro Matthæi Mac-Kynyleam* per ipsum Summum Pontificem conferri procuraverit atque dari, ceteris super hoc executionibus cum literis executionis deputatis. Animadvertens postmodum ego *Petrus* prædictus ex circumspectione consilii sanioris, quod ad ipsum Dominum nostrum Regem tempore vacationis hujusmodi, et non ad alium spectat hujusmodi præbendæ collatio in hac parte, et quod per collationem ipsius Summi Pontificis ipsam præbendam nec ipsius possessionem possem de Jure nancisci aliquammodo nec habere; unde ego prædictus *Petrus* omni Juri mihi competenti, vel quod mihi competere poterit ad dictam præbendam, seu quibuscumque executionibus, processibus, prosecutionibus, inductionibus et possessionibus habitis et habendis occasione collationis ejusdem, renuncio in hiis scriptis, et protestor hanc meam renunciationem velle per *Diocesium Cassellensem* ubilibet innobare, et super Jure Regio in hac parte publice protestari. In quorum omnium testimonium sigillum meum

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meum apposui huic scripto apud *Strivelyn*. 24. die mensis *Julii*, Anno Domini *An. 31 E. 1.* 1304. et regni Domini nostri Regis prædicti 32.

One of the Kings miners in *Ireland* having killed a man, and the rest of them being afterwards beaten, assaulted, their mines filled and broken down, and some of them excommunicated and vexed for beating of a Chaplain in their own defence, so that they were enforced to quit the mines, and give over working, made this complaint thereupon to the Treasurers and Barons of the Kings Exchequer in *Ireland*, who transmitted it into *England*; whereupon the King ordered Commissioners of *Oyer and Terminer* to examine the business, and do them right, as this Original Complaint thereof (I found in the *White Tower*) demonstrates.

**A** Leur treschiers Seigneurs, Tresorier nostre Seigneur le Roy, et al Barons del Escheker, les Minours en *Dirland* salut, et chieres amitez. Sires une aventure avynt es parties de la *Minere* le mekerdy prochain devant le Seynt *Luk*, que une homme de pais esteit tue par un Minour, le quel senfust meynenant, et autres ovesques luy qui furent en la compaignie pur pour du pays coment quil esteient assentauntz ou noun, et Sire *Renaud de Ferrers* pria nostre Gardeyn quil assignast gent por chercher la Minere, et il le sefoit issint souz terre & desus, et en nos mesons et por tut en la presence Sire *Renaud* et de tute la gent de la terre, qui furent maunde de devenir por le homicide attacher. Et quant il ne les poient trouver seu alerent. E puis vyndrent *Willame* le fuiz le dit Sire *Renaud*, *Andreu Misde*, *Robert Coffyn*, *Guy le Brit*, *Johan le Forester*, *Simon de la Hole*, et autres plusors de gentz Sire *Renaud* noctantre sur la mynere armez, et briserent nos us & entroient us es peyes trectes sauntz aucun baillyf, et nous mistrent touz en effrai qui denioms overror lendemayn, et puis alerent as fosses et getterent leyn et grosses peres, et ont rompuz le merim qui sostynt la Minere et ont fause le overaigne en plusors lieux la ou ele esteient mieux reparillee, et issint vyndrent de nuit en autre par mesme le contenance, onques puis ne oseroms landroit bien entrer les overaignes ne profiter pur le Roy ne pur nous, qe la ou nous solioms aver en ceu soul lieu ou il sefoient tien derrai aucune semayne xxx lades de mine et pluys, nous ne avioms onques puis que 4. lades et 6. esquieles, a grant damage du Roy et arerissement des overaignes. E sur ce nous manasent et dient apertement que si nul de nous viengne, nulle part a faire ne a marche, que nous serrioms issint batuz que jammays bone overaigne ne froms en Miniere ne ailleurs: par quoi plusors de nous Minours se vient retrere et aler por pour quil ne osent demorret en pays. Et issint sumus nous touz maumenez et malement desturbez por le coupe de celuy qui seu est sui, et en autre manere que en due. D'autre part sires avynt nadguerres que Sire *Willems Glise* le Chapeleyn parrochiel de *Byr*, vynt a une taverne sus la minere entre aucuns des nous minours et autre gent du pays, & moveit content entre luy et nous Mynours, et seut batu, issint qil aboit la teste bzise et geust contrelit bone pite. Et nostre Gardeyn quant ce oy, dire, tendi de nous chassier et faire bones amendes si il serroit trove si nous fusoums en coupe, car ceux qui la furent et qui la chose virent disoient que les Minours le ferrent eaux defendaunt, mais le Chapeleyn ne voleit mpe a ce assenter, eyus aletant le persone Sire *Walter de Ferrers* et le Chapeleyn en manere de vengeance corpozale, et tant purcharent que les sefoient touz escumenger obe les communiantz, et lors demozramus nous udyfz sauntz rien esexploiter long temps, que nous ne entraums mpe souz terre en tiel estat, et nous ont issint chacez paz tieux durefces qe aucuns des weilours de nous minours senalerent en leur pays, a grant arerissement des overaignes. Dont Sires si vous plet voillez sur les dites choses mettre remede et conseil, issint que eaux ne autres ne mespzeignent de vers les oberours le Roy de taunt pluys hardiement en temps abenir, si ses trespass soient despuniz. A Dieu Sires qui vous gard touz jours. Escrites a la Minere Seynt *Simon* & Seynt *Jude*.

*Dorso.* Allignentur *Gilbertus de Knowwill* & *Thomas de la Hyde* ad audiendum & terminandum transgressionem prædictam per prædictos infrascriptos & alios Regis (minerariis) in dicta minera factam.

The King also this year granted this License for an Alienation in *Mortmain* in *Ireland*. 6 O 2 REX

\* *Rundela Brivium & Litarum Anno 31 E 1.*



An. 31 E. 1.

Pat. 31 E. 1.

m. 16. Hiber.

Pro Waltero

de Hibernia

Clerico.

**R**EX omnibus ad quos, &c. salutem. Licet de Communi Consilio regni nostri statuerimus, Quod non liceat viris Religiosis seu aliis ingredi feodum alicujus ita quod ad manum mortuam deveniat, sine licentia nostra & Capitalis Domini de quo res illa immediate tenetur; per finem tamen quem *Walterus de Hibernia* Clericus fecit Nobiscum coram tenente locum, Thes. nostro & Baronibus nostris de Scaccario, concessimus, & licentiam dedimus, quantum in nobis est, eidem *Waltero*, quod ipse unum messuagium, & unam carucatam terræ, unâ cum pertin. in *Done* dare possit & assignare cuidam Capellano divina in Ecclesia de *Done* singulis diebus, pro anima ipsius *Walteri*, & animabus antecessorum suorum celebraturo. Habend. & tenend. eidem Capellano & successoribus suis Capellanis in Ecclesia prædicta celebraturis, de Capitalibus Dominis feodi illius per servicia inde debita & consueta imperpetuum, & eidem Capellano, quod ipse prædicta messuagium & terram cum pertin. a præfato *Waltero* recipere possit & tenere, sibi & successoribus suis prædictis imperpetuum, sicut prædictum est, tenore præsentium similiter licentiam dedimus specialem; Nolentes, quod idem *Walterus* vel hæredes sui, aut prædictus Capellanus vel successores sui prædicti ratione Statuti prædicti, per nos vel hæredes nostros, Justic. Esc. Vic. seu Ministros nostros quoscunque inde occasionentur in aliquo seu graventur. In cujus, &c. Teste Rege apud *Beverlacum* 21. die *Aprilis*.

\* Thomas  
Walsingham,  
Hist. Angl. p.  
62.

\* Here, p. 896,  
897, 900, 936.

An. 31 E. 1. the French King to conclude a Peace with K. Edw. was willing to leave the Scots out of the Treaty, \* banish them out of France, and to deliver him possession of *Gascogne*; whereupon the King issued two Patents or Commissions, the one to *John Bishop of Worcester*, *Ames Earl of Savoy*, *Henry de Lacy Earl of Lincoln*, and *Otto de Grandison*, or any 3. or 4. of them; dated 2. die *Marci*, Anno r. n. 31. apud *Huntingdon*; the other to the three last or any two of them, dated apud *Odyham* 10 die *Januarii*, Anno Dom. 1303. & regni nostri 31, to prorogue the Truce between him, the King of France, their kingdoms and Subjects, and to settle a firm and perpetual Peace between them, their heirs and successors, against all persons but the Church of *Rome*, agreeing in form with those \* premised; who thereupon treating with the Dukes of *Burgoyne*, of *Brittain*, and other Commissioners of the King of France, concluded a firm peace between them and their Realms; the close whereof I shall only insert, out of a special Roll of the Patents, Procurations, and Peace then concluded and ratified, which I found in the *White Tower*.

**N**ous *Edward Roi D'Angleterre* abaundit, eauntz regard a grantez biens et profitsz qe viennent del accord et del amitie de Rois et de Princes, et especialment a grant abancement qe porra avenir a la busoigne de la Terre Sainte, les avant-ditz treitie & accord, daliaunce & damiste, et totes les autres choses es dites lettres contenues, et chescun de ses por nous, & por nos heirs, et por noz successors volons, looms, ratifions, agreeons et approvons, et por ces presentes lettres confirmons, & en l'alme de nous les avoms fait jurez la Gardere fermement tenir. En tesmoignance de qe chose nous avoms fait faire cestes nos lettres overtes sealees de nostre Seal. Done a la Ville de *Seint Johan de Perth* in *Escocce*, le disme jour de *Joignes*, l'an de Grace Mil trois Centz & trois, & de nostre Regne 31.

*Matthew Westminster*, and *Walsingham*; render us this account of this Peace then ratified; \* Anno Dom. in festo Sanctæ & individua Trinitatis, pax diu desiderata inter duo regna, primò in Francia, postea in Anglia publicatur. Sub quo tempore restituta est Regi Angliæ *Walsconia*, cum omnibus juribus suis & libertatibus, sub forma qua prius ante initium belli hujus eam tenebat. b Rex Francorum timens ob destinationem *Walsconie* injustam, a Rege Angliæ per Dominum Papam ad hoc obligato guerram parari; ut ejus amicitiam sibi compararet, quicquid in *Walsconia* in manu sua tenebat, eidem sponte gratisque restituit, prout videbatur ignorantibus veritatem. Which peace was much promoted by the great overthrows and defeats of the French in *Flanders*; whereof *Matthew Westminster* renders us this brief account. Quoties furor Regis Franciæ armatum militem contra *Flandrenses* miseris, constat quod toties perdiderit. Quia, aut in acie belli corruerunt, aut de acie ignominiose & inglorii redierunt. Et in tantum inclinata est Francorum superbia, ut pro magno

a Mat. Westm.  
An. 1303 p.  
441.

b Tho. Walsingham,  
Hist. Angl. p. 56.

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*magno haberetur, si cum Flandrensis usque ad certum tempus Francia pacificaretur. An. 31 E. 1.*

*Adco ut dicere possint Franci, fugiamus Flandrenses, Dominum enim pugnat pro eis.*

Upon the conclusion of this peace, King Edward issued 55. several Writts to restore the Temporalities of all Priors, Prioresse, and Religious Monasteries belonging to Aliens that were under the power of the King of France, according to the Articles of this Peace; A bundle of which Writts I found in the *White Tower*, running in this form.

**E**dwardus Dei gratiâ Rex Anglia, Dominus Hybernia, & Dux Aquitania, The-  
saur. & Baronibus suis de Scaccario salutem. Cum in forma pacis inter nos  
et Regem Francia super discordiis et guerris motis inter eundem Regem et Pos-  
sinitæ et confirmatæ contineatur, Quod omnes terræ et redditus hominum et subdi-  
torum dicti Regis Francia per nos aut nostros occasione dictæ guerræ in manum no-  
stram capti, occupati seu detenti, si fuerint Religiosorum aut aliorum quorumcun-  
que, plenarie et integre illis quorum fuerunt ante captionem eorundem in manum  
nostram reddantur et restituantur, prout in dicta forma plenius continetur. Vo-  
bis mandamus, quod terras et redditus dilectæ nobis in Christo Priorissæ de *Lume-  
nistræ* de potestate dicti Regis Francia, qui ratione supradicta in manu nostra exi-  
sunt, eidem Priorissæ sine dilatione plenè & integre reddi et restitui, ac ipsam de  
illa summa pecuniæ quam pro terris et redditibus prædictis ad Scaccarium nostrum  
prædictum annuatim post captionem eorundem in manum nostram reddere consue-  
vit, exonerari faciatis, & inde quietam esse de cætero permittatis. Teste meipso  
apud *Banf* 4 die Septembr. Anno Regni nostri 31.

Bundela Bre-  
vium in Turre  
London. An.  
31 E. 1.

The like Writts issued for these ensuing Abbots and Priors Aliens, *videlicet*,  
Prior de *Lewes*, Abbas *Cluniacen*, Prior *Rumeliaco*, Prior de *Horsham*, Abbas de  
*Pynn*, Prior de *Horton*, Prior de *Threnly*, Prior de *Wentoke*, Prior de *Carbrouke*, Ab-  
bas de *Lyra*, Prior de *Eya*, Prior de *Toston*, Prior de *Byrewelle*, Prior de *Haibam*,  
Prior de *Mentingg*, Prior de *Cambringham*, Prior de *West Ravendale*, Prior de *Lyn-  
ton*, Prior de *Lappelle*, Prior de *Longa Bynnington*, Prior de *Hayling*, Abbas de *Lang-  
gonio*, Abbas Sancti Martini de *Albamarle*, Prior de *Ecclesfield*, Prior de *Otryton*,  
Prior de *la Sele*, Prior de *Frompton*, Prior de *Wylworron*, Prior de *Winge*, Prior San-  
cti Egidii, Prior de *Styninton*, Prior de *Tofte*, Prior de *Okeburne*, Prior de *Lancaster*,  
Abbas beatæ Mariae de *Grestone*, Prior beatæ Mariae de *Mortoyne*, Prior de *Longe-  
vill*, Prior de *Alverton Manlevier*, Prior de *Wiston Edyth*, Abbas *Fiscanen*, Prior  
de *Wivelsford*, Abbas Sancti Martini *Sagien*, Prior Sancti Nicholai de *Arndell*, Pri-  
or de *Cogges*, Prior de *Cowyke*, Prior et Conventus Sanctæ Trinitatis *Eborum*, Pri-  
or & Conventus de Sancto *Neoto*, Prior de *Stoke*, Prior & Conventus de *Blida*,  
Prior de *Meresey*, Prior de *Vaste*, Abbatisa Sanctæ Trinitatis de *Cadamo*, Prior de  
*Montacuto*.

The King wanting monies for supply of his forces in *Scotland*, writ this Letter  
to the Bishop of *London* to lend and send him 2000 *l.* of the monies out of the Disms  
granted him by Pope *Boniface*, the repayment wherof he promised them by this Writ.

**E**dwardus, &c. Magistro Bartholomæo de *Ferentino* Canonico *London*, Collectori  
Decimæ, unâ cum venerabili patre *R. London*, Episcopo, Cleri Angliæ per  
Dominum *Bonifacium*, &c. salutem. Quia pro mora nostra & fidelium nostrorum  
in partibus *Scotia* ad expeditionem nostram ibidem maturandam saliciter & com-  
plendam, quam ad finem votivam in brevi, Dei adjutorio, ducere intendimus, et  
quæ per defectum pecuniæ poterit (quod absit) in nostri et totius regni nostri dede-  
cus et dampnum inæstimabile de facili retardari, magna pecuniæ summæ ad præ-  
sens plurimum indigemus; De vestra dilectione specialiter confidentes, vos affe-  
ctuosè requirimus & rogamus, quatinus duo Millia librarum de pecunia probent-  
ente de Decima prædicta de secundo anno impositionis prædictæ dilecto Clerico no-  
stro *Johanni de Drokenesford*, Custodi Garderobæ nostræ, quem ad vestram ea occa-  
sione præsentiam destinamus, tam ex mutuo, solvi nostris precibus faciatis; ad nos  
in dictis partibus *Scotia*, sicut ei injunximus, deferenda; cui certam fidem præbea-  
tis in hiis quæ vobis ex parte nostra duxerit intimanda. Et hoc, sicut nos & hono-  
rem

Bundela Bre-  
vium & Litera-  
rum in Turre  
London. An-  
no 31 & 32  
E. 1.



An. 31 E. 1. rem ac commodum nostrum & totius regni nostri diligitis, propter assignationes aliquas *Vasconen.* vel aliis quibuscunque de pecunia dictæ Decimæ per nos prius factas, nullatenus omittatis. Et nos præfato Episcopo & vobis, vel Magistro *Johanni Bonichi de Senis* Commissario vestro, dicta duo *Millia* librarum in festo *Pasche* proximo futuræ *London.* solvi, vel debitam allocationem inde in pecunia, nos de dicta Decima contingente, fieri faciemus. Super quo literas nostras Patentes vobis mittimus, receptionem dictæ pecuniæ testificantes. Teste meipso apud *Kamryn.* primo die *Novembr.* Anno, &c. 31.

*Per litteram Johannis de Drokenesford.*

\* See here, p. 980, to 983.

Immediately after the \* death of Pope Boniface the 8. William de Nogaret the Advocate of the French King drew up this solemn Appeal to the Cardinals and See of Rome then vacant, and to the next lawfull Pope and General Council, not to elect any of the said Popes friends or followers Pope, nor to have voyces in his election, for the benefit and honour of the whole Church; wherein the Errors, vices of that Pope, and his followers, with their danger to the whole Church of God are fully related.

*Aste par le quel Guillaume de Nogaret declare, le Pape Boniface mort, qu'il au cas que les Cardinaux appellent avec eux aucuns des fauteurs du dit defunct Boniface, il en appelle au saint Siege, au Concile universel, & au Pape futur. 1304.*

Preuves de Libertez de l'eglise Gallicane, p. 501, 502, 503.

U Niversis præsentis Literas inspecturis, salutem. Officialis Curie Parisiensis sede vacante, salutem in Domino. Noveritis, quod Nobilis vir Dominus *Gulielmus de Nogaret* Miles Illustris Regis *Francie* coram nobis personaliter constitutus, in scriptis appellationem constituit in hæc verba. Scriptum est, nihil esse quod Ecclesie Dei magis officiat, quam ut indigni Pastores ad animarum regimen assumantur. Si hoc est igitur periculosum in quibuscunque Ecclesiarum præfatis, quanto sit periculosius in Summo Pontifice cum indignus assumitur, divina testatur scriptura, necnon perbersus ac detestabilis exitus ex promotione Bonificii proximo defuncti, qui Dei, Ecclesie nostris præfuit temporibus, ostendit præsentibus qui nunc bibunt, ac eis qui sequuntur, futuro tempore dat exemplum. Cæterum Proverbium est vulgariter, *Tales Discipuli qualis Magister.* Eapropter ego *Gulielmus de Nogaret* videns quamplures personas, maxime aliquas Sedi Apostolicæ assistentes, nedum in vita sua fovisse in suis perversitatibus dictum Bonificium, sed nunc post mortem ejus, ubi cessat causa tenoris ejus effrenatæ potentie, quæ hinc ipsos aequaliter excubabat, ipsum Bonificium, ejus abhorrendam memoriam, ac ipsius facta damnavilia sequentes, ac etiam defendentes, ne super hæresi, Schismate, Simoniaca peste, Sodomitali abominatione, homicidiis, aliisque innumerabilibus vitis, concupiscentiis, in quibus profundo malorum positus et prostratus, incorrigibilis ac insperatus decessit, convocetur Ecclesia per Concilium Generale, fiat justitia, prout decet, ex quo censendi sunt hæresis manifesti fautores: intuens prohdolor! quod filii Matris Sanctæ Romanæ Ecclesie pugnant sic turpiter contra eum, quæ semper fuit sine macula, sine ruga, tradunt Gentibus in derisum, semper castam violare conantur, incrassat, dilatati per eam recalcitrant contra ipsam, ubera sanctissima quæ sunt meliora vino, matris nostræ castissimæ, unguentis optimis flagrantia, nobis vitæ pabulum effundentia, subbacare nituntur, ad instar uberum meretricis. Sicut me contra dictum Bonificium exposui, pro defensione matris prædictæ, sic et contra ejus sequaces & fautores, qui quodammodo censendi sunt eo perniciosiores, & magis si tollerarentur Ecclesie Dei nocivi, me mirum volens opponere pro defensione Ecclesie memoratæ, in his scriptis provoco & appello ad Sedem Apostolicam, ad totamque Dei Ecclesie congregandam, & ad Summum Pontificem futurum legitimum, seu ad eum quem melius valeam appellare, ne Reverendi Patres Cardinales dicta labe fautorum carentes, quemquam ex ejus fautoribus, aut eis conjunctis, vel adhaerentibus quoquo modo præsumant eligere in Ecclesie Dei Pastorem, nec cum eis utpote excommunicatis a Canone ad electionem vel electionis ipsius tractatum procedant, nec eis communicent Ecclesie Dei prætiiosissimam margaritam: quam appellationem ad dictam Sedem ac reverend. Patrum coetum Cardinalium, propter metum sustum prædictorum

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

rum fautorum, & eorum inimicitias, quibus me gravissimè persequuntur, non audent accedere, interpono, protestor, & publicè vobis Domine Official. Paris. Curiz, volens et requirens dictis Patribus Reverendis, ac omnibus Catholicis, quorum cujuscumque interest, fieri manifestum. Præfatos verò fautores cesso ad præfens nominare ex causa, nec est periculum, cum eorum opera manifesta, gestus insuper omnibus, qui sint ipsi, manifestè declarent, et ab eorum fructibus clarè noscuntur. Ex abundanti tamen me probaturum offero prædicta omnia & singula loco & tempore opportunis. In quorum omnium testimonium Sigillum Curiz Parisien. præfentibus Literis ad requisitionem & rogatum d.ñi Domini Guilielmi Militis duximus apponendum. Datum Anno Domini 1304. die Sabbati post festum Nativitatis B. Maria Virginis.

\* Anno Gratie 1304. qui est regni Regis Edwardi Tricesimus secundus, Papa Benedictus, dum apud Perulium verbum Dei populo predicaret, inter cetera deplorabit abominabile exitium, in bicarium Jesu Christi et Petri commissum. Nec tamen casum personæ despectit, quinimo ipsum Christum a Pilatibus Pilati iterum spolari asserens, captum, damnandum, et tanquam remotum, planxit in Carcere, velut in sepulchro, triduo a Pilatibus custoditum; non ut dicit Apostolus, Christus resurgens ex mortuis, jam non moritur, &c. verum est in carne jam glorificata; Sed sicut dixit Dominus Jesus Christus, Petro interroganti, Domine quo vadis? ait, venio Romam, iterum crucifigi. Intellexit hoc Petrus de sua dictum passione, quod in ea Dominus esset passurus, qui patitur in sanctis misericordia pietate. Et sicut idem loco dicit, Quod uni ex minimis meis fecistis, sive honoris, sive dedecoris, hoc noveritis me passurum. Cumque hac, & plura his similia de occasu Papæ Bonitacii recitaret, \* Bonitacii captos, Anagninos omnes, Nogaretumque & Sairam, spoliatores ejus, vel omnes ipsis assentientes, vel qui huic conscii extiterent, duplici contritione Anathematis irretivit. Insistens, & immoratus, quamplurimum huic verbo, Si quidem in viridi ligno hæc fecerunt, in arido quid facturi sunt? Cumque fulgura et coruscationes divina ultionis flagitiosos viros inopinate occupare assereret, et se ad hoc Electum, et in Cathedra seniozum collocatum, ut annuntiaret populo scelera eorum, diceret ut resipiscerent, satisfaciendo de commissis commonuit, alioquin ad radicem maledictionis, et stirpis pediferæ securim amputationis et edulionis se positurum necessario et quam citius præconizavit. Hujusmodi igitur interminationibus exterriti viri venifici, cum alio Caipha captantes consilium, expedire quod unus homo moreretur, quam tota gens, vel tribus Columnensium deleteretur, corrupto per pecuniam Pincerna Domini Papæ impotionatus non post dies 15. superbiit. Leander, Stella, Cressin, Onuphrius, and \* Balau story, Abbatisse cujusdam fictum obno, à vita sublatus fuit. Obiit ergo Papa Benedictus in Civitate Perusii septimo die mensis Julii, cum sedisset mensibus octo, & diebus 15. Post cujus decessum oritur inter Cardinales sava dissensio, ita ut de eligendo Pontifice per menses 9. de ipsis Cardinalibus non poterant concordare. Cumque in electionem Summi Pontificis dissiderent, à Civibus secundum Constitutionem Gregorii decimi includuntur. Transiit igitur annus iste Romanis lugubris propter dissensionem Cardinalium in electione Papa. This Pope notwithstanding his premised severity against the spoilers, imprisoners and murderers of his predecessor Boniface, was so indulgent to Philip King of France, the chief contriver of it, that to obtain his favour, and reduce him to his Sheepfold (as \* Thomas Walsingham and others observe) Papa Benedictus considerans pium esse etiam ovem errantem licet invitum perducere ad ovile, Regem Francorum non patientem, a sententia excommunicationis per prædecessorem suum lata in eum absolbit. Although, Per idem tempus Rex Franciæ offensus Abbati Cisterciensi, quia in Appellatione contra Papam Bonifacium non consenserat, omnia Pontificia ejusdem ordinis in regno Franciæ constituta plurimum molestant; propter quod Abbas ultro regimine ordinis sui cessit.

What Usurpations the Prelates and Ecclesiastical Courts, Persons made in the 32 year of King Edward the 1. upon his Crown and Temporal Courts, and what oppositions the King and his Judges made against them, these 6. Writs for holding Plea in Courts Christian against the Kings Prohibitions, extant in the Bundle of Writs of this year in the White Tower, ( besides others that are perished ) will in part inform us.

Edwardus

An. 32 E. 1.

M. J. West.  
Anno Dom.  
1304. P. 444.

\* Platina Stella, Onuphrius, Volaterranus, Balau in vita Benedicti 11.

\* In vita Benedicti 11. p. 366  
centuriz  
Script. Hist. 4.  
c. 81. & 85.  
Appendix.  
\* Ho. Walsingham, Hist. Angliæ, p. 61.

\* Walsingham Hist. Angliæ. p. 61 Ypodigm. Neustr p. 96. Fasciculus Temp. Stella, Platina Volaterranus, Balau, & others in vita ejus.



An. 32 E. 1.

Bundel Bre-  
vium, Anno  
32 E. 1. in  
Turre Lond.

**E**dwardus, &c. *Venerabili in Christo patri W. eadem gratia Coventr. & Lychf. Episcopo, salutem. Mandamus vobis sicut alias vobis mandavimus, quod venire faciatis coram Justic. nostris apud Ebor. a die Pasch. in unum mensem Simonem de Shirley Clericum vestrum, ad respondendum nobis de placito, quare cum placita de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio, ad nos, coronam et dignitatem nostram pertinent, idem Simon, sicut ex relatu plurium accepimus, secutus est placitum in Curia Christianitatis de Catallis et Debitis Magistri Simonis de Wymundham Persona Ecclesia de Dyremelton, quæ non sunt de Testamento vel Patrimonio, in lesionem coronæ et dignitatis nostræ, et contra prohibitionem nostram. Et unde Vic. noster Warw. alias mandavit Justic. nostris apud Ebor. quod prædictus Simon de Shirley Clericus est, & non habet laicum feodum in Balliva sua per quod potest attachari. Et sciatis, quod nisi hoc mandatum nostrum plenius exequimur, graviter ad nos captemus. Et habeas ibi hoc breve. Teste R. de Hengham apud Ebor. 6 die Januarii, Anno regni nostri 32.*

On which the Bishop endorsed: *Sequestravimus bona Ecclesiastica Simonis de Shirley quæ habet in Episcopatu nostro, & nichilominus citavimus ipsum quod sit ad diem & locum in brevi contentos, ad faciend. sicut in eodem brevi continetur.*

Ibidem.

**E**dwardus, &c. *Pone Johannem Personam Ecclesia de Uppeclatford, &c. ostensur. quare cum placita de Catallis, &c. (ut supra) secutus est placitum in Curia Christianitatis de Catallis et Debitis Willielmi de Glouc. Persona Ecclesia de Berton Stacy, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram, &c. Teste meipso apud Stryvelyn 28 die Junii, Anno regni nostri 32.*

Ibidem.

**E**dwardus, &c. *Vic. Nottingham, salutem. Præcipimus tibi, sicut alias præcepimus, quod ponas per vadum & saluos pleg. Radulphum de Colestone Capellanum, quod sit coram Justic. nostris apud Westm. in Octabis Sancti Hillarii, ad respondendum tam Nobis quam Waltero de Candelisby de placito, quare cum iam Radulphus in Curia nostra apud Eborum, a die Paschæ in 15 diebus proximo præteritis attach. esset ad respondendum prædicto Waltero de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram, ut dicitur; ac idem Willielmus habuisset diem in Curia nostra coram Justiciariis nostris apud Eborum in Octabis Sancti Michaelis proximo sequentibus, ad respondendum prædicto Waltero de prædicto placito, idem Radulphus, pendente inde inter eos in præfata Curia nostra, prædicto placito, nichilominus placitum illud in eadem Curia Christianitatis ulterius tenuit, quousque sententia in ipsum Walterum promulgata ipsum excommunicari fecit; et postea Breve nostrum de ipso Waltero sic excommunicato, (tanquam claves Ecclesiæ contemne) capiendo jam tibi porrexit, ut dicitur; in Coronæ et dignitatis nostræ lesionem, Curia nostræ prædictæ contemptum manifestum, et ipsius Walteri dispendium non modicum et gravamen; Præcipimus etiam tibi sicut alias tibi præcepimus, quod si tibi constare possit, quod prædictus Walterus occasione prædicta et non alia excommunicatus sit, tunc ab ipso Waltero capiendo per aliquod Breve nostrum ad sectam ipsius Radulphi impetratum vel impetrandam omnia desistas, et ipsum Willielmum pendente inter eos in præfata Curia nostra inter eos in prædicto placito, pacem nostram inde habere permittatis: Et unde tu ipse mandasti Justiciariis nostris apud Eborum in Octabis Sancti Michaelis, quod Breve nostrum, quod tibi inde venit, adeo tarde venit, quod illud erequi non potuisti. Et habeas ibi nomina Pleg. & hoc Breve. Teste R. de Hengham apud Eborum 18 die Octobris, Anno Regni nostri 32.*

Dorfo. Radulphus de Colestone Capellanus Clericus est, & non habet Laicum feodum in Balliva mea.

Ibidem.

**E**dwardus, &c. *Vic. Not. &c. Si Walterus de Gouffe, &c. Pone, &c. Thomam Archiepiscopum Ebor. Magistr. Johannem de Nassington seniore, & Magistr. Johannem de Berewys, &c. quare secuti sunt placitum in Curia Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem nostram. Teste meipso apud Dover 6. die Martii, An. r. n. 32.*  
Vic.

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**V**ic. Somerset. Si Johannes de Chateham, &c. Pons, &c. Magist. Hugonem de Pencrich. Offic. Episcopi Bathon. & Wellen. &c. quare tenuit placitum in Curia Christianitatis, de catallis, &c. contra prohibitionem nostram. Teste missis apud Strivelyn. 28 die Maii, an. r. n. 32. An. 32 E. 1.  
Ibidem.

**V**ic. Lanc. &c. quod capias Magistr. Willielmum de Totton ad respondend. Thomæ de Bekyngton, quare ipse simul cum Radulpho de Glosingham Capellanum tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt, &c. contra prohibitionem nostram, &c. Teste R. de Hengham apud Ebor. die Novembr. Anno regni nostri 32. Ibidem.

**E**dwardus, &c. Vic. Suth. salutem. Precipimus tibi, quod non emittas propter libertatem Episcopatus Wynton. quin venira facias coram Justiciariis nostris apud Ebor. in Octabis Sancti Michaelis 12 tam Milites quam alios liberos & legales homines de Visn. de Wynton. quorum quilibet habeat Centum solidatas terra & ten. vel redditus per annum ad minus, per quos rei veritas melius sciri poterit. Et qui nec Edmundum Husee, nec Hugonem de Spineto aliqua affinitate attingant, ad recognoscendum super sacramentum suum, & prædictus Hugo unquam secutus fuit placitum in Curia Christianitatis apud Wynton. de Quadraginta solidis de Catallis prædicti Edmundi, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram, sicut prædictus Edmundus dicit vel non, sicut prædictus Hugo dicit; quia tam prædictus Edmundus quam prædictus Hugo, inter quos contentio inde est, posuerunt se in Jur. illam. Et unde tu ipse mandasti Justiciariis nostris apud Ebor. à die Pasche in 15 dies, quod præceperas Ballivis prædictæ libertatis, quod p. ac. ptum nostrum prius inde tibi directum exequerentur, qui nihil inde fecerunt. Precipimus etiam tibi quod habeas coram Justiciariis nostris apud Ebor. ad præfatum terminum corpora Ballivorum prædictæ libertatis, quibus prædictum Præceptum nostrum inde fecistis, ost. for. quare illud Præceptum nostrum exequi contempserunt, in nostri contemptum manifestum, & prædicti Edmundi dispendium non modicum & gravamen. Et habeas ibi nomina Ballivorum Jur. & hoc breve. Teste R. de Hengham apud Ebor. 20 die Aprilis, Anno regni nostri 32. Ibidem.

To these I shall subjoyn some other Prohibitions and Attachments, extant in the Clause Rolls of this year. The first to the Dean of the Arches, for suing the Kings Clerk in Court Christian, against a Judgement given for the King and him in the Kings Courts.

**R**EX Decano Ecclesie beate Maria de Arcubus London. & ejus Commissar. salutem. Cum nos in Curia nostra coram Justic. nostris apud Ebor. per considerationem ejusdem Curie recuperaverimus versus Magistrum Robertum de Lacy præsentationem nostram ad Ecclesiam de Magna Hale Lincoln. Dioc. vacantem, & ad donationem nostram, ratione temporalium Abbatiz de Bardenay nuper in manu nostra existentium, spectantem; ac idem Magister Robertus in quadam causa quæ inter dilectum Clericum nostrum Robertum de Askeby quem ad ipsam Ecclesiam præsentavimus, & ipsum Magistrum Robertum vertitur coram vobis in Curia Christianitatis, de injusta detentione et occupatione Ecclesie prædictæ, contra eundem Clericum nostrum excipiendo proposuerit coram vobis, ut relatu plurium accepimus, quod præsentatio ad Ecclesiam prædictam ad nos non pertinet ista vice, quod in enervationem juris nostri Regii, et Iudicii in Curia nostra rite redditi, si admittatur cedere dinoscitur manifeste. Præsertim cum ius præsentandi nobis adquisitionem adnullari nobis inconsultis non debeat, seu cassari: vobis prohibemus, ne quid occasione exceptionis prædictæ coram vobis in Curia Christianitatis attemptetis, seu attemptari permittatis, quod in nostri seu juris nostri Regii præjudicium cedere valeat quoquomodo. In aliis nichilominus causam prædictam tangentibus, quorum cognitio ad Curiam Christianitatis pertinet, prout convenit procedentes. Teste Rege apud Strivelyn 18 die Junii. Clau. 32 E. 1.  
m. 11. dorso.  
Prohibitio  
pro Rege.



An. 32 E. 1.

The Archbishop of *Canterbury* excommunicating the Prior and Convent of *St. Oswald* in *Gloucester*, of the Kings foundation, and his Free-Chaple, exempt from all Archiepiscopal and Episcopal Jurisdiction, because they opposed his Visitation of them; and commanding all persons within the City and County of *Gloucester* not to sell to, or buy of them any Victuals or other necessities, nor in any kinde to communicate with them, in high contempt, prejudice and derogation of his Royal Crown and Dignity; the King thereupon issued this memorable Writ and Proclamation against his Archiepiscopal unchristian Inhibition, commanding all his Subjects to buy, sell and communicate with them in all things, as freely as they did before.

Claus. 32 E. 1.  
m. 1. dorso.  
Pro Priore  
Sancti Oswal-  
di Glouc.

**R**EX Vic. Glouc. salutem. Quia ex querela Prioris & Conventus Ecclesie Sancti Oswaldi Glouc. quæ est libera Capella nostra, accepimus, quod venerabilis pater Robertus Cantuar. Archiepiscopus in Villa nostra Glouc. & alibi in Balliva tua, nuper sub poena Excommunicationis fecit publice inhiberi, ne quis eisdem Priori et Conventui decimas, redditus, aut alia jura Ecclesiastica reddat, seu vicualia aut alia ad sustentationem eorumdem necessaria eis vendat, vel ab eis emat, seu aliqualliter communitet cum eisdem; quod si sic tolleraretur in nostri et Conventus nostre prejudicium, et Regie dignitatis nostre derogationem manifeste redundaret. Volentes quod predicti Prior et Conventus in predicta libera Capella nostra ministrantes per hujusmodi inhibitiones, quin vicualia, et alia venalia emere possint, et vendere, ac etiam cum omnibus Christianis in omnibus communicare excludantur. Tibi precipimus, quod si hujusmodi inhibitis ibidem facta fuerit, tunc in Villa nostra Glouc. predicta, et locis aliis quibus opus fuerit in Balliva tua publice proclamari fac. ex parte nostra, ne qui propter hujusmodi inhibitiones sic in nostri prejudicium factas omittant, quin cum eisdem Priori et Conventu sicut cum cæteris de regno nostro ad fidem et pacem nostram existentibus in emptione et venditione vicualium, et aliarum rerum venalium, ac etiam in omnibus aliis communicent, sicut hactenus consueverunt. Teste Rege apud *Brusnykes* primo die *Novembris*.

A memorable president, evidencing the Supreme Ecclesiastical Sovereignty of our Kings, in countermanding and nulling even the exorbitant Ecclesiastical Inhibitions and Excommunications of the Archbishop himself, by publick Proclamation, as prejudicial and derogatory to his Crown and Royal Dignity to tolerate or connive at, though warranted by Papal Canons, Constitutions and Presidents.

Soon after, this memorable Writ of *Attachment* issued against the Archbishop of *Canterbury* himself, for presuming to visit the Free-Chaple of *St. Oswald* in *Gloucester*, and excommunicating the Prior and Convent thereof, against their Privileges.

Claus. 32 E. 1.  
m. 17. dorso.  
Pro Priore  
Sancti Oswal-  
di Glouc. de  
Attachment.

**R**EX Vicecomiti *Gloucestræ*, salutem. Si Prior Sancti Oswaldi *Gloucestræ*, fecerit te securum de clameo suo prof. tunc pone per vadium & salvos plegios Robertum Archiepiscopum *Cantuar.* quod sit coram nobis in Octabis Purificationis beate *Mariæ* ubicunque tunc fuerimus in *Anglia*, ostensur. quare in Ecclesia Sancti Oswaldi Glouc. quæ est libera Capella nostra, de elemosynis progenitorum nostrorum quondam Regum *Angliæ* fundata, et quæ ab omni jurisdictione ordinaria exempta est penitus et immune, jurisdictionem ordinariam exercere, ac etiam Excommunicationis sententias in ipsum Priorem et Canonicos ejusdem Ecclesie fulminare, et alia gravamina eis inferre præsumpsit, in nostri contemptum, et Regie dignitatis nostre prejudicium, et dampnum ipsius Prioris ducentarum librarum, et contra Prohibitionem nostram. Et habeas ibi nomina pleg. & hoc breve. Teste Rege apud *Dumfermelyn* 25 die *Novembris*.

The Bishop of *Worcester* and his Official intending to exercise Ecclesiastical ordinary Jurisdiction over the foresaid Prior and Convent of *St. Oswald*, by the Archbishops president and instigation, the King upon information thereof issued this ensuing Prohibition to him, almost *verbatim* with that to the Archbishop of *Canterbury* the year before.

\* Herep 984.

Venerabili

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

**V**enerabili in Christo patri *W.* eadem gratia Episcopo *Wygorn.* & ejus Officiali, ac eorum Commissar. salutem. Cum Ecclesia Sancti *Oswaldi Gloucest.* de elemosynis progenitorum nostrorum quondam Regum *Anglia* fundata, libera Capella eorumdem progenitorum nostrorum fuerit ab antiquo, et ab omni Jurisdictione ordinaria exempta penitus et immunitis, ac bonæ memoriæ *Willielmus* quondam Rex *Anglia* progenitor noster, per Chartam suam prædictam Ecclesiam cum juribus suis cuidam *Thoma* dudum Archiepiscopo *Ebor.* pro quibusdam exactionibus & calumniis suis quas erga quondam *Robertum* tunc *Lincoln.* Episcopum de quibusdam Ecclesiis & possessionibus fecerat remittendis, dederit & concesserit; habend. eidem Archiepiscopo & successoribus suis Archiepiscopis ejusdem loci imperpetuum, ab omni jurisdictione *Diocæsani* vel *Metropolitani* alterius, quam Archiepiscoporum loci prædicti exemptam penitus et immunem, sicut progenitores nostri eam ante donationem & concessionem prædictas tenuerunt, quas quidem donationem & concessionem quidam Summi Pontifices postmodum per suas Papales literas confirmarunt. Et Priores & Canonici ejusdem loci, tam virtute donationis & confirmationis prædictarum, quam ratione exemptionis prædictæ, ab omni jurisdictione loci *Diocæsani* vel *Metropolitani* alterius, quam Archiepiscoporum loci prædicti semper hucusque extiterint, ut dicitur, liberi penitus et immunes; ac jam intellexerimus, quod vos ad exemptionem, donationem et confirmationem prædictas, nullam habentes considerationem, in Ecclesiam Sancti *Oswaldi* prædictam, ac Priorem et Canonicos ejusdem loci jurisdictionem ordinariam intendatis prohibitis exercere, quod si tolleraretur in nostri præjudicium, et exemptionis, donationis et confirmationis earundem derogationem manifeste redundaret: Vobis inhibemus, ne in dicta Ecclesia seu Priore et Canonicis ejusdem quicquam in hac parte attemptetis, seu attemptari faciatis, quod in nostri, seu dictæ Ecclesiæ, vel Prioris et Canonicorum ejusdem præjudicium cedere valeat quouomodo. Teste Rege apud *Dumfermelyn* 28 die *Novembrii*.

An. 32 E. 1  
Claus. 32 E. 1.  
m. 17. dorso.

Moreover the King issued several Prohibitions to the Archbishop of *Canterbury*, not to compell, sue or sequester sundry of his Clerks imployed and continuing in his service, to reside upon their Benefices, or receive the Order of Priesthood.

**R**EX venerabili in Christo patri *R.* eadem gratia *Canthar.* Archiepiscopo, totius *Anglia* Primati, salutem. Cum Clerici nostri ad ordines suscipiendos, vel ad faciendum in suis Beneficiis residentiam personalem, cum nostris immoventur obsequiis compelli, aut alias super hiis molestari vel inquietari non debeant: Nosque ac progenitores nostri Reges *Anglia* hujusmodi libertate seu privilegio pro Clericis nostris a tempore quo non extat memoria semper hactenus usi sumus: Vobis mandamus rogantes, quatinus dilectum Clericum nostrum *Johannem de Sheffield* Personam Ecclesiæ de *Fuldon. Norwicu.* Diocæsisi, qui per præceptum nostrum nostris jugiter intendit obsequiis, dum eisdem obsequiis immoratur ad residentiam in Beneficio suo prædicto faciendam, vel ad ordines suscipiendos, dum tamen infra sacros existat, nullatenus compellatis, aut super Beneficio suo prædicto occasione præmissorum inquietetis seu molestetis. Et sequeltrum, si quod de fructibus aut aliis bonis Beneficii sui prædicti ea occasione fieri feceritis, sine dilatione relaxari faciatis. Teste meipso apud *Dumfermelyn* 28 die *Januarii*.

Claus. 31 E. 1.  
m. 17. dorso.  
Pro Johanne  
de Sheffield  
Clerico.

Eodem modo scribitur præfato Archiepiscopo pro *Willielmo de Brichull* Clerico Regis, Persona Ecclesiæ de *D.nton, Norwicu.* Diocæsisi.

Eodem modo scribitur præfato Archiepiscopo pro *Petro de Donewico* in Diocæsii prædicta beneficiato. Teste Rege apud Villam Sancti *Andree* 24 die *Martii*.  
*Per breve de Privato Sigillo.*

Eodem modo scribitur præfato Archiepiscopo pro *Roberto* Persona Ecclesiæ de *Magna Saxham, Norwicu.* Diocæsisi. Teste Rege apud *Sandford* 3 die *Aprilis*.

The Bishop of *Lincoln* exacting duties, procurations, and other exactions from the Hospital of St. *Johns* without the East-gate of *Oxford*, of the Kings ancestors foundation, exempt from all Episcopal Jurisdiction, payments and procurations by



An. 32 E. 1. its very foundation, as his Free-Chapple, and to be visited only by his Chancellor and none other, issued this Prohibition to him.

Claus. 32 E. 1.  
m. 2. dorso.  
Pro Rege de  
Hospital. S.  
Johannis.

**R**EX venerabili in Christo patri J. eadem gratia *Lincoln. Episcopo*, salutem. Cum Hospitale nostrum Sancti *Johannis* extra Portam Orientalem *Oxon.* quod est fundatum de elemosynis progenitorum nostrorum Regum *Anglia*, ab omni Jurisdictione opinaria, et p[re]stationibus, p[ro]curationibus, et aliis exactionibus quibuscunque per ordinarios faciendis, a p[ri]ma fundatione sua exemptum sit penitus et immune; Ita quod nullas p[re]terquam nos et Cancellarius noster p[re]dictum Hospitale visitare, seu quocumque intrmittere debeat de eodem: Vobis mandamus, quod ipsum Hospitale a p[re]stationibus, p[ro]curationibus et exactionibus hujusmodi quietum, et immune esse permittatis, distractiones seu coercitiones si qua spagistro et fratribus Hospitalis p[re]dicti p[ro] p[re]stationibus, p[ro]curationibus, exactionibus hujusmodi per vos, vel spagistros vestros factæ fuerint, sine dilatione aliqua relaxantes eisdem. Teste Rege apud *Brusswyk* 8 die *Novembrii*.

The Pope by his *Provision* granting the next Prebendary that should fall void in the Kings Free-Chapple of *St. Martins London* to a *Roman*, and commanding the Dean of *St. Pauls London*, and *Bartholomew de Ferentine* a Canon thereof, to put him into possession of it; the King being informed thereof, for the preservation of the Rights and Priviledges of his Crown and Dignity according to his Oath, issued these two memorable Prohibitions to him against this Papal Provision.

Claus. 32 E. 1.  
m. 6. dorso.  
Pro Capella  
Regis S. Martini Magni  
London.

**R**EX dilectis sibi in Christo Decano Sancti *Pauli London*, & Magistro *Bartholomæo de Ferentino* ejusdem Ecclesie Canonico, vel eorum alteri, salutem. Re *Coronæ* et dignitatis nostræ Regis jura depereant studiosam nos decet operam adhibere, et ad ea manutenenda et conservanda eo potius debemus esse solliciti quo ad hoc vinculo juramenti teneri dinoscimur et astringi: Cum itaque quoddam negotium p[ro]visorum de quadam p[re]benda in libera Capella nostra Sancti *Martini London*, eisdem *Henrico* nato *Braunche de Sarracenis de Urbe*, auctoritate Apostolica assignanda sit vobis commissum, sicut accepimus exequendum, quod utique si p[ro]cederet, in nostri cederet p[re]judicium manifestum, et dictæ Coronæ ac dignitatis nostræ Regis læsionem: Vobis inhibemus firmiter injungendo, ne vobis inconsultis ad executionem aliquam in hac parte faciendam p[ro]cedatis, seu p[ro]cedere p[re]sumatis, per quod nobis, Regio juri nostro, et liberæ Capellæ nostræ p[re]dictæ p[re]judicium aliquod generari valeat in futurum. Et si forsan ad receptionem alicujus auctoritate p[re]dicta p[ro]cesseritis inconsulte, p[ro]cessum hujusmodi penitus rebocetis et faciatis quod ab aliis rebocetur. Taliter super his vos habentes, ne ad vos tanquam ad juris nostri et Coronæ nostræ violatores graviter capere debeamus. Teste meipso apud *Norithalverton* primo die *Octobris*.

Claus. 32 E. 1.  
m. 6. dorso.  
Pro Rege.

**R**EX *Henrico* nato *Braunche de Sarracenis de Urbe*, salutem. Re *Coronæ* et dignitatis nostræ Regis jura depereant studiosam nos decet operam adhibere, &c. ut supra. Cum itaque quoddam negotium p[ro]visorum de quadam p[re]benda in libera Capella nostra Sancti *Martini Magni London*, cum aliquam vacare contigerit in eadem, auctoritate Apostolica tibi sit factum, ut accepimus, quod utique si p[ro]cederet in nostri cederet p[re]judicium manifestum, et dictæ Coronæ ac dignitatis nostræ Regis læsionem. Tibi prohibemus firmiter injungendo, ne p[re]textu negotii p[ro]visorum p[re]dicti aliquod attemptes, seu attemptari p[ro]cures in hac parte, quod nobis, Regio juri nostro, et liberæ Capellæ nostræ p[re]dictæ p[re]judicare possit in futurum. Et taliter te habeas in hac parte, ne ad te tanquam ad juris nostri et Coronæ nostræ violatores graviter capere debeamus. Teste Rege apud *Beverlacum* 18 die *Octobris*.

In the Plea Rolls of *Trinity Terme* held at *Tork*, Anno 32 E. 1. (reserved in the Receivers Office of the Kings Exchequer at *Wistminster*) this memorable Case (\* formerly touched ) is at large recorded, the brief whereof I shall first present you with in English. The King by his Letters Patents granted to Mr. *John Bouhs* the

\* Herep. 860, 861.

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the Prebend of *Stryvelington* in the Church of *St. Peter* in *York*, belonging to him by the vacancy of the Archbishoprick, commanding *Thomas Corbridge* the new Archbishop to admit and put him into actual possession thereof; who neglected to do it after two successive mandates, to the Kings damage of 10000 *l.* Thereupon the Archbishop being summoned to answer this contempt before the Kings Justices, upon his appearing before them, alledged; *That he was alwayes ready to obey the Kings commands so far as he could, but he could not admit his Clerk, because the Pope by reason of the vacancy, and his confirmation of him in the Court of Rome as Archbishop, had by his Provision conferred the said Prebendary and Chappell thereunto belonging on his own Clerks, of whom they were now full; so as he by reason of his Oath and obedience made to his Lord the Pope, could not invalidate the Act of the Pope his Superior Lord, nor deprive or remove his Clerks, and therefore prayed the King to hold him excused; refusing to give any other answer: Whereupon Judgement was solemnly given against him, That what he alledged was no sufficient cause for him not to execute the Kings commands, and that all his Temporalities held of the King should be seised into his hands for this his contempt and disobedience, untill he should yield obedience thereunto, and the Archbishop, and all others as well Clergymen as Laymen, were in full Court prohibited under pain of forfeiting all they could forfeit, not to prosecute or cause to be prosecuted any suit or appeal in the Court of Rome against the Rights of the Kings Crown and Dignity, nor to make any instruments, nor to give any ayd, counsil or assent in any kinde in this case, whereby any discord might arise between the Kings Court and the Court of Rome. I shall now subjoyn the Transcript of the whole Record it self.*

*C*um Dominus Rex per literas suas patentes dederit & concesserit dilecto Clerico suo Magistro Johanni Bouhs de London. Præbendam de Styvelington in Ecclesia beati Petri Ebor. vacantem, et ad Regis donationem spectantem, ratione Archiepiscopatus Ebor. nuper vacantis, et in manu Domini Regis existentis, habendam cum suis juribus et pertinentiis quibuscunque, prout in literis ipsius Domini Regis prædictis plenum continetur: Per quod idem Dominus Rex Archiepiscopo, &c. mandaverit, quod ipsum Johannem ad prædictam Præbendam admitteret, et in corporalem possessionem ejusdem, prout mox est, induci faceret, super quo nichil hucusque facere curavit, ut Dominus Rex accepit, de quo plurimum admirabatur; per quod idem Dominus Rex iterato prædicto Archiepiscopo mandavit, quod prædictum Johannem ad Præbendam prædictam admitteret, et ipsum in corporalem possessionem ejusdem induci faceret, juxta tenorem prædicti mandati Regis eidem Archiepiscopo inde directi. Alioquin quod esset coram Rege à die Sanctæ Trinitatis in tres Septimanas ubicunque, &c. ostenderet. quare prædictum Magistrum Johannem ad Præbendam prædictam ad mandatum Domini Regis prædictum admittere recusavit. Et unde Magister Johannes Bouhs dicit pro Rege, quod die Dominica in festo Sanctæ Petronillæ Virginis, anno regni Regis nunc tricesimo secundo apud Ottelay, & in præsentia Magistri Willielmi de Seyton, Stephani fil. Thomæ, Tinctoris de Fosse de Ebor. Walter. de Lutton Servient. Thomæ le Nede- lere, Johannis de Plumstede, Adæ de Roudon, & Clericorum ac familiarium prædicti Archiepiscopi, prædictum primum mandatum Regium eidem Archiepiscopo liberavit, quod ipsum Johannem ad Præbendam prædictam de Styvelington admitteret, et ipsum in corporalem possessionem, &c. induceret. Et etiam quod die Sab- bati sequent. apud Seleby in præsentia prædictorum Magistri Willielmi, Stephani fil. Thomæ, Walter. de Lutton, Adæ de Roudon, & etiam Abbatis de Seleby, & Ma- gistri Stephani de Malo lacu Archidiaconi Clyveland, & Magistr. Roberti de Alberwico Decani Aukland. & aliorum, aliud mandatum Regium eidem Archiepiscopo liberavit, ad mandata Domini Regis in forma prædicta facienda, &c. Ac licet prædictus Archiepiscopus prædicta brevia Domini Regis recepisset, prædictum tamen Magistrum Johannem ad Præbendam prædictam, &c. hucusque admittere recusa- vit, in Regis contemptum Decem Millia Librarum. Et hoc prædictus Magister Johannes offert verificare pro Domino Rege, &c.

Et prædictus Thomas Archiepiscopus venit & defendit, &c. Et bene cognoscit, quod ipse prædicta mandata Regia admisit; Et quod ipse paratus est, et erit, et semper fuit mandatis Regis parere in quantum potest, et sibi incumbit, &c. sed dicit, quod

\* Rotul. Flaci-  
torum coram  
Domino Rege  
apud Ebor. de  
Term. Sanctæ  
Trinitatis, An.  
regni Regis  
Edwardi filii  
Regis Henrici  
32. Rot. 75.  
in dorso. Ad-  
huc de crafti-  
no S. Johan.



*An. 32 E. 1.* quod predictum Clericum Domini Regis ad predictas Prebendam et Capellam ad presens admittere non potest, eo quod Dominus Papa ratione vacationis quæ alias se fecit in Curia Romana de eisdem Prebenda et Capella, per consecrationem ipsius Archiepiscopi ibidem, qui eisdem prius tenuit, ipsas easdem ex collatione sua dedit Clericis, &c. de quibus eadem Prebenda et Capella nunc plene sunt: Unde dicit, quod ipse \*ratione Sacramenti sui, et obedientie sue quæ Domino Papæ fecit, &c. factum ipsius Domini Papæ Superioris sui infirmare non potest, nec predictos Clericos, &c. inde p̄b̄are, &c. Et petit, quod Dominus Rex ipsum in ista causa excusatum habere velit, &c. Et quæsitum est à prefato Archiepiscopo, si aliquid aliud ad predictum mandatum Domini Regis respondere velit, &c. Qui dicit ut prius, quod non potest, &c. Et quia causa predicta quam idem Archiepiscopus de impedimento, seu non posse suo in Curia hic pro se assignat pro nulla habetur, eo quod factum Domini Papæ Superioris sui in Curia Romana, factum in Curia hic deductum non potest nec terminari, immo ad \*inobedientiam ipsius Archiepiscopi expresse reputatum ut tenetur, eo quod predictum Clericum, &c. ad mandata Domini Regis predicta admittere recusabit; consideratum est, quod temporalitas quam idem Archiepiscopus de Domino Rege tenet, &c. caplat in manum Domini Regis, &c. quousque Clericum predictum ad mandatum Domini Regis admitteret, et ipsi Domino Rege de contemptu et inobedientia predictis satisfaceret: Et super hoc publice in plena Curia hic inhibitum est ex parte Domini Regis, prefato Archiepiscopo et omnibus aliis de regno et de potestate Regis, tam Laicis quam Clericis, &c. sub satisfactione omnium quæ satisfacere poterunt, ne aliquis eorum aliquo sequatur, vel sequi faciat erga Curiam Romanam, nec alibi contra sus Coronam et dignitatem Regis, &c. in isto casu vel aliis quibuscunque: Nec aliquas Appellationes, Procuraciones seu Instrumenta quæcunque faciant, nec auxilium, consilium seu assensum ad hoc præbeant quoquo modo, per quod dissensio aliqua vel discordia inter Curiam Romanam et Curiam Regis poterint evenire, vel pax inter easdem aliquammodo, quod ab sit, infirmari, &c.

From which memorable Record I shall observe: 1. That the Popes pretended right to conferre the vacant Livings belonging to those Archbishops and Bishops he consecrated at *Rome* by his *Provisions*, was a meer Innovation and Usurpation, which our Kings would by no means permit or connive at, but strenuously opposed, as inconsistent with, & destructive to the ancient Rights and Priviledges of their Crowns, to present to all Prebendaries, Churches, Chappels of Archbishopsricks & Bishopricks that became or continued void, during the time their Temporalities were in their hands. 2ly. That no Bulls, Mandates, Censures, nor Proccesse of the Pope, were pleadable in the Kings Courts in barre of the Kings Writs or Precepts. 3ly. That our Archbishops and Bishops, by reason of their Oathes and obedience to the Pope, held themselves obliged in duty and conscience to obey the Popes Commands and Provisions, rather then the Kings Writs and Presentations. 4ly. That this their obedience to the Pope before the King, was adjudged a very high contempt in Law, for which their Temporalities were legally seised into the Kings hands, till they obeyed his Writs, before the Popes Injunctions to them. 5ly. That our Kings under severe forfeitures and penalties prohibited all Suits in, Appeals to, Instruments and Citations from *Rome*, prejudicial to their Prerogative, Crown and Royal dignity, or which might engender any contests between the Jurisdiction of the Kings Courts and the Court of *Rome*.

This seizure of the Archbishops Temporalities into the Kings hands, by vertue of this Judgement, and his death soon after, I finde thus recorded in the *Fine Rolls* of this year.

*Fines 32 E. 1.*  
m. 1. De  
Temporalibus  
Archiepiscopo-  
ratus Ebor.  
commisiss.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod cum nuper commiserimus dilecto & fideli nostro *Lamberto de Thrikingham* temporalia Archiepiscopus *Eborum*, quæ coram nobis in Curia nostra quibusdam de causis capta fuerunt in manum nostram, custodiend. quamvis nobis placeret, ita quod de exitibus inde provenientibus nobis responderet ad Scaccarium nostrum, ac temporalia illa in manu

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manu nostra per mortem bonæ memoriæ *Thoma* nuper ejusdem loci Archiepiscopi jam existeret: Nos de fidelitate prædicti *Lamberti*, & dilecti & fidelis nostri *Johannis de Byron* plenius confidentes, commisimus eis temporalia ejusdem Archiepiscopatus, custodienda quamdiu nobis placuerit. Ita quod de exitibus inde provenientibus nobis respondeant ad Scaccarium supradictum. In cujus, &c. Teste Rege apud *Northalverton* primo die *Octobr.* Av. 32 E. 1

Et mandatum est Magistro *Richardo de Havering* Escaetori citra *Trentam*, quod præfatis *Lamberto* & *Johanni* temporalia Archiepiscopatus prædicti, quæ occasione mortis prædicti *Thoma* cepit in manum Regis, una cum exitibus per ipsum inde perceptis à tempore captionis eorundem in manum Regis, sine dilatione liberet. Ita quod Regi inde ad plenum ad dictum Scaccarium valeant respondere. Teste ut supra.

Eodem modo mandatum est *Waltero de Gloucestr.* Escaetori ultra *Trentam*. Teste ut supra.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod concessimus dilecto & fidei nostro *Lamberto de Thrikingham* custodiam temporalium Archiepiscopatus *Eborum*, quæ coram nobis in Curia nostra quibusdam de causis capta sunt in manum nostram, custodiend. quamdiu nobis placuerit; ita quod de exitibus inde provenientibus nobis respondeat ad Scaccarium nostrum. In cujus, &c. Teste Rege apud *Sirryvelin* 6 die *Julii*. ibidem.

Et mandatum est Vicecomiti *Ebor.* quod temporalia Archiepiscopatus prædicti in Balliva sua per ipsum in manum Regis capta de mandato Regis, à tempore captionis eorundem in manum Regis, præfato *Lamberto* sine dilatione liberet, ita quod Regi inde ad dictum Scaccarium plene valeat respondere. Teste ut supra.

Eodem modo mandatum est Vic. *Northumbr. Notting. Gloucestr. Lincoln.*

This Record was seconded with another of as high and considerable a nature about the same time; which fell out upon this occasion. *Gerardus Pope Benedictus* Nuncio (at his command) impudently demanding the Disms of the Clergy of *England & Ireland* for the use of the *Holy Land* and Church of *Rome*, (formerly granted by Pope *Boniface* his predecessor to *K. Edw.* for his own use) from the Collectors and others, contrary to Pope *Boniface* his Bull, and issuing out Warrants to the Kings Collectors in every Diocese to prohibit their collection thereof, against the Kings own strict Writs to collect it; the King thereupon issued this Writ to *Ralph de Sandwich* to repair to this Nuncio with the Mayor, Aldermen, and other Citizens of *London*, and summon him to appear privately before them in the Tower of *London*, without a public Notary, and to require him forthwith to revoke and null all his Warrants to the Collectors, as contrary to his Crown and Dignity, which no former Nuncio durst attempt, under pain of incurring his highest indignation belonging to Rebels and Enemies of his Crown, and forthwith in their presence to issue out Warrants of revocation to every Diocese by special Messengers at the Kings cost; and if he refused to come to the Tower, or issue forth such Letters of revocation, then presently to attach him for this high affront, and comming into the Realm without his royal assent.

**R**EX dilecto & fidei suo *Radulpho de Sandwico* salutem. Requirente dispositione felicitis recordationis Domini *Bonifacii* Papæ Octavi, super concessione quam de medietate Decimæ Clero Angliæ, de assensu nostro impositæ per triennium percipiend. pro arduis et urgentibus negotiis nobis et regno nostro incumben- Clau. 33 E. 1.  
m. 10. dorso.  
Pro Rege.  
tibus, altera autem medietas dictæ Decimæ si dictus Dominus Papa per dictum triennium vitam durisset in humanis sibi in subsidium Romanæ Ecclesiæ reservata; et si ipsum infra dictum triennium in fata decedere, vel pacem super guerra de regno *Siciliæ* mota reformari contigisset, totum residuum dictæ Decimæ a tempore mortis suæ vel a tempore dictæ pacis colligendum et lebandum, in nostris usibus integraliter converteretur, nobis liberaliter fecit et gratiose, et eo prætextu, quod in vita sua fuerat inchoatum recto processu, riteque sequenti post mortem suam debuit continuari, et ad effectum deducti finalem: Mandavimus Collectoribus ejusdem Decimæ per totum regnum nostrum, quod ipsi pecuniam inde debitam lebarent, colligerent, et



*An. 32 E. 1.* et illam nobis solverent; super cujus executionis processu jam intelleximus, quod quidam Magister *Gerardus de Pototaria* qui se nuncium a latere Domini *Papa* fore missum asserit, et effici collectorem diversorum denariorum, tam de dicta Decima quam in subsidium Terræ Sanctæ et Romanæ Ecclesiæ debitorum, cujus auctoritas qua se dicit fungi debere, penitus est nobis ignota, leuationem dictæ Decimæ per diversa mandata sua, ut more præsumptuoso, et quasi impetu repentino emanantia eisdemque Collectoribus directæ, contra formam concessionis supradictæ minus prouidenter impedibit, et impediri facit, cum nullus temporibus retroactis a Curia Romana talia officiat, infra regnum nostrum veniens quacunque commissione sibi deputata fundus est, seu fungi debeat nobis inconsultis. Et ideo vobis mandamus, quod assumptis bobiscum *Majore*, *Aldermannis*, et aliis de dicioibus et discretioibus hominibus Civitatis nostræ *London*, secundum quod ad sufficientiam fore videritis, dictum Magistrum *Gerardum* adeatis, et ex parte nostra ei injungatis, quod ex tunc incontinenti veniat coram vobis apud *Turrim* nostram *London*. mandatum nostrum auditurus: Et cum ibidem coram vobis comparuerit, stricte, prohibito, et circumspicte, quod nullus publicus Notarius ibi præsens fuerit, firmus et strictus quo poteritis nomine nostro dicto Magistro *Gerardo* exponatis et injungatis, quod hujusmodi mandata sua, quæ non solum ad derogationem leuationis dictæ pecuniæ, sed et contra dignitatem nostram Regiam attemptata saculantur, integraliter revoce, et penitus annullent, sicut ad indignationem Regia quæ rebelles reprimit, contemptentes contemnit, et maxime qui præjudicium contra libertatem Coronæ nostræ et regni nostri præsumpserit inferre voluerit, præstari; Considerato siquidem, quod statim in præsentia vestra dictam revocationem ponat in facto: Ita quod literas suas faciat Collectoribus dictæ Decimæ in qualibet Dioc. infra regnum nostrum dirigendas, et tunc literas illas absque omni dilationis interballo dictis Collectoribus per certos Puncios, de quibus notitiam habueritis, mittatis, et cum quod ad hoc apposueritis nos in *Chardroba* nostra vobis solbi faciamus. Et scire faciatis præfato Magistro *Gerardo*, quod si auctoritatem quampiam penes se habeat præmissa tangentem, illam pro loco et tempore cum ad hoc vacare poterimus in nostri consilii qua nostri præsentia paratus sit ostensurus, ut visa illa et inspecta, ulterius fiat quod per nos et dictum Consilium nostrum fuerit faciendum. Et si idem Magister *Gerardus* coram vobis ad dictam *Turrim* nostram venire noluerit, vel si venerit, et dictam revocationem in forma prædicta facere recusaverit, tunc ipsum attachetis quousque super hoc duxerimus ordinandum. Insuper vobis prohibemus, ne aliquis gratia, favore vel cautela quacunque copiam istius præsentis literæ aliqualiter optineat, Et quid super præmissis feceritis, nobis sub sigillo vestro quamprimum fieri poterit distinctè & aperte constare faciatis. Remittentes nobis tunc hoc breve. Teste Rege apud *Strivelyn* 5. die Julii.

To which I shall subjoyn this memorable Record of like nature the year before.

*ibidem.*

**B**Reve Regis de super sedend. direct. Abbati de *Waltham* & Decano Sancti *Pauli London.* assign. ad colligend. Decimam per totum regnum in subsidium Terræ Sanctæ, per tres Bullas a *Papa* quibusdam Commissionar. direct. &c. Ipse Decanus venit coram Rege et Concilio, et super sed. de collectione prædicta ob reverentiam Domini Regis. Et promittit, ulterius se non processurum absque bona voluntate Regis.

Pope *Boniface* having granted King *Edward* all the remainder and arrears of the 3. years Dismes imposed by his Royal consent on the Clergy of *England* for the use of the Church of *Rome*, which being demanded notwithstanding by Pope *Benedict* who succeeded him, and his premised Nuncio, the King thereupon issued this Writ of Privy Seal for the security of the Collectors and Treasurers thereof against this new Pope, for the summes of money received from them by his command.

Bundela  
Brevium &  
Literarum in  
Turris Lond.  
*An. 32 E. 1.*

**E***Edwardus*, &c. Omnibus ad quos, &c. salutem. Sciatis, quod cum nuper felicitis recordationis Dominus *Bonifacius* Papa octavus medietatem Decimæ per ipsum in subsidium *Romane* Ecclesiæ per tres annos Clero regni nostri *Anglia* de assensu nostro imposuit, pro arduis & urgentibus nostris & regni nostri negotiis, nobis liberaliter

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beraliter concessisset altera medietate dictæ Decimæ, si idem Papam per dictum triennium vitam duceret in humanis, sibi in subsidium *Romane* Ecclesiæ reservata; et si infra dictum triennium ipsum in fata decedere contingeret, totum residuum dictæ Decimæ, a tempore mortis suæ colligendum et levandum; nostris usibus concessisset, et voluisset integraliter applicari; Ac idem Papa jam infra dictum Triennium vitam universæ carnis sit ingressus, per quod tota dicta Decima, a tempore mortis ipsius Papæ, ad nos iuxta concessionem supradictam dinoscitur pertinere; & nos jam mandaverimus venerabili Patri Episcopo *London.* & Magistro *Bartholomæo de Ferentino Canonico London.* Collectoribus dictæ Decimæ, per præfatum Summum Pontificem deputatis, ac Magistro *Johanni Bonichii de Senis* Commissario prædicti Magistri *Bartholomæi* in hac parte, quod omnem pecuniam de Decima prædicta de primo termino tertii & ultimi Anni trium prædictorum annorum per ipsos jam collectam & levatam, ac etiam colligendam & levandam, dilecto Clerico nostro *Johanni de Droghesford* Custodi Garderobæ nostræ plenè & integrè faciant liberari. Nos volentes securitati prædictorum Episcopi, &c. prospicere in hac parte, ipsum Episcopum ac successores suos, ac Ecclesiam suam *Londonien.* & præfatos Magistros *Bartholomæum* & *Johannem Bonichii* de omni ea pecunia quam ipsi præfate *Johanni de Droghesford* de dicto Termino, prætextu mandati nostri prædicti, solberint aut liberaverint, erga Dominum Papam jam de nobis creatum, et omnes alios quorum interest vel interesse poterit quoquo modo, promittimus pro nobis et heredibus nostris, indemnes conserbare. In cujus, &c. Teste meipso apud *Dunfermelyn* 31. die *Novembris.* Anno Regni nostri 32.

An. 32 E. 1.

He likewise issued these 3. successive Writs, for the speedy collecting and paying into his Exchequer at certain dayes, the first part of the 3. years Disme granted him by Pope *Boniface*, accrued to him by his death, to the subcollectors thereof, notwithstanding any cavils of the new Pope, Bishops, or Clergy against it, commanding them to levy it without exceptions by all kinds of Ecclesiastical Censures without any partiality, under pain of seising their Temporalities if they neglected it.

**R**EX dilectis sibi in Christo Abbati & Conventui de *Certefeye*, subcollectoribus Decimæ Clero *Anglia* per bonæ memoriæ Dominum *Bonifacium* Papam octavum de assensu nostro imposuit per tres annos, salutem. Cum nuper prædictus Papa medietatem dictæ Decimæ, pro arduis & urgentibus nostris & regni nostri negotiis nobis liberaliter concessisset; altera medietate dictæ Decimæ, si idem Papa per dictum triennium vitam duceret in humanis, sibi in subsidium *Romane* Ecclesiæ reservata; & si ipsum infra dictum triennium in fata decedere, vel pacem super guerra de regno *Sicilia* mota, reformari contigerit, totum residuum dictæ Decimæ, a tempore mortis suæ colligend. et levand. nostris usibus similiter concessisset et voluisset integraliter applicari; Et jam intellexerimus, quod prætextu battarum et tributarum excusationum quarundam personarum ecclesiasticarum, prætendentium, tam per mortem dicti Domini Papæ, quam per mortem *London.* Episcopi, unius Collectorum dictæ Decimæ, se ad solutionem dictæ Decimæ non teneri, vos negligentes & remissos hactenus exhibuistis, & adhuc ex hoc exhibetis in levatione et collectione Decimæ supradictæ, de quo miramur quamplurimum & movemur; Maxime, cum dicta Decima nobis virtute Concessionis prædictæ a tempore mortis dicti Papæ totaliter debeat, et hujusmodi Impositiones et omnes Concessiones gratiosæ, durante termino Impositionum et Concessionum illozum, vim sortiri debeant et effectum; Vobis mandamus in fide qua nobis tenemini firmiter injungentes, quod omnes ecclesiasticas personas infra commissa vobis loca constitutas, nulli penitus deferendo, cujuscunque status, dignitatis, aut conditionis existant, ad solutionem plenariam dictæ Decimæ de primo termino tertii anni, per Excommunicationis, Suspensionis, et Interdicti sententias, sine dilatione qualibet compellatis, et nihilominus bona ipsorum ecclesiastica sequestratis, eaque donec ad plenum satisfecerint, sub arto sequestro faciatis inviolabiliter custodiri; Ita quod totam pecuniam inde proveniente habeatis ad Scaccarium nostrum in crastino S. *Hilarii* proximo futuro ad ultimum. De nominibus non solventium Thesaurarium & Barones nostros de dicto Scaccario dictis die & loco reddentes, distinctè & aperte, per vestras patentes literas certos: ut tanquam contra honoris & commodi nostri impeditores, gra-

Clauſ. 31 E. 1.  
m. 14 De  
Decima le-  
vanda ad opus  
Regis.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

*An. 32 E. 1.* viter procedamus. Nos autem literas nostras patentes de Indemnitate vestra in hac parte vobiscum ibidem habere in forma faciemus. Scimus enim pro constanti, quod dicta Decima de termino predicto, citra Crastinum predictum colligi poterit plenarie & levare, si ad hoc cum diligenti assiduitate intenderitis, et rebelles (si qui fuerint) compesceritis in forma superius annotata: Scientes pro certo, quod si dicta solutio ultra dictum Crastinum (quod absit) aliquantulum retardetur, terras, tenementa, bona et catalla vestra in manum nostram, ob vestri defectum et negligentiam, capiemus. Teste Rege apud *Dunfermelyn* 10. die *Decembr.*

Eodem modo mandatum est Subcollectoribus subscriptis, quod totam pecuniam de Decima proventientem habeant ad Scaccarium predictum Terminis subscriptis, Viz.

Priori et Conventui *Karlsli*, quod habeant, &c. in Crastino *Epiphania*.  
 Abbati et Conventui *Novi Monasterii*, quod habeant, &c. eodem termino.  
 Abbati et Conventui *Beatz Maria Eborum*, quod habeant, &c. citra *Natale Domini*.

Priori et Conventui de *Thorgharton*, quod habeant, &c. in Crastino *Epiphania*.  
 Abbati et Conventui de *Cokerband*, &c. in Crastino Sancti *Hillarii*.

Abbati et Conventui de *Sleby*, &c. citra *Natale Domini*.

Priori et Conventui Sancti *Katerina* extra *Linc.* in Crastino *Epiphania*.

Abbati et Conventui de *Burton* super *Trentam*, &c. }

Priori de *Kenilworth*, &c. }

Abbati et Conventui de *Oseneys*, &c. }

Abbati et Conventui de *Radyng*.

Priori et Conventui de *Ely*, &c. }

Priori et Conventui de *Bernevell*, &c. }

Abbati et Conventui Sancti *Edmundi*.

Abbati et Conventui de *Langeley*, &c. }

Abbati et Conventui de *Coletstria*, &c. }

Abbati et Conventui de *Waltham*, &c. }

Abbati et Conventui de *Westm*.

Abbati et Conventui de *Certeys*, &c. }

Priori et Conventui de *Roffen*, &c. }

Priori et Conventui *S. Gregorii Cant.* &c. }

Decano et Capitulo *Cicestr*, &c. }

Abbati et Conventui de *Hyda Winton*, &c. }

Abbati et Conventui de *Shireburne* }

Abbati et Conventui *Glaston*.

Priori et Conventui de *Lanceneton*,

Priori et Conventui Sancti *Nicholai Exon*.

Decano et Capitulo *Heref.* &c. }

Abbati et Conventui *Gloucestr*.

Abbati et Conventui de *Kermerdyn*,

Decano et Capitulo de *Bangor*.

Abbati et Conventui de *Wygemor*. *Hereford*. Dioc. }

Priori et Conventui *Lanton*. primæ *Meneven*. Dioc. }

Abbati et Conventui de *Morgan*. *Landavin*. Dioc. }

Abbati et Conventui de *Valle Crucis*, *Assaven*. Dioc. }

Episcopo et Capitulo *Bangoren*.

in Crastino Sancti *Hillarii*.

In Crastino Sancti *Hill*.

In Crastino Sancti *Hill*.

In Octabis Sancti *Hill*.

In Octabis Sancti *Hill*.

In Quinden, Sancti *Hill*.

In Crastino Sancti *Hillarii*.

In Octabis Sancti *Hillarii*.

In Crastino Purif.  
 beatæ *Maria*

Ibidem. De  
 Decima defer.  
 ad Scaccari-  
 um.

**R**EX dilectis sibi in Christo Priori & Conventui Sanctæ *Katerina* extra *Linc.* Subcollectoribus Decimæ, Clero *Anglia* per Dominum *B.* Summum Pontificem impositæ per tres annos, salutem. Meminimus vos nuper à venerabili patre *R. London*. Episcopo, & Magistro *Johanne Bonich. de Senis*, Magistri *Bartholomæi de Ferentino* Commissario, principalibus Collectoribus dictæ Decimæ, recepisse in mandatis, quod in collectione & levatione Decimæ pro tertio anno trium predictorum annorum, cum omnimoda festinatione pariter et rigore, excommunicando, suspendendo, interdicens, nullam personarum exceptionem habentes, sed omnibus prorsus cavillatione et exceptione remotis celeriter procederetis, sub pœna excommunicationis majoris, quam in vos Priorem & ceteros majores vestri Prioratus & Collectores

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Collectores in scriptis protulerunt, si præfatum mandatum ipsorum omiseritis aut etiam neglexeritis adimplere. Et quia in executione mandati prædicti, ut accepimus, nimis fuistis negligentes hæcenus & remissi, vobis in fide qua nobis tenemini firmiter injungendo mandamus, quod omnes Ecclesiasticas personas infra commissæ vobis loca constitutas, &c. ut supra, usque certiores. Et hoc, sicut indignationem nostram, & grave dampnum nostrum vitare volueritis, nullatenus omittatis. Scimus enim, quod si ad levationem dictæ decimæ, per suspensionis, excommunicationis et interdicti sententias, ac etiam sequestrationem fructuum, sicut prædictum est, celeriter duxeritis procedendum, deficere non poterimus; quin pecuniam dictæ Decimæ die prædicto ad ultimum habeamus. Literam autem Acquietantiæ dictorum principalium Collectorum de quingentis libris habemus paratam in Scaccario prædicto, vobis ibidem cum pecuniam illam solveritis, fideliter liberand. Et habeatis ibi hoc Breve apud *Dunfermelyn*, primo die Decembris.

Consimiles litteræ diriguntur Subcollectoribus subscriptis de summis subscriptis, videlicet,

Abbati et Conventui beatæ Maria Eborum de 400 l.

Abbati et Conventui de Novo Monasterio de 200 l.

Abbati et Conventui de Cokerland de 100 l.

Abbati et Conventui de Seleby de 200 l.

Abbati et Conventui de Thurgarton de 100 l.

**R**EX dilectis sibi in Christo Priori & Conventui Karlioli Subcollectoribus Decimæ Clero Anglia per felicitis recordationis Dominum Bonifacium Papam Octavum de assensu nostro impositæ per tres annos, salutem. Cum prædictus Papa gravia onera et expensas multiplices, quæ prætextu Guerrarum nostrarum sustinimus, paterna compassione considerans et attendens, nobis ad relebationem expensarum et onerum prædictorum, per suas litteras, medietatem dictæ Decimæ liberaliter concessisset, quarum tenorem, de verbo ad verbum manu publica cujusdam tabellionis conscriptum, certis de causis vobis transmittimus intuendum, ac per vos omnibus aliis, quorum interest, vel interesse quoquo modo, si necesse fuerit, publicandum. Idemque Papa venerabili patri Episcopo, & Magistro Bartholomæo de Ferentino Canonico London. dedisset per alias litteras suas executorias in mandatis, Ut dictam medietatem Decimæ nobis concessam, tam collectæ quam impostum colligendæ, nobis vel Collectoribus nostris, ad hoc per nos specialiter deputatis facerent assignari; quarum litterarum prætextu, prædicti Episcopus per se, & Bartholomæus per Magistrum Johannem de Bonichii de Senis Commissarium suum in hac parte specialiter constitutum, medietatem dictæ Decimæ de primis duobus annis, & aliquam partem ejusdem Decimæ de primo termino tertii Anni per quosdam Subcollectores suos jam levare fecerint, nobisque per suas litteras assignari: Ac nos propter felicem et celerem consummationem guerræ nostræ in Scotia, quam ad nostram et Regni nostri honorem summo desiderio affectamus, ad præsens indigeamus magna pecuniæ quantitate. Vobis in fide & dilectione quibus nobis tenemini firmiter mandamus, quatinus virtute primæ Commissionis, de levanda de dicto triennio tota Decima, à prædictis Episcopo & Bartholomæo principalibus Collectoribus ejusdem, ab initio vobis factæ, quam per mortem dicti Papæ, aut London. Episcopi minime constat expirasse, totum residuum dictæ Decimæ de primo termino tertii anni, nondum adduc levatæ nec solutæ, ab omnibus & singulis personis Ecclesiasticis, infra commissæ vobis loca constitutis, nulli penitus deferendo, cujuscunque status, dignitatis, aut conditionis existat per omnimodam censuram Ecclesiasticam vobis in hac parte competentem, colligi & levare, sine cujuscunque excusationis & dilationis incommodo faciatis. Ita quod illud ad Scaccarium nostrum, cum omni celeritate qua fieri poterit, habeatis, ut sic medietatem dictæ Decimæ de tertio anno, juxta concessionem Apostolicam, integraliter habeamus, nosque per nostras patentes litteras vobis de omni eo quod solveritis, sufficentem Acquietantiæ faciemus, ac vos erga Dominum Papam Principales Collectores, et alios quoscunque conferbabitur indemnes. Teste Rege apud *Dunfermelyn*, 10 die Februarii.

Cl. 32 E 1.  
m. 14. Pro  
pecunia Deci-  
mæ levanda  
& ad Scacca-  
rium deferen-  
da.



K. Edward 1. *An Exact History of Popes Intolerable Usurpations, B. 5. ch. 5*

*An. 32 E. 1.* Eodem modo mandatum est Abbatibus, Prioribus, & Conventibus subscriptis, Subcollectoribus dictæ Decimæ, videlicet;

Abbati & Conventui <i>Novi Monasterii,</i>	Abbati & Conventui de <i>Ceriseye,</i>
Abbati & Conventui <i>B. Maria Eborum.</i>	Priori & Conventui de <i>Roff.</i>
Priori & Conventui de <i>Thorgarton,</i>	Priori & Conventui <i>S. Gregorii Cant.</i>
Abbati & Conventui de <i>Cokerfand,</i>	Decano & Capitulo <i>Cyest.</i>
Abbati & Conventui de <i>Seleby,</i>	Abbati & Conventui de <i>Hyda Wynton.</i>
Priori & Conventui <i>S. Katerina extr. Line.</i>	Abbati & Conventui de <i>Shirburne,</i>
Abbati & Conv. de <i>Burton super Trettam.</i>	Abbati & Conventui <i>Glasfen.</i>
Priori & Conventui de <i>Kenilworth,</i>	Priori & Conventui de <i>Launceton,</i>
Abbati & Conventui de <i>Osene,</i>	Priori & Conventui <i>S. Nich. Exon.</i>
Abbati & Conventui de <i>Radyng,</i>	Decano & Capitulo <i>Hereford.</i>
Priori & Conventui de <i>Ely.</i>	Abbati & Convent. <i>Gloucestr.</i>
Priori & Conventui de <i>Bernswell.</i>	Abbati & Conventui de <i>Kermeryn.</i>
Abbati & Conventui <i>Sancti Edmundi,</i>	Decano & Capitulo <i>Morgan.</i>
Abbati & Conventui de <i>Langeley,</i>	Abbati & Conventui de <i>Wygemer.</i>
Abbati & Conventui de <i>Colcest.</i>	Abbati & Conventui de <i>Bangor.</i>
Abbati & Conventui de <i>Walsham,</i>	Priori & Conventui de <i>Lantow primæ,</i>
Abbati & Conventui de <i>Westm.</i>	Abbati & Conventui de <i>Valle Crucis.</i>

The King likewise issued this following Writ to the Sheriffs of several Countyes to assist and help *Robert de Nottingham*, to levy and raise the monies that were behind and ungathered of these Dismes,

*Pat. 32 E. 1. m. 23. De intend. Roberto de Nottingham Clerico, in negotiis Decimæ tangentibus Regem.*

**R**EX omnibus Vicecomitibus, Ballivis, & ceteris Ministris suis, & aliis, de Comitatibus *Lincoln. Leicestr. Northt. & Rosel.* ad quos presentes literæ pervenerint, salutem. Cum nuper pro eo quod bonæ memoriæ Dominus *Bonifacius* Papa octavus, medietatem Decimæ per ipsum Clero *Anglia*, de assensu nostro imposuit, per tres annos, &c. (ut supra, usque ut contra ipsos, tanquam contra honoris et commodi nostri impeditores, graviter procederemus,) ac dicti Prior & Conventus significaverint, quod quidam, Clerici et Religiosi, rebelles sunt, et impeditores, et solutioni dictæ Decimæ malitiose detractores, ob quod solutio de dictâ Decimâ, nobis debitâ, hæcenus est perperam retardata, ad damnum nostrum non modicum, et contra fidem et affectionem quibus Regiæ nostræ Majestati tenentur astringi; Assignavimus dilectum Clericum nostrum, *Robertum de Nottingham*, ad capiendum in manum nostram omnia bona et catalla, terras et tenementa omnium et singulorum illorum in Comitatibus prædictis, qui nobis in aliquo tenentur de portione ipsos contingente de Decima prædicta, secundum quod dictus *Robertus* per Extractas prædictorum Prioris & Conventus, vobis ostendere poterit, et qui rebelles, impeditores, vel quocunque modo solutioni dictæ Decimæ fuerint contradicentes. Et ideo vobis mandamus, in fide & dilectione quibus nobis tenemini, firmiter injungentes, quod eidem *Roberto*, cum ad partes vestras venerit, sitis intendentes & auxiliantes in præmissis; Ita quod diligentiam vestram & effectum, quos super hiis apposueritis, prout dictus Clericus noster in redditu suo nobis referet, merito habere debeamus recommendatos. In cujus rei, &c. usque ad festum Conversionis *Sancti Pauli* proximo futuro duratur. Teste Rege apud *Dunfermelyn*, primo die Januarii.

\* Clause 31 E. 1. m. 3. &c.

There are sundry other Writs in the same \**Clause & Patent Rolls* to the like effect for collecting, and taking the Accounts of the said Dismes, which I pretermitt.

King *Edward* being engaged in a warr in *Scotland*, and so much taken up with secular employments, that he had little time for his prayers and devotions; out of his Ecclesiastical Sovereignty and piety issued these 3. pious Writs to the *Freers Minorites* assembled in a General Chapter at *Nottingham*, and afterwards at *Assisum*, and to the *Freers Predicants* in their General Chapter at *Tholouse*, to pour out fervent prayers unto God for himself, and the good successe of his affairs, and for his Queen, Children, Realms, Government, and to fit him for an heavenly kingdom

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

dom, after his departure from his *Earthly*, of his meer mercy; worthy all Christian Princes imitation upon the like occasion.

An. 32 E. 1.

**R**EX Religiosis viris in Christo sibi dilectis Fratribus de *Ordine Minorum*, ad Generale Capitulum apud *Notingham* proximo conventuris salutem, & in Spiritu Sancto dirigi in agendis. Attendentes beneficia sacra, orationumque debitorum suffragia ad divinam misericordiam impetrandam multum humane conditionis fragilitati prodesse inter alia opera pietatis, considerantesque nos pro curis et rebus mundanalibus quibus circa Regni nostri regimen involuti sumus, salutis nostre spirituali prout nobis expediret intendere non valere, devotionem vestram requirimus et rogamus, quatinus Nos, *Margaretam* Reginam *Anglia* Consortem nostram charissimam, *Edwardum* Principem *Wallia* primogenitum nostrum, ceterosque liberos nostros, ac populum nobis commissum, beneficiorum et suffragiorum vestrorum fore participes concedentes, pro nobis et ipsis, ac statu regni nostri, expeditione negotiorum nobis incumbencium, supplicationes assiduas et orationes devotas Altissimo offeratis, ut hic sua pietate nos et ipsos dirigat per suorum semitam mandatorum, et post diem extremum salvationis locum nobis et ipsis dignetur misericorditer indulgere, statumque regni nostri conservare prosperum et tranquillum. Teste Rege apud *Strivelyn* 29 die Julii.

Claus. 32 E. 1; m. 7. dorso. De orando pro Rege & Regina, & eorum liberis.

*Per breve de privato sigillo.*

**R**EX Religiosis viris, & sibi in Christo carissimis Magistris Ordinis *Fratum Minorum*, & diffinitoribus ac fratribus universis in Generali Capitulo suo apud *Assisum* proxi. conventuris salutem, & bravium pro labore perhenniter duraturum. Nos qui curis sumus & rebus mundalibus involuti, & circa regimen regni nostri incessantibus actibus et continuis meditationibus occupati, pro anime nostre salute contemplationi prout haberemus necesse intendere nequeunt, ac advertentes quod beneficia vestra sacra orationumque vestrarum suffragia nobis in presenti & etiam in futuro esse poterunt plurimum fructuosa; Religiosum cœtum vestrum & singulos fratres adunatos in eo requirimus et rogamus, quatinus Nos, *Margaretam* Reginam *Anglia* Consortem nostram karissimam, *Edwardum* Principem *Wallia* primogenitum nostrum, ceterosque liberos nostros, ac populum nobis commissum suffragiorum et beneficiorum vestrorum fore participes concedentes, pro nobis, statu Regni nostri, et expeditione negotiorum nobis incumbencium, hiis diebus pia precamina apud Altissimum effundatis, ut sic regnum temporale regere valeamus, quod in regno celesti partem hereditariam consequamur. Conserve vos Altissimus in caritate continua & perpetua. Dat. apud *Dunfermelyn*. 11. die Decemb.

Claus. 32 E. 1; m. 16. dorso.

**R**EX Religiosis viris et in Christo sibi dilectis Magistro Ordinis *Fratum Prædicatorum*, ac diffinitoribus & fratribus universis in Generali Capitulo suo apud *Tolosam* proximo congregandis salutem, & Spiritu sancto dirigi in agendis. Dum conditionem humane fragilitatis attendimus, & qualiter omni creature tam sublimi quam humili, prætereuntibus suo cursu diebus, presentis vite finis appropriat, attenta consideratione pensamus, sic prævenire cupimus quantum nobis ex alto permittitur diem mortis, ut æterni clemencia Judicis dignetur nostri de sue gratie plenitudine misereri. Verum cum devotarum orationum suffragia, inter alia pietatis opera multum profunt ad divinam misericordiam impetrandam, de vobis quorum ordinem benevolentie specialis favore prosequimur, ut salutem nostram zelemus, ut pro nobis, *Margareta* Regina *Anglia* Consorte nostra karissima, *Edwardo* Principe *Wallia* primogenito nostro, & ceteris liberis nostris, ac statu prospero regni nostri, preces devotas Domino offeratis, plenam fiduciam optinentes, devotionem vestram requirimus et rogamus, quatinus nunc & in futurum dignam sollicitudinem impendatis & insistatis assiduis supplicationibus apud Deum, ut hic sua pietate nos dirigat per suorum semitam mandatorum, & post diem extremum salvationis locum nobis dignetur misericorditer indulgere, statumque prædicti regni nostri conservare prosperum et tranquillum. Universitatem vestram Religiosam diu conserve Altissimus in caritate continua & perfecta. Dat. apud *Dunfermelyn*. primo die Januarii.

Claus. 32 E. 1; m. dorso.

The



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B.5.ch.5.*

49. 32 E. 1. The King likewise issued Writs (according to the superstition of that age) to the Bishop elect of *London*, Archbishop of *Canterbury*, and sundry Abbots, for prayers to be made for *John de Warren* Earl of *Surrey* after his decease.

Cl. 32 E. 1.  
m. 6. dorso.  
De orando  
pro anima  
Johannis de  
Wareana  
quondam  
Comitis Surr.

REX dilecto sibi in Christo Electo *London*: vel ejus vices gerenti, ipso agente in partibus transmarinis, salutem. Cum opus pium et coram Deo meritum censetur, pro defunctis jugiter exorare, ut sic a peccatorum suorum nexibus facilius liberentur, ac charissimus Consanguineus noster *Johannes* quondam Comes de *Warrena*, qui nobis et regno nostro semper utilis extitit et fidelis, vitam universæ carnis jam (sicut Altissimo placuit) sit ingressus, quod vobis non sine cordis amaritudine nunciamus; Vos affectuose requirimus et rogamus, quatinus animam præfati Comitis à singulis Religiosis & aliis Ecclesiasticis viris subditis vestris, per totam Civitatem & Diocesim *London*, constitutis, per Missarum decantationes & aliarum devotarum orationum suffragia faciatis divinæ clementiæ commendari. Teste Rege apud *Tresk* quarto die *Octobr*.

Consimiles literæ diriguntur subscriptis, videlicet, *R. Cantuar.* Archiepiscopo, totius *Anglia* Primati, Abbati *S. Augustini Cantuar.* Abbati *Westmonasterii*, Abbati de *Waltham*, Abbati de *Sancto Albano*, Abbati de *Sancto Edmundo*, Abbati de *Evesham*.

Sundry persons being attached and ordered to be proceeded against for their contempt in resisting the Sheriff of *Lincoln* in the execution of his Writ, *De vi Laica amovenda*, out of the Church of *Bardney*, upon the Sheriffs return thereof, the King at the request of the Abbot of *Bardney* was pleased to pardon their offence, and supersede all further prosecution in his name against them, as this Record attests; which will serve to inform Professors of the Law of the antient returns and proceedings upon such Writs.

Clauſ. 33 E. 1.  
m. 11. dorſo.  
Pro Roberto  
de Baſton &  
aliis qui fue-  
runt in Eccle-  
ſia de Barde-  
ney vi armata.

Cum Rex nuper ad requisitionem Venerabilis Patris *Johannis Lincoln*. Episcopi præceperit Vic. *Lincoln*. quod omnem vim laicam quæ se tenuit in Ecclesia de *Bardney*, ad perturbandum ipsum Episcopum, quo minus officium suum spirituale in Ecclesia illa exercere posset, sine dilatione amoveri faceret ab eadem: Ac idem Vic. Regi returnaverit, quod Ecclesiam prædictam ad executionem mandati prædicti faciendam accessit, & quod Robertum de *Baſton*, Simonem de *Edlington*, Simonem *Merle*, Robertum Medicum, Willielmum Carpentarium, Hugonem servientem ejusdem Willielmi, Johannem de *Curtlagio*, Robertum Vannatorem, Simonem de *Offington*, Galsfridum le *Hunter*, Galsfridum le *Porter*, Philippum le *Porter*, Stephanum le *Provoſt*, Stephanum le *Plummer*, Gilbertum de *Askeby*, Nicholaum *Belle*, Johannem *Joye* seniore, Galsfridum socium suum, Galsfridum le *Meſſag*. Thomam *Anſell*, Magistrum Johannem de *Maldon*, & Eudonem quondam Servientem *Ada de Gaunt*, vi & armis ibidem sibi resistentes invenit, qui ipsum Vic. hujusmodi vim laicam ibidem inventum juxta mandatum Regis amovere non permiserunt, in Regis contemptum manifestum, et contra pacem Regis, per quod prædicti Robertus, Simon, Robertus, Willielmus, Hugo, Johannes, Robertus, Simon, Galsfridus, Galsfridus, Philippus, Stephanus, Stephanus, Gilbertus, Thomas, Gocelinus, Johannes, Willielmus, Robertus, Thomas, Willielmus, Nicholaus, Johannes & Endo attachiati fuerunt per præceptum Regis ad respondendum Regi de resistentia et contemptu prædictis: Rex ad instantiam Fratris Roberti Abbatis de *Bardney*, pardonabit eisdem Roberto, Simoni, &c. sectam suam pro resistentia et contemptu prædictis, & vult quod occasione prædicta non occasionentur nec de cætero moleſtentur in aliquo vel graventur, & quod omnino supersedeatur ulteriori sectæ contra ipsos dicta occasione suo nomine inchoatæ. Teste Rege apud *Strivelyn* 12. die *Junii*.

Per breve de privato Sigillo.

The Abbot of *Bardney* deprived by the Bishop of *Lincoln*, upon his Appeal to the Archbishop, being restored to his former estate, the King upon certificate thereof, issued this Writ to restore his Temporalities seized upon his deprivation.

REX

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

**R**EX dilecto sibi Magistro Henrico de Thornhagh Custodi Abbatis de Bardene, salutem. Cum dilectus nobis in Christo frater Robertus Abbas de Bardene, quem venerabilis pater J. Lincolnensis Episcopus post Appellationem per præsatum Abbatem ab eodem Episcopo, ob certas causas ad Curiam Cantuariensem interjectam a Pastoralis Regimine ejusdem Abbatis amovit, per Præsidentes dictæ Curie Cantuariensis obtinuerit sententialiter ad statum pristinum jam reduci, sicut per literas ipsius Archiepiscopi, quas recepimus, nobis constat; Vobis mandamus, quod de Abbacia prædicta, possessionibus, libertatibus, juribus, aut aliis quibuscunque ad eam spectantibus, quæ vobis pro defensione eorundem custodienda commissimus, vos ulterius non intromittentes, ipsum Abbatem de Abbacia prædicta possessionibus, libertatibus, juribus, & aliis quibuscunque ad eam spectantibus, plenam & liberam administrationem habere permittatis. In cujus, &c. Teste Rege apud Strivelyn 10 die Maii.

*Per ipsum Regem nunciante Cov. & Lichfeld. Episcopo.*

The Abbots and Covents of Furnes and Salleye having surreptitiously procured a Prohibition or *Indicavit* against a Suit for the 4th. part of the Tithes in Court Christian, brought by the Parson of the Parish; the King thereupon issued this Writ of *Procedendo*, to proceed therein notwithstanding the Writ of *Indicavit*, upon an Inquisition found and returned, that the Tithes amounted not to the value of the 4th. part of the Church, as was suggested.

**R**EX Officiali Archiepiscopi Ebor. & ejus Commissar. salutem. Monstravit nobis dilectus Clericus noster Adam de Osgodby Persona Ecclesie de Gaingrave, quæ est de advocacione Henrici de Percy, quod cum ipse coram vobis in Curia Christianitatis petierit versus Abbatem et Conventum de Furnes, Decimas provenientes de eorum terris et culturis infra limites Parochie Ecclesie sue prædictæ existentibus, ad ipsum Adam tanquam ad Rectorem, & ad Ecclesiam suam prædictam de jure pertinentes, ac post varias allegationes ipsorum Abbatis et Conventus inspectis et diligenter examinatis quibusdam pisdlegis Apostolicis, quæ pro eorum immunitate de Decimis illis non solvendis, coram vobis in iudicio protulerunt; ipsorumque rationibus intellectis, consideratum esset per vos in eadem Curia, quod ipsi dictas Decimas præfato Rectori et Ecclesie sue prædictæ solvant: Et quod Decimæ illæ ad ipsum & successores suos, ac ad Ecclesiam suam prædictam debent de jure pertinere, non obstantibus pisdlegis supradictis: Vos prætextu cujusdam brevis nostri de Prohibitione, quod dicitur *Indicavit*, vobis directi, ne in placito illo in Curia Christianitatis procederetis; quod quidem breve idem Abbas surreptitiè in Curia nostra impetravit, maliciose suggerendo, se tenere quartam partem ejusdem Ecclesie de advocacione sua propria; ac si Patronus esset illius, seu Decimæ illæ ad balorem quartæ partis dictæ Ecclesie attingerent sepe sedis, in ipsius Rectoris dampnum non modicum & jacturam, & Ecclesie sue prædictæ exheredationis periculum manifestum. Cumque ad prosecutionem dicti Clerici nostri, super vero valore Ecclesie illius, ac etiam Decimarum dictarum per Viccomitem nostrum Ebor. inquiri fecerimus plenius veritatem, & acceperimus per eandem Inquisitionem, quod dicta Ecclesia valet per annum Centum et decem Marcas, præter Decimas supradictas; et quod Decimæ illæ valent per annum Centum solidos, per quod liquet, quod Decimæ illæ ad balorem quartæ partis ejusdem Ecclesie non attingunt. Nos nolentes per hujusmodi falsam suggestionem jurisdictioni Ecclesiasticæ derogari, seu ius ipsius Clerici nostri aut Ecclesie sue prædictæ ulterius retardari: Vobis mandamus, quod non obstante dicta Prohibitione nostra sic per falsam suggestionem impetrata, in executione considerationis vestre supradictæ in Curia Christianitatis procedatis, prout in foro Ecclesiastico fuerit procedendum. Teste Rege apud Marpeth 28 die Augusti.

**R**EX Officiali, &c. ut supra. salutem. Monstravit nobis dilectus Clericus noster Adam de Osgodby Persona Ecclesie de Gaingrave, quæ est de advocacione Henrici de Percy, quod cum ipse coram vobis in Curia Christianitatis petat versus Abbatem

*An. 32 E. 1.*

*Per 31 E. 1. m. 20. De non intromittend. de Abbacia de Bardene.*

*Claus. 31 E. 1. m. 6. Pro Adam de Osgodby Persona Ecclesie de Gaingrave.*

*Ibidem.*



*An. 32 E. 1.* Abbatem et Conventum de *Salley*, Decimas provenientes de eorum terris et culturis infra limites Parochie Ecclesie sue predictae, ad ipsum *Adam* tanquam ad Rectorem, & ad Ecclesiam suam predictam de jure pertinentes; Vos occasione cujusdam brevis nostri de Prohibitione, quod dicitur *Indicabit*, vobis directi, ne in placito illo in Curia Christianitatis procederetis; quod quidem breve extra solitum cursum Cancellarie nostre a Curia nostra surreptitise emanabit, sicut per transcriptum ejusdem quod sub sigillo vestro nobis misistis plenius nobis constar, in placito illo supersedetis, in ipsius Rectoris dampnum non modicum & jacturam, & Ecclesie sue predictae exheredationis periculum manifestum. Et quia volumus per hujusmodi breve sic surreptitise impetratum, jurisdictioni Ecclesiastice derogari, seu jus ipsius Clerici nostri aut Ecclesie sue predictae ulterius retardari: vobis mandamus, quod non obstante dicta Prohibitione nostra in dicto placito in Curia Christianitatis procedatis, prout in foro Ecclesiastico fuerit procedendum. Teste Rege apud *Tynmuth* 12 die Septembris.

There being a *Capias Excommunicatum* issued, upon the Archbishop of *Canterbury* certificate, against *Edmund de Hoo*, who appealed against this sentence to the Court of *Rome* as unjust, the King thereupon superseded the Writ de *Excommunicato capiendo*; but being afterwards informed there was no such Appeal, or that it was not prosecuted, he then issued this Writ, to hear and examine the truth of these suggestions, and do right to both parties.

Claus. 32 E. 1.  
m. 7. dorso.  
Pro Edmund.  
de Hoo.

**R**EX Vicecomiti Suff. salutem. Cum nuper ad requisitionem venerabilis patris *R. Cantuariensis* Archiepiscopi, per literas suas patentes nobis significantis, quod *Edmundus de Hoo* propter manifestam contumaciam suam excommunicatus esset, nec se vult per censuram Ecclesiasticam iustificari, per breve nostrum tibi precipimus, quod prefatum *Edmundum* per corpus suum secundum consuetudinem *Anglie* iustificares, donec Sanctae Ecclesie, tam de contemptu quam de injuria ei illata, ab eo esset satisfactum; & per quendam Instrumenta publica, quae prefatus *Edmundus* in Cancellaria nostra exhibuit, intelleximus, quod idem *Edmundus* a sententia predicta in ipsum & sibi adherentes per prefatum Archiepiscopum lata, tanquam ab iniqua, ad sedem Apostolicam pro se et sibi adherentibus legitime appellavit; cujus quidem appellationis negotium idem *Edmundus*, ut asserit, prosequitur cum effectu; & jam ex insinuatione *Elye Puger* & *Willielmi de Everesdon*, ad quorum prosecutionem dicta sententia fuit in ipsum *Edmundum* lata, accepimus, quod idem *Edmundus* a dicta sententia (ut praemittitur) non appellavit, nec est aliquam appellationem in hac parte hactenus prosecutus; Nolentes quod prefato *Edmundo* per predictum breve nostrum via praeludatur, quominus appellationem suam prosequi possit in forma juris; Maxime cum hujusmodi breve nostrum de gratia nostra procedat, et appellantium status integer esse debeat, necnon quod predicti *Elias* & *Willielmus* a prosecutione juris sui occasione alicujus suggestionis frivolae nobis factae, contra iustitiam impediuntur. Tibi precipimus, quod executioni brevis nostri predicti, tibi de ipso *Edmundo* & sibi adherentibus, per eorum corpora iustificandis directi, faciendae supersedeas usque ad Quindenam Sancti *Michaelis* proximo futuram; quem diem prefato *Edmundo* dedimus ad certificandum & informandum nos & consilium nostrum de appellatione sua predicta, et qualiter eam fuerat prosecutus, et hoc in praesentia predictorum *Elias* & *Willielmi*, si tunc interesse voluerint, quos per te super hoc sufficienter volumus praemuniri. Et habeas ibi tunc hoc breve. Teste Rege apud *Strivelin* 25 die Julii.

*Per breve de Privato Sigillo.*

How vexatious the Archbishop of *Canterbury* was both to the Clergy and people, will appear by his excommunicating ten persons at once in one parish within the Diocese of *Norwich*, endeavouring to be take and imprison them upon a *Capias Excommunicatum*.

Bundela Brev.  
& Literarum  
An 32 E. 1. in  
Turre Lond.

**E**dwardus Dei gratia Rex *Anglie*, &c. Vicecomiti Suff. salutem. Significavit nobis venerabilis pater *R. Cantuariensis* Archiepiscopus per literas suas patentes, quod *Willielmus de Luton*, *Edmundus de Hoo*, (Persona de *Riseby*) *Johannes de*

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de Luton, Johannes de Rifeby, Johannes Shereman de Rifeby, Edmundus de la Greve de Rifeby, Henricus le Chapeleyn de Rifeby, Johannes de Staunfeld, Galfredus de Heydon, & Haukinus Edmundessenant, Norwicensis Diocesis, auctoritate ipsius Archiepiscopi ordinaria excommunicati sunt, nec se volunt per censuram Ecclesiasticam iustificari. Quia vero potestas Regia Sacrosanctæ Ecclesiæ in querelis suis deesse non debet: Tibi præcipimus, quod prædictos Willielmum, Edmundum, Johannem, Johannem, Johannem, Edmundum, Henricum, Johannem, Galfredum & Haukinum, per corpora sua secundum consuetudinem Angliæ iustitias, donec Sanctæ Ecclesiæ, tam de contemptu quam de injuria ei illata, ab eis fuerit satisfactum. Teste meipso apud Dunfermlyn 28 die Novembris, Anno regni nostri 32. A Transcript of which Writ, with the day of its receipt, the King commanded the Sheriff of Suffolk by another Writ to return and send to him into Scotland.

An. 32 E. 1.

I likewise finde these three Superseades of Writs de Excommunicato capiendo, upon the Excommunications of the Archbishop of Canterbury and Bishop of Sarum, during Appeals against them to the See of Rome.

**M**emorandum pro Petro de Sabaudia, Decano Ecclesiæ Sancti Martini Magni London. Hugons de Vyenna juniore, ejusdem Ecclesiæ Canonico, Johanne Capitulo suo, — Vicario perpetuo Ecclesiæ Præbendalis de Christchurch, — Custode Hospitalis Sancti Leonardi de Newport, & Johanne Port de Newport Clerico, quod ad suggestionem vel denunciationem Domini R. Archiepiscopi Cantuariensis, contra quem fidem ad sedem Apostolicam appellarunt, prout nobis constat, per earundem appellationum inspectionem, in quarum prosecutione sunt, contra eosdem vel eorum aliquem huiusmodi appellationibus pendentes ad captionem non scribamur.

Bundela Brev.  
& Literarum  
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Item, Memorandum pro eodem Petro Decano Ecclesiæ Sarum, Gerardo de Sefriaco Clerico Procuratore suo, Magistro Jacobo de Bukyngham, & Johanne Capellano Ecclesiæ Parochialis Sancti Thome Sarum, quod ad suggestionem vel denunciationem Domini S. Episcopi Sarum, contra quem fidem ad sedem Apostolicam appellarunt, prout nobis constat, per earundem appellationum inspectionem, in quarum prosecutione sunt, contra eosdem vel eorum aliquem huiusmodi appellationibus pendentes ad captionem non scribamur.

Consimile, Memorandum pro Thoma de Sabaudia Canonico Ecclesiæ Sarum, Jacobo de Bukyngham, Jacobo de Briga, & Henrico de Bukyngham Clericis, & Jacobo de Valeres Armigero, quod ad suggestionem vel denunciationem Episcopi Sarum prædicti, &c. non scribamur.

One who obtained a Benefice within the Diocese of Lincoln by the Popes Provision, being imprisoned by a *Capias Excommunicatum*, upon a sentence of Excommunication in the Arches, to which the Patron appealed against the Popes Provision, he appealing to the Court of Rome from the Arches (where the Appeal in the Arches was nulled) petitioned the Kings Council to be enlarged, because the Excommunication in the Arches was after his Appeal to Rome, which the Archbishop refused to certify against himself.

**A** Conseil nostre Seigneur le Roy; Maître Robert de Appelby Personne de la Eglise de Scalby en la Contee de Nichole, pris et emprisonne en Chastell de Nichole coment il ad messme cele Eglise de Scalby per Probisson del Apostoll, et institut. per l'Evesque de Nichole; & sur ceo le Priour de Thornholm Patron de cele Eglise encontre les avantditz Probisson et Institution fit un appel a les Arches de Londres. Et labantdit Robert appella des Arches a la Curt de Rome par grevance qe a luy fust faite; Et nemy encontre. esteant le Appel avantdit, labantdit Priour sui soen appelle en les Arches tant com messme celuy Robert fut escumenge, et puis par la caption pris et emprisonne. Et le bantdit Robert per Procurator sui soen appel en la Curt de Rome, et floques le proba, issint qe par cele appelle fust anentee le processe des Arches, et de ceo ad il Bulles et Instrumentz de la Curt de Rome. Par quoy il put par Dieu qil püsse estre delibere per le Curt le Roy, car l'Evesque de Canterbury ne vout pas escrire encontre soen fait demerit.

Bundela Brev.  
& Literarum  
An. 32 E. 1. in  
Turri Lond.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5.*

*An. 32 E. 1.* A Monk of *Richmond* stealing Goods and flying out of the Monastery, being imprisoned by the Kings Writ of *Apostata capienda*, he commanded him to be delivered to the Monks of *Richmond* to be chastised and punished according to the rules of that Order, and restore the stolen Goods to them, by this Writ.

*Claus. 32 E. 1. m. 5. Pro Fratribus Monachis Richmond & Pat. 32 E. 1. m. 1.* **R**EX Vic. *Cumbr.* salutem. Quia dilectus nobis in Christo Frater *Adam de Lincoln.* Minister Ordinis Fratrum Minorum in *Anglia* per literas suas nobis missas, intelligi nobis dedit, quod Frater *Arthurus de Hertspole*, Frater illius Ordinis, & in Ordine illo professus, nuper à Claustro suo apud *Richmond*, spreto habitu Ordinis illius ausu temerario clam evasit, & quorundam bona & catalla quorundam vicinorum & amicorum Fratrum Ordinis illius, apud *Richmond* commorantium, penes ipsos Fratres deposita custodienda, secum asportavit; & postquam aliquandiu de patria in patriam vagabatur sub habitu seculari, in animæ suæ periculum & Ordinis prædicti scandalum manifestum, arrestatus fuit apud *Quintonhancove*, cum bonis & catallis prædictis, & jam in prisona nostra apud *Egremund* detinetur. Nos ad honestatem Ordinis illius, necnon et ad devotionem quam erga Ordinem illam gerimus et habemus, tibi præcipimus, quod prædictum Fratrem *Arthurum* sic captum & detentum, prædictis Fratribus *Richmondia* commorantibus, sine dilatione liberes, juxta Ordinis illius regulam et disciplinam castigandum, bona & catalla prædicta secum inventa, & (ut prædictum est) arrestata, dictis Fratribus restituens indilate. Teste Rege apud *Dalton* 29 die Septembris.

The King this year to raise monies towards the payment of Debts, granted several licenses to Abbots for the appropriations of Parish Churches to them and their successors, as these Records inform us.

*Claus. 32 E. 1. m. 12. Pro Abbate beate Mariæ Ebor.* **R**EX Thesaur. & Baronibus suis, de Scaccario, salutem. Cum in partem solutionis Quingentarum librarum, quas de gratia nostra speciali concessimus *Willielmo de Sancto Paulo*, *Aynaldo de Sancto Martino*, & quibusdam sociis suis Civibus & Mercatoribus *Baion*, in subventionem missarum & expensarum, quas fecerunt in quadam prosecutione per ipsos erga *Willielmum de Sant*, quondam Civem *Baion*, defunctum, de quibusdam bonis & catallis ejusdem *Willielmi* nobis adjudicatis nomine nostro facta; concesserimus & assignaverimus eis, illas Centum libras, per quas Abbas beate *Mariæ Ebor.* Anem fecit nobiscum coram vobis, pro licentia appropriandi sibi et Domui suæ Ecclesiam de *Doncastre*, sui Patronatus, *Ebor.* Dioc. prout in literis nostris patentibus, præfatis Mercatoribus inde confectis, plenius continetur; ac idem Abbas præfatis Mercatoribus de prædictis Centum libris satisfecerit, prout præfatus *Willielmus de Sancto Paulo* pro se & sociis suis prædictis coram nobis in Cancellaria nostra recognovit: Vobis mandamus, quod ipsum Abbatem de prædictis Centum libris quietum esse faciatis. Teste Rege apud *Stryvelin* primo die Maii.

Consimiles literas habet Prior de *Boulton* in *Craven*, de Quinquaginta libris, per quas finem fecit coram præfatis Thesaur. & Baronibus, pro licentia appropriandi sibi et Domui suæ Ecclesiam de *Preston* in *Craven*, sui Patronatus, *Ebor.* Dioc. sic præfatis Mercatoribus assignatis. Teste ut supra.

By these and other Records of like nature we may discover the original grounds of most Appropriations, purchased with money by Abbots during our Kings necessities for moneys, or by pretence of poverty, or losses sustained by them.

The King likewise to raise present monies, granted the custody of the Temporalties of *St. Edmunds* Abby during its vacancies, for a certain rent, fine and terme, by this Patent.

*Pat. 22 E. 1. m. 18. De vacatione Abbacie Sancti Edmundi de Bury concessa.* **R**EX omnibus ad quos, &c. salutem. Sciatis quod ob devotionem quam erga Sanctum *Edmundum* gloriosum Christi Martyrem gerimus & habemus, & ut Monachi Abbacie de Sancto *Edmundo* de cetero possint quietius & tranquillius Altissimo famulari, concessimus pro nobis & hæreditibus nostris, Abbati & Conventui Abbacie prædictæ, quod Prior & Conventus Abbacie ejusdem & eorum successores in singulis vacationibus ejusdem Abbacie, quotiens videlicet ipsam exnunc vacare continger,

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continget, habeant et teneant custodiam Abbatiæ illius, et omniam temporalium ejusdem, cum omnibus rebus et bonis ad Abbatiam illam qualitercunque spectantibus, adeo plenè & integrè, sicut Abbates & Conventus ejusdem loci Abbatiam illam & temporalia cum rebus & bonis prædictis, sede plena, aliquibus retroactis temporibus habere & tenere consueverunt. Ita quod ipsi Prior & Conventus de temporalibus & bonis, ac rebus illis plenam & liberam administrationem habeant, & inde disponere & ordinare possint, prout eis melius & utilius videbitur faciendum; & prout Abbas & Conventus dicti loci inde possent ordinare & disponere, sede plena: Salvis nobis & hæredibus nostris feodis Militum quæ tenentur de Abbatia prædicta, & Advocationibus Ecclesiarum, cum acciderint temporibus vacationum prædictarum. Ita quod omnes redditus & servitia annua de feodis prædictis in vacationibus illis provenientia remaneant Priori & Conventui prædictis: Salvis etiam nobis & hæredibus nostris Escaetis quas accidere contigerit temporibus prædictis; quæ quidem Escaetæ singulis hujusmodi vacationibus finitis, videlicet post fidelitatem ipsius, quem ibidem eligi & confirmari, seu præfici contigerit in Abbatem, nobis & hæredibus nostris factam, liberentur & remaneant Abbati, Priori & Conventui dicti loci & successoribus suis, sine occasione vel impedimento nostri vel hæredum nostrorum quorumcunque: **Reddendo nobis et hæredibus nostris pro qualibet vacatione Abbatiæ prædictæ, sive duraverit per annum integrum, sive per minus tempus, Mille et Ducentas Marcas infra annum, a tempore quo Abbatia illa vacare incepit, computandum;** videlicet, Sexcentas Marcas in fine primi dimidii anni illius, & Sexcentas Marcas in fine ejusdem anni. Et si fortè vacatio Abbatiæ illius duraverit ultra annum, tunc prædicti Prior & Conventus pro proximo anno integro sequenti, si tanto tempore duraverit, solvant nobis & hæredibus nostris Mille & Ducentas Marcas ad terminos prædictos; & sic pro quolibet anno integro post primum annum, durante vacatione prædicta, ad eodem terminos Mille & Ducentas Marcas. Et si ultra annum integrum vel annos integros duraverit minori tempore quam per annum, tunc pro illo tempore minori, de prædictis Mille & Ducentis Marcis minus, pro rata temporis illius proportionabiliter nobis solvant. Et volumus & concedimus pro nobis & hæredibus nostris, quod prædicti Prior & Conventus & eorum successores imperpetuum habeant & teneant custodiam Abbatiæ prædictæ singulis temporibus vacationum ejusdem in forma prædicta. Ita quod nullus Vicecomes, Escaetor, seu quicunque alius Ballivus vel Minister noster vel hæredum nostrorum de custodia Abbatiæ prædictæ, seu Cellarum suarum, Maneriorum, aut aliarum rerum seu bonorum quorumcunque, ad dictam Abbatiam seu Cellas suas spectantium quoquo modo, ratione vacationis illius, se in aliquo intramittat; excepto quod Escaetor, vel alius Minister noster, seu hæredum nostrorum qui pro tempore fuerit, infra portas tamen Abbatiæ prædictæ in principio cujuslibet vacationis ejusdem, quandam simplicem seisinam, nomine nostri Regii dominii capiat; & ea sic capta, statim exinde recedat absque aliquo inde capiendo seu etiam asportando. Ita quod ultra unum diem, occasione seisinæ prædictæ, moram ibi non faciat, nec aliquem ibidem substituat loco sui. Volumus insuper & concedimus pro nobis & hæredibus nostris, quod si nos forsitan vel hæredes nostri, aliquo tempore vacationis Abbatiæ prædictæ exercitum nostrum fecerimus summoneri, prædicti Prior & Conventus & successores sui, pro propriis & dominicis feodis Militum Abbatiæ illius in manus ipsorum Prioris & Conventus tunc existentibus ad servitium in eodem exercitu faciendum minime teneantur, nec occasione servitii illius molestantur in aliquo seu graventur, sed inde penitus sint quieti: Salvis tamen nobis & hæredibus nostris servitiis feodorum Militum, quæ tenentur de Abbatia prædicta temporibus vacationum ejusdem ad nos pertinentibus ratione exercitus supradicti. In cujus, &c. Teste Rege apud *Stryvelin* 20 die *Maii*.

*Per ipsum Regem nunciante W. Cov. & Lichf. Episcopo.*

The King likewise for the fine of 1200 Marks, granted the Temporalities of the Abby of *Glastonbury* for 6. moneths during the vacancy, to the Prior and Convent thereof, with certain limitations by this Patent.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod per finem **Mille et ducentarum** **Marcarum**, quem dilecti nobis in Christo Prior & Conventus Abbatiæ *Glaston*.

6 R 2

*An. 32 E. 1.*

*Fines 31 E. 1.  
m. 12. Pro  
Priore &  
Conventu  
Glaston.*



*An. 32 E. 1. Glasfow.* fecerunt nobiscum, nobis per sufficientem securitatem, quam iidem Prior & Conventus nobis invenerunt, ad voluntatem nostram solvendarum, concessimus eisdem Priori & Conventui Custodiam ejusdem Abbatiz, vacantis per mortem Johannis nuper Abbatis ejusdem loci, & in custodia nostra existentis; habendam a quartodecimo die Septembris proximo præteriti, usque ad finem sex Mensium proximo sequentium completorum, cum omnibus ad Abbatiam illam pertinentibus, & quæ ad nos pertinere possent, si custodiam ejusdem in manu nostra teneremus: Ita quod nullus Escaetor, aut alius Ballivus seu Minister noster vel hæredum nostrorum, se de custodia prædicta, vel aliquibus ad eam spectantibus, durantibus prædictis sex mensibus intromittat; nec ipsos Priorem & Conventum super hoc aliquo modo impediat, quo minus ipsi per prædictos sex menses habeant liberam & plenam administrationem omnium possessionum proventuum & reddituum ad Abbatiam illam spectantium, necnon omnium exituum inde provenientium; salvis nobis & hæredibus nostris feodis Militum, advocacionibus Ecclesiarum, Wardis & Maritagiis liberorum Tenentium ejusdem Abbatiz, quæ tempore vacationis ejusdem accidere contigerit. Ita tamen, quod si vacatio illa ultra sex menses duraverit, nos vel hæredes nostri finitis eisdem sex mensibus Custodiam Abbatiz prædictæ cum omnibus ad Custodiam illam spectantibus, durante vacatione prædicta habeamus. In cujus, &c. Teste Rege apud Dunfermelyn, 10 die Decembris.

Et mandatum est Gilberto de Knonill. Custodi Abbatiz prædictæ vacantis, &c. quod de Custodia Abbatiz prædictæ seu aliquibus ad eam Abbatiam spectantibus, ratione vacationis prædictæ, se ulterius non intromittat, & exitus, si occasione prædictæ ad opus Regis perceperit, præfatis Priori & Conventui sine dilatione liberet. Teste ut supra; & fuerunt patentes.

Thus the Abbots and Prelates for money and favour encroached continually upon the ancient Rights and Prerogatives of the Crown.

The King being informed that the Abbot of the *Præmonstratenses* intended to impose and levy a subsidy on those of his Order within this Realm without his privity; issued this Prohibition to those of that Order, to prohibit the payment thereof in money or other provisions.

*Claus. 32 E. 1. fo. 31. dorso. Quod Abbas Præmonstratensis non faciat subsidium Abbati Præmonstratensi.* **R**EX dilecto sibi in Christo Abbati de *Dereford*, salutem. Intelleximus Abbatem *Præmonstratensem* quosdam suos Procuratores pro exigenda à vobis quadam pecunie quantitate ad opus suum ad vos specialiter destinasse; quæ quidem exactio posset contra ordinationem nostram de argento aliquo extra Regnum nostrum non portando, et alias in nostri præjudicium redundare; Vobis igitur firmiter inhibemus, ne præfato Abbati Subsidium aliquod in pecunia vel rebus aliis, ex quarum commercio pecunia extra regnum nostrum deferenda haberi valeat, nomine subventionis, Doni, seu mutui, aut alias quomodolibet faciatis, sine nostri assensu et licentia speciali. Teste Rege apud *Strivelyn* 2. die Junii.

Consimiles literæ diriguntur subscriptis, videlicet, Abbati de *Bekeham*, Abbati de *Hales*.

The King by his Royal Prerogative in this age, claimed a competent pension for some of his Clerks from every Bishop, Abbot, and Prior newly created by him, by reason of his Creation, as these Records attest.

*Cl. 32 E. 1. fo. 11. dorso. Pro Michael de Clare.* **R**EX Venerabili in Christo Patri R. eadem gratia *London*, Electro, salutem. Cum nos ratione nobis Creationis vestre teneamini uni de Clericis nostris, quem vobis durimus nominandum in quadam pensione anima de Camera vestra percipiendam, quousque sibi per vos probisum fuerit de Ecclesiastico beneficio competentem, ac dilectum Clericum nostrum *Michaelem de Clare* vobis nominavimus ad pensionem hujusmodi optinendam; Vobis mandamus, rogantes, quatinus eidem Clerico nostro talem pensionem de Camera vestra in forma prædicta percipiendam, quæ tantum decet, recipientemque vobis reddere debeat fortius obligatum, concedatis; ei literas vestras patentes sub hoc fieri facientes. Teste Rege apud *Strivelyn* 20. die Junii.

Per ipsum Regem Nunc. W. Co. & Lych. Episcopo. Johannes

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*Johannes de Carleton* habet consimiles literas Regis Priori & Conventui de *Novo Burgo* de quadam pensione habenda ratione nobis creationis predicti Prioris. Teste  
ut supra.

*Per breve d privato sigillo.*

*An. 32 E. 1.*  
Ibid. Pro Jo-  
hanne de  
Carleton.

The King by his Prerogative writ also for Corrodies for his aged Servants to the Prior and Covent of St. *Maries* in *Suthwerke*, and others, who returned these answers to him, rendring several reasons, humbly tendred to his Majesty, of their disabilities to effect it, though otherwise willing.

**S**erenissimo Principi & Domino suo Reverendo *E. Dei gratia Regi Anglia, &c.* sui humiles & devoti Sacerdotes Prior & Conventus beate *Mariæ de Suthwerk*, ea quæ poterunt pro suo Domino orationum suffragia apud Deum. Placuit Excellentie vestre nobis, præcipere, quod *Willielmo le Fishere*, servienti vestro, quoad viveret, faceremus in victu & necessariis provideri, Literas nostras patentes inde sibi faciendo, Sigilli nostri Capituli consignatas; quodque inde faciendum duceremus, vos efficeremus nostris literis magis certos: Quibus mandatis, nobis Altissimus, humili animo pareremus, si nostræ ad hoc sufficerent facultates. Sed apud Majestatem vestram, à prædicto onere subeundo, excusare non debet (Princeps inclyte) summa paupertas, qua nos deprimimur: cum omnis res, redditus et possessiones nostræ ad sustentationem nostram sufficere non valeant, nisi gratia Dei quæ ad supplementum agit, pie fidelium largitiones nobis succurrerent in hoc casu. Ecclesia etiam nostra, quæ jam triginta annis elapsis passa (proh dolor!) est ruinam, circa cujus relevationem ab eo tempore toto laboravimus nostro posse, necdum tantum potuimus in ipsius relevatione invalescere, variis & onerosis exactionibus tam in spiritualibus quam in temporalibus præpediti, quod nostrum ex toto edificare potuimus Campanile. Continua insuper pugna, quam absque interpellatione contra rabiem fluvii *Tamenfis* aggredimur, super cujus ripam nostra domuncula, situatur, quam ad salvationem Ecclesiæ nostræ & nostram tantum non sufficiunt vires nostræ quin appposito subsidio parti uni, pars alia statim nobis periculum comminetur. Denique (Domine excellentissime) vestra attendat magnificentia, quod in vestris hujusmodi provisionibus servientium, Domibus, pinguibus de magnis et superhabundantibus Paneris et aliis possessionibus magnificorum Principum, Progenitorum vestrorum, Regum *Angliæ* (quarum fragmenta ac mica, quæ de mensis earum cadunt, pluris quam tota nostra substantia sint balozis) vestra semper Curia scribere consuebit: non exilibus et exiguis Cellulis fratrum, quæ ex simplicium virozum, qui ex parvulis portionibus sunt fundatæ: cujusmodi est vestra parvula nostra domus: quia revera, si talem in nostram assumeremus (prout vobis scribere placuit) comitivam, unum nos oportet de nostris fratribus amovere, quod ne dum vobis molestum sed videretur potius inhumanum. Parcatis igitur nobis, quæsumus, pie Princeps, si dictis vestris præceptis parere non possumus, ut vellemus, quia verè non sine frontis rubore nostram jam vobis insinuavimus parvitatem. Longævus & prosperos vos conservet Altissimus, &c.

Bundela  
Brevium &  
Literarum in  
Turri Lond.  
*An. 32 E. 1.*

**E**xcellentissimo Principi Domino suo & Patrono, *Edwardo Dei gratia Illustri Regi Angliæ*, sui Monachi humiles & devoti Abbas & Conventus *Cernelii*, salutem, et tanto Domino & Principi felicissima successuum incrementa. Dominationi vestre notificamus, quod habemus in Domo nostra quendam *Johannem de Somersete* nomine, per literas vestras nobis directas, in victu & vestitu, juxta status sui exigentiam, quoad vixerit, in necessariis exhibendum. Insuper Domina nostra Dei gratia Regina *Angliæ*, Consoz vestra, nobis literas suas nuper direxit pro quodam Clerico, ut probideremus eidem in Ecclesiastico Beneficio, vel Pensione competentem; qui de nobis recepit quadraginta solidos annuæ pensionis, quousque eidem probisum extitit in Beneficio congruo. Quare Excellentie vestre humiliter & devotè supplicamus, quatinus prædictæ Domui vestre ad præsens parcere velitis, si placeat, & de sustentatione *Ricardi de Ringwude* illam modo nullatenus onerare. Valeat vestra, &c. Dat. in Capitulo nostro in vigilia Sancti *Laurentii*, Anno gratiæ 1304.

In eadem  
Bundela, *An.*  
32 E. 1.

Sere-



K. Edward 1: *An Exact History of Popes Intollerable Usurpations, B.5. ch.5*

An. 32 E. 1

In eadem  
Bundela.

Serenissimo Principi, &c. *Edwardo* Dei gratiâ Regi *Anglia*, &c. sui devoti Abbas & Conventus de *Athelyngeny*, salutem, & orationum instantiam, subjectionem debitam simul & reverentiam. Veniens ad nos *Gilbertus de Ragun*, deferens vestras literas, continentes, quod eidem necessaria sua in victu et vestu honeste iuxta status sui exigentiam exhiberemus; Vos etiam *Johannem de Hancle*, Clericum vestrum, de annua pensione quadraginta solidorum in domo vestra *Athelyngeny* nobis præcepistis feofare: ac *Nicholaum Freyn* in victu et vestitu, quoad vixerit, iuxta status sui decentiam exhibere: Et nos mandatum vestrum in hiis sumus executi, ut tenemur; Vestram Regiam Celsitudinem devotis precibus exorantes, quatenus Domui vestræ prædictæ ad præsens parcere dignemini intuitu charitatis, paupertatem nostram (si placer) respicientes, prout dictus *Gilbertus* vestræ Serenitati potest, si velit, intimare. Excellentia vestra luceat in æternum. Dat. in Capitulo nostro *Athelyngeny* v. Kal. *Augusti*, Anno Domini 1304.

King *Edward* being informed by the Cardinal of *Offia* the Popes Legate, that *Benedict* the 11. had created *Walter Wynterburne*, his Confessor a Cardinal, out of his affection to the good of the *English* Nation, desired him to return his special thanks to the Pope for this favor, till he could send special Messengers to him for that purpose, which he shortly intended to do, as this Letter of his informs us.

Clauſ. 32 E. 1.  
m. 12. dorſo.  
Pro Rege.

Venerabili in Christo Patri Domino N. Dei gratia *Offienſi* & *Vellitrenſi* Episcopo, Apostolicæ Sedis Legato, amico suo Charissimo. *Edwardus*, &c. salutem & sinceram in Domino dilectionem. Literas vestras quas nobis ex vestra grata benevolentia intimastis, quod sanctissimus in Christo pater Dominus *Benedictus* Summus Pontifex dilectum nobis in Christo Fratrem *Gualterum de Wynterburne* Confessorem nostrum ad Cardinalatus apicem sublimabit: intelleximus diligenter et licet plurimum fuisset nobis cordi, quod idem frater nostri lateri continuo assistisset; Vestram tamen Paternitatem requirimus cum affectu, quatenus eidem nomine nostro S. Pontifici belitis ex parte nostra gratiarum actiones referre, prout honestius vestra noberit discretio faciend. Nos quæ id idem in brevis annuente Domino facere intendimus per nostros Runcios speciales; habemus enim pro constanti, quod bona affectio quam erga nos et regnum nostrum gerit, eidem ad hoc faciendum inter alia magnum præstitit inductum. Dat. apud Villam Sancti *Andree* in *Scotia* 4. die *Aprilis*, Anno regni nostri 32.

\* Scriptorum  
Brit. Cent. 4.  
cap. 5 p. 356.

I shall only inform you what \* *John Bale* Bishop of *Offory* writes of the Simoniacal advancement, & preferment of this *English* Cardinal; *Gualterus Wynterburn* in *Dominicanorum torrente familia consenuit. Patres* (*Dominicanorum*) apud *Benedictum suum*, ejus nominis 11. *Papam* multis pecuniis egerunt, ut hic venerabilis eorum doctor in officio Cardinalis *Guil. Maclesfeld*. succederet, speciosum certe imo splendidum, unde excelsis et turgidis illoz animis videbatur, Cardinalium diadema a suis Rabbinis geri, eosque propterea a magnis Principibus saluari. Sexto igitur mense ante prædicti Pontificis exficorum forbitatiuncula mortem, ademptam multo auro dignitatem non modica pompa. D. *Sabinæ* Cardinalis etiam Presbyter effectus. Quod tamen immensæ superbæ fastigium ad 15. menses, morte intercedente, vix tenuit.

The King retaining this New created Cardinal in *England* upon his special occasions, till after the death of Pope *Benedict*, writ this Letter to Pope *Clement* the 5. to excuse this his delay by reason of his royal command, and imployment in the arduous affairs of his Realm.

Clauſ. 32 E. 1.  
m. 7 Pro  
fratre *Waltero*  
de *Wynterburn*  
Cardinali.

Sanctissimo in Christo patri Domino (*Clement.*) divina providentia Sacrosanctæ *Romane* ac Universalis Ecclesiæ Summo Pontifici, *Edwardus* ejusdem gratia Rex *Anglia*, &c. devota pedum oscula beatorum. Dudum scelicis recordationis Dominus *Benedictus* Papa undecimus, ad Religiosum virum Fratrem *Walterum de Wynterburne* Confessorem nostrum, attendens ipsius merita & eminentiam probi-

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probitatis, suæ dirigens considerationis intuitum; ipsum ad Cardinalatus apicem duxit Domino disponente vocandum. Cumque item Cardinalis tanquam obedientiæ filius juxta mandatum Apostolicum sibi inde directum se parasset ad iter ad præsentiam sedis Apostolicæ venturi, nos ipsum propter quædam ardua nostra quæ sine eo tunc non poterant commode expediri, quasi compulsum moxam contrahere usque modo. Quocirca Sanctitati vestræ humiliter supplicamus, quatinus moxam præfati Cardinalis dicta de causa contractam habere, si placet, dignemini propensius excusatam. Conservet vos altissimus ad regimen Ecclesiæ suæ sanctæ per tempora longiora. Dat. apud *Fiddeworth* in *Scotia* 23 die *Aug.* Anno, &c. 32.

From which Epistle I shall observe: 1. That the Popes creation of the Kings Confessor to be a *Roman* Cardinal, did not exempt him from his obedience, duty and service to the King. 2ly. That the King against the Popes present summons, of him to *Rome*, did by his Regal authority controul and countermand his journey thither when provided to take it, for the better dispatch of his own pressing important affaires, till he licensed him to repair thither.

The King this year Writ these Letters in favour of the Dean of *Dunkelden* his Chaplain, to several Cardinals, to promote his affairs in the Court of *Rome*.

Venerabili in Christo Patri Domino N. Dei gratia *Ostien.* Episcopo, amico suo charissimo, *Edwardus* ejusdem gratia, &c. salutem & sinceræ dilectionis effectum. Dilectum Clericum nostrum Magistrum *Matthæum* Decanum Cathedralis Ecclesiæ *Dunkelden*, exhibitorum præsentium, ipsiusque negotia, quæ in *Romanâ* Curia habuerit expedire, vestræ paternitati reverendæ pleno recommendamus affectu; vestram amicitiam specialiter requirentes, quatinus eidem Magistro *Matthæo* super felici expeditione negotiorum prædictorum velitis amore nostri vestrum oportu-  
num præsidium impertiri: Ita (si placet) quod in negotiis prædictis has preces nostras profuisse sibi sentiat in effectu. Datum apud *Boghkener* in *Scotia* 13 die *Aug.*

Cl. 32 E. 1.  
m. 7. d. 10.  
Pro Decano  
Dunkeld.

*Per breve de Privato Sigillo.*

Eodem modo scribitur Dominis, ꝑ. titulo S. *Marcellini & Petri*, & Domino G. titulo S. *Martini* in *Montibus*, Presbyteris Cardinalibus.

The Bishop of *Cathenes* in *Scotland* deceasing, and King *Edward* assenting to the election of a new one, made this Certificate thereof to the Pope.

Sanctissimo in Christo Patri Domino B. divina Providentia Sacrosanctæ *Romanæ* & universalis Ecclesiæ Summo Pontifici, *Edwardus* ejusdem gratia, &c. devota pedum oscula beatorum. Sciat vestra Paternitas reverenda, quod nos Electioni nuper celebratæ in Ecclesia Cathedrali *Cathenes*, in *Scotia* de discreto viro *Ferdando* Decano ejusdem Ecclesiæ in Episcopum illius loci Regium assensum adhibuimus et favorem. Et hoc vestræ Sanctitati innotescimus per præsentem, ut quod vestrum est in hac parte, exequi dignemini cum favore. In cujus, &c. Datum apud *Strivelyn* in *Scotia*, 16. die *Junii*, Anno Regni nostri, &c.

Pat. 32 E. 1.  
m. 26. De  
assensu Regio.

*Per breve de Privato Sigillo.*

The Abbot of St. *Katherine* near *Rhoan* making a Fine of 20 *l.* to make his fealty to the King at *Yorke* in the Chancery, to save his journey to him to *Strivelyn* in *Scotland* there to make it; the King thereupon issued this Writ forthwith to levy it on his Lands and Chattels.

*Edwardus* Dei gratia Rex *Angliæ*, &c. Vic. *Middlesex*, salutem. Cum *Willielmus de Genestis* nuper Prior Sanctæ *Katerina* in *Monte* juxta *Rotomagum*, in Abbatem ejusdem loco ꝑ. nuper Abbatis ibidem per Archiepiscopum *Rotomagensem* subrogatus, finem fecit nobiscum coram *Thesaur.* et Baronibus nostris de *Scaccario* per viginti libras, ut fidelitatem suam nobis de temporalibus Abbatia prædicta  
debitam:

Puncta Bre-  
vium de Pri-  
vato Sigillo  
& Literarum  
in Turri Lon-  
don, An. 32  
E. 1.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

*An. 32 E. 1.* debitam in Cancellaria nostra apud *Eborum* facere posset, et ne ad nos apud *Strive-lyn* in *Scotia* accederet, pro dicta fidelitate facienda; Tibi præcipimus, quod dictam pecuniam de terris & catallis ipsius Abbatis in Balliva tua, sine dilatione levare facias. Ita quod eam habeas in Cancellaria nostra in festo *Omnium Sanctorum* proximo futuro, ubicunque tunc fuerit, nobis in eadem Cancellaria liberandam: Et hoc nullo modo omittas. Et habeas ibi hoc breve. Teste meipso apud *Tynemuth* 10. die *Septemb.* Anno Regni nostri tricesimo secundo.

The Taxers and Collectors of the Quindism granted by the Commonalty to the King out of their temporal goods, intending to tax and levy it upon the Spiritual goods of the Abbey of *Bellien*; the King upon the Abbots complaint issued this Prohibition to them.

*Rundela Bre-  
vium, &c.  
An. 31 E. 1.*

*Edwardus, &c.* Taxatoribus & Collectoribus *Quintadecimæ* in Comitatu *Berks* salutem. Quia ex parte dilecti nobis in Christo, Abbatis de *Bello loco Regis*, nobis est ostensum, quod vos bona ipsius Abbatis merè spiritualia occasione *Quintadecimæ prædictæ*, nobis a Communitate Regni nostri de bonis suis temporalibus concessæ, taxare faciatis, et *Quintadecimam* inde ad opus nostrum levare intenditis, contra formam nobis ad *Scaccarium* nostrum inde liberatam. Vobis mandamus, sicut mandavimus, quod si ita est, tunc taxationi & levationi *Quintadecimæ prædictæ* de bonis ipsius Abbatis merè spiritualibus in Comitatu prædicto faciendis supersedeatis, ipsum contra formam prædictam non molestantes in aliquo seu gravantes; vel causam nobis significetis, quare mandato nostro aliàs vobis inde directo minime parvultis. Teste meipso apud *Drumkaragh*, 7. die *April*, Anno regni nostri, 32.

The King after his royal assent to the election of *Ralph de Bandak* Bishop of *London*, upon the Dean and Chapter of *Pauls* certificate thereof, issued these Writs for his confirmation, and for the restitution of his Temporalities, upon the Archbishops confirmation of him.

*Pat. 31 E. 1.  
m. 23. De  
Regio assensu.*

*REX* Electioni nuper celebratæ in Ecclesia Cathedrali *S. Pauli London.* de discretio viro Magistro *Radulpho de Bandak* Decano ejusdem Ecclesiæ in Episcopum illius loci, Regium assensum adhibuit et favorem: Et hoc significatum est venerabili patri *R. Cantuar.* Archiepiscopo totius *Anglie* Primati, ut quod suum est in hac parte exequatur. In cujus, &c. Teste Rege apud Villam Sancti *Andree* 22 die *Martii*.

*Per breve de Privato Sigillo.*

*Ibid. De Re-  
stitutione  
Temporalium.  
m.*

*REX* dilecto & fideli suo *Waltero de Gloucest.* Escaetori suo ultra *Trentam*, salutem. Cum venerabilis pater *R. Cantuariensis* Archiepiscopus Electionem nuper celebratam in Ecclesia Sancti *Pauli London.* de discretio viro Magistro *Radulpho de Bandak* Decano ejusdem Ecclesiæ in Episcopum illius loci, cui prius Regium assensum adhibuimus et favorem, confirmaverit, sicut per literas patentes ejusdem Archiepiscopi, nobis inde directas, nobis conitat; nos Confirmationem illam acceptantes, cepimus fidelitatem ipsius *Radulphi*, & Temporalia Episcopatus prædicti, prout moris est, restituimus eidem. Et ideo vobis mandamus, quod eidem *Radulpho* Temporalia Episcopatus prædicti liberetis in forma prædicta. Teste Rege apud *Strive-lyn* primo die *Junii*.

To what elections, confirmations and restitutions of the Temporalities of Archbishops, Bishops, Abbots, and other Ecclesiastical persons in *Ireland* the King this year gave his royal assent, these Records will attest.

*Pat. 31 E. 1.  
m. 11. Dere-  
stitutione  
Temporalium  
in Hibern.*

*REX* dilecto & fideli suo *Johanni Wogan*, vel ejus Locum-tenenti, salutem. Cum Dominus *B.* Summus Pontifex Electionem nuper celebratam in Ecclesia Cathedrali *Cassalensi* de discretio viro Magistro *Mauricio*, Archidiacono *Cassalensi*, in Archiepiscopum illius loci, cui prius Regium assensum adhibuimus et favorem, confirmaverit, sicut per literas ipsius Summi Pontificis bullatas, nobis inde directas, nobis

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nobis constat; Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius *An. 32 E. 1.*  
*Mauritii*, & temporalia Archiepiscopatus prædicti, prout moris est, restitimus  
 eidem. Et ideo vobis mandamus, quod eidem *Mauritio* temporalia Archiepiscopatus  
 prædicti sine dilatione liberetis, sicut prædictum est. Teste ut supra 18 die Julii.

*Per Breve de privato Sigillo, dupp.*

The King being in Scotland granted these licenses for the election, confirmation,  
 consecration, and restitution of the Temporalities of the elect Bishop of *Ferne* in  
 Ireland.

**J**ohannes Ingram & Johannes fil. Thome, Canonici Ecclesiæ *Fernen*, nunciantes Re- *Pat. 32 E. 1.*  
 gi mortem *R.* nuper Episcopi illius loci, habent literas Regis de licentia eli- *m. 23. De*  
 gendi. In cujus, &c. Teste Rege apud Villam Sancti *Andree* in *Scotia* 12. die *licentia eli-*  
*Martii.* *gendi.*

*Per breve de privato sigillo.*

**R**EX dilecto & fideli suo *Johanni Wogan*. Justiciario suo *Hiberniæ*, salutem. Cum *ibidem De*  
 dilecti nobis in Christo Decanus & Capitulum Ecclesiæ *Fernen*, nobis per lite- *temporalibus*  
 ras suas patentes significaverunt, quod Ecclesia sua prædicta per mortem bonæ me- *restituendis in*  
 moriæ *R.* nuper Episcopi illius loci, Pastoris est solatio destituta, supplicantes no- *Hibern.*  
 bis, prout moris est, quod licentiam nostram sibi alium eligendi in Episcopum conce-  
 dere dignaremur, &c. Nos eorundem Decani & Capituli laboribus et expensis in  
 hac parte parcere volentes ista vice, concessimus eis de gratia nostra speciali, & vo-  
 bis dedimus potestatem, &c. Receptis prius ab ipso Electo literis suis patentibus,  
 Sigillo suo, necnon & Sigillo Capituli sui signatis, quod hæc gratia nostra, quam  
 eidem Electo ad præsens et merito liberalitate nostra concessimus, nobis vel heredi-  
 bus nostris non cedat in præjudicium vel exheredationem, seu trabatur in consequen-  
 tiam temporibus futuris. In cujus, &c. Teste Rege apud Villam Sancti *Andree*  
 in *Scotia* 12 die *Martii.*

*Per breve de privato sigillo.*

**R**EX dilecto & fideli suo *Johanni Wogan*. Justiciario suo *Hiberniæ*, vel ejus locum *Claus. 32 E. 1.*  
 tenenti, salutem. Cum nuper ad prosecutionem venerabilis patris Episcopi *Pro Episcopo*  
*Leomen*, suggerentis, quod vos Carucas quaterviginti & quatuor acras terræ & *Leomen.*  
 dimidium cum pertinentiis in Villa *Novi Castri de Lyons* juxta *Dublin*, quas idem  
 Episcopus asserit esse jus Ecclesiæ suæ, cepistis ex causis minus rationabilibus in ma-  
 num nostram: Vobis mandaverimus, quod super modo & causa captionis terra-  
 rum prædictarum in manum nostram, nos sub sigillo vestro redderetis distinctè & a-  
 pertè certiores; & vos nobis retornaveritis, Quod cum *Mauricius* quondam Epif-  
 copus *Leomen*, seiscitus fuisset de tribus Carucatis, quaterviginti & quatuor acris &  
 dimidium apud *Kilulcan* in villa *Novi Castri de Lyons* juxta *Dublin*, ut de jure Ec-  
 clesiæ suæ per Escambium inde factum, inter nos & *Mattheum Ohogan* dudum Epif-  
 copum illius loci, pro quibusdam terris apud *Roschre*, idem *Mauricius* Episcopus  
 prædictas tres Carucas, quaterviginti & quatuor acras terræ, commisit *Thoma* fil.  
*Jacobi Ohogan*, tenend. eidem *Thoma* in feodo, sine consensu Capituli sui, nostraque  
 licentia non obtenta; & quod Magister *Robertus de Dondavenola*, tanquam Cultos  
 præfati *Thoma*, recepit Exitus prædictarum Terrarum per tres annos, propter quod  
 ordinatum fuit per Consilium nostrum *Hiberniæ*, quod dilectus & fidelis noster *Wal-*  
*terrus de la Haye*, Escaetor noster *Hiberniæ*, terras illas caperet in manum nostram;  
 & quod terræ illæ ex causa prædicta in manum nostram captæ fuerunt et hactenus  
 detentæ, prout per returnum præfati Escaetoris vobis inde factum, & Inquisitionem  
 per ipsum Escaetorem factam, & vobis liberatam, cujus transcriptum nobis  
 misistis, vos asseritis accepisse. Et quia non liquet per Inquisitionem prædictam,  
 quod præfatus *Thomas* captioni Inquisitionis prædictæ interfuit, pro jure (si quod  
 habuit) ostendendo, quod ad hoc fuerat aliquantulum præmunitus; Vobis mandamus,  
 quod prædictum *Thomam* præmuniri faciatis, quod sit coram vobis ad certos diem  
 & locum, quos ad hoc provideritis, si sibi viderit expedire, ad jus suum (si quod in  
 terris prædictis clamat habere) coram vobis ostendendum; et si nullam causam ra-  
 tionabilem inveneritis, quare prædictus Episcopus Terras illas, ut jus Ecclesiæ suæ  
 prædictæ, ingredi & habere non debeat, & vobis consliterit Terras illas ex causa  
 prædicta



K. Edward 1.

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*An. 32 E. 1.* prædicta & non alia captas fuisse in manum nostram & detentas, tunc Escaetori nostro prædicto deris in mandatis, quod de terris prædictis sine dilatione aliqua amoveat manum nostram, & se inde ulterius non intromittat; Salvo jure nostro, alias cum voluerimus inde loqui. Teste Rege apud *Yetham* 24 die *Augusti*.

Per Breve de Privato Sigillo.

*Pat. 32 E. 1.*  
*m. 11. De*  
*Archid. dato.*

**R**EX omnibus ad quos, &c. salutem. Sciatis quod dedimus & concessimus dilecto nobis Magistro *Thoma Olouxy* Archidiaconatum *Cassalensem* vacantem, & ad donationem nostram spectantem; ratione Archiepiscopatus *Cassalensis* vacantis, et in manu nostra existentis; Habendum cum suis juribus & pertinentiis quibuscunque. In cujus, &c. Teste ut supra 15 die *Julii*.

Per breve de privato sigillo.

Et mandatum est Decano & Capitulo Ecclesie *Cassalensis*, quod eidem Magistro *Thoma* Stallum in Choro & locum in Capitulo, ratione Archidiaconatus prædicti, prout moris est, assignent. Teste ut supra.

*Pat. 32 E. 1.*  
*m. 11. De*  
*Temporalibus*  
*restituend. in*  
*Hibern.*

**R**EX dilecto & fideli suo *Johanni Wogan* Justiciario suo *Hibernie*, salutem. Cum dilecti nobis in Christo Prior & Conventus de *Onok*. per literas suas patentes significaverunt, quod Ecclesia sua prædicta per mortem bonæ memoriæ *J. nuper* Abbatis illius loci, Pastoris est solatio destituta, supplicantes nobis, prout moris est, quod licentiam sibi alium eligendi in Abbatem eisdem concedere dignaremur, &c. Nos eorundem Prioris & Conventus laboribus & expensis in hac parte parcere volentes, ista vice, &c. Receptis prius ab ipso Electo literis suis patentibus, Sigillo suo necnon & Sigillo Capituli sui signatis, quod hæc gratia nostra, quam eidem Electo ad præsens ex mera liberalitate nostra concessimus nobis vel hæredibus nostris non cedat in præjudicium vel exheredationem, seu trahatur in consequentiam temporibus futuris. In cujus, &c. Teste Rege apud *Sirivelyn*, 10 die *Junii*.

Per Breve de Privato Sigillo.

*Pat. 32 E. 1.*  
*m. 4. De*  
*Temporalibus*  
*in Hibern. re-*  
*stituendis.*

**R**EX dilecto & fideli suo *Johanni Wogan* Justiciario suo, vel ejus locum tenenti salutem. Cum dilecti nobis in Christo Prior & Conventus de *Rathnoyd* nobis per literas suas Patentes significaverunt, quod Ecclesia sua prædicta per resignationem fratris *Christiani* nuper Abbatis illius loci, Pastoris est solatio destituta; supplicantes nobis, prout moris est, quod licentiam sibi aliam eligendi in Abbatem eisdem concedere dignaremur, &c. Nos eorundem Prioris & Conventus laboribus & expensis in hac parte parcere volentes ista vice, &c. Receptis prius ab ipso Electo literis suis patentibus, Sigillo suo necnon & sigillo Capituli sui signatis, quod hæc gratia nostra, quam Electo ad præsens ex mera liberalitate nostra concessimus, nobis vel hæredibus nostris non cedat in præjudicium vel exheredationem, seu trahatur in consequentiam temporibus futuris. In cujus, &c. Teste Rege apud *Fynkhale*, 23 die *Septembris*.

Per Breve de privato Sigillo.

*Ibid m. 11.*  
*De Temp. re-*  
*stitu. in Hibern.*

Consimiles literæ diriguntur eidem *Johanni Wogan*, &c. pro Priore & Coventu Sanctæ *Maria de Dynelk*. Teste Rege apud *Sirivelyn* 22 die *Julii*.

*Fines 32 E. 1.*  
*m. 6. Cedul.*  
*Hibern.*

**P**rior de *Kenles* in *Ossor*. Finem fecit cum Rege in Cancellariâ Regis pro viginti solidis pro quibusdam tenementis in *Ossor*. quæ pro eo quod ea post publicationem Statuti Regis de terris & tenementis ad manum mortuam non ponendis editi, sine licentia Regis ingressus fuit, capta fuerunt in manum Regis, rehavendis.

This year King *Edward* having subdued all the proud rebellious *Scots* who perfidiously took up arms against him, contrary to their premised reiterated Oathes and Covenants, except those in *Sirivelyn* Castle, sitting down with his Army before it, encouraged them strenuously to assault it by a short Oration; wherein he recited both his Titles to *Scotland*, the manifold rebellions and perjuries of the *Scots*, and his great victories over them, which *Matthew Westminster* thus relates.

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<sup>a</sup> Sub eodem quoque tempore, quo Reges solebant ad bella procedere, fortunatissimus Rex Anglorum Edwardus, peragratis quibuscunque Scotiae partibus, calcatis victorioso cognibus superbozum, domitis Rebellium fremitibus, deditis ejus arbitrio cunctis nobilioribus regni Scotiae, ac etiam debellatis, adhuc restabat unum Castellum fortissimum expugnandum, videlicet Strivelin. Ad quod cum pervenisset Rex, statim obsidionem disposuit. Defensor autem Castris, Miles satis magnanimus, dictus Gulielmus Olyfard, cernens tam elegantem expeditionem, se & suos circumdari, mittit legationem, petens à Rege, sibi licere Magistro suo Johanni de Soules transmittere in Franciam, experiri certe an deberet sponte, & sine resistuntia Regi reddere Castellum, vel contra eum, quamdiu poterat, illud defendere. Cui Rex, nequaquam. Quinimo, si salubrius assimaverit, Castrum defendere, quam illud nobis reddere ipse viderit. Quo responso accepto, recordatus est Gulielmus juramenti, quod fecerat Magistro suo, agenti tunc in Francia cum quibusdam Scotis, gratia dissensionis habenda: Sed quia non aderat auxiliator, neque qui ferret juvamen, ad resistendum acti Regia praearet, quantum potest. Estimabat autem se non Regi obnoxium esse, si Castellum defenderet contra eum, pro eo, quod fidelitatem vel homagium nunquam sibi corporaliter praestitisset. Sed quomodo unà cum Magistro suo terram alterius, & Castrum Regis fraudulenter invaserat, non sanè prospexit aut noluit intelligere, ut bene ageret. Porro Rex Angliae animavit populum suum ad bellum, replicans, qualiter post obitum Alexandri Regis Scotiae, Comites et Barones illum in principalem Dominum elegerunt, fidelitatem et homagium sibi dantes, corporali praestito Sacramento pro se, et pro cunctis Pastozibus et Pinozibus regni, tam praesentibus quam futuris, ut discusso jure singulorum vendicantiam coram eo, ille Coronam susciperet, quem ipse iudicaret amplius habere juris ad regnum. Quique praecaverunt sibi in futurum, ut Rex Angliae, non quasi vocalis eorum, et regni et Regis Franciae Dominus, quicquam constituerat, verum etiam ipsum, tanquam Advocatum Dominum, et realem possessorum, omnibus Castellis, Civitatibus, Burgis, Marefcallis, Senescallis, ac cunctis aliis proprietatibus quae ad regnum pertinent, ipsum per dies 40 pacifice seiscernerent, ne in vanum currerent, aut in irritum factum proprium revocarent, prout in Patentis eorumdem instrumentis, inde confecto plenius continetur. Postmodum Electus eorum Rex et coronatus contra ligium Dominum suum Regem Angliae, movens bellum, debincitur, et carceri mancipatur. Peremptisque C. M. viris et amplius in bello, apud Berwicum et Dunbar, insuper captis Baronibus, Comitibus, et Militibus regni Scotiae, et in Anglia incarceratis, ipse Conquistor et Monarcha duorum regnorum efficitur lege Belli. Denuo dimissis illis misericorditer repetere ad Natale solum et iterum bellum suscitantibus, occurrens Rex cum armato milite regnum Scotiae alias in ore gladii, adquisivit, occisis in bello iuxta Fankirk Lx. M. viris de Scotis. Dixitque Rex, Cum igitur jam tertio rebellionis filios clava potentiae nostrae bellicose domuerimus, et non sit qui resistat nobis nisi alter Siba, filius Bortii, commilitones optimi, servata titulos laudis vestrae, ut expugnato nocivo vermiculo, honor vester propensius augeatur. Peroraverat ista Rex, & legationis vel exercitus probatur assertio. Perinde tenduntur balista, eriguntur machine, fabricantur tormenta ad lapides jacendos; and the Castle besieged, strenuously assaulted, and defended to the utmost extremity, till the Governour and Souldiers were forced to surrender themselves to the Kings mercy, who though several times levelled at and endangered to be slain, spared the lives of all those who kept it against him, as the same Historian and others relate at large. After which, \* Victoriosissimus Rex Angliae Edwardus, deputatis in Castello illo, & à ceteris locis Scotiae viris Nobilibus, qui triumphalem pacem suam cunctis indigenis servarent, comitantibus ipsum Comitibus et Baronibus Scotiae, in signum deditiois, et rebellionis debellatae, ad Angliam loca direxit. Tenuit igitur Rex Natale suum apud Lincolniam, & praecepit procuratoribus domus suae, ut à splendide & magnifice administrare, quae necessaria erant pro tanti jocunditate festi, sibi & Comitibus suae, tanquam Monarchae, Regi, et Domino duorum regnorum, Ibiq; refocillans suos Comites & Proceres in multis deliciis per dies multos, virtutes bellatorum laudum praconis attollebat. Quos condignis muneribus gratificatis, & pro laboribus commendatas, latus dimisit ad propria, & jocundos.

Anno Gratia 1305. (33 E. 1.) Ad Annunciationem Dominicam aderat Rex Edwardus cum Magnatibus populi sui apud Westmonasterium, facturus Deo gratias

An. 32 &amp; 33

Edw. 1.

\* Flores Historiarum, Anno

Dom. 1304.

P. 445. 446.

See Walsingham, Hist.

Angl. p. 60, 61.

Ypodigma,

An. 1304, 1305

Polychronicon, Caxton,

Fabian, Poly-

dor. Virgil,

Holinshed,

Grafton.

Speed, Daniel,

Baker, &amp; o-

thers in the

life of Edw. 1.

† Tho. Wals-

ingham. Hist.

Angl. p. 60,

61. Ypodig-

ma, An.

1305. Polydor

Virgilius, Ho-

linshed, Graf-

ton, Speed,

Daniel, in E. 1.

\* Mar. Weft.

P. 449.

Ani 33 E. 1.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B.5. ch.5*

An. 33 E. 1. & Sancto Edwardo, pro triumpho de Scotisposito. \*Circa festum Annunciationis beate Mariæ, quidam Scotus dictus Gulielmus Waleis, refuga pietatis prado, sacrilegus, incendarius, & homicida, Herode crudelitate immitior, Nerone vesania debacchan-  
 \* Mar. West. tior, qui pudenda hominis, qua Deus celari voluit, faciens eis perizonata, cum Cha-  
 p. 459. Tho. naan maledicto discooperuit, cogens quamplures viros ac mulieres Anglicos mixtim  
 Walsingham, charolare nudos, et psallere ante se, constitutis a tergo torzoribus cum scorpioni-  
 Hist. Angl. p. bus et aculeis, flagellantibus incurbantes, et pungentibus uti cederent in directum,  
 61. Ypodigma qui infantes in cunis vagientes, et quosdam pendentes ad ubera ebullerant. Qui  
 Neustr. p. 96. pueros in scholis et in Ecclesiis, ad magnum numerum incendio conflagrabit. Qui  
 H. de Knygh- dum collegisset exercitum Scotorum in Bello de Foukirk contra Regem Anglorum, &  
 ton de Event. Angl. l. 3. col. vidisset quod nequiret resistere tam forti exercitui; ait Scotis, Ecce adduxi vos ad  
 2520, 2531 annulum, charolate, vel tripudiate vos sicut melius scitis. Et aufugit à prelio popu-  
 lum suum in occisione gladii derelinquens. Hic vir Belial, post innumera flagitia, tan-  
 dem per Ministros Regis capitur, & Londinum volente Rege ipso fieri iudicium, addu-  
 citur, ac per Nobiliores regni Angliæ in vigilia sancti Bartholomæi, morte crudelissi-  
 ma, sed dignissima condemnatur. Primò per plateas Londini ad caudas equinas tractus  
 usque ad patibulum altissimum, sibi fabricatum, quo laqueo suspensus, postea semivivus  
 dimissus; acinacè abscissis genitalibus, & evisceratis intestinis, ac in ignem crematus,  
 demum, abscisso capite ac trunco in quatuor partes secto, caput palo super pontem Londi-  
 nensem affigitur. Quadrifida verò membra ad quatuor partes Scotiæ sunt transmissa.  
 Ecce finis immisericordie hominis, quem immisericordia sic finivit.

\* Mar. West.  
 P. 451, 452.

\*In Octavis Nativitatis beate Mariæ, adunatum est Consilium Regis Edwardi ad  
 Novum Templum Londini, cui interfuerunt Episcopi Cestrensis & Wygornienfis  
 de Anglia, & Episcopi Sancti Andree & Glasconensis de Scotia, & Abbates West-  
 monaster. & Waverlaic. & duo de Scotia, & duo Comites de Anglia, & duo de Sco-  
 tia, et alii Barones tam Scoti quam Angli. Ubi per 20 dies consiliati sunt super fir-  
 manda pace Regia in Scotia, qualiter melius firmitus & quietius, tam pro Scotis quam  
 pro Anglis, pax summa & tranquillitas optima perpetuis stabiliretur temporibus. Ipsi  
 Scoti per assensum totius regni Scotiæ, et quoque Ordinationi stare spondit re-  
 liqua pars tota, ad Angliam sunt transmissi. Et per assensum & ordinationem ntrin-  
 que partis, constituti sunt Iusticiarii & Clerici ultra & citra mare Scotticum, bini &  
 bini, qui suis in locis pacem patriæ confoverent, lites deciderent, & pugnas sedarent.  
 Hac disposita, venerunt ad Regem prænominati viri, & recitata ordinatione eorum in  
 audientia, placuit Regi in omnibus, unico duntaxat articulo, de quodam iudicio Sco-  
 tico, penitus annullato. Tunc iuraverunt Episcopi, Abbates, Comites, et Barones  
 Scotiæ pro se, et hæredibus suis, et reliqua gente superstiti et futura in Scotia, stare  
 ordinationi prædictæ, et secundum modum et formam dispositionis huiusmodi,  
 tam potentes quam ignobiles, præsentis et futuros, velle semper degere et debere.  
 Hoc autem apud Waverlunum de Scheene super Thamesim, Scoti prædicti tactis Sa-  
 crofantis Christi corpore et Evangelis et aliis reliquiis sponderunt. Gavisus  
 igitur Rex ob spem firmæ futuræ pacis in Scotia fecit misericordiam cum eisdem, ut qui  
 pro peccatis suis redemptionem fecerant, videlicet, qui balozem terrarum suarum ad  
 certos annos per duos, tres vel quatuor, Regi debuissent soluisse duos in quatuor,  
 tres in sex, et quatuor in octo annos pensatis cuiusque conditione et statu, ut habe-  
 rent unde honeste viverent, voluit hoc ratiocinium prolongari. Post hac licentiam  
 Scoti cum honore in regionem suam alacriter sunt reversi. Yet within few Moneths  
 utter these perjured, faithlesse Scots, against these New Oathes and Ordinance,  
 most perfidiously and ungratefully revolted from, rebelled against King Edward,  
 Crowned a new King of their own, which occasioned new Warres; of which  
 more in due place.

The Proceedings in this Parliamentary Counsil, and Ordinance for settling the af-  
 fairs of Scotland, made by the unanimous consent of the Commissioners elected  
 and sent from thence, and the Kings English Commissioners, with the Kings Royal  
 assent thereto, are thus more fully enrolled in our Records, than related in any  
 of our printed Historians.

\* Plac. Parlia-  
 menti. An. 33  
 E. 1. See Ry-  
 ley. p. 243,  
 244.

\* Dominus Rex injunxit Episcopo Glasgou, Comiti de Carrik, & Johanni de Mou-  
 bray, quod tractatum ad invicem haberent super Articulis tangentibus regnum Scotiæ  
 subscriptis, videlicet, de die et loco Parliamenti Regis super statu regni et homi-  
 num Scotiæ; De hominibus Scotiæ qui ad Parliamentum illud venient (as Commis-  
 sioners

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tioners only, not as Members thereof) et de aliis qui in partibus illis moram faci-  
ent pro custodia terrarum predictarum; et quod super hoc consulti Regi scire facerent abi-  
samenta, &c. Et predicti Episcopus, Comes, & Johannes die Veneris 26 die Martii  
respondabant Regi super Articulis predictis sub hac forma. A les Articles que no-  
stre Seigneur le Roi ad commande Levesque de Glasc, & au Count de Carrik, &  
au Johan de Moubrey quil dient leur avis. Cestassavoir del lieu & del jour a son  
Parlement, en droit des personnes Descocce qui a ceu Parlement vendront et les  
queux demorrent en pais pur la garde de la terre. Endroit du dit lieu il leur est  
avys. Que ce soit a la volonte & al eese nostre Seigneur le Roy, issint si luy plect,  
quil voille avoir regard a l'estat de son peuple Descocce. En endroit del dit jour  
assint soit a la volonte. Mes il leur semble que devant le fest de Saint Johan Baptiste  
sil plect a nostre Seigneur le Roi, ne purra my bonement estre, pur ce que avant la  
Pasch ne pöent il bonement venir a leur pais, et adonques covendra que la commune  
Descocce ce fust garny a certaine jour & a certaine lieu par brief de la Chancellerie,  
& par les Ministres nostre Seigneur le Roy. Le queu jour de leur assemble ne  
peut estre bonement si luy plect devant l'ascension. prochain, & apres ceu temps  
averont il assez a faire de eux apparailler jusques la fest de Saint Johan avantnoime  
de venir la ou il plerra nostre Seigneur le Roi.

Endroit des personnes qui doivent venir: Avys leur est que deux Evêques, Dieux,  
Abbees, deux Countees, deux Barons, & deux par la commune unde ceu la mere  
& un autre de la les queux seront esleuz par la commune Descocce a leur assemble  
suffirent si plect a nostre Seigneur le Roi. Et si plus bouille avoir soit a sa volun-  
te. En droit des personnes que demorrent en pais par Garder de la dite terre: avis  
leur est, que les Gardeins nostre Seigneur le Roy & ses Ministres ove la dite Commu-  
nalte Descocce, qui demorrent en pais purront suffire pur la Garde de la dite terre.

Et premisis lectis coram Rege & Consilio suo predicto vicesimo sexto die Martii, sic  
responsum est per ipsum Regem, Rex vult et concedit, quod dies Parliamenti Sco-  
tie sit a die Nativitatis Sancti Johannis Baptiste in tres Septimanas; Et quod  
Parlamentum illud sit London; Et quod decem qui eligentur per totam Com-  
munitatem, ut supra continetur, veniant ad dictum Parlamentum pro tota Com-  
munitate terrarum Scotie, (as Commissioners, not as Members of that Parliament.)  
De custodia terre Scotie fiat custodia per Custodes & Ministros Regis, & per Commu-  
nitatem terra Scotie, prout Episcopus Glasguensis, Comes de Carrik, & Johannes de  
Moubray consentiunt & ordinant, &c.

\* Ad Petitionem predictorum Episcopi, Comitum, & Johannis, petentium, quod pra-  
dicti homines qui electi erunt pro Communitate Scotie ad veniendum ad Parlamentum  
Regis, possint habere cultus et expensas suas de dicta Communitate, et quod Rex  
velit concedere quod duo vel tres quos dicta Communitas ad hoc eligeret, habeant  
potestatem de Rege ad lebandum hujusmodi rationabiles expensas de eadem Com-  
munitate, &c. Ita responsum est per Regem. Rex vult, quod illi decem qui eligentur  
ad veniendum ad Parlamentum Regis pro tota Communitate terrarum Scotie habe-  
ent expensas suas de tota Communitate Scotie. Et quod duo legales homines ci-  
tra Mare Scotie, et duo legales homines ultra mare eligantur, ad hujusmodi expen-  
sas assidendas et lebandas per ipsum et Consilium Custodis Regni Scotie et Ca-  
merarii. Which was accordingly pursued, executed; and thereupon in that Parlia-  
ment, this ensuing Ordinance was made and established for the settlement of the  
Government of Scotland; and preserving it from all subsequent insurrections, re-  
bellions and revolts from the Crown of England; thus recorded to Posterity in  
the Rolls in the Tower.

*Ordinatio facta per Dominum Regem super stabilitate terrarum Scotie.*

Fait a remembrer que come nostre Seigneur le Roy de son Parlement qil tynt  
a Westmister en Quarreine, l'an de son regne trentisme tierz eust fait assavoir  
par Levesque de Glagu, le Counte de Carrik, Mounseigneur Johan de Segrave adunques  
tenant le Lieu le Roy en Loens, & par Sire Johan de Sandale Chamberleyne Descocce,  
as les bones gentz de la terre Descocce, qil fissent assembler la Communalte de la  
terre, et que entre eux toutz eleusent certain noumbre de gentz par venie de par  
messint la Communalte a Westmister au Parlement que nostre Seigneur le Roy  
avoit;

An. 33 E. 1.

Memorand de  
Parlamento  
23 E. 1. die  
Dominica  
proximo post  
festum S.  
Matthie.

\* See the 4th  
Part of my  
Brief Register,  
Calendar, and  
Survey of  
Parliamentary  
Writs, p. 12,  
23.

Claus. 33 E. 1.  
m. 13. dorso.  
in cedula. See  
Ryley his Ap-  
pendix. p. 503,  
to 508.



An. 33. E. I. **abolit** ordene a tenir treis semaynes apres la feste de la Nativite Seynt *Johan le Baptiste* prochein suant, le quel Parlement fust elloigne tantque a la feste de l'Assumption de nostre Dame, per maundement de nostre Seigneur le Roy, & puis tantque as uffaves de la feste de la Nativite nostre Dame procheinement suant. Acqueix lieu & terme les Evesques de *Seint Andr.* & de *Dunkeldyn*, Labbe de *Coupre*, & Labbe de *Menros*, le Counte de *Boghan*, Mounseigneur *Johan de Mubray*, Mounseigneur *Robert de Keth*, Mounseigneur *Adam de Gurdain*, Mounseigneur *Johan de Inchmartyn*, vindrent come ceux qui seurent esleux, et enbee de par la Communalte de la dite terre *Descocce*, & le Count *Patrick* qui fust esleu d'avoir este le dissisme de venir de par meisme la Communalte ny vint mye, par quei par le Commandement nostre Seigneur le Roy y fust assignez Mounseigneur *Johan de Menetheth*: E pur treiter des bosoignes *Descocce* ensemblement oue les gentz *Descocce* avant nomez furent assignez ascones gentz *Dengleterre*, dunt les nouns sont cy desuth: Et eux tuzt ausi bien les *Engleis* come les *Escotz* qui seurent presentz au treitiz de celes bosoignes, & chescun de eux severaument par Commandement nostre Seigneur le Roy seurent sermentz solonc le purport des Articles de sonz escriptz.

Levesque de *Cestr.* Labbe de *Westmister.* Le Counte de *Nicole.* Mounseigneur *Hugh le Despenser.* Mounseigneur *Johan de Hastings*, mes il ny poeit venir pur la maladie. Mounseigneur *Johan Botetourt.* Mounseigneur *Roger Brabazon.* Mounseigneur *William de Beresford.* Mounseigneur *Johan de Isle.* Mestre *Reynard de Brandon.* Frere *Hugh de Maincestr.* Sire *Johan de Benstade.* Levesque de *Worcestr.* Labbe de *Waverle.* Le Counte de *Hereford.* Mounseigneur *Henr. de Percy.* Mounseigneur *William Martyn.* Sire *Johan de Sandale.* Sire *Rauf de Hougham.* Mounseigneur *Roger de Hougham.* Mestre *Philip Martell.*

Et endroit des dites bosoignes, entre ceux *Dengleterre* & *Descocce* avaunt nomez, primerement treite est sur le Gouvernement de la terre *Descocce.* Et quant a mettre gardein de la terre, accord est que Mounseigneur *Johan de Britaine* soit Lieutenant le Roy en *Escocce*, & gardein de la terre.

Item endroit del estat du Chancellor, accord est que Sire *William de Bevercotes* demoege Chancellor *Descocce.*

Item que Sire *Johan de Sandale* demoege Chamberlein *Descocce*, & que un Contre-roullur soit assigne a li, cest asavoir Sire *Robert Heron.* Purz est treitez & accordez de metere quatre poire des Justices en la terre *Descocce*, & pur ce que les choses soient mesnees de meillur & plus a honour & au profit de nostre Seigneur le Roy, & al aisement du pople, est assentu que en *Loeneis* soient deux Justices, cest asavoir Mounseigneur *Johan del Isle*, & Mounseigneur *Adam de Gurdon*; en *Gaway* Mounseigneur *Roger de Kirkpatrick*, & Mounseigneur *Walter de Burghdon.* Et pur les terres de la Mer *Descocce*, cest asavoir entre la Rivere de *Forth* & les Montz, Mounseigneur *Robert de Keth*, & Mounseigneur *William Inge*, & pur les terres de la les Montz Mounseigneur *Reynaud le Chien*, & Mounseigneur *Johan de Vaux* du Counte de *Northumberl.*

Item accorde est, que les Viscuntes qui demorront en la terre, soient gentz neez de la terre *Descocce*, ou *Engleis*, & soient mys & remuez par le Lieutenant le Roy, & par le Chamberlein solonc lur discretion, & ceux Viscuntes facent l'office *Desclechterrie*, si come les Viscuntes soleient faire, & que ceux qui seront mys Viscuntes soient les plus suffisauntz, les plus covenables, & les plus profitables que home purra trover pur le Roy, pur le pople, & pur la pees garder & meinteiner; Et quant a ore ordene est de Viscuntes en la manere que son fuit.

Que le Chamberlein qui aura la garde du Chastel de *Beremyk* mette desoutz luy tiel pur estre Viscunte de *Beremyk* pur qui il vouldra respondre.

D'Edenburgh, De *Haddington*, De *Linliscu*, Mounseigneur *Ive de Aderburgh* Viscunt. De *Pebbles*, *Robert Hastings* valett. Viscunt. De *Sekirk*, celi qui est de *Fee*, Visc. De *Dunfres*, Mounseigneur *Richard Syward* Visc. De *Wygeon*, *Thomas Makhulagh* Visc. De *Are*, Mounseigneur *Godefori de Ros* Visc. De *Lanark*, Mounseigneur *Henr. de Seint Cler* Visc. De *Dumbretan*, Mounseigneur *Johan de Menetheth* Visc. & Con. De *Stryvelin*, *William Byset* Visc. & Con. De *Clacmanan*, Mounseigneur *Mancolum de Inner Peffre* Visc. De *Ughtreardour*, De *Kymros*, celi qui est de *Fee*, Visc. De *Fif*, Mounseigneur *Constantyn de Leghore* Visc. De *Perth*, Mounseigneur *Johan de Inchmartyn* Visc. De *Forfaire*, *William de Herib* Visc. De *Kynkardyn*, Mounseigneur *Richard de Dummors* Visc. De *Abberden*, Mounseigneur *Norman de Lathlyn* Visc. De

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De Banf, Mounſieur *Wauter de Berkele* Viſc. De Elgyn, *William Wiſeman* Viſc. An. 33 E. 1.  
De Forreſ, & de Inneruayne, *Alexander Wiſeman* Viſc. De Innernis, Mounſieur  
*Johan de Eſtrivilyn* Viſc. De Crembathyn, Mounſieur *William de Mohant*, qui eſt  
de Fee, Viſcount.

Item endroit de Coroners, accorde eſt que le Lieutenant le Roy, le Chaunceller,  
& le Chamberlein, veent queux Coroners ſont en la terre ſuffiſantz, & ceux quil  
trovoront ſuffiſantz demoergent en lur Offices & ceux qui ne ſerront trovez ſuffi-  
ſantz, & neent Chartres du doundes Offices ſoient oſtez, & que le Lieutenant le  
Roy, & le Chancellor, & le Chamberlein ſolonc lur diſcretion y mettent autres  
*Engleis*, ou gentz *Deſcote* neez, qui ſoient ſuffiſantz meis les Coroners qui ne ſer-  
ront trovez ſuffiſantz & eent Chartres du doun des Offices ne ſoient remuez tanque  
le Lieutenant le Roy, le Chancellor, & le Chamberlein eient ſur ne certifiez le Roy,  
& quil eneit dit ſa volonte. Et accorde eſt que le Lieutenant le Roy, & le Chan-  
celler, & le Chamberlein aviſent & certifient le Roy a ſon prochein Parlement a  
treis ſemaynes de Paſch, de ceux Coroners qui ne ſerront trovez ſuffiſantz auſi  
bien de ceux qui nut Chartres cum des autres qui ne les nut.

Item endroit de Chaſteux, ordene eſt que le Lieutenant le Roy eit en ſa main les  
Chaſtelx de *Rokesburgh*, & de *Jeddeworth*, ſicome le Roy ad ordene.

Item que Mounſieur *Johan de Kingeſton* demoerge Conſtable & Gardeyne du  
Chaſtel de *Edenburgh*.

Item que *Piere Luband* demoerge Gardeyne de *Linliſcu*, ſicome le Chamberlein  
li ad la Garde Baſtes.

Item que *William Byſet* demoerge Conſtable & Gardeyne du Chaſtel de *Strivilyn*,  
& Viſcount, & la Garneison du Chaſtel ſoit ordenee per le Lieutenant le Roy, &  
par le Chamberlein, a lur premiere venue en *Deſcote*.

Item que Mounſieur *Johan Meutſch* demoerge Conſtable & Gardeyne du Chaſtel  
de *Dumbretan*, & Viſcount, & la Garneison de ceu Chaſtel ſoit ordenee per le Lieu-  
tenant le Roy, & par le Chamberlein, a lur premiere venue en *Eſcote*.

Et fait en entendre, que le Lieutenant le Roy, & le Chancellor, & le Chamber-  
lein puiſſent ſolonc lur diſcretion remuer les Juſtices & Viſcoutes avant nomez, &  
mettre y autres *Engleis*, ou gentz neez *Deſcote* tielx, come il verront que ſoient  
ſuffiſantz tutes les loitz que lur plerra, & ſi come il verront, que meutz ſoit al ho-  
nour, & au profit du Roy, & al aiſement du poeple, & par le maintenantment  
de la pees.

Endroit des leis & uſages pur le Government de la terre *Deſcote*, ordene eſt que  
luſage de *Scots* & de *Bratts* deforendroit ſoit defendu, ſi que mes ne ſoit uſez. Et  
ordene eſt auſint, que le Lieutenant le Roy, del hour quil ſerra venuz en la terre  
*Deſcote*, face aſſembler les bones gentz de la terre en aucun certain lieu, le quel il  
verra que a ce ſoit covenable, & que illoeqes en la preſence de luy & des gentz  
quil y ſerront aſſemblez, ſoient reherceez les leis que le Roy *David* fiſt, & auſint les  
amendementz, & les additions que nut eſte puis faitz par les Roys. Et le Lieu-  
tenant le Roy entre li & le Conſeil quil y aura, auſi bien des *Engleis* come des *Eſcotez*  
redreſcent & amendent les leis & les uſages que ſon apartement encontre Dieu &  
reiſon, ſolonc ce quil purront en ſi brief terme, & ſi avant come il purront ſaunz  
lavivement du Roy. Et celes choſes qil ne purront redreſcer, ne noſeront en-  
prendre ſaunz le Roy, enſemblement ou celes, quil averont accordez ſoient  
myſes en eſcrit diſtinctement et apertement per commune aſſent du Lieutenant  
le Roy, et des gentz qui y ſerront aſſemblez, et deſonx le ſeal le Lieutenant  
ſoient poſtez au Roy a *Weſtmuſter* a tres ſonaynes apres la Paſch prochainement  
avenir par meſme le Lieutenant, et par certaines gentz *Deſcote*, tantz et  
tielx come les gentz de la Communalte de la terre, qui ſerront a cele aſſemble,  
boudront eſtre pur meſmes les choſes poſter au Roy as lieu et terme abantaitz,  
et que cely q y boudront, eent plener poer de par la Communalte de la terre,  
pur accorder et affermer ce que enſerra ordene, auſi abant come euz tuz de la  
Communalte purront faire, ſi y ſeuſſent preſentz, ſi que adunques entre euz qui  
y boudront, et les gentz que le Roy boudra assigner a euz, puiſſent les dites choſes  
eſtre veues et examinees, et que homme puiſſe ordener et affermer rien re-  
dreſcement, par quel la terre *Deſcote* puiſſe meutz eſtre quies et gouvernee a toutz  
jours mes. Et voet le Roy, que ſon dit Lieutenant ſoit illoeqes en propre per-  
ſone



An. 33 E. 1. sone a meisme loure. Puis commanda le Roy & ordene est, que le dit terme que feut mis a son Lieutenant & as gentz *Descoce* por venir au Parlement as trois semaines apres *Pasch* soit esloignez tantque \* a l'ascension.

Item endroit de remuer hors *Descoce* ceux, par qui la pees porreit estre troublee, ordene est, que le Lieutenant le Roy quant il serra ouenuz en *Descoce*, eit sur ce conseil & avisement oue les bones gentz de la terre, et ceux qu'il trobera par le counseil qu'il y abera, qu'il facent a remuer par tiel achefon, enbee en *Engleterre* au Roy en corteise manere, si que le Roy puisse ordiner a les faire demurrer en *Engleterre* decca *Trent*, si come il verra que face a faire.

Item ordene est, que Mounseigneur *Alexandre de Lyndesie* demoerge hors *Descoce* par un demy an, si come autre soit ordene.

Item accord est, que commande soit au Counte de *Carrik*, qil mette le Chastel de *Kyndromyn* en la garde de tiel homme pur qi il meismes voudra respondre.

Item ordene est, que Mounseigneur *Symond Fraser* soit prest & appareillez le 20 jour de *Noel*, a mover de sa dunques pur venir au Roy, & pur aler par ses journées de jour en autre tant qil soit hors du poer nostre Seigneur le Roy, & hors du poer le Roy de *France*, pur tenir exil par quatre anz, si come autre soit feust ordene, cest asavoir a la grace & au repel de nostre Seigneur le Roy.

Endroit des busoignes *Descoce* que deyvent estre treitees quant au Government de la terre *Descoce*, par les gentz a ce assignez, voet nostre Seigneur le Roy, que eux tuitz ausi bien les *Engleis* come les *Escots*, soient charges et sermentez sur le corps nostre Seigneur, et sur seintes reliques, et sur seintes *Changeilles*, cest asavoir chescun seberaument en la manere que sensuyt.

Que vous bien et loyaument dirrez et conseilerez ce que vous senterez que purra torner a meyntenement de la pees et de la quiete de la terre, et de la Seignurie, et du pople nostre Seigneur le Roy, especialment en la terre *Descoce*. Et que les desboursances et les empeschementz que vous abez seu et savez, ou purres savoir que unt este et sont ou purront estre contre la pees et la quiete de la terre, et de la Seignurie, et du pople nostre Seigneur le Roy, et nomement en la dite terre *Descoce* en quel chose que ce soit, vous dirrez et desclorez ointement solonc vostre entendement loialment et en bone foy, et comment la terre purra melz estre guiee et gouvernee. Et si vous sachez lei ou usage par quel la pees et la quiete de la terre, de la Seignurie, et du pople nostre Seigneur le Roy, et nomement en la terre *Descoce*, eit este, ou soit, ou purra estre trouble en nule manere, que vous les dirrez as autres qui sont ausint assignez a ce conseil, et sac ce dirrez vostre conseil, et vostre mys entre eux ensemble par commune accord, par quel la defaut puisse estre amende, si avant come vous sавeres: Car le Roy boet ob rer par voz conseil. Et que pur amour, ne pur haur, ne pur parente, ne pur affinite, ne pur chose que puisse avenir, ne pur serment, ne pur alliance que vous abez fait avant ces heures, a qui que ce soit, vous ne leres de faire, de dire, ne de Conseiller les choses dessus dites a tut vostre seu, et a tut vostre poer. Et que de chose que soit fait ou dite, ou parlee entre vous et les autres qui sont entendantz a cest conseil, vous ne accuserez nul autre: Et que les choses treitees et accordees vous tendrez secretes, si que eles ne soient descobertes, tantque vous les erz mustrz au Roy, et a ceux qil y boudra apeler, et qil eit sur ce dit et ordine sa voluere. Et si vous sachez nul qi demore en la terre *Descoce* purra torner a desboursance de la pees, et le quel banist melz a demoyrer hors de la terre *Descoce* pur le meyntenement de la pees, que vous les mustrz, et dirrez overtment qi cest, et touz ceux qui vous sавerez qui soient tielz. Et que tutes les choses sавoites dirrez et conseilerez al honneur de nostre Seigneur le Roy, et a quiete et au profit de vous et des autres bones gentz de son Royanne, et de la Seignurie.

Et fait a remembrer, que le Roy a son Parlement des dites oytaves de la Nativite nostre Dame commanda devant son Conseil au Chamberlein *Descoce*, que les *Burgages* de *Berewick* que soient Baillez et tenuz solonc les extens que feurent faites per son commandement, puis le conquest. Et que nule *Charter* purchaces a tenir par meindre extent ne soit allee.

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The Abbots of the *Cisterciens*, *Cluny*, and other Orders imposing sundry taxes, Subsidies, Procurations and other Exactions upon all Religious Houses of their respective Orders in *England, Wales, Scotland and Ireland*, and forcing them to repair every second or third year to their Chapters beyond the Seas, to their great oppression, impoverishment, and diminution of Gods service, notwithstanding the Kings \* *promised* frequent Prohibitions; the King to redresse this grievance for the future, upon the Petition of his Earles, Barons and Commons assembled in Parliament, in the 33. year of his Reign by his Ecclesiastical Sovereignty enacted a memorable Law to suppress this dangerous Innovation, thus entred in the Records of that Parliament in the Tower, and afterwards confirmed and promulged in the Parliament at *Karlisle*, An. 35 E. 1.

**A**D Petitionem Comitum, Baronum, & aliorum de regno antedicto ad honorem Dei pro serbitio Dei in Ecclesia Catholica manutenendo, pro sustentatione pauperum, hospitalitibus, et aliis bonis operibus faciendis. Et jam est Religio illa ita posita in serbaggio per Abbates *Cistercienses*, quod serbitium Dei in hac parte impeditur, et hucusque dicti Religiosi ita depauperantur, quod vivere non possunt, &c. ita videlicet, quod dictus Abbas *Cisterciensis* assensit et certum tallagium super qualibet Abbatia in *Anglia* posuit imperpetuum, et oportet quod Abbates *Anglia & Wallia* quolibet secundo Anno, et Abbates de *Hibernia & Scotia* quolibet tertio anno personaliter adeant Abbatiam *Cisterciensem* ad faciendum huiusmodi appoztum et tallagium. Et si aliquis Abbas inde defuerit vel quod tallagium huiusmodi alicui rebelet, &c. Abbas ille qui de huiusmodi transgressione est convictus, erit depositus imperpetuum, ab huiusmodi officio exercendo, (Note the intollerable injustice as well as avarice of these most holy Freers) et Prior et Supprior et alii officio excommunicantur quousque dicta firma solbatur apud *Cistercium* per manus suas proprias, vel per manus Mercatorum: unde summa huiusmodi appozti est in *Anglia, Wallia, Hybernia, et Scotia*, hoc anno per estimationem 4000 Marc. Et sunt Roculi huiusmodi tallagiorum in Custodia fratris *Jacobi* Custodis Domus de *Scarburgh*. Et quod ordinatum est per Abbatem \* *Cicestrensem*, quod quilibet Abbas illius ordinis habeat Custodiam communis sigilli domus, &c. quod esse deberet in custodia Conventus, per quod huiusmodi Abbates vendunt possessiones domorum suarum, et obligant domos, &c. Et etiam ad petitionem eorundem Comitum, Baronum, et Communitatis Regni petentium, consimile remedium apponi de aliis Religiosis qui faciunt appoztum ad partes transmarinas, sicut illi de *Cluni* et *Pramonstrat. de Caritate* et alii, &c. Ad predictas duas petitiones responsum est, quod Dominus Rex in pleno Parlamento suo predicto de consensu Prelatorum, Comitum, Baronum, et aliorum de Regno ordinabit, et statuit certum Statutum in hoc casu. Thus enrolled in the *Statute Roll* in the Tower.

\*Nuper ad Notitiam Domini Regis ex gravi querela Magnatum, Procerum, et aliorum Nobilium regni sui pervenit, quod cum Monasteria, Prioratus, & domus Religiosæ, ad laudem et honorem Dei, et ad exaltationem Sanctæ Ecclesiæ per Regem et Progenitozes suos, et predictos Magnates et Nobiles et eorum Antecessores fundata fuissent, et terræ et tenementa quamplurima essent data per ipsos dictis Monasteriis, Prioratibus et domibus ac viris Religiosis in eisdem pro servitibus, ut in huiusmodi Monasteriis et domibus Religiosis tam Clerici quam Laici admitterentur, secundum suarum sufficientiam facultatum, et infirmi ac debiles sustentarentur, Hospitalitates, Elemosinarum largitiones, et alia pietatis opera exercerentur, et pro animabus predictorum fundatorum et heredum suorum fierent in eisdem Abbates, Priores, et Custodes earundem Domorum, et quidam eorum Superiores alienigenæ, utpote Abbates et Priores *Cluniacen.* *Cisterciens.* et *Pramonstraten.* et Sanctorum *Augustini & Benedicti* ordinum, et ceteri quamplures alterius Religionis et ordinis, nobiter per singula Monasteria et domos eis subiecta in *Anglia, Hibernia, Scotia, et Wallia* diversa Tallagia, Censūs, et Impositiones insolitas graves et importabiles, Domino Rege Magnatibusque suis inconsultis, fieri statuerunt, et pro suo libito ordinarunt, contra leges et consuetudines dicti Regni. Et quo fit ut innumeris Religiosis et aliorum serbitioz in huiusmodi domibus et locis Religiosis per Tallagia huiusmodi, Censūs et Impositiones oppressis, minuitur cultus divinus, et Alimonix pauperibus, infirmis, et debilibus subtrahuntur, et salutes viduorum, et animarum mortuorum miserabiliter defraudantur, hospitalitates, elemosinarum largitiones, ac cetera cessant opera Caritatis; neque quod olim

Plac. Parl.  
An. 33 E. 1.  
m. 5. See Ry-  
ley his Placita  
Parliamenta-  
ria, p. 231, 232.  
475. 476.

\* *Cisterciens-*  
*sem.*

\* Rot. Stat.  
An. 33 E. 1.  
m. 5. Ryley  
Plac. Parl. p.  
312, 313, 314.  
See Clauf.  
7 E. 2. m. 13.  
Sc. 28. Punde-  
la Brevium in  
Turri Lon-  
don. & Ex-  
tract. An. 8 E.  
2. Cooks 2.  
Instit. p. 590.  
to 586. who  
comments  
on this Sta-  
ture, omit-  
ted in most  
ancient Sta-  
tures at large  
& their A-  
bridgements.



An. 33 E. 1. in usus pios, et ad dibini cultus augmentum caritatibz fuerat erogatum, iam in Censum reprobum est conuersum. Unde ppter ea quz pzmittuntur scandalum non modicum crescit in populo, et damna innumera in exheredacionem pzdictorum fundatorum et heredum suorum proculdubio peruenisse noscuntur, et adhuc verissimiliter pzsumitur peruenire, nisi tantis et tam gravibus detrimentis celeri et salubri remedio obvietur. Considerans igitur pzfatus Dominus Rex sibi et populo suo balde fore damnosum, si tam grandes facturas et insolentias sustineret diutius sub dissimulatione transire, volensque idcirco Monasteria, Pzioratus, et alias Religiosorum domos et loca in regno, et terris, dominio suo subiectis constituta, secundum voluntatem & pia vota fundatorum ipsorum manuteneat et defendere, & contra huiusmodi oppressiones de congruo remedio de cetero providere, ut teneatur, de consilio Comitum, Baronum, Magnatum, Procerum, & aliorum Nobilium & regni sui Communitatum, in Parlamento suo apud Westm. die Dominica prox. post festum Sancti Matthei Apostoli, anno regni sui Tricesimo tertio habito, ordinavit & statuit; Ne quis Abbas, Pzior, Magister, Custos, seu quibz alius Religiosus cuiuscunque condicionis aut status, aut religionis existat, sub potestate et ditione sua constitutus, Censum aliquem per superiores suos Abbates, Pziores, Magistros, Custodes Religiosorum domorum vel locorum impositum, vel inter seipsoz aliquam qualiter ordinatum, extra regnum et dominium suum sub nomine redditu, tallagii, appozti, seu impositionis cuiuscunque, vel alias nomine escambii, bendicionis, mutui, vel alterius contractus, quocunque nomine censetur, per se, vel per Mercatores, aut alios, clam vel palam, arte vel ingenio deferat vel transmittat, seu deferri faciat quoquo modo: nec etiam ad partes externas se dibertat causa visitationis aut alio colore quaxito, ut sic bona Monasteriorum et domorum suarum extra regnum et dominium adducat; Et si quis contra pzfens statutum venire pzsumpserit, considerata qualitate delicti et Regiz prohibitionis pensata contemptu, graviter puniatur. Pzterea inhibet pzfatus Dominus Rex omnibus et singulis Abbatibus, Pzioribus, Magistris, Custodibus Religiosorum domorum et locorum Alienigenis, quozum potestati, subiectioni et obediencie domus eozundem ordinum in regno et dominio suo existentes subduntur, ne de cetera tallagia, census, impositiones, appozta, seu alia quacunque onera aliquibus Monasteriis, Pzioratibus, seu aliis domibus Religiosis eis, ut pzdicatur, sic subiectis, imponant vel faciant aliquam qualiter assidere; et hoc sub forisfactura omnium quz in potestate sua optinent et forisfacere poterunt in futurum: Et insuper ordinavit Dominus Rex et statuit quod Abbates Cisterciensis et Pramonstracensis ordinum et aliorum Religiosorum, quozum sigillum in custodia Abbatis et non Conventus prius residere tantummodo consuevit, de cetero habeant sigillum commune, et illud in custodia Pzioris Monasterii sive domus, et quatuor de dignioribus et discretioribus ejusdem loci Conventus sub pzibato sigillo Abbatis ipsius loci custodiend. deponant: Ita quod Abbas seu Superior domus qui potest per se, contractum aliquem seu obligationem nullatenus possit firmare, sicut hactenus facere consuevit. Et si forsan aliqua scripta obligatoria donationum, emptionum, bendicionum, alienationum, seu aliorum contractuum quozumcunque alio sigillo quam tali sigillo communi, sicut pzmittitur custodito, inveniuntur amodo sigillata, pro nullis penitus habeantur omniq; careant firmitate. Ceterum intentionis Domini Regis non existit, Abbates, Pziores et alios Religiosos alienigenos per ordinationes et statuta expressa superius ab officio visitationis in regno et dominio suis exercendo excludere, quin per se ipsos vel alia Monasteria et alia loca eis in regno et dominio suis pzdictis subiecta, iuxta officii sui debitum in hiis duntaxat quz ad obserbantiā regularem et ordinis sui disciplinam pertinent libere valeant visitare; Prohibito, quod illi qui officium huiusmodi visitationis exercuerint nichil de bonis aut rebus huiusmodi Monasteriorum, Pzioratum, et domorum extra pzfatum regnum et dominium ppter rationabiles et moderatas eorum expensas deferant vel deferri procurent. Et licet ordinationum et statutorum pzscriptorum pronuntiatio et publicatio a Parlamento proximo pzterito usque ad pzfens Parlamentum apud Karliolum in Octabis Sancti Hillarii, post deliberacionem plenariam et tractatum cum Comitibus, Baronibus, Proceribus, et aliis Nobilibus ac Communitatibus regni sui habitum in pzmissis, de consensu eorum unanimi et concordi, ordinabit et statuit, ut ordinationes et statuta pzdicta sub forma, modis et condicionibus supracontentis, a primo die Maii proximo futuro

\* Anno regni  
ejusdem Do-  
mini Regis  
Edwardi 35.

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futuro in antea inviolabiliter observentur, perpetuis temporibus valitura, quod- *An. 33 E. 1.*  
que transgressores ipsorum pœnis extunc subiaceant annotatis.

Consimile Statutum de verbo ad verbum mittatur in singulis Comitatus per  
*Angliam.*

**R**EX V.c. *Salop. salutem.* Quia ad communem populi regni nostri utilitatem,  
& totius domini nostri status melioracionem in instanti Parlamento nostro  
apud *Karlolm.* de consilio Magnatum & Procerum nostrorum quædam edidimus  
Statuta, quæ tibi signata mittimus observanda: Tibi præcipimus firmiter injun-  
gentes, quod ea in duobus Comitatus tuis publicè legere et recitare facias, & ea  
in singulis Articulis inviolabiliter observari, & hoc nullatenus omittatis. Teste Re-  
ge apud *Karl.* 20. die *Marci.*

Consimilia breviter mittuntur singulis Vic. per *Angl.*

**R**EX dilecto sibi in Christo Abbati de *Waverle* salutem. Quia ad communem  
populi regni nostri utilitatem, &c. ut *supra.* Vobis mandamus firmiter in-  
jungentes, quod ea quolibet anno bis in pleno Capitulo domus vestræ publicè lege-  
re & recitare facias, & in singulis suis articulis, sub pœna in prædictis Statutis con-  
tenta, inviolabiliter observari. Teste ut *supra.*

Supradictum Statutum missum fuit cum literis Regis patentibus in forma  
prædictæ Abbatis locorum subscriptorum, videlicet; De *Eglifon*, De *Sancta*  
*Agatha*, De *Jerovalle*, De *Bella Landa*, De *Fontibus*, De *Rupe*, De *Wellebek*, De  
*Rughsford*, De *Gerwedon*, Priori de *Spaldyng*. Quatuor paria literarum ad instan-  
ciam Principis dirigenda quibusdam Abbatibus in *Walliam*. This Statute was again  
recited and confirmed in the Parliament at \* *Karlisle*, Anno 35 E. 1. and sent into

\* See Ryley  
his *Placita*  
Parl. p. 312,  
to 315.

The Bishop of *Biblis* in the *Holy Land*, whose Bishoprick was seised and detained  
from him by the *Saraceni*, the enemies of Christ, being thereby reduced to extreme  
poverty, and having nothing to support the dignity of his Episcopal function, Pope  
*Benedict* the 11. instead of giving any relief or maintenance to him in the Court of  
*Rome* or other Territories in *Italy*, granted him all the profits and revenues of the  
the Priory of *Goldingham*, a Cell belonging to the Church of *Durham* (within the  
Diocese of the Archbishoprick of *St. Andrews* in *Scotland*) during his life, or till he  
should be restored to his former Bishoprick, by this his ensuing Bull of Provision,  
with strange unusual *Non-obstantes*. Which Bull being publickly read, considered,  
and debated before the King, Bishops, Earles, Barons, Great men, Kings Council  
and Judges in full Parliament; they passed a memorable sentence against it.

**I**N Nomine Dei Amen. Anno Incarnationis ejusdem Millesimo Tricentesimo  
quinto, Indictione tertia, die quinto mensis *Aprilis* apud *Westm.* juxta *London.*  
Dominus *Hugo* qui se gerit pro Episcopo *Bibliensi* coram Episcopis et aliis Prela-  
tis, Comitibus, Baronibus, Justiciariis, et nonnullis aliis Nobilibus, Clericis et  
Laicis, Consiliariis Magnifici Principis, Domini *Edwardi* Regis *Anglie Illustris*  
in domibus Archiepiscopi *Eborum*, in quibus dictus Dominus Rex morabatur  
Generalis Parlamento tunc existente ibidem, quasdam literas felicis recoꝛdatio-  
nis *Benedicti* Papæ 11. præsentavit, porrexit, et tradidit coram quæ sequitur  
continentes.

Placita Parlia-  
menti, An. 33  
E. 1. See  
Ryley, p. 282.  
Processus tan-  
gens Episco-  
pum *Biblien-*  
sem.

*Benedictus* Episcopus, Servus servorum Dei Venerabili fratri \* *A.* Episcopo  
*Dunelmensi* salutem, & Apostolicam benedictionem. Exhibita nobis tua peti-  
tio continebat; quod *Saraceni Christiani* nominis inimici Episcopatum *Bib-*  
*liensem* occuparunt hactenus, et adhuc detinent occupatum, et per hoc venera-  
bilis frater noster *Hugo Bibliensis* Episcopus egestate gravatur, cum aliunde  
non habeat de quo secundum status sui decentiam valeat sustentari. Quare nobis  
humiliter supplicasti, ut providere tux indigentix de benignitate Apostolica digna-  
remur. Nos igitur ipsius inopix paterno compatiētes affectu, digneque volentes  
ei per nostræ provisionis auxilium subsidium aliquod provenire, tuis supplicatio-  
nibus inclinati, prohibendi sibi auctoritate nostra, per te, vel per alium seu alios de  
Cella seu Priozatu de *Goldingham* Ordinis Sancti *Benedicti*, Sancti *Andree* Diocesis,

\* Created Pa-  
triarch of Je-  
rusalem by  
Pope *Clement*  
the 5.



*An. 33 E. 1.* ad *Dunelmensem* Ecclesiam ejusdem ordinis pertinente, cujus administrationem Prior Ecclesie predictae aliquem de Monachis ipsius Ecclesie deputat et exinde amonet pro sua libito voluntatis, cum omnibus juribus et pertinentiis suis, ab eodem Episcopo quoad vixerit, vel usque ad recuperationem dicti Episcopatus retinendo, ac inducendi eum in corporalem possessionem ejusdem Cellae seu Prioratus, et inducendum etiam defendendi amotis exinde quibuscumque qui ad gerendam administrationem ipsius Cellae seu Prioratus per dictum Priorem fuerint deputati, ac faciendi ei de ejusdem Cellae seu Prioratus redditibus, proventibus, juribus, obventionibus, uniberis integre responderi; Necnon et contradictores super hoc per censuram Ecclesiasticam appellatione postposita compescendi; Non obstantibus contrariis ejusdem Ecclesie consuetudinibus, vel statutis, iuramento, confirmatione sedis Apostolicae, seu quacunque alia firmitate roboratis: aut si predictis Priori et dilectis filiis Capitulo ipsius Ecclesie, vel quibuscumque aliis communiter vel divisim, a predicta sede indultum existat, quod excommunicari, suspendi, vel interdicti non possint, sive quod de Cellis seu Prioratibus ad eorum prohibitionem seu quancunque dispositionem spectantibus nequeat aliquibus prohiberi per literas Apostolicas, non facientes plenam et expressam, ac de verbo ad verbum de indulto huiusmodi mentionem, et qualibet alia dictae sedis indulgentia generali vel speciali cujuscunque tenoris existat, per quam presentibus non expressam, vel totaliter non insertam effectus huiusmodi gratiae impediri valeat vel differri, et de qua in nostris literis specialis mentio sit habenda, fraternitati tuae plenam concedimus tenore presentium facultatem. Dat. Romae apud Sanctum Petrum 3. Non. Aprilis, Pontificatus nostri Anno primo.

In which Bull we may observe; First the strange injustice of this Pope, in supplying the poverty of this Bishop, with all the rents, profits and emoluments of this Priory, which should relieve, support the Monks therein, and removing the Monk placed therein by the Prior (only to collect and distribute them for the use of the Priory) without cause or hearing: 2ly. His most execrable tyrannical injunction to put this Bishop into the actual possession thereof, and excommunicate, interdict all who should oppose him therein, without the benefit of appeal; Notwithstanding any contrary Custome, Statutes, or Oath of the said Church to the contrary; though corroborated by the confirmation of the See Apostolick, or any other firm assurance, be it by Charters of our Kings, or Acts of Parliament. And which is more observable, notwithstanding any Temporal or Spiritual priviledge or exemptions granted to this Priory, or others joyntly or severally by the Popes and See Apostolick, that they should not be excommunicated, suspended or interdicted, or that their Cells and livings should be totally exempted from, and not lyable to any Provision or disposition whatsoever of the See Apostolike, which might hinder or delay the execution of this monstrous Bull. To which the King after full debate and deliberation with his Counsil in Parliament, returned this memorable resolution, That this Petition was not grantable, because the granting thereof would be manifestly prejudicial to the King himself, and to his Royal Crown, as the Record thus informs us.

15dem.

Quibus literis Apostolicis, ut praemittitur, presentatis, visis, examinatis, et plenius intellectis, requisitionem quam predictus Episcopus *Bibliensis* fecit predicto Domino Regi, scilicet, quod placeret eidem et benigne permitteret, ut Prioratus de *Goldyngham* in *Scotia* Sancti *Andreas* Diocesis baseat adhiberi, iuxta concessionem et assignationem per suprascriptas Literas Apostolicas sibi specialiter inde factas. Habitaque deinde per consilium ejusdem Domini Regis super requisitione et petitione huiusmodi deliberatione plenaria, ex parte ejusdem Domini Regis per Consilium suum, datum fuit predicto Episcopo presentialiter tale responsum, videlicet; Petitis ista si concederetur, foret manifeste praesudicialis predicto Domino Regi et Coronae suae Regiae, et idcirco non est concessibilis in hac parte. And for a perpetual memorial hereof to all posterity, these several attestations were affixed to it by honourable Witnesses of all sorts, and publike Notaries of the Pope himself then present, summoned to attest and record it.

Acta fuerunt omnia suprascripta, Anno, Indictione, die & loco praescriptis, praesentibus venerabilibus in Christo Patribus & Dominis, *Waltero Coventrensi* & *Lichfeldensi*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

*feldensis Thesaurar. Anglia, ac Antonio Dunelmensi, Johanne Carleouensi Episcopis, necnon H. Lincolnie, Humfrido Herefordia, G. Warwici Comitibus, Aymero de Valentia, Johanne de Brittainia, H. de Percy, R. de Clifford, H. de Veer, Waltero de Teys, Adam de Welles, Johanne Botecourt, Rogero de Brabantan, Johanne de Insula, Roberto de Burghesse, Radulpho de Sandewico, Rogero de Heggbam, Nicholas Ferm-band, Willielmo de Beresford, Willielmo Howard, Petro de Malore, Henrico Spigurnell, & Willielmo Inge Militibus; ac discretis viris Dominis Johanne de Droghensford, Johanne de Berewico, & Johanne de Bensede, necnon & Magistro Reginaldo de Brandon, Roberto de Pickering, & Willielmo de Kilkenny Clericis, testibus ad hoc vocatis specialiter & rogatis.*

*An. 33 E. 1.*

Et ego *Johannes dictus Benbs de London*, Domini Papæ auctoritate Notarius publicus, omnibus interfui suprascriptis, & prædictum transcriptum, exemplum seu sumptum per me à suo originali transcriptum, & cum Domino *Petro de Malore* Justiciario Domini Regis *Anglia* illustris, & Magistris *Johanne de Cadomo*, & *Gilberto de Lotegersdale* Notariis publicis, diligenter auscultavi, nil addens vel minuens, quod sensum mutet vel viciet intellectum, hoc in Instrumento præsentis scripsi, una cum aliis omnibus prænotatis, & prædictum exemplum seu sumptum cum suo originali reperi concordari, me in tellem subscripsi, ac præscripta omnia publicavi, meoque signo consueto signavi rogatus. Et ego *Johannes Ercuri de Cadamo* Apostolicæ sedis auctoritate Notarius publicus, hoc exemplum una cum præfatis Domino *P. Justiciario*, & Magistris *J. & G.* Notariis publicis, ad literas Apostolicas suprascriptas fideliter & diligenter auscultavi. Et quia dictum exemplum cum ipsis literis Apostolicis concordare inveni, in ejusdem exempli plenam fidem & testimonium, me testem subscripsi, & rogatus signum meum apposui consuetum. Et memorandum quod prædictum Instrumentum in plena Scaccaria liberatur die *Martii* 18 die ——— Anno 33. *Willielmo de Brichull*, & *Willielmo de Persfort* Camerariis ad custodiendum in Thesaurario Regis.

In the Pleas of Parliament *apud Westm. coram Rege & Consilio suo à die Sancti Michaelis in 13 dies, An. 33 E. 1.* the Prior and Covent of *St. Trinity in Dublin*, and Dean and Chapter of *St. Patrick's Dublin*, were attached and prosecuted in Parliament at the Kings suit, for presuming to elect a new Archbishop of *Dublin* in the place of *William Hothom* deceased, before they received the Kings special license to elect, though they sent some of their Members to petition for it; when as their Temporalities at the last vacancy were seized into the Kings hands for the like contempt, which they now reiterated, against the ancient Rights and Prerogatives of the King and his predecessors time out of minde, to his damage of 20000 *l.* for which the Temporalities of the Prior and Covent were again seized, notwithstanding all their pleas and excuses, as this memorable Record will inform us.

**P**Rior & Conventus Sanctæ *Trinitatis Dublin.* & Decanus & Capitulum Sancti *Patricii Dublin.* attachati fuerunt ad respondendum Domino Regi de eo, quod cum Dominus Rex et progenitores sui Reges *Anglia*, et Domini *Hibernia*, a tempore quo non extat memoria, pacifice usi sint et gaudi tali privilegio et dignitate, quod quociens Archiepiscopus, Episcopus, Abbatia, quæ de eo tenentur in Capite, vel aliter Domus quarum terræ in parte (*Hyb.*) vocantur ab antiquo, Terræ incrocentæ, vacaverint, statim tenementa Archiepiscopatum, Episcopatum, Abbatiarum, et Domuum hujusmodi capi debent in manum ipsius Domini Regis, et illi ad quos spectat electio de futuro Pastore, &c. petere debent ab ipso Domino Rege licentiam eligendi, &c. et licentia hujusmodi non optenta, nullatenus liceat aliquem eligere, &c. Prædicti Prior et Conventus, Decanus et Capitulum sede Archiepiscopatus *Dublinensis* vacante per mortem *Willielmi de Hothom* nuper Archiepiscopi, &c. futurum Archiepiscopum elegerunt, nunc die *Mercurii* proxima post Octabas Sancti *Hilarii*, licentia eligendi ab ipso Domino Rege non optenta, in præjudicium et læsionem Coronæ et dignitatis suæ, &c. Unde *Johannes de Ponte* qui sequitur pro eo, dicit, quod prædictum præjudicium et læsionem Coronæ et dignitatis Domini Regis fecerunt ipsi, sicut prædictum est, in contemptum et dampnum ipsius Domini Regis 20000 *l.* Et hoc offert verificare pro ipso Domino Rege, sicut Curia considerabit.

Plac. Parl. An.  
33 E. 1. in  
Turri Lond.  
See Ryley his  
Placita Parl. p.  
297, to 300.

Et



Ar. 33 E. 1.

Et Prior & Conventus, Decanus & Capitulum veniunt, & prædicti Prior & Conventus dicunt pro se, quod prædicti Decanus et Capitulum in singulis vacationibus Ecclesie sue prædictæ, debent vocari ad interessendum suæ electioni apud Ecclesiam suam Sanctæ Trinitatis, & ipsi si interesse voluerint habent vocem licet secundariam in electione faciendâ; unde dicunt, quod non debent separatim sine prædictis Decano & Capitulo inde respondere: Et petunt, quod prædicti Decanus & Capitulum si clamant esse participes in electione faciendâ, tunc se jungant in respondendo. Postea prædicti Prior & Conventus, Decanus & Capitulum petita conjunctim licentia inde loquendi, reveniunt. Et prædicti Prior & Conventus dicunt pro se, quod statim habita notitia de morte prædicti *Willielmi* nuper Archiepiscopi, &c. quæ pervenit ad eos in vigilia Sancti *Romani* proxima præterita, miserunt ipsi simul cum prædictis Decano et Capitulo certos *Punctos* Domino Regi, ad petendum licentiam eligendi, Fratrem *Anianum* Concanonicum prædictæ Ecclesie Sanctæ Trinitatis, & *Walterum Wogan* Canonicum prædictæ Ecclesie Sancti *Patricii*, qui jam redierunt, et literas patentes Domini Regis eis inde detulerunt, quas proferunt; & hoc idem testantur. Dicunt etiam, quod ipsi et eorum prædecessores a tempore quo non eriat memoria, semper in hujusmodi vacationibus solebant mittere *Punctos* suos cum literis suis Domino Regi ad petendum licentiam eligendi, &c. Et si *Puncti* sui non redissent infra tres menses a tempore vacationis, &c. semper solebant ipsi et prædecessores sui, circa finem temporis hujusmodi ultra quod non liceret eis eligere, &c. Pastorem eligere absque calumpnia Domini Regis vel *Episcoporum* suorum. Et prædictus *Johannes de Ponte* dicit pro Domino Rege, quod die electionis factæ non constabat eis de aliqua licentia Domini Regis optenta, &c. Dicit enim, quod prædicti *Puncti* cum prædictis literis applicuerunt in *Hibernia* die Dominica post electionem factam. Et hoc offert verificare pro Domino Rege, &c. Dicit etiam, quod in ultima vacatione prædicti Archiepiscopatus ante instantem vacationem, videlicet, post mortem *Johannis de Saunford* nuper Archiepiscopi, &c. Prior & Conventus, Decanus & Capitulum prædictarum domorum *Nuncios* suis missis Domino Regi ad petendum licentiam eligendi, & licentia illis concessa, &c. sed *Punctis* non reversis in hanc terram cum literis Domini Regis quas inde habuerunt, eligerunt *Thomam de Cladeford* tunc, sicut et nunc Decanum prædictæ Ecclesie Sancti *Patricii*. Propter quod cum prædictus Decanus venisset ad ipsam Domum Regem in *Anglia*, Rex sic ipsum Electum non admisit, sed remisit eligendum iterato, et capere fecit in manum suam omnia temporalia prædicti Prioratus pro contemptu ubi facto in hoc casu, et ea sic tenuit quousque de gratia sua ea replegiabit Priori prædictæ domus qui tunc fuit. Et hoc similiter offert verificare pro Domino Rege. Et Prior & Conventus non possunt hoc dedicere, ideo ad Judicium de eis.

N. 1.

Et Decanus & Capitulum dicunt pro se, quod ex consuetudine hæcenus approbata electio futuri Archiepiscopi *Dublin*. debet fieri in Ecclesia prædicta S. Trinitatis, & quod prædictus Prior habet primam vocem in electione illa, & ipsi Decanus & Capitulum secundam. Et dicunt, quod prædicti Prior & Conventus vocaverunt ipsos Decanum & Capitulum quod interessent ad prædictum diem *Mercurii* prædictæ ad prædictam electionem faciendam. Et dicunt, quod si ipsi Decanus & Capitulum non intervenissent ad diem hujusmodi sic vocari, Prior et Conventus eligerent per se non expectata præsentia ipsorum Decani et Capituli: Et sic ipsi Decanus et Capitulum excluderentur a possessione hujusmodi electionis conjunctim et divisim, et ex hoc per processum temporis per diversas causas quæ satis notæ sunt Curie Domini Regis, posset maximum dispendium Domino Rege generari. Unde dicunt, quod ipsi Decanus & Capitulum ad vocationem prædictam venerunt ad prædictam Ecclesiam, et rogaverunt prædictos Priorem et Conventum, quod ab electione faciendâ desisterent, quousque licentiam Domini Regis optinerent, qui licet inde consulendo deliberationem habuissent, rogatui suo nullatenus consenserunt, sed præcise dixerunt, quod ad electionem faciendam die illo procederent nullo casu propediendo. Per quod ipsi Decanus & Capitulum, qui pro maxima parte Capituli sunt Clerici Domini Regis, & sui familiares, nolentes ob prædictas causas prædecessores suos præcludi ab electione aliâs faciendâ, &c. et non per aliquem contemptum vel præjudicium Domino Rege machinandum, assignarunt certas personas ad interessendum electioni illi, quibus ipsi voces suas penitus in electione illa commi-

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commiserunt; videlicet, *Willielmus de Estden* Thesaurarius de Scaccario *Dublin.* An. 33 E. 1.  
& Canonicus prædictæ Ecclesiæ Sancti *Patricii* vocem suam, *Radulpho de Stanes*  
Canonico ejusdem Ecclesiæ, prædictus Decanus, Justiciarius de Banco *Dublin.* &  
*Thomas de Snitterby* Justiciarius de eodem Banco, & Canonici prædictæ Ecclesiæ  
Sancti *Patricii* voces suas, Magistro *Willielmo de Hothum* Concanonico ejusdem  
Ecclesiæ, et hoc salvis juribus Regis: et pro eo quod electioni illi personaliter in-  
teresse noluerunt, licentia Regis non optenta. Et quod ita est. Et quod ipsi  
Decanus & Capitulum licentia, &c. non optenta, non processissent ad electio-  
nem, &c. faciendam, nisi per prædictos Priorem et Conventum sic fuissent co-  
acti, sicut prædictum est; videlicet, quod electioni illi per se vel per certas perso-  
nas Capituli sui quibus voces Concanonicorum ejusdem Capituli concessæ fuissent,  
interessent, vel a possessione sic eligendi fuissent exclusi, &c. parati sunt verificare  
sicut Curia consideraverit.

Et prædictus *Johannes de Ponte* petit Judicium pro Domino Rege, ex quo ipsi  
Decanus & Capitulum cognoscunt, quod eligerunt, &c. licentia non optenta. Et  
Decanus & Capitulum dicunt, quod maxima pars Capituli Clerici Regis sunt, &  
familiares sui, non habentes Laica tenementa, set tantum Ecclesiastica beneficia.  
Et quod Dominus Rex in hujusmodi casibus electionum factarum in prædicta Ec-  
clesia licentia non optenta, semper se cepit ad Priorem et Conventum prædictæ  
Ecclesiæ *Sanctæ Trinitatis*, qui ipsos Decanum et Capitulum per vocacionem in-  
ducunt ad interessendum, &c. sicut prædictum est; vel ipsi Decanus et Capitulum  
excluderentur perpetuo, &c. Unde petunt, quod Curia Regis ad hoc habet abisa-  
mentum, &c. Et Prior & Conventus quesiti, si prædictus Decanus & Capitulum  
rogaverunt ipsos prædicto die *Mercurii* quod supersederent, &c. non possunt hoc  
dedicere: Set dicunt, quod ille dies *Mercurii* fuit ultimus dies eis concessus eli-  
gendi, &c. per Canones a tempore notitiæ suæ habitæ de vacatione prædictæ.  
Per quod dixerunt, quod citius caderent in gratiam Domini Regis, cum credissent  
et ex relatu quorundam audivissent, quod Dominus Rex licentiam eis præbuit  
eligendi, &c. quam in manus Papales, videlicet, quod si intra trimesse spacium  
non eligerent, per hoc ipsi Papa competere Archiepiscopatum conferre culem-  
que voluisset. Et Prior & Conventus quesiti, quem elegerint? dicunt, quod ipsi  
unanimitè duobus Canonicis suis exceptis eligerunt ipsum Priorem, &c. Et præ-  
dicti Decanus & Capitulum quesiti, quem elegerint? Dicunt, quod ipsi simul cum  
prædictis duobus Canonicis unanimiter eligerunt ipsum Decanum, &c. Decano so-  
lummodo excepto, qui electioni de se factæ adhuc non consensit. Et prædicti De-  
canus & Capitulum dicunt ulterius, quod si videatur Domino Regi vel Curie suæ  
quod ipsi deliquerunt in hoc quod coacti, sicut prædictum est, processerunt ad electio-  
nem faciendam in forma prædicta pro jure Regis et suo manutenendo, tunc ipsi se  
supponunt inde gratiæ Domini Regis. Et quia Prior & Conventus non possunt  
dedicere, quin Temporalia Prioratus sui alias capta fuerunt in manum Domini  
Regis, pro eo quod in ultima vacatione ante instantem vacationem eligerunt, si-  
cut prædictum est, antequam literæ Domini Regis de licentia Regis optenta de-  
buerunt ad eos: Et Dominus Rex de gratia sua speciali replegiari fecit eis  
prædicta Temporalia ad voluntatem suam. Et ipsi jam de nobis similiter elege-  
runt licentia non optenta, contemptum contemptui cumulantes, unde prædictum  
generari posset Domino Regi temporibus futuris, nisi ad hoc apponeretur  
remedium. Et dedicere non possunt, quin habuerunt unum diem ulterius ad  
minus, per quem possent expectabilis de electione faciendâ si voluissent infra tres  
menses a tempore notitiæ suæ de vacatione, &c. Consideratum est, quod Tem-  
poralia prædicti Prioratus capiantur in manum Domini Regis ad voluntatem  
suam, &c. Et custodia inde committitur *Johanni* Vicario Ecclesiæ de *Lalk*, qui  
respondebit Domino Regi de exitibus, &c. Et Decanus et Capitulum expectent  
gratiam Regis.

From which memorable Record we may observe: First, the antient Prerogative  
of the Kings of *England*, as well in *Ireland*, *Wales*, *Scotland*, & all other their foreign  
Dominions as in *England*: That no Prior and Covent, Dean, Chapter ought to  
proceed to the election of any Archbishop, Bishop, Abbot, Prior, Priorelle, or  
Master of any Monastery or House, held of them in capite, or of their foundation,  
without



*An. 33 E. 1.* without or before their special license, for making such elections were particularly petitioned for, granted, and actually received by them. 2ly. That their proceeding to make any such elections even after their petitions for, and the Kings granting of such special licenses to elect before their actual reception, was not only a sufficient ground for our Kings to declare such elections voyd in Law, and deny their royal assents thereunto; but likewise an high contempt against our Kings royal Prerogative, Crown, dignity, and of ill example and dangerous consequence, for which the Temporalities of the Electors might not only by Law be seised into the Kings hands, but themselves subjected to a great exemplary fine by way of damage to the King, especially when reiterated. 3ly. That though our Kings out of their special grace had frequently connived at and pardoned such contempts in *Ireland* in sundry cases premised, yet when such contempts were redoubled in two successive elections in the very Archiepiscopal See of the chief City of Trade and Note in *Ireland*, nearest adjoyning to *England*, after the seisure of their Temporalities for the first offence, restored out of special grace, upon hopes of future reformation, as in this case; the Kings present proceedings, and judgement given against them for this second contempt, were most just and necessary, to prevent all future contempts of like nature. 3ly. That the Popes Canons, and the ancient Custom of the Church of *Dublin*, pleaded by the Prior and Covent to excuse or justify this their election, and contempt, (That they ought to elect an Archbishop within 3. moneths next after notice of the avoydance, within which space the Kings license which they petitioned for came not to their hands,) was no legal plea against the Kings antient prerogative, to which all Popes Canons and contrary Customes ought to give place, who might legally grant or delay his Licenses of this kinde till such time as he should think fit to issue them, being confined to no limits of time, without incurring any lapse, especially to the Pope. 4ly. That Popes new Canons, made in derogation of our Kings Crown, Dignity, and Prerogative, (to enlarge their own Papal power, wills, grandeur) were more carefully observed, obeyed, dreaded by the Priors, Covents, Monks and Clergy of that age (though void in Law) than the Kings unquestionable ancient prerogative and Lawes; and his Papal Censure more regarded than the Kings Legal Judgments. 5ly. That the Deans & Chapters refusal to go to this election before the Kings special licenses received in this and the former election, and joyning in it only to preserve their right therein, was such an extenuation of their contempt, as exposed them rather to the Kings royal grace, then exemplary and severe justice.

\* See Ryley  
Plac. Parli-  
mentaria, An.  
33 E. 1. p.  
271, to 276.

I pretermitt the great suit in the \* *First Parliament* of Anno 33 E. 1. between the Bishop of *Salum* and the *Citizens* thereof, for Tallage due from them to the Bishop, by reason of their Liberties from *Tolls*, and other immunities they enjoyed by the Charters granted to his Church and Tenants, who chose rather publicly to renounce all the Liberties and exemptions from *Tolls* they enjoyed by it, than to be subject to the Bishops Taxes and Tallages.

In that Parliament there were two Petitions exhibited to the King, by the Universities of *Oxford* and *Cambridge*, to which the Kings general answers were thus indorsed in their favour.

\* See Ryley,  
Placita Parli-  
mentaria, p.  
248. Univer-  
sitas Oxon.

\* An a use in  
that age, as  
well as since.

\* **A**D Petitionem Universitatis *Oxon.* petentis remedium, quod cum Compositio facta sit inter Universitatem & homines ejusdem villæ, quod Regrattatores non debent esse in villa nisi ad numerum 32, et Burgenses ejusdem villæ nunc numerum illum veementer augmentarunt ad dampnum populi. Et etiam quod Rex præcipere velit, quod nullus Regrattarius seu tabernarius vinozū permittat, quod Clerici sedeant seu hospitent \*notanter in tabernis suis. Ita responsum est, Quoad Compositionem si facta sit inter Universitatem et Burgenses, et rationalis fuerit; Rex vult quod observetur. Ad alium Articulum, Cancellarius castiget Clericos suos, prout melius viderit expedire.

\* Ibidem, p.  
248. Univer-  
sitas Cantabrig.

\* **A**D Petitionem Universitatis (*Cant.*) prædictæ, petentis, quod Cancellarius dictæ Universitatis procedere possit in placitis coram eo placitis de contrariis et Condemnationibus factis inter Scholares et Laicos Universitatis prædictæ, non obitante prohibitione. Ita responsum est, Sicut habet Universitas *Oxonienfis* ita habeant. Among

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Among the Petitions in that Parliament, this answer of the King to the Bishop of *Landaff*, concerning Tithes of Assarts in the Forest of *Dene*, which were extra-parochial, is very observable.

**A**D Petitionem Episcopi *Landaf*, petentis, quod Rex velit assignare Ecclesiæ *Omnium Sanctorum* ipsius Episcopi in *Foresta de Dene* Decimam de nobis Assartis in eadem Foresta assartatis in proprio solo ipsius Regis ibidem. Ita responsum est, Rex vult quod id quod est extra Parochiam, et quod Rex concedere potest habeat Episcopus: Et sicut Literæ Regis Patentes de concessione, et breve Clausum *J. de Botecourt Custodi Forestæ*, &c. By which it is apparent, that Tithes without any Parish within Forests, in that age belonged to the King, who had power to retere or grant them at his royal pleasure.

ibidem, p. 149.  
*Landaff*.

Anno Gratiz 1305. \* *Cardinales Romani, dum ad invicem dissentiunt super electione apostolica, tandem assientes à longè, injecerunt mentis aciem ultra Alpes ad Archiepiscopum Burdegalensem, Bertramum de Angeaus, ipsum in Summum Pontificem die Pentecostes unanimiter eligerunt, & Clemens quintus vocatur. Is autem electioni consentiens ex Burdegala Lugdunum profectus, eo Cardinales omnes ad se vocabat: Qui sine mora Pontifici obtemperarunt: conveniunt singuli Cardinales præter duos, qui non venerunt præ nimia senectute, & duo alii itinrando mortui sunt, et Curia Romana in Galliam translata, ad septuaginta quatuor annos ibi remansit cum magno Romanorum incommodo. Coronationi hujus Clementis interfuerunt Philippus Rex Francie, Carolus ejus frater, & Johannes Dux Britanniz, qui ruina muri oppressus cum duodecim aliis statim moriebatur dum solennitatis pompa per urbem duceretur. Philippus quoque Rex ex ruina aliqua ex parte debilitatus est, Pontifex autem ex tanta trepidatione, ex aquo deturbatus, Carbunculum ex Tiara amisit pretii Florenorum sex millium. Idem Papa ante Natale duas ordinationes faciens creavit duodecim Cardinales, inter quos de Ordine Fratrum Predicatorum fratrem Thomam de Jozi, Doctor sacre Theologia, natione Anglicus, titulo sanctæ Sabinz factus est Presbyter Cardinales; sex Cardinales de Vasconia, duos de Francia, Abbatem Sanctæ Cracis juxta Burdegalim Ordinis Sancti Benedicti creatum similiter Cardinalem, Vicecancellarium suum constituit. Petrum & Jacobum de Columpna depositos & prædamnatos per Papam Bonifacium 8. de novo Cardinales creavit. Hinc aliqui à fratribus murmuraverunt. Constituit Papa Coronationis & solennitatis suæ diem Lugduni in crastino Sancti Bricii (as <sup>b</sup> Mat. Westmister relates.) Cumque post missarum solennia equitaret, de Ecclesia ad palatium, quidam murus lapideus & luteus vetus & semirutus, cui incumbebat populus multus, ut Papam videret, repente corruit super turbam, & duos Comites qui mulam Papæ per frænum ducebant, unum oppressit, videlicet Andegavensem, alterum Britanniz interemit, et bis binos viros incipros, multis aliis sauciatis. Sed Papa mirabiliter salvatus est. Quod insperatum alicujus futuri mali prognosticum, plurima gens notabit. Die sancti Clementis, cum Papa primò missarum solennia celebrasset, post prandium orta lite et mota pugna inter Clientes Papæ et Cardinalem, unus de fratribus Summi Pontificis occisus est. Alterum fratrem suum cinxit Rex Franciz baltheo militari, & multam aliam munificentiam in Civitatibus, & Castellis suis contulit Papa Rex Francorum, per quod in omnibus negotiis suis expediendis gratiam multam præmeruit et favorem. \* Rex autem Anglorum misit Domino Papæ singula utensilia, quibus ministraretur et in Camera, et in mensa omnia auro purissimo, per Episcopos regni sui, videlicet *Litchfeldensem* et *Wigornensem*, et Comitum *Lincolniæ*. Ad eandem vero solennitatem de Anglia, plures viri egregii abierunt. Porro Episcopum *Dunelmensem* Dominum Antonium de Bek propter dapulitatem & magnificentiam cordis quam in eo invenit, Patriarcham Hierusolomitam creabit, & electos *Eboracensem* & *Landavensem*, dimisit ad propria confirmatos. Papa quidem constituit celebrare Curiam suam apud Burdegalim. Erat autem in principali porta Civitatis prophetia hac scripta, in duobus versibus aureis literis & latinis, sed per pulverem incedentium fuerant obfusa, ita ut non apparerent nisi hæc due dictiones, Altera Roma. Verum constituta ibi Curia, viri Civitatis, dedanso pulvere, invenerunt sic scriptum.*

Dic tu qui transis, & portæ limina tangis,  
Altera Roma vale, nomen gerit Imperiale.

6 U

Scribentur

a Mat. West.  
An. 1305, p.  
451. Thomas  
Walsingham,  
Hist. Angl. p.  
61, 62. Ypodigma  
Neustr.  
p. 96. Leander,  
Stella, Onu-  
phrius, Cres-  
pin, Balzus,  
Falc. Tempo-  
rum, Platina,  
Volaterranus,  
Opmicus, La-  
ertius Cheru-  
binus in Bene-  
dicto 11. &  
Clemente 5.

b Mat. West.  
An. 1305, p.  
453.

Nota.

\* See Thomas  
Walsingham  
Ypodigma  
Neustrix, p.  
96. Daniels  
History, p.  
100. Holin-  
shed. Speed,  
& others, An.  
1304, 1305.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5.*

An. 33 E. 1. *Scribebantur autem ibi hi versus ante mille annos (if you credit the Reporter.)* Porro Senatores Romani miserunt ad Papam, ut veniret Romam, et daretur Curiam suam ibi, sicut predecessores sui Summi Pontifices consueverant. Poluit Papa acquiescere postulat, sed dixit, Se missurum illic quempiam, qui eis satisfaceret vice sua. From which Historical Narrative, it may justly be demanded; 1. Whether Pope Clement keeping his Court and Papacy at *Burdeaux*, not in St. Peters See and Chair of Rome, was a true Pope, and proper Bishop of Rome, or Successor of St. Peter? 2ly. Whether he did not both sinne and erre in this translation of his See? 3ly. Whether his infallibility being confined to St. Peters Chair in Rome, he lost not his infallibility and inviolability, by sitting in his new erected Papal Chair of *Burdeaux*, wherein he formerly sat as Archbishop only of that City? 4ly. Whether the rich Gifts, he received from the Kings of France and England, to purchase his grace and favour in the dispatch of all their affairs before him, were not direct Bribery, and detestable corruptions, contrary to St. Peters practise, Acts 8. 18, 19, 20?

King Edward designing to send some special Messengers for dispatch of his affairs to the Court of Rome to Pope Benedict, whose journey was stopped by his death, being afterwards informed of the election of Pope Clement, summoned them to prepare themselves to repair to him with all convenient speed and from thence to go to the new Pope about his said affairs, by this ensuing Writ.

Clas. 33 E. 1.  
m. 12. dorso.  
De veniendo  
usq; Westm.  
pro negotiis  
Regis.

R EX dilecto Clerico suo Roberto de Pykerings salutem. Cum tempore felices recordationis Domini Benedicti nuper Summi Pontificis ordinavimus, quod vos una cum quibusdam aliis fidelibus nostris ad Curiam Romanam proficisceremini pro quibusdam negotiis quæ nos tangunt. Et postmodum intellecto de morte prefati Summi Pontificis, injunxerimus vobis & eisdem fidelibus nostris, quod quanto Summum Pontificem creati contingeret, prompti et parati essetis ad proficiscendum pro negotiis nostris prædictis ad Curiam supradictam; Ac jam nova de creatione Summi Pontificis habeamus: Vobis mandamus firmiter injungentes, quod omnibus aliis prætermis, usque Westm. personaliter accedatis; ita quod sitis ad Scaccarium nostrum ibidem die Jovis in Quindena Nativitatis Sancti Johannis Baptiste proximo futuri, prompti et parati ad proficiscendum statim extunc cum dictis fidelibus nostris ad Curiam prædictam pro negotiis nostris antedictis, & hoc sicut de vobis confidimus nullatenus omittatis. Teste Rege apud Cicestriam 17 die Junii.

Eodem modo mandatum est Magistro Bartholomæo de Ferentino, Rogero le Warr, Thoma de Berkele, & Magistro Thoma de Cobham. Teste ut supra.

Pope Clement the 5. was no sooner elected, but he sent these 3. ensuing Bulls and Letters, together with two Nuncios to King Edward, expressing his extraordinary affection to him and his realm earnestly exhorting him to prolong the Truce between him and the King of France, to repair all damages done by his Subjects to the French, to conclude a firm Peace between both Crowns, by his order, and that he would come to him in person into France before his departure thence toward Rome, or at least to send his Son Edward Prince of Wales, accompanied with an honourable Train of Prelates and Nobles, to perfect the marriage between him and the King of France his daughter, and with full power to settle a perpetual peace between both Crowns, as he should advise, without favour or partiality, for the avoyding of sundry mischiefs occasioned by the Wars, both to their Realms and Christianity it self, and for the better and speedier relief of the Holy Land. The original Bulls themselves I discovered in the White Tower Chappell.

In Tutel London.  
An. 33  
E. 1.

Clemens Episcopus, Servus servorum Dei, Charissimo in Christo filio Edwardo Regi Anglie illustri, salutem, & Apostolicam benedictionem. Inter ceteros studii mei labores, quibus ex infundo nobis Apostolatus officio, ille incundior in-fidet cordi nostro, ut inter te, fili prædilecte, et charissimum in Christo filium nostrum Philippum Regem Francorum illustrem, de quorum vexatione Romana mater ingemiscit Ecclesia, et unitate lætatur, ac utriusque vestrum subditos, inter quos ille Serpens antiquus sator discordiæ, pacis æmulus, & odii seminator, fomenta

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zizaniæ per caliditatis astutiam non sine eum amaritudine rememorandis angustiiis submittant, pacis reformetur tranquillitas, animorum identitas perseveret, & ut nos & ipsa optamus Ecclesiæ, vinculum dilectionis internæ, ut decet & convenit, solidetur. Sane inter te & ipsum in pacis tractatu exitit, ut dicitur, inter alia concordatum, quod dampnorum & gravaminum pace seu treuga secuta vel indicta durante hinc inde ab alter utrius vestrorum gentibus & subditis irrogatorum quomodolibet & etiam illatorum sufficiens præstaretur emenda, & tandem eodem Rege & tuis Nunciis *Lugdun.* in nostra præsentia constitutis, ut quod de satisfactione huiusmodi fuerit ordinatum, pleniorum sortiretur effectum; Adjunximus, quod quatuor probi viri, duo scilicet pro parte qualibet deputentur, qui super præmissis inquisita plenius veritate facerent passis damna & injurias satisfactionem congruam juxta malignitatem negotii exhiberi. Verum licet hæc, sicut præmittitur, fuerint ordinata, quæ debuerint penitus observari, tamen quod nos cogit vehementius admirari postquam iidem nuncii *Lugdun.* nostro se conspectui præsentarunt, et ex eis aliqui à vobis etiam bona sua quamplurima arestata atque seiscita mercimonia & dampna non modica per gentem tuam nonnullis Civibus *Ambraren.* ceterisque Mercatoribus *Corbie* ac illarum nequaquam obstantibus regni sui ordinationibus præmissis illata dicuntur, & nichilominus unus ex tuis dictis quatuor qui tunc in nostra fuerunt præsentia nominati, electi & etiam deputati, negotio imperfecto discessit. Cum itaque, fili charissime, ex præmissis si veritate nitantur tanto majoris turbationis materiam habeamus, quo nisi eis celeris correctionis remedio occurratur, posset timeri pericula exinde præteritis graviora, Celsitudinem tuam rogamus attentius, & hortamur in *Jesu Christo*, quatenus bona & mercimonia sic arestata atque seiscita, exarestari & deseisciri jubeas, ac de huiusmodi dampnis & injuriis perlonis eisdem faciat satisfactionem plenariam exhiberi, eundemque deputatum qui sic à prosecutione prædictorum discessit, remittas ad locum, ut præmittitur, ut cum aliis diligenter in præmissis intendat & illis submoto difficultatis obstaculo prosequatur. Attende igitur, fili per dilecte, & ut pacis amator inspicias, quod si præmissa ad quæ te hortamur percompleas, multiplex inde bonum proveniet, & de contraria (quod absit) posset inextimabile scandalum exoriri, quodque tu præter divinum præmium gratificaberis *Romana Ecclesiæ* matri tuæ, & nos qui te & Regem eandem in pacis abundantia ambulare & vivere cupimus, quique etiam in tuis prosperis & felicibus successibus ab intimis gratulamur, votis tuis strictius obligabis. Dat. *Petrægoria* 2. Kal. *Maii*, Pontificatus nostri anno primo. \*

An. 33 E. 1.

\* In Dorso.  
Bulla Clementis Papæ 5  
Edwardo Regi  
Angliæ, super  
tangentibus  
processum  
Monestrel.

To which the King returning a satisfactory answer in all particulars, received this second Bull from the Pope.

**C**lemens Episcopus, servus servorum Dei, venerabili in Christo filio *Edwardo* Regi *Angl.* illustri, salutem & Apostolicam benedictionem. Celsitudinis tuæ literas affectione consueta recepimus, per quos conditiones negotii mercatorum *Francia* quorum bona in regno tuo fuerant arestata: & qualiter personarum quæ per nuntios tuos coram nobis apud *Lugdun.* fuerunt deputatæ ad inquirendum de excessibus sensere factis — quæ commissa dicuntur per — gentem regni tui contra gentem regni *Francia* postquam inter te & charissimum in Christo filium nostrum *Philippum* Regem *Francorum* pax & concordia per Dei gratiam reformata exitit, processerunt, seriose satis ad nostram noticiam deduxisti. Profecto, fili charissime, gaudeamus quod sic planè sic clarè nobis hæc Regia circumspectio referavit, & inter cetera desiderabilia cordis nostri tuum & Regis ejusdem statum prosperum & tranquillum, & inter te ac ipsum amicitiam mutuam Charitatis potioribus desideriis affectamus, diligentes cogitatus adhibere circa significata curabimus, & utilis operationis impendium, prout melius divina gratia ministraverit, exponemus, Serenitatem Regiam rogantes, & hortantes attente, quatinus gentes tuas sic corrigas & refrænes, quod nulla inter te & eundem Regem scintilla rancoris emergat; & prædictis deputatis injungas, quod in negotiis per dictos nuntios eis commissis continuè intendant, & sic efficaciter te habeas in prædictis, quod Magnificencia tua dignis exinde apud Deum & homines possit laudibus commendari. Dat. *Burdigalis* 2. Kal. *Julii*, Pontificatus nostri anno primo. \* Which he backed with th. s. third Bull.

In Turri London.  
don. An. 33  
E. 1.

\* In Dorso.  
Bulla Clementis Papæ 5  
Edwardo Regi  
Angliæ, super  
tangentibus  
processum  
Monestrel.



An. 33 E. 1.

Ibidem.

**C**lemens Episcopus, Servus servorum Dei, carissimo in Christo filio nostro *Edwardo* Regi *Angliae* illustri salutem & Apostolicam benedictionem. Benignae puritatis ad notos & magis discretionis ad omnes Celsitudinis tuae culmina reputat populus circumpositae rationis, te quoque Magnates & humiles multa laude magnificant, & virtutum praecipue devotionis ipsius praeclaris te ferunt ornatibus insignitum; quare multum debet auertere circumspectio Regia, quod cum talis esse credatur, credentium opinio non fallatur. Magnitudinem itaque Regiam, tum propter intimae dilectionis affectum quem ad ipsum semper habuimus & habemus, tum propter aliqua salutaria animae tuae commoda, tum etiam propter nonnulla inter te & Regem *Franciae* illustrem pacis & quietis procuranda et ordinanda salubria, et insuper de *Terra Sancta* passagio intimis desideris alloqui cupientes, eandem rogamus et optamus attente, quatinus antequam montes transeamus, quos post Coronationis nostrae solempnia apud *Vien.* circa instantis festi *Omnium Sanctorum*, auctore Domino celebranda, transire proponimus ad Sanctam *Romanam* Ecclesiam sponsam nostram Deo propitio accessuri nobiscum, si modo fieri valeat, tuam a nobis plusquam exprimere possemus oblatam praesentiam habeamus; vel si forte (quod absit) venire nequiret aut nollet Regia Celsitudo, charissimum in Christo filium nostrum *Edwardum* illustrem Principem *Walliae* natum tuum, Praelatorum et aliorum Magnatum viroque prudentium decenti comitiva vallatum, ad praesentiam nostram mittas, voluntarium atque promptum ad contrahendum matrimonium inter eum et natam iam dicti Regis *Franciae* prolocutum; necnon cum sufficienti et plenaria potestate et speciali mandato faciendi, approbandi et recipiendi ea omnia quae ad solidandam concordiam, charitatem et pacem inter te ac *Franciae* Regem praedictum, et alia quae ad animae tuae salutem, et ad tuum ac suum et regni tui commodum et honorem, praesente Deo, intendimus ordinare. Et ut nostra quam super praemissis habemus intentio tua possit magnificentiae clarius aperiri, venerabilem fratrem nostrum *Raymundum* Episcopum *Lascurren.* & dilectum filium Magistrum *Willielmum Testa* Archidiaconum *Arananum* in Ecclesia *Covenantum* Capellanum nostrum, de quorum fidelitatis intimae puritate plenam in Domino fiduciam obtinemus, ad tuam duximus praesentiam destinandos, & tuae Serenitati mentem nostram aperire oraculo vivae vocis, quorum relationibus ex parte nostra prolatis fidem volumus plenariam adhiberi. Dat. *Burdegali.* 8. Kal. *Septembrii*, Pontificatus nostri anno primo.

To this last Bull and Letter, King *Edward* returned this complemental Answer.

Claus. 33 E. 1.  
m. 7. dorso.

**S**anctissimo in Christo Patri Domino C. Sacrosanctae *Romane* ac universalis Ecclesiae Summo Pontifici; *Edwardus* eadem gratia Rex *Angliae*, &c. devota pedum oscula beatorum. Venientes ad nos venerabilis Pater *Raymundus* Episcopus *Lascurren.* & Magister *Gulielmus Testa* Archidiaconus *Aran.* in Ecclesia *Covenantum* Capellanus vester, beatitudinis vestrae Nuncii vestras nobis literas praesentarunt. Nos autem literas ipsas et Nuncios vidimus leta mente, et recepimus reverenter intuitu destinantis, gaudentes quamplurimum & ingenti laetitia in Domino exultantes, quod sicut eorundem Nunciorum patefacit assertio, plenè vigetis corporea sospitate, ac vobis ad gratias quas sufficimus assurgentes, ex eo quod noster regniue nostri status salubris inest specialiter cordi vestro. Sane reverentissimam personam vestram antequam montes transeatia videre, ac colloquium cum eadem habere vestraeque Coronationis solempniis interesse, si commode fieri posset, gratissimum nobis foret; sed ad hoc personam nostram quam vestrae Sanctitatis benevolentia novit multis vexationibus fatigatam accedere, aut etiam *Edwardum* filium nostrum, Praelatorum, & aliorum Magnatum virorum prudentium decenti Comitiva vallatum mittere, pro quo sicut et pro nobis conductum à Rege *Franciae* juxta ordinationem Magnatum & Procerum Regni nostri primitus oporteret habere, brevis temporis non permittit, quoniam expedire non credimus quoquomodo, quod accessus vester ad Curiam *Romanam* differatur, sed potius quantum honestati vestrae congruet maturaretur. Et proculdubio admodum praegravamur, quod requisitionem & voluntatem vestram non possumus in hac parte, juxta nostri cordis desiderium adimplere: ad vestra siquidem beneplacita et mandata prosequenda pro viribus et complenda nos vestra

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vestra sancta Paternitas debitos semper inveniet, et paratos. Vestra igitur Sanctitati, de qua fiducia plenitudinem obtinemus, devotissime supplicamus, quatinus premissis clementi meditatione pensatis, tam nos quam predictum natum nostrum super hoc habere dignemini excusatos, sicque Nos, regnum nostrum, et nostros prosequi gratiose quod vestra benigna pietatis affectum, quem vos ad personam nostram longa experientia habuisse percepimus, de bono in melius continue augeri effectualiter sentiamus. Ad hæc, circa promotionem negotii Terræ Sanctæ menti nostræ præcipue insidentis, cuius statui miserabili fore compatiendum non indigne conspicitur, eo libentius pietatis vestre clementiam excitamus, quo ad subveniendum eidem proposito vestrum versari intimius credimus et tenemur. Super quo et aliis, quæ dictorum Nunciorum vestrorum legationem contingunt quibus nostram aperuimus plenius voluntatem, dignetur eisdem Providentia vestra fidem indubiam adhibere. Cæterum quosdam Prælatos & Magnates alios regni nostri cum potestate plenaria & speciali mandato ad vestram præsentiam reverendam in brevi proponimus destinare, ad faciendum, approbandum et recipiendum ea omnia quæ super premissis pro nobis et predicto nato nostro vestra Sanctitudo viderit ordinanda, et quæ nos et idem filius noster faceremus, seu facere possemus si nostra adesset præsentia personalis. Sanctissimam personam vestram conservet altissimus ad regimen Ecclesiæ suæ Sanctæ per tempora prospera & longæva. Dat. apud Westm. 4 die Octobris, Anno regni nostri 33.

An. 33 E. 1

This Epistle he soon after seconded with these ensuing Messengers, Proctors and Procurations which he dispatched to him concerning the several affaires specified in them, who presented him with the premised gold plate for his Chamber, the more easily to obtain the Kings desires.

Sanctissimo in Christo Patri Domino C. Divina Providentia Sacrosanctæ Romanæ ac Universalis Ecclesiæ Summo Pontifici; Edwardus ejusdem Gratia, &c. devota pedum oscula beatorum. Et sinceræ dilectionis affectu quem ad nos magna experientia vos habuisse et habere probavimus, de quo vestra Sanctitati quas possumus gratiarum referimus actiones, inducimur ad vestre liberalitatis januam audacius pulsandum, et paternæ subsidium bonitatis, confidentius requirendum; Dilectos igitur & fideles nostros venerabiles patres Walterum Coventr. & Lychf. Thes. nostrum, & Willielmum Wygorn. Episcopos, Henr. de Lacy Comitem Lincolnie Consanguineum nostrum, Hugonem le Despenser, Amaneum de Lebreto, Ottonem de Grandisone Milites, Magistros Johannem de Bensfede Scaccarii nostri Cancellarium Sarisberien. Robertum de Pickering Eborum, Bartholomeum de Ferentino London, & Philippum Martell Cicestren. Ecclesiarum Canonicos, ad præsentiam vestre beatitudinis destinantes, devotis eidem precibus supplicamus, quatinus mentis nostræ desideria benignitati vestre per ipsos vel aliquos ex primo nominatis ipsorum bibæ vocis oraculo, exponenda benigne audire, benevolentiaque paterna exaudire. Nos siquidem mandatis vestris totis semper viribus obedire cupimus, beneplacitisque (Sanctitatis) vestre proponimus sinceris affectibus complacere. Conservet vos Altissimus ad regimen Ecclesiæ suæ Sanctæ per tempora prospera & longæva. Dat. apud Westm. 20 die Octobris.

Claus. 33 E. 1.  
m. 16 dorso.

This Epistle and Procuration to the Pope, the King seconded with another to several Cardinals, thus recorded.

Venerabili in Christo Patri Domino N. Dei gratiâ Ostiensi & Velletrensi Episcopo, Amico suo Karissimo; Edwardus eadem gratiâ Rex Angliæ, &c. salutem, & sinceræ dilectionis affectum. Venerandæ Paternitati vestre tanto libentius preces nostras porrigimus, quanto confidentius ipsas à dilectionis vestre sinceritate intra exauditionis gratiam introduci speramus. Hinc est quod cum dilectos & fideles nostros venerabiles Patres Walterum Coventr. & Lychf. Thes. nostrum, & Willielmum Wygorn. Episcopos, Henr. de Lacy Comitem Lincolnie, Consanguineum nostrum, Hugonem le Despenser, Amaneum de Lebreto, Ottonem de Grandisone Milites, Magistros Johannem de Bensfede Scaccarii Cancellarium Sarum, Robertum de Pickering Eborum, Bartholomeum de Ferentino London. & Philippum Martell Cicestren.

Claus. 33 E. 1.  
m. 5. dorso.  
Pro Reg.



An. 33 E. 1.

*ceftren.* Ecclesiarum Canonicos, ad Sanctissimi Patris Domini C. divina Providentia Summi Pontificis, pro quibusdam arduis nostris, regnique nostri negotiis vestra benevolentia per eisdem vel eorum aliquos exponendis, praesentiam destinamus, amicitiam vestram de qua plenè confidimus, affectuosè requirimus & rogamus, quatinus negotia memorata favore propitio commendata velit habere, et ut celerem et optatum expeditionis effectum vestro mediante iuvamine sociantur, opem impendere ac operam efficaces, mandantes nobis cum fiducia si qua pro vobis aut vestris volueritis nos facturos. Dat. apud Westm. 20 die Octobris.

Eodem modo scribitur pluribus Cardinalibus. Dat. ut supra.

Ibidem.

**S**anctissimo in Christo Patri Domino C. divina Providentia Sanctae Romanae ac Universalis Ecclesiae Summo Pontifici; *Edwardus* eadem gratia Rex *Anglia*, &c. devota pedum oscula beatorum. De circumspeditione & fidelitatis intima puritate dilectorum & fidelium nostrorum *Henr. de Lacy* Comitis *Lincoln*, *Hugonis le Despenser*, *Amanen*. Domini *de Lebreto*, *Otonis de Grandissono*, fratrum *Thoma de Forz*, & *Johannis de Wrotham* de Ordine Praedicatorum, *Johannis de Benefede*, & Magistri *Philippi Martell* exhibitorum praesentium fiduciae plenitudinem optinentes, super quibusdam negotiis, honorem, statumque nostrum et *Coronae* nostrae tangentibus, quae valde insident cordi nostro, vobis mentem nostram decrevimus aperire. Sanctitati vestrae devotissime supplicantes, quatinus hiis quae praedicti *Henricus*, *Hugo*, *Almenensis*, *Otto*, *Thomas* & *Johannes*, *Johannes* & *Philippus*, septem, sex, quinque, vel quatuor eorundem quos praesentes esse contigerit, ex parte nostra super praefatis negotiis beatitudini vestrae expresserint viva voce fidem indubiam dignemini adhibere, ac ea votiva effectui juxta speratam fiduciam mancipare. Conserve vos Altissimus Ecclesiae suae sanctae per tempora prospera & longæva. Dat. apud Westm. 27 die Mensis Octobris, Anno Gratiae 1305.

He likewise sent this Letter to the Pope for the canonization of *Thomas de Cantilupe* late Bishop of *Hereford* deceased, famous for sundry miracles, as was suggested, that so he and his Realm might enjoy the benefit of his prayers and intercession for them in heaven, according to the Superstitious Doctrine, practise, and Error of that ignorant age.

Cl. 33 E. 1. m.  
3. dorso. De  
translatione  
Sancti Tho-  
mae de Here-  
ford.

**S**anctissimo in Christo Patri Domino C. divina Providentia Sacrosanctae Romanae ac Universalis Ecclesiae Summo Pontifici; *Edwardus* eadem gratia Rex *Anglia*, &c. devota pedum oscula beatorum. Pium & Justum esse censetur, ut sicut Gloriosus Deus in Sanctis suis & in Majestate mirabilis, fideles ministros suos magnificat, altis decorat honoribus, & caelestis efficit beatitudinis possessores in caelis, sic & sacrosancta Romana Ecclesia vestigia ipsius prosequens, eos ad quorum memorias ipse Deus suae virtutis potentiam manifestat, signa ac prodigia faciens pro eisdem, dignae venerationis officio laudari, glorificari, & studiis sollicitis honorari efficiat in terris, ut per hoc fides catholica roboretur, et idem altissimus qui laudabilis est in secula, glorificetur amplius et laudetur, ac ex hoc salutis nostrae causam misericordius & miserabilius operari dignetur. Cum itaque *Thomas* dictus de *Cantilupo* Ecclesiae *Herefordensis* Antistes, qui nobili exortus prosapia, dum carnis clausus carcere tenebatur, pauper spiritu, mente mitis, justitiam sitiens, misericordiae deditus, mundus corde, verè pacificus prout firmiter recolimus nos expertos, utpote cujus apud nos diu, & laudabilis conversatio & gloriose vitae insignia, ex multa familiaritate quam nobiscum habuit eadem fuerunt evidentius nobis nota, quod sanctitatem vitae & ipsius conversationem laudabilem cernebamur, quemadmodum degens in seculo magnis pollebat meritis, nunc veniens in caelo, magnis corruscare miraculis dinoscatur, in tantum, quod ipsius meritis et intercessionibus gloriosis, lumen caecis, sardis auditus, verbum mutis, et gressus claudis, et alia pleraque beneficia ipsius patrocinium implozantibus caelesti dextera conferuntur, de quorum miraculorum corruscatione multiplici nonnullis de regno nostro certitudinaliter innotescit. Nos attendentes per Dei gratiam fideles in Christo, nosque praecipue, et populum regni nostri ejus posse suffragiis adjuvari, ut quem familiarem habuimus in terris mereamur habere patronum in caelis; Sanctitati vestrae devotissime supplicamus, quatinus tantam lucernam abscondam sub modio remanere diutius

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utius non sinentes, set eam mandantes super Candelabrum collocari, hiis qui sunt in domo Domini solatium præbituram, dignemini ipsum ascribere *Sancorum Catho-* logo venerando, ut ejus præcibus Dominus exoratus gratiam in præsentī, et glori- am nobis præbeat in futuro. Conservet vos Altissimus ad regimen Ecclesiæ suæ sanctæ per tempora feliciter longiora. Dat. apud *Westm.* secundo die *Novembris*, Anno regni nostri 33. Whereupon he was accordingly \* Canonized for a Saint.

\* Godwins Catalogue, p. 377.  
\* see here, p. 934, 935.

King Edward having \* formerly denied upon mature deliberation with his Coun- cil, to admit of the *Popes provisions* to a prebendary in the Cathedral at *Torke*, for which several Cardinals had importunately written to him, as being prejudicial to his Crown, dignity, contrary to his Royal Oath, and of dangerous consequence, as he had formerly informed them, thought fit to remind them thereof by this new Letter, for fear they should crosse, and not promote his Proctors affairs, then sent by him to the Pope and Court of *Rome*.

Venerabili in Christo Patri Domino L. Dei gratiā *Albanensi* Episcopo, Amico suo Karissimo; Rex, &c. salutem, & sinceræ dilectionis affectum. Literas vestras per quas pro *Francisco* Nepote felicitis Recordationis *Bonifacii* Papæ octavi super quadam præbenda in Ecclesiā *Eborum*, quā dudum cuidam de Clericis nostris contulimus jure nostro, specialiter nos rogastis, affectione plena recepimus, ipsarumque tenorem intelleximus, diligenter desiderantes itaque vestris favore præcibus, quatinus poterimus bono modo negotium prædictum per illos de Consilio nostro plenè examinari & discuti fecimus cum diligentia studiosa, ad sciendum si possent biam aliquam invenisse per quam absque præjudicio iuris nostri Regii, et Coronæ nostræ *Angliæ* læsione, possemus annuere votis vestris. Ceterum post longum inde inter eos habitum consilium et tractatum, eisdem pluribus rationibus videbatur, quod in grave præjudicium et manifestum nostri et hæredum nostrorum, et exheredationem ac enoziem Coronæ nostræ Regiæ (cuius fura illata in omnibus observare vinculo juramenti astringimur) cedere læsionem, si vestris acquiescerimus præcibus supradictis. Cum igitur præmissis obstantibus ad præsens fieri nequeat quod rogastis, Paternitatem vestram affectuose requirimus et rogamus, quatinus nos in hac parte habere velit vestra grata benevolentia propensius excusatos; Non enim credimus, quod ad faciendum aliqua quæ in enervationem Jurium Coronæ nostræ aequaliter redundarent, seu ex quibus Juramenti nostri prædicti possemus, quod absit, incurrere læsionem, vestræ nobis fidelitatis integritas et amicitia puritas suaderent. Dat. apud *Brustwick* 3. die *Novembris*.

Clauſ. 33 E 1.  
m. 7. dorſo.

Eodem modo scribitur Domino *Francisco* Sanctæ *Mariæ* in *Cosmedyn* Diacono Cardinali. Dat. ut supra.

Pope *Clement* so highly resented the Kings opposition of his Predecessors and his own Papal *Provisions* to this *Italian*, the Bishop of *Biblia*, and others in *England*, that he sharply reprehended him for, and advised him speedily to reform it, in the close of his succeeding Bull. To whom the King sent this new Procuration for settling peace, and relief of the *Holy Land*.

Sacratissimo in Christo Patri Domino C. divina Providentia Sacrosanctæ *Romane* ac Universalis Ecclesiæ Summo Pontifici; *Edwardus* ejusdem gratiā Rex *Angliæ*, &c. devota pedum oscula beatorum. Attendentes pium et laudabile vestræ Sacerdotis propositum circa promotionem negotii *Terræ Sanctæ*, quod tanto ad effectum posse Deo auspice feliciorum perducere speramus, quanto inter Reges et Principes, ceterosque Nobiles et Magnates Christi fideles vinculum majoris unitatis et concordie purioris caritatisque serbidoz per vestræ circumspectionem clementiæ fuerit inductum et fortius stabilitum. Quamobrem inter Serenissimum Principem Dominum *Philippum* eadem gratia *Francorum* Regem, & Nos, successorisque suos et nostros solidam concordiam, caritatem serbidam, pacemque firmam continuari feliciter et augeri ex intimis affectant, dilectos & fideles nostros venerabiles patres *Walterum Coventr.* & *Lyebf.* Thesaur. nostrum, & *Willielmum Wygorn.* dicta gratia Episcopos, *Henricum de Lac* Comitem *Lincoln.* Consanguineum nostrum

Pat. 33 E 1.  
part 2. m. 8.  
Procuratori-  
um pro Rege.



An. 33 E. 3. nostrum, Hugonem de Despenfer, Amanenum de Labreto, Ottonem de Gradisfeno Milites, Magistros Johannem de Beustede, Scaecarii nostri Cancellarium, Sarisberien. Robertum de Pickering Eborum, Bartholomaeum de Ferentino London. & Philippum Martell. Cicer. Ecclesiarum Canonicos, de quorum circumspecta prudentia & fidelitate probata plenam fiduciam optinentes, Procuratores nostros & Nuncios speciales ad vestra Sanctae Paternitatis praesentiam destinamus. Dantes eisdem vel septem ex ipsis primo nominatis, aut quinque de dictis septem, plenariam potestatem et speciale mandatum super passagio Terrae sanctae praedictae tractandi, ordinandi, conueniendi, concordandi et paciscendi, necnon faciendi, approbandi et recipiendi pro nobis, et nostro nomine ea omnia quae ad solidam concordiam, caritatem et pacem inter praefatum Regem et nos, ac alia quae ad animarum nostrarum salutem, et ad nostrum regnumque nostrum commodum et honorem, praesente Domino, vestra beatitudo duxerit ordinanda, praestandique in animam nostram quolibet genus liciti Sacramenti, ac faciendi, et expediendi omnia alia et singula quae nos faceremus, seu facere possemus si personaliter adessemus, etiam si mandatum exigant speciale. Ratum habituri & firmum quicquid dicti Procuratores, vel septem ex ipsis primo nominati, aut quinque de dictis septem nostro nomine fecerint in praemissis, & praemissa tangentibus quoquomodo. Et haec Sanctae Paternitati vestrae & omnibus quorum interest, aut interesse poterit in futurum. significamus per nostras Patentes Literas sigilli nostri munimine consignatas. Dat. apud Westm. 15 die Octobris, Anno Domini 1305. Regni vero nostri 33.

The Pope finding some obstructions in the Treaty before him, (which hindered the conclusion of this much desired Peace between both Crowns) by some of King Edwards Articles and Proctors, thereupon sent this ensuing Bull unto him, for the prorogation of the former Truce to a longer day, and new powers to new Commissioners for settling a final Peace between them; in the close of which Bull (the Original whereof I met with in the *White Tower*) he sharply reprehends the King for opposing his *Papal Provisions* to Ecclesiastical preferments in *England*, and other Innovations of the *Roman See*, advising him to reform them.

An. 33 E. 1. in  
Turri London

Clemens Episcopus, Servus servorum Dei, Charissimo in Christo filio Edwardo Regi Anglorum illustri, salutem & Apostolicam benedictionem. Regalem volumus excellentiam non latere, quod in Termino *Quinden*. festi proximo praeteriti nativitatis beatae Mariae virginis prorogato super tractatu pacis inter te, fili charissime, ac charissimum in Christo filium nostrum Philippum Regem Franciae illustrem, quos per dispendiosa & periculosa dissidia invicem disjungere charitatis amulus studuit, divina suffragante gratia reformandae, tam tui quam ejusdem Regis nuntii se coram nobis praesentare curarunt, & subsequenter mandatis suis exhibitis hinc & inde, praefati tui nuntii quosdam articulos super quibus petierunt procedi ante omnia tradiderunt; tandem vero visis per partem alteram ipsis articulis, & circa tractatum praedictum nonnullis per utrosque nuntios propositis & petitis, quia praebati tui nuntii absque tua conscientia, vel consilio aliorum majorum nuntiorum tuorum certis ex causis ulterius procedere omiserunt, & terminus instantis Nativitatis Dominicae usque ad quem noster super hiis juxta formam Treugarum debet durare tractatus sic instet, quod minime praesumitur posse interim tractatus hujusmodi terminari, cum utriusque praedictis nuntiis deliberavimus instare apud te dictumque Regem, super prorogatione ipsius termini ulterius facienda, & medio tempore aliquos ex eis de tuo & dicti Regis sanguine descendentes, quosque certificati fuerimus super hoc remanere in Curia, ne forsan vulgaris habeat opinio, tractatum fore ruptum, & propterea occasionem aliqui, qui pacem odientes libenter nutrent discordiam, assumere valeant malignandi. Quocirca Regiam rogamus magnificentiam, & exhortamur in Domino *Iesu Christo*, quot et quanta mala Deo displicibilia et exosa, totique Christianitati et fidei Catholicae nociva non modice produxerunt guerra praeterita, ac producere (nisi pacis Deo grata concordia, eo donante, superbenerit) in posterum verissimiliter extimentur, inter pectoris claustra Regii pia consideratione revolvens, et ad ipsam concordiam affectibus sinceris intendens, ab eodem instanti festo Nativitatis Domini usque ad unum annum velis hujusmodi tractandi terminum prorogare, ac etiam ordinare, quod alii solennes nuntii, qui potestate sufficien-

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ri suffulti, tractatum hujusmodi rationabilem subire, ac etiam usque ad felicem exitum An. 33 E. 1.  
prosequi velint ac valeant, intra certum terminum ad nostram presentiam transmi-  
cantur, super quibus omnibus nos celeriter infra instantia festa beatorum *Nicholus*  
vel *Thoma* Apostoli ad longius, ut ea possimus significare parti alteri, curet Sere-  
nitatis Regia per suas literas efficere certiores, scituri es pro certo, fili dulcissime, quod  
sincere secundum Deum et justitiam, et absque scintilla partialitatis cujuscumque, su-  
per tractatu pacis ejusdem, quam ferventibus affectibus desideramus, intendimus pro-  
cedere, sicut etiam tui predicti nuntii evidenter percipere super hiis quæ acta sunt  
hiis diebus præteritis potuerunt: & nihilominus dilectus filius Magister *Andreas de*  
*Offord* Juris Civilis Professor, Clericus & Nuncius tuus, quem pro præmissis seriosus  
& fidelis explicandis ad tuæ sublimitatis presentiam ire personaliter, & ad nos cum  
responsione qualibet celeriter volumus, referre poterit viva voce. Porro quia Treu-  
garum observatio multa potest asserre proculdubio commoda felici prosecutioni &  
perfectioni tractatus predicti, et eorum violatio si (quod absit) contingeret incom-  
moda varia ministrare, precibus & exhortationibus nostris adjicimus, ut tua magni-  
tudo Regia eas juxta formam ipsarum in quibus inter cætera infra scripta clausula &  
inserta mandat & faciat inviolabiliter observari, & revocari, quæ forsan in partibus  
*Britannia* vel alibi fuerit in contrarium attemptata; cum præfata Rege *Francie* super  
eisdem faciendis & complendis mittendo sibi articulos nobis per nuntios tuos prædi-  
ctos oblatos cum tenore clausulæ prælibatæ scribamur, sicut alias, & super observa-  
tione treugarum ipsarum & revocandis attemptatis, si quæ forent in contrarium ple-  
nis affectibus scripserimus: indubie supponentes, quod hæc effectualiter complebun-  
tur, & hoc etiam nobis ejusdem Regis nuntii promiserunt, & ulterius ibidem inter  
nos & ipsos extitit prolocutum, quod ut treugæ ipsæ melius & inviolabilius absque  
violatione qualibet observentur, de voluntate Regis ejusdem procedet, & hoc credunt  
obtinere tum ipsi si ad hoc tua fili percarissime concurrerit voluntas, quod nos eas au-  
thoritate nostra de utriusque vestrum consensu et voluntate observari tenaciter fa-  
ciamus, quæ tuis præfatis nuntiis duximus explicanda. Clausulæ vero prædictæ se-  
ries dinoscitur esse talis. *Item si aliqui in Vasconia vel alibi durantibus dissis treu-*  
*gis moveant guerram, interim vicino vel inimico suo alterius existenti, quod dissis Reges*  
*se interponere non habuerint per se vel alium directè vel indirectè, & quod propter hæc*  
*Trenga prædicta non frangantur, & laborabunt benè absque fraude & diligenter Re-*  
*ges prædicti quod subditi unius partis non faciant guerram durantibus treugis prædictis*  
*subditi alterius partis in Vasconia vel Britannia.* Cæterum, fili amantissime, quæ-  
dam super aliquibus aliis, & præsertim novitatibus quas audivimus fieri & multiplicari  
(proh dolor!) contra prædictos per sedem Apostolicam in partibus regni tui, præ-  
fato Clerico et Nuncio tuo secreta imposuimus tuæ Celsitudini verbo tenus expli-  
canda, eandem Celsitudinem per Dei misericordiam obsecrantes, ut super reverentia  
et devotione sacrosanctæ Romanæ Ecclesiæ matris tuæ, progenitorum tuorum cla-  
ræ memoriæ Regum *Anglia*, qui velut Principes Catholici et deboti eam honorare  
laudandis et meritoris operibus studuerunt, bestigiis inhaerendo, resectis et spretis  
malorum hominum, qui sua super hoc in tuæ salutis, honoris et famæ dispendium pro-  
pria venari commoda satagunt, sinistris et fraudulentis suggestionibus et consiliis  
venenosis ea, quæ minus decenter contra honorem sedis Apostolicæ attemptata  
quoquo modo fuerunt in hac parte, pte, favorabiliter et benigne revocare procures:  
præfato Clerico, & nuntio tuo fidem credulam super hiis & aliis per nos eidem  
impositis, ut præmittitur nihilominus adhibendo. Dat. *Avinion.* 17. Kal. *Novem-*  
*bris.* Pontificatus nostri Anno secundo.

Nota.

The King this year sent this Certificate and Letter to this Pope of the unanimous  
election of *William de Grenefeld* (his Clerk and Chancellor) to be Archbishop of  
*Torke*, whose merits he therein highly applauds, desiring the Pope speedily to  
confirm and consecrate him, being long delayed by his predecessor.

SANCTISSIMO in Christo Patri Domino C. divina Providentia Sanctæ Romanæ ac Claus. 33 E. 1.  
Universalis Ecclesiæ Summo Pontifici; *Edwardus* eadem gratiâ Rex *Anglia*, &c. m. 12. dorso.  
devota pedum oscula beatorum. Vacante nuper Ecclesiâ *Eboracensi* & suæ vidua- See Pat. 33 E.  
ta Pastore, Decanus & Capitulum ejusdem Ecclesiæ ad electionem de futuro præ- 1. m. 21. intus,  
ficiendo Pontifice procedentes, inter alios quos ad ejusdem Ecclesiæ regimen utiles



An. 33 E. 1. fore conspexerunt ad personam dilecti Clerici et Cancellarii nostri Magistri W. de Grensfeld Ecclesie predictae Canonici suae considerationis intuitum direxerunt, & ipsum concorditer eligerunt in ipsius Ecclesiae Archiepiscopum & Pastorem; Nos autem ejusdem Electi, cujus altitudo Consilii, assiduis, scientia literalis, & industria circumspecta ad quaelibet agenda salubriter dirigenda, necnon & nobis ac regno nostro dinoscitur esse perutilis, commodi & honoris desiderantes augmentum, Sanctitati vestrae omni qua possumus instantia supplicamus, quatinus praemissis clementi meditatione pensatis, praefatum Electum qui pro confirmationis et consecrationis munere Deo propitio favorabiliter obtinendo ad praesentiam vestrae dominationis accedit, Apostolici favoris praesidio dignemini prosequi, et iuxta speratam fiduciam celeriter atque feliciter expedire. Firmiter enim speratur & creditur, quod per solertem memorati Electi industriam & evidentem praerogativam virtutum ipsius, in Spiritualibus & temporalibus utilia & salubria suscipiet incrementa, quodque per votivam praefectionem illius plus providebitur eidem Ecclesiae quam personae. Conservet vos Altissimus ad regimen Ecclesiae suae sanctae per tempora prospera & longiora. Dat. apud Linc. 31. die Decembris, Anno regni &c. 33. Hereupon the Pope to gratifie the King, receiving a great sum of money from Grensfeld, speedily confirmed, consecrated, and dismissed him.

a Aetus Pontif.  
Ebor. col.  
1729. See  
Mat. Westm.  
An. 1305. p.  
456 Hen de  
Knighton de  
Event. Angl.  
l. 3 c. 13. col.  
2530.  
b Catalogue of  
Bishops, p. 451

<sup>a</sup> Thomas Stubbs in the life of Grensfeld, informs us; Hic autem Willielmus die Veneris 6. non. Decembr. a fratribus suis Eboracensis Ecclesiae Canonicos, in Pastorem canonicè electus, Curiam Apostolicam causa consecrationis expetit; ubi cum 2. annus moram fecisset continuam 3. Kal. Februarii, Anno Dom. 1305. Regni virò praefati Regis Edwardi 33. a Domino Papa Clemente quinto, Pontificatus ipsius Domini Papae anno primo, Lugduni consecratus est. <sup>b</sup> Bishop Godwin in his life informs us, That after his Election he was fain to await the Popes pleasure two years before he could obtain consecration, which at last he received from Pope Clement the 5<sup>th</sup>. But (notwithstanding the Kings Letters in his favour) it cost him 9500 Marks (no small summe in that age, yet no Simony in the Pope) besides the charge that he was at while he lay in the Popes Court: By reason of these immoderate expences he became so bare, that at his first coming into England, he was fain to make two Collections amongst his Clergy in one year, the first he called a Benevolence, the second an Ayde.

This year King Edward commanded all the Privileges granted by him or his Progenitors Kings of England, or any way concerning the State of the kingdom, to be brought by his Treasurer and Chamberlain to the Tower of London, and there delivered by Indenture under Seal to the Keeper of the Rolls of the Chancery, to be there kept and reserved by those who should succeed in the said office.

Claus. 33 E. 1.  
m. 3. intus.  
De privilegiis  
Regis sede A-  
postolica con-  
cessis in Tutri  
London de-  
ponendis.

REX Thes. & Camerariis suis salutem. Quia certis de causis volumus, quod omnia privilegia per Summos Pontifices quoscumque nobis seu Progenitoribus nostris quondam Regibus Angliae concessa, et statum nostrum seu Regni nostri qualitercumque tangentia, apud TURRIM NOSTRUM LONDON. REPONANTUR & CUSTODIANTUR; Vobis mandamus, quod omnia hujusmodi privilegia in Thes. nostro sub custodia vestra existentia, dilecto Clerico nostro Roberto de Cotyngham Contrarotulari Garderobae nostrae per Indenturam inter vos et ipsum inde conficiendam, bis praesentibus sine dilatione liberetis, usque AD DICT. TURRIM LONDON. IBIDEM sub sigillo suo et sigillo dilecti Clerici nostri Ada de Osgodeby CUSTODIS ROTULORUM Cancellariae nostrae, et sigillis aliorum, eidem Roberto & Ada in officiis illis succedentium CUSTODIENDA. Teste Rege apud Westm. 7. die Novembris.

From which Record it is observable: First, That King Edward had a special care to collect and preserve all Popes Bulls, Letters and Records which concerned the privileges and rights of himself and his Royal Progenitors and the Realm of England. 2ly. That these Bulls and Records were specially directed to be carried to the Tower of London, and delivered to the Keeper of the Rolls of the Chancery, to be there carefully preserved in the said Tower, where all the Records of the Chancery and Office of Records were then kept, and intended to be kept in succession, as the safest and fittest place for such an invaluable Treasure, of so great concernment both

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to the King, Kingdom and Subjects: To which Tower all the Records concerning Scotland and other the Kings Dominions were then sent, and there reserved for the Kings and Subjects benefit, as is evident by *Placita Parl.* An. 33 E. 1. nu. 6. the Prior of *Goldinghams* Case; where the question was, whether that Priory was within the Jurisdiction of the Archbishoprick of St. *Andrews* or Kings of *Scotland*, or of *England*; to decide which controversie it was then ordered in Parliament, *Quod scrutantur Rotuli de Scotia quæ sunt in custodia TURRIS LONDON. tan- gentes regnum Scotiæ. Postea, quia qd. nec Rotuli Regis de terra Scotiæ in TURRI LONDON. sunt scrutati, Ideo datus est dies ad Parliamentum Regis post Pascha, &c.* Therefore there were Rolls kept, and searches made after them in the Tower in that age, for deciding of Cases pending in Parliament, and by consequence a Tower, House, Office there appointed for them, and the Keepers of them to reside in, for the Kings and Subjects benefit.

An. 33 E. 1.

The Archbishop of *Canterbury* in his Metropolitane Visitation of the Diocesse of *Cicester*, having most insolently and contemptuously against the Kings Prohibition, excommunicated the Keeper of the Castle of *Hastings*, and certain Canons of the Kings Free-Chappel there, for refusing to admit him into the Castle to visit this Free-Chappel, by the Kings command; and afterwards sending his Commissioners to visit it in the absence of the Keeper, who thereupon entered the Castle, visited the Chappel, though exempt from all Archiepiscopal, Episcopal, and Ordinary Jurisdiction, and placed a Dean therein; the King thereupon issued this Writ to summon the Archbishop personally to appear before him at a day, to answer these high contempts against his Crown and Royal dignity; and another Writ to the Constable of *Dover* Castle, to go to *Hastings* and enquire the truth of the premises, remove the new Dean there placed unduly, and appoint another in his stead, and certify him in the next Parliament of all his proceedings therein.

**R**EX Archiepiscopo *Caninar.* salutem. Visitantibus vobis nuper Diocesim *Cycestr.* prohibuimus vobis, ne Jurisdictionem aliqualem in libera Capella nostra de *Hastings*, seu Præbendis ad Capellam eandem spectantibus, præsumere- tis aliquatenus exercere, seu quicquam aliud attemptare, quod in nostri seu Co- ronæ aut Regiæ dignitatis nostræ præjudicium, seu libertatis prædictarum Capellæ et Præbendarum posset cedere læsionem: Sed vos finibus propiis non contenti, et saltem in messem alienam mittentes, mandato nostro hujusmodi minime con- siderato, ad *William de Hastings* intentione visitandi prædictam Capellam et Præ- bendas ad ipsam spectantes, cito postea declinantes, in *Johannem de Wicheo* tunc custodem Castri nostri ibidem, pro eo quod non permisit, sicut nec facere debuit, vos ingredi prædictam Castrum ad visitandum Capellam eandem, et in quosdam alios ipsius Capellæ Canonicos vobis in ea parte non parentes, excommunicati- onis sententiam promulgastis, et excommunicatos publice denunciari mandastis. Et quia propositum vestrum in dicta visitatione illa vice non potuistis implere, vos injurias accumulantes insuritis, quibusdam Commissariis vestris subsequen- ter sub certa forma scriptis, ut ad locum prædictum accederent, et visitationis officium in præfata Capella cum omnibus ipsam contingentibus vice vestra com- plerent. Qui quidem Commissarii mandatum vestrum hujusmodi exequentes, ad locum prædictum personaliter accesserunt, et in Castrum nostrum ibidem tunc carens custode intrantes, in libera Capella nostra prædicta infra idem Castrum situata, quæ ab omni Archiepiscoporum, Episcoporum, et aliorum inferiorum Prælatorum Jurisdictione ordinaria, sicut ceteræ liberæ Capellæ nostræ infra Regnum nostrum libera penitus et exempta existit hactenus et existit, contra Prohibitionem nostram visitationis exercere officium præsumperunt, in nostri et Coronæ ac Regiæ dignitatis nostræ non modicum præjudicium et contemptum. Vos igitur non valentes tantam insolentiam tanque enormes injurias equan- miter tollere: Vobis mandamus firmiter injungentes, quod sitis coram nobis in crastino *Sabbato Trinitatis* ubique tunc fuerimus in *Anglia*, ad respondendum nobis de prædictis excessibus contra nos, et Coronam nostram ac notorie perpe- tratis, et de aliis etiam quæ vobis obicere voluerimus in præmissis, ac ad facien- dum et recipiendum ulterius quod Curia nostra consideraverit in hac parte. Et habeatis tunc hoc breve. Teste Rege apud *Westm.* 20 die *Aprilis*.

Clauſ. 33 E. 1.  
m. 17. dorſo.  
Pro Rege.



An. 33 E. 1.  
Pat. 33 E. 1.  
m. 2. incus.  
Pro Rege, de  
Decano in li-  
bera Capella  
de Hastings  
præficiendo.

\* Nota.

**R**EX dilecto & fideli suo Roberto de Burghersh, custodi Quinque Portuum suorum, salutem. Meminimus Nos prohibuisse nuper Roberto Archiepiscopo Cantuar. tunc Cicerstrensem Diocesim visitanti, ne Jurisdictionem aliqualem in libera Capella nostra de Hastings, seu Pæbendis ad Capellam eandem spectantibus, præsumeret aliquatenus exercere, seu quicquam aliud attemptare, quod in nostri seu Cozonæ aut Regiæ dignitatis nostræ præjudicium, seu libertatis prædictarum Capellæ et Pæbendarum posset cedere læsionem. Sed idem Archiepiscopus finibus propriis non contentus, mandato nostro hujusmodi minime ponderato, ad Willam de Hastings intentione visitandi prædictam Capellam et Pæbendas ad ipsam spectantes subsequenter declinans, in Johannem de Wycheo tunc custodem Castri nostri ibidem, pro eo quod non permisit, sicut nec facere debuit, ipsum ingredi dictum Castrum ad visitandum Capellam eandem, et in quosdam alios ipsius Capellæ Canonicos ibi in ea parte non parentes \* excommunicationis sententiam promulgavit, et excommunicatos publice denunciari mandavit. Et quia propositum suum de dicta visitatione implere non potuit illa vice, ipse injurias accumulans in iuris, quibusdam Commissariis suis postmodum sub certa forma scripsit, sicut accepimus, ut ad locum prædictum accederent, et visitationis officium in prædicta Capella cum omnibus ipsam contingentibus vice sua complerent. Qui quidem Commissarii mandatum suum hujusmodi exequentes, ad locum prædictum personaliter accesserunt, et in Castrum nostrum ibidem tunc carens custode intrantes, in libera Capella nostra prædicta infra idem Castrum situata, quæ ab omni Archiepiscoporum, Episcoporum, et aliorum inferiorum Prelatorum Jurisdictione ordinaria, sicut ceteræ Capellæ nostræ infra Regnum nostrum libera penitus et exempta extitit hactenus et existit, contra Prohibitionem nostram exercere visitationis officium præsumperunt, quendam Willielmum de Lewes eisdem Capellæ in his quæ ad Decani officium pertinent præficiendo, ut locum in ea teneat præsentis. Atque diversa statuta et ordinationes auctoritate prædicti Archiepiscopi ibidem condendo, in nostri et Cozonæ ac Regiæ dignitatis nostræ præjudicium et contemptum, ac exheredationis periculum manifestum. Nos igitur non valentes tantam insolentiam tamque enormis injurias aliqually tolerare: Vobis mandamus firmiter injungentes, quod ad locum prædictum personaliter accedentes, super præmissis et cunctis circumstantiis eorundem inquiratis diligentius veritatem. Et si vobis constiterit prædictum Willielmum de Lewes Decani officium, sicut prædictum admisisse, et eisdem in memorata Capella nostra incumbere, tunc ab ipsis officio et Capella sine dilatione amoventes, eisdem præficiatis aliquem alium nomine nostro qui locum Decani tenere possit ibidem, donec per nos aliud inde fuerit ordinatum, certiorantes nos in proximo Parlamento nostro distinde et aperte de his quæ indeneritis in præmissis, et quolibet præmissorum. Teste Rege apud Westm. 8 die Novembris.

Et mandatum est Canonicis Capellæ prædictæ, quod prædicto Roberto in omnibus quæ statum et libertatem Capellæ prædictæ qualitercunque contingunt, intendentes sint et respondentes, ipsumque super præmissis vis et modis quibus poterunt informant. Teste ut supra.

The Bishop of Winton having demolished an Old Chappel dedicated to St. Stephen, and founded a New one in the same place to the honour of St. Elizabeth daughter to the King of Hungary, and annexed a certain Meadow thereunto for the maintenance of a Chappel and Chauntry Priests; the King by his Sovereign Ecclesiastical power, for augmentation of Gods service and worship, confirmed it by this his Royal Patent.

Pat. 33 E. 1.  
m. 12. incus.  
Pro Episcopo  
Winton. de  
nova Capella  
fundata.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod cum bonæ memoriæ J. quondam Winton. Episcopus jam defunctus, ad honorem Sanctæ & individue Trinitatis, ac gloriosæ Virginis Mariæ, & omnium Sanctorum, & præcipuè in honore Sanctæ Elizabethæ quondam filię Regis Hungariæ, fundaverit dum viveret quandam novam Capellam in prato quod fuit ejusdem Episcopi ante portam Castri de Wolvesey, quod pratum Sancti Stephani nominatur, pratumque prædictum quod sex acras in se dicitur continere, cum situ ejusdem Capellæ, ac etiam quandam Capellam

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Pellam Sancti Stephani in prato prædicto antiquitus situatam, dederit, annexerit, & concesserit pro se, & successoribus suis Episcopis Wynton. prænominatæ Capellæ Sanctæ Elizabeth. sic de novo fundatæ, & Johanni de Wenefred Capellano nunc præposito ejusdem Capellæ, ac Capellanis, Clericis, & aliis Ministris in eadem Capella Sanctæ Elizabeth. servientibus; Habendum & tenendum eisdem Præposito, Capellanis, Clericis & Ministris, & eorum successoribus in prædicta Capella Sanctæ Elizabeth Deo servituris imperpetuum. Nos factum et intentionem ejusdem Episcopi in hac parte pro augmentatione cultus divini habentes specialiter commendata, fundacionem, deputationem, annexionem et concessionem prædictam ratas habentes et gratas, eas pro nobis et hæredibus nostris quantum in nobis est concedimus et confirmamus, sicut scriptum præfati Episcopi super hoc confectum rationabiliter testatur, Statuto nostro de terris & tenementis ad manum mortuam non ponendis edito non obstante. In cujus, &c. Teste Rege apud Westm. 28 die Martii.

*Per petitionem de Consilio.*

No sooner was Pope Clement elected and inthroned in France, but under his specious pretexts of settling a firm peace between the Crowns of England & France, he began to exercise his new rapines and Papal usurpations in England, by complying with King Edward, in granting him a two years Disme from his Clergy for his own use, though pretended for the ayde of the Holy Land, that himself might more easily exact the First-fruits of vacant Ecclesiastical benefices to fill his own Coffers, though out of his Dominions, which occasioned these memorable Satyrical verses to be made of him and the King this year.

\* Ecclesiæ navis titubat; Regni quia clavis  
Errat; Rex, Papa facti sunt unica Cæpa  
Hoc faciunt, do, des, Pilatus hic, alter Herodes.

Illo quoque tempore Papa Clemens concessit Regi Angliæ (who had presented him with a Royal costly present of Gold plate for his Chamber & Tables) per biennium Decimas Ecclesiasticorum proventus pro negotiis Terræ Sanctæ, sed in usus alios expendebantur, videns insatiabilem quorundam Episcoporum Angliæ avaritiam impetuntium postulantium primas vacantes Ecclesias per annum in suis Diocesis sibi concedi, advertensque, quia quod postulat inferior, potest et superior; appropinquavit sibi ipsi per biennium omnes proventus de primo vacantibus Ecclesiis in Anglia, videlicet, de primo anno primos fructus, tam de Episcopatibus, Abbatibus, Prioratibus, Pæbendis, Rectoriis, et Vicariis, quam de cæteris minutis beneficiis. Which Thomas Walsingham thus varieth, Dominus vero Papa attendens, quod charitas incipit a seipsa, primus fructus per Angliam sibi referbavit, &c. This is the first president of any Popes reserving, or exacting Annates or First-fruits of all Ecclesiastical Dignities, Promotions and Benefices throughout England extant in our Histories, which though reserved but for two years by this Pope at first, grew afterwards into custome by degrees both in England and elsewhere, though strenuously opposed, and frequently prohibited and declaimed against as a most intolerable grievance, mischief, oppression, abuse, diminishing Gods service, worship, damning mens souls, and destroying Churches; as those who please may read at large in Nicholas de Clemangis his learned Treatise, *De Annatibus non solvendis*, Operum Lugduni Bat. An. 1593. p. 82. to 106. Ranulphus Cestrensis Polychronicon, l. 7. c. 42. Platina in vita Gregorii 9. Polydorus Virgilium, de Inventoribus Rerum, l. 8. c. 2. Carolus Molinæ, contra *Parvas datas & abusus Paparum*, Laurentius Boechellus, Decreta Ecclesiæ Gallicanæ, l. 4. cap. 10. p. 650, 663, 670, 671, 674. lib. 7. Tit. 19. *De Annatis*, p. 1195, to 1139, & Henrici Spelmani Glossarium, Tit. *Annates*, & *de eorum Origine & usu*.

As this Pope thus introduced these First-fruits into England to the extraordinary prejudice of the Church and scandal of Religion, so he likewise frequently sent abroad his Bulls of Provisions for Ecclesiastical benefices and promotions therein for his Favorites and Clerks, which were then voyd, or should afterwards fall voyd by death or otherwise. Witnesse his Provision to Elyas Joneston of any benefice then voyd, or which should fall voyd within the Diocesse of Coventry and Litchfield, belonging to the Archbishop of Dublin whom he consecrated: the execution where-

a Mar. Westm.  
Anno 1305.  
p. 416, 417.  
Tho. Walsingham Ypodigma Neustrix, p. 96, 97. Mar. Parker Antiqu. Eccles. Brit. p. 218.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

An. 33 E 1. of he committed to the Bishop of that Diocese, and to Philip Martell, and another, as appears by the original Bull it self, and two Instruments in Parchment I found in the *White Tower*, reciting this Popes Bull in the first year of his Papacy, and their proceedings thereupon.

In Turri London, Anno 33 E 1.

**R**everendo in Christo Patri Domino —, Dei gratia *Dublinensi* Archiepiscopo, vel vices suas gerenti, in quibuscunque locis *Coventren. & Litchfelden.* Dioc. ad ipsum Archiepiscopum quoquomodo spectantibus, ac venerabilibus viris & discretis, Decanis & Capitulis, omnibusque & singulis Canonicis, Ecclesiarum Collegiarum, ac aliis quibuscunque personatus, dignitates, admistrationes, vel officia per ipsum Archiepiscopum vel nomine suo habentibus, seu tenentibus in eisdem quæ eidem Archiepiscopo mediâ vel immediâ subesse noscantur, *Philippus Martell* Ecclesie *Cicestren.* Canonicus, Venerabilis Patris Domini *W.* Dei gratia *Coventren. & Litchfelden.* Episcopi Executoris, super provisione et gratta per Sanctissimum Patrem nostrum Dominum *Clementem*, divina providentia Papam quintum *Elie de Joneston* pauperi Clerico dicti *Cov. et Lichf. Dioc.* faciendis, una cum discreto viro Magistro *Galfrido Glasston.* Ecclesie *Lichf.* Canonico, conjunctim et divisim, Commissar. speciales salutem, et mandatis Apostolicis firmiter obedire. Ad vestram volumus notitiam pervenire, quod *Elia de Joneston* prædictus in nostri presentia constitutus, sub Anno ab incarnatione Domini 1306. 15 Kalend. *Maii*, Indictione quarta, Pontificatus Sanctissimi Patris nostri Domini *Clementis* prædicti Anno primo, quoddam literas Apostolicas more *Cur. Romanae* vere bullatas, una cum Commissionem dicti Episcopi in — provisionis — principal. nobis præsentavit & tradidit; quas sicut decuit, accepimus reverenter, ac sic receptis & per nos inspecturis, eas in publicum legi fecimus per Magistrum *Johannem de Spaldewyke* Notarium Publicum, quarum tenor talis est.

*Clemens* Episcopus, Servus servorum Dei, Venerabili fratri Episcopo *Coventr.* salutem, & Apostolicam benedictionem. Constitutus in presentia nostra dilectus filius *Elyas de Joneston* pauper Clericus tui Dioc. vestra nobis humiliter supplicavit, ut cum ipse, sicut offerit, nullum sit Ecclesiasticum beneficium assecutus, provideri sibi de benignitate Apostolica mandarem. Quia igitur illi sunt in Ecclesiastica beneficia promovendi quibus mores & scientia suffragantur; Cum idem Clericus quem per dilectos filios Magistros *Ounfridum de Trebis* Decanum *Melden.* & *Alanum* Venatoris Scholasticum *Andegaven.* Ecclesiarum, ac fratrem *Arnaldum* Frateli Ordinis *Predicatorum* Capellanos nostros, Examinatores super hoc deputati a nobis, de literatura examinari fecimus diligenter, inventus sit ille convenienter idoneus ad Ecclesiasticum beneficium obtinend. Nos de vita & conversatione ipsius Clerici notitiam non habentes, fraternitati tuae per Apostolica scripta mandamus, quatinus de his solerter inquirens, si cum vita laudabilis & honesta conversationis esse reperieris, et aliud Ecclesiasticum beneficium non obtineat, nec alias scripsimus pro eodem, et aliud quod Canonicum non obstat ei, de aliquo Ecclesiastico beneficio secundum suæ probitatis merita competentem, cum cura vel sine cura, consueto ab olim Clericis secularibus assignari, spectante in Civitate vel Dioc. *Coventr.* ad collationem vel provisionem Venerabilis fratris nostri Archiepiscopi *Dublin.* si quod in eisdem Civitate vel Dioc. *Coventr.* vacat ad præsens, vel quamprimum ad id obtulerit se facultas, dummodo pro isto in consimili forma non scripsimus super conferendo sibi beneficio ad prædictum Archiepiscopum in dictis Civitate vel Dioc. *Coventr.* pertinente, per te, vel per alium seu alios providere, procurare; inducens eum in corporalem possessionem ejusdem beneficii, et defendens inductum, ac faciens ipsum ad illud si in Ecclesia Collegiata, secundum distinctionem nostram inferius annotatam extiterit, postquam de ipso vacante sibi provisorum fuerit in Canonicum recepti et in fratrem, non obstante si forte nos in alia, aut prædecessor. nostri *Rom. Pontifices* in quacunque forma de beneficiis ad prædicti Archiepiscopi in dictis Civitate vel Dioc. *Coventren.* collationem vel provisionem spectantibus, fecerimus aut mandaverimus aliis quicunque fuerint, quibus nullum per hoc generari volumus præjudicium provideri, dummodo non plures quam due auctoritate litterarum eorundem prædecessorum beneficia, ratione hujusmodi per eum Provisionis expectamus: Aut si eidem Archiepiscopo vel personis ipsius Ecclesie in qua sibi provideri contigerit, a sede Apostolica sit indultum, quod ad receptionem vel provisionem alicujus non teneantur, quodque ad id compelli aut quod

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quod interdici, suspendi vel excommunicari non possint, vel quod de beneficiis ad eorum collationem vel presentationem spectantibus non possit aliquibus prohiberi per litteras Apostolicas, non facientes plenam et expressam de invulso huiusmodi mentionem, sine qualibet alia præfata sedis indulgentia, consensumque tenore existat per quam effectus presentium impediri valeat vel differri, et de qua in nostris litteris mentionem fieri oporteat specialem. Contradictores auctoritate nostra appellatione postposita compescendo. Ita tamen quod idem Clerici prout requirit onus beneficii de quo et prohibum fuerit ad ordines se faciat statim temporibus promoveri, et \* personaliter resideat in eodem. Aliquam huiusmodi gratia et ejus effectus se ipsa nullius penitus et momenti, mandatum nostrum in hac parte soliter impleturus, quod in eo impendisse laudis misericordiam pauperi, et obedientiam mandatorum. Volumus autem quod omnes alie littere a sede prædicta, vel ejus Legatis, seu quibuscumque aliis obventæ, necnon prohibitiones et obligationes a quibuscumque personis factæ super ipsius Clerici prohibitionem sint invalidæ omnique careant firmitate. Caterum districtius inhibemus, ne præfatus Clerico auctoritate presentium in Cathedrali aliquatenus provideatur Ecclesia, vel de cujuslibet Ecclesia Collegiata Præbenda, cujus redditus & proventus annui viginti quinque Spere. sterlingorum summam, sive de aliqua Parochiali Ecclesia, vel aliquo Ecclesiastico beneficio curam animarum habente, cujus redditus & proventus quadraginta Spere annuam quantitatem excedant. Nos enim irritum discedimus et inane, si quid contra hanc nostram inhibitionem contigerit attemptari. Valorem autem annuum huiusmodi reddituum, proventuum, & clararum et haberi volumus estimatum, prout de illis secundum taxationem vel alias pro decima est amplius persolutum. Nostra tamen intentio existit, quod de Ecclesiis, Præbendis, & beneficiis huiusmodi si minoris quam ut prædictum valoris existant, possit volentibus prohiberi quocumque, in Ecclesiis Collegiatis in quibus auctoritate Apostolica plures quam unus expectant, huiusmodi prohibito non procedat. (Provisions being then grown so frequent, that there were two or three granted in possession and reversion to most Prebendaries, Benefices and Preferments, though of small as well as of greater values.) Dat. Lugduni Idus Januarii, Pontificatus nostri anno primo.

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\* Omitted in most other Provisions.

W. Permissione divina Coventr. & Litchf. Episcopus, Executor super provisione & gratia per Sanctissimum Patrem nostrum Dominum Clementem Papam 5. Elyæ de Jonslon pauperi Clerico nostræ Dioc. faciend. dilectis nobis in Christo Magistris Philippo Martel Cicestren. & Galfrido de Glasston Litchf. Ecclesiarum Canonicis, salutem, et mandatis Apostolicis firmiter obedire. Ad inquirendum de vita & conversatione prædicti Clerici, et ad prohibendum eidem de beneficio Ecclesiastico secundum suæ probitatis merita competenti, ad collationem vel provisionem venerabilis patris Domini Archiepiscopi Dublin. spectante, si quod in nostra Dioc. vacat ad præsens, vel quamprimum ad hoc contulerit se facultas iuxta mandatum Apostolicum, quod pro ipso recepimus & vobis inspicimus. Mitimus, per eundem vices nostras vobis conjunctim & divisim committimus per præsentem, cum coercitionis canonice potestate, quousque eas duximus revocandas. Dat. Paris. die Dominica in Passione Domini, Anno ejusdem 1305. & Consecrationis nostræ decimo.

Qui quidem Elyas post huiusmodi litterarum Apostolicarum & Commissionis presentationem, receptionem, lectionem nobis humiliter supplicavit, ut nos ad executionem dictæ provisionis sibi faciendæ iuxta formam mandati Apostolici supradicti procederemus. Nos igitur supradictus Philippus volentes ut teneatur huiusmodi mandatum Apostolicum exequi reverenter, habita super vita & conversatione dicti Elyæ, & super cæteris Articulis in huiusmodi litteris Apostolicis contentis, per viros fidedignos & honestos, inter quos à diu conversatus extiterat inquisitione diligenti, per quam nobis constabat dictum Elyam super vitæ & conversationis honestate, aliisque probitatis meritis multipliciter commendari, nihilque sibi de prædictis Articulis obviare, quominus huius provisionis et gratiæ capax debeat reputari, beneficium Ecclesiasticum competens cum Cura vel sine Cura nulli alii de jure debitum, consuetum ab olim Clericis secularibus assignari, ei etiam si Ecclesiæ Collegiata Præbenda, cujus fructus & proventus annui viginti quinque Spere sterlingorum summa, seu Ecclesia Parochialis existit cujus fructus proventus quadraginta

Ibidem.



**An. 33 E. 1.** draginta Marcarum ejusdem monetæ, prout de illis secundum taxationem vel aliâs pro decima est amplius persolutum annuam quantitatem non excedant, spectans in Civitate vel Dioc. *Covenren.* ad collationem vel provisionem vestram Dom. Archiepisc. *Dublin.* prædict. si quod in eisdem Civitate vel Dioc. vacat ad præsens, seu quamprimum ad hoc obtulerit se facultas, ex nunc collationi & provisioni dicti Episcopi-Executor, in hac parte, ut præmittitur, principal. nostro & Commissar. nostri prædict. vel alterius cujuscunque ad Executoris Commissar. **authoritate Domini Papæ qua fungimur** in hac parte prædictæ *Elyæ* conferend. reservamus. Et si aliqua Præbenda æstimationis supradictæ, vel etiam minoris in aliqua Ecclesia Collegiata Dioc. supradictæ, spectans ut præmittitur ad Collationem seu Provisionem vestram vacat ad præsens, quam dictus *Elyas* per se vel per Procuratorem suum ad hoc specialiter constitutum, postquam sibi vel suo Procuratori pro eo de hujusmodi Præbendæ vacatione constiterit infra unius mensis spacium duxerit acceptand. ipsam dicto *Elyæ* conferimus sibi de (dicta Præbenda) tenore præsentium providentes, ac vos Archiepiscopum prædictum, Decanum & Capitulum, omnes & singulos Prælatos & Canonicos Ecclesiæ Collegiatae hujusmodi in qua Præbenda sit, ut præmittitur, reservata vacare dinoscitur, ac alios quoscunque personatus, dignitates, administrationes, vel officia per vos aut nomine vestro habentes seu tenentes, aut Vices vestras gerentes in eadem qui vobis Archiepiscopo, ut præmittitur, mediâte vel immediatè subesse noscantur, monemus communiter & divisim, ac vobis & singulis vestrum ac eorundem nichilominus autoritate prædictæ, cum reverentia tamen qua decet, districtè præcipiendo mandamus, quatinus dictum *Elyam* vel Procuratorem suum ejus nomine in Ecclesia Collegiata hujusmodi, **juxta litterarum Apostolicarum prædictarum tenorem**, prout ad vos & quemlibet vestrum ac eorundem communiter vel divisim pertinet infra sex dies, quorum duos pro primo, duos pro secundo, ac duos vobis & singulis vestrum, ac eorundem pro certo termino & peremptorio assignavimus, recipiatis in Canonicum & in Fratrem, eidem stallum in Choro & locum in Capitulo sicut Canonico Ecclesiæ Collegiatae hujusmodi assignantes, & in corporalem possessionem Canonicatus & Præbendæ prædictorum à tempore acceptationis hujusmodi secundum formam præmissam factæ continuè numerandos, sine difficultate qualibet quantum ad vos & singulos vestrum ac eorundem pertinet inducat, & inducant, admittenda ipsum liberè ad eosdem, sibi vel Procuratori suo ejus nomine plenè & integrè de Præbendæ seu Canonicatus hujusmodi fructibus, juribus & obventionibus universis respondeatis & respondeant, ac ab aliis quatenus ad vos & singulos vestrum ac eorundem pertinet faciatis & faciant integrè responderi: Inhibentes, interdicentes vobis Domino Archiepiscopo prædicto & singulis vestrum ac eorundem **authoritate Apostolica prædicta**, ne hujusmodi Præbendam sic ut præmittitur reservatam, vel aliquod jus pertinens ad eandem alicui alii ante acceptationem dictæ *Elyæ* vel Procuratoris suæ conferre vel assignare curetis aut curent, permittatis aut permittant quantum in vobis & ipsis fuerit, assignari per alium vel conferri; nec etiam admittatis aut admittant aliquem ad eandem; si enim vos ipsum liberè ut præmittitur non admiseritis, vel impedimentum præstiteritis in prædictis publicè vel occultè, nos vobis Archiepiscopo in hiis scriptis **ingressum Ecclesiæ interdiximus**, & in singulis suprascriptis contradictores & rebelles qui reservationi collationi & inhibitioni hujusmodi quoquomodo indebitè se opponant, vel qui impedimentum præstabunt quominus prædicta collatio seu provisio suum expedite sortiatur effectum, in hiis scriptis **Excommunicationis sententiam promulgamus**. Monemus insuper in generali prout possumus omnes & singulos, ne admissionem ipsius *Elyæ* maliciôsè differrant, vel admissioni suæ impedimentum præstent, **publicè vel occultè, seu contradictores aut rebelles existant, seu præfatam Præbendam alii conferant, vel quoquomodo assignaverant**. Alioquin dantes et recipientes Præbendam hujusmodi, seu dari, vel per alium recipi procurantes seu præstantes consilium, auxilium vel favorem publicè vel occultè, cujuscunque præminentie, authoritatis, ordinis, vel conditionis aut status extiterint, excepta Pontificali dignitate, nisi infra sex dies a tempore scientiæ penituerint, in hiis scriptis, ex nunc prout ex tunc **Excommunicationis sententiam promulgamus**, ac Ecclesiam Collegiatam hujusmodi et Capitulum ejusdem durante hujusmodi contumacia seu contemptu, quatenus statum vestrum et subditorum vestrorum eisdem conspiciunt, Ecclesiastico supponimus interdicto. Et si contingat vos vel aliquem vestrum, aut

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aut quamcunque aliam personam hujusmodi sententias incurrere quoquo modo *An. 33 E.1.* per manifestam resistantiam vel occultam: Nolumus per alium quam per nos aut superiores nostros eas relaxari vel quomodolibet amoveri, decernentes ernunc irritum et inane, si super hujusmodi Ecclesiastico beneficio, sicut permittitur reservato, secus a quoquam quavis auctoritate quomodolibet contigerit attemptari. Ad hæc si aliquod Ecclesiasticum beneficium Curam habens Animarum, si Ecclesia Parochialis existat æstimationis supradictæ, vel etiam minoris, per nos sic, ut permittitur reservatum, vacat ad præsens, quod dictus *Elyas* secundum formam in Præbendis superius annotatam duxerit acceptandum, hujusmodi monitiones, inhibitiones, mandata, interdicta & decreta, ad vos Archiepiscopum & alios quoscunque, quatinus vos & singulos eorundem ex natura & qualitate beneficii supradicti contingere poterunt, extendi volumus & mandamus, et in summa hoc est nostræ voluntatis studium, ut secundum mandatum Apostolicum supradictum idem *Elyas* hujusmodi Ecclesiasticum beneficium nulli alii de jure debitum, ut supradictum est, cum omni juris plenitudine assequatur; ac vobis Archiepiscopo, vel vices vestras gerenti in quibuscunque locis *Coventr. & Lichf.* Dioc. ad vos Archiepiscopum quoquomodo spectantibus, ac Venerabilibus viris & discretis Decanis & Capitulis, omnibusque & singulis Canonicis Ecclesiarum Collegiarum, ac aliis quibuscunque personatus, dignitates, administrationes, vel officia per vos Archiepiscopum vel nomine vestro habentibus, seu tenentibus in eisdem, quæ vobis Archiepiscopo mediare vel immediate subesse noscuntur, ubi Domicilium habere & Vicar. in absentia vestra solito dimittere, & vulgariter nuncupamini, & aliis ac alibi per quos, & unde ad vestri noticiam citius poterunt pervenire, hujusmodi noster processus notificetur ac etiam publicetur, quodque per hujusmodi nostrum processum, denunciationem seu publicationem ejusdem personis & locis quibuscunque faciend. hiris Excellentissimi Principis *E. Regis Angliæ* illustris in nullo derogetur. Per hujusmodi autem nostrum processum nolumus nec intendimus in hac parte præfato nostro Commissario derogare, quominus possit in hujusmodi provisionis negotio procedere, servato hoc nostro processu, prout sibi videbitur expedire. Præsens autem instrumentum apud dictum *Elyam* vel suam Procuratorem volumus remanere, non per vos vel alium quemlibet extraneum detineri; immo si aliquis per vim vel contra voluntatem præfate *Elyæ*, seu sui Procuratoris illud detinere præsumperit, excommunicationis sententiam quam in his scriptis ferimus ipso facto incurrant. Mandamus insuper dictæ *Elyæ* vel suo Procuratori, quod vobis Copiam faciat de prædictis si eam petieritis vel habere volueritis; Ita quod facta vobis Copia omnia & singula Instrumenta & Literas reddatis eidem vel suo Procuratori sine difficultate qualibet Copia si placuerit habita & retenta. In quorum omnium testimonium & certitudinem pleniorum, præfens Instrumentum hujusmodi processum continens, per Magistrum *Johannem de Spaldewyke* Notarium Publicum publicavi, signoque & nomine suo consuetis signari mandamus.

Ego *Johannes de Spaldewyke* *Lincoln. Dioc.* Dignitat. *Almæ Urbis Romæ* auctoritate publicus Notarius præmissam executionem in Ecclesia Sancti Pauli London. Anno ab Incarnatione Domini 1306. 15 Kalend. Maii, Indictione quarta, unâ cum Magistris *Johanne de Okeley* Jur. Civil. Professore, *Galfrido de Ston* Cur. Cant. Advocato, & *Willielmo Flemynge* Testibus ad præmissa vocatis per Magistrum *Philippum Martell* Executorem prædictum fieri vidi, ipsamque examinat. & correct. sextodecimo Kal. Augusti, Anno & Indictione prædictis apud *Berkings* in præsentia mei Notarii suprascripti, & *Johannis Mallmeynes* & *Henrici Mallmeynes* testium ad præmissa vocatorum & rogatorum forma qua præmittitur & ad publicand. per me Notarium demandatur. Ideo me testem subscripsi præfens quod Instrumentum per manum *Johannis de Dunton* conscriptum signo meo & nomine consuet. signavi: Rogatus interlineari videlicet hæc verba (*redditum*) super viciesimam quintam lineam; ac (*eorundem*) super 48. lineam interlineo & approbo. Ac si in directa linea fuissent.

I have inserted this long Instrument at large upon these 3. Accounts; 1. To evidence the manifold cautions inserted into *Popes provisions* for poor Clerks, though honest and learned, which must be confined to an Archbishops living in one Diocese of small value, and those not formerly granted to any others, and they bound to



*An. 33 E. 3.* personal residence thereon : when as others that were rich, and more able to pay great summes for them, were not so limited, nor clogged with so many cutions, 2ly. To manifest how many Bulls, Instruments under the hands of publicke Notaries these poor Clerks must procure with vast sollicitation, travel and expence, before they could obtain the least probable hopes of enjoying any small prebend or benefice by Popes Bulls, and yet not enjoy actual possession of them in conclusion. 3ly. The multiplicity of Popes provisions in that age to every small inconsiderable as well as great prebendary or benefice, granted by them in possession or expectancy to several persons, by sundry Bulls at once, contradicting, repealing each others by *Non obstantes*, engendering infinite Suits, Appeals in the Popes Courts, for filthy lucre, to the unspeakable vexation of the Patrons, Provisors, and other competitors, and neglect of the peoples souls, during such contests concerning them, of which avaritious, ambitious Popes and their officers had not the least regard, though frequently suggested, as the principal ground of their detestable provisions.

I found this Appeal to the See Apostolike this year (in a Bundle of Writs and Letters in the *White Tower*) from the Archbishop of *Canterburie* Commissaries sentence of Excommunication against Sir *Richard de Wylonds* Knight, for laying violent hands upon *William de Dagepet*, a Freer, and *Albert de Langedon*, as unjust.

Bundle Petitionum & Brevium in Turri London. An. 33 E. 1.

**I**N Nomine Domini Amen, Anno ejusdem ab Incarnatione 1305. Indictione tertia, Die Sabbati, viz. 11 Kal. Junii, constitutus personaliter coram discreto viro Magistro de *Morecestre*, venerabilis patris Domini R. Dei gratia *Canuariensis* Archiepiscopi, totius *Anglia* Primatis Commissario, seu causarum Curie ejusdem Patris Auditore Generali, in Ecclesia Parochiali de *Lambeth. Wynton.* Diocesis, qui alias sententiam contra Dominum de *Wylonds* Militem, & pro *Alberto* inscripto tulerat diffinitivam in hac parte, Magister *Stephanus Bygod* Clericus, dicti Militis Procurator, quandam Appellationem in scriptis redactam interposuit, & legit sub tenore qui sequitur. *In Dei Nomine Amen. Quia vos (Magister Ricarde de Morecestr. Venerabilis Patris Domini R. Dei gratia Cantuariensis Archiepiscopi, totius Anglie Primatis Commissarius, seu causarum Curie sue generalis Auditor) in causa seu negotio super violenta manuum injectione, qua vel quod coram vobis nuper vertebatur inter fratrem Willielmum de Dagepet, & Albertum de Langedon ex parte una, & Dominum Ricardum de Weylonds Militem ex altera perperam procedentes, cum dies ipsis partibus fuisset ad audiendum sententiam diffinitivam seu pronuntiationem finalem in hac parte prefixus, vos harum debitam de tractandis causis & negotiis anticipantes, ipsumque Militem reputantes indebite contumacem, sententiam pro Abbate predicto contra dictum Militem diffinitivam tulistis, tanquam ipsum in sententiam Excommunicationis majoris a Canone lotam pronuntiando aliquantulum invidisse: Unde Ego, Procurator Militis, sentiens ipsam Dominum meum, & me, tam ex premissis gravaminibus, quam pronuntiatione seu sententia indebitum pragravari, ab eisdem pronuntiatione et sententia, tanquam ab iniquis, iudicium venerabilis Patris predicti, et in ejus defectum, sedem Apostolicam in hiis scriptis appello, et Apostolos instantes et instantissime peto: Supponens ipsum Dominum meum, et omnes sibi adhaerentes et adhaerere volentes protectioni et defensionem Sedis Apostolicæ memoratz: Presentibus Magistris B. Cunoardi, Roberto de Soubton, & Rogero de Birwey Clericis & aliis.*

Et Ego *Willielmus de Maldon London.* Dioc. publicus Apostolica & Imperiali Auctoritate Notarius premissis interfui, eaque scripsi & publicavi rogatus.

I finde another Appeal in the same Bundle, brought by the Vicar of Great *Burste* within the Diocese of *London*, from a sentence of Excommunication unjustly denounced against him by the Commissary General of the Bishop elect of *London* and his Official, certified into the Chancery, and there examined, against which he there prayed and received relief, wherein the form of, cause, and proceedings in Appeals, and the arbitrary and unjust proceedings in Ecclesiastical Courts used in that age, are fully evidenced.

Exa-

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An. 33 E. 1.

Bundela Bre-  
vium, &c. An.  
33 & 34 E. 1.  
In Turri Lon-  
don.

**E**xaminatio facta per Magistros J. de Cadomo, & R. de Gloucestr. *Examinato- res, per Dominum W. de Hamelton. Cancellarium Domini nostri Regis, datos super cognitione Appellationis per Dominum Richardum perpetuum Vicarium de Burstede magna, London. Diocesis, interposita, a sententia Excommunicationis majoris in ipsum per Magistrum W. de Halsted Commissarium generalem Magistri Ricardi de Newport (tunc electi & confirmati London.) Vicarii et Offic. prolati. Unde predictus Vicarius de Burstede magna quoddam Instrumentum publicum protulit sub hac forma* In Dei Nomine Amen, per præsens publicum Instrumentum omnibus appareat evidenter, quod Anno Domini ab Incarnatione ejusdem 1305, Indictione 3, 17 Kal. Augusti, in præsencia mei Notarii infrascripti, per testimonium infrascriptorum, Henrici de Norwyco, Walteri de Colcestre, & Johannis de eadem Monachi, comparentibus coram Magistro Ricardo de Newport, Domini Electi & confirmati London. Vicario & Officiali, ut asserabatur, in Ecclesia S. Pauli London. pro Judice sedente, Thoma de Langstok Procuratore Roberti de Burton Vicarii de Gynges Montaneje, London. Diocesis, ex parte una; & Ricardo perpetuo Vicario de Burstede magna, predictæ Diocesis, ex altera: lectisque Articulis contra dictum Vicarium de Burstede, tam ex officio, quam ad promotionem predicti Vicarii de Gynges objectis, ex parte predicti Vicarii de Burstede, quædam exceptio recusationis, probocationis, et appellationis, prius ab eodem Officiali interpositarum contra Officiale predictum, fuerant in scriptis propositæ, quas idem Vicarius de Burstede admitti petiit cum effectu; offerens se eas congruis loco et tempore legitime probaturum; dictus Magister Ricardus de Newport Officialis memoratus recessit a Consistorio; et causam illam Magistro Willielmo de Halstede, Commissario suo generali, ibidem pro tribunali sedenti ostenus commisit, et præcepit eidem Magistro Willielmo, quod celeriter præcederet in eadem causa. Idem vero Magister Willielmus Commissarius predictus, prædictas exceptiones recusationis, probocationis, et appellationis in scriptis prius coram Domino Officiali, ut præmittitur propositas, statim, nulla super eisdem habita discussione, per decretum resevit; propter quod idem Vicarius ab hujusmodi decreto, statim in præsencia dicti Magistri Willielmi, sedem Apostolicam, et pro tuitione Curie Cantuarien. appellavit, et Apostolos petiit. Eisdem Anno & Indictione, 14 Kal. Augusti, in præsencia mei Notarii infrascripti & testium subscriptorum, Ricardus Vicarius Ecclesie de Burstede predictæ, in Ecclesia S. Pauli London. predicta, coram Magistro Willielmo de Halstede prænotato personaliter constitutus, quandam Appellationem in scriptis redactam eidem Magistro Willielmo Commissario predicto tradidit et notificavit, sub eo qui sequitur tenore. In Dei Nomine Amen. Licet ego Richardus perpetuus Vicarius Ecclesie de magna Burstede, London. Diocesis, in causa seu negotio per Officiale London. autoritate Ordinarii procedentem, super irregularitatis nota et aliis excessibus, mihi minus veraciter impositis ad promotionem Roberti de Burton Vicar. de Gynges Montaneje, nuper mota seu moto, metuens ex quibusdam comminationibus, mihi per dictum Officiale, qui alias super eisdem excessibus mihi gravis et injuriosus extiterat, de me grabando, ut bidebatur, factis; necnon ex aliis verisimilibus causis et probabilitibus conjecturis, mihi per dictum Officiale præjudicium posse generari in futurum, ne per eundem Officiale seu alium quemcumque ipsius nomine, vice, auctoritate, vel mandato, quicquam in mei præjudicium attemperaretur seu fieret quoquo modo, ad sedem Apostolicam, et pro tuitione Curie Cantuarie legitime appellassem aut probocassem, sentientesque postea me per vos Magistram Willielmum de Halstede, Domini Officialis predicti (ut dicitur) Commissarium, et eo indebite prægravari, quod dicta probocatione et appellatione, de qua vobis sufficienter innotuit non obstante. Exceptiones quasdam efficaces contra articulum, mihi per dictum Officiale in dicta causa seu negotio propositum, partemque promobentem eundem, ac contra officium dicti Domini Officialis in hac parte congruis loco et tempore in forma iuris propositas, quas etiam me obtuli in forma iuris probaturum, nulla super eisdem habita discussione, præpropere ac ex abrupto resevistis injuste per decretum, dictis Sedem et Curiam legitime appellassem: Vos tamen Magister Willielmo de Halstede predictis probocatione et appellatione, de quibus vobis sufficienter innotuit, non obstantibus, in me Vicarium de Burstede predictum non legitime monitum, non confictum, non confessum, nec per contumaciam absentem, absque causa



*Anno 33 E. 1.* rationabili ea occasione, majoris Excommunicationis sententiam fulminatis; meque sic excommunicatum esse, publicum nunciare fecistis, in mei præjudicium non modicum et grabamen. Unde ego *Richardus* Vicarius de *Bursted*, sentiens me ex hiis et eorum quolibet, per vos indebite prægrabari, prædictas Sedem et Curiam iterato, ut prius, in hiis scriptis appello, et Apostolos instant, instantius et instantissime peto: Supponens me et omnia Bona mea protectioni et defensionem Sedis et Curie prædictarum. Acta sunt hæc quæ supradixi, Anno, Indictione, diebus & loco supradictis; Præsentibus Magistro *Waltero de Colcestre*, *Henrico de Norwico*, & *Adam de Skyfton* Clericis, testibus ad præmissa rogatis. Et ego *Philippus de London* Clericus, sacri *Romani* Autoritate imperiali publicus & authenticus Notarius, omnibus præsentibus interfui, ea vidi & audiui, & ut supra leguntur scripti, & in publicam formam redegi, meoque Signo consueto signavi rogatus. Et in supplementum eorum quæ in superscripto Instrumento continebantur, testes superscriptos produxit frater *Johannes de Colcestre*. Monachus de *Strasford*, Ordinis *Cisterciensis*. *Ricardus de Perstede*, & *Philippus de London*, testes jurati & examinati, dicunt in virtute Juramenti ab eisdem præstiti, quod Dominus *Richardus* Vicar. de *Bursted* magn. *London*. Diocesis, coram discreto viro Magistro *Willielmo de Halstede* Commissar. tunc electi & confirmati Ecclesie *London*. Vicarii & Offic. quandam Exceptionem recusationis de suspecto 17. Kal. *Aug.* Anno Domini 1305: in Ecclesia *S. Pauli London*, propositi contra eundem in causa quæ vertitur inter eundem actorem ex parte una, & Dominum *Robertum* Vicarium de *Gynge Montenezereum*, ex altera, super Decimis quibusdam minutis, quam quidam Exceptionem prædictus Commissarius statim rejecit; à cujus rejectionis gravamine, dictus Vicar. de *Bursted* statim oretenus ad Sedem Apostolicam appellabit. Dicunt etiam, quod mox eodem die præfatus Commissarius post dictas rejectionem et appellationem prædictum Vicarium excommunicabit. Et subsequenter die Lunæ proximo sequenti eodem anno, videlicet 14. Kal. *Augusti*, tam a dicto grabamine quam ab hujusmodi Excommunicationis majoris sententia appellabit in scriptis in præsentia Commissarii supradicti, et Apostolos petit ab eodem, ut dicunt, quæ autem Appellatio per Instrumentum publicum memoratum super hoc confectum et exhibitum per eundem evidenter apparet. Unde sibi remedium in casu hujusmodi consuetum per Curiam fuit adhibitum et concessum.

Ista Scedula liberata fuit in *Canc.* per manus præfati Magistri de *Cadomo*, die Veneris post prandium in Quindena Nativitatis *S. Johannis Baptiste*, Anno, &c. 34.

*William de Testa* Pope *Clements* Nuncio, by his usurped authority commanding all Priests and Parsons of Holy Church within the Province of *Canterbury*, solemnly to publish in their Churches, that no man nor Tenant should be attendant, or pay any rents, debts, duty, or buy or sell any thing to *Frere Theobald*, as Guardian of the Mannors and Temporalities of the Abby of *Beckherlewyn*; of the Advouson of the King and other Temporal Lords; he thereupon procured the Kings Prohibition to him, not to intermeddle with any Lay-fee belonging to the said Abby: Notwithstanding which the Nuncio in contempt of the said Prohibition, against the Kings Crown and Dignity, caused him to be publicly excommunicated in the Court of *Canterbury* and the *Archies*, together with the Proctor, Advocate, and Bailiff of the said Abbey, with all other persons in general who should any way aid or assist him; upon complaint whereof to the King and his Council by Petition, they ordered an Attachment to be issued against the Nuncio to appear before the King at a day certain, as this Petition and the endorsement inform us.

Dundela Petitionum, &c.  
An. 33 & 34.  
Et. in Turri  
London.

A Nostre Seignour le Roy, e a son Conseil; monstre frere *Thebaud de Cambrmer* gardein des maniers & des biens temporalls le Abbe de *Beckherlewyn* en *Engleterre*, e Attorne generall le dit Abbe, par les lettres nostre Seignour le Roy patentes; e prie remede de ceo, qe com Mestre *Williame Testa*, Creketour des boisoignes nostre Seignour le Pape, est generalment mande e comande a touz Prestres, et persones de seindre Eglise de la Province de *Canterbir*, qe ens solempnement facent denuncier e defendre en lur Eglises, qe nul homme al dit *Thebaud* ne seilz entendant ne responent de nules choses que touchent les *Panters*

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ers ne possessions temporels del dit Abbe en *Engleterre*, ne qe nul tenant ne ly pape rente, ne autre service ne ly face, ne que chose de ly ne achate, ne nule dette a ly ne rende, ne pur gardein des temporeltes al dit Abbe en *Engleterre* ne ly tiegne. Et sur ceo l'abandonne Mestre *William* puis la Prohibition nostre Seigneur le Roi a ly liberee, e par ly reserve, letve, e entendue, en quele fu conteneu, qe labandonne Mestre *William* ne se entremet del lay. See le dit Abbe de *Bick* en *Engleterre*, e furent les maners del dit Abbe especialment mores en la dite Prohibition, labandonne Mestre *William Testa* le Vendredi en la Veille de saint *Barnabe* le Apostle a la Curt de *Canterbur.* en leglise nostre Dame des *Arches* en la Citee de *Lowndres*, solempnement, publiement, et especialment escomengea labandonne *Theband* par noun, e Mestre *Thomas de Hereford* son Advocat, e *Henry de Okeburn* Procurateur le dit Abbe, e *Johan de Souinghull*, Bailif le dit Abbe del Maner de *Okeburn*. Et puis apres en generalment sanz nulle persone sospieuz, escomengea touz iceus qui conseil, labour, ou aide, priement ou apertement, par aucune manere de art ou de engin feissent a labandonne dit *Theband*. Et pur ceo qe les maneres, les autres possessions temporels al dit Abbe en *Engleterre*, sont del Aboweson nostre Seigneur le Roi, e de l'almone, e del don de les Ancestres Reis de *Engleterre*, e des Contes, Barons, e autres grauntz Seigneurs de la Terre: desquels Maners, les Rentes, et les Issues faisoites que s'unt, sont proprement temporels, e des quels nostre le Pape ne poet ordiner ne aver Conissance, sanz offense de la dignite e la Corone nostre Seigneur le Roi: Prie le dit *Theband* en noun son Abbe avandir, qil pleise a nostre Seigneur le Roi, e a son Conseil, suis ceo mettre remedie.

*Dorso.* Sequatur in Canc. et ibi (habeat) Breve de Attachemento coram Rege ubicunque, &c. in Crastino S. Johannis Baptista. Pro Rege.

The Abbot and several Monks of the Abby de *Furnays* being excommunicated and imprisoned upon a *Capias Excommunicatum*, for deteining their Tithes from the Rector of a Parish Church, bringing a Writ de *Cautione admittenda* to procure their liberty upon a false suggestion, the Dean and Chapter of *Yorke* during the vacancy, made a special certificate and return therein, denying they ever tendred sufficient *cantion* in Law; and therefore they refused to accept it.

**E***Dwardus Dei gratia Rex Angl. &c.* Dilectis nobis in Christo Decano & Capitulo Ecclesie beati Petri *Eborum*, Custodibus Spiritualitatis Archiepiscopatus *Eborum*, sede vacante, salutem. Ex parte Abbatis de *Furnays*, fratris *Roberti de Everyngham*, fratris *Johannis de Annesley*, fratris *Michaelis Withelpp*, fratris *Willielmi de Bessy*, Commonachorum predicti Abbatis, fratris *Willielmi Fykehode*, & fratris *Willielmi de Mewyib*, Conversorum ejusdem Domus, quos ad dominationem vestram, tanquam excommunicatos et claves Ecclesie contemnentes, per corpora sua secundum consuetudinem *Anglia* per Wic. nostrum *Lancast.* iusticiari precepimus, donec sancte Ecclesie, tam de contemptu quam de injuria ei illata ab eis esset satisfactum; Nobis est ostensum, quod licet iidem Abbas, *Robertus*, *Johannes*, *Michael*, *Willielmus*, *Willielmus* & *Willielmus* vobis frequenter optulerunt idoneam Cautiorem, illam ab eis admittere hactenus recusastis; de quo miramur. Et quia nolumus quod iidem Abbas, *Robertus*, *Johannes*, *Michael*, *Willielmus*, *Willielmus* & *Willielmus* diutius in prisona contra iustitiam detineantur; Vobis mandamus, quod accepta a prefatis Abbate, *Roberto*, *Johanne*, *Michael*, *Willielmo*, *Willielmo* & *Willielmo* Cautione predicta, ipsos Abbatem, *Robertum*, &c. a prisona, qua occasione predicta detinentur deliberari mandetis: Alioquin quod nostrum est in hac parte exequamini. Teste meipso apud *Brustwyk* 4. die Decembris. Anno regni nostri 33.

Consimiles etiam in hac ipsa causa fiunt literae iisdem Decano & Capitulo directae. Teste Rege apud *Thornton* super *Humbr.* 12 Decembris. Anno ut supra. To which Writs the Dean and Chapter made this Certificate and return.

**E**xcellentissimo Principi, Domino suo, Domino *Edwardo*, Dei gratia Regi *Angliae*, &c. Devoti Clerici sui, Decanus & Capitulum Ecclesie beati Petri *Ebo-*

An. 23 E. 1

Brndela Bre-  
vium de Anno  
33 E. 1. in  
Turri Lon-  
don.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B.5. ch.5

An. 33 E.1. *Eborum*, Custodes Spiritualitatis Archiepiscopatus *Eborum*, sede ejusdem vacante, salutem in eo, cujus gratia Reges regnant. Literas vestras nuper recepimus, tenorem qui sequitur continentes. Edwardus, &c. (*recitatis de verbo ad verbum ambobus Brevibus supradictis.*) Velit igitur scire vestra Dominatio reverenda, quod quæ ex parte dicti Abbatis de *Furnes* & cæterorum in Brevis vestro prædicto nominatorum vobis suggesta fuerunt & ostensa, carent primordio veritatis; eo quod idem Abbas & cæteri nominati, nec per se, nec per alium mandatum aliquod ipsorum nomine offendente ullam Cautionem coram nobis hactenus optulerunt. Sed quidam *Johannes de Lancastr.* & *Johannes Travers*, se velle præstare Cautionem pro eisdem, in forma superius annotata assererant, licet potestatem a prædictis Abbate et cæteris supranominatis, ad hujusmodi Cautionem exponendam non haberent; qui per nos instantius requisiti, an per pignora vel fidejussores idoneos subire velent Cautionem de sistendo dictos Abbatem & cæteros supranominatos in Judicio certis die et loco, coram nobis in forma Juris mandato Ecclesiæ parituros, videlicet ad satisfaciendum Deo & Ecclesiæ, tam de Contemptu quam de injuria ei illata ab eis, ac etiam Domino *Ada de Gaygrave*, de *Decimis* *Barbarum* infra parochiam ejusdem Ecclesiæ proventuum iniuste detentis ab eisdem, ad quarum præstationem et solutionem dicto Rectori plenarie faciendam auctoritate Curie *Eborum*, sede plena, judicialiter fuerint condemnati; & quia rei judicæ non parebant, majoris Excommunicationis sententia legitime innodati, quam siquidem cautionem et non aliam in hoc casu idoneam reputamus, expressius denegarunt, dicentes se velle cavere per duos Fidejussores Laicos usque ad summam decem librarum, de sistendo dictos Abbatem & cæteros prænotatos coram nobis certis die & loco per nos statuendis, ad parendum mandatis Ecclesiæ in forma juris, videlicet, ad prosequendum duntaxat appellationem ab eisdem a dicta sententia interpositam, ut dicebant; quam quidem Cautionem tanquam minus sufficientem absque juris offensa non potuimus, nec debuimus admittere in hac parte. Et hoc vestra Magnificentia Regiæ præsentibus nostris literis sigillo Capituli nostri munitis significamus. Conservet vos, &c. Dat. *Eborum* 12 Kal. *Januarii*, Anno gratiæ 1304.

The King issued this Writ to the Sheriff of *Northampton* to enlarge out of prison certain persons taken upon a *Capias Excommunicatum*, upon the request and prosecution of the Archbishop of *Canterbury*, because they had solemnly appealed from his sentence as unjust, to the See Apostolick, and ought not to be hindered in the prosecution thereof.

Claus. 33 E.  
1. memb. 2.  
dorso. Pro  
Magistro &  
fratribus Ho-  
spitalis Sancti  
Johannis  
*Northampt.*

REX Vic. *Northampton* salutem. Cum nuper ad requisitionem Venerabilis Patris R. Archiepiscopi *Canthar.* per literas suas patentes nobis significantis, quod frater *Richardus de Helmedene* Magister Hospitalis Sancti *Johannis North.* Fratres *Nicholans de Brerewood*, *Johannes de Upton*, *Johannes de Ravenshorp*, *Robertus Russell*, *Robertus de Pyddington*, *Willielmus de Throp*, & *Philippus de Tisfeld*, propter manifestam contumaciam excommunicati sunt, nec se volunt per Censuram Ecclesiasticam justiciari; Tibi præceperimus, quod ipsos *Richardum*, *Nicholaum*, *Johannem*, *Johannem*, *Robertum*, *Robertum*, *Willielmum* & *Philippum*, per corpora sua secundum consuetudinem *Anglia* justiciaries, donec Sanctæ Ecclesiæ tam de contemptu quam de injuria ei illata ab eis esset satisfactum. Et jam intellexerimus, quod prædicti *Richardus*, &c. a sententia prædicta in ipsos per præfatum Archiepiscopum illata tanquam ab iniqua ad sedem Apostolicam legitime appellaverunt, et appellationis negotium prosequuntur cum effectu: Nolentes quod præfatis *Richardus*, &c. per prædictum breve nostrum via præcludatur, quo minus dictæ appellationis negotium prosequi possent in forma juris, maxime cum hujusmodi breve nostrum de gratia nostra procedat, et appellantium status integer esse debeat; Tibi præceperimus, quod ipsos *Richardum*, &c. prætextu brevis nostri tibi inde directi captos et in prisona nostra *North.* detentos a prisona prædicta, si ea occasione et non alia detineantur in eadem, deliberari facias, usque ad vicessimum octavum diem *Aprilis* proximo futur. Nisi aliud interim super hoc duxerimus demandandum. Teste meipso apud *Stanes*.

The King this year issued this Writ to the Guardians of the Temporalities of the Archbi-

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Archbishoprick of *Torke*, speedily to pay into his Exchequer at *Westminster* all the rents and moneyes made of the Temporalities, Wools, and Profits thereof by a certain day to supply his Treasury.

**R**EX dilectis & fidelibus suis *Lamberto de Thrykingham*, & *Johanni de Byron*, Custodibus suis Archiepiscopatus *Ebor.* sede vacante, salutem. Mandamus vobis firmiter injungentes, quod omnibus aliis prætermis, omnes denarios quos de exitibus temporalium Archiepiscopatus prædicti, viz. de firmis et lanis quam aliunde de temporalibus prædictis in promptu habetis, vel citra Octabis Sanctæ Trinitatis proximo futur. colligere poteritis et levare, habeatis ad Scaccarium nostrum apud *Westmonasterium* in dictis Octabis, ibidem in Thesaurariam nostram liberandos. Et hoc nullo modo omittatis. Vobis enim inde ad dictum Scaccarium nostrum debitam allocationem habere faciemus. Teste Rege apud *Bansted*, 28 die *Maii*.

Claus. 33 E. 1.  
m. 12. incus.  
De Denar  
portandis ad  
Scaccarium.

The King issued these strict Writs under his Great Seal to the Collectors of the Disms in *Ireland*, for the speedy Collection of all arrears of the 3. years Disms then due from the Clergy, without sparing any of them, granted to him by the Bull of Pope *Boniface* the 8. for the dispatch of his weighty affairs, though at first designed to other uses; which sundry refusing to pay upon several pretences, and they thereupon delaying to collect, he enjoined them now to levy by Excommunications, Interdicts, Suspensions, Sequestrations of the goods of those who refused to pay, and by all other wayes, means, and also by Prozesse out of the Kings Exchequer in *Ireland*.

**R**EX dilectis Clericis suis Magistri *Willielmo de Hotham*, Canonico Ecclesiæ Sancti *Patricii Dublin.* & *Guidoni de Wykio* Persona Ecclesiæ de *Hese*, Collegio *Decimæ Clero Hiberniæ* per Dominum *Bonifacium* nuper Papam octavum, de assensu nostro impositæ per tres annos, salutem. Cum nuper prædictus Papa medietatem prædictæ *Decimæ* pro arduis et urgentibus nostris et regni nostri negotiis nobis liberaliter concessisset, altera medietate ejusdem *Decimæ*, si idem Papa per dictum triennium vitam duceret in humanis, sibi in subsidium Romanæ Ecclesiæ referenda; & si ipsum infra dictum Triennium in fata decedere, vel pacem super guerra de regno *Siciliæ* mota reformari contingeret, extunc totum residuum dictæ *Decimæ* nostris usibus similiter concessisset et voluisset integraliter applicari. Et jam intelleximus, quod vos prætextu banarum et fribolarum excusationum quarundam personarum Ecclesiasticarum prætendencium, tam per mortem prædicti Domini Papæ, quam pro eo quod Magister *Gerardus de Petoraria* qui ad dictam *Decimam* colligendam se Procuratorem et Punctum asseruit, per sedem Apostolicam fuisse specialiter deputatum commissionem, post mortem *London.* Episcopi, per ipsum & Magistr. *Bartholomæum de Ferentino* Canonicum *Lond.* Principales Collectores prædictæ *Decimæ* in *Anglia & Hibernia* vobis factam, ut dicitur, revocaverat, se ad solutionem dictæ *Decimæ* non teneri, levationi et collectioni ejusdem *Decimæ* hactenus superseditis, in nostri grabe dampnum, de quo miramur plurimum et movemur. Cumque nuper dictus Magister *Gerardus* totum id quod in hac parte tam in *Anglia* quam in *Hibernia* per ipsum fuerat aliquantulum attemptatum expressè revocaverit, prout in quodam instrumento publico inde confecto, quod vobis mitimus, videre poteritis apertius contineri. Nos advertentes dictam *Decimam* nobis virtute concessionis prædictæ totaliter deberi, hujusmodique Impositiones & omnes concessionis graciosas, durante termino impositionum & concessionum illarum vim sortiri debere et effectum; Vobis mandamus in fide qua nobis tenemini firmiter injungentes, quod omnes Ecclesiasticas personas infra terram nostram *Hiberniæ* constitutas nulli penitus deferendo cuscunque status, dignitatis aut conditionis existat, ad solutionem totius pecuniæ a retro existentis de *Decima* supradicta virtute commissionis per præfatos principales Collectores vobis factæ per Excommunicationis, Suspensionis, et Interdicti sententias, necnon per sequestrationem bonorum suorum Ecclesiasticorum, et omnes alias vias et modis quibus melius expedire videritis compellatis: Et totam pecuniam prædictam salvo & securè custodiri faciatis, donec aliud à nobis inde habueritis in mandatis, de nominibus non solventium dilectos & fideles nostros *Johannem Wogan* Justic. nostrum *Hiberniæ*,

Pat. 33 E. 1.  
m. 17. pars 1.  
De Decima  
in Hibernia  
levanda.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

*An. 53 E. 1.* **M** Hybernia, & Thesaur. & Barones de Scaccario nostro *Dublin.* reddentes distinte et aperte per vestras Patentes literas certiores, ut ipsi contra sic non solventes, tanquam contra honorem et commodum nostri impedimento procedant, prout predictis Justic. Thes. & Baronibus per nos mandatum est plenius & injunctum. In cujus, &c. Teste Rege apud *Cycest.* 17 die Junii. So rigidly were these Arrears exacted and levied by all sorts of Ecclesiastical and Temporal Censures and Prozesse, as well in *Ireland,* as *England.*

The King likewise issued these Writs to the Archbishops and Bishops of *Ireland,* to hasten the collection of those Arrears.

Clauſ. 33 E. 1.  
m. 11. dorſo.  
De Decima  
in Hibernia ad  
opus Regis  
levanda.

**R**EX venerabili in Christo Patri R. eadem gratia *Dublin.* Archiepiscopo, salutem. Cum felicitis recordationis Dominus *Bonifacius* Papa octavus, medietatem Decimæ Cleri *Anglia & Hibernia* per ipsum de assensu nostro impositæ per tres annos, nobis pro arduis & urgentibus nostris & regni nostri negociis liberaliter concessisset; altera medietate ejusdem Decimæ si idem Papa per dictum triennium vitam duceret in humanis sibi in subsidium *Romana* Ecclesiæ reservatâ, & si ipsum infra dictum triennium in fata decedere, vel pacem super guerra de regno *Sicilia* mota reformari contingeret, extunc totum residuum dictæ Decimæ nostris usibus similiter concessisset & voluisset integraliter applicari. Et jam intellexerimus, quod Magister *Willielmus de Hothum* Canonicus Ecclesiæ Sancti *Patricii Dublin.* & *Guido de Vikio* persona Ecclesiæ de *Hese* Collectores dictæ Decimæ in *Hibernia*, prætextu vanarum et frivolarum excusationum quarundam personarum ecclesiasticarum prætendentium, tam per mortem prædicti Domini Papæ, quam pro eo, quod Magister *Gerardus de Petotaria*, qui ad dictam Decimam colligendam se procuratorem & nuncium asseruit, per sedem apostolicam fuisse specialiter deputatum, commissionem per *London.* Episcopum & Magistrum *Bartholomæum de Ferentino* Canonicum *London.* principales Collectores prædictæ Decimæ in *Anglia & Hibernia* eis factum, ut dicitur revocaverat, se ad solutionem prædictæ Decimæ non teneri, lectioni et collectioni ejusdem Decimæ hætenus superleiderunt, de quo miramur plurimum et movemur. Cumque nuper dictus Magister *Gerardus* totum id quod in hac parte tam in *Anglia* quam in *Hibernia* per ipsum fuerat aliquantulum attemptatum expresse revocaverit, prout in quodam instrumento publico inde confecto, quod dictis *Willielmo & Guidoni* missimus apercius continetur. Nos advertentes dictam Decimam nobis virtute concessionis prædictæ totaliter deberi, hujusmodique impositiones & omnes concessionis gratias durante termino impositionum & concessionum illarum vim sortiri debere & effectum; Vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quod prædictis *Willielmo & Guidoni*, vel eorum alteri quem præsentem esse contigerit, in lectione et collectione Decimæ prædictæ per quascunque censuras Ecclesiasticas, aliisque, bis et modis quibus ad commodum nostrum melius expedire videbitur, & prout præfati *Willielmus & Guido* vel eorum alter vobis scire facient vel faciet, injungent vel injunget, intendentes sitis & respondentes, consulentes, & auxiliantes; Præmissa omnia Suffraganeis cæterisque vestris subditis quibuscumque districtius injungentes; & hæc omnia & singula sicut de vobis specialiter confidimus, nostrumque commodum & honorem diligitis, celeriter exequamini cum effectu; ita quod vestram diligenciam in hac parte debeamus merito commendare. Scire vos volentes, quod si nobis constare poterit, quod per vos et negligentiam vestram ceteris quo minus tota pecunia de præfata Decima in *Dio.* vestra debita cum celeritate levetur, eandem pecuniam levari de vestris bonis temporalibus faciemus. Teste ut supra.

Consimiles literæ diriguntur Archiepiscopis & Episcopis subscriptis, & similiter excepto Suffraganeis; Archiepiscopo *Cassell.* Archiepiscopo *Tuamens.* Episcopo *Midd.* Episcopo *Kildar.* Episcopo *Loghlin.* Episcopo *Ossor.* Episcopo *Fernens.* Episcopo *Laoniens.* Episcopo *Limer.* Episcopo *Imlaghs.* vel ejus vices gerenti, Episcopo *Cemer.* Episcopo *Clonsfert.* Custodi Spiritualitatis Archiepiscopatus *Armacen.*

The premised Collectors notwithstanding the former Writs being not so diligent in

*Upon the Liberties of the Kings and Subjects of Engl: & Irel.* K. Edward 1

in collecting the Dismis in Ireland as the King expected, he thereupon associated 2. *An. 33 E. 1.* others to them, and 3. more to take an account thereof by these two Patents.

**R**EX dilectis Clericis & fidelibus suis *Willielmo de Moens* Canonico Ecclesie Sancti Patricii Dublin. & Magistro *Johanni le Marechal* Canonico Ecclesie *Daren*. salutem. Sciatis, quod cum nuper assignaverimus dilectos Clericos nostros Magistrum *Willielmum de Hotham* Canonicum Ecclesie Sancti Patricii Dublin. & *Guidonem de Wycho* personam Ecclesie de *Hese* ad arreragia Decime per Dominum *Bonifacium* nuper Papam octavum, Clero terrae *Hyberniae* de assensu nostro impostae per tres annos, & per eundem Papam pro arduis & urgentibus nostris & regni nostri negotiis nobis concessae, levand. & colligend. juxta formam commissionis eis factae per bonae memorie R. nuper *London*. Episcopum & Magistrum *Bartholomaeum de Ferentino* Canonicum *London*. principales Collectores dictae Decime in *Anglia* & *Hibernia* per sedem Apostolicam deputatos, prout in literis nostris patentibus eis inde confectis, quae penes eos resident, plenus continetur, ac idem negotium pro eo quod praedicti Magister *Willielmus* & *Guydo* circa id exequendum nimis remissi et negligentes extiterunt, adhuc in majori sui parte remaneat inconfectum, in nostri grave dispendium, et negociorum nostrorum praedictorum retardacionem manifestam, de quo miramur quamplurimum & movemur. Nos attendentes dampna et incommoda grabioza nobis et dicto regno nostro posse de facili imminere, nisi negotium praedictum celerius expediat, et de vestra fidelitate et industria in hac parte plene confidentes, associamus vos praefatis *Willielmo* & *Guidoni* ad arreragia praedicta levanda; ita quod praedicti *Willielmus* & *Guydo*, vel eorum alter, ac illi qui sub ipsis *Willielmo* & *Guydone* in dicta terra ad dicta arreragia levanda & colligenda sunt deputati, eadem arreragia levant, & ea Thesaurario Scaecarii nostri *Dublin*. vel illi quem idem Thes. periculo suo ad arreragia illa recipienda loco sui assignare voluerit, liberent custodienda, quousque eidem Thes. super hoc aliud duxerimus demandandum. Et ideo vobis mandamus, quod una cum praedictis *Willielmo* & *Guydone* ad praedictum negotium diligenter et celeriter exequendum in forma praedicta specialiter attendatis. Taliter in eodem negotio vos habentes, quod industriam vestram in hac parte merito debeamus commendare. Scituri, quod si vos remissos seu negligentes in hoc negotio exequendo contigerit inveniri, ad vos tanquam ad mandatorum nostrorum contemptores graviter capiemus: Mandavimus etiam praefatis *Willielmo* & *Guydone*, & eorum alteri, quod vos vel alterum vestrum, si ambo interesse non possitis, ad hoc in socios vel socium admittant vel admittat, necnon Thes. praedicto quod a praedictis *Willielmo* & *Guydone* vel eorum subcollectoribus aut eorum aliquo arreragia praedicta recipiat in forma praedicta. In cujus, &c. T. R. apud *Westm.* 7. die Nov.

*Ista forma concordata est per Consil. Regis.*

**R**EX dilectis & fidelibus suis *Willielmo le Deneneys*, *Nigello le Bruyn*, & *Ricardo le Blund*, salutem. Cum nuper assignaverimus dilectos Clericos nostros Magistrum *Willielmum de Hotham* Canonicum Ecclesie Sancti Patricii Dublin. & *Guidonem de Wycho* personam Ecclesie de *Hese*, ad arreragia, &c. ut supra plenius continetur, praedicti *Willielmus* & *Guydo*, ac illi qui sub ipsis in praedicta terra ad dicta arreragia levanda & colligenda sunt deputati, licet magnam partem arreragiorum illorum levaverint, nichil tamen nobis adhuc solvere curarunt, ut dicitur, in nostri grave dispendium ac negociorum nostrorum praedictorum retardacionem manifestam, de quo miramur quamplurimum & movemur: Nos igitur super facto ipsorum *Willielmi* & *Guydonis* ac subcollectorum suorum praedictorum in hac parte volentes cerciorari, de vestraque circumspectione & industria confidentes in hac parte, assignavimus vos ad audiendum compotum praedictorum *Willielmi* & *Guydonis* ac subcollectorum suorum praedictorum, quorum iidem *Willielmus* & *Guydo* vel alter eorum vobis scire facient vel faciet, de receptionibus suis Decime praedictae necnon liberationibus suis, si quas nobis aut aliis ad mandatum nostrum inde fecerint, & ad faciendum ulterius quod ad hujusmodi compotum pertinet: Ita tamen, quod si vos tres ad certos dies & loca quos ad hoc provideritis, ad hujusmodi compotum audiendum interesse non possitis, tunc duo vestrum quos adesse contigerit praemissa expleatis in forma praedicta. Et ideo vobis mandamus, quod ad praemissa explenda

Pat. 33 E. 1.  
para 1. De  
pecunia de  
Decima in  
Hibern. ad  
opus Regis  
levanda.

Ibidem.



**An. 33 E 1.** & perficienda intendatis in forma prædicta. Proviso, quod si aliquos vel aliquem Collectorum vel subcollectorum prædictorum in arrearagiis Decimar prædictarum per ipsos vel ipsum receptum existere vos contigerit invenire, tunc ipsos vel ipsum super prædictum compotum arrestetis, donec arrearagia hujusmodi nobis plenarie fuerint persoluta. De nominibus vero non solventium, quæ prædicti Collectores vel eorum subcollectores aut eorum aliquis vobis scire facient vel faciet, dilectos & fideles nostros *Johannem Wogan* Justic. nostrum *Hibern.* & Thes. & Barones de Scaccario nostro *Dublin.* reddatis distinctè & aperte per vestras patentes literas cerciores, ut ipsi contra sic non solventes procedere possint, prout in quodam brevi quod eis super hoc mittimus, plenius continetur. Mandavimus etiam dilecto Clerico nostro Magistro *Thoma Cantok* Cancellario nostro terrarum prædictarum, quod ad certos dies & loca quos vos vel duo vestrum ei scire facietis, venire faciat coram vobis per breviam nostram sub sigillo nostro quo in eadem terra utimur in sua custodia existente, prædictos *Willielmum de Hotbun* & *Gnydonem* vel alterum eorum, si ambo non inveniantur, & similiter subcollectores suos prædictos, quorum nomina vos vel duo vestrum ei scire facient, ad reddendum compotum suum prædictum, et ad ulterius faciendum quod justitia suadebit, & quod omnia alia breviam quæ ad celerem levationem arrearagiorum prædictorum juvare poterunt quovis modo, quociens per præfatos Thes. & Barones, ac vos Collectores vel subcollectores prædictos, seu aliquem vestrum super hoc ex parte nostra fuerit præmunitus, sub sigillo nostro prædicto absque dilatione aliqua fieri faciat, prout ad commodum nostrum melius viderit faciendum. In cujus, &c. Teste ut supra.

*Ista forma concordata fuit per Cons. Regis.*

\* Here, p.  
1053, 10.  
1057.

King Edward having by the \* premised Ordinance this year (as he apprehended) settled a perpetual peace in Scotland, without any possibility of a future rebellion or revolt, upon that groundlesse confidence soon after called those Nobles into question who from the 24. to the 32. year of his reign had most opposed, and wrested from him the confirmation of the *Great Charter*, and *Charter of the Forest*, together with *Articuli super Chartas*, the Deafforestations of Forests, and free pardon of all his rancor and indignation against them, ratified by several Parliaments, and his own Oath for the inviolable observation of them, from which Oath he endeavoured to purchase: an absolution from Pope Clement the 5. But his principal aim was, to avenge himself upon the Archbishop of Canterbury, who had twice obstinately refused to grant him any ayde from the Clergy for the defence of the Realm, without the Popes previous license, deprived his Clerks against his Writs and their appeals with high contempt, visited and invaded his Free Chappels, excommunicated his Officers and others for opposing him, against his reiterated Prohibitions, to the prejudice of his Prerogative, the disinheritation of the rights of his Crown, and contempt of his Royal authority: yea conspired with others to depose and imprison the King, and Crown his Sonne in his stead, and often stirred up the Nobles against him to the disturbance of the kingdoms peace: whom he thereupon sharply reprehended, seized his goods, temporalities, and then sent him to Pope Clement the 5, that so he might be crushed by their double power; thus recorded by \* *Mat. West.* and others. *Igitur dum Rex speraret omnia sui regiminis negotia in pace moderari optata, quia tempus tacendi præterisset, in quo siluit, tacuit & patiens fuit, & aderat tempus loquendi, convenit cantu Comitem Marefchallum, super quodam dedecore et conspiratione, quam Archiepiscopus Cantuariensis et plures Comites et Barones contra ipsum machinabatur, ipso tunc agente in Flandria. Qui nequaquam valens ista contradicere, gratiam Regis petiit. Pro qua obtinenda, constituit Regem heredem suum universorum que habuit, & sic mortem perdidit & vitam invenit. Et Rex remunerans eum, vitam Comitis mille libras terre adaugendo concessit. Et sic facti sunt amici Rex & Comes. Similiter Rex singulatim singulos conveniens, qui huic facto consenserant, pecuniaria poena multabit. Ac si diceret, Solo mortem proditorum meorum, sed convertantur et redimantur per bona sua temporalia, sicque debant. Ad ultimum, Archiepiscopus convenitur, (who had sundry times affronted him, yea invaded the rights and prerogatives of his Crown this very year, in his visitations of his Free Chappels, and other particulars) et arguit eum Rex in peccato confitenti. Suffusus rubore Archiepiscopus, pallium Regi tendit, in misericordia ejus se et bona sua submitiendo. Cui*

*Rex;*

\* An. 1305. p.  
452, 453.  
Antiqu. Eccle.  
fiz, Brit. p.  
216, 217.  
Godwins Catalogue of Bishops, p. 127, &c. Holinshed, Speed, Daniel, An. 1305, & 1306.

Rex; Non per me, sed per Pares tuos Coepiscopos de facto tuo æquitas decernatur et iudicium. Et addidit. Quoties scripsi tibi in visitatione tua, Clericos meos angarianti, mecum coeßentes, ut non procederetur contra eos nostri reverentia, usquequo belli fremitus finiretur, nec exaudisti me. Verum non obstante illoz appellacione, ipsos in eozum absentia de Ecclesiis suis privasti. Nobis quidem superbiam cordis tui, immisericordiam et astutiam. Semper enim contentiole contra me egisti; Hac & multa alia convitia dixit ei. Porro Archiepiscopus adeo erat confusus, ut peteret benedictionem a Rege. At Rex, Non sic decet pater, sed ego à te debeo benedici: et benedixit eum in eodem loco. \* Eodem quasi sub tempore, Rex Angliæ Robertum Cantuariensem Archiepiscopum apud D. Papam accusabit super eo, quod pacem regni sui perturbabit, sibi que rebellantes defendit et fovit. Propter quæ citatus à Summo Pontifice, licentiatuque a Rege, quasi valedicens illi, versus Burdegalem transfretatur. Ubi ab executione officii sui suspensus fuit, quousque de sibi impositis legitime se purgaret. Which proceedings against him are thus more particularly recorded by \* William Thorn a Monk of Canterbury, and Matthew Parker and Godwin out of him.

An. 33 E. 1

\* Mat. West. An. 1306. p. 457.

\* Chronica W. Thorn, An. 1305. col. 204, 205. Antiqu. Eccles. fix Brit. p. 217. Godwins Catalogue of Bishops, p. 127.

Anno Domini 1305. Cum supradictus Archiepiscopus Robertus super multis Articulis, et præcipue super prohibitionem quam cum quibusdam Comitibus Proceribusque multis pacus erat in dolo, ut Regem a regni solio desicerent, et filium ejus Edwardum in throno subrogarent, et patrem perpetuo carceri manciparent, a Rege calumniaretur, et objecta non posset iustificare; timore behebementi perterritus, ad pedes Regis pronus cadens in terram, ut ejus mereretur assequi clementiam, sese per singula flets et ejulans Regiæ subdidit voluntati. Sic ergo humiliatus est ille Deo odibilis et superbus, qui per totum Anglorum orbem oris sui statu more meretricio, et sacerdotium deturpabat, et in Clerum et populum tyrannidem exercuit inauditam, et qui Regem Dominum suum literatoz et scribens nominare renuit superbiendo; nunc autem humiliatus, et Regem et Dominum suum fatetur et nominat, obediens factus in bitus ei debocius serviendo.

Eodem Anno Dominus Papa prædictum Archiepiscopum super excessibus accusatum multimodis in pleno Consistorio usque tercio, ore tenus vocabit, vocatumque publice in palacio et foro solemniter sub voce præconia et tuba proclamante a Temporalibus et Spiritualibus usque se suo representaret aspectui suspensum esse promulgabit, omnibusque et singulis de Archiepiscopo conqueri volentibus iustitiam facere promissit. Cumque Archiepiscopus se citandum conspiceret, Regem adit transfretandi licentiam periturus. Cuius adventum cum Rex cognovisset, thalami sui ostia omnibus intrare volentibus patere iussit, ut sermo quem adversus eum habiturus esset circumstantes non lateret: Quem hiis verbis Rex sic alloquitur.

Licentiam transfretandi quam a nobis postulare venisti libenter tibi concedimus, revertendi autem tibi licentiam nullam permittimus abs te et damus, immo mores doli et fraudis ac prohibitionis quas in Parlamento Lincolniz cum Baronibus nostris in Regiam machinatus es Majestatem, cujus rei littera signo tuo sigillata testis est, et testimoniam perhibet contra te evidenter; sed propter amorem beati Thomæ et Ecclesie cui præces reverentiam et honorem, vindictam hucusque distulimus, reserbantes eam Papæ qui nostras in te injurias ulcisceretur, et prout meruisti retribuere tibi utpote credimus et speramus. A protectione vero nostra quam ipse requiris te propterea excludimus, tibi omnem gratiam negantes et misericordiam, quia vero semper immisericors fuisti, et ideo misericordiam consequi non mereris.

Demum vero cum per Summi Pontificis Puncos a Spiritualibus et temporalibus suspensus, ac etiam peremptorie citatus continuo transfretabit, qui dignitatis suæ statum animo rebollens, et tanquam exilio proscriptus de redditu suo propterea desperans, flere capit ultra modum moestitia plenus et dolore. Infelix homo ille qui superbe jactando sæpe dicebat; Dominum sub cælo non timeo, nunc autem mendax factus, et Papam timet et Regem, sua verens amittere aut sibi pericula pro suis demeritis evenire. Cumque se Summi Pontificis representaret obtatibus, ab ipso velut a debementer indignante et irato continuo repulsus est, nullamque pene per annum ad Papam ingrediendi aut cum eo loquendi habere potuit facultatem. Papa vero per annum illum, permisso Regis, et Spiritualia et temporalia universa per quendam Vasconem ad usus proprios applicabit. Quæ

antem



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

An. 33 & 34 E. 1. *antem scripta sunt ut credatis, quia pater Augustinus habet potestatem in terra pontendi peccata, et suos indebite gravantes vindictam inferendi, et ut credentes ipsum et suos honoratis in nomine eius.*

I finde by this Letter of *Humfry de Waledeu* to the Chancellor, that the Kings Treasurer ordered two Writs to be issued to the Sheriffs of *Kent, Surry* and *Sussex*, to seise all the Corn of the Archbishop of *Canterbury* within their Counties.

Bundela Bre-  
vium de Pri-  
vato Sigillo,  
&c. An. 33 &  
34 E. 1. in  
Turri London

**A** Son treschier Seigneur, si lui plest, Sire *Williams de Hamiltone* Chancellor no-  
stre Seigneur le Roy, le soen *Humfry de Waledeu*, si lui plest, honeurs &  
totes reverences. Sire come nadgieres aviez en maundement de mon Seigneur  
l'Evesque de *Cestre* Tresorier nostre Seigneur le Roy, qe vous me feissiez avoir  
deus Briefts; un a Viesconte de *Kent*, e un autre a Viesconte de *Surry* e *Sussex*,  
que bons fussent pur moi, pur faire priser les blez de l'Eschevelche de *Canterbury*;  
des quieux Briefts, lun de devoit estre ale au Viesconte de *Surry* & *Sussex* fust  
tresublie, vous pri Sire, qe tien Brief come vous feistes au Viesconte de *Kent*,  
voillez faire au Viesconte de *Surry* & *Sussex*, e envoier le me par le porteur de  
cest lettre. Nostre Sire vous gard e vous doint bone vie e lungge.

\* Antiqu. Ec-  
cles. Brit. p.  
217, 218.

This proud Archprelate being thus solemnly reprehended, suspended from his  
Spiritualties and Temporalities, banished the Realm, scorned, contemned both by  
the King, Pope, Clergy, People, to whom his pride and tyranny had rendred him  
very odious, continuing in exile to King *Edwards* death, was reduced to great ex-  
tremities: For as \* *Mat. Parker* stories out of *Stephen Berchuis*, and *Annales*  
*Augustin. Eccles. Cantuar.* Cum se à Regis presentia subtraxisset antequam Papam  
proficisceretur inter Monachos Cantuarienses, quia ei jam egeno & proscripio nemo  
elemosina ministrare ausus est, aliquando dicitur, & ab his nutritus atque fovus est.  
Quo cognito, eos quoque proscripsit Rex, vetulique edicto, ne quis eis ad usus  
vitæ necessarios ministraret. Tum 80. à Claustris Monachos precipitavit, prædia  
in fiscum contulit, nec à fratribus quidam mendicantibus sublevati sunt, sed vicatim  
per singulas ades elemosynas petebant. Tandem Rex in exilium alio Roberto mona-  
sterio bonisque restituit. Roberto autem Archiepiscopo in exilium alio, Wintoniensis  
Episcopus pro eo intercessit, eumque Dominum suum appellavit; Rex eo turbatus,  
Episcopum Winton. protectione sua præbuit, ejusque bona in fiscum deferri jussit,  
quod aliam quam Regem Dominum agnosceret, ac talem qui prohibitionis et ma-  
nifestæ in Regem contumaciæ reus, vel subditi sui in suo regno amittisset. In  
Archiepiscopi exilio Clemens quintus Papa (by the Kings consent, against his own  
Prerogative Royal) Cantuariensis sedis æconomus constituit Gulielmum de Testa  
Archidiaconum Arravensem, & Petrum Amalinum Canonicum Burgensem, qui au-  
thoritate nri Papali Norwicensem Episcopum de præmissis quas à sac. Dilectis  
Clero vendidit in sui vocabant. Papa vero hoc motus exemplo, qui ea quæ  
Episcopi in suis Diocæsis sibi arrogaverunt, jure sibi injuria usurpare, partaque  
ab aliis acquirere sibi solebat, proposuit et impetravit sac. cameræ præmissas cujus-  
cunque Ecclesiastici in Anglia beneficii triennio proximo vacaturi.

In the Clause Roll and Roll of *Rome*, An. 34 E. 1. I finde these ensuing Letters  
of King *Edward* the 1. sent by special Messengers to Pope *Clement*, and several  
Cardinals, concerning his premised convention of the Archbishop before him, his  
speeches to, and his complaints against him to the Pope, as the chief firebrand of the  
wars and seditions raised against him in all parts, the principle remora of his intend-  
ed voyage to the *Holy Land*; and that he could expect no peace nor quietnesse in  
the Realm while he continued in any part thereof; which he importuned the Pope  
and Cardinals to consider of, and redresse, by summoning him to his presence, &c.

Ex Rotulo  
Romæ, de  
An. 34 E. 1.  
mem. 10. &  
Rot. Claus.  
m. 5, 27. &  
24. Pro  
Rege de R.  
Archiepiscopo  
Cantuar.

**S**anctissimo in Christo Patri Domino C. Divina Providentia Sacrosanctæ Romanæ  
& universalis Ecclesiæ Summo Pontifici; *Edwardus* eadem Gratia Rex Angliæ,  
&c. devota pedum oscula beatorum. Accedens ad præsentiam nostram nuper *Can-  
tuar.* Archiepiscopus, post rumores aliquos quos de sacra Curia vestra dedicerat  
statum contingentes ipsius, apud nos institit & rogavit, quod nos sibi exhibere belle-  
mus super aliquibus negotiis eum tangentibus gratiferos: Nos itaque hiis quæ  
nobis

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

nobis dicere voluit intellectis, sibi duximus respondendum, quod ipse erga nos ita se gesserat temporibus retroactis, ac procuraverat et fecerat nobis et nostris postposita ratione dedecus, dampna quamplurima et despectus, quodque per factores et procuratores suos regnum nostrum sic dudum commotum fuerat et turbatum, quod per ipsum non scitit, quin exheredati proculdubio fuissetis: quæ quidem ad vestram notitiam retrolapsis temporibus credimus plenius perbenisse, quam modo literis exprimamus. Et quambis ad alliciend. eundem ad mansuetudinem et benevolentiam erga nos et nostros curam apposuerimus diligentem, nichil nobis profuit, nec quicquam emendationis in ea parte percepimus, set potius eo amplius erga nos et nostros continuationem suæ malevolentiae et contrarietatis sensimus efferbere. Inde sibi diximus & expresse, quod non meruerat ullam in nobis gratiam invenire, nec etiam videbatur nobis quod sibi gratiam aliquam facere debebamus. Cum igitur (Pater Sanctissime) negotium *Terra Sancta*, sicut accepimus, multum insideat cordi vestro, de quo non mediocriter recreamur, ac nos etiam præ cæteris desiderabilibus cordis nostri dictum negotium geramus in votis, fuissetis idem negotium jamdiu & diligentius prosecuti, nisi occupationes multiplices & immensa guerrarum & graviumurbationum contra nos inopinabiliter subortarum in diversis locis & partibus obstitissent, quarum pars magna per procuracionem præfati Archiepiscopi ortum habuit et provenit, sique corditer beatitudinis vestre omnes occasiones tollere per quas prosecutio prædicti negotii *Terra Sancta* possit aequaliter impediri, Sanctitati vestre affectuosis precibus supplicamus, quatinus præmissis si placet benigna meditatione pensatis, honore Dei præbio, sic de statu sæpediti Archiepiscopi vestra Providentia ordinet et disponat, quod ad præfati negotii *Terra Sancta* promotionis augmentum, ac nostri regni nostri statum cedat pacificum et quietum. Quin considerata malevolentia quam in dicto Antistite versus nos et nostros absque culpa nostra invenimus habundare, credimus firmiter et tenemus, quod si contingeret ipsum diutius in præfato regno nostro vel alibi infra nostram potestatem morari, longe plus solita fieret nobis contrarius et infestus, ac suis conatibus niteretur nos et nostros molestare, magisque gravare quam prius, nos et tranquillitatem regni nostri periculosius perturbando, nec aliquid videre scimus ad præfens quod sit iter nostrum impedire valeret, sicut mox ipsius infra potestatem nostram, prout superius est expressum. Conservet vos Altissimus ad regimen Ecclesiae suæ Sanctæ per tempora prospera & longiora. Dat. apud *Winton.* sexto die *Aprilis*, Anno regni nostri 34.

*Anno 33 & 34 Ed. 1.*

Venerabili in Christo Patri Domino N. Dei gratia Episcopo *Hoffien.* Amico suo charissimo; *Edwardus*, &c. salutem, & sinceræ dilectionis affectum. Accedens ad præsentiam nostram nuper *Caninar.* Archiepiscopus, post rumores aliquos quos de Apostolica sede dedicerat statum contingentes ipsius, &c. (ut supra usque ibi.) Cum igitur cordi Domini Summi Pontificis multum insidiat, sicut accepimus, negotium *Terra Sancta* de quo non mediocriter recreamur, ac nos, &c. ortum habuit & provenit, sique cordi dicti Domini Summi Pontificis omnes occasiones tollere per quas, &c. valeat aequaliter impediri, sibi affectuosissime supplicamus, quatinus prænominatis benigna meditatione pensatis, honore Dei præbio, sic de statu sæpediti Archiepiscopi, &c. (ut supra.) Quocirca Paternitatem vestram de qua confidimus prece qua possumus deprecamur, quatinus ad promotionem eorum quæ a præfato Domino Summo Pontifice fieri specialiter petimus in præmissis, opem dantes et si placet et operam efficaces, taliter apud eum belitis supra nominatum negotium Dei et nostri intuitu promovere, quod vos cordi habere per effectum operis sentiamus quod sic instanter nostra devotio postulat & requirit. Dat. ut supra.

*Chauf. 34 E. 1. m. 17 dorso.*

Eodem modo scribitur subscriptis; viz. Venerabili in Christo Patri Domino P. Titulo Sanctæ *Priscæ* Presbytero Cardinali; Venerabili in Christo Patri Domino R. Sanctæ *Marie Novæ* Diacono Cardinali; Venerabili in Christo Patri *Tho. Jorz* Titulo Sanctæ *Sabinae*, Presbytero Cardinali.

He likewise writ a Letter of the same date to his Constable at *Burdeaux* to promote this businessse (which he much laid to heart) with the Pope and Cardinals with all his power upon all occasions,

REX



Anno 33 &  
34 E. 1.  
Clauſ. 34 E. 1.  
m. 17. dorſo.

**R**EX dilecto Clerico suo Magistro *Richardo de Haveringes* Constabulario suo *Burdeg.* salutem. Discretionem vestram credimus non latere, qualiter Archiepiscopus *Cantuar.* erga nos se gessit temporibus retroactis, ac procuraverit et fecerit nobis et nostris omni ratione postposita dedecus, dampna quamplurima et despectus, quodque per factores et procuratores suos regnum nostrum sic dudum commotum fuerat et turbatum, quod per ipsum non stetit quin exheredati proculdubio fuisset. Cum itaque Domino Summo Pontifici per nostras Literas supplicamus, ut de statu dicti Archiepiscopi, quem semper nobis et nostris absque Culpa nostra invenimus malebolum et pro suis viribus adversantem sic ordinet et disponat, quod ad nostrum regniue nostri statum cedat pacificum et quietum, quoniam si contingeret ipsum diutius in praedicto regno nostro, vel alibi infra potestatem nostram morari, longe plus solito fieret nobis contrarius et infestus, ac suis conatibus niteretur nos et nostros moleſtare, magisque grabare quam prius, nos et tranquillitatem regni nostri periculosius perturbando, nec aliquid videre sciamus ad praesens quod sic prosecutionem negotii *Terra Sanctae* (quod gerimus in votis potissime) impedire valeret, sicut si idem Archiepiscopus infra potestatem nostram morari traheret longiorem. Vobis mandamus firmiter injungendo, quatinus erga dictum Dominum Summum Pontificem & Card. subscriptos, videlicet Dominum *Hofien.* Episcopum, *Th. Tit. Sanctae Mariae novae* Diacon. Cardinalem, quibus super huiusmodi negotio scribimus, promoveatis idem negotium (quod multum insidet cordi nostro) totis viribus, totoque posse quotiens opus fuerit, et videbitis opportunum circa promotionem ipsius omnem quam poteritis diligentiam adhibentes. Dat. ut supra.

These Letters he backed with this second Epistle, and another Nuncio to the Pope in July following, thus recorded in *Rotulo Roma*, An. 34 E. 1.

Rot. Romae  
An. 34 E. 1.  
nu. 10.

Nota.

**P**apae Rex, Devota pedum oscula beatorum. Licet interdum ex multa benevolentia fidelium nostrorum dissimulemus offensas, illas tamen quae in nostri et dignitatis nostrae regiae praesudicium, contumeliam et contemptum per subditos nostros notabiliter committuntur eo minus dissimulare nos convenit, quo magis superioris injuria cresceret subditorum culpis remanentibus impunitis. Sane in memoria vestrae beatitudinis ea credimus residere quae nuper de statu Archiepiscopi *Cantuar.* discipimus seriose per literas nostras et nuncios speciales, qualiter idem Archiepiscopus erga nos se gesserat temporibus retroactis, ac procuraverat ac fecerat nobis et nostris postposita ratione, dedecus, dampna quamplurima et despectus; quotque fidelitatis vinculo ac devotionis debito non servatis, per factiones et procuraciones suas sic regnum nostrum et nonnullos de fidelibus nostris eiusdem contra nos tandem commoverat et turbabat, quod per ipsum non stetit quin exheredati proculdubio fuisset, non ut exinde sibi praedictus accresceret, sed ut solum nos et statum nostrum lapsu praecipiti subvertisset. Et quamvis ad alliciendum eundem ad mansuetudinem & benevolentiam erga nos & nostros, adhibuissemus sollicitudinem opportunam, nichil nobis profuit, nec quicquam emendationis in ea parte percepimus, sed potius eo amplius erga nos et nostros continuationem suae malevolentiae et contrarietatis sensimus exferbere. Et quia Pater sanctissime negotium terrae Sanctae, sicut accepimus, multum insidet cordi vestro, de quo, &c. (ut supra, sitque, &c. ut supra) aliquantulum impediri, Sanctitati vestrae duximus supplicandum, quatinus praemissis intenta si placet consideratione pensatis, honore Dei praebito, eo modo de statu praedicti Archiepiscopi vestra providencia ordinare et disponere dignaretur, quod ad praefati negotii terrae Sanctae promotionis augmentum, ac nostri regniue nostri statum cederet pacificum et quietum. Quoniam considerata malevolentia, &c. (ut supra) habundare verissimiliter praesumimus, et tenemus quod si contingeret ipsum in praefato regno nostro vel alibi, &c. ut supra, nec aliquid videre sciamus, &c. (prout superius est expressum) Haec igitur Pater Sancte quae praemisimus innovanda et iteranda decernimus, et desiderabiliter expectamus; volentes vestra patere notitia reberenda; quod si contingeret Archiepiscopum memoratum restituui, quod absit, statui pristino et honori, temporalia ipsius Archiepiscopatus quae ex certis causis sunt in manibus nostris ad praesens, ad quae quidem

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dem re habenda inuiguum se reddidit, exigentibus gravibus suis excessibus atque demeritis, sibi restituere urgente conscientia non possemus. Et ut insuper de intentione nostra vobis plenius liquet in premisis, per dilectum clericum et secretarium nostrum magistrum Philippum Martelli, Juris Civilis professorem Canonici cum Cicerens. de cuius fidei puritate fiducie plenitudinem optinemus, quem ad vestram presentiam destinamus super his mentem nostram vobis decedimus lactis aperte, cui si placet dignemini in his quae ex parte nostra clemencie vestrae expresserit viva voce fidem indubiam adhibere. Conserveret, &c. ut supra. Dar. apud *Priften* secundo die Julii anno regni nostri, &c. 34.

An. 34 F. 1.

The Pope upon the Kings Letters and Sollitations suspending the Archbishop from his Spiritualties and Temporalities, took occasion thereupon by a new usurpation to depute the custody as well of his Temporals as Spirituals to his own Nuncios in *England*, against the Kings Crown, Dignity, and Custom of the Realm, whereupon the King by advice of his Counsel, to preserve the Rights of his Crown, seised upon and committed the custody of his Temporalities to *Humfrey de Walden*, as the *Fine Roll* of 34 E. 1. thus records.

**R**EX Omnibus ad quos, &c. salutem. Sciatis quod commisimus dilecto et fidei nostro *Humfrido de Walden* Archiepiscopatum *Cantuar.* quibusdam de causis in manu nostra existentem, custodiendum quambin nobis placuerit. quod de exitibus inde provenientibus nobis respondeat ad Scaccarium nostrum. In cuius, &c. Teste Rege apud *Westm.* 8 die Jan. per ipsum Regem.

Fines 34 E. 1.  
pars unica  
De Archiepiscopatu Cantuar. commissio Humfrido de Walden.

Et mandatum est Militibus, &c. quod eidem *Humfrido*, &c. intendentes sint & respondentes, sicut praedictum est. In cuius, &c. Teste Rege, ut supra.

Et mandatum est *Waltero de Gloucestria* Escaetori citra *Trentam*, quod eidem *Humfrido* Archiepiscopatum praedictum cum pertin. una cum exitibus per ipsum inde perceptis a tempore captivitate ejusdem in manum Regis sine dilatione liberet, ita quod de dictis exitibus Regi ad Scaccarium praedictum ad plenum valeat respondere. Teste Rege ut supra.

In *August* following the Church of *Reycolure* belonging to the Archbishoprick of *Canterbury* being void, the King presented a Clerk unto it, (which was his principal Physician,) as this Record attests.

**M**agister *Nicholaus de Dyngewik* Clericus, habet literas Regis de presentatione ad Ecclesiam de *Reycolure Cantuar.* Dioc. vacantem, et ad donationem Regis spectantem ratione temporalium Archiepiscopatus *Cantuar.* in manu Regis existentium: Et diriguntur litterae Administratores Spiritualitatis Archiepiscopatus praedicti, a Sede Apostolica deputatis. In cuius, &c. Teste Rege apud *Nenburgh* in *Tyndale* 23 die *Aug.* per breve de privato Sigillo.

Pat. 33 E. 4.  
m. 9.  
De presentatione.

Not long after the Pope being informed thereof, sent the King a Message, that he was much displeased with his seizure of the Temporalities, being contrary to the Canonical Sanctions; whereupon the King, though he asserted, that by the special Law and Prerogative of his Crown, and custom of the Realm (which the Canons could not controul) he might justly seise the Temporalities, and take their Profits to his own use, yet he was contented, notwithstanding his right, out of his special favour and affection to the Popes person, that the profits of the Temporalities seised in his hands should become the Popes, and be entirely delivered to those he should send to receive them, by the Guardian of them whom the King had appointed, who should give a reasonable account to them thereof, as this Letter of his informs us.

**S**anctissimo in Christo Patri Domino C. Divina Providentia Sacrosanctae Romana ac universalis Ecclesiae Summo Pontifici, suus devotus filius E. ejusdem Gratia Rex *Anglia, &c.* cum omni devotione, devota pedum oscula beatorum. Placuit nuper Sanctitati vestrae Robertum *Cantuar.* Archiepiscopum ab Administratione Spiritualium et temporalium suspendere, ipsumque Robertum ad vestrum examen specialiter

Rot. Romae  
An. 34 E. 1.  
nu 9. memb. 7.



*An. 34 E. 1.* ter evocare, et etiam certas personas ad gerendam administrationem dictorum spiritualium et temporalium deputare: quæ deputatio pro eo quod iuxta assercionem virojam providendum de Consilio nostro, qui ad jura Coronæ et dignitatis nostræ regis mantenenda et conservanda specialiter deputantur, quoad temporalia dicti Archiepiscopatus in manifestum prejudicium dictarum Coronæ et dignitatis nostræ redundabat, temporalia dicti Archiepiscopatus in manum nostram capi fecimus, prout nobis ex variis causis secundum Regni nostri consuetudinem licuit; et hoc jure nostro regio facere tenebamus: Et quia sanctissime Pater jam nuperrimè per dilectum Clericum nostrum Magistrum *Thomam de Suerthia* Canonicum *London*, (cui voluntatem vestram nobis referendam ut asserit, in junxistis) accepimus, quod capto hujusmodi vestræ fuit contraria voluntati, utpote Canonici sanctionibus inimica. Nos Pater beatissime, licet dicta temporalia jure speciali dictæ Coronæ nostræ annero, ipsa suspensione durante in manu nostra tenere, ipsorumque proventus possemus nostris usibus applicare, ob specialem tamen affectionem quam erga personam vestræ beatitudinis gerimus, et semper favente Deo quantum in nobis est gerere cupimus in futuro, volumus et concedimus, quod fructus et proventus dictorum temporalium sic in manu nostra existentium vestri fiant, et illi seu illis quos ad hoc mittend. duxeritis integraliter liberenter. Mandabimus etenim custodi eorumque temporalium per nos deputato, quod ipsi per vos sic mittend. de ipsis fructibus et proventibus per rationabilem computum sit respondens: De votiva autem responsione, &c. Conserve, &c. in longaeva, &c. Dat. apud *Brudels* in *Marchia Sotia* 7. die *Septembris*. Anno, &c. 34.

*Nota.*

The King before this Letter and Grant to the Pope, having conferred the Church of *Recolure* upon his Physician after the Archbishops suspension, fearing that the Pope would eject him, writ this Letter to him, for his approbation and confirmation therein, and that he might hold his other former Benefice together with it, since his health and life did next under God principally depend upon him; and withal granted him this new authority to present to all benefices belonging to the Archbishoprick which should from thenceforth become void.

Rox. Romæ,  
Anno 34 E. 1.  
m. 4. m. 8.

*S*anctissimo in Christo Patri Domino C. Divina providentia Sacrosanctæ *Romana* as universalis Ecclesiæ Summo Pontifici, suus devotus filius *Edwardus* eadem gracia Rex *Angl.* &c. devota pedum oscula beatorum. Pater sanctissime, status nostri negotiorumque nostrorum certitudinem beatitudini vestræ referre norunt vi- vix vos oraculo Valetti vestri & nostri præsentium portitores. Quoad tempo- ralia vero Archiepiscopatus *Cantuar.* Sanctitati vestræ per dilectum Clericum nostrum Magistrum *Thomam de Suthwerke*, ac per nostras literas jampridem meminimus nos scripsisse, quod licet de jure Coronæ nostræ fructus temporalitatis Archiepiscopatus prædicti durante suspensione Archiepiscopi illius loci capere, et ad opus nostrum retinere possemus, sicut datum est nobis intelligi per discretos viros de nostro consilio legum et consuetudinum regni nostri habentes noticiam pleniorum. Nos tamen ob specialem affectionem quam erga sanctissimam personam vestram optine- mus, concessimus et concedimus, quod Custos dictorum temporalium per nos de- putatus, de fructibus et proventibus dictorum temporalium durante suspensione præ- dicta, illi quem ad recipiendum fructus et proventus hujusmodi duxeritis assignan- dum plenarie sit respondens. Et præter hæc Pater sanctæ, volumus et concedimus, quod de beneficiis ecclesiasticis pertinentibus ad collationem Archiepiscopi memo- rati ordinare pro vestræ Sanctitatis arbitrio valeatis, dictæ suspensionis tempore perdurante. Verum quia postquam temporalia prædicta capi fecimus in manum nostram, ac diu ante confectionem præsentium, dilectum Clericum nostrum Magistrum *Nicholaum de Tyngewyk* medico nostro (cui post Deum grates referimus de vita & reconvalescentia nostra de infirmitate qua jam per aliqua tempora eramus fatigati) præsentabimus ad Ecclesiam de *Recolure* quæ vacabit post captionem supradictam, Paternitati vestræ debota precum instantia supplicamus, quatinus eidem Clerico nostro gratiam belitis facere specialem, et taliter circa statum suum paternæ pro- visionis munificencia ordinare, quod idem Magister *Nicholaus* dictam Ecclesiam de *Recolure*, una cum Ecclesia de *Collesulle Sarum* Dioc. quam adeptus fuit ante præ- sentacionem sibi factam de Ecclesia de *Recolure* antedicta, ipsamque tenet in præsentis, retinere

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retinere valeat et habere. Hanc autem requisicionem nostram quam vestra clemencia ex intimo cordis affectu facimus in hac parte, favorabiliter exaudire dignemini, graciosisque affectibus adimplere, sicut vitam nostram diligitis, nostrique corporis sospitatem. Præsertim cum eundem *Nicholaum*, periciozem et apriozem de regno nostro pro cura et custodia status et sanitatis nostre nostro iudicio reputemus, eique et toto curam corporis nostri commiserimus, obgrandem fiduciam quam de ipsius pericula optinemus. Conservet vos, &c. Dat. apud *Hantwysell* 11 die Septembris. Anno regni nostri 34.

An. 33 E. 3

I finde that the King had formerly granted this Benefice to *Simon de Faveresham* who had quitted the *Archdeaconry* of *Canterbury* (whereof he was in possession by the Kings presentation) at his request to *Lebreto* an *Italian* recommended to it by the Pope, who yet was disturbed and cited before the Pope by another who pretended a provision to *Raicolure* from this Pope, in whose behalf the King sent this Epistle to him.

**S**anctissimo in Christo Patri Domino C. divina providencia Sacrosanctæ Romanæ ac Universalis Ecclesiæ Summo Pontifici, *Edwardus* eadem gratia Rex *Angl.* &c. devota pedum oscula beatorum. Vir magnificæ probitatis Magister *Simon de Faveresham* Doctor in Theologica facultate, assidue studiis virtutum invigilans, eminenia scienciæ literalis, morum gravitate & vitæ mundicia aliorumque laudabilium suffragio meritorum, adeo dicitur insigniri, quod apud clemenciam vestram iudicio nostro mereretur favoris plenitudinem invenire. Cum itaque dictus Magister *Simon* vestris volens devote in omnibus obtemperare mandatis, *Archidiaconatum Cantuariensem* quem nuper fuerat affectus, et aliquandiu ipsius pacifica possessione gaudens, prætextu collacionis *Pato dilecti et fidelis nostri Amaneni de Lebreto*, de *Archidiaconatu* prædicto per vos factæ absque difficultate dimiserit, subsequenterque Ecclesiâ de *Raicolure* *Dioc. Cantuar.* adeptus, occasione cuiusdam prohibitionis quæ pro quodam Clerico, longe utique ab ipsius *Simonis* meritis et bonitate distante, auctoritate vestra in dicta *Dioc.* dicitur emanasse, super eadem Ecclesiâ inquietari timeat et verari; Sanctitati vestræ precibus supplicamus, quatinus hiis quæ præmissimus, et aliis etiam quæ de tam probò et famoso Clerico prædicantur clementi meditatione pensatis, sic eum habere dignemini in hiis quæ statum contingunt ipsius, graciosis affectibus commendatum, ac Apostolici favoris gracia prosequi speciali, ut in effectu percipiat quod suggererit nostræ mentis affectus. Conservet vos altissimus ad regimen Ecclesiæ suæ sanctæ per tempora prospera & longæva. Dat. apud *Wolveseye* 12. die April,

Cl 34 E. 1.  
m. 16. Pro  
Magistro Si-  
mone de Fa-  
veresham.

After which it seems he quitting his presentation to *Raicolure*, the King presented his Physician to it notwithstanding the Popes provision, which he would not admit of, and the Pope notwithstanding his premised Letters refused to recall.

The King having now crushed the Earls and Barons who had formerly opposed and conspired against him, with this Archbishop, the Captain, chief author, and encourager of their conspiracy, \* *Quia huius intestina seditionis causam, juramentum regni sui Proceribus de observandis eorum privilegiis et immunitatibus a se præstitum esse senserat, ejus religione amplius non teneri, sed Papali auctoritate solbi voluit: obtinuitque Rex a Domino Papa absolutionem a juramento quod inibi præstiterat super observantia libertatum alias a Comitibus et Baronibus exactarum; usus consuetudine et cautela paterna, (scilicet avi & patris sui Regis Johannis & Henrici 3.) qui quotiens instabat necessitas de facili jurare voluit, se satisfacturum votis eorum, et eadem facilitate voluit rescire quotiens sibi tempus commodius arderet, prætextens semper Papalem absolutionem a præstito juramento: Qua Regum tam supina cecitate, Papalis jurisdictionis ad eam magnitudinem crebit, ut Reges plus quam Egyptiaca obscuritate involuti, Papæ tantum auctoritatis deferentes, quæcunque vel firmissima ac sanctissima jura atque fœdera ea dissolvi posse, sæpe ad suam et regnorum perniciem credebant. † In hebdomada Paschæ, fecit Rex publicari Bullam Apostolicam super absolutione juramenti præstiti super deauctorisatione jam prædictam facta et servanda, excommuni-*

\* Mat. Parker, Antiq. Ecclesiæ Brit. p. 216. Tho. Walsingham, Hist. Angl. p. 63. & Ypodigma, p. 97.

† Mat. West. 2. 457.



An. 33 E. 1. cando iurandam illas serbare volentes, dampnantes vero illud approbat et absolbit. What could be more atheistical, antichristian, diabolical, scandalous, destructive to Christian Religion, publick faith, honesty, justice, and humane society, then for this and other Popes by their impious Bulls to canonize professed perjury, and breach of solemn Oathes for a Christian virtue; and damn the observation of them for a most detestable crime? yea to excommunicate all those as unworthy the privilege, name, or society of Christians, who made a conscience to observe their solemn sacred Oathes; & yet to approve, absolve all those as most innocent and meritorious Christians, who perditionally and willfully violated them? \* This letting loose the Lion, and untying the King from the Covenant made with his Subjects concerning their Charters confirmed to them by his three last Acts of Parliament, by absolving him from his Oath, was an Act of little Piety in the Pope, and of as little conscience in the King; who (as if he now should have no more need of his Subjects) discovered with what sincerity he did it: is Samuel Daniels just censure of, and observation thereon. Which unworthy Act God himself immediately after exemplarily retaliated, by the Scots violation of their Oathes, Covenants, and new Ordinance most solemnly made, and sworn by them to King Edward in Parliament without any Papal absolution, and raising new rebellions and wars against him, when he was most secure, to his unparalleled vexation.

\* Daniel's History, p. 200.

\* See here, p. 1077.

This year Pope \*Clement following the rapines of his avaritious predecessors, sent William Testa (a foreign Archdeacon) into England as his Nuncio, to collect all the Dismes, Peter-pence, and other duties belonging to the Church of Rome and See Apostolick, with the arrears of the Dismes belonging to Pope Boniface the 8. in England, Scotland, Wales & Ireland, the goods of a Cardinal & others dying intestate, and all indistinct Legacies, gifts, compositions, penalties, redemption of vows formerly made, or imposed, for the relief of the Holy Land, (only in pretext, but in truth for the Popes, Roman Churches, and the Kings use, who shared this prey between them) desiring his favourable protection and assistance therein by this Bull, which I found in the White Tower (the beginning wherof being defaced in some words I have conjecturally supplied in a Parenthesis.)

Anno 33 E. 1. in Turri Londonia.

Clemens Episcopus, Servus servorum Dei, Charissimo in Christo filio Edwardo Regi Anglia Illustri salutem, & Apostolicam benedictionem. Illam (confidentiam de tua Excellentia suscepimus) quod preces nostras prompto affectu suscipias, et effectu benivolo studeas adimplere. Hinc (est quod ex Serenitatis Regia tua prompta) Ecclesie Romana devotione, dilectum filium Gulielmum Testa Archidiaconum Aranen. Ecclesie (de circumspectione) ipsius fidelitate et legalitate confisi, Collectorem et Gratozem Decimarum et Denarii (S. Petri, quae in) partibus Angliae, Scotiae, Walliae & Hiberniae Ecclesie praedictae debentur, necnon redditui procuratorum et (arreariorum) dictae Sedis quae adhuc restant persolvend. quaeque iuxta quandam Ordinationem felicis recordationis Bonifacii Papae 8. praedecessoris nostri, ad dictam Ecclesiam pertinent, ac bonorum bonae memoriae Giffredi Episcopi Parma, necnon Runcii dictae Sedis in illis partibus, qui apud Sedem eandem intestatus decessit, (the Pope then claiming intestate Cardinals and Bishops goods within his Territories to himself) et indistincte Legatorum, necnon pecuniarum penarum quae frequenter (sicut accepimus) in eisdem partibus promittuntur in diversis contractibus pro Terra Sancta (auxilio) et etiam committuntur, et generaliter omnium quae ex testamento, ex votis seu votorum redemptionibus tam Crucisignatorum quam aliorum quomodocunque, dictae Terra subsidio, aut alias ipsi Ecclesiae in eisdem partibus quacunque ratione vel causa quomodolibet debentur per nostras sub dicta forma Literas durimus deputandum: Et ad ea saepe Regius esse nobis plurimum opportunus. Serenitatem Regiam rogamus et hortamur attente, quatinus eundem Collectorem, pro nostra et Apostolicae Sedis reverentia habere velis propensius commendatum. Ita quod idem Collector huiusmodi officium per nos ei commissum, Regalis Excellentiae dextera suffragante facilius et liberius exequi valeat, et nos Magnificentiam Regiam exinde dignis in Domino laudibus commendare possimus. Dat. Naverii 10 Kal. Aprilis, Pontificatus nostri, Anno primo.

\* itaque

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To the Transcript of this Bull, this ensuing Cedula was annexed, (some words whereof in the beginning of several lines being torn and defaced, are supplied in a parenthesis) containing some requests of this *William Testa* made to the King, for the speedy clearing of all doubts and questions that might arise between the King and him in the Execution of the Popes Commission, in such points as might intrench upon the Kings Crown and Dignity, (as some of them did) and the more effectual collection of such arrears, and summes of money belonging to the Pope and Roman See, by the Kings favour and assistance, as no ways intrenched upon his Crown or prerogative.

**R**egia Excellentia supplicat Gulielmus Testa Archidiaconus Arraven. Domini Papa Capellanus, & in partibus Anglicanis Nuncius, quatinus juxta (tenorem *An. 33 E. 1.* in Turri London.) *Litterarum Regia* Majestati directarum in negociis ab Apostolica sede sibi commissis eidem Nuncio (in collectionibus pecuniarum) et aliis Romanæ Ecclesiæ negotiis sibi commissis, et etiam committend. sibi et suis (de gratia sua speciali consilium, auxilium) et favorem impendat, & nullas injurias seu molestias aut impedimenta (inferat vel inferri permittat) quominus ipsa, sine præjudicio Regis possit executioni mandare.

Item, (Quod Dominus Rex in omnibus) negotiis dicto Nuncio commissis eidem Nuncio declaret et exprimat, si qua sibi vel Cozonæ suæ præjudicialia inveniantur, ut super illis supersedere valeat, et super aliis commissis sibi negotia exercere, juxta Regis Majestatis benevolentiam et favorem.

Item, Cum propter multa Nuncio prædicto commissis, seu etiam a sede Apostolica committenda, aliqua fortitan dubia possent emergere, pro (quorum declaratione) idem Nuncius super puncto quolibet Regiam Majestatem personaliter adire non possit, nec etiam pluries velit inquietare dictam Regiam Majestatem; Placeat sibi aliquibus viris Ecclesiasticis declarationem dubiorum committere prædictorum, ut ad ipsos quociens opus fuerit possit habere recursum, et quod Litteras Apostolicas sibi directas ac etiam dirigendas publicare valeat locis et temporibus opportunitis, et libere uti eidem sine præjudicio Cozonæ prædictæ.

Item, Quod quoscunque debitores tam Romanæ Ecclesiæ quam Terræ Sanctæ ad solvend. ea quæ debent possit compellere per auxilium brachii secularis, si per censuram Ecclesiasticam coherceri non possent.

Item, Quod ad Informationem dicti Nuncii, omnia Registra, Rotuli, & quæcunque alia informationes suum officium contingentia sibi deliberentur, & (arrearum Decime & pecunie Terræ Sanctæ, quæ per Collectores) Domini Regis recepta fuerint, seu etiam consignata tempore Gerardi de Pocararii prædecessoris ejusdem, si aliter non possit exequi officium prædictum.

How extravagantly and oppressively this Papal Collector demeaned himself in the execution of this Bull to the prejudice of the Kingdom, Church, People, and what sad petitions, complaints were made against him to the King and Parliament, and what oppositions, Lawes they thereupon made against them, and the like Papal exactions in future ages, I shall fully relate in its proper \* time and place. *An. 35 E. 1.*

The Masters and Scholars of the University of Cambridge being beaten and assaulted in their Lodgings by the Townsmen and others this year; the King (out of his care of learning, and Gods worship) issued this Commission to examine the Trespas, and certify him the truth thereof.

**R**EX dilectis & fidelibus suis Rogero de Heggham & Roberto de Baiocis, salutem. Quia ex gravi querela Magistrorum et Scholarum Universitatis Cantabr. accepimus, quod quidam malefactores et pacis nostræ perturbatores dictam Universitatem impugnare, et effectum disciplinæ scholarum ibidem perturbare machinantes, ostia quorundam hospicioz eorundem Magistrorum et Scholarum in villa prædicta bi et armis fregerunt, et in Magistros et Scholares in eisdem hospitibus inventos insultum fecerunt, et ipsos verberaverunt, vulneraverunt, et male tractaverunt, et alia enormia eis intulerunt, in ipsorum Scholarum et Magistrorum dampnum non modicum, et studii sui, per quod cultus divinus in regno nostro augmentari

*Par. 33 E. 1.  
pars 1. m. 17.  
Pro Magistris  
& Scholaribus  
Cantabr.*



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

augmentari posset, retardacionem manifestam, et contra pacem nostram; assignavimus vos ad inquirendum per Sacramentum proborum, &c. de Comitatu *Cantabr.* per quos, &c. de nominibus prædictorum malefactorum, & super transgressione prædicta plenius veritatem. Et ideo vobis mandamus, quod ad certos, &c. quos, &c. inquisitionem inde faciatis, & eam distinctè & apertè factam nobis sub sigillis vestris & sigillis eorum per quos facta fuerit sine dilacione mittatis & hoc breve. Mandavimus enim Vicecomiti nostro Com. prædicti, quod ad certos, &c. venire faciat coram vobis & tales probos, &c. de Balliva sua, per quos, &c. In cujus, &c. Teste Rege apud *Westm.* 7 die *Marcii*.

*Per Petitionem de Consilio.*

Within few dayes after, upon the Universities Petition, he granted them liberty during his royal pleasure, to hold plea of personal actions between Scholars and Townsmen before their *Chancellor*, notwithstanding any Writ of Prohibition.

Pat. 33 E 1.  
m. 16. Pro  
Scolaribus  
Universitatis  
*Cantebrig.*

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod de gratia nostra speciali concessimus Scholaribus Universitatis *Cantabr.* quod de omnibus actionibus personalibus possint convenire Burgenses et alios Laicos Municipii nostri *Cantabr.* coram Cancellario ejusdem Universitatis, et quod per prohibitionem nostram super hoc nequaquam impediatur. In cujus, &c. Pro nostra libito voluntatis duraturas. Teste Rege apud *Westm.* 12 die *Marcii*.

*Per Petitionem de Consilio, & per idem Conf. congregatum.*

\* See here, p.  
1064.

The King likewise for the tranquility and quiet of the Scholars and Students of this University, confirmed the Charter of King *Henry* the 3d. his father, that no Tournays, Justs or Tiltings should be used in *Cambridge*, nor within 5. miles thereof under severe penalties.

Pat. 33 E 1.  
pars 2. m. 4.  
Pro Magistris  
& Scolaribus  
Universitatis  
*Cantabr.*

**R**EX Vic. *Cantabr.* qui pro tempore fuerit, salutem. Cum celebris memorie Dominus *H.* quondam Rex *Anglia*, pater noster, per cartam suam quam confirmavimus, concesserit Magistris et Scolaribus Universitatis *Cantabr.* Quod Torneamenta aliqua, aventuræ, justæ, seu hujusmodi hastiludia non fierent in villa *Cantabr.* seu per quinque miliaria circumquaque torneare, justas facere seu aventuras, vel alia hastiludia querere seu exercere præsumerent: Nos tranquillitatem ibidem studencium affectantes, et concessionem et inhibitionem prædictas inviolabiliter observari volentes; Tibi præcipimus, quod quociens Torneamenta aliqua, aventuras, justas, seu hujusmodi hastiludia in eadem villa, seu alibi infra prædicta quinque miliaria circumquaque proclamari contigerit, ad requisitionem Magistrorum et Scolarum ejusdem Universitatis, Ne quis Torneamenta aliqua, justas, aventuras, seu hastiludia aliqua ibidem, seu infra prædicta quinque miliaria exercere præsumat ex parte nostra publice proclamari facias, et firmiter inhiberi. In cujus, &c. Teste Rege apud *Westm.* 7 die *Novembris*.

He likewise issued this Writ to the Sheriff of *Cambridge*, for the apprehending of *Thomas Pecche*, and others, for presuming to proclaim a Justs there, in contempt of his former Writ.

Claus. 33 E 1.  
m. 3. Pro  
Thoma  
Pecche, & al.  
attachiand.

**R**EX Vic. *Cantabr.* salutem. Cum celebris memorie Dominus *H.* quondam Rex *Angl.* pater noster, per cartam suam quam confirmavimus concesserit Magistris & Scolaribus Universitatis *Cantabr.* Quod torneamenta aliqua, aventuræ, justæ, seu hujusmodi hastiludia non fierent in villa prædicta, seu per quinque miliaria circumquaque, et sub gravi forisfactura inhibuerit, ne quis de regno *Anglia* apud *William* prædictam seu alibi infra prædicta quinque miliaria circumquaque torneare, justas facere seu aventuras, seu alia hastiludia querere præsumeret contra concessionem prædictam: Ac licet Major Villæ prædictæ, *Thoma Pecche*, *Rogero Tamery*, *Nicholao Bath*, *Roberto Honel*, *Philippo Colevill*, *Warino de Bassingburn*, *Johanni de Exning*, *Waltero de Orewell*, *Johanni de Hunton*, *Henr. Chamberleyg de Beky*, & aliis qui nuper justas in dicta villa proclamari fecerint, infra eandem villam inhibuerit ex parte nostra, ne justas aliquas contra tenorem Cartæ et confirmationis nostre prædictæ.

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prædictarum facere præsumerent quobismodo, iidem nihilominus *Thomas, Rogerus, Nicolaus, Robertus, Philippus, Warinus, Johannes, Johannes, Walterus, Johannes & Henricus* prohibitionem huiusmodi non obstante, iustas prope *Willelmum* prædictam facere præsumpserunt, in nostri contemptum, et quietis ac tranquillitatis Magistro-  
rum et Scholarium prædictorum perturbacionem manifestam. Et quia huiusmodi transgressionem et contemptum relinquere nolumus impunitos; tibi præcipimus firmiter injungentes, quod prædictos *Thomam, Rogerum, Nicolaum, Robertum, Philippum, Warinum, Johannem, Walterum, Johannem & Henricum*, ubicumque eos infra ballivam tuam contigerit inveniri, per corpora sua sine dilacione attasq. et in prisona nostra, salvo custodias, donec aliud inde a nobis per literam sub præbato sigillo nostro receiveris in mandatis. Et si fortè aliqui ipsorum in Balliva tua non poterint inveniri, tunc nobis de nominibus eorundem & de locis in quibus fuerint conversantes constare facias indilate. Teste Rege apud *Westmonasterium*, septimo die *Novembris*.  
Per ipsum Regem.

An. 33 E. 2.

He likewise gave his royal assent for setting several shops and an house in *Oxford* upon *Baylioll Colledge*, demised to them by *William Burnell*, for the better maintenance of Scholars and learning therein.

**R**EX Omnibus ad quos, &c. salutem. Quia accepimus per Inquisitionem quam per Vic. nostrum *Oxon.* fieri fecimus, quod non est ad dampnum vel præjudicium nostrum, aut aliorum, si concedamus *Hugoni de Scales, Galfrido de Heggham, & Johanni de Borham*, executoribus Testamenti Magistri *Willelmi Burnel* quondam Præpositi *Willelmi*, quod ipsi novem shopas cum pertin. in *Oxon.* quæ de nobis tenentur, et unum messuagium cum pertin. in eadem villa quæ idem *Willelmus* in testamento suo eisdem executoribus legavit, ad executionem Testamenti sui inde faciendam, dare possint & assignare dilectis nobis in Christo Magistro Domus Scholarium de *Baliolo Oxon.* & Scolariis ejusdem Domus, Habend. & tenend. eisdem Magistro & Scolariis, et successoribus suis Magistris & Scolariis ejusdem Domus de nobis & hæredibus nostris, & aliis Capitalibus Dominis feodi illius per servicia inde debita & consueta imperpetuum. Nos per finem quem prædictus Magister fecit nobiscum in Cancellaria nostra, concessimus & licentiam dedimus pro nobis & hæredibus nostris, quantum in nobis est, præfatis executoribus, quod ipsi shopas & messuagium prædicta cum pertin. dare possint & assignare prædictis Magistro & Scolariis, Habend. & tenend. sibi & successoribus suis Magistris & Scolariis ejusdem Domus de nobis & hæredibus nostris, & aliis Capitalibus Dominis feodi illius per servicia inde debita & consueta, imperpetuum, & eisdem Magistro & Scolariis quod ipsi shopas & messuagium prædicta cum pertin. à præfatis executoribus recipere possint. Habend. & tenend. sibi & successoribus suis prædictis, sicut prædictum est, tenore præfentium similiter licentiam dedimus specialem, Statuto nostro de terris & tenementis ad manum mortuam non ponendis edito non-obstante; Nolentes quod iidem Executores, aut prædicti Magistri, & Scholares seu successores sui ratione præmissorum per nos vel hær. nostros, Justiciarios, Escaetores, Vicecomites, Ballivos, aut alios Ministros nostros quoscunque occasionentur, molestantur in aliquo seu graventur. In cujus, &c. Teste Rege apud *Swaton*, sextodecimo die *Januarii*, & dupp.

Pat. 33 E. 1.  
m. 1. intus.  
Pro Magistro  
& Scolariis  
Domus de  
Baliolo in  
Oxon.

**R**EX Majori & Ballivis *Oxon.* salutem. Cum per literas nostras Patentes concessimus, & licentiam dederimus dilectis nobis in Christo Magistro Domus Scholarium de *Baliolo Oxon.* & Scolariis ejusdem Domus, quod ipsi unum messuagium & novem shopas cum pertin. in *Oxon.* quæ Magister *Willelmus Burnel* nuper Præpositus Ecclesie *Willelmi*, defunctus in Testamento suo eisdem Magistro et Scolariis legavit, ab executoribus Testamenti ipsius Magistri *Willelmi* juxta formam dicti legati recipere possent, Habenda & tenenda eisdem Magistro & Scolariis & successoribus suis de nobis & hæredibus nostris, & Capitalibus Dominis feodi illius per servicia inde debita & consueta, prout in literis nostris prædictis plenius continentur, quod quidem testamentum coram vobis in Curia vestra modo debito ut dicitur est probatum; Vobis precipimus, quod si prædicta messuagium & Shopæ præfatis scolaribus ut prædicatur sint legata, a testamentum prædictum coram vobis ut prædictam

Clanf. 33 E. 1.  
pars 1. m. 2.  
Pro Scolariis  
Domus de  
Baliolo Oxon.



Anno 33 E. 1 dictum est sit probatum, tunc eisdem magistro & scolariis prædicta Messuagium & Shopas liberetis, tenenda juxta sozmann legationis testamenti prædicti ac probatio-  
nis ejusdem, necnon juxta consuetudinem ejusdem villæ & juxta licentiam nostram  
supradictam, salvo jure censualibet. *Lette Rege apud Westminster. 5. die Novembr.*

Eodem modo mandatum est Balivis *Margaretæ* Reginæ Angliæ de prædicta villa.  
Telle ut supra.

How all the ancient Lands, Revenues, Temporal and Ecclesiastical Royalties, Li-  
berties, Priviledges, and Sanctuary, granted to the Church of *St. Peters* in *Tork*, and  
to the Canons, Dean, Chapter, or Archbishop thereof, out of reverence to *St. Pe-*  
*ter* the *Prince of the Apostles* (who had his *Chair* therein, as well as at *Rome*, and like-  
wise his \* *Banner* carried in the Wars in the forefront of the Army) were originally  
derived from the Piety, Bounty, and Ecclesiastical Sovereignty of our Kings, not  
from the Pope; and what they were, this memorable Charter of King *Edward* the  
first, which recites and confirms them, will at large instruct us.

\* Here Tom.  
1. p. 33. 346.  
Tho. Stubbs  
Ætus Pontif.  
Ebor. col.  
1703. 1704.  
† Chart. 33 E.  
1. m. 6. pars 1.  
Pro Decano  
& Capitulo  
Ecclesiæ beati  
Petri Eborum.

† REX Archiepiscopis, &c. salutem. Inspecimus Chartam confirmationis, & decla-  
rationis quarundam Libertatum necnon innovationis ac uberioris concessionis  
Libertatum in eadem contentarum, quam celebris memoriæ Dominus *H.* quondam  
Rex Angliæ pater noster fecit Ecclesiæ Sancti *Petri Eborum* & Decano & Capitulo  
ejusdem, in hæc verba. *Henricum* Dei gratiâ Rex Angliæ, Dominus *Hiberniæ*, Dux  
*Normanniæ* & *Acquitan.* Comes *Andegav.* Archiepiscopis, Episcopis, Abbatibus, Pri-  
oribus, Comitibus, Baronibus, Justic. Vicecomitibus, Præpositis, Ministris, & omni-  
bus Balivis & fidelibus suis salutem. Inspecimus Chartam quum Dominus *Henricus*  
quondam Rex Angliæ proavus noster fecit Ecclesiæ Sancti *Petri Eborum*, in hæc  
verba. *Henricus* Rex Angliæ, Archiepiscopis, Episcopis, Abbatibus, Consulibus,  
Præceribus, & Universis fidelibus suis *Franciæ* & Angliæ totius Angliæ salutem. Pos-  
sessiones & dignitates & libertates & consuetudines quas habuit *Eborum* Ecclesia.  
Concedo & Regia auctoritate presenti Carta confirmo, sicut hic subscriptæ sunt sub  
Regibus antiquis & Archiepiscopis quod plerique meminisse possunt, *Edwardo* Rege  
*Aldredo* Archiepiscopo fuit Ecclesiæ Sancti *Petri* consuetudo egregiæ libertatis, &  
quis enim quemlibet casu unque facinorosis aut flagitiis reum & convictum infra atri-  
um Ecclesiæ caperet & detineret, universali iudicio obnoxius emendebat. Si ve-  
ro infra Ecclesiam xli. hundzeth infra Chorum xlii. Penitentia quoque de singu-  
lis sicut de sacrilegis injuncta in hundzeth viis lib. continentur. Quod si aliquis  
velano spiritu agitato Diabolico ausu quonquam capere presumeret in Cathedra  
lapidea juxta altare, quam Angli vocant *Fridstall*, id est, Cathedra quietudinis vel  
pactis, hujus tam flagitiosi sacrilegii emendatio sub nullo iudicio erat, sub nullo  
pecuniæ numero clauderetur, set apud Anglos *Boetes*, hoc est sine emenda vocabatur.  
Hæc Emendæ nihil ad Archiepiscopum sed ad Canonicos pertinebant, Canonici  
Sancti *Petri* in *Hird*, id est domestica vel intrinseca familia appellabatur *Fena Canon-*  
*orum*, propriè *Penia Sancti Petri*. Denique, siquæ in Ecclesia, vel in Cimiterio,  
vel in domibus Canonicorum, vel in terris eorum injusta agentur, aut ipsi Canonici  
adversus se invicem, aut adversus alios, vel alii adversus Canonicos vel adversus  
alios, forisfactura nulla Archiepiscopo, set tota Canonicis judicabatur; Archiepisco-  
pus autem in rebus Canonicorum hoc tantum juris habebat, quod defuncto Canoni-  
co, ipse aliis prælationes, & præbendas præbeat; nec tamen sine consilio et assensu  
Decani et Capituli. Si vero Archiepiscopus adversus Apostolicum vel Regem  
committeret ad quod redimendum vel pacificandum pecunia opus esset, nihil ta-  
men Canonici Archiepiscopo præter suam voluntatem darent, et pecunia Canoni-  
corum et hominum eorum pro Commisso vel debito Archiepiscopi, nec etiam in  
namiam caperentur. Habeant Canonici in domibus & in terris suis *Soccam* & *Sac-*  
*cam*, *Tol* & *Theam*, *Involl* & *Wvell*, & *Infangenetheefe*, et omnes easdem honores et  
Libertatis consuetudines, quas ipse Rex in terris suis habebat, et quas Archiepi-  
scopus de Domino Deo et de Rege tenebat: Hoc etiam amplius, quod nemo de  
terra Canonicorum *Wapentharm* nec *Trydingmer* nec *Shyresmer* sequebatur; Sed  
calumpnians aut calumniatus ante ostium Monasterii Sancti *Petri* rectitudinem & re-  
cipiebat & faciebat. Hoc autem a religiosis principibus et bonis antecessoribus ac  
provisum est, quamvis Canonici placitantes pulsato \* signato ad horas Canonicas, cito  
possent

\* signo.

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possent regredi: Archiepiscopo vero per Senescallos, & Praefectos, & Milites suos *An. 33 E. 1* facilius erat praedicta placita sequi & tenere. Si vero aliquis terram aliquam Sancto Petro daret vel venderet, nemo postea *Soccam vel Sacum, Tol & Theam* in illa clamabat, sed easdem consuetudines quas & alia terra Sancti Petri ista habebat; tantum amoris et reberentiae Antecessores nostri hunc Sanctae Principis Apostolorum Ecclesiae deferabant. Quando autem Rex congregabat exercitum, unus homo tantum preparabatur de tota terra Canonico *cum berillo Sancti Petri*, qui si Burgenses in exercitum irent Dux & Signifer eis procederet, sine Burgensibus vero nec ipse iret. Hanc etiam consuetudinem sive dignitatem habeant Canonici Sancti Petri ab Antecessoribus Regibus, nominatim quoque a Rege Edwardo concessam & confirmatam, ut nullus de familia Regis vel de exercitu eius in propriis domibus Canonicoz, nec in Civitate, nec extra hospitetur. Ubiunque sit duellum *Eborum* iuramenta debent fieri supra textum vel super reliquias Ecclesiae Sancti Petri, et facto duello *Ulat* arma *Ulat* ad Ecclesiam Sancti Petri offerat, gratias agens Deo, et Sancto Petro (here conjoined as equals) pro victoria. Si Canonici vel homines eorum Clamorem fecerint in placitis Regis, Clamor eorum ante omnem causam terminetur, quantum potest terminari, servata Ecclesiae dignitate. Teste Archiepisc. Eborum, W. Giff. Episc. Wynton, W. Berlo Episc. Lincolnia, R. Flambe Episc. Dunelm. W. Com. de Warr. R. Basset, G. Rysdel, F. fil. Sygulf apud Wynton. Nos autem concessionem & confirmationem praedictam ratam & gratam habentes, eam pro nobis & Haeredibus nostris praedictae Ecclesiae concedimus & confirmamus, sicut praefata Charta ipsius Regis Henrici rationabiliter testatur, & sicut eadem Ecclesia Libertatibus in praedicta Charta contentis hucusque usa est. Et ad declarationem quarundam Libertatum in eadem Charta sub quibusdam generalitatibus contentarum & concessionem libertatum uberiores, concedimus Decano & Capitulo ejusdem Ecclesiae, & hac Charta nostra confirmamus pro nobis & Haeredibus nostris, quod ipsi Decanus & Capitulum habeant omnia amerciamenta omnium hominum suorum ad ipsos Decanum & Capitulum & singulos Canonicos pertinentium, & fines pro eisdem amerciamenti, ita quod ad nos vel Haeredes nostros nichil inde pertineat: sed ipsi Decanus & Capitulum & Canonici recipiant de hominibus suis quicquid de eisdem recipere deberemus de praedictis pro quocunque delicto seu transgressionem amerciat fuerint in Curia nostra, sive coram nobis vel Baronibus nostris de Scaccario, sive coram Justiciariis nostris de Banco, sive coram Justic. nostris, Itinerantibus ad communia placita, sive coram Justic. nostris assignatis ad quascunque Assizas capiendas vel Gavilas deliberandas, seu ad quascunque Inquisitiones faciendas, sive etiam amerciat fuerint coram quibuscunque aliis Justic. nostris, Vicecomitibus, Inquisitoribus, Praepositis, Ballivis, vel aliis Ministris nostris ad quodcunque officium ex parte nostra deputatis, exceptis Justic. nostris & haeredum nostrorum ad placita forestae nostrae deputatis. Salvis nobis & Haeredibus nostris amerciamenti praedictorum Decani & Capituli de propriis delictis suis ubicunque in Curia nostra amerciat fuerint, & omnibus aliis finibus quam pro amerciamenti hominum suorum, quos ipsi & quicunque homines sui fecerint nobiscum, vel coram quibuscunque Justic. aut aliis Ballivis nostris: Salvis etiam nobis placitis forestae nostrae et omnibus finibus et amerciamenti probentur de ipsis et hominibus suis de eadem foresta. Et quod iidem Decanus & Capitulum imperpetuum habeant omnia Catalla & Bona quorumcunque hominum suorum utlagatorum, Damnatorum, & fugitivorum de quibus posset ad nos aliquis quæstus pertinere sive hominis, sive illius Capituli, sive Decani, sive singularis Canonici, & etiam animalia in terris suis quæ vocantur *Weyf*. Volumus etiam & concedimus pro nobis & haeredibus nostris quod iidem Decanus & Capitulum, & singuli Canonici, atque eorum Successores, & eorum homines universi sint quieti in Civitate & Burgo, in *Feris & Nundinis*, in transitu *Pontium & Maris Portuum*, & in omnibus locis per totam *Angliam, Hiberniam, & Walliam*, & omnes terras & aquas nostras, de quolibet *Thelonia, Tallagio, Passagio, Pedagio, Lastagio, Stallagio, Hydagio, Wardagio*, operibus & auxiliis *Castellorum, Murorum, Pontium, & Parcorum, Walliorum, Fossatorum, & Vivariorum, Navigio, Domuum Regalium* ædificatione & omnimoda operatione & custodia *Castrosum*, & de omni *Carrucio & Summagio*, nec eorum carri, *carricæ* aut equi capiantur ad aliqua *carriagiam* faciendam. Et quod Sylvarum eorum ad praedicta opera, vel aliqua alia nullo modo capiantur. Et quod sint quieti de omnibus *Geldis, Danegeldis, Fungeldis, Herngeldis, Forgeldis, Penngeldis, Thethingpeny*,



An. 33 E.1. *thingpeny, Hundred peny, Miskeningis, Thenag. Chiming. & Herbag. & de Vestigali-  
bus & tributis, & exercitiu, & equitatu, & de omni terreno Servitio, & seculari exa-  
ctione, salvo Servitio unius Signiferi secundum quod continetur in præscripta Carta  
præfati Regis Henrici proavi nostri, Et similiter quod imperpetuum sint quieti de  
Sella Comitatum, Hundredorum, Wapentagiorum, & Tithing, & de Murdro & Latro-  
cinio, Escapio, & Concelamento, & Homsekne, Gribbruch, Bloodwyte, Flitwyte, Forstall,  
Leywyte, Hongwyte, & Wardpeny, & Wormhalpeny, & de omnibus auxiliis Vicecomi-  
tum, & Ministrorum suorum, & de Scutagiis, & Assisis, & Recognitionibus, Inqui-  
sitionibus, & Summonitionibus nisi pro Libertate et negotiis Ecclesiarum Eborum.* Et  
tunc si placitum inter homines prædictæ Ecclesiæ & Canonicos, vel inter Canoni-  
cos per se, vel inter homines per se ex utraque parte, omnes de Assisa sint de Li-  
bertate prædictæ Ecclesiæ, vel de Libertate beatæ Mariæ Eborum si illi non suffici-  
ant. Si vero inter Decanum & Capitulum, vel eorum aliquem, Canonicos singulos vel  
eorum homines & aliquem qui non sit de Libertate Assisa debeat arramari & capi,  
medietas sit de fornicis: & quod idem Decanus & Capitulum habeant Curiam suam  
& iusticiam cum Sacco & Sacca, Tholl & Theam, & Infangenethief, & Vifangenethief,  
Flemenslick, Ordel, & Orest infra tempus & extra, cum omnibus aliis Immunitati-  
bus, Libertatibus, consuetudinibus & quietantiis suis. Concedimus etiam pro nobis  
& hæredibus nostris quod si iidem Decanus & Capitulum, & Canonici prædicti vel  
eorum homines placitum habeant adversus alios, vel alii adversus eos, vel ipsi ad in-  
vicem, placitum illud non teneatur nec audiatur alibi quam in hostio prædictæ Ecce-  
siæ Sancti Petri. Salvis placitis Coronæ nostræ quæ in domo alicujus Canonici extra  
Cimiterio audiantur & teneantur, sicut iidem Decanus & Capitulum hucusque usi  
sunt, & eis à prædecessoribus nostris Regibus ipsis est concessum: & quod finitis  
placitis prædictis habeant iidem Decanus & Capitulum extractus Rotulorum Justic.  
nostrorum qui placita prædicta tenuerunt de omnibus Amerciamentis hominum suo-  
rum sub Sigillis eorundem Justic. Ita quod ipsa Amerciamenta vel Fines pro Amer-  
ciamentis, non veniant in Summonitionem a Scaccario nostro, per quod iidem De-  
canus & Capitulum & eorum homines aliquatenus molestantur. Sed liceat eisdem  
Decano & Capitulo homines suos ad eorundem Amerciamentorum solutionem di-  
stringere modo quo viderint meliori: Nullus etiam Vicecomes, aut alius Ballivus  
vel Minister noster terras vel Libertates eorundem Decani & Capituli ad aliquas di-  
strictiones faciendas ipsis irrequisitis ingrediatur; Nec Averia eorum in namium ca-  
pianitur, sed imperpetuum habeant Returnum Brevium nostrorum de omnibus ipsos  
& homines suos, & eorum terras, & tenementa contingentibus. Et hoc eis pro no-  
bis & Hæredibus nostris concedimus & presenti Carta confirmamus. Prohibemus  
etiam, quod nullus Vicecomes, vel Ballivus, aut alius Minister noster infra terras  
prædictorum Decani & Capituli vel Ecclesiæ prædictæ aliquem hominem capere, liga-  
re, verberare, interficere vel sanguinem fundere, seu rapinam vel aliquam violenti-  
am facere presumat. Nec Nativos, vel Fugitivos suos, vel Catalla eorum aliquis  
detineat, nec eos vel homines eorum pro consuetudine aliqua vel servitio, vel ex-  
actione, vel aliqua causa disturbet de rebus suis quas homines eorum assidare pote-  
runt suas esse proprias. Quare volumus & firmiter præcipimus pro nobis et Hære-  
dibus nostris, quod prædicti Decanus & Capitulum, & Canonici, & eorum homines  
imperpetuum habeant omnes Libertates, consuetudines & quietantias prædictas sicut  
prædictum est, sine impedimento & contradictione nostri, & hæredum nostrorum,  
& omnium Ballivorum nostrorum. Et prohibemus super gravem forisfacturam no-  
stram, ne quis eos contra easdem Libertates in aliqua vexet, disturbet, vel inquietet,  
nec eis molestiam inferat aut gravamen. Hiis testibus: Venerabili patre B. Archie-  
piscopo Cantuar. Richardo Comite Cornub. Rogero Bigod Comite Norfolch. & Mare-  
scallo Anglia, Johan. de Plessetis Comite Warr. Petro de Sabaud. Johanne filio Galfri-  
di Justic. nostro Hibernia, Petro Chaceport Archidiacono Well. Magistro Willielmo de  
Killkenny Archidiacono Coventren. Petro de Rawll. Henrico de Wengham, Radulpho  
filio Nicholai, Bertramus de Croiell, Johanne de Grey, Roberto Wallerond, Barth. Pech.  
Stephano Banton, Willielmo de Grey, Nicholao de Sancte Manre, & aliis. Dat. per  
manum nostrum apud Portesmueth quinto die Julii, Anno Regni nostri Tricesimo sep-  
timo. Nos autem confirmationem, declarationem, innovationem & concessionem  
prædictas ratas habentes & gratas, eas pro nobis & hæredibus nostris Ecclesiæ De-  
cano & Capitulo prædictis concedimus & confirmamus, sicut Carta prædicta rationa-  
biliter

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biliter testatur. Hiis testibus, Venerabilibus Patribus R. Cantuar. Archiepiscopo, A. n. 37 E. 1. W. Coventr. & Lichfield Episcopo, & Johanni de Britann. juniore, Hugone le Dispenser, Roberto filio Rogeri, Johanne de Sulley, Roberto de la Ward Senescallo Hospitii poltri, Edmundo de malo Lacu, et aliis. Dat. per manum nostram apud Kennington 20 die Maii.

Such ample Liberties did the Dean, Chapter and Canons of *Tork* procure from our Kings, to the prejudice of their Crowns and Revenues, out of their reverence to *Sr. Peter*, who then kept his residence in his Chair and Church at *Tork*, not at *Rome* it self, to which Popes would seem to confine it, though they resided elsewhere; as Pope *Clement* did now at \* *Burdeaux*.

\* Here p. 1067.

The King likewise issued this Writ for the restoring of a Malefactor who fled to the Churchyard and Altar of *Whitegiste* in *Tork* Diocese, and was violently pulled out of it and imprisoned, under pretext of preserving the Liberties of the Church.

**R**EX Vic. *Eborum* salutem. Ex insinuatione dilectorum nobis in Christo Decani & Capituli Ecclesie beati Petri *Eborum* Custodum Spiritualitatis Archiepiscopatus *Eborum* sede vacante accepimus, quod cum *Willielmus* filius *Richardi* de *Whitegiste* Dioc. *Eborum*, occasione cujusdam transgressionis per ipsum contra pacem nostram factae ut dicitur, ad arcem de *Whitegiste* quae est Cimiterium Deo dedicatum confugisset, ut per libertatem et immunitatem ecclesiasticam ibidem tueri posset et salvari, quidam homines ipsum *Willielmum* sic fugientem insequentes, et infra idem Cimiterium existentem, vi et armis ab eodem extraxerunt, et ipsum sic extractum vinculis ligaverunt, et sic ligatum ad prisonam castri nostri *Eborum* duxerunt, qui quidem *Willielmus* occasione illa et non alia in persona praedicta detinebatur, ut dicitur, in ecclesiastica libertatis lesionem manifestam: per quod iidem custodes nobis humiliter supplicarunt, ut in praemissis apponere vellemus remedium opportunum: Nos itaque libertatem ecclesiasticam et ejus immunitatem illasas conservare et manutenere volentes, ut tenemur, tibi praecipimus, quod si tibi constare possit praemissa vera esse, tunc praetatum *Willielmum* a praedicta prisona liberari, et sub salvo et securo conductu ad Cimiterium praedictum a quo extractus fuit, reduci, et in eundem statum reponi fac. quo extiterat tempore extractionis supra dictae. Teste Rege apud *Reyle* 18 die Augusti.

Claus. 33 E. 1. m. 7. De homine extracto de ecclesia ad ecclesiam reducen- do.

The King out of his Ecclesiastical Sovereignty and Piety granted the Tithes and Appropriations of all his new Assarts within his Forest of *Dene* which were extraparochial, to the Bishop of *Landaff*, to augment his over-small Bishoprick, and maintain a Chantry in the Church of *Newland*.

**R**EX Omnibus ad quos, &c. salutem. Sciatis, quod ad emendacionem Episcopatus *Landavensis*, qui nimis exilis esse dinoscitur, necnon in subvencionem sustentacionis cujusdam Capellani divina pro anima nostra et animabus antecessorum nostrorum singulis diebus celebrantis et imperpetuum celebraturi in Ecclesia omnium Sanctorum de la *Newlande* infra Forestam nostram de *Dene*, quam venerabilis Pater *Johannes* Episcopus praedicti Episcopatus tenet sibi et suis Successoribus \*appropriatam, concessimus eidem Episcopo pro nobis et haeredibus nostris quantum in nobis est, quod ipse & successores sui Episcopi ejusdem loci omnes Decimas de assartis intra forestam praedictam de novo assartatis et assartandis provenientes, percipiant et habeant Ecclesiae suae de la *Newlande* praedictae, quas ad eandem Ecclesiam volumus imperpetuum pertinere, sine occasione vel impedimento nostri vel haeredum nostrorum seu spiritulicorum nostrorum quorumcumque; Dum tamen assarta praedicta extra limites cujuscumque parochiae existant. In cujus, &c. Teste Rege apud *Westm.* 20 die Martii.

Pat. 33 E. 1. m. 14. Pro Episcopo *Landavensi*.

\* See p. 1112.

Per ipsum Regem & petitionem de consilio. Dupp.

The like Grant and Appropriation of extraparochial Tithes of Assarts within the Forest of *Sherwood*, the King made this year to the Prior of *Felleys* by this Patent.



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*An Exact History of Popes Intolerable Usurpations, B. 5. ch. 5*

An. 33 E. 1.

Pat. 33 E. 1.

m. 6. Pro

Priore de Fel-

leic.

**R**EX, Omnibus ad quos, &c. salutem. Sciatis, quod ad emendationem status Prioris et Canonicorum regularium Prioratus de *Felleys* in Com. *Nottingham* qui exilis esse dinoscitur, & ut prædicti Prior et Canonici numerum fratrum suorum commodius augere, et curis secularibus prætermittis eo diligentius et quietius possint divinis obsequiis insistere, ut tenentur, concessimus pro nobis et hæredibus nostris intuitu caritatis prædictis Priori et Canonicis, quod ipsi et successores sui omnes decimas de assartis nostris bazarum de *Lyndeby*, *Rumwod*, & *Willey* infra forestam nostram de *Shirewode* nostro tempore assartatis præbentientes, percipiant et habeant Ecclesie sue Prioratus sui prædicti de nostra elemosina, appropriatas imperpetuum, sine occasione vel impedimento nostri, vel hæredum nostrorum, seu ministrorum nostrorum quorumcunque, dum tamen baze prædictæ infra limites alicujus parochie non existant. In cuius, &c. T. R. apud *Westm.* 15 die *April.*

*Per ipsum Regem.*

The King likewise of piety, for encouragement of Ministers, ordered the Tithes of his Mills in *Holdernesse* to be paid to the Pa-sons of all Parish Churches wherein they were, as the Nobles and others there used to pay them.

Cl. 33 E. 1.

m. 4. De Ds-

amis dandis

de molendinis

Regis in Hol-

dernesse.

**R**EX dilecto sibi *Ricardo Oysel*, Ballivo suo de *Holdernesse*, salutem. Mandamus vobis, quod de exitibus molendinorum nostrorum in Balliba vestra faciatis Decimas dari personis Ecclesiarum in quarum parochiis molendina illa existunt, prout alii Magnates de regno nostro, ac homines partium illarum Decimas dant de exitibus molendinorum suorum. Et nos vobis inde in compoto vestro ad Scaccarium nostrum debitam allocationem fieri faciemus. T. R. apud *Westm.* 20 die *Octobris*.

*Per breve de Privato Sigillo.*

In like manner he issued this Writ for payment of Tithes of Agistments of all cattle, and of Colts, out of the Park of *Rysbergh*, to the Abbot of *Nuttele*.

Clauf. 33 E. 1.

m. 9. Pro

Abbate de

Nuttele.

**R**EX Ballivis *Margarita* Regine *Angl.* Consortis nostræ, de *Rysbergh* salutem. Quia accepimus per inquisitionem quam per Vic. nostrum *Bak*, fieri fecimus quod dilectus nobis in Christo Abbas de *Nuttele* persona Ecclesie de *Rysbergh*, ac prædecessores sui Abbates ejusdem loci, & personæ Ecclesie prædictæ, à tempore quo non extat memoria, tam tempore *Ricardi* de *Almannia* dudum Comitis *Cornubie*, quam tempore *Edmundi* nuper Comitis, ibidem percipere & habere consueverunt decimam tam pullanorum ipsorum *Ricardi* et *Edmundi*, quam aliorum in Parco de *Rysbergh* pulnatorum, quam denariorum de agistamento de quibuscumque animalibus in eodem Parco factis præbentientium, quousque persona *Lumbard*, & *Willielmus Beansam* Custodes equiculi nostri, postquam dictum Manerium simul prædicto Parco per mortem præfati *Edmundi*, ad manus nostras devenit præfatum Abbatem quo minus dictam decimam percipere et habere posset impediverunt, per quod vos postquam dicta Manerium & Parcum præfate Consorti nostræ assignavimus dictum Abbatem super hoc similiter impedivistis, et adhuc impedistis. Nos nolentes quod eidem Abbati injuriatur in hac parte, Vobis mandamus, quod prædictum Abbatem decimas prædictas in Parco prædicto percipere et habere permittatis, prout ipse et prædecessores sui prædicti eas temporibus retroactis percipere et habere consueverunt. T. R. apud *Cantuar.* 6. die *Julii*.

*Per petitionem de Cons.*

What Pensions the King and Queen too then claimed for their Clerks from Abbots and Bishops newly created, or to be created by the King, these Records will inform us.

Clauf. 33 E. 1.

m. 22. Pro

*Ricardo* de*Berland* Cle-

rico.

**M**emorandum, quod Dominus Rex 6. die *Januarii* ad requisitionem Magistri *Willielmi* de *Grenzfeld* tunc Cancellarii sui, concessit quantum in ipso fuit *Ricardo* de *Byrland* Clerico de Cancellaria, pensionem annuam quam futurus Abbas de *Muchelney* ratione nobis creationis sue dare teneretur uni de Clericis Regis; & postmodum *Johannes* de *Goade* Thef. Regine nunciavit Cancellar. quod eadem Regi-

na

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na similiter concessit quantum in ipsa fuit prefato Ricardo pensionem antea. 33 E. 1. dictam.

**M**emorandum, quod Rex ad instantiam *Margar. Reginæ Angliæ*, Consortis suæ, concessit *Willielmo de Leycestre*, Clerico gratiam ad ipsum Regem pertinentem, ratione nobis creacionis futuri Prioris Prioratus de *Merton*, nunc vacantis et in manu sua existentis. Teste Rege apud *Westmonasterium* vicefimo quarto die *Octobris*.

Claus. 33 E. 1. m. 5. dorso. Pro Willielmo de Leyc.

**R**EX venerabili in Christo Patri *J.* eadem gratia *Lincol.* Episcopo, salutem. Promocionem dilecti Clerici nostri *Edmundi de Dymeton* preteritu diutini & laudabili servicii quod idem *Edmundus* in partibus *Vascon.* non sine magnis laboribus & expensis nobis impendit, specialiter affectantes, vestram Paternitatem affectuose requirimus & rogamus, quatinus eidem *Edmundo* de proximo vacatura prebenda in Ecclesia vestra *Lincoln.* providere velit, intuitu caritatis nostrique rogamini interventus, prefatum *Edmundum* tali & tam benigno favore in hac parte ad nostram instantiam prosequentes quod vobis pro ipso grates speciales reddere teneamur, eidem *Edmundo* aliquam decentem et honestam pensionem percipiendam singulis annis de camera vestra, quousque sibi de prebenda pro ipso competenti in Ecclesia vestra predicta, iuxta rogarum nostrum duxeritis providend. per vestras patentes literas concedendo. Et quid ad has preces nostras duxeritis faciendum nos reddatis per vestras literas certiores. Dat. apud *Westm.* 30 die *Marci*.

Claus. 33 E. 1. m. 17. dorso. Pro *Edmundo de Dymeton*.

*Per ipsum Regem, & petitionem de Consilio.*

The King by his Ecclesiastical Prerogative (according to the manner and devotion of that age) commanded Prayers and Masses to be made for the soul of *Joan* late Queen of *France*, by these ensuing Writs to the Archbishop and other Prelats.

**R**EX Venerabili in Christo Patri *R.* eadem gratia Archiepiscopo *Cantuar.* totius *Angliæ* Primati salutem. Deus omnium conditor & creator, qui celestis profunditate consilii ordinat, vocat, disponat & revocat subjectas suæ providentiæ creaturas, serenissimam consortem *Philippi* Regis *Franc.* illustris Consanguinei nostri karissimi, *Johannam* quondam Reginam *Franciæ* ab hoc seculo, prout sibi placuit evocavit. Cum igitur opus sanctum et salubre censeatur pro defunctis, ut a peccatorum solvantur nexibus exorare, Paternitatem vestram affectuose requiramus et rogamus, quatinus ipsius *Johannæ* exequias devote et solemniter celebrantes, ejus animam cum decantatione missarum aliisque devotarum orationum suffragiis ipsi altissimo specialiter commendatis, ipsamque ab univ. et singulis, Religiosis et aliis personis ecclesiasticis, subditis vestris, per totam vestram diocæsim adjuvari similiter per hujusmodi suffragia faciatis. Quæsumus autem, ut de missarum numero et aliarum orationum suffragiis quæ pro prefata *Johanna* mandaveritis seu insinaveritis facienda, per vestras literas nos curetis quancumque vobis inde consulerit, reddere certiores; ut vobis ad grates & gratias ob præmissa teneri merito debeamus. Teste Rege apud *Westm.* 13. die *Aprilis*.

Claus. 33 E. 1. m. 16. dorso. De orando pro anima *Johannæ* quondam Reginæ *Franciæ*.

Eodem modo scribitur subscriptis, viz. *J. Karoliensi*, &c.

**R**EX dilecto sibi in Christo — Abbati Sancti *Augustini Cantuar.* salutem. Deus omnium conditor, &c. ut supra. Consimiles literæ dirigantur Abbatibus subscriptis, videlicet, Abbati de Sancto *Edmundo*, and sundry others mentioned in the Roll.

The like Writ he issued this year for Prayers and Masses to be made for *Blanch* late Dutchesse of *Austria* deceased.

**R**EX Venerabili in Christo Patri *R.* eadem gratia Archiepiscopo *Cantuar.* totius *Angliæ* Primati salutem. Cum opus sanctum et salubre censeatur pro defunctis, ut a peccatorum solvantur nexibus exorare, paternitatem vestram affectuose requirimus et rogamus, quatinus exequias nobilis Dominæ *Blanchiæ* quondam Ducissæ *Austriæ*, et sororis *Margaritæ* Reginæ *Angliæ*, Consortis nostræ karissimæ Aust.

Cl. 33 E. 1. m. 11. dorso. De orando pro anima *Blanchiæ* quondam Ducissæ *Austriæ*.



*An. 33 E. 1.* karissimæ; quam quidem Ducissam, Deus prout sibi placuit, ab hoc seculo evocavit, debote et solempniter celebrantes, ejus animam cum decantatione missarum, aliisq; debotarum orationum suffragiis ipsi Altissimo specialiter commendatis, ipsamque ab universis et singulis Religiosis et aliis personis Ecclesiasticis subditis vestris per totam vestram Dioc. faciatis similiter commendari. Teste Rege apud Kenyngton. 26 die Marci.

Consimiles literæ diriguntur subscriptis, videlicet *J. Karliolensi, J. Norwycensi, J. Elyensi, R. Wyntonensi, J. Roffensi, A. Dunolmensi, Thoma Exoniensi, S. Sarum, W. Wygorn. R. Herefordensi, W. Bathoniensi & Wellensi, W. Cornubi. & Lych. A. Assauesi, A. Bangorensi, D. Menevensi, J. Landavensi* Episcopis, Electo Lond. Custodi Spiritualitatis Archiepiscopatus Eborum sede vacante, & Custodi Spiritualitatis Episcopatus Cjestr.

**R**EX dilecto sibi in Christo Abbati S. *Ang. Cantuar.* salutem. Cum opus sanctum, &c. vestram amicitiam affectuose requirimus, &c. *ut supra*, commendatis & faciatis, &c.

Consimiles literæ diriguntur Abbatibus subscriptis, viz. Abbati de Sancto *Edmundo*, Ab. de *S. Albano*, Ab. de *Walsham*, Ab. *Westm.* &c. Teste ut supra.

How the King by his Prerogative exempted Clerks from residence on their benefices, employed continually in his service, these Writs will inform us.

*Cl. 33 E. 1. m. 22. De residentia non faciend.*

**M***Ich. de Eikon. Crok* Persona Ecclesiæ de *Kelleneden*, qui per præceptum Regis obsequiis in Garderoba Regis jugiter intendit, habet literas Regis Custodi Spiritualitatis Episcopatus *London.* quod non compellatur ad residentiam personalem in dicto beneficio suo faciendam. Teste Rege apud *Linc.* 5. die *Januarii*.

*Cl. 33 E. 1. m. 15. dorso. pro Magistro Roberto de Pykering. Clerico.*

**R**EX, &c. dilectis sibi in Christo Capitulo *Eborum* salutem. Cum nuper per breve nostrum mandaverimus dilecto Clerico nostro Magistro *Roberto de Pykering* Confratri & Concanonico vestro, quod omnibus aliis prætermisiss *London.* personaliter accederet, ita quod esset ibidem die Veneris proxima post *Octavas Purificationis* beate *Virginis* proximo præteritas, cum illis de consilio nostro quos tunc inveniret ibidem, super quibusdam arduis negotiis *Pos* et *statum* regni nostri tangentibus colloquium habiturus; & promiserimus eidem Magistro *Roberto*, quod ipsum interim super residentia sua in Ecclesia vestra prædicta indempnem faceremus per omnia conserbari; ac idem Magister *Robertus* ad mandatum nostrum prædictum *London.* accesserit, & ibidem pro negotiis Nos & statum regni nostri tangentibus cum cæteris de Consilio nostro per præceptum nostrum moram traxerit usque modo. Nos ipsius Magistri *Roberti* indempnitati in hac parte cupientes prospicere, ut tenemur, Vos affectuose requirimus et rogamus, quatinus eundem Magistrum *Robertum* pro tempore quo ad mandatum nostrum ab Ecclesia vestra prædicta taliter absens fuerit, juxta promissionem nostram prædictam indempnem nostri intuitu conserbantes hujusmodi, absenciam suam pro residentia teneatis; Ita quod vobis ex hac causa grates speciales reddere teneamur. Teste Rege apud *Westm.* 6 die *Aprilis*. Which he might have dispensed with by his absolute Regal power, without any such entreaty.

He also this year granted the Chappel of *St. Crosse*, upon condition of the Chaplains personal residence to officiate every day therein.

*Pat. 33 E. 1. pars 1. m. 14. intus. De Capella data.*

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod caritatis intuitu dedimus & concessimus dilecto nobis in Christo fratri *Thoma de Netherton* Capellano, Capellam nostram *Sancta Crucis* in Foresta nostra de *Whichehode* vacantem, & ad nostram donacionem spectantem: Habendam cum omnibus ad Capellam illam spectantibus; ita quod ibidem personaliter resideat, et in eadem Capella singulis diebus horas canonicas dicat, missamque celebret, prout per alios Capellanos qui capellam prædictam hactenus habuerunt fieri consuevit. In ejus, &c. Teste Rege apud *Shene*, primo die *Octobris*.

In

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In like manner the Abbess of *Wherewell* bound by a new Constitution to perpetual residence within that house with her Nuns; had this Writ to make an Attorney upon that account. *An. 33 E. 1.*

**I** Sabella Abbatisa de *Wherewell* quæ moratur in domo sicut alix Abbatisæ, ac Moniales ejusdem ordinis juxta constitutionem nobis inde factam suo perpetuo manent inclusæ, habent literas Regis Attorn. sub nominibus *Roberti de Cormayles*, & *Johannis de Swylenham*, duratur. per unum annum. Teste Rege apud *Reylegh* 17 die Aug. *Pat. 33 E. 1. pars 2. m. 14. De Attorn.*

That some Roman Cardinals had at this time 2. Prebendaries or more in Cathedral Churches in *England*, and yet resided in neither, appears by this Reccord.

**N** *Enapoleo Sacrosanctæ Romanæ Ecclesiæ Cardinalis*, præbendarius præbendæ de *Subcane* in Ecclesia beati Petri Ebor. & præbendæ de *Sutton* in Ecclesia beatae Mariae Lincoln. in Cur. Romana commorans, habet literas R. de Attornato sub nominibus *Gulfridi de Pinno* & *Johannis Rychy de Florencia*, &c. In cujus, &c. per biennium duraturas præf. T. R. apud *Berkyngs* 21 die Septemb. *Ibid. De Attorn.*

The Archdeacon of *Canterbury* excommunicating divers of the servants of the Abbot of St. *Augustines*, for collecting the fruits of vacant Benefices belonging to the Abby, as they used time out of mind, which the Archdeacon pretended to belong to him; from which sentence the Abbot and they appealed as unjust; the King thereupon granted this *Superfedeas* to the Writs *De Excommunicato capiendo* issued against them.

**R**EX Vic. *Kancie* salutem. Monstravit nobis dilectus nobis in Christo — Abbas Sancti *Augustini Cantuar.* quod cum custodia Ecclesiarum de advocacione ipsius Abbatis, necnon et perceptio fructuum earundem Ecclesiarum per homines ejusdem Abbatis colligendorum cum ipsas Ecclesias vacare contigerit, a tempore vacacionis earundem quousque plenè fuerint et consultæ, ad ipsum Abbatem de jure et consuetudine pertineant, & idem Abbas & prædecessores sui Abbates ejusdem loci custodiam Ecclesiarum sic vacancium habuerint, & fructus per homines suos ad hoc deputatos collegerint & habuerint a tempore quo non erat memoria, *Johannes de Langeton* Archidiaconus *Cantuar.* asserens fructus Ecclesiarum prædictarum infra Archidiaconatum prædictum sic vacancium, ad ipsum pertinere, *Ricardum le Creonr de Cantuaria*, *Thomam fil. Johannis de Wynelesburgh*, *Thomam Appelgar*, *Willielmum de Nyton*, *Thomam Sprot*, *Ricardum Godefrey*, *Willielmum Burgeys*, *Johannem de Berton*, *Willielmum Lamb*, *Ricardum le Fallere*, *Rogerym Sprot*, *Michaelem fil. Willielmi de Wynelesbergh de Beltham*, & *Simonem Romyng* servientes ipsius Abbatis, & per ipsum Abbatem ad fructus Ecclesiæ de *Wynelesbergh* quæ est de advocacione ejusdem Abbatis nuper vacantis colligendos deputatos, excommunicavit: per quod nos nuper ad requisitionem venerabilis patris R. *Cantuar.* Archiepiscopi nobis per literas suas patentes significantis, quod prædicti *Ricardus*, *Thomas*, &c. & *Simon* sunt excommunicati, nec se volunt per censuram Ecclesiasticam justificari, Tibi præcepimus, quod prædictos *Ricardum*, *Thomam*, &c. & *Simonem* per corpora sua secundum consuetudinem *Angliæ* justificares, donec Sanctæ Ecclesiæ tam de contemptu quam de injuria ei illata ab eis esset satisfactum. Cumque idem Abbas pro se & prædictis *Ricardo*, *Thoma*, &c. ac aliis sibi in hac parte adherentibus, a sententia prædicta tanquam ab iniqua ad sedem Apostolicam legitime appellaverit, et appellacionis illius negotium prosequatur, ut intelleximus, cum effectu: Nos nolentes quod prædictis *Ricardo*, *Thoma*, &c. & *Simoni* per prædictum breve via præcludatur quo minus appellacionis prædictæ negotium prosequi possint, maxime cum hujusmodi brevis de gratia nostra procedat, et appellancium status integer esse debeat: Tibi præcipimus, quod executioni brevis nostri tibi inde directi faciendæ superfedeas pendente appellacionis negotio supradicto, vel donec aliud à nobis inde habueris in mandatis: Et si prædictos *Ricardum*, *Thomam*, &c. & *Simonem*, vel eorum aliquem ea occasione ceperis, tunc ipsos à prisione qua ea occasione detinentur sine dilatione deliberes in forma prædicta. Teste Rege apud *Walsm.* 7. die Aprilis. *Cl. 33 E. 1. m. 16. Pro Abbate S. Augustini Cant.*

What



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

An. 33 E 1. What Theeves and Apostates some Monks proved in that age, this Record will evidence.

Pat. 33 E. 1.  
pars 2. m. 25.  
De pardona-  
cione trans-  
gressionis pro  
fratribus Mi-  
noribus Exon.

**R**EX omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Sciatis, quod cum frater *Nicholau de Sardekn* de *Brissoll*, qui de Conventu fratrum Prædicato- rum de *Exon*. nuper erat, per assensum et auxilium fratris *Stephani de Exon*. de dicto Conventu quandam partem de denar. dilecti & fidelis nostri *Gilberti de Kno- vill* in domo ipsorum fratrum apud *Exon*. depositis, a domo illa jamdiu asportas- set, et se erinde cum dicta pecunia elongasset; Ita quod aliquo tempore postmodum non potuit, ut dicitur, inveniri; & ceteri fratres de Conventu prædicto præfatum *Stephanum* subsequenter pro quodam delicto contra ordinis sui regulam commisso, in carcerem sub custodiam detrussissent, iuxta ordinis illius exigentiam castigand- dum; Ac fratres *Johannes de Loc levisil*, *Robertus de Otery*, *Willielmus de Reigny* qui diversis vicibus fuerunt ibidem Priores, & ceteri fratres de Conventu prædicto co- ram dilectis & fidelibus nostris *Willielmo Martyn*, & sociis suis Justiciariis nostris ad diversas felonias & transgressionem in Com. *Devon*. audiendas & terminandas affig- natis, jam sint de receptamento prædicti fratris *Stephani* & non de aliqua transgres- sione alia indictati, prout accepimus ex testimonio fratris *Roberti de Bromyard* Prio- ris Provincialis in *Angl.* & *Hugonis de Mancestr.* de ordine memorato. Nos ob a- morem & bonam voluntatem quos ad dictum Ordinem gerimus, & habemus, & per testimonium prædictorum fratrum *Roberti* & *Hugonis* firmiter credentes, quod prædicti fratres *Johannes*, *Robertus de Otery*, *Willielmus de Reigny*, & alii de Conven- tu prædicto præfatum fratrem *Stephanum* pro dicto crimine, si illud commississet, con- celando, seu alio malo modo minime receptarunt; pardonavimus eis transgressionem prædictam quatinus ad nos pertinet, aut pertinere poterit occasione facti & recep- tamenti prædictorum; Ita quod prædicti fratres seu aliqui vel aliquis de Conventu prædicto occasione facti seu receptamenti prædictorum non molestantur in posterum in aliquo seu graventur. In cujus, &c. T. R. apud *Bures* 11 die *Aug.*  
*Per Breve de privato sigillo.*

There were several partial purgations this year of Clerks indicted for murders, robberies, burning of houses, receiving of Felons; who were delivered out of prison, and their goods restored to them again, by several certificates of Archbishops and Bishops, as the \* *Clause Roll* of this year attests, to the great encouragement of Ma- lefactors

\* *Clause* 33 E  
1. m. 7, 8, 11.

What a Sovereign Ecclesiastical Jurisdiction the King this year exercised in grant- ing Licenses to Bishops and Abbots to appropriate Churches to them and their Suc- cessors, and fine those who presumed to appropriate them without his special Li- cense, these Records will inform us.

Pat. 33 E. 1.  
m. 28. intus.  
pro J. Episco-  
po Karliolenfi.

**R**EX Omnibus ad quos, &c. salutem. Sciatis quod de gratia nostra speciali con- cessimus et dedimus licentiam pro nobis et heredibus nostris, quantum in nobis est, venerabili in Christo Patri *Johanni* Episcopo *Karlioli*, quod ipse Ecclesiam de *Roubury* quæ est de advocacione sua propria, ubi et Ecclesie sue beate *Maria Karliol.* in proprios usus perpetuo possidendam appropriare, et eam sic appropria- tam tenere possit ubi et successoribus suis Episcopis ejusdem loci imperpetuum, si- ne occasione vel impedimento nostri vel heredum nostrorum Justit. Escaetorum, Vicecomitum, aut aliorum Ballivorum seu Ministerorum nostrorum quorumcum- que. In cujus, &c. Teste Rege apud *Westm.* 20 die *Martii.* Per ipsum Regem.

Pat. 33 E. 1.  
pars 1. m. 11.  
intus. Pro Pri-  
ore de Boulton  
in Craven.

**R**EX Omnibus ad quos, &c. salutem. Sciatis quod per finem quem dilectus nobis in Christo Prior de *Boulton* in *Craven* fecit nobiscum coram venerabili Patre *W. Coventr.* & *Lychf.* Episcopo Thesaurario nostro, pardonavimus eidem Prio- ri & Conventui ejusdem loci transgressionem quam fecerunt appropriando sibi et Ecclesie sue de *Boulton* Ecclesiam de *Carleton* et *Craven*, quæ est de advocacione sua propria ut dicitur, in proprios usus imperpetuum possidendam, nostra ad hoc licentia non optenta, & concessimus pro nobis & heredibus nostris quantum in no- bis est prædictis Priori et Conventui, quod ipsi et successoribus sui prædictam Eccle- siam de *Carleton* ac appropriatam in proprios usus retinere possint sibi et Ecclesie sue

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*luz de Boulton pꝛædicta imperpetuum sine occasione vel impedimento nostri vel heredum nostrorum Jus. Esc. Vic. aut aliorum Ballivorum seu Ministrorum nostrorum quorumcumque, statuto nostro de terris et tenementis ad manum mortuam non ponendis edito non obstante. In cujus, &c. Teste Rege apud Westm. primo die Aprilis.* An. 33 E. 1.

The King granted this License, Safe-conduct and Protection to the Bishop of Sodor, to visit the Churches within his Jurisdiction within the Isle of Inchebegal.

**R**EX Omnibus Ballivis et fidelibus suis ad quos, &c. salutem. Cum venerabilis Pater *Alanus* Episcopus *Sodrensis* ad partes Insularum de *Inchebegal* causa *bi* *recacionis suæ* et ad officia *Episcopalia* ibidem exercenda de *licencia* nostra jam accedat; vobis mandamus, quod eidem Episcopo aut hominibus suis in eundo ad partes prædictas, ibidem morando, et exinde redeundo non inferatis vel quantum in vobis est inferi, permittatis injuriam, molestiam, dampnum, impedimentum aliquod seu gravamen, set ejus potius saluum et securum conductum nostri contemplatione habere faciatis quociens opus fuerit, et ab ipso Episcopo ex parte nostra super hoc fueritis requisiti. In cujus, &c. per unum annum duraturas. Teste Rege apud *Westm.* 26 die *Marci.* Pat. 33 E. 1. pars 1. intus. De conductu.  
*Per ipsum Regem nuncup. A. Dunelm. Episcopo.*

The Marriage propounded by Pope *Boniface*, and solicited by his Successor, being compleated between King *Edward* and *Margaret* Sister of the King of *France*, in order to settle a Peace between them, the King issued this Patent in augmentation of her Dower, made by him at the Church door when he espoused her.

**R**EX Omnibus ad quos, &c. salutem. Sciat quod cum felicitis recordacionis *Bonifacius* divina providencia nuper Sanctæ *Romane* ac universalis Ecclesiæ summus Pontifex in quem super pace inter nos et Regem *Francie* reformanda, sum per discordiis et guerris inter nos et ipsum ratione quacumque nuper exortis, sub certis formis ex modis ex parte nostra et ipsius Regis fuerat compromissum, inter cetera quæ in pronunciationis suæ serie continetur, ex virtute *blati compromissi ordinasset*, quod matrimonium inter nos & *Margaretam* sororem prædicti Regis *Francie* contraheretur sub certis condicionibus atque penis, & quod dotalicium ad valorem quindecim *Milium* librarum *Turonensium* in terris & tenement. in locis competentibus per nos assignaretur eidem. Nosque dotalicium prædictum de tribus Milibus librarum terræ monetæ *Turonum*, augmentaverimus de nostræ proptia et libera voluntate, et ad præmissa in omnibus et singulis adimplenda nominaverimus et assignaverimus eidem *Margareta* certa Caltra, Civitates, Villas, Honores, Burgos, Firmas, Maneria, Hundreda, et alia loca diversa de quibus eam dotabimus ad octium *Ecclie* quando eam desponsaberimus, prout in litteris nostris patentibus eidem *Margareta* inde confectis plenius continetur: Nos honorem et statum ipsius *Margareta* uberius respicere volentes, dotalicium prædictum de duobus Milibus librarum terræ monetæ prædictæ jam duximus augmentandum, ita quod in universo habeat in dotem seu dotalicium terras et tenementa usque ad valorem viginti Milium librarum *Turonens.* annuatim, quatuor *Turonens.* pro uno *Sterlingo* computandis. Et in valorem dictarum duarum Milium librarum *Turonens.* nominavimus et assignavimus eidem *Margareta* Maneria, Villas, Firmas et Hundredum subscripta, videlicet, Villam de *Kingssthorpe* cum pertin. in Com. *Northampton* in valorem sexaginta librarum *Sterlingorum*, Manerium de *Eston* cum pertin. in eodem Com. in valorem quadraginta librarum, Manerium de *Kingscliffe* cum pertin. in eodem Com. in valorem sexaginta et duarum librarum, Manerium de *Briggstock* cum pertin. in eodem Com. in valorem quadraginta et unius librarum et decem solidorum, viginti et quinque libras de Firma quam *Lawrencius de Falmes* in eodem Com. in valorem undecim librarum sexdecim solidorum et octo denariorum, Manerium de *Longebnyngton* cum pertin. in Com. *Lincoln* in valorem centum et sexaginta librarum, Villam de *Gryxeshy* cum redditibus et omnibus aliis pertin. suis in eodem Com. in valorem quinquaginta librarum, et quinquaginta libras de firma quam homines de *Soca de Castro* reddunt per annum in eodem Com. Habenda et tenenda eidem *Margareta* in augmentationem dotis suæ prædictæ quoad vixerit, adeo integrè et liberè



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Anno 33 E. 1 liberè sicut nos ea tenuimus. In cujus, &c. Data per manum nostram apud Ban-  
 Rede 30 die Maii. Per Breve de Privato Sigillo. Duplisatur.

The King by his Ecclesiastical Prerogative granted this License to the Bishop of  
 \* See p. 1105. Landaff to \* appropriate the Church of Newland to his Bishoprick.

Pat. 33 E. 1.  
 m. 18. P. 10 Jo-  
 hanne Episc.  
 Landavensi.

**R**EX Omnibus ad quos, &c. salutem. Sciaris quod caritatis intuitu concessimus  
 et licenc. dedimus pro nobis et heredibus nostris quantum in nobis est, ve-  
 nerabili Patri Johanni Episcopo Landavensi. quod ipse Ecclesiam de Nova terra in  
 Foresta nostra de Dene Herefordens. Diocesis, cujus advocacionem habet ex donaci-  
 one nostra, appropriare sibi et Ecclesie suae Landavensi. et eam sic appropriatam sibi  
 et success. suis Episcopis ejusdem loci retinere et in proprios usus habere possit im-  
 perpetuum sine occasione vel impedimento nostri, vel hered. nostrorum, Justic.  
 Escaetorum, Vicecomitum, aut aliorum Ballivorum seu Ministrorum nostrorum quo-  
 rumcumque. In cujus, &c. Teste Rege apud Thersford 9 die Febr. Dupl.

What Protections the King granted this year to such who by his License repaired  
 to or staid in the Court of Rome, these Records will inform us.

Pat. 33 E. 1.  
 pars 2. m. 12.  
 intus.

**M**agister Willielmus de Grensfeld Decanus Ecclesie Sanctae Trinitatis Cisterciens.  
 qui de licencia Regis moratur in Curia Romana, habet litteras Regis de pro-  
 tectione usque ad Festum Natalis Domini proximo futurum cum clausula volumus,  
 &c. except. &c. & except. &c. præs. &c. Teste Rege apud Shene secundo die Octob.

Pat. 33 E. 1.  
 pars 2. m. 17.  
 intus. De pro-  
 tectione.

**R**ogerus la Warre, qui pro Regis et regni negotiis ad Curiam Romanam  
 profecturus est, habet litteras Regis de protectione per unum annum duratu-  
 ras, cum clausula volumus, &c. except. & except. &c. præs. &c. Teste Rege apud  
 Cantuar. 12 die Julii.  
 Per ipsum Regem.

**J**ohannes de Tany qui cum præfato Rogero pro Regis & Regni negotiis Curiam Ro-  
 manam profecturus est, habet confirmiles litteras de protectione cum clausula, &c.  
 duraturas, ut supra.  
 Per testim. præfati Rogeri.

Pat. 33 E. 1.  
 m. 7. parte 1.  
 De Attorn.

**S**tephanus Prior de Lewes qui de lic. Regis profecturus est ad Curiam Romanam,  
 habet litteras Regis de attorn. sub nominibus fratris Guichardi de Caro loco com-  
 monachi ejusdem Prioris & Thoma de Holm, duraturas per biennium, presentibus, &c.  
 Teste Rege apud Westm. 7 die Aprilis.

Ibid. De pro-  
 tectione.

Idem Stephanus Prior de Lewes qui de licencia Regis profecturus est ad Curiam  
 Romanam, habet litteras Regis de protectione simplices sine clausulis duraturas per  
 biennium, præsentibus, &c. Teste Rege ut supra. Dupl.

*John de Langton being elected and confirmed Bishop of Cicester after the death of  
 Gilbert de Sancto \* Leopoldo, pater Orphanorum, consolator merentium viduarum, in  
 grabatis & in tuguriis decubantium pius & humilis visitator, & inopum quam divitum  
 affluens recreator (as few Bishops were then or since) cujus vita (antimoniam subscentia  
 max. crebra miracula protestantur) the King thereupon this year issued this Writ for  
 the restitution of his Temporalities.*

Pat. 33 E. 1.  
 pars 2. m. 17.  
 intus. De re-  
 stitutione tem-  
 poralium.

**R**EX dilecto sibi Waltero de Geddynes Custodi suo Episcopatus Cicester. sede  
 vacante, salutem. Cum venerabilis Pater R. Archiepiscopus Cantuar. electi-  
 onem nuper factam in Ecclesia Cathedrali Cicester. de discreto viro Johanne de  
 Langton Canonico ejusdem Ecclesie in Episcopum illius loci, cui prius regiam assen-  
 sum adhibuimus et favorem, confirmaverit, sicut per litteras patentes ipsius Archie-  
 piscopi nobis inde directas nobis constar. Nos confirmationem illam acceptantes  
 cepimus fidelitatem ipsius Electi, & temporalia Episcopatus prædicti prout moris est,  
 restituimus eidem. Et ideo vobis mandamus, quod eidem Electo temporalia Episco-  
 patus prædicti liberetis in forma prædicta. Teste Rege apud Dover 16 die Julii.

Per breve de privato Sigillo

Et mandatum est Militibus, &c. In cujus, &c. Teste ut supra.

Per breve de privato Sigillo.

This

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This year Henry de Merewell being elected and confirmed Bishop of Wynton by the Kings royal assent, (not Henry de Woodloke, as \* Godwin mistakes) the King issued this Writ for restitution of his Temporalities.

An. 23 E. 1.  
\* Catalogue of Bishops, p. 179.

**R**EX dilectis & fidelibus suis Nicholao Fermband & Roberto de Harghwedon Custodibus suis Episcopatus Wynton. vacantis, & in manu nostra existentis salutem. Cum venerabilis pater R. Cantuar. Archiepiscopus, totius Angl. Primas electionem nuper celebratam in Ecclesia Sancti Swythini Wynton. de fratre Henr de Merewell Priore ejusdem Ecclesie in Episcopum loci illius, cui prius Regium assensum adhibuimus et favorem confirmaverit, sicut per literas patentes ejusdem Archiepiscopi nobis inde directas nobis constat; Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Electi, et temporalia Episcopatus predicti, prout moris est, restituisse eidem. Et ideo vobis mandamus, quod eidem Electo Temporalia Episcopatus predicti liberetis, sicut predictum est. Teste Rege apud W. 3m. 12 die Marci, dupp.

Par. 33 E. 1.  
m. 26. intus.  
De restitutione temporalium.

Et mandatum est Militibus, &c. In cujus, &c. T. ut supra.

The King out of his charity granted this Patent to the Master and Brethren of St. Thomas of Acon London, to collect Alms in England, Scotland, Ireland and Wales, in pursuance of Popes Bulls formerly made unto them.

**R**EX Archiepiscopis, Episcopis, Abbatibus, Prioribus, & omnibus Ballivis & aliis Christi fidelibus in Anglia, Scotia, Hibernia & Wallia ad quos, &c. salutem. Cum dilectis nobis in Christo Magistro & fratribus Domus Sancti Thome Martyris de Acon London. a diversis Summis Pontificibus sit indultum, quod ipsi vel eorum procuratores aut nuncii semel in anno recipiantur in Ecclesiis ad fidelium eleemosinas colligend. propter quod iidem Magister & fratres ad loca diversa pro hujusmodi eleemosinis colligendis procuratores & nuncios suos mittant. Nos dilectum Clericum nostrum Magistrum Edmundum de London. Magistrum domus, necnon & fratres ejusdem Domus & alios procuratores & nuncios quos loco suo assignare voluerint, ad premissa facienda, homines, terras, res, redditus, & omnes possessiones Domus illius in protectionem & defensionem nostram suscepimus speciales, vobis Ballivis nostris precipientes, quod ——— &c. \* vos etiam prelatos requiramus & rogamus, &c. Ita quod a Deo possitis ex hac causa meritum reportare, &c. Et quia intelleximus quod quidam malivoli se per Magistrum & fratres Domus predictae falso advocantes, nomine ipsorum Magistrum & fratrum eleemosinas in diversis locis colligunt, &c. prout alias in casu consimili fieri consuevit. In cujus, &c. per triennium duraturas. T. R. apud Sanctum Albanum, 5. die Maii.

Par. 33 E. 1.  
pars 1. m. 2.  
Pro Magistro, & fratribus Domus S. Thomae Martyris de Acon London.

\* As here, p. 1013.

This year the King granted the Custody of the Temporalities of the Abbey of St. Benedict de Hulmo during the vacancy for a certain rent, as he did to sundry \* others before in the same form.

\* Here, p. 1042  
1043.

**R**EX, &c. (as before, in that to St. Edmunds usque ibi.) Reddendo nobis et heredibus nostris pro qualibet vacatione Abbacie predictae sive duraverit per quatuor menses, sive per minus tempus ducentas marcas infra eisdem quatuor mensibus. Et si forte vacatio Abbacie illius duraverit ultra quatuor menses, tunc predicti Prior et Conventus pro proximis quatuor mensibus integris sequentibus, si tanto tempore duraverit, solvant nobis et heredibus nostris ducentas marcas: et sic pro quibuscumque quatuor mensibus integris post primos quatuor menses durante vacatione predicta ducentas marcas. Et si ultra quatuor menses integros duraverit minori tempore quam per quatuor menses, tunc pro illo minori tempore de dictis ducentis marcis pro rata temporis illius proportionaliter nobis solvant. Et volumus et concedimus pro nobis & heredibus nostris, quod predicti Prior & Conventus et eorum successores imperpetuum habeant & teneant custodiam Abbacie predictae singulis temporibus vacationum ejusdem in forma predicta; ita quod nullus Vicecomes, Escaetor, seu quicumque alius Ballivus vel Minister noster vel heredum nostrorum de custodia Abbacie predictae, seu Cellarum suarum, Maneriorum, aut aliarum rerum seu bonorum quorumcumque ad dictam Abbaciam seu Cellas su-

Par. 33 E. 1.  
pars 2. m. 23.  
intus. Pro Abbate Sancti Benedicti de Hulmo.



K. Edward 1. *An Exact History of Popes Insolterable Usurpations*, B. 5. ch. 5

An. 33 E. 1. as spectantium quoquo modo ratione vacationis illius se in aliquo intromittat. Hoc tamen excepto, quod Escaetor, &c. (as before to those of St. \* Edmonds, and others forecited.) T. R. apud *Stok Dabernun*, 29 die *Maii*.

Though the King levied money by all possible means this year, yet he shewed his justice in causing goods unduly levied for the *Quindisme* to be restored to the Executors of the Bishop of *Sarum*, by this Writ.

Cl. 33 E. 1.  
m. 10. Pro  
Executoribus  
testamenti  
Willielmi de  
la Cornere  
dudum Epif-  
copi *Sarum*.

**R**EX Thes. & Baronibus suis de Scaccario, salutem. Monstraverunt nobis Executores testamenti bonæ memoriæ *Willielmi de la Cornere* dudum Episcopi *Sarum*, quod cum idem Episcopus sicut ceteri Episcopi de regno nostro, anno regni nostri decimo octavo concessisset nobis decimam bonorum suorum spiritualium secundum taxationem *Norw.* per quod quintadecimam nobis eodem anno à communitate regni nostri concessam de bonis suis temporalibus solvere non debuit, vos licet decima nos de bonis spiritualibus prædicti Episcopi contingens, nobis ad dictum Scaccarium persolvatur, ipsos tamen Executores pro Quintadecima de bonis temporalibus quæ fuerunt prædicti Episcopi nobis reddenda graviter distringitis, & partem inde levare fecistis, in ipsorum Executorum dampnum non modicum & gravamen. Et quia nolumus quod iidem Executores in hac parte indebitè prægraventur, Vobis mandamus, quod si vobis constare possit quod prædictus Episcopus dictam decimam nobis solverit, tunc Executores prædictos de prædicta quintadecima quietos esse faciatis. Et si quid de bonis dicti defuncti seu Executorum prædictorum ratione dictæ Quintadecimæ ad opus nostrum lebatum fuerit, ad eisdem Executoribus prout iustum fuerit restitui, vel eis inde debitam allocationem prout forte bideritis faciendum fieri faciatis. Teste Rege apud *Greneword*, 15. die *Maii*.

The King likewise inhibited any Barons, Knights or others, who repaired to the Tournays or Justs to be held in *Sarum*, to lodge then or at any other time in the Canons houses within the Close, or take victuals there to their disturbance.

Pat. 33 E. 1.  
pars 2. m. 5.  
Pro Canonici  
Ecclesiæ de  
*Sarum*.

**R**EX Comitibus, Baronibus, Militibus, & omnibus fidelibus suis ad turnandum apud *novam Sarum* de cætero conventuris, salutem. Tranquillitati & quieti Canonicoꝝ Cathedralis Ecclesiæ beatæ *Mariæ Sarum* infra clausum ejusdem Ecclesiæ commorantium, ut eo commodius & quicquid divinis possint obsequiis intendere prospicere cupientes; Vobis omnibus & singulis mandamus firmiter injungentes, ne aliquod hospitium infra clausum prædictum, seu victualia, aut aliqua alia necessaria ad dictos Canonicos seu eorum aliquem spectantia contra voluntatem eorundem Canonicoꝝ aut Ballivorum suorum ibidem ipsis absentibus, hac vice, vel aliàs cum vos vel aliquem vestrum ex causa hujusmodi ad Civitatem prædictam contigerit declinare, capiatu seu capi faciatis, set in adventum vestrum ibidem vos taliter habeatis, quod dicti Canonici seu alii Ministri Ecclesiæ prædictæ non impediatur per vos seu vestros, quo minus divinis obsequiis more solito quietè & pacificè intendere valeant, sicut decet. In cujus, &c. Teste Rege apud *Westm.* 7. die *Novembris*.

*Per ipsum Regem.*

I found this Record in the *Fine Rolls* of this year touching the Kings seising the Temporalities of *Thomas* Archbishop of *Torke* for his \* premised contempt, till his death.

\* Here, page  
1029, 1039.  
&c.

Fines 33 E. 1.  
m. 18. Pro  
executoribus  
testamenti T.  
nuper Archiep  
Eborum.

**R**EX dilectis & fidelibus suis *Lamberto de Thrikingham*, & *Johanni de Byron* Custodibus Archiepiscopatus *Eborum* vacantis & in manu sua existentis, salutem. Cum nuper præsentassemus dilectum Clericum nostrum Magistrum *Johannem Buss* ad capellam seu sacristariam beatæ *Mariæ & Angelorum Eborum*, & ad præbendam de *Styvelinton* in Ecclesia beati *Petri Eborum*, & bonæ memoriæ *Thomas* tunc Archiepiscopus *Eborum*, pro eo quod dictum Clericum nostrum ad capellam seu sacristariam prædictas admittere recusavit, fuisset inde coram Justic. nostris apud *Eborum* distracionatus, in quo quidem negotio ita est processum quod propter inobedienciam quam dictus Archiepiscopus nobis fecit capi fecimus, in manum nostram temporalia ipsius Archiepiscopi, quæ in manu nostra remanserunt utque

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

que ad diem obitus Archiepiscopi supradicti, ac executores testamenti ejusdem Archiepiscopi pro deliberatione bonorum et catallorum quæ fuerunt ipsius Archiepiscopi, et quæ occasione prædicta capta fuerunt in manum nostram habend. ad nos jam accesserint & nobis supplicaverint, ut de bladis pro semine abernagii et quadragessimæ sufficienter, ac pro sustentatione bestiarum de carucis capere velimus, & residuum bladorum, ac aliorum catallorum eis liberare. Nos volentes præfatis Executoribus pro salute animæ dicti defuncti gratiam facere in hac parte; Vobis mandamus, quod capto de bladis prædictis pro semine & sustentatione bestiarum in supradicta, residuum eorundem bladorum, simul cum omnibus aliis bonis & catallis quæ fuerunt prædicti Archiepiscopi, et quæ occasione prædicta capta fuerunt in manum nostram, præfatis Executoribus liberari faciatis ad executionem testamenti prædicti inde faciendam. Salvis etiam nobis redditibus, herbagiis, et aliis exitibus temporalium prædictorum inde provenientibus a tempore captionis eorundem in manum nostram. Teste apud *Brustwyk* 23 die Novembr.

*Per breve de Privato Sigillo.*

What Venison the King took this year in the Parks of the Archbishop of *Torke* (then in his hands) this Writ will inform us.

**R**EX dilecto & fideli suo *Lamberto de Trikingham* Custodi suo Archiepiscopatus *Eborac*, sede vacante, salutem. Mandamus vobis, quod in chactis et parcis Archiepiscopatus prædicti sexaginta et duos Damos de meliore pinguedine instantis seisonæ capi et bene parari, nobisque *London*. mitti faciatis, et custum quod ad hoc apposueritis vobis in compoto bestro ad Scaccarium nostrum de exitibus Archiepiscopatus illius allocari faciemus. Teste Rege apud *Cycest*. 17 die Junii.

Cl. 33 E. 1.  
m. 6. De venacione capi-  
enda ad opus  
Regis.

The King borrowing 1000 Marks from the Popes *Italian* Merchants for the defraying the expenses of *Walter Wynterburne* his Chaplain, advanced to the state of a *Roman Cardinal*, issued this Writ for the repayment thereof out of the Disms of *Ireland* granted him by Pope *Boniface* the 8.

**R**EX dilectis sibi *Willielmo de Hothum* & *Guidoni de Wyk* Personæ Ecclesiæ de *Hefe*, Collectoribus Decimæ Clero *Hibern.* per Dominum *Bonifacium* nuper Papam octavum imposuit per tres annos, salutem. Cum per literas nostras obligatorias teneamur dilectis Mercatoribus nostris *Johanni Grandonis*, *Matthæo Clavissimi*, & *Gerardo Hugon*. Mercatoribus de Societate *Spinorum* de *Florentia* in mille Marcis sterlingorum quas venerabili patri *Waltero de Wynterburne* *Sacerdoti* *Romane Ecclesiæ* *Presbytero Cardinali* per præceptum nostrum liberarunt pro expensis ipsius Cardinalis, et aliis necessariis ad statum Cardinalatus spectantibus inde faciendis, prout in literis patentibus dicti Cardinalis receptionem dictæ pecuniæ testificantibus, quas dicti Mercatores in Garderoba nostra liberarunt plenius continetur; Vobis mandamus firmiter injungentes, quod de denariis de dicta Decima per vos levatis & levandis dictus mille Marcas præfatis Mercatoribus vel uni eorum, aut attornato eorundem quem ad hoc per suas patentes literas duxerint assignand. quam cicius poteritis, non obstante aliquo mandato nostro prius vobis facto liberetis, Recipientes à Mercatoribus prædictis vel uni eorum, aut attornato eorundem literas nostras prædictas, & similiter alias literas nostras de acquietancia & indemnitate vestra in hac parte quas eisdem tradidimus, vobis cum pecuniam illam ut prædicitur receperint liberandas: & hoc nullatenus omittatis. T. R. apud *Cicestr.* 17 die Junii.

Clauſ. 33 E. 1.  
m. 11. *ditus*.  
Pro Mercatoribus de Societate *Spinorum* de *Florentia*.

The King this year issued this Patent to the Abbot of *Oseney* for the satisfaction of such monies he had paid to the Popes Collectors, which the King obliged himself to discharge him from, being granted only for the use of the *Holy Land*, to which none of it was applyed either by the King or Pope.

**R**EX Omnibus ad quos, &c. salutem. Sciatis, quod cum in satisfactionem quintarum librarum quæ de Decima in Subsidium *Terra Sancta* à Clero *Angl.* concessa ad manus nostras devenerunt, & in quibus dilecti nobis in Christo

Pat. 33 E. 1.  
part. 2. m. 22.  
Pro Abbate  
de *Olenie*.



*An. 33 E. 1.* bas & Conventus de *Osenye* Summo Pontifici se pro nobis ad nostri instanciam obligarunt, et quas pro nobis eidem Pontifici postmodum persoluerunt, allocaverimus eisdem Abbati & Conventui trescentas & quinquaginta & duas libras, tresdecim solidos, & quatuor denar. in quibus iidem Abbas & Conventus nobis tenebantur super compotum suum coram dilectis & fidelibus nostris *Johanne de Insula* & sociis suis, ad compotos Collectorum decimæ Clero *Anglia* per bonæ memoriæ Dominum *B. Papam octavum*, nuper per tres annos de nostro assensu impositæ audiendis, assignatis, redditum de denariis de dicta ultima decima per ipsos tempore quo fuerunt subcollectores ejusdem in Dioc. *Lin.* receptis, pro qua quidem allocatione iidem Abbas & Conventus quasdam firmas eis per nos in recompensationem dictarum quingentarum librarum prius assignatas ad certum tempus habendas in manus nostras reddiderunt, volentes indemnitati eorundem Abbatis & Conventus prospicere in hac parte, ipsos & successores suos de prædictis trescentis & quinquaginta & duabus libris, tresdecim solidis, & quatuor denar. acsi in Garderoba nostra soluti fuissent pro nobis & hæredibus nostris tenore præsentium quietamus, & promittimus nos & hæredes nostros ipsos — Abbatem & Conventum & successores suos erga prædictum Summum Pontificem, & alios quoscunque inde indemnes penitus conserbare. In cujus, &c. T. R. apud *Horfele*, 30 die *Maii*.

The King likewise issued this Commission to audit the Accounts of the Sub-collectors of the Dismes thus given to him by Pope *Boniface* the third,

*Pat. 33 E. 1.  
m. 20. intus.  
De compoto  
Subcollectorum  
Decimæ  
audiendo.*

**R**EX Dilectis & fidelibus suis *Johanni de Insula, Waltero de Gloucestr. Radulpho de Sandwico, Magistro Wilhelmo de Hansfede & Ada de Brum* salutem. Cum bonæ memoriæ Dominus *Bonifacius* Papa octavus medietatem decimæ Clero *Angl.* per ipsum de assensu nostro per tres annos impositæ, nobis pro arduis & urgentibus nostris & regni nostri negociis liberaliter concessisset, altera medietate dictæ decimæ si idem Papa per dictum terminum vitam duceret in humanis, sibi in subsidium Romanæ Ecclesiæ reservata, & si ipsum infra dictum terminum in fata decedere, vel pacem super guerra de regno *Sicilia* mota reformari contingeret, totum residuum dictæ decimæ à tempore mortis suæ seu dictæ pacis reformationis, colligendum & levandum, nostris usibus similiter concessisset & voluisset integraliter applicari; Nosque dilectis nobis in Christo Abbatibus & Conventibus de *Waltham, de Redinge, de Furnou, de Faversham, de Sancto Edmundo, Osenye, Langley in Norff. Colcestrens. Certesey, beate Mariæ Eborum, Seleby, Novo Monasterio, Cokersand, Burton super Trentam, Gloucestr. Hida, Wynton, Shireburn, Glaston, Kermerdyn, Wygemore, & Valle Crucis, Ac etiam Prioribus & Conventibus de Ely, Bernswell, Kenilworth, Rossa, Sancti Gregorii Cantuar. Karliolo, Thurgerton, Sancta Katerina extra Lincoln, Lanceneton, Sancti Nicholai Exon, & Lanton prime, necnon Decanis & Capitulis Hereford, Cicestrans. & Bangoren, Exon. Subcollectoribus Decimæ prædictæ nuper mandaverimus, quod omnia arreragia dictæ Decimæ sine dilacione aliqua levare facerent. Ita quod ea haberent apud *Westm.* ad certos dies in brevibus nostris eis inde directis contentos, & quod præfati Abbates, Priores et Decani personaliter interessent, vel aliquos sufficienter instructos et plenam potestatem ab ipsis habentes mitterent tunc ibidem ad compotum suum coram aliquibus fidelibus nostris quos ad hoc duceremus assignandos inde reddend. et faciend. et recipiend. ulterius quod Curia nostra consideraret in hac parte, Assignavimus vos ad audiendum compotum Subcollectorum prædictorum de receptionibus suis Decimæ prædictæ, necnon liberationibus suis inde factis, et ad faciendum ulterius quod ad hujusmodi compotum pertinet, prout vobis per nos et consilium nostrum plenius est injunctum. Ita tamen, quod si vos omnes non interfueritis, tunc quatuor vel tres vestrum quos adesse contigerit præmissa expleatis: Et ideo vobis mandamus, quod ad præmissa explenda et perficienda intendatis in forma prædicta. In cujus, &c. T. R. apud *Swanston*, 16 die *Januarii*.*

Hereupon these Subcollectors produced several acquittances under seal of the several sums they had collected and paid into the Kings Wardrobe for their discharge, whereof I found a whole Bundle in the *White Tower*, many of them being likewise recorded in a schedule annexed to the Patent Roll of this year; whereof I shall recite only one for brevity sake.

REX

*Upon the Liberties of the Kings and Subjects of Engl: & Irel.* K. Edward 1.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod recepimus per manus dilecti Clerici nostri *Johannis de Drokenesford* Custodis Garderobæ nostræ de dilectis nobis in Christo — Abbate & Conventu de *Burton super Trentam*, Subcollectoribus Decimæ Clero Angliæ per felicitis recordationis Dominum B. nuper Papam octavum de assensu nostro impositæ per tres annos, per Episcopum *London.* & Magistrum *Bartholomæum de Ferentino* Canonicum *London.* dictæ Decimæ principales Collectores in Dioc. *Coventr. & Lychesf.* deputatos, viginti libras de primo termino, & centum libras de secundo termino tercii anni termini trium annorum prædicti. & sex libras & sex solidos de decima bonorum temporalium dictorum Abbatis et Conventus in villa de *Appelby* in Archid. *Derb.* de dicta Decima provenientes, & nos de porcione ejusdem Decimæ juxta concessionem dicti Summi Pontificis contingentes. De quibus quidem centum & viginti & sex libris & sex solidis dictum Abbatem & Conventum ac successores suos tenore præsentium quietamus, & ipsos erga Summum Pontificem, ac prædictos principales Collectores, & alios quoscunque indemnes promittimus conseruari. In cujus, &c. Teste Rege apud *Brustwyk* 26 die *Novembr.*

An. 33 E. 1.  
Pat. 33 E. 1.  
mem. 6. in  
Ced. De plu-  
ribus acque-  
tantiis factis  
Subcollectoribus  
Decimæ.

*Per litteram Philippi de Wylgheby Cancellarii de Seaccario.*

All the rest run almost in the same form.

In the decayed Bundle of Writs in the *White Tower*, Anno 33 E. 1. there is this Writ extant, for suing in Court Christian against the Kings Prohibition.

**E**Dwardus, &c. *Venerabili in Christo patri, W. Covent. & Litchf. Episcopo, &c.* Mandamus vobis sicut alias vobis mandavimus, quod venire facias coram Justic. nostris, &c. Edmundum de *Whitacre* Clericum vestrum, ad respondend. Johanni de *Plumpton, de placito*, quare secutus est placitum in Curia Christianitatis, de castellis et debitis quæ non sunt de testamento vel matrimonio contra prohibitionem nostram, &c. T. R. de *Hengham*, apud *Ebor.* 3 die Febr. Anno regni nostri 33.

Anno 33 E. 1.  
in Turri Lon-  
don.

What Ecclesiastical Jurisdiction the King exercised this year in *Ireland*, in confirming the elections of Archbishops, Bishops and others there, and presenting to Churches, these Records will instruct us.

**R**EX Justic. Escaetoribus, Vicecomitibus, Ministris, & omnibus Ballivis & fidelibus suis in *Hibern.* ad quos, &c. salutem. Volentes venerabili patri *Ricardo Dublin.* Archiepiscopo gratiam facere specialem, concedimus ei, quod toto tempore vite sue absque impedimento nostri vel heredum nostrorum utatur et gaudeat eisdem libertatibus, liberis consuetudinibus et quietantiis, quibus ipse Archiepiscopus et predecessores sui Archiepiscopi *Dublin.* per cartas predecessorum suorum Regum Angl. et nostras hactenus usi sunt. Et ideo vobis mandamus, quod prædictum Archiepiscopum contra hanc concessionem nostram non vexetis, vel ab aliquibus quantum in vobis est vexari permittatis. In cujus, &c. T. R. apud *Westm.* 28 die *Marcii.*

Pat. 33 E. 1.  
m. 11. Pro  
Ricardo Ar-  
chiep. Dublin.

*Per ipsum Regem & petitionem retornatam de Consilio.*

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* vel ejus locum tenenti, salutem. Cum dilecti nobis in Christo — Prior & Conventus Sancti *Patricii* in *Duno* nobis per litteras suas patentes significaverint, quod Ecclesia sua prædicta per mortem bonæ memoriæ N. nuper Episcopi illius loci est pastoris solacio destituta, supplicantes nobis, prout moris est, quod licenciam, &c. licenciam illam eis duxerimus concedendam, mandantes, &c. Nos eorundem Prioris & Conventus laboribus & expensis in hac parte parcere volentes ista vice, &c. In cujus, &c. T. R. apud *Westm.* 28 die *Marcii.*

Ibid. m. 20.  
Intus Hybern.  
De licencia  
eligen di &  
temporalia re-  
stituend.

The Chief Justice refusing to restore the Temporalities to the new elected Bishop, because not confirmed by the Archbishop of *Armagh*, the See being then void, but by the Gardian of the Spiritualities; the King thereupon issued this Writ to restore them to him.

REN



An. 33 E. 1.

Pat. 33 E. 1.  
Pro Thoma  
Electo Sancti  
Patricii in  
Duno.

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* salutem. Cum nuper Ecclesia Sancti *Patricii* in *Duno* per mortem bonæ memoriæ *N.* Episcopi illius loci pastoris solacio destituta, ad supplicationem Prioris & Conventus Ecclesiæ prædictæ, concesserimus eis quod ipsi sibi eligerent in Episcopum & pastorem; Et ut laboribus, expensisq; ipsorum Prioris & Conventus parceretur in hac parte, dederimus vobis potestatem, quod facta electione prædicta de futuro Episcopo, eidem electioni cum Electus hujusmodi per Priorem & Conventum dictæ Ecclesiæ fuisset præsentatus, assensum Regium præberetis vice nostra; significantes loci Metropolitano, ut id quod suum est in hac parte exequeretur: Et quod si contingeret electionem hujusmodi per loci Metropolitani canonice confirmari, & vobis per literas ejusdem Metropolitani inde constaret, tunc accepta ab eodem Electo fidelitate in casu illo nobis debita, Temporalia ejusdem Episcopatus eidem Electo, prout moris est, liberaretis vice nostra; vobis licet electio per prædictos Priorem & Conventum facta de Magistro *Thoma Ketel* Persona Ecclesiæ de *Lesmoghau* in Episcopum loci prædicti, cui Regium assensum præbuissetis, ut dicitur, vice nostra, fuisset per Decanum & Capitulum *Ardmacan.* Custodes Spiritualitatis illius loci sede vacante, auctoritate Metropolitica canonice confirmata, & vobis per literas eorundem Custodum inde constitisset, fidelitatem tamen ipsius Electi capere, et temporalia Episcopatus prædicti ei restituere distulissetis, pro eo, quod per literas Archiepiscopi *Ardmacani* de confirmatione electionis prædictæ non constabat, sicut ex parte ipsorum Prioris & Conventus nobis est ostensum; Vobis igitur mandamus, quod si dicta sedes *Ardmacan.* sit vacans, & electio prædicta per præfatos Custodes rite fuerit confirmata, & per literas eorundem Custodum vobis inde constiterit, ut est dictum, tunc accepta fidelitate Electi prædicti, iuxta tenorem mandati nostri alias vobis super hoc directi, eidem Electo temporalia Episcopatus prædicti a die quo vobis de confirmatione electionis prædictæ sic constabat, sine dilatione libere-  
tis. T. R. apud *Ranreth*, 18 die *Augusti*.

Claus. 33 E. 1.  
m. 7. Pro R.  
Archiepiscopo  
Dublin.

**R**EX Collectoribus Decimæ Clero *Hibernia* per *Bonifacium* nuper Papam octavum impositæ per tres annos, salutem. Quia ad requisicionem venerabilis patris *R.* Archiepiscopi *Dublin.* dedimus eidem Archiepiscopo respectum usque ad festum Nativitatis Sancti *Johannis Baptiste* prox. futur. de demanda illa quam ei fieri facitis de denar. in quibus Archiepiscopus nobis tenetur de Decima prædicta, vobis ad opus nostrum reddend. Vobis mandamus, quod eundem Archiepiscopum respectum hujusmodi interim habere permittatis. Distinctionem si quam ei ea occasione feceritis relaxando; Proviso, quod tunc nobis de denariis prædictis ad ultimum satisfiat. Teste Rege apud *Lansare*, septimo die *Septembris*.

Per breve de Privato sigillo.

Pat. 33 E. 1.  
m. 6. Hibernia.

**R**obertus de *Carleton* Capellanus, habet literas Regis de præsentatione ad Ecclesiam de *Typerkynys* vacantem, & ad Regis donacionem ratione Archiepiscopatus *Dublin.* dudum vacantis, et in manu Regis existentis spectantem. Et diriguntur literæ *R. Dublin.* Archiepiscopo. In cujus, &c. Teste Rege apud *Westm.* 26 die *Aprilis*.

Pat. 33 E. 1.  
m. 7. De licentia eligendi

**N**icholam le *Boriller* Cancellar. Ecclesiæ *Fernen.* & *Willielmus de Braybrok* Clericus, nunciantes Regi mortem bonæ memoriæ *S.* nuper Episcopi illius loci, habent literas Regis de licentia eligendi. In cujus, &c. Teste Rege apud *Wylburg-ham*, 14 die *Febr.*

Per breve de privato sigillo.

Ibid. De  
temporalibus  
restituentis.

**R**EX dilectis & fidelibus suis *Johanni Wogan* Justic. suo, & Magistro *Thoma Cansok* Cancellario suo *Hibern.* vel eorum loca tenentibus, salutem. Cum dilecti nobis in Christo Decanus & Capitulum Ecclesiæ *Fernen.* nobis per literas suas patentes significaverint, quod Ecclesia sua prædicta per mortem bonæ memoriæ *S.* nuper Episcopi illius loci pastoris est solacio destituta, supplicantes nobis, &c. Nos licentiam illam duxerimus concedendam, &c. In cujus, &c. Teste Rege ut supra.

Per breve de privato sigillo.

King

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.*

An. 33 E. 1

King Edward in order to the settlement of his Affairs in Scotland, besides the \* *promised Ordinance* for that purpose, made this accord with most of the Nobility \* *Hist. p. 1053* of Scotland and their adherents (who had lately against their solemn Oaths revolted from, rebelled, and waged War against him) to receive them to his peace, and grant them both their Lives and Liberties, putting them only to a Fine and Ransom of two, three, four or five years annual value of their Lands, according to their several offences, the moiety whereof they were to pay to the King every year, and to reserve the other moiety for their support till their full Ransom was satisfied, and taking a new Oath of Allegiance to him for the future, as these Records inform us.

**C**Es sont les choses accordees ove Mounseigneur Richard de Burgh Conte Dulvestre, Mounseigneur Henry de Percy Chevaliers, & Johan de Bensted Clerk, pur nostre Seigneur Edward par la grace de Dieu Roy D'engleterre, Seign. Dirlaund, et Ducs Daquisains dun part, et Mounseigneur Johan Comyn de Badenaugh pur luy et pur touz ses eidanz Descoc, auxi bien ceux qui sont la outre come ceux qui sont par decea dautre, les queux choses les avantditz Conte Eymar, Henri & Johan de Banstede en nomi du dit Roi, et lavant dit Johan Comyn ensemblement ove Mounseigneur Edmund Comyn de Kilbride, Mounseigneur Johan de Graham, Mounseigneur Johan de Vaux, Mounseigneur Godfrei de Roos, Mounseigneur Johan de Maxwell le emzniez, Mounseigneur Piers de Prendregyff, Mounseigneur Walter de Berkely de Kerdaan, Mounseigneur Hugh de Erth, Mounseigneur William de Erth, Mounseigneur James de Roos, et Mounseigneur Walter de Rothovan Chevaliers, pur eux, pur touz les eidantz Descoc qui a la pees et a la foi du dit Roi voudrent estre, ont Jure a tenir et a garder loiaument: Primerement est accord, que tote manere de gentz Descoc qui ad le dit Johan Comyn vendront a la pees nostre Seigneur le Roy avantdit, forpris aucunes persones qui sont si apres nomez, soient receu as conditions, que sensuent: Cest a savoir, que sauvez leur soient vie et membre, et quil soient quites denprisonment, et quil ne soient desheritez; Il sint que de leur ranzon, et des amendes des trespass quil ont faitz solement a nostre Seigneur le Roy, et del establisement de il terre Descoc il estoient as Ordinaunce. Et est entendu que les enfantz que sont de deinz age dievent joyr de meismes ces conditions quant a sauvement de vie et de membre, et quant aquitance denprisonment et de desheritance, et esteront de lur ranzun, et de totes autres choses ace que nostre Seigneur le Roy enordenra, a son prochain Parlement. Et demorront totes les fermettez qui sont orendroit en la meyn nostre Seigneur le Roy & de siens en la tenaunce quel sont ore jusques a meisme Parlement si que le dit Roy enordeine sa volonte a cele hore, sauve de aucunes, qui demorront plus longement en sa meyne, sicome il est de souzdit. Et ce doit faire la gard des dites fermettez pas mi les choses qui isoint appartenantz, ou en autre manere covenable as coustages de ceux a queux eles seront rendues, & dievent ensement les pris de Guerre estre delivres dune part & dautre, forpris Mounseigneur Herbert de Morham & son pere. Et tout ausint se devient delivrer touz ceux qui sont en ostage pur ranzon de gentz du dit Roi qui ont este pris par les gentz Descoc en tien manere que ce que paetz est de meisme la ranzon paetz soit sans plus, & quant a ce que nest arriere deivent les ostages & touz ceux pur qui il feurent livreiz estre de tout, en tout quites & delivres dune part & dautre. Les persones coppisees, sicome est desuldit, sont Robert Comte desque de Glasgn, Mounseigneur James Seneschall Descoc, Mounseigneur Johan Soules, Mounseigneur David de Graham, Mounseigneur Alexander de Lyndsey, Mounseigneur Simon Fraser, Thomas du Boys, & Mounseigneur William de Walley, Dont il est accord que meisme Levesque come de son corps & de la temporaltee, & le dit Seneschall, & Mounseigneur Johan Soules soient as conditions de ceux de commune, sicome est desuldit, & outre tieignent exil pur 2. anz hors Descoc et par de la Trente. Et demorgent les Chastels du dit Seneschall en la meyne nostre Seigneur le Roy, durant lexil, & ce face la gard as coustages de meisme le Seneschall en la manere desudite. En droit de Mounseigneur David de Graham, & Mounseigneur Alexandre de Lyndsey accord est, quil soient ausint as conditions de ceux du commun, si come est avantdit, & outre ce tieignent exil hors Descoc par demy an. Cest alaver le dit David de la Leave de Twede, & la dit Alexandre par de la Trente. Et quant a Mounseigneur Simon Fraser, & Thomas du Boys, est accorde, quil soient ensement as conditions de ceux du

Placita Parliamentaria in Turri London, An. 33 E. 1. See Ryley p. 369, 370. Forma Pacis Scotie in adventu Johannis le Comyn & aliorum.



*An. 33 E. 1.* du commun sicome est de susdit, & outre ce tiegnent exil par trois anz hors de la Seignury nostre Seigneur le Roi avaunt dit, & hors du poeir le Roi de France au-  
sint, si ne puissent autre grace trover en le medu temps. Et quant a Mounseigneur  
*Guiliam de Galeys* est acorde, quil se mette en la volunte & en la grace nostre Seig-  
neur le Roi, si lui semble que bon soit.

Derechiefe, est acorde, que les Evesques de Seint *Andrew* & de *Dunkeldyn*, le  
Conte de *Bongbhan*, le Seneschall *Descoc*, Mounseigneur *Johan de Soules*, Mounseigneur  
*Ingelram de Ilmframvil*, & les autres gentz *Descoc* qui sont la outre, veignent a la  
pees nostre Seigneur le Roi avaunt dit de deinz la quinzeine de cest *Pasque* prochain,  
si leur semble que bon soit, & soient recon en la fourme de susdite, chescun solonc  
sa condition & solonc son estate. Dautre part avaunt dit *Johan Comyn* doit estre a no-  
stre Seigneur le Roi a *Dunfermlyn* & ce prochain *Dimagne* ensemblement ove touz  
ceux de son accord qui lors y purront estre, pur faire leur homages & leur feutez,  
sicome il affiert, & ceux que ne purront estre a cele heure pur certaine esloigne,  
deivent venir apes par suffisant conduit a plus tost quil purront, pur obeir & pur  
estre receveu la fourme avaunt dite. Et fait asavoir que les avaunt ditz *Conte Dulve-  
ster*, *Eymar*, *Henri*, & *Johan de Benestede* de ont premis en *Bonfoi*, quil mettront  
leur loial peine envers nostre Seigneur le Roi avaunt dit quil voille pur ses lettres  
overtes ratifier cest accord en touz pointz quiele hore que le dit *Johan Comyn* & les  
autres qui oue lui venderont si come est avaunt dit, averont fait leur homages et ser-  
mentz de feute en due manere. En tesmoignance de queux choses est ceste enden-  
ture faite, dount lune parte demoert devers le dit nostre Seigneur le Roi, Seal du  
Seal ou dit Mounseigneur *Johan Comyn* & de Mounseigneur *Edmund de Comyn*, Mounseigneur  
*Johan de Graham*, & de Mounseigneur *Johan de Vaux*; & lautre, devers meisme celui  
Mounseigneur *Johan Comyn*; Seale des Seales as dite *Conte Dulvestre*, *Eymar*, *Henri* &  
*Johan de Benestede*. Don a *Strathord* le Nevisme jour de *Fevrier* lan du Regne no-  
stre Seigneur le Roi avaunt dit trentisme \* second.

\* teirge.

Placita Parl.  
An 33 E. 1.  
See Ryley p.  
566, 567.

**E** *Edward* par la Grace de Dieu Roy *Dengleterre*, Seigneur *Irlande*, & Ducs *Da-  
quitaine*; A touz ceux qui ces presentes lettres verront ou oront, salut. A  
perpetuel memoire des choses souz escrites, par cestes presentes lettres vous fe-  
soms a savoir, que come le gentz de terre nostre *Descoc* apres ce quil fuerent en  
nostre homage et ligeance et liez a nous par serment de foy, et par escrit et  
en autre manere, tant effoizablement come nous et nostre Countell sabiens or-  
dener et charger, se relebassent contre nous par maubels Countell, et messent  
guerre, ensesant robberies, arsons, homicides, felonpes, et plusieurs autres  
maux, et damages a leur poeir en nostre dit terre *Descoc*, et ausi en partie en *En-  
gleterre*, contre leur homages, foyes et ligeances adaunt dites, et puis plusieurs  
de eux se rebellissent a nostre foi et a nostre obeissance et seussent recenz a nostre  
pees, et a nostre volonte: Et des darreyns *Johan Comyn*, Seigneur de *Badenagh*  
Chevalier & les autres qui a cel heure oue lui tindrent, venissent ausi & seussent  
receus a nostre pees; & a nostre foi, en manere que enyolt de leur ranzons et des  
amendes de trespas et outrages soulment faitz a nous et de lessablrement de la  
terre *Descoc* eussent a nostre dydenance, et a nostre volonte; Nous ia seit, que  
les despitz, trespas, outrages, et desobeissances que les dites gentz de nostre dite  
terre *Descoc* nous ont faitz soient si grauntz et tant a charger par selon, quil ne  
purraient a nul temps de ce faire suffisantz amendes ne due satisfaction, sicome  
eux meismes sont bien reconissantz et tot ne voillions: sicome nous ne deboms  
fleur despitz, trespas, outrages, e desobeissances soeffrir a passer sauntz acun pu-  
nissement. Pemie pur ce nous eantz regard a ce que les gentz de la dite nostre  
terre *Descoc* se sont bien et loiaument portez vers nous puis nostre derrein par-  
tier de celes parties, et pur lesperance que nous aboms de leur bon port et de leur  
bon service en temps avenir, vueillantz a eux faire grace especial, leur aboms  
graunte et grauntoms, que saubes leur soient vie et membre, et quites soient den-  
pisonment et de disheritison, saubes totes voies a nous les terres, tenementz, et  
les Seignuries que *Johan de Baliol* tabis Roi *Descoc* dona et aliena de les demey-  
nes appartenantes a la Roiaute *Descoc*, a faire de ce nostre plaisir: Et pardonnoms  
et releffoms as gentz de labantote nostre terre *Descoc* qui sont venuz et recenz a  
nostre pees et a nostre foi, trespas a nous faitz, corrons rancon, et tute manere de  
mall

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maill boillance que nous avoms vers eux ensi totes voies, quil soient tenuz a paier *An. 33 E.1.* ce que par nous & nostre Conseil est Ordene, solonc nostre dit & nostre pronun-  
 ciation, que sensuent en cest forme.

A desprimes, nous dioms & pronunçions qe le susdit *Johan Comyn*, & les autres qui ove lui vindrent a nostre pees & a nostre foi pur mi les Covenances qui leur feurent grantez, poent pur ranzon et pur amendes des trespasss par eux faitz la balue de leur terres et de leur rentes de trois annz al obereigne de *Novieux Chastiaux* que nous seifoms faire en la dite terre *Descote* par seurte de meisme la terre & sau-  
 vation de la pees, ou a mettre en autre us, si come nous verroms que soit a faire. Et avoms ausi pardonez & pardonoms au dit *Johan Comyn* et a *David de Graham* lexil et la demoerene quil devoient faire et tenir hors *Descote* per mi les covenances avantdites. Derechief, solonc ce que par nous et nostre Conseil est Ordenez dioms et pronunçions, que les Gentz *Descote* qui vindrent a nostre pees et a nostre foi avant ce que le dit *Johan* & su recen a la dite pees, paient la balue de lur terres et de leur rentes de denz annz en la fourme abantoite, save ceux qui purront monstrier quil endeivent estre quites par nostre grant & fait especial. Derechief, nous dioms & pronunçions que *Adam de Gourdon* Chevalier en droit de sa ranzon & des emendes de trespass soit de la Condition *Johan de Comyn* avantdit; Cest asavoir a paier la balue de ses terres et de ses Rentes de trois annz en la manere de susdite. Derechief nous dioms & pronunçions que *Simon Fraser* Chevalier en droit de ranzon & des amendes de trespass soit de meisme la Condition. Cest asavoir a paier la balue de ses terres, et de ses Rentes de trois annz en la fourme que dite est. Derechief nous dioms & pronunçions qe *Escheques*, *Abbez*, *Priors*, et autres de Clerge, de nostre dit terre *Descote*, save *Levesq de Glasgu*, paent pur ranzon et pur amendes de trespass en la dite fourme la balue de leur terres, et de leur Rentes dun an; save ceux qui purront monstrier par fait especial ou en autre manere quil endeyvent estre quites. E le dit *Evesque de Glasgu* endroit de sa ranzon & des amendes de trespass, doit estre de la condition le dit *Johan Comyn*, Cest asavoir a paier en la fourme que dite est la balue de ses terres et de ses Rentes de trois annz, & a meisme *Levesque* avoms & pardonez lexil et la demoere quil devoit faire et tenir hors *Descote* par mi les covenances, que grantez fueront, quant il vint darrainerement a nostre pees & a nostre foi. Derechief, quant a *Ingelram de Umframvil*, *William de Balliol*, & *Johan Wichard* Chevaliers qe poi de temps devant que ses lettres feurent faites vindrent a nostre pees & a nostre volonte, dioms & pronunçions que le dit *Ingelram* pai en la dite fourme pur sa ranzon et pur amendes de trespass le balue de ses terres et de ses Rentes de cinq annz: Et que meisme ceux *William de Balliol* & *Johan Wichard* paent per meisme lacheson en la susdite fourme la balue de leur terres et de leur Rentes de quatre annz. Derechief, dioms & pronunçions que *Hugh de Ardrossam*, *Johan de Gourley*, *Johan de Naper*, & *Johan Makhilgoigny* qui sont de mesnage les avantditz *Ingelram*, *William*, & *Johan*, qui a nostre pers et a nostre volonte sont venuz, paent pur leur ranzon et pur amendes de trespass la balue de leur terres et de leur Rentes de trois annz. Derechief, endroit du temps de la Manere & des termes du paiement qe se doit faire par les ranzons & amends de trespass avant nommez, dioms & pronunçions & voloms que nostre Lieutenant en la dite nostre terre *Descote*, & nostre Chamberleyne de meisme la terre, quant il ferront illueques venuz, facent estendra totes les terres de touz ceux qui ranzon devient paier en bon manere & resnable, solonc ce que les terres vandront al heure qui les estendront, & solonc celes estentes faitz soit de cel heure, enavant commencez a faire lever ce que assera a chescun solonc sa condition & son estat. Cest a savoir que ceux qui en ranzon & en amends de trespass sont tenuz par mi lordenance que nous avoms faite, dite & pronuncie en la fourme avantdite, paent per an as termes usnelr celes parties le moitie de la balue de leur terres et de leur Rentes solonc les dites estentes; Et ensi de an et an, tant que part parz soit ceo que a eux apar-  
 tient solonc l'ordinance et la pronunçiation abantoites, et lautre moite de la balue de leur terres et de leur Rentes a eux remeigne par leur sustenance. Et fait asavoir que nostre entencion ne nostre volonte nest mie, que le dit & la pronunçiation que nous avoms fait en la fourme susdite sestendent ou puissent estre estendu, ou entenduz endroit de celes perones *Descotes* qui sont en nostre prison, ne endroit des autres qui ne sont mie uncore venuz a nostre pees, ne a nostre foi. En tesmoig-



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

An. 33 E. 3. nance de queux choses nous avoms fait faire cestes nos Lettres overtes. Don a Westmonster le quinziesme jour Deïssier lan du nostre regne trentisme tierz.

Whiles King Edward (after these and his former Indulgences to the perfidious Scots) expected nothing but *Halcion dayes of tranquillity and loyalty*, there sodainly arose soon after an unexpected storm, and greater rebellion than before, through the treachery of the perjured Archbishop of St. Andrews, the Bishop of Glasgo and Abbot of Schone, who confederating with Robert Brus Earl of Carrick, and other of the Scots Nobility, resolved to make and crown him King of Scotland; who being opposed therein by John Comyn his Cousin-German, a man of great alliance, love, and power in Scotland, and loyal to King Edward, he suddenly set upon and murdered him in the Church of Dunfres, and was soon after crowned King by the premised Bishops and Abbots; thus related by our Historians. Robertus de Brus aspirans ad regnum Scotiæ, nobilem virum Johannem Comyn, quia sua proditiosa factioni assensire noluit, apud villam de Dunfres, in cuius Castro Justiciarii Regis Angliæ tunc sedebant, in Ecclesia fratrum Minorum interfecit. In festo vero Annunciationis beate Virginis in Abbatia Canonorum regularium de Scone, presentibus aliquibus Comitibus, Johanne de Ascella, & de Meneteth, et duobus Episcopis de S. Andrea & Glasguensi, & Abbate de Scone, & multis Militibus, juxta morem patriæ, fecit se, velut Adonias, à conspiratoribus coronari diademate.

Dominica vero sequente, quæ erat in Ramis Palmarum, fecit se denuò coronari à quadam adultera, desponsata Comiti de Bowhan: Quæ transgresso maritali thuro, exarserat in speciem & concupiscentiam satvi coronati. Et mutavit nomen ejus impositum in baptisate, nominans illum David. Cuius domum redisset, fertur uxori suæ dixisse: Heri vocabamur ego Comes, & tu Comitissa, hodiè vero ego Rex, & tu Regina vocamur. Cui illa, Edimo quod Rex æstivalis sis, forsitan hyemalis non eris: Tameo autem, ne tanquam flos agri, qui hodiè est, & cras in clibanum mittitur, sic effloreas, ac ne pro perjurio fidei, per vocabulum Regium Comitatum simul perdas & regnum. Qui se irrisum à muliere existimans, voluit eam gladio peremisse, sed ab astantibus detentus est. Nihilominus illam exilio relegans, in Hyberniam transmisit ad patrem suum Comitem Ultoniæ. A quo ad Regem Angliæ destinata in honore est habitata.

Pope Clement the 6<sup>th</sup> being informed by K. Edward of this murder of John Comyn in the Church of Dunfres, ordered the Archbishop of Torke and Bishop of Carlisle to excommunicate him and his complices with sound of Bells and Candles in all places of England, Scotland, Ireland, Wales, and elsewhere, (though without their Diocesse) and to interdict all their Lands and Castles, till they should submit themselves, give competent satisfaction for this hainous offence, and deserve to be absolved, by this Papal Bull, wherein he made not the least pretence to the Sovereign Dominion of Scotland, as his predecessor Boniface vainly and falsely did.

In Turri Londoni, An. 34 E. 1.

Clementis Episcopus, Servus servorum Dei, venerabilibus fratribus Archiepiscopo Eboracen. & Episcopo Karleolen. salutem, & Apostolicam benedictionem. Ad audientiam nostram fidedigna relatione pervenit, quod Robertus Comes de Carruc. cum nonnullis suis in hac parte sequacibus ad Ecclesiam loci fratrum Minorum de Dunfres Glasguen. Dioc. manu accedens armata, ipsius immunitatem Ecclesiæ temere violavit, in ea sacrilegium per homicidium committendo, contra indulta privilegiorum eidem fratribus a sede Apostolica concessorum, in animæ suæ periculum, et scandalum plurimorum, propter quod excommunicationis sententiam ascriptur incurrisse. Cum itaque præmissa, si veritate nitantur, nolumus, acuti nec debemus sub dissimulatione transire, fraternitati vestræ per Apostolica scripta mandamus, quatinus si vobis constiterit dictum Comitem & alios in hac parte adhaerentes eidem, propter præmissa vel eorum aliquod excommunicationis sententiam incurrisse, ipsum Comitem nominatum aliosque in hac parte adhaerentes eidem in Ecclesiis vestris coram populo Campanis pulsatis ac Candelis accensis tandiu excommunicatos denuntietis, et per Angliæ et Scotiæ regna, et Hibernia et Wallia terras et partes, et alia loca de quibus expedire videritis, nunciari faciat, et ab omnibus arctius ebitari; donec Comes et adhaerentes præfati super hiis satisfecerint competenter, et absolutionis debitæ beneficium meruerunt obtinere; necnon omnes

a Tho. Walsingham, Hist. Angl. p. 61, &c. Ypodig. p. 97. Mat. Westminster, An. 1306. p. p. 456, 457. Polychron. H. de Knyghron, Fabian, Caxton, Polydor Virgil, Grafton, Holinshed, Stow, Speed, Daniel, Baker in Edw. 1. An. 33 & 34 E. 1. Annals of Ireland p. 164, 165.

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omnes fautores, sequaces et receptatores ipsius Comitis, nisi monitione premissa dicto Comite facere ipsumque sequi et receptare destiterit, excommunicationis vinculo innodantes, eos simul modo tamdiu excommunicatos publice nunciatis, et factis per omnia loca, de quibus expedire videritis etiam nuntiari, ac terras, castra, et villas eorum supponentes ecclesiastico interdicto, ipsumque auctoritate nostra facientes inviolabiliter observari, donec eundem Comitem sequi et receptare destiterint, ac super hiis nostris parentes beneplacitis et mandatis absolutionis beneficium obtinere. Dat. Burdegali. 15. Kal. Junii. Pontificatus nostri anno primo.

*In Dors.* Bulla Clementis Papæ quinti ad denunciandum Robertum de Brus excommunicatum pro morte J. Comyn, de interdicendo terras, castra, villas, et omnia loca per quæ ipse et sequaces sui transitum fecerunt, directæ est Archiepiscopo Eboracen. et Episcopo Carleolen. This Bull was accordingly executed by the Bishops, as the *Annals of Ireland* inform us.

An. 24 E. 1.

\* In the end of Mr Camdens Brit. p. 164.

Upon Information of the premised Coronation, rebellion and proceedings of Robert Brus and his confederates, *Illis diebus misit Rex Angliæ Americum de Valentia Comitem Pembrochiæ, Robertum Clifford, & Henricum Percy in Scotia, cum manu valida & armata, ut novis montibus resisterent, & nequiter coronatum, cum perfidis expugnarent, ac gentem fidam protegerent.* Ad augmentandum igitur professionem suam in Scotiam, fecit Rex per Angliam publicè proclamari, ut quotquot tenerentur fieri Milites successione paterna, & qui haberent unde militarent, adessent apud Westmonasterium in festo Pentecostes, admissuri singuli omnem ornatum militarem præter equitaturam, de Regia Garderoba. Confluentibus itaque trecentis juvenibus, filiis Comitum, Baronum & Militum, distribuebantur purpura, byssus, syndones, cyclades auro texta affluentissime, prout cuique competebat, &c. After which, Rex votum votis Deo cæli & cygnis, se proficisci in Scotiam, mortem Johannis Comyn, & fidem lasam Scotorum, vivus sive mortuus vindicaturus. Adjurans principem, & ceteros præcelsos viros terra, fide sibi debita, si ipse prius in fata decederet, corpus suum secum in Scotiam in bello deferrent, nec sepelirent illud quousque Dominus de perfido coronato, et gente per jura dedisset victoriam et triumphum. Sponsponderunt igitur cuncti fide bona, separatos secum in vitam Regis, & in mortem cum Principe in Scotiam proficisci, votum Regium expleturos. Exinde omnes animæ equiores effecti, salutato Rege, in crastino Sanctæ Trinitatis de Westmonasterio recesserunt, ad Regem in quindena Sancti Johannis Baptistæ in Scotiam affuturi. Pro hac autem Militia filii Regis, concessus est Regi tricesimus denarius a Populo et Clero. Mercatores vero viceffimum concesserunt. Interea quidem facta est multa concertatio inter populum Scotorum & Anglorum, quis eorum in certamine videretur esse major. Interim Robertus de Brus circumiens terram, & homagium multorum recipiens, coadunato exercitu copioso, in crastino Sancti Johannis Baptistæ appropinquavit ad villam Sancti Johannis, in cujus præsidium nuper advenerat Americus de Valentia. Equites autem Scotorum omnes lincis camisis super armaturam suam, ne discernerentur, induiti erant ex jussu novi Principis sui. Invitatus ab eo Americus ad congressum respondit, quod cum eo non die illo, sed in crastino demicaret. Subrahente verò se Roberto cum suis ad spaciū unius miliaris, & se reficere volente, hora appropinquante vespertina, Americus cum suis egreditur armatis, & subito juxta Methfen Scotis superveniens, prælium aggressus est: Et ceciderunt in die illo, ivore gladii, plures de Scotis, qui pseudo-Regi adhaeruerunt. Quinimo ipse idem rex à dextrariis prostratus est, & per Simonem de Freysell, bellatorem egregium, ter levatus, tandem per fallaciam candida camisia evasit de prælio. Nam cum aliquandiu Robertus ceterique qui se cum celeritate armaverant resisterent, tandem pravalentibus Anglis fugere sunt coacti. Quos instituit Americus cum suis usque in Insulam Keyntyr, Castrum illius loci, putans Robertum se recepisse in eo, obsedit. Expugnato tamen Castro cum non invenit, quia ad extremas regionis insulas fugerat, sed fratrem suum Nigellum de Brus cum aliis quibusdam ibidem cepit, quos omnes usque Bervicum fecit adduci. In prælio autem supradicto capti sunt hi viri, Thomas filius Ranulphi, David Inkmartyn, Johannes de Summerville, Milites, Hattin Marecallus, & Vexillifer pseudo-Regis, & Hugo Capellanus. Qui nihilominus cum prædictis, & cum multis aliis, quorum nomina hic non recitentur, ne pagina his vilescat, patibulo ante ceteros præmissus est affixus, quasi

b Mat. West p. 457, 458, &c. Walsingham, & others before quoted.



*An. 34 E 1.* diceret; Ego Presbyter tale vobis praebeo iter. Post hac autem adveniente Rege Angliæ in Scotiam cum Principe Walliæ, & Magnatibus populi sui, quidam Scoti eum honorifice ad miserunt, quidam abierunt retrorsum, nonnulli abdita silvarum diverticula petierunt. Exercitus tamen Regium discurrens per totum regnum Scotorum, capit persequi fugitivos, & plures peremerunt, & aliquos vivos comprehenderunt, utpote Episcopos et Abbatem prædictos, locatos et armatos sub suis exterius tegumentum. Duorum igitur Episcoporum culpa magna, sed Episcopi Sancti Andreae major. Nam die congressionis inter Anglos & Scotos apud Methfen, juxta Sanctum Johannem, misit armatam clientelam suam in succursum Scotorum. Ipse vero callide se reddidit interim Anglis, ut si Scoti de Anglis triumpharent, ipsum de illorum potestate emerent, tanquam vi captum, pro defectu tutela. Si autem Angli triumpharent, sibi parcerent eo quod derelictus à familia sua fuit, quasi non consentiens fallis illorum. Ibi ergo perjurati Prælati in arctissimis carceribus forma et habitu quibus fugiendo capri fuerunt, retruduntur, quousque per Apostolicam sedem dispositum sit, quid de his fuerit faciendum. The Kings Writs for these perjured Prelates and Abbots close imprisonments in several Castles, and that in iron chains, are thus recorded in the Rolls in the Tower.

*Nota.*

*Chauf. 34 E 1.*  
m. 6. fol. 1.  
De W. Episcopo S. And.  
in prisona custodiendo.

\* *Nota.*

**R**EX Vicecomiti Sush. salutem. Quia inimicum, rebellem et proditorem nostrum *Willielmum* Episcopum Sancti Andreae mittimus ad Castrum nostrum *Wynton.* carcerali custodia mancipandum, exigente hoc multiplici culpa sua, Tibi præcipimus, quod dictum Episcopum in tuam custodiam, recipias, et corpus ejus infra Turrim dicti Castri in loco tutiori et fortiori ejusdem Turris includas, et salbo ac secure \* in compedibus ferreis custodias, sub forisfacturo vite et membrorum, ac omnium terrarum et tenementorum, bonorum et catallorum tuorum quæ ex nunc forisfacta censemus, si de custodia hujusmodi aliquod periculum imminere in futurum. Proviso, quod locus prædictus intus et exterius taliter muniatur et firmetur, quod de custodia ipsius inclusi nullum timeatur periculum, quodque ad accedendum ad ipsum seu eundem, vel etiam ad alloquendum nemini possit patere aditus vel facultas, set nec ipse Episcopus quemquam videat, seu etiam alloquatur, præter illos quos ad deferendum ei necessario tuo periculo deputabis, et quos per singulos menses mutare et alios subrogare poteris ad cautelam, si pro securitate tua videris expedire, ut casu daretur conspirationis et collusionis suspicio ebiteretur. Et ut custodia ejus securior habeatur, omnes aditus et portæ Turris prædictæ securis firmentur, et pons versatilis lebetur continue et claudatur; ad quam Custodiam fideles et bonos assignabis sub fideiussoria cautione custodes, pro quibus tu ipse nobis volueris sub prænotatis pena et periculo respondere. Ad hæc, quia complicem suum consimili vel forte majori infamia maculatum, *Robertum* scilicet Episcopum *Glasguensem* fidelitatem suam erga nos et Cozonam nostram frequenter et temere violentem, mittimus ad Castrum nostrum *Percest.* incarcerationem ibidem. Tibi præcipimus, ut posito prius in tuto in Turri *Wynton.* præfato Episcopo Sancti Andreae modo et forma præscriptis, dictum Episcopum *Glasguensem* in propria persona tua ducas salbo et secure usque *Percest.* et juxta tuam et Custodis nostri Castri prædicti circumspectionem industrem ipsum Episcopum in tutiori et fortiori loco Castri prædicti \* in compedibus ferreis includas, locum insuper prædictum muniari et firmari vestro et ipsius Custodis Castri prædicti periculo facias, modo quo superius exprimitur de Episcopo Sancti Andreae, seu etiam meliori, quia tam te quam prædictum Custodem Castri nostri prædicti de custodia ipsius Episcopi volumus æquanimiter onerari. Et ut fortius et firmitus custodiantur, volumus et mandamus, ut adjungas tibi et Custodi nostro Castri prædicti aliquos homines fideles et idoneos terras tenentes de bisneto Castri prædicti, vel loco viciniore, quos ad hoc sufficientes videris, qui dictam custodiam una vobiscum recipiant et habeant, sub prænotatis et periculis prænotatis. De sustentatione vero dictorum Episcoporum, samulantium eis et Custodem suorum, quam per te exhiberi volumus secundum Andenturam quam tibi mittimus præsentibus interclusam, cuius altera pars remanet pones Thef. nostrum, allocationem debitam tibi habere faciemus. Qualiter autem & quam providè & secure ordinaveris de custodia prædicta, & quot & quos terras tenentes tibi & dicti Custodi Castri de *Percest.* adjunxeris ad eandem, dicto Thef. nostro subtuo & illorum sigillis qui una tecum onus subibunt Custodiæ memoratæ significes, sine mora. T. R. apud *Dunelm.* 7 die *Aug.*

REX

\* *Nota.*

**R**EX Custodi Castri nostri *Porcestre*. salutem. Quia inimicum, rebellem et proditorum nostrum *Robertum* Episcopum *Glasguensem*, qui fidelitatis nobis prestitum sacramentum saepius violare presumpsit, mittimus ad Castrum nostrum predictum Carcerali Custodia, &c. (ut supra.) Tibi precipimus, quod predictum Episcopum in tuam custodiam infra Castrum predictum recipias, et salvo et secure custodiri facias in securiori et fortiori loco totius predicti Castri in compedibus ferreis, prout *Willelmo* nostro *Sutbr.* qui dictum Episcopum ad te ducet et tibi securius videbitur faciend. Proviso, quod locus predictus, &c. (ut supra.) prater illos qui ad custodiam illius deputabuntur; quodque omnes aditus & portae loci predicti securis firmentur, ac pons versatilis lebetur continue et claudatur. Et ut ipsius custodiam securior habeatur, volumus quod per *Wic.* nostrum predictum et te aliqui homines fideles et idonei terras tenentes de vicineto Castri predicti, vel loco viciniore et ad hoc sufficientes eligantur, et eidem *Wic.* ac tibi adjungantur, qui una bobiscum custodiam dicti Episcopi recipiant et habeant, ac ipsum custodiant, sub poena amissionis vite et membrorum, ac forisfactura omnium terrarum et teneament. ac bonorum suorum et vestrorum quae exnunc forisfacta censemus, si de custodia huiusmodi periculum aliquod imminet in futurum. Ad quam insuper custodiam tot et tales boni et fideles per dictum *Wic.* nostrum te et alios terras tenentes deputentur Janitores & Ministri qui ad hoc sufficere, & suspitione carere omnimoda videbuntur, et pro quibus vos omnes volueritis respondere, sub poena et periculo prenotatis, quos etiam per singulos mature et alios subornare poteritis ad cautelam, si pro securitate vestra id videritis expedire, ut cuiuslibet conspirationis et collusionis suspitio editetur. De sustentatione vero ejusdem Episcopi famulanti-um sibi & Custodum suorum disponet *Vic.* noster predictus, prout sibi dedimus in mandatis. Teste Rege, &c. ut supra.

As. 34 E. 1.  
Cl. 34 E. 1. m. 6. inus.  
\* Tothe Bishop of St. Andrew, p. 1114.

The \*like Writ the King issued also to the Keeper of the Castle of *Mere*, for the close and safe imprisonment of the Abbot of *Scone*, (verbatim, as in that before to the Sheriff of *Southampton*, concerning the close imprisonment of the Bishops of *St. Andrews*, and *Glasgow*) With this further Precept to the Sheriff of *Wyltes*.

\* Rot. Finium  
An. 34 E. 1.  
m. 6.

**R**EX Vicec. *Wyltes* salutem. Quia inimicum rebellem et proditorum nostrum *Abbatem de Scone* mittimus ad Castrum *de Mere* incarcerationum ibidem existente hoc multiplici culpa sua, tibi precipimus quod receptis presentibus, usque *Wynton.* in propria persona tua festinanter accedas, ac dictum Abbatem a *Vic.* nostro *Leycest.* per quem ipsum Abbatem illuc mittimus, recipias, & salvo ac securè ducas usque ad Castrum predictum *de Mere*, & juxta tuam & *Richardum de Chiselden* Custodis Castri predicti circumspectionem indultrem, ac tuciori & fortiori loco Castri predicti in \* compedibus ferreis includas, &c. Teste Rege ut supra.

Fines 34 E. 1.  
m. 6. inus.  
Pro R. Episcopo Glasguensi in prisona custodiendo.

\* Nota.

Et memorandum quod brevia predicta (videlicet, hoc breve & brevia pro *R. Episcopo Glasguensi*, & pro *W. Episcopo Sancti Andree*) facta fuerunt apud *Notingham* per Dominum *W. Coventr.* & *Lychf.* Episcopum Theaur. Regis, & sub Sigillo suo missa Domino Cancellario usque ad Abbaciam Sancti *Jacobi Northamp.* sub magno Sigillo in forma predicta consignanda.

These strict Writs for the close imprisonment of these perjured Bishops, Rebels, Traytors and Enemies to the King even in *iron chains*, as well as in several Castles, Towers, notwithstanding their Rochets, and sacred Orders, under such strong armed guards and severe penalties, is a sufficient evidence, what pernicious, dangerous Traytors and Rebels the King reputed them, being in truth far worse then any of those Laymen whom he hanged, beheaded, quartered, setting up their Heads, Quarters in sundry places throughout the Realm, to deterre others for the future, from the like Treasons and Rebellions: Yet such was his Royal Clemency towards them (in respect of their sacred Orders, which much aggravated their Crimes, and by consequence their punishments) that he not only spared their lives; and gave them and those who attended them a daily competent allowance,



An. 34 E. 1. ance, but also allowed them a Chaplain daily to say Masse to them for the good of their souls, though themselves might be thought sufficient to be their own Chaplains during this their close imprisonment, having no such temporal employments as formerly, to divert them from their Devotions, as this Record informs us.

Cl. 34 E. 1. m. 6 dorso. De ordinatione Episcoporum S. Andree & Glasguen. & al. priolum de Scotia.

**M**emorandum, quod Vicecomes Subt. cui *Willielmus* Episcopus Sancti *Andree* Domini Regis proditor liberatur, in Turri Castri *Wynston*. salbo et secure custodiendus, secundum quod per breve Regis ei expressius est injectum, faciat ministrare dicto Episcopo incarcerato expensas suas in hunc modum: videlicet, eidem Episcopo ad expensas suas proprias, singulis diebus sex denar. & pro uno valetti deserviente ei per diem tres denar. & pro uno garcione similiter ei per diem unum denar. et unum obolum, et pro uno Capellano celebraturo sibi missam singulis diebus, unum denarium et unum obolum per diem. Qui quidem Capellanus valletus & garcio tales eligantur, et tam fideles de quibus nullum timeatur periculum, et pro quibus dictus Vic. suo periculo voluerit respondere. De aliis autem custodibus qui necessarii videbuntur pro custodia Episcopi predicti disponet dictus Vic. prout sibi pro securitate sua melius viderit expedire.

Item idem Vic. cui *Robertus* Episcopus *Glasguen.* similiter liberatur ad incarcerationand. in Castro *Porcest.* similes Custodes ac Ministros deputabit eidem, ac sibi sumptus & expensas ministrabit ibidem prout pro Episcopo Sancti *Andree* superius est expressum. Et de sumptibus quos idem Vic. apposuerit tam circa dictos Episcopos & eis deservituros, quam circa alios Custos quos rationabiliter fecerit in stipendiis Custodum predictorum, sibi per presentem Indenturam cujus altera pars remanet penes Thesaur. de Scaccario, allocatio iusta fiet.

\* Mat. Westm. An. 1306. pag. 460, 461, 462. See Walsingham, Polychronicon, Polidori Virgil, Fabian, Caxton, Gra'ton, Holinshed, Daniel, Baker, in Ed. 1.

At the same time when these Bishops and Abbots were taken Prisoners, \* *Capitulum et illa impiissima conjuratrix de Bowhan de qua consultum Rex, ait, Quia Gladio non percussit, gladio non peribit. Verum propter illicitam Coronationem quam fecit, in domicilio lapideo & ferreo, in modum Corona fabricato, firmissime obstruatur, & apud Bervicum sub diu forinsecus suspendatur, ut sit data, in vita & post mortem, speculum viatoribus, & opprobrium sempiternum. Illo quoque tempore, captus est Symon Freysell, in quo pendebat Scotorum tota fiducia, in tantum quod incarcerati Nobiles Scoti, invincibilem incomprehensibilemque illum asserbant, nec illo vivente Scotos posse devinci putarent. De cuius magnanimitate presumens quidam Scotticus Miles, in Turri Londinensi vinculis in Elogium Anglorum sed proprium dispendium, caput proprium Regi dedit quocunque die captus fuerit, amputandum Nomen autem huius Herebertus de Norham, per cunctis Scotis formosior, & statum eminentior tamen propter trinom prodicionem, quam Regi Angliæ fecerat, & secundum dimissionem, tertio captus, una cum patre & Armigero in Turri Londinensi ferreis compedibus nexerant. Post hac Symon Freysell ad Turrim Londinensem mittebatur, ut illo viso, voti præstiti Scotus alius recordaretur. In crastino igitur, id est in Vigilia Nativitatis beate Mariæ, educti de Turri Londinensi Herebertus & Thomas de Boys, armiger ejus, capitibus sunt truncati, Symon autem Freysell, propter pluralitatem prodicionum, quas fecerat sic damnatur. A Turri Londinensi per vinculos et plateas distractus ut proditor, suspensus eminus quasi latro, truncatus capite ut homicida, refixus equuleo per dies 20. igne quoque finaliter est combustus. Huius autem caput super Pontem Londinensem, juxta caput Gulielmi Waleis, super lanceam cunctis orationibus perhorrendum spectaculum, est affixum.*

Mat. Westm. p. 461.

This was the deserved end of these perjured Scottish Traitors and Rebels. Soon after, *In diebus illis, fecit Rex Angliæ inquirere per totam Scotiam per fide dignos homines, quot & quanti intererant interfecioni Johannis Comyn & coronationi Roberti de Brus: Et ferme omnes cepit, et morti tradidit; aut ultro se reddentes regis voluntati, dictis carceribus mancipavit. Post hac captus est Castrum de Lochdor, in quo inventus est Christopherus Setonus, Sororius Roberti de Brus, quem cum non Scotus sed Anglus esset, iussit Rex deduci usque Dunfreis, ubi quidam Militem de parte Regis prius occiderat, ibique indictum subite coactus, tractus suspensusque est, ac ultimo decollatus. Johannes vero Setonus, Christopheri Germanus, apud Novum Castrum super Tinam tractus, suspensus, atque decollatus horribiliter vitam terminavit. Erant enim ambo Armigeri pseudo-Regis, amboque consenserant*

nessi

*Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward I.*

neci Joh. Comyn: *Uxorem vero Christoph. & filiam Ro. de Brus in diversis monialium Monasteriis collocavit. Et dum exercetur in oles in populo scelerato talis vindicta sagit ad montana Coronatus. Proinde timens sibi Johannes Comes de Asceila, fugam quarit, sed Dei providentia timor quem timebat, evenit ei. Nam, cum in mari navigando fugeret, subito orto Vento contrario, ad terram repulsus, ab adversariis captus erat. Quo audito Rex Angliz, etsi gravissimo morbo tunc langueret, levius tamen tulit dolorem. Comes autem iste, de stirpe Regali sibi originem vendicavit. Idcirco quidam Palatini, ipsum cum iniquis judicandum, indecens indecorumque censebant. Quibus Rex, non sanguinis lineam, sed justitia judicium attendens, dicebat. Quanto gradus altior, tanto lapsus gravior esse constar. Sed ceteris parricidis generosior in sanguine, alium ceteris suspendatur pro scelere. Nec vos lateat quoties voluit prodidisse nos in Anglia, in Scotia, & in Flandria. Habete illum vos, & Londini justissime judicetur. Quo cum pervenisset 7. die Novembris apud Westmonasterium in Aula Regis utique condemnatur. Virum, quia de regali sanguine fuerat oriundus, non est tractus, sed ascenso equo, in equuleo quinquaginta pedum suspensus est. Postea semivivus demissus, ut majores cruciatibus sentiret, crudelissime decollatur. Truncus vero illius, praeaccenso in conspectu ejus vehementi igne una cum carne & ossibus, in favillas & cineres funditus conflagrantur. Caput autem istius, inter alia probitorum capita, super Pontem Londonensem in superlativo gradu, quia de regali stemmate, est affixum. Rex apud Lavercoft, juxta Caerleolum commorans, misit Bervicum Justiciarios, quorum judicio Nigellus de Brus, Miles pulcherrima juventutis, pro eo quod consenserat factionibus fratris sui, & ceteri qui cum eo capti fuerant, traditi sunt atque suspensi et ultimo decollati. Thus did these perjured, rebellious Scotch Traitors suffer these just condign Executions for their old and new perjuries, Treasons, Rebellions against King Edward, to whom they had so frequently sworn, covenanted fealty, homage, loyalty and allegiance, under their hands and seals, as to their Sovereign Lord.*

*An. 34 E. I.*

Whiles the King was thus employed in subduing his *Scottish* Rebels abroad, the Pope and his Delegates, together with his own Bishops, Clergy, and their Ecclesiastical Courts, were as busie in encroaching upon the Ecclesiastical and Temporal Rights of his Crown and Courts at home, as these ensuing Writts to controll them will more fully inform us.

Pope Clement being encouraged by the Kings \* premised compliance, that his foreign Agents should sequester and appropriate both the Spiritualties and Temporalities of the Archbishoprick of *Canterbury* to his own use, proceeded by *Stephen de Manby* and other his Delegates, to sequester all the Spiritualties, Temporalities, Fruits and Profits of the Priory of *Durham*, of the Kings foundation, and his Progenitors, with their Rights and Appurtenances, without the Kings privy or licence, enjoying the Prior, Chapter and Covent of *Durham*, with all the Proctors and Administrators of the said Priory, intirely to answer all the Fruits, Rents, Profits, Rights and obventions of the said Priory to the Patriarch of *Jerusalem* during the pleasure of the See Apostolick, to be disposed of at his pleasure; and commanded them to excommunicate and interdict all persons of what quality soever, except the King, Queen, and their Children, which should oppose or contradict this new and unheard of Papal Usurpation; whereupon they denounced with direful execrations the greater Excommunication against the Prior and sundry Canons of *Durham*, and divers others who opposed them therein, and also interdicted the Church of *Durham*, refusing twice to revoke this their unjust Sentence upon the Kings Writts, and his Counsels commands to do it, in high contempt of the Kings Crown and Dignity, and disinheriting the Rights thereof: For which they were twice summoned before the King and his Council, and after in the Parliament at *Karlisle*, were imprisoned and fined to the King, as this memorable Record will at large inform us.

\* Herep. 1095. 1096.

\* *Placita coram Domino Rege de Termino Sancta Trinitatis apud Westmonasterium Anno regni Regis E. fil. Regis H. Tricesimo quarto.*

**D**ominus Rex mandavit *Stephano de Malo Lacu* Archidiacono *Clyveland* Breve suum in hęc verba.

† *Edwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitanie; Stephano de Malo Lacu, Archidiacono Clyveland. salutem. Ad nostrum pervenit auditum*

\* Inter Recorda D. Regis Car. 2. in Thef. Recepte Scaccarii sui sub Custodia D. Thef. & Camerar. ibidem. Inter al. sic continetur ut sequitur. Adhuc de quinquena S. Trinitatis. Dunelm. Rot. 35. † Recorded verbatim, in Claus. 34 E. I. m. 15. Pro Dom. Rege.



An. 34 E. I. auditum, quod quidam negocia sibi facta insolita et hactenus inaudita, Prioratus *Dunelm.* (qui de Fundatione & Patronatu progenitorum nostrorum & nostra existit) tangentia, sunt vobis exequend. commissa, quæ si eo modo procederent sicut in eis procedere, ut dicitur, præsumpistis, in Regis dignitatis et Coronæ nostræ præjudicium et exheredationem nostram cederent manifeste: Et quia super negociis et factis hujusmodi et eorum circumstantiis universis antequam in ulteriorem executionem procederent certis ex causis reddi volumus certiores, quod utique clare liquere non poterit absque vestra præsentia personali; Vobis mandamus firmiter injungentes, quod in quindena Sanctæ Trinitatis ubi cunque tunc fuerimus in Angliâ, coram vobis et Consilio nostro litis, ad ostendend. et faciend. nobis et Consilio nostro constare, quæ sunt et qualia quæ vobis super dictis negociis, sicut præmittitur sunt commissa, et qualiter, et quo modo, et cuius seu quorum auctoritate, mandato sive præcepta talia nobis inconsultis exequi attemptatis; Ac audiend. faciend. et recipiend. super hiis quod pro statu nostro et dictæ Coronæ per nos et dictum Consilium nostrum fuerit in hac parte faciend. Superledentes omnino, nihilominus omnibus executionibus præfata negocia seu facta tangentibus interim faciend. Ac etiam penitus revocantes, si quæ super eisdem negociis occasione cuiuscunque mandati vobis inde directi exequi forsitan attemptastis, et hoc sicut dampnum vestrum vitare volueritis, nullatenus omittatis. Et habeas ibi tunc hoc Breve. Teste meipso apud *Wolvestre*, 29 die April. Anno regni nostri 34. Per Breve de privato Sigillo & Consilio.

Mandavit etiam aliud Breve consimile *Thoma de Goldesburgh* sub eodem tenore.

Mandavit etiam tertium Breve consimile Magistro *Ricardo de Morpath* sub eodem tenore.

Mandavit etiam quartum Breve consimile Magistro *Roberto de Baldok*, sub eodem tenore.

Ad quem diem prædicti *Stephanus de Malo Lacu*, *Thom. de Goldesburgh*, Magistr. *Ricardus de Morpath*, & Magister *Robertus de Baldok* coram Consilio Domini Regis apud *Westm.* venerunt. Et quaesitum est ab eis, quæ & qualia sunt prædictum Prioratum tangentia quæ eis sunt exequenda commissa, & cuius seu quorum auctoritate talia attemptare præsumpserunt? Qui dixerunt, quod ea quæ fecerunt prædictum Prioratum & Patriarcham *Jerosolomit.* Episcopum *Dunelm.* tangentia, auctoritate ejusdem Mandati Abbatis *Lefasens.* Appamiarum Dioc. fecerunt, per quod idem Abbas ipsius auctoritate Apostolica mandabit, quod ipsi tanquam Executores et Commissar. &c. præfatum Patriarcham Episcopum, vel Procuratorem suum, &c. ad administrationem & curam dicti Prioratum, tam in spiritualibus quam temporalibus cum suis Juribus et pertin. universis admitti facerent, et recipi, Abique et per ipsum ad hoc deputando a Capitulo et Conventu ipsius Prioratus, et singulis personis Monasterii ejusdem, ac in eodem Monasterio vel alibi existentibus in hiis quæ ad executionem administrationis et curæ prædictarum pertinent, de Jure vel Consuetudine obediri et intendi, ac de ejusdem Prioratus fructibus, redditibus, proventus, juribus et obventionibus universis \* integraliter, usque ad Apostolicæ Sedis beneplacitum responderi, et quod in omnes et singulos negotium illud impediendes aut aliquo modo turbantes, sententiam Excommunicationis majoris promulgarent. Prætextu cujus mandati ipsi ad executionem inde faciend. prout eis videbatur licite facere posse juxta mandatum prædictum processerunt, & ostenderunt in scriptis totum processum facti sui in hac parte, in quo continebatur quædam sententiam Excommunicationis enormis et dira per ipsos lata super Prioratum *Dunelm.* et quosdam Canonicos suos, et multos alios nominatim, et etiam super \* omnes alios et singulos cuiuscunque status, gradus, vel conditionis essent, qui executionem illam in aliquo perturbarent aut impedirent, seu impediendis in aliquo opem darent, auxilium, consilium aut favorem, exceptis solummodo personis Domini Regis, Domine Regine, et liberorum suorum, Juribus etiam et Libertatibus Regalibus, &c. Et quod Ecclesiam *Dunelm.* prædictam Ecclesiastico super posuerunt interdicto. Quæsi, si mandatum prædictum seu aliquod warrantum suum in hac parte Domino Regi ostenderunt priusquam illud executioni demandarunt? qui cognoverunt expresse, quod non. Quæsi etiam, si factum suum prædictum et sententiam prædictam ad mandatum Domini Regis prædictum revocaverunt? dicunt, quod non. Unde præmissis omnibus inspectis & examinatis, videtur toto Consilio, quod

\* Nota.

\* Nota.

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quod Mandatum prædictum, et etiam factum ipsorum Clericorum super Executione ejusdem in tantum tangunt temporalitatem Regni, quod si eo modo permitterentur quo ipsi in negotio illo procedere præsumperunt, in Regiæ dignitatis et Coronæ suæ præjudicium, et exheredacionem Regis cederent manifeste; in hoc maxime, quod ipsi de executione aut dispositione aliqua de rebus temporalibus dicti Priore qui de Fundatione et Patronatu progenitorum Regis et ipsius Regis existit faciend. absque warranto vel permissione Domini Regis se intromiserunt, ut de fructibus, redditibus, probentibus, Juribus, &c. cum nullus hujusmodi facta Coronam Regalem tangentia ipso Rege inconsulto valeat nec debeat attemptare; nec ipsi warrantum quod inde habuerunt Domino Regi offenderunt priusquam illud executi fuerunt, nec etiam ad mandatum Domini Regis prædictum factum suum vel sententiam prædictam rebocaverunt, seu juxta mandatum illud rebocare voluerunt, quæ omnia expresse sunt contra Coronam et dignitatem Regalem, et ad inobedientiam et contemptum mandati Regis prædicti, et exheredacionem manifestam facta et executi. Per quod ipsi traditi sunt per manucaptionem sufficientem, scilicet, corpus pro corpore, usque a die Sancti Michaelis in 15 dies. ubicunque, &c. ad voluntatem Domini Regis tunc inde audiend. &c. Ad quem diem præfati Clerici per manucaptionem prædictam venerunt. Et iterum quæsitus est ab eis, si sententiam prædictam adhuc rebocaverunt? qui dixerunt, quod non, nec rebocare poterunt. Et super hoc datus est eis dies per manucaptionem sufficientem, ut de die in diem usque in Crastinum Animarum ubicunque, &c. in forma prædicta. Ad quem iidem Clerici per manucaptionem illam venerunt. Et deinde continuato processu versus eos, ut de die in diem usque diem Mercur. prox. post Octab. Sancti Martini iidem Clerici coram toto Consilio, &c. sententiam prædictam de plano rebocaverunt in scriptis. Sed quia manifeste constat Curiz, quod Mandatum prædictum et etiam Executio inde per ipsos Clericos facta, expresse sunt contra Coronam et dignitatem Regalem, et ad inobedientiam et contemptum Mandatorum Domini Regis, et exheredacionem suam ut præmittitur facta et executi, ipsi Clerici committuntur Gaolæ ad voluntatem Domini Regis, &c. Postea concordatum est, quod tradantur per Manucaptionem sufficientem, usque ad proximum Parliamentum, &c. Et super hoc venerunt Johannes de Cramwell, Willielmus de Honky, & Ricardus de Vernon de Com. Ebor. & Gilbertus de Touthby, Willielmus de Farford, & Alanus de Cobbeldyke de Com. Linc. & manuceperunt prædictum Stephanum corpus pro corpore, habendi eum coram Rege ad Parliamentum suum in Octab. Sancti Hillar. apud Karliolum, ad satisfaciend. Domino Regi de contemptu et inobedientia et transgressione supradictis. Et Radulphus de Rocheford Miles, Johannes de Gernon, Johannes Beky, Alanus de Cobbeldyke, & Petrus de Daldreby de Com. Linc. Et Willielmus de Honckys de Com. Ebor. manuceperunt Thom. de Goldesburgh in forma prædicta. Et Thom. de Nevill de Com. Roteland, & Willielmus de Cave & Galfridus de Cave de Com. Ebor. Et Petrus de Gowerwaton, Willielmus de Hongton, & Adam de Thornewton de Com. Northumbr. manuceperunt Ricardum de Morpath in forma prædicta. Et Radulphus de Rocheford, Johannes de Offynston de Cantuar. de Com. Kanc. & Petrus de Hascar, & Henr. de Gatis de Com. Midd. & Ricardus de Louthbury de Com. Essex, & Galfridus de Cave de Com. Eborum, manuceperunt Magistrum Robertum de Baldokys in forma prædicta, &c. Ad quod quidem Parliamentum præfati Stephanus de Malo Lacu, Thomas de Goldesburgh, Magister Ricardus de Morpath, & Magister Robertus de Baldokys venerunt; Et prædictus Stephanus finem fecit cum Domino Rege pro contemptu et transgressione prædicta. per quaterviginti Marcas, et recipitur per plegium Roberti de Manley Militis, de Com. Eborum, & Gerardi Salveyn de eodem Com. Et prædictus Thomas de Goldesburgh finem fecit, &c. per centum Libras, et recipitur per plegium Thomæ de Multon Militis de Com. Linc. & Radulphi fil. Willielmi Militis, de Com. Eborum. Et prædictus Magister Robertus de Baldokys finem fecit, &c. per biginti Marcas, per plegium Johannis de Swynebourne Militis, de Com. Northumbr. & Thom. Grey Militis, de eodem Com. Et Dominus Rex de gratia sua speciali pardonabit præfato Magistro Ricardo de Morpath omnem transgressionem et contemptum per ipsum factas, et omnino ei remittit finem, &c. Ideo idem Magister Ricardus eacinde quietus imperpetuum, &c.



*Anno 34 E. 1.* I finde by the Clause Roll of 34 E. 1. that the King being informed the Popes Delegates proceeded to execute the Popes unusual and illegal commands in this businesse, notwithstanding his several Prohibitions to them, therein recorded, issued this Writ to *Robert Clifford* Guardian of the Liberties of the Bishoprick of *Durham*, by advise of his Counsil, strictly commanding him, not to permit them or any of them to execute any thing concerning the same within his said Liberties, till further order therein.

Clauſ. 34 E. 1.  
m. 10 dorſo.  
Pro Rege de  
quibuldam  
tangentiſ  
Prioratū  
Dunelm.

**R**EX Dilecto & fideli ſuo *Roberto Clifford* Cuſtodi libertatis Episcopatus *Dunelm.* vel ejus locum tenenti ſalutem. Cum quardam negocia inſolita et hactenus inaudita dilectum nobis in *Chriſto Richardum Priorum Dunelm.* ac *Prioratum Dunelm.* qui de fundatione et patronatu progenitorum noſtrorum et noſtro exiſtit tangencia *Stephano de Malo Lacu* Archidiacono *Cleveland*, *Thoma de Goldefburgh*, Magiſtro *Roberto Baldeck*, & Magiſtro *Richardo de Morepath*, committantur exequenda, et quæ ſidem *Stephanus*, *Thomas*, *Robertus*, & *Richardus*, nobis in conſultis exequi attemptarunt, in Coronæ et Regiæ dignitatis noſtræ præjudicium et exheredationem noſtram manifeſtam, per quod eiſdem *Stephano*, *Thoma*, *Roberto* & *Richardo* prohibuimus, ne dicta negotia exequi aliquatenus attemptarent ſeu facerent attemptari. Ac ſam intellexerimus quod alii per prædictos *Stephanum*, *Thomam*, *Robertum* & *Richardum*, deputati, negotia illa infra libertatem prædictam exequi præſumunt; vobis adhuc mandamus firmiter inſurgentes quod prædictos *Stephanum*, *Thomam*, *Robertum*, & *Richardum* aut alios quoscumque dicta negotia infra libertatem prædictam exequi nullatenus permittatis, donec aliud a nobis ſuper hoc habueritis in mandatis. Teſte Rege apud Sanctum *Albanum* 16 die Junii.  
*Per Conſilium.*

So careful was the King and his Counſil to prevent this dangerous Innovation and Encroachment on his Crown, and cruſh this new Cockatrice in the ſhell. The Pope being informed by his Nuncio and Legate here, concerning the Kings ſevere proceedings againſt them for executing his Bull, who miſinformed him of the true ſtate of the Caſe in point of Law and the Kings Prerogative, was very much offended with the King; whereof he being informed, to hold all fair correſpondence with him, ſent him this Epiſtle, complaining of the great wrongs done by his Agents to God, and eſpecially to *St. Cuthbert* Patron of the Church of *Durham*, deſiring him to examine the truth of the whole buſineſs himſelf, whereof he had been miſinformed, and reform theſe exceſſes, to the honour of God, *St. Cuthbert*, and the Church, and righting of the Prior.

Rot. Romæ.  
An. 34 & 35 E.  
1. m. 3. nu. 10.

**S**anctiſſimo in *Chriſto* Patri Domino C. &c. ſuus devotus filius *Edwardus* Rex *Anglia*, &c. Cum occasione quarundam ſuggeſtionum beatitudini veſtræ factarum aliqua *Dunolmenſem* tangencia Prioratū qui eſt de fundatione claræ memoriæ progenitorum noſtrorum Regum *Anglia* & juſ etiam Coronæ noſtræ exiſtens, duxeritis ordinanda, ac deſpectum et violenſiarum enormium graves exceſſus Deo et Sancto *Cuthberto* glorioſo *Chriſti* Confeſſori et eiſdem Eccleſiæ in qua eiſdem Confeſſoris corpus ſanctiſſimum requieſcit, necnon & Priori & Conventui ejusdem loci diverſimode ſunt illati, quibus non mediocriter ſicut credimus veſtræ fuiſſet compaſſa benignitas, et congruæ directionis adhibuiſſet remedium ſuper illis ſi de veritate eorum vobis præmiſus conſtituiſſet, Sanctitati veſtræ devotis precibus ſupplicamus, quatinus negocia quæ Prioratū prædictum contingunt habentes, ſi placeat, affectu proprio commendata, examinationem et diſcuſſionem eorum diligenti veſtro proprio examini reſervare, vel ſaltem aliquibus certis perſonis examinanda et diſcucienda committere quæ non fuerint parciales, ut de veritate ipſorum negotiorum plenius informati, ad ſuggeſtiones prædictas quæ nullam in ſe continent veritatem; ſic demum condignum habere valeat providencia veſtra reſpectum, qui conveniens videatur & extiterit opportunus: Ac etiam ſuper prædictis dirigendis exceſſibus et violenſiis ordinare atque diſponere eo modo, quod ad Deum et Sanctæ Eccleſiæ ac beati Confeſſoris prædicti cedat honorem, necnon et ſtatus prædicti Prioratus melioracionis augmentum. Et nichilominus de contemptibus perſonæ prælibati Prioris violenter ſicut præmittitur, terrogatiſ dignetur

\* corrigenda.

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tur vestra clemencia lacius inquirere veritatem. Conservet, &c. Dat apud Wyngtore 11. die Julii, Anno Regni nostri 34.

And so this Controversie ceased for ought I finde by Records. The Popes Agents procuring the like Bull from the Pope to sequester divers of the Spiritualties and Temporalties of the Church of St. *Maries* in *Tork*, being of the Kings foundation; the King thereupon issued this Writ and Prohibition to the Official of the Archdeacon of *Richmond*, imployed to execute that Bull, for the preservation of the Rights of his Crown, as he did in the case of the Priory of *Durham*.

**R**EX Magistro *Willielmo de Twisleton* Offic. Archidiacon. *Richmond* salutem. Ad nostrum pervenit auditum quod quidam negotia sibi facta insolita et hactenus inaudita Monasterium beate *Mariae Eborum*, quod de fundatione et Patronatu Progenitorum nostrorum et nostro existit tangentia, sunt tibi erequenda commissa; quae si eo modo procedunt sicut eis procedere, ut dicitur, praesumpserit, in regis dignitatis et Coronae nostrae praesudicium et exheredationem nostram cederent manifeste. Et quia super negotiis et factis huiusmodi et eorum circumstantiis uniberis antequam in alteriorem executionem procedat certis ex causis reddi volumus certiores, quod utique clare liquere non poterit absque tua praesentia personali, Tibi praecipimus firmiter insungentes, quod in Crastino Sancti *Johannis Baptistae* ubique tunc fuerimus in *Anglia*, coram nobis et Consilio nostro sis, ad ostendendum et faciendum nobis et Concilio nostro constare, quae sunt et qualia quae tibi supra dictis negotiis sicut praemittitur commissa, et qualiter et quo modo et cujus seu quorum auctoritate mandato sibi praeepto talia nobis inconsultis erequi attemptas, et ad audiendum, faciendum et recipiendum super his quod pro statu nostro et dicte Coronae nostrae per nos et dictum consilium nostrum fuerit faciendum; super sedens omnino nichilominus omnibus executionibus praefata negotia seu facta tangentibus interim faciendis, ac etiam penitus revocans si quae super eisdem negotiis occasione cujuscunque mandati vos inde directi erequi sicut praedictur nobis inconsultis attemptasti: Et hoc sicut dampnum tuum vitare volueris nullo modo omittas. Et habeas ibi tunc hoc breve. Teste Rege apud *Wynter* 6. die Aprilis.

Claus 34 E. 1.  
m 15. Pro  
Abbate beate  
Marie Ebor.

Per Breve de privato Sigillo & Consilio.

By which Writs and Proceedings this unusual and formerly unheard of Usurpation of the Pope was prevented, and not afterwards put in execution, whereby he would have appropriated the Temporalties as well as Spiritualties of all Religious Houses and Monasteries in *England* by degrees to himself and his Creatures, had not the King and his Council thus carefully prevented and suppressed it when first set on foot.

Pope *Clement* the 5<sup>th</sup>, his Delegates, Nuncios and Agents, exceedingly encroaching this year upon the rights of the King, his Crown and Dignity, although the King in other particulars complied with their requests in all things that intrenched not upon the rights and prerogatives of his Crown and Royal Dignity, to advance his own designs; yet he and his Council would by no means yeeld, or condescend to their manifold new, illegal requests, Procurations, Usurpations, and proceedings, that were derogatory or prejudicial to the rights of his Crown, but opposed them to their power both in and by his Letters to this Pope and his Cardinals, by several Writs of Prohibition and Attachments issued to his Nuncios, Legates, Delegates, and other Agents: Witnesse this ensuing Letter of his to this Pope on the behalf of *John Bush* his Clerk, whom he had legally presented to a Praebendary in the Church of *Yorke*, then void and in his hands, into which *Francis* the son of *Peter Gistain* an alien had intruded himself by the Popes provision; who cited the Kings Clerk out of the Realm personally to appear before the Pope upon false suggestions, to answer him damages for the pretended injuries done unto him, in turning him out of this prebendary, against the rights and liberties of his Crown, Dignity, and Realm.

**P**apae Rex, &c. Oppotunum et solertem diligentiam libenter impendimus, ut iura Regis nostrae dignitatis conserventur illaesa, ad quae mantenda et conservanda

Rot. Romae,  
An. 34 E. 1.  
m. 5. n. 9.



*An. 34 E. 1.* *serbanda tanto sollicitius excitamur, quanto specialius ex virtute iuramenti quo ligamur, illa tenemur indefessa sollicitudine defensuri. Sane vacante nuper Eborum Ecclesia & ejusdem Archiepiscopatu in nostris manibus existente, quandam præbendam quam in ipsa Ecclesia invenimus tunc vacantem, cuius possessioni quidam Franciscus filius Petri Gaitain incumbere de facto, dilecto Clerico nostro Magistro Johanni Buse de London jure nostro Regio duxerimus conferendam. Quo virtute collationis nostræ hujusmodi dictam præbendam ritè & canonicè assecuto, prædictus Franciscus per se et suos occasionem querens hastute gravandi eundem nostrum Clericum et herandi, ipsum citari personaliter coram vobis, sicut accepimus, procuravit, ad respondendum eidem super damnis et injuriis sibi factis. Attendentes autem citationem ipsam ex suggestionem non vera, set potius conficta quæsito colore fuisse oprentam, quæ si de veritate ipsius negotii vestræ beatitudini primitus constitisset nullatenus ut credimus emanasset; Sanctitati vestræ instantius supplicamus, quatinus præmissis benigna consideratione pensatis, quodque in hujusmodi negotio nostrum principaliter interesse versetur, super præfata citatione et eius effectu sic Clementia vestra dignetur remedium efficacè adhibere, quod jus nostrum prædictum, ad quod obferbandum sicut prædicitur sumus ascripti ut conferretur illatum; et idem Clericus noster, (cujus defensionem in ipso negotio deesse non possumus, sicut nec debemus) eo prætextu non inquietetur indebite seu gravetur. Conservet vos Altissimus, &c. Teste Rege apud Lavinst, quarto die Octobris.*

The like Opposition he made against a new illegal clause thrust into this Popes Bull and rescript concerning the Manors, Villages, and temporal Demesnes of the Priory of *Okeburn*, which he would by no means tolerate or assent to, but commanded it to be obliterated, as manifestly derogatory to his royal Right, refusing to restore the temporalities, till this prejudicial clause was expunged, as this Letter of his concerning this Priory to a *Romish* Cardinal, informs us.

*Rot. Romæ,  
An. 34 E. 1.  
m. 1. intus.  
num. 4.*

*V*enerabili in Christo Patri Domino R. Sanctæ Mariæ novæ Diacono Cardinali, am co suo charissimo, *Edwardus, &c.* salutem, & dilectionem sinceram. Licet ea libenter quæ utilitatem et bonorum vestrorum promotionem respiciunt, quantum bono modo possemus promptis affectibus imploremus; Hiis tamen quæ nobis et juri dignitatis nostræ Regiæ ac Coronæ sunt præjudicialia, nequaquam assensum præbere balemus, sicuti non possumus nec debemus. Unde cum aliqua in Apostolico rescripto contenta Privilegium de Okeburn tangentia, videlicet, ubi de Monasteriis, villis et dominiis temporalibus sit mentio, quæ si præcederent, manifeste juri nostro Regio derogarent, tollantur ea quæ præjudicant, et ponatur Privilegium cum pertin. suis salvo consueto apposto superiori Monasterio faciendo: Et sic postulata transire sustinebimus, quantum poterimus jure nostro Regio inoffenso. Dat. apud Karliolum, 4 die Aprilis.

To which I shall subjoyn this Record and Memorandum concerning the Bishop of *Cathness*. The King by his Prerogative Royal as *Superior Lord of Scotland*, giving his royal license for, and assent to the election and confirmation of the said Bishop of *Cathness* in *Scotland*, confirmed by the Pope, issued this Writ for the restitution of his Temporalities; which yet the King would not grant him, till he had publickly renounced all clauses in the Popes Bull concerning his temporalities (implying the Pope to have a power over them) as prejudicial to the Kings right and Crown, as this Records assures us.

*Pat. 34 E. 1. m.  
31 intus. De  
restitutione  
Temporalium  
in Ecclesia  
Catanen.*

*R*EX Custodibus suis terræ *Scotia*, & locum suum in eadem tenentibus salutem. Cum Dominus Summus Pontifex electionem nuper celebratam in Ecclesia Cathedrali *Catanen.* de discreto viro *Fertardo* Decano ejusdem Ecclesia in Episcopum illius loci, cui prius Regium assensum adhibuimus et favorem, confirmaverit, sicut per literas ipsius Summi Pontificis bullatas nobis inde directas nobis constat: Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Episcopi, temporalia Episcopatus prædicti, prout mortis est, restitimus eidem. Et ideo vobis

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his mandamus, quod eidem Episcopo temporalia Episcopatus predicti liberetis, sicut *An. 34 E. 1* predictum est. Teste Rege apud Wynton. 4 die Aprilis.

Eodem modo mandatum est *Willielmo Comiti de Ros*, Custodi Regis Episcopatus predicti, sede vacante. T. R. ut supra.

Et Memorandum, quod dictus Episcopus pro eo quod in Bulla de confirmatione electionis predictæ Regi directæ, quædam verba temporalia Episcopatus predicti tangentia continebantur, quæ Regi et iuri suo Regio præjudicialia videbantur, apud Wynton die supradicto \* renunciavit Bullæ predictæ quoad verba supradicta. Et Rex de sua gratia speciali eidem Episcopo temporalia Episcopatus predicti reddidit, et idem Episcopus eadem Temporalia de gratia Regis sic admisit, et ea de Rege se tenere coram Rege et Consilio suo ibidem recognovit.

\* Nota.

So carefull was the King and his Counsil in that age, to prevent all new encroachments and usurpations on the Crown and Prerogative by any new words or clauses, which Popes usually inserted into their Bulls upon every occasion to enlarge their Papal Jurisdiction, and would not obliterate nor renounce when justly excepted against by the King and Counsil.

As the Pope and his Agents, Nuncios and Collectors thus usurped upon the Rights and Prerogatives of the Crown on the one hand, which the King and his Counsil strenuously opposed; so did his Bishops and their Ecclesiastical Courts and Officers on the other hand, which he with his Judges and Courts of Justice restrained this year, by these Writs of Prohibition extant in the Bundles of Writs I found in the White Tower, *An. 34 E. 1.*

**E**dwardus Dei gratia Rex Anglia, &c. dilecto & fideli suo *Thome de la Hyde*, salutem. Sciatis quod dedimus vobis potestatem recipiendi attornatos Magistri *Roberti de Polhorman*, quod coram vobis attornare voluerit, ad lucrandum & per-  
Brevia Regis, An. 34 E. 1. in Turri London.  
dendum in loquela quæ est coram Justic. nostris inter *Gilbertum de Bohedon* & prædict. *Robertum*, de eo quod idem *Robertus* tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Matrimonio contra prohibitionem nostram. Teste meipso apud Wynton. 15. die Aprilis, Anno regni nostri 34.  
*Edwardus, &c. Thome de Raleigh, &c.* Dedimus vobis potestatem recipiendi attornatos *Henrici de Lucy, Willielmi de Curcy, Willielmi de Swynesfield, Michaelis de Alba marlea, & Willielmi de Coltebears, &c.* in loquela quæ est coram Justic. nostris de Banco per breve nostrum inter ipsos, &c. & Episcopum Exon. Magistr. *Johannem de Burton*, & Magistr. *Willielmum de Sancta Oleva*, de eo quod idem Episcopus et *Johannes* tenerent placitum in Curia Christianitatis de catallis et debitis quæ non sunt de testamento vel matrimonio: Et de eo quod *Willielmus de Sancta Oleva* secutus est idem placitum in eadem Curia contra prohibitionem nostram, &c. Teste meipso apud *Kyngeston Lacy* 26 die Decemb. An. regni nostri 34. *Edwardus, &c. Vicec. Cantabr. &c.* Si *Thomas la Butcher de Cantabr. &c.* pone, &c. *Willielmum* Vicarium Ecclesiæ Sancti Edwardi de Cantabrig. &c. quare secutus est placitum in Curia Christianitatis de catallis, &c. quæ non sunt, &c. contra prohibitionem nostram, &c. T. meipso apud *Lanrethst* 18. die Octobr. An. regni nostri 34. Vic. *Essex, &c.* Si *Johannes fil. Roberti de Leycestr. &c.* pone, &c. Magistr. *Willielmum de Halstede* & *Johannem* personam Ecclesiæ Sancti Nicolai Colcestr. & *Galsfridum Bacon, &c.* quare secuti sunt idem placitum in eadem Curia contra prohibitionem nostram. Teste meipso apud *Lanrethst* 4. die Novembr. Anno regni nostri 34.

**E**dwardus Dei gratia Rex Anglia, Dominus Hiberniæ, & Dux Aquitania, Vi-  
Bil.  
cecomiti Eborum salutem. Si *Nicholaus de Merk*, & *Gilbertus Leorson* fecerint te securum de Clameo suo prof. tunc pone per vadium & salvos Plegios *Inertam* Priorissam de *Grendale*, quod sit coram Justiciariis nostris apud *Westmonast.* à die Sancti Michaelis in 15 dies, ostensur. quare cum placita de transgressionibus contra pacem nostram factis in regno nostro, ad Coronam et Dignitatem nostram et non ad alium pertineant in eodem Regno, eadem Priorissa super hujusmodi transgressionibus secuta est placitum in Curia Christianitatis, in læsionem Coronæ et dignitatis nostræ, et grabe dampnum dictorum *Nicholai* et *Gilberti*, et contra prohibitionem



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 5

An. 34 E. 1. bitionem nostram. Et habeas ibi nomina Plegiorum & hoc Breve. Teste meipso apud *Sanctum Albanum* 16. die Junii, Anno Regni nostri Tricesimo quarto.

Pleg. de Prof. *Radulphus* filius *Simonis de Lefibous*, *Adam* frater ejus.

Pleg. Inetta Priorissæ de *Grendale*, *Willielmus de Walpol*, *Robertus Prapostus*.

Placita de An. 34 E. 1. Adhuc de crastino S. Martini. *Henricus de Calthorpe* attach. fuit ad respondendum *Ricardo de Salisley* & *Lucia* uxori ejus, & *Ricardo de Terdeburx* de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de testamento vel matrimonio, &c. Et unde prædictus *Richardus*, et alii queruntur, quod cum ei detulissent prædictam prohibitionem in Cimiterio de *Whiteby*, in Vigiliis Sancti Martini anno 34. ne sequeretur prædictum placitum: Idem *Henricus* spæta prohibitione prædicta, eos traxit in placitum coram *Willelmo de Whiteby* apud *Whiteby* auctoritate Apostolica, erigendo ab eis viginti *Marc.* quæ non sunt de testamento vel matrimonio, &c. contra prædictam prohibitionem, &c. Et unde dicunt, quod deteriorati sunt et dampnum habent ad valentiam decem libras, et inde producunt Sextam, &c.

Et *Henricus* venit & defendit vim & injuriam quare, &c. sed dicit, quod nunquam eos implacitabit in Curia Christianitatis, nec aliquod placitum de aliquibus catallis, quæ non sunt de testamento, &c. postquam ei detulit prædictam prohibitionem, &c.

Ibid Rot. m. 24. *Ernaldus de Kideland* optulit se, &c. versus Magistrum *Walterum de Penbrok* Archidiacon. de *Bardeskapil* de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis ipsius *Ernaldi* quæ non sunt de Testamento, &c. contra prohibitionem, &c. Et versus *Simonem le Lornu.* quare secutus est idem placitum contra prohibitionem, &c. Et ipsi non venerunt, &c. Et præceptum fuit *Viccomiti*, quod attach. eos, quod essent ad hunc diem. Et *Viccomes* de prædicto *Simoni* nihil fecit. Ideo (sicut prius) præceptum est *Vicce.* quod attach. eum, quod sit à die Pasche in quinque septimanas. Et *Viccomes* sit auditurus Judicium suum, &c. Et de prædicto Archidiacono mandavit *Viccomes*, quod non habet Laicum seodum per quod, &c. Et super hoc testatum est, quod habet Beneficium Ecclesiasticum in Episcopatu *Exon.* Ideo mandatum est *R. Exon.* Episcopo, quod faciat eum venire ad diem, &c. Unde *V. c.* mandavit, &c.

\* See here, Tome 1. in the Epitome of his life, in the Table. † Hist Angliz, p. 552. 553. Godwins Catalogue of Bishops, p. 241. Rot. Romz, An. 34 E. 1. sum. 3.

The King this year sent this Letter and special Messengers to Pope *Clement* for the canonization of *Robert Grossthead*, late Bishop of *Lincoln*, wherein he highly extols his Learning, holiness of life, and the wonderful virtues and miracles since his death, although a \* fierce Antagonist against the Usurpations, vices, corruptions of the Popes, Church, Sec of *Rome*, and vicious Clerks, Monks, Freers in his age, et Romanoꝝum Pallens et Contemptor, as † *Matthew Paris* stileth him.

SANCTISSIMO IN CHRISTO PATRI DOMINO C. Divina Providentia sacrosanctæ Romanæ ac Universalis Ecclesiæ Summo Pontifici; *Edwardus* ejusdem gratia Rex Angliæ, &c. Devota pedum oscula beatorum. Sedis Apostolicæ prudentia circumspicte, quæ actibus intenta saluberrimis et operibus exposita pietatis, solertè exequitur quæ sunt ad divini nominis honorem et gloriam ac exaltationem Catholicæ fidei, salutemque fidelium merito censuit riteque prohibet, ut quos triumphantis Ecclesiæ Regio gloriosa post debitum consummatumque certamen triforæ, mundi, carnis spiritusque maligni cœlestis beatitudinis efficit possessores, curia solers Ecclesiæ militantis laudando et glorificando in terris, dignæ venerationis officio prosequatur, quatinus eorum suffragiis et patrocinis apud Deum, qui est gloriosus in sanctis suis, et in sua majestate terribilis inter mundanos confidus et turbines adsubetur. Facilis itaque memoriæ *Robertus* quondam *Lincolniensis* Episcopus, Dei famulus, vir utique in ergastulo carnis positus excellens meritis, vitæ sanctitate præclarus, et velut stella matutina in medio nebulæ, et quasi lucerna non sub modio sed super Candela-brum posita, spernit in aliis lumen sapientiæ et doctrinæ, in domo Domini virtutum jubare adeo cognoscendo, quod tandem in divini nominis confessione legitime certans, et contra mundum, carnem, et dæmonem triumphans, athleta non degener, Confessor inclutus, et virtutum opifex, pastoz bonus in populo cursum vitæ perlustrantem, miraculis bires et potentiam naturalem excedentibus feliciter consummabit, de peregrino Cibus cœlestis effectus, et beatorum Confessorum agminibus aggregatus; Hæc de ipso Agonista nobili tenet Ecclesiæ Anglicanæ: Hæc Pontificalis

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calis narrat Authoritas : Hæc memoria seniozum retinet, Clerus indicat, militia meminit, testatur populus, et omnis utriusque sexus ætas recenter quodammodo belut a patribus nunciata filii recordantur. Dignum igitur æstimantes et congruum tam reverendum virum debere condignis in terris attolli præconiis, quem in cælis cibus Sandozum et Domestici Dei glorianter honoꝝant, ac ipse Sandozum Dominus stola gloriæ redimitum ad paradisi januam coronabit ; Beatitudini vestræ humiliter duximus supplicandum, quatinus nunciis pro Canonizatione præfati Episcopi obtinenda ad vestræ Sandiditatis præsentiam accedentibus, iuxta formam quæ Sacrosancta Romana Ecclesia in consimili negotio uti consueberat, benignam dignemini, si placet, audientiam graciosis affectibus exhibere, ut per præmeritæ Canonizationis eventum idem Episcopus per Apostolicæ sedis gratiam ascribi valeat beatorum Cathologo Confessorum, sicque ipse ut sanctus honoretur in terris, et glorificetur Altissimus in excelsis. Conservet vos Altissimus, &c. Dat. apud Karliol. 6. die Maii.

As. 34 E. 1

Notwithstanding these large *Encomiums* of *Grosthed* both by the King, Prelates, Clergy, and people of *England*, and their importunity to canonize him for a Saint, I cannot find by History or Record he was ever actually canonized, because he opposed the usurpations, corruptions of the Popes and Court of *Rome*; when as *Anselm*, *Becket* of *Canterbury*, and *Hugh* of *Lincoln*, though Arch-Traitors, Rebels against our Kings, were readily canonized for Saints upon this only account, that they maintained the usurpations of the Popes and Court of *Rome*, upon the Crowns, Rights, Liberties of our Kings, kingdom, and the Church of *England*.

The Bishop of *Cicester* by his usurped authority endowing a Vicar in the Church of *Rye*, (of the Kings patronage, without his or his royal progenitors assent) of the 3d. part of the Tithes and Oblations, to the prejudice of the Kings Crown, right, and Clerk presented thereunto; the King thereupon issued this Writ, declaring the endowment voyd in Law, if made without the royal assent, commanding the Bishop to inquire out, and certifie him the truth thereof.

Excellentissimo Principi & Domino suo, *Edwardo* Dei gratia Regi *Angliæ* illustri, &c. 7. ejusdem permissione Ecclesiæ *Cycestrensis* Minister humilis, salutem, &c. Celitudinis Regiæ Majestati vestræ mandatum recepimus, formam continens infra-scriptam. *Edwardus*, &c. venerabili in Christo Patri J. eadem gratia Episcopo *Cicestr.* salutem. Re nostra seu Coronæ et dignitatis nostræ Regiæ Aura deperiant, vel per alicujus occupationem aut subtractionem aliquammodo minuantur, nos decet studiosam operam adhibere; et ad eam manutenenda, et conserbanda, et subtracta aut occupata si quæ fuerint rebocanda, eo potius debemus esse solliciti, quo ad hæc vinculo astringimur Juramenti. Cum itaque *Alexander Butemount* ad Ecclesiam de *la Rye*, vestra Diocesis, qua de nostro Patronatu existit, nullâ portione de nostro seu alicujus Progenitorum nostrorum quondam Regum *Angliæ* assensu seu voluntate inde subtractâ, nuper per nos presentatus, & in ea per prædecessorem vestrum canonicè institutus, super perceptione duarum partium proventus, et obventionum ejusdem Ecclesiæ et amplius per *Johannem Dykesterne*, præsentem se esse Vicarium ejusdem Ecclesiæ de ordinatione dicti prædecessoris vestri, & ipsum dictos Proventus & obventiones ea de causa percipere debere, sit, & a tempore institutionis sue prædictæ fuerit impeditus; quod in nostri juris præjudicium et coronæ nostræ exheredationem, immo in diminutionem et deteriorationem Advocacionis nostræ Ecclesiæ prædictæ, si toleraretur, cederet manifeste, præsertim cum hujusmodi ordinationes Vicariorum in Ecclesiis de advocacione nostra existentibus, fieri nequeant nec debeant, nostro assensu super hoc minime requisito, per quod dictam ordinationem, eo quod sine nostro aut progenitorum nostrorum prædictorum voluntate facta fuit, irritam et nullam penitus reputamus. Vobis mandamus, quod vocato coram vobis præfato *Johanne*, et de ordinatione Vicariæ prædictæ, et causis et omnibus circumstantiis ejusdem inquisita ex officio vestri Pastoralis debito plenius veritate, si inbeneritis hujusmodi ordinationem de dicta Ecclesia sine assensu nostro, seu progenitorum nostrorum prædictorum taliter factam fuisse, tunc eam, prout ad vos pertinet, annulletis; præfatum *Alexandrum* proventus et obventiones prædictas integre et tanquam

Brevia Regis  
in Turri Lon-  
don, An. 34  
E. 1.

Nota.



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*An. 34 F. 1.* quam Rectorum ejusdem Ecclesie percipere permittatis. Et si fortassis predictus Johannes aliquid de nobis vel aliquo Progenitorum nostrorum predictorum pro se de ordinatione habeat memorata, vel causa aliqua subsuerit quare id facere nequeatis, tunc nos inde distinde et aperte reddatis per vestras literas certiores. Teste meipso apud Westm. 6 die Junii, Anno regni nostri 34.

Cujus igitur Brevis ratione predictum Vicarium ad ostendendum titulum in dicta Vicaria quem habet coram nobis fecimus evocari: et quia sufficienter ostendit, se in ipsa Vicaria per bonam memoriam Gilbertum predecessorem nostrum fuisse institutum, nos absque parte prosequente super contentis in hoc Brevis, contra ipsum procedere ulterius debite non valemus. Verumptamen si Rector Ecclesie memoratae, aut quivis alius in ipso negotio prosequatur, parati sumus & erimus facere quod incumbit. Valeat, &c. Dat. apud Cecham 14 Kal. Augusti. An. Dom. 1306.

King Edward being informed by some of his superstitious Prelates and Clergy, that divers of his English Subjects, and others adhering to him, had incurred the Sentence of Excommunication and Irregularity, by slaying his Scottish Enemies, Traytors and Rebels, in his late Wars, and laying violent hands on the Trayterous Scots Bishops, Abbots, Clergymen, and that in some Churches, which they had burned and defaced, procured a Commission from Pope Clement to the Bishop of Carlisle and three Abbots, to absolve those who did desire absolution from their Excommunication, Irregularity, and other Ecclesiastical Censures, as these his Writs, issued for that purpose to the Bishop of Carlisle and others, the Sheriff of Kent, and all other Sheriffs of England, do clearly evidence.

Clauſ. 34 E. 1.  
memb. 17. dorſo.  
De Abſolutione pro illis  
qui diverſa mala  
perpetrarunt  
inimicos Regis  
inſequendo.

**R**EX Venerabili in Christo Patri J. eadem. gratia Karliolensi Episcopo salutem. Cum Sanctissimus Pater Dominus Clemens Divina Providentia summus Pontifex, vobis et Religiosis viris Abbatibus beate Maria Eborum, de Sancto Albano, & de Waltham, absolvendis fideles nostros de Regno nostro et aliunde a sententiis excommunicationum et aliis delictis in quibus inciderunt nonnullos hostes et rebelles nostros qui in perturbationem regni nostri, jurium nostrorum et bellum pravis conatibus nitebantur, Gladio et modis aliis perimendo, plures etiam mutilando et subjiciendo verberibus, Ecclesias etiam et loca Ecclesiastica incendio et ruina vastando et quaedam alia committendo. Et similiter cum illis qui propter praemissa irregularitatem aliquam incurrerunt, homicidis exceptis, auctoritate Apostolica dispensandi per literas Apostolicas separatim plenam commiserit potestatem, prout in quadam Bulla quam vobis inde mittimus plenius continetur. Vos rogamus cum affectu, quatinus omnibus illis de Regno nostro et aliunde qui in prosequendo hostes et rebelles nostros, praedictos excommunicationum sententias seu delicta alia aut irregularitatem aliquam incurrerunt, et vobis pro absolutione vel dispensatione super sententiis aut irregularitate praedictis obtinend. voluerint recipere absolutionis seu dispensationis hujusmodi beneficium, quatinus ipsa audita petitione eorundem vestra discretio prout noverit indigere juxta tenorem Bullae praedictae sine difficultate qualibet impendatis. Teste Rege apud Wynton 17. die Aprilis.

Clauſ. 34 E. 1.  
memb. 17. dorſo.  
De Abſolutione pro illis  
qui diverſa mala  
perpetrarunt  
inimicos Regis  
inſequendo.

**R**EX Vicec. Cant. salutem. Cum quidam fideles nostri de Regno nostro & aliunde tam Clerici quam Laici nobis adherentes in prosequendo diversis vicibus nonnullos hostes et rebelles nostros qui in perturbationem Regni nostri, Jurium nostrorum et bellum pravis conatibus nitebantur, quamplures ex eis gladio, et modis aliis perimere, quosdam etiam mutilando et subjiciendo verberibus, Ecclesias etiam et loca Ecclesiastica incendio et ruina vastando, in personas illarum manibus violenter infectis, datis etiam tam ibi quam alibi depraedationibus incendiis et rapinis secundum consuetudinem hostium contra hostes: Ac Sanctissimus Pater Dominus Clemens divina providentia summus Pontifex, ad instantiam nostram, Venerabili Patri Karliolensi Episcopo ac Religiosis viris Abbatibus beate Maria Eborum, de Sancto Albano et de Waltham, Absolvendis praedictas homicidas, excommunicatos, sacrilegos, et alios qui in favorem nostrum talia commiserent ab hujusmodi excommunicationum sententiis quas propterea incurrerunt, et delictis aliis supradictis, et etiam cum illis qui propter hoc in irregularitatem aliquam inciderunt, homicidis exceptis, auctoritate Apostolica dispensandi, per separatas

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seperatas literas Apostolicas commiserit potestatem. Tibi præcipimus firmiter injungentes quod in Civitatibus, Burgis, & locis aliis infra Ballivam tuam ubi videris expedire, publicè proclamari facias; Quod omnes illi de eadem Balliva tua qui hujusmodi absolutione seu dispensatione se sentiant indigere, ad aliquem prædictorum Episcopi vel Abbatum accedant cum voluerint absolutionis seu dispensationis beneficium super præmissis, prout indiguerint, petturi, et etiam receptari. Et hoc nullo modo omittas. Teste Rege apud Wynton 17. die Aprilis.

Consimiles Literæ diriguntur singulis Vicecomitibus per Angliam.

I cannot finde by Record or History that any persons came to be absolved by them in these cases, it being lawful by the \*Laws of God and Man, for the King and all his loyal Subjects and Adherents, to kill, strike, apprehend, and lay violent hands on all the perfidious Traytors and Rebels of the *Scottish* Nation and others, even in Churches and Churchyards, yea to burn their Churches, when they fled into and fortified them against them, without incurring the least Sentence of Excommunication, Irregularity, Interdict, or other Ecclesiastical Censures, imposed by Popes or Prelates Canons, which they extended to the protection of Traytors, Rebels, Murderers, and other Malefactors, to the publike prejudice both of Justice, Government, and Monarchy, beyond their primitive intention.

\* See Albertus Gentiles & Hugo Grotius de Jure Belli.

This year I met with this memorable Plea before the Chancellor in the Chancery, at the suit of the Freres of the Hospital of the House of God in *Donewich*, against the Abbot of *St. Ositha*, for taking a Cross out of their Hospital, whither many resorted to adore it, who bestowed much Alms upon them, and carrying it to the Abbey of *St. Ositha*, and there keeping it in contempt of the King, to the subtraction of the Alms of the Hospital, and great damage and impoverishing of the Freres: One of the first Pleas I have observed of this kinde in Chancery.

**M**andatum fuit Abbati de *Santo Ositha* in forma qua sequitur. *Edwardus, &c.* dilecto sibi in Christo Abbati de *S. Ositha*, salutem. Mandamus vobis firmiter injungentes, quod Crucem illam quam nuper ad prosecutionem fratrum Hospitalis nostri *Domus Dei de Donewico* in Cancellaria nostra per vos venire fecimus, quamque dilectus Clericus noster *Wilhelmus de Hamelton* Cancellarius noster nobis postmodum restituit custodendam, donec aliud inde præceperimus, habeatis in eadem Cancellaria nostra, in Quindena *S. Johannis Baptista* proximo futuro, ubicunque fuerit in *Anglia*; ut tunc inde fiat, quod Consilio nostro fore videbitur faciendum. Et hoc nullatenus omittatis. Et habeatis ibi hoc Breve. Teste meipso apud *Harewe* 12 die Junii, Anno regni nostri 34.

Placita coram Cancellario, Anno regni Regis E. filii Regis H. 34. in Turri Lond. Essex.

Prætextu cuius mandati prædictus Abbas ad prædictum diem in Cancellaria Regis personaliter venit, et quandam Crucem secum ibidem detulit; quæ per considerationem dictæ Cancellaria apud Novum Templum London, liberata est in deposito custodienda, donec, &c. Unde mandatum est Vicecomiti Suffolc. in forma qua sequitur. *Edwardus, &c.* Vicecomiti Suff. salutem. Quia accepimus quod quædam Crux, quæ quondam fuit Hospitalis nostri *Domus Dei de Donewico* (ob causas de votione dum in prædicto Hospitali fuit quamplures de diversis partibus ad locum illam confluentes, non modicas Eleemosynarum largitiones ibidem contulerunt) ab eodem Hospitali usque Abbati de *S. Ositha* asportata fuit, et ibidem adhuc existit; in nostri contemptum et dicti Hospitalis depreffionem, et eleemosynarum prædictarum subtractionem; necnon et fratrum ac sororum ibidem degentium depauperationem manifestam. Per quod nos, qui hujusmodi Hospitalia, quæ de Eleemosinis Progenitorum nostrorum quondam Regum *Anglia*, et nostra, infra Regnum nostrum sunt fundata, in suis scribis conservare tenemur; et subtrahi ab eisdem (si quæ sint) quantum in nobis est, modis omnibus revocare; Abbati de *S. Ositha* nuper mandavimus, quod Crucem prædictam in Cancellaria nostra, in Quindena *S. Johannis Baptista* proximo præterita haberet. Qui quidem Abbas prætextu mandati nostri prædicti quandam Crucem tunc ibidem detulit, quæ de assensu dicti Abbatis per Cancellarium nostrum in Thesauraria apud Novum Templum London, liberata est, in deposito custodienda, donec discussum fuerit in Curia nostra, utrum Crux illa sit eadem Crux, quæ a prædicto Hospitali sic asportata fuerit, nec-

Suff.



*An. 34 E. 1.* ne? Tibi præcipimus, quod venire facias coram nobis in Cancellaria nostra, a die S. Michaelis in quindecim dies, ubicunque tunc fuerit in Anglia, tot & tales probos & legales homines, tam de Villa de Donewyco, quam de partibus adjacentibus, per quos rei veritas melius sciri poterit. Et si sic, tunc, quo tempore; et per quem, et qualiter, et quomodo; et utrum prædicta Crux quæ sic liberata est in deposito custodienda, et quæ eis tunc ibidem ostendetur, sit eadem Crux quæ sic asportata fuit, necne? Et habeas ibi hoc Breve. Teste meipso apud Beverlacum 22. die Julii, Anno regni nostri tricesimo quarto. Ad quem diem Vicecomes retornavit nomina subscriptorum per manucapt. viz. Willielmi de Cokeleye, Warini Scot, Richardi de Crainsford, Johannis de Hoxne, Richardi Cach, Roberti Codom, Roberti Joco, Johannis Kenrich, Rogeri le Taillur, Hamon, fil. Lof. Richardi Cokesman, Willielmi Belicor, Willielmi de Titineshale, Johannis de Risimer, Willielmi de Munderrill, Radulphi Swan, Roberti de Colevill, & Willielmi de Caldecotes.

*Essex.* Et similiter mandatum fuit Vicecom. Essex. in forma subscripta. Edwardus, &c. usque ibi, sit eadem Crux, quæ sic asportata fuit, necne? cum additione clausulæ quæ sequeretur; Et scire faciatis præfato Abbati, quod tunc sit ibi ad faciendum & recipiendum quod Curia nostra consideraverit in hac parte. Et habeas ibi nomina eorum, per quos ei scire feceris, & hoc Breve. Teste ut supra. Ad quem diem præfatus Abbas venit, & Vicecom. retornavit nomina subscriptorum, viz. Johannis de Wyleby, Willielmi de Bret, Roberti de Dykeley, Alani de Markehale, Saeri le Chamberlein, Willielmi Pettifrank, Benedicli de Cokefeld, Johannis de Frohewik, Johannis Cokain, Johannis de Badhele, Saeri Caperoun, Roberti de Mysteley, Nicholai Gernoun, Hamonis de Bryche, Gilberti de Desham, Galfridi de Ruly, & Johannis de Brokesbourn. Et Jurati non ven. ideo distr. per omnes terras, &c. Ita, &c. quod habeat corpora, &c. hic in Octabis Purific. beatæ Mariæ. Et datus est dies Abbati quod tunc sic ibi ad faciend. & recipiend. &c. ut supra. Et postea præfatus Abbas personaliter in Cancellaria constitutus, cognovit, Crucem prædictam esse Hospitalis prædicti, et eam in præsentis datæ Cancellarii Ada de Brom Magistro Hospitalis prædicti reddidit et restituit dicto Hospitali imperpetuum remanendam.

So that this Suit, for taking away and recovery of this adored Cross, and the Alms gained and lost thereby, was then prosecuted in Chancery, not in the Spiritual Court, and a Jury impannelled to try this issue, whether the Crosse brought into the Chancery by the Abbot, was the same that was taken out of the Hospital or not?

\* Flores Hist. p.  
457.

This year Rex Edwardus by his Ecclesiastical Prerogative, as \* *Mat. Westminster stories*, vergens jam in senium, conquerentibus ad eum quibusdam famulis domus suæ rondum promotis ad libitum, facta inquisitione qua Cenobia monastica seu canonica per progenitores suos fuerant fundata, in ipsa singulis, non simplicia Corredia monasterialia, sed sicut in regia equitabant, cum uno equo, vel binis; ita et illos dum tiberent, ab illo die erogabit, sed voluit Corredia cum necessariis erogari. Whereof there are sundry Presidents in the Bundles of Privy Seals, Writs, and Certificates, and in the Clause and Patent Rolls of *An. 31, 32, 33 & 34 E. 1.* and sundry excuses by Abbots, Priors, Covents, made and returned to the King in Chancery, why they could not grant them such Corodies by reason of Poverty, Debts, Losses, or Corodies formerly granted by them to others upon the Kings or his Queens Letters and recommendations, some whereof I have remembered in the precedent years, and pretermit the residue, running in like form with them.

Reyners de Gaienne Proctor to Thomas Pybester, endeavouring to make Procurations and Appeals to the See of Rome against Ralph Stokes, on whom the King had conferred the Prebend of Wyghton in the Church of Yorke, during the vacancy of the Archbishoprick, to hinder him from the possession thereof against right, to the prejudice of the rights of his Crown; the King thereupon issued this Prohibition to them, not to proceed therein to the prejudice of his Crown and right, under pain of condigne punishment.

REX

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**R**EX Magistro Reynero de Gaienne Procuratori Thoma Pykelott, vel ipsius Reyneri substituto, salutem. Circa observationem et defensionem Juris nostri Regii eo magis esse sollicitos nos oportet quo ad hoc stricti sumus vinculo juramenti, nec dissimulare possumus, sicuti nec debemus, quia ejusdem juris impugnatores faciemus, prout conuenit propulsare. Cum igitur Præbendam de Wyghton in Ecclesia Eborum vacantem, & ad nostram donationem spectantem, dilecto Clerico nostro Radulpho de Stokes contulerimus jure nostro, Nobisque datum sit intelligi, quod tu nomine præfati Thoma possessioni dictæ præbendæ de facto, cum de jure non possit, ut dicitur incumbens, ad impediendum effectum collationis nostræ prædictæ, necnon et in nostri juris Regii prædicti præjudicium probocationes facere et appellationes interponere jam intendis. Ubi prohibemus, ne in negotio prædicto probocationes seu appellationes per quas nobis seu juri nostro Regio præjudicium aliquale generetur, aut effectus collationis nostræ prædictæ sic rite factæ aliquantulum minus juste impediatur interponere præsumas: pro certo habens, quod si secus feceris ad te tanquam ad Juris nostri Regii impugnatores graviter capiemus. Teste Rege apud Wynton. 3. die Martii.

An. 34 E. 1  
Cl. 34 E. 1.  
m. 11. dorso.  
Prohibitio pro  
Rege, & pro  
Radulpho de  
Stokes Cleri-  
co Regii.

Although the King condescended, that the Administrators of the Spiritualities of the Archbishoprick of *Canterbury* deputed by Pope *Clement*, should intermeddle in some things, yet he expressly prohibited them to meddle in the purgation of any Clerks convicted and imprisoned for Felony and other crimes, by this Writ.

**R**EX Administratoribus Spiritualitatis Archiepiscopatus *Canthar.* a sede Apostolica deputatis, salutem. Mandamus vobis, quod ad purgationem aliquam coram vobis capiendam de prisonibus in Curia nostra commissis super felonis et transgressionibus per ipsos contra pacem nostram in regno nostro factis, et ea occasione in prisona nostra de *Maydeneston* detentis vos nullatenus intromittatis, donec aliud inde duxerimus ordinandum. Teste Rege apud *Grantham*, 16 die Julii. Yet he permitted his own Bishops and other Ordinaries this year to take the purgation of sundry Clerks convicted of Robberies, and other Felonies, and issued Writs to restore their goods and chattels that were seized to the Kings use; as *Clanf.* 34 E. 1. m. 8, 10, 11, 15, 22. inform us.

Cl. 34 E. 1.  
m. 8. De pur-  
gatione quo-  
rundam trans-  
gressorum non  
admittenda.

*Reymund* a Roman Cardinal sending two Proctors into *England*, on whom the Pope by his Provision had conferred some Benefices in the Churches of *York*, *Lincoln*, and *Litchfield*; the King at his request, out of his reverence to the Pope and See Apostolic, and honor to this Cardinal, granted them this ensuing Safe-conduct; yet with this caution, (which marred their design) that the said Proctors should not by any means prosecute, procure or attempt any thing, which might any way turn to the prejudice of his Crown and Royal dignity.

**R**EX Vicecomitibus, & omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Cum dilecti nobis Magistri *Reymundus Fabri*, & *Elyas de Castellione* Procuratores venerabilis Patris *Reymundi* Sacrosanctæ *Romane* Ecclesiæ Cardinalis, cui sanctissimus Pater Summus Pontifex de quibusdam beneficiis in *Eborum*, *Linc.* ac *Litch.* Ecclesiis ordinabit, ut accepimus, prohibere; nobis cum instantia supplicaverint, ut ipsis in prosequendo dicta negotia saluum et securum conductum nostrum concedere dignaremur: Nos, tam ob prædicti Domini Summi Pontificis et sedis Apostolicæ reuerentiam et honorem, quam prædicti Cardinalis intuitu, prædictorum Procuratorum precibus in hac parte favorabiliter annuentes; Vobis mandamus, quod eisdem Procuratoribus cum ipsis vel eorum aliquem ad dicta negotia prosequenda per Ballivas aut districtus vestros transitum facere contigerit, non inferatis, seu quantum in vobis est ab aliis inferri permittatis injuriam, molestiam, dampnum, impedimentum aliquod vel gravamen, set ipsos potius a molestiis, dampnis & impedimentis hujusmodi protegatis & etiam defendatis. Et si quid, &c. emendari, & si necesse fuerit saluum & securum conductum habere faciatis eisdem in prosequendo negotia memorata, quociens per ipsos vel eorum aliquem inde fueritis requisiti. Dum tamen iidem procuratores quicquam non prosequantur, nec procurent

Pat. 34 E. 1:  
De conductu  
procuratoribus  
Cardinalibus.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

An. 24. E. 1. quomodolibet bel attempent quod in p̄judicium corōnæ bel dignitatis nostræ Regiæ cedere valeat quoquomodo. In cuius, &c. quamdiu nobis placuerit duratur. Teste Rege apud Budestie, 17 die Februarii.

Per breve de Privato Sigillo.

The Pope importuning King *Edward* by his Letters liberally to conferre his Castle of *Mulhan* upon *Amanenus* Lord of *Lebeto*, belonging heretofore to his ancestors, for the good services he and they had done him in his wars in *Gascoigne*, returned him this answer why he could not grant his request upon a double account, especially for his high contempt and affront in taking and detaining prisoner *Peter Arnaldi* one of his principal Clerks, being of his Counsil, and refusing to release him upon the request of some of his Counsil in *England*, to his great disgrace and contempt; which he prayed the Pope to endeavour to redresse, and procure his Clerks enlargement.

Claus. 34 E. 1.  
m. 17. dorso.  
Pro Rege.

**P**APÆ Rex, Devota pedum oscula beatorum. Recepimus cum reverentia qua decebat, literas quas in nobis vestra beatitudo transmisit, inter cetera continentes, ut dilecto & fideli nostro nobili viro *Amaneno* Domino de *Lebeto* Castrum nostrum de *Milhan* cum pertin. quod quondam fuerat progenitorum suorum, pro bono & laudabili servitio quod idem *Amanenus* in guerra nostra *Vascon.* nobis impenderet, liberaliter concedere curaremus, eodem modo tenendum quo pater & dicti progenitores sui Castrum illud antiquius tenuerunt; Unde vestra noverit Sanctitudo, quod satis sumus experti, nec à nostra sunt noticia aliena laudabilia et grata servitia quæ prædictus *Amanenus* in dicta guerra nostra *Vascon.* & alibi nobis exhibuit fideliter & constanter, de quibus nos multipliciter commendamus. Et licet verum, quod prædictum Castrum de *Milhan* aliquando fuisset progenitorum præfati *Amaneni*, sicut dictæ vestræ literæ continebant. Pater tamen ipsius certis ex causis Castrum illud commisit, et nichilominus claræ memoriæ Dominus *H.* quondam Rex *Anglia* pater noster eidemque pro dicto Castro nomine Escambii alias terras dedit. Cæterum, pater Sanctissime, cum quidam Clericus noster, et de Consilio nostro non minimus, sicut forsitan benè nostis, Magister *Petrus Arnaldi de Vico* post creationem vestram captus fuerit, et sic captus, adhuc in carceribus teneatur, & verisimiliter præsumamus, quod ad procuracionem *Amaneni* hoc actum extiterit, præsertim pro eo, quod idem *Amanenus* per majores de nostro Consilio in *Anglia* requisitus, malivolentiam quam ad ipsum Clericum nostrum gerebat sibi remitteret, id facere recusasset, in nostri bituperium et dedecus factum huiusmodi cedere reputemus: Sanctitati vestræ supplicamus humiliter & devotè, quatinus ad præmissa illum respectum, si placet, habere dignemini quem honori nostro vestra providentia biderit conbentire, quodque id nobis gratum esse debeat & acceptum: clementiam vestram scire volentes, quod prompti erimus et parati ad ea quæ vobis noverimus esse grata, & etiam cum promptitudine qua poterimus adimplere, quod super hiis de quibus nos requirendum duxistis vobis visum fuerit faciendum, supplicantes precibus iteratis, ut super præactis nobis significare velitis vestræ beneplacita voluntatis, et prædictum Clericum nostrum taliter prosequi gratia et favore, ut in persona ipsius quod pro nobis feceritis percipere valeamus. Conserve, &c. Dat. *Wynston.* 8 die *Aprilis*, Anno regni nostri, &c. 34.

After which answer *Amanenus* complying with the Kings request, being likewise sent over to him as a *Nuncio* from the Pope, he did out of his veneration to the Pope settle this Castle upon him and his heirs by this Patent.

Pat. 34 E. 1.  
m. 10. De  
*Amaneno*  
Domino de  
le Breto.

**R**EX Omnibus ad quos, &c. salutem. Licet nuper per cartam nostram dederimus & concesserimus *Edwardo* filio nostro karissimo, totum Ducatum (*Aq.*) prædict. cum omnibus pertin. suis. Habend. & tenend. sibi, et post ipsum Regibus in regno *Anglia* hæreditariè regnantibus, cum omnibus ad eundem Ducatum qualitercumq; spectantibus; ita tamen, quod præfatus filius noster Ducatum prædictum alienare non possit, nec quicquam de eodem aut pertin. ejusdem distrahere vel diminuire quoquo modo, ad requisicionem tamen sanctissimi patris Domini *Clementis* divina providentia sacrosanctæ *Romane* ac universalis Ecclesiæ Summi Pontificis nobis factam,

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tant, pro munere gratiæ specialis, necnon pro laudabili et gratuito servicio quod dilectus et fidelis Miles noster *Amanenus* Dominus *de le Breto* nobis & dilecto filio nostro hæcenus multipliciter impendit, concedimus, et licentiam damus eidem filio nostro, pro nobis et hæredibus nostris, quod ipse *Castrum et Castellaniam de Milbano*, cum pertin. suis in Ducatu prædicto, dare possit et concedere præfato *Amaneno*: Habend. et tenend. sibi et hæred. suis de filio nostro, & post ipsum, de Regibus in regno *Angliæ* hæreditariè regnantibus, cum dominicis, homagiis, redditibus, serviciis, feodis, & advocacionibus Ecclesiarum, libertatibus, liberis consuetudinibus, alta justitia & bassa, et aliis Juribus quibuscumque, ad prædicta *Castrum et Castellaniam* pertinentibus, sine aliquo retenemento, adeo integrè sicut ad manus ejusdem filii nostri, ex dono et concessione nostris prædictis devenerunt imperpetuum, faciend. inde de cætero eidem filio nostro, & post ipsum, Regibus in regno *Angliæ* hæreditariè regnantibus, servicia quæ de eisdem *Castro et Castellania*, ante escambium, inter celebris memoriæ Dominum *H.* quondam Regem *Angliæ* patrem nostrum & patrem præfati *Amaneni*, inde factum, debebantur, et fieri consueverunt. Conditionem autem prædictam in dicta carta nostra contentam, videlicet, quod præfatus filius noster Ducatum prædictum alienare non possit, nec quicquam de eodem, seu pertin. ejusdem distrahere aliqualiter diminuere, quo ad donationem prædictam de dictis *Castro et Castellania* et suis pertin. faciendam, penitus revocamus. In cujus, &c. T. R. apud *Thresh* 28 die *Julii*, triplicatur.

An. 34 E. 1.

King Edward having procured the Popes absolution from his Oath to observe the Perambulation of the *Forests* formerly made and settled in Parliament, to the great discontent of his Nobles and people, upon the new commotions and rebellions in *Scotland* beyond his expectation, in a Parliament in the 34 year of his reign, to regain his Nobles and peoples affections, and free them from the manifold oppressions, grievances, and illegal Proceedings by the Officers of his *Forests*, made this ensuing Ordinance, which he sent to all the Sheriffs of *England*, and Justices of his *Forests*, to publish, proclaim, observe for the future by these memorable Writs, recorded in the *Statute Roll* in the *Tower*, not printed with the Ordinance it self in *Tottle's Magna Charta*, or any other *Statute book*.

\* Lond. 1556.  
pars 1. f. 67.  
Ex Rot. Stat.  
Anno 34 E.  
1. m. 13. &  
14.

**R**EX Omnibus ad quos, &c. salutem. Dum imbecillitatis humanæ conspicimus imperfectum, ac onera longè latèque diffusa nostris humeris incumbencia attempta consideratione pensamus, intus nimirum puncturis diversis torquemur, diversorum cogitationum fluctibus agitati, et vexamur frequenter noctes ducendo insomnes, quid agendum, quid tenendum, quidbe exequendum existat inter præcordia hæsitantes; in eo tamen qui supra cuncta tenens in excelsis imperium, qui dat esse rebus, et dispensat prout vult munera gratiarum, cum sapienciæ suæ magnitudinem humani non capiant intellectus, virtutes resumimus, sperantes, quod in serviciis suis perficiat actus nostros, & suæ bonitatis clementia nostrum misericorditer videat et suppleat imperfectum, ut ipsius sultis præsidio per viam mandatorum Domini dirigamur. Profecto inter omnia sollicitudini nostræ et curæ inhzrentia, circa illud præcipue nostra non intermissivè versatur intentio, ut subditis nostris regni nostri incolis quietis et tranquillitatis dulcedinem præparemus, in quorum quiete quiescimus, et in eorum tranquillitate non sine suavitatis odoze in floribus pacis desiderata interiorius confobemur. Sane ex fideiunt nostrorum relatibus, et oppressorum crebris clamoribus, de quibus nimis mentis commocione turbamur, didicimus, quod per Ministros *Forestarum* nostrorum populus ejusdem regni miserabiliter opprimitur, depauperatur, et diversis afficitur injuriis, undique molestatus; nonnunquam enim sunt accusationes de foresta et indictiones vulgariter sic appellatae, non per legitimas Inquisitiones proborum et legalium hominum patriæ præcedentes, ut justitia requirit, sed ad dictum unius vel forsàn duorum de forestariis, aut ad dictum unius vel forsàn duorum de viridariis qui ex odio aut aliàs maliciose, ut ab aliquo pecuniam extorqueant quenquam accusant vel indiciant, et exinde sequuntur attachiamenta gravia, et punitur innocens quem nulla omnino culpa seu delictum constringit. Opprimitur etiam populus præ multitudine Forestariorum et aliorum ministrorum, quos cum non habeant unde aliunde vivant, per patriam forestarum adjacentem vivere oportebit eosdem, et quod est deterius pro jure officii sui vendicant



*An. 34 E. 1.* cant ut sic vivant : Isti nichilominus pro suis victualibus quibus egent boscum suorum custodiam aut sub suis custodiis deputatum, et feras in eisdem existentes vendendo, donando, et multipliciter minuendo ac minui permittendo, successivis dierum processibus destruunt et adnichilant, ad nostrum et heredum nostrorum intollerabile detrimentum. Quid plura? dampna et grabamina quae circa hoc proveniunt, ut acceptimus, difficile fore per singula enarrare. Cupientes itaque oppressiōibus et grabaminibus huiusmodi, quae absque gravi scandalo diutius sub dissimulatione praeterire nequimus, modis et hiis omnibus quibus possumus, obviare, ac regni nostri incolarum paci et tranquillitati perbigili studio prohibere.

Volumus in primis & ordinamus pro nobis & heredibus nostris, quod de transgressionibus in Forestis nostris de viridi et venacione de cetero faciendis, Forestarii infra quorum ballivas huiusmodi transgressionibus fieri contigerit, praesentent easdem ad proxima Swanimota, coram Forestariis, viridariis, regardatoribus, agistoribus, et aliis earundem forestarum Ministris, et super praesentacionibus huiusmodi ibidem coram Forestariis, viridariis, et omnibus aliis Ministris supradictis per sacramentum tam Militum quam aliorum proborum et legalium hominum de partibus vicinioribus ubi transgressionibus sic praesentatae factae fuerint non suspectorum, veritas plenius inquiratur, et sic inquisita veritate, praesentaciones illae per communem concordiam et assensum omnium ministrorum praedictorum sollempniter roborentur et sigillis suis sigillentur; et si alio modo fiat indictamenti pro nullo penitus habeatur. Et si aliquem praedictorum Forestariorum, regardatorum, aut aliorum Ministrorum forestarum ipsarum obire contingat, seu per agritudinem vel alio modo impediri, quominus interesse valeat huiusmodi Swanimotis, incontinenti Justiciarius Forestae seu locum ejus tenens ponat alium loco suo, ita videlicet, quod indictamentum fiat per omnes in forma praedicta, quodque Ministri qui ponendi sunt ponantur, sicut hactenus fieri consuevit, exceptis Viridariis qui per electionem et per breve nostrum deputabuntur. Et volumus, quod nullus Ministrorum praedictorum in assis juratis, seu inquisitionibus extra Forestam capiendis de cetero ponatur.

Et si superoneracio Forestariorum aut aliorum qui se gerunt ut Ministros Forestae inveniantur, amoveantur huiusmodi superonerantes et imprisonentur secundum discrecionem Justic. Forestae vel ejus locum tenentis, necnon & illi per quos positi fuerant, ad voluntatem nostram similiter puniantur. Et ad quodlibet Swanimotum inquiratur sollempniter de superoneracione Forestariorum et aliorum Ministrorum Forestae, et de eorum oppressiōibus populo nostro illatis, et stant inde emendae et punitiones, prout superius est expressum.

Quoad illos vero qui tempore quo Foresta deafforestata fuit transgressionibus de viridi aut venacione in Foresta fecerunt, quia deafforestacionem eandem, et ut sententia excommunicationis in contravenientes fulminaretur, quanquam de nostra bona voluntate minime processisset, concessimus, quam quidem sententiam Dominus Summus Pontifex postmodum revocabit; et quas concessiōem et deafforestacionem ex certis causis rebocamus et etiam adnullamus; Volumus, quod transgressionibus huiusmodi pardonentur, transgressionibus illis exceptis quae in ea parte quae Foresta remansit commissae fuerunt; ita tamen, quod hayae & fossata facta medio tempore prosterantur et penitus amoveantur et adnichilentur, salvis arentacionibus nostris quas secundum assisam Forestae volumus remanere. Boscus autem cecus & prostratus amoveatur, & boscus stans, remanent in Foresta. Et si forte aliquis talis boscus adhuc stans sit venditus, in Foresta remaneat, & venditor satisfaciatur emptori juxta quantitatem porcionis bosci stantis in Foresta, & taliter medio tempore venditi, & prout ceperit de eodem.

Volumus etiam, quod Justiciarius Forestae nostrae vel ejus locum tenens in praesentia Thef. nostri, et per assensum ejusdem habeat potestatem capiendi fines et redemciones illorum qui sunt indictati de transgressionibus usque nunc in Foresta commissis itinere Justiciariorum minime expectato.

Volumus insuper, quod illi qui communem pasturam in Foresta ante perambulacionem factam habebant, & qui sunt postea repositi in Foresta, quique de dicta communia per perambulacionem praedictam fuerant impediti, habeant communem pasturam de cetero in Forestis, adeo large et libere sicut ante perambulacionem factam habere solebant; salvis arentacionibus nostris in forma praedicta. In cujus, &c. \*T. R. apud Westm. 27 die Maii.

\*An. 34 E. 1.  
Sec Totles  
Magn. Charta.  
pars 2. f. 68.

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Consimiles literarum missarum fuerunt ad singulos Com. per *Angl.* Et mandatum est singulis Vicecomitibus per *Angl.* quod literas illas in plenis Comitibus suis legi, et *ordinacionem Regis in eisdem contentam publice faciant proclamari.* *An. 33 E. 1.*

Rex Justic. Forestarum suarum ultra *Trentam* vel ejus locum tenenti salutem. Dum imbecillitatis, &c. Salvis arentacionibus in forma predicta. Et ideo vobis mandamus quod ordinacionem nostram predictam in balliis vestra fac. publice proclamari, et eam de cetero in omnibus et singulis suis articulis observetis, et per totam balliam vestram faciatis firmiter et iniolabiliter observari. Teste ut supra.

Eodem modo scribitur Justic. forestarum Regis citra *Trentam* vel ejus locum tenenti.

I finde this Bull of Pope *Clement* the fifth, sent to King *Edward*, complaining of his Breach of the designed Peace between him and the King of *France*, by seising of some Merchants Goods, and recess of two of his Commissioners appointed to assess damages on both sides, mentioned in the \* *precedent year*, enrolled in the Clause Roll of 34 E. 1. m. 12. dorso. To which the King by advice of his Council returned this long satisfactory answer, refuting the suggestions of the *French* contained in the Popes Bull, as meer falsehoods and calumnies void of truth, and promising assistance to the Pope in case of danger. \* Here p. 1066 1067.

**P**apa Rex devota pedum oscula beatorum. Sanctitatis vestrae Literas quas nobis Magister *Johannes de Salaris* Clericus lator presentium presentavit, reverenter receptis & earum tenore plenius intellecto, ea quae continebantur in eis per nos & consilium nostrum examinari fecimus diligenter. Unde post tractatum super hiis habitum exquisitè, & eidem Clerico ad plenam informationem & instructionem eorum per dictum Consilium nostrum expositum sibi, certum responsum dedimus in praemissis, quod providentiae vestrae latius exponere poterit viva voce. Conserve vos altissimus, &c. Dat. apud *Westm.* 4 die Junii.

Clauſ. 34 E. 1.  
m. 12. dorſo.  
Pro Rege.

Ibidem.

**S**anctissimo in Christo Patri Domino C. Divina Providentia Sacrosanctae Romanae ac universalis Ecclesiae Summo Pontifici, *Edwardus* eadem gratia, &c. Devota pedum oscula beatorum. Sanctitatis vestrae literas nobis ex parte vestra per Magistrum *Johannem de Salaris* Clericum presentatas reverenter recepimus, inter alias continentes. Vobis intelligi datum esse, quod postquam Nuncii nostri nuper apud *Lugdunum* se vestro conspectui presentarunt, et per vestra paternitatis providentiam, ut quatuor probi viri, duo videlicet pro parte Regis Franciae, et duo pro parte nostra, ad inquirendum de dampnis et injuriis post pacis reformationem seu treuga durante inter dictum Regem et nos illatis hinc inde, et ad faciendum possis dampna et injurias satisfactionem congruam exhiberi juxta negotii qualitatem, assignarentur seu deputarentur extitit ordinatum: plura bona & mercamonia Civium *Ambanien.* ceterorumque Mercatorum *Corbia*, & aliorum locorum de Regno & potestate dicti Regis, ordinatione predicta non obstante, arrestata & seiscita, ac ipsis per gentes nostras alia dampna non modica sunt illata. Super quibus vobis pater Sancte volumus esse notum. Quod suggestio illa nullam omnino continet veritatem; Nam postquam Nuncii nostri predicti a nobis recesserunt iter arripiendo ad vestram praesentiam accedendi, infra regnum nostrum super gentes dicti Regis nulla hujusmodi arrestatio facta fuit, sed magno tempore elapso, cum quidam Mercator noster pannos & alia bona quae ad opus nostrum emerat in *Brabant* versus *Angliam* per potestatem duceret dicti Regis, idem Rex pannos & bona predicta arrestari & ad opus suum capi quo libito suo fecit: & tandem post preces nostras pro restitutione pannorum & bonorum predictorum pluries sibi directas, ac longam sectam & frequentem instantiam Mercatoris predicti, inquisita super hoc & reperta plenius veritate, praefatus Rex praecipit dicto Mercatori pro pannis & bonis predictis certam pecuniae summam taxatam suo arbitrio liberari, prout in ipsis Regis literis patentibus eidem Mercatori inde confectis plenius est contentum: Super quo quidem praeepto nulla executio nec restitutionis effectus juxta formam literarum predictarum postmodum extitit subsequutus, quamvis idem Rex post confectionem literarum suarum predictarum pluries super hoc per nos debite fuerit requisitus. Propter quod, diu antequam Nuncii nostri predicti apud *Lugdunum* ad vestram praesentiam accessissent vel etiam ab *Anglia* recessissent, juxta consuetudinem in Regno nostro in casu consimili usitatum et legem Mercatorum, catoliz. praecessa

\* lex Mercatorum, catoliz.



*An. 34 E. 1.* processu debito obserbato, bona et mercimonia *Spertatoz*um de potestate dicti Regis ad valentiam pannozum et bonozum p<sup>re</sup>dictozum fuerint aredata, tali, viz. modo quod quacunq; ho<sup>mo</sup> idem Rex nostro satisfaceret *Spertatoz*i iuxta formam literarum suarum p<sup>re</sup>dictarum, et tunc p<sup>re</sup>dictam arectum penitus relaxaretur *Spertatoz*ibus antedictis. Quoad id etiam quod p<sup>re</sup>dicta Litera vestra continebant, quod unus de nostris de dictis quatuor qui in vestra p<sup>re</sup>sencia ad p<sup>re</sup>missa, ut p<sup>re</sup>mittitur nominati, electi fuerunt & jurati, de partibus *Francia* discessit negotio imperfecto: vestra clementia intimamus, quod p<sup>re</sup>dicti duo per nos nominati & in vestra p<sup>re</sup>sencia, ut p<sup>re</sup>dictum est jurati, in partibus *Francia* per tres septimanas & amplius morabantur, quousque dictus Rex alios duos pro parte sua iuxta ordinationem p<sup>re</sup>dictam ipsis in dicto negotio adjungeret expectando. Et illis duobus deputatis postmodum per Regem *Francia*, & juratis, & de certo die incipiendi in dicto negotio procedere, inter ipsos quatuor concordato, unus de ipsis, qui pro Commisione ipsorum a nobis in hac parte habenda in *Angliam* ad nos venit cum commissione p<sup>re</sup>dicta in *Francia*, rediit ante diem, altero interim assidue in dictis partibus commorante: & extunc illi duo per nos ut p<sup>re</sup>mittitur deputati, intenderunt & adhuc intendunt continuo negotio memorato. Ita quod in nobis seu aliquo vel aliquibus de nostris in hac parte defectus aliquis non existit. Et utriusque facti p<sup>re</sup>cedentis veritas sic se habet. Vestra igitur clementia supplicamus, quatinus huiusmodi falsis suggestionibus seu earum persuasoribus qui sic nituntur excessus proprios palliare, si placet de facili non credatis, nec ex talium vanis verbis seu minis in hesitationem seu timorem aliquam incidatis, tales enim inuenietis amicos in necessitatibus & opportunitatibus vos tangentibus semper promptos qui de periculis & adversitatibus (si quae forsitan, quod absit emerferint) cum Dei auxilio viriliter vos defendent. Licet autem super p<sup>re</sup>missis p<sup>re</sup>dicto Magistro *Johanni* vestro *Nuncio* sit responsum, quia tamen posset contingere quod idem Clericus responsum huiusmodi vestra benignitati non tam clare prout sibi dictum extitit recitaret, ut de veritate p<sup>re</sup>missorum nostraque responsione p<sup>re</sup>dicta plenius vobis constet, positisque quibuscunque alias forsitan vobis super hiis loquentibus certius respondere, p<sup>re</sup>sentes Literas per valletum nostrum latorem p<sup>re</sup>sentium vestra beatitudini destinamus. Conserve vos altissimus ad regimen Ecclesiae suae per tempora prospera & longeva. Dat apud *Westm.* 5 die Junii.

In a Bundle of Writs in the *White Tower*, I met with this observable one, issued to the Mayor and Bayliffs of the City of *Lincoln*, setting forth the Custom of the City to devise Lands as well as Chattels, commanding them to prove a Will of Lands devised in that City, according to the Custom therein used to prove Wills, or shew cause why they did it not; with the Certificate and return thereon, expressing the Custom of the City, and reasons they did not prove it.

Bundle Brevium in Turri London, An. 34 E. 1.

*Edwardus* Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, Majori & Ballivis suis *Lincoln*. salutem. Ex querela *Johannis* filii *Johannis* C<sup>on</sup>ty de *Lincoln*, accepimus, quod cum secundum consuetudinem in Civitate nostra *Lincoln*, hactenus optentam & approbatam, liceat unicuique Civitatis ten. sua quae sibi adquisierit in eadem Civitate tanquam Catalla sua in ultima voluntate sua legare cuiusque voluerit, ac *Johannes* C<sup>on</sup>ty quondam Civis Civitatis nostrae p<sup>re</sup>dictae quendam ten. sua cum pertin. in Civitate p<sup>re</sup>dicta & Suburbio ejusdem quae sibi adquisierat, in Testamento suo p<sup>re</sup>dicto *Johanni* legasset; et licet Executor Testamenti illius penes vos diligenter institerint ut probationem Testamenti illius secundum consuetudinem Civitatis p<sup>re</sup>dictae admitteretis, et executionem ejusdem fieri faceretis, prout hactenus in casu consimili fieri consuevit, vos tamen probationem illam huc usque admittere distulistis et adhuc differtis minus iuste, in ipsius *Johannis* dampnum non modicum et exheredationis periculum manifestum. Volentes igitur p<sup>re</sup>dicto *Johanni* fieri in hac parte iustitiae complementum; vobis p<sup>re</sup>cipimus sicut alias p<sup>re</sup>cepimus, firmiter injungentes, quod si ita est, tunc ad dictam probationem iuxta modum et consuetudinem Civitatis nostrae p<sup>re</sup>dictae admittendam, et ad executionem debitam inde faciendam, absque ulterioris morae dispendio procedatis, vel causam nobis significetis, quare mandatum nostrum alias vobis inde directum exequi contempnistis. Teste meipso apud *Wolsey*, 15 die Aprilis, Anno regni nostri 34.

Where-

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Whereupon they made this Return annexed to the Writ.

An. 34 E. 1.

**I**Sta est causa quare ad probationem Testamenti *Johannis Cotty* quondam *Cibis Lincoln.* de ten. in dicto Testamento Legatis non processimus, quia modus & consuetudo hactenus usitat, & approbat. in Civitat. *Lincoln.* inter Cives dicti Civitatis tales sunt, quod quolibet Testamentum dictæ Civitatis tangens Laicum secundum deb. probari coram *Wajore* et *Ballivis* in plena Cur. infra Quadraginta dies post mortem Testatoris, ubi Testator obierit infra Quatuor *Paras.* Et unde contra dictum Testamentum objectum fuit infra dictum terminum quatuordecim Annis elapsis & amplius per *Henr.* filium & Hæredem dicti *Johannis* Testatoris, quod probatio inde fieri non debuit pro diversis defectibus in illo Testamento inventis, videlicet, *Quia sigillum dicti Testatoris dicto Testamento non fuit appositum.* Item pro hoc, quod dictum Testament. efficiebatur de duabus Cedulis simul confutis, ubi integre fieri debet sicut Carta Feoffamenti. Item propter diversa ten. apud *Banm-burgh, Canewyk* & alibi in Com. *Lincoln.* extra Libertatem Civitatis *Lincolniæ* in dicto Testamento legata, contra Legem et consuetudinem Regni; per quos quidem defectus una cum aliis in dicto Testamento inventis, *Wajor* et ceteri homines de Curia ad probationem inde ad tunc admittendam non processerunt, eo quod videbatur eis quod esset exhereditatio prædicti *Henrici*, et contra consuetudinem et Libertatem Civitatis prædictæ ad talem probationem procedere. Unde iidem Executores se intruserunt in dict. ten. & *Johannem* filium *Johannis Cotty* in seisinam posuerunt super herbam prædicti *Henr. Cotty*, & idem retent. ipsum ejecit velud per tresdecim Annos & amplius elapsos, per quod dictus *Johannes* filius *Johannis Cotty* tulit breve Domini Regis *Nova disseisina* versus dictum *Henricum* de tenementis prædictis coram *Willielmo Inge* & *Adam de Crokedak*, tunc temporis Justic. Domini Regis ad Assisas capiend. assignat. apud *Lincol.* coram quibus dictus *Johannes* nichilominus nichil cepit per breve suum, eo quod dictum Testamentum coram ipsis per Assisam pro dictis defectibus pro nullo habebatur: a quo quidem tempore usque nostrum Executores dicti Testamenti omnino cessaverunt, ad probationem prædicti Testamenti optinend. per quod ad probationem Testamenti prædicti admittend. de tanto tempore ultra tempus limitatum, quod est contra consuetudinem hactenus in dicta Civitate usitatam, & similiter propter diversos Articulos per prædictum *Henricum* filium & Hæredem dicti Testatoris superius contra dictum Testamentum objectos, ad præsens non processimus.

A clear evidence, That the Probat of Wills in Cities and Places where Tenements and Lands were devisable by custom, belonged not to the Ecclesiastical but Temporal Courts, and that the King might by his Writs command Wills to be proved by those who ought to prove them, or render him a legal reason why they refused so to do.

*William Grenefeild* Archbishop of *York* after his premised costly Consecration had this Writ issued for the restitution of his Temporalities.

**R**EX Dilectis & fidelibus suis *Lamberto de Thrikingham* & *Johanni de Byron* Custodibus suis Archiepiscopatus *Eborum* sede vacante salutem. Cum Dominus summus Pontifex electionem nuper celebratam in Ecclesia Cathedrali *Eborum* de discreto viro Magistro *Willielmo de Grenefeild* Canonico ejusdem Ecclesiæ in Archiepiscopum illius loci, cui prius regium assensum adhibuimus et favorem const. maverit, sicut per literas ipsius summi Pontificis Bullatas nobis inde directas nobis constat, Nos confirmationem illam acceptantes, cepimus fidelitatem ipsius Archiepiscopi, & temporalia Archiepiscopatus prædicti prout moris est restituimus eidem. Et ideo vobis mandamus, quod eidem Archiepiscopo temporalia Archiepiscopatus prædicti liberetis sicut prædictum est. Teste Rege apud *Wynton*, 31 die *Marcii*.

Eodem modo mandatum est præfatis Custodibus vel eorum sub-Custodibus apud *Chirchedon, Compson, & Otenden* in Com. *Gloucestr.* Teste Rege ut supra.

Et mandatum est Militibus, &c. & respondentes sicut prædictum est. In cujus, &c. Teste Rege ut supra.



An. 34 E. 1.

After which returning from the Court of *Rome* to the Kings presence. to prevent all affronts to him and his followers within the Diocess of *Canterbury*, concerning the carrying of his Cross therein, he procured this Safe-conduct from the King.

Pat. 34 E. 1.  
m. 36. intus.  
De conductu,  
Pro W. Archiepisc.  
Eborum.

**R**EX Omnibus Amicis & Ballivis & fidelibus suis ad quos, &c. salutem. Cum Venerabilis Pater *Willielmus de Grensefeld Eboracensis* Archiepiscopus sit ad præsens a Curia Romana ad nostram præsentiam reverteretur, vos amicos rogamus vobis, ballivis & fidelibus mandantes, quatenus eidem Archiepiscopo aut familiaribus suis in veniendo ad nos a Curia prædicta non inferatis, seu quantum in vobis est ab aliis inferri permittatis injuriam, molestiam, dampnum, impedimentum aliquod seu gravamen, sed eis potius saluum & securum conductum habere faciatis quociens ab ipso super hoc ex parte nostra fueritis requisiti. In cujus, &c. usque ad festum nativitat. Sancti *Johannis Baptista* prox. futur. duratur. Teste Rege apud *Canford*, 10 die *Februarii*.  
*Per Breve de privato Sigillo.*

\*Chronica W.  
Thorn, col.  
2005, 2006.

Hereupon this Archbishop in his return from the Popes Court this year, was invited to lodge and feast with the Abbot in the Monastery of *St. Augustines* at *Canterbury*, yet with special caution in writing concerning the bearing of his Cross within it, lest it should turn to their future prejudice. \* *Eodem anno Archiepiscopus Eboracensis rogatus (est) ab Abbate ad convivandum secum; facta tamen litera, quod non in præjudicium domus veniret per Crucis erectionem, quæ talis.*

*Universis Christi fidelibus, &c. Willielmus permissione, &c. Noverint Universitas vestra quod nos in crastino S. Benedicti, An. Dom. 1305. ex rogatu Domini Thomæ Dei gratia Abbatis S. Augustini Cant. ad Romanam Ecclesiam nullo medio pertinentis, ad Monasterium prædictum causa hospitandi Crucis præbula hospitantes, et ibidem pernoctantes; constemur et cognoscimus de plano, quod per nostram ingressum, vel moram, seu Crucis nostræ delationem, non intendimus nec volumus præbelligis, immunitatibus aut juribus ipsius Abbatis et Conventus Monasterii prædicti nunc vel in posterum in aliquo derogare; nec etiam nobis vel success. nostris aliquid possumus Jurisdictionis aut juris acquirere, per quod posset in futurum præjudicium generari. So careful were the Abbot and Covent to prevent all umbrages of infringing or violating their Priviledges and Liberties. And had not the King, his Counsil, and Judges, then much more reason to be carefull and vigilant to prevent by their Letters and Prohibitions all the apparent and clandestine Usurpations of the Roman Popes, Cardinals, Legates, Nuncios, Proctors, and of our own Bishops and Prelates, upon the ancient Rights and Priviledges of his Crown, his Temporal as well as Ecclesiastical Jurisdiction, and Subjects Liberties?*

A Writ de *Excommunicato capiendo* being issued out against the Abbot of *Sally*, and some of his Monks, to the Sheriff of *York*, the King by his Ecclesiastical Authority, upon their tender of sufficient Manucaptors, and caution, issued this Writ for their enlargement, if imprisoned thereon, and to supersede their caption if not taken by the Writ.

Claus. 34 E. 1.  
m. 6. Pro Ab.  
bate de Sally  
& quibusdam  
Monachis suis.

**R**EX Vic. *Eborum* salutem. Præcipimus tibi quod si frater *Johannes* Abbas de *Sally* invenerit tibi sufficientem manucaptionem pro qua respondere volueris pro ipso Abbate, *Johanne de Heton* & fratre *Willielmo de Osbaldeston* commonachis dicti Abbatis quos ad denunciationem Venerabilis Patris W. Archiepiscopi *Ebor.* tamquam excommunicatos & claves Ecclesie contemnentes per te justiciari præcepimus, donec Sanctæ Ecclesie tam de contemptu quam de injuria ei illata ab eis esset satisfactum, quod erunt in Cancellaria nostra coram Cancellario nostro apud *London* in crastino animarum, ad faciend. & recipiendum tunc ibidem quod Curia nostra consideraverit in hac parte, ipsos Abbatem, *Johannem* & *Willielmum* si ea occasione & non alia in psona nostra essent sine dilatione deliberari facias ab eadem per manucaptionem prædictam; Et alios in hujus de captionem nominatos interim non capias eadem occasione: Et habeas ibi nomina manucaptorum & hoc breve. Teste Rege apud *Hoynefalgh*, 10 die *Septembris*.

Th.

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The King likewise issued this Writ to the Sheriff of *Suffolk*, to take into his custody the bodies of two persons therein named, who were excommunicated by the Abbot of *St. Edmunds*, who had a power by the Kings Charters to excommunicate those within his Jurisdiction, and to \*certifie their Excommunications, as well as the Bishop of the Diocese.

An. 34 E. 1.

Coke 1. Instit. p. 134. a.

**R**EX Vicecom. *Suff.* salutem. Significavit nobis dilectus nobis in Christo *Thomas* Abbas de Sancto *Edmundo* Sanctæ *Romane* Ecclesiæ immediatè subjectus, per literas suas patentes, quod *Nicholaus de Huntingdon* Capellanus, & *Robertus Shipman* Laicus, suæ jurisdictionis, propter suas manifestas contumacias excommunicati sunt, nec se volunt per censuram Ecclesiasticam iustificari: Quia vero potestas regis sacrosanctæ Ecclesiæ in querelis suis deesse non debet, tibi præcipimus quod prædictos *Nicholaum* et *Robertum* per corpora sua secundum consuetudinem *Angl.* iustitias hac vice, de gracia nostra speciali, donec sanctæ Ecclesiæ tam de contemptu quam de injuria ei illata ab eis fuerit satisfactum. Teste Rege apud *Kyngston Lucy*, 28 die *Decembris*.

Claus. 34 E. 1. m. 22. vel 23. De excommunicatione capiendi ad significationem Abbatis de Sancto *Edmundo*.

The King this year the more to ingratiate himself with Pope *Clement*, who loved Venison, sent him no less than a hundred *English* Bucks for a present, but no Stags, because he had plenty of them in *France*, as this Record informs us.

**S**ANCTISSIMO in Christo Patri Domino C. Divina providentia Sacrosanctæ *Romane* ac universalis Ecclesiæ summo Pontifici, suus devotus filius. *Edwardus* ejusdem gratia Rex, &c. devota pedum oscula beatorum; De venatione nostra *Anglicana* sanctitati vestræ per latorem præsentium mittimus Centum Damos, septem vero Cerborum vobis transmittere postponentes, pro eo quod in partibus illis venationem hujusmodi nobis abundare. Conservet vos altissimus ad regimen Ecclesiæ suæ sanctæ per tempora prospera & longæva. Dat. apud *Lauretoft*, 6 die *Novembris*, Anno regni nostri 34.

Claus. 34 E. 1. m. 4. dorso. Pro Rege.

King *Edward* soon after hearing a rumor that some sad accident had befallen the Pope, sent a special Messenger to him, with this complementary Letter, desiring with all speed to receive an answer from him of his prosperous and happy estate, till which his mind could receive no pleasure, nor his heart any joy, as he suggested.

**S**ANCTISSIMO in Christo Patri Domino C. Divina Providentia Sacrosanctæ *Romane* ac universalis Ecclesiæ summo Pontifici. *Edwardus* eadem Gratia Rex *Anglia*, &c. Devota pedum oscula beatorum. Quidam rumor auribus nostris jam insonuit pater sancte, quod tedia seu incommoda quædam (quæ nobis displicent in immensum nosque gravant in intymis & conturbant) vobis nuper casualiter acciderunt; Nos igitur de statu vestro (quem diu conservet omnipotens incolumem atque sanum) nova audire prospera & felicia avidè cupientes, dilectum vallettum nostrum *Bern. Ferrant* exhibitiorem præsentium ad vestræ sanctitatis præsentiam destinamus: vestram Clementiam devotis precibus exorantes, quatinus de status vestri continentia nobis rescribere dignemini per eundem quamprimum fieri poterit bono modo. Animi enim joconditatem seu corporis lætitiâ non sumemus quousque de sanctissimæ personæ vestræ statu nobis scilicet scriberimus et optata, et ea nobis per vestras literas proprias duxeritis nuntianda. Conservet vos altissimus ad regimen Ecclesiæ suæ sanctæ per tempora feliciter longiora. Dat. apud *Ryngwode*, 19 die *Decembris*.

Claus. 34 E. 1. m. 22. dorso. Pro Rege.

What extraordinary affection Pope *Clement* bore to King *Edward* and the state of his affairs, and the King to him (who served each others turns for their reciprocal gain, in imposing and levying Dismes, Taxes on the Clergy and People) what Letters he sent to him and his Cardinals to promote the affairs and advancement of others to whom he had relation, the premised Epistles of his to the Pope, with others ensuing, will evidence.

**S**ANCTISSIMO Patri in Christo Domino C. divina providentia Sacrosanctæ ac universalis Ecclesiæ summo Pontifici, *Edwardus* eadem gratia Rex *Anglia*, &c. cum omni reverentia & honore humilima pedum oscula beatorum. Quantum sacrosanctæ

Claus. 34 E. 1. m. 15. Pro Rege.



*An. 34 E. 1.* sibi respozeat erga nos vestra benignitatis affectus, aperte colligimus ex animi tenetudine quem ad statum nostrum habetis, quodque vobis placuit de ipso statu tam pie et tenere cogitare, atque disponere, quod utique ab innato sanguine & antiqua gratitudine novimus processisse, Assurgentes vobis ad grates & gratias quas possumus seu sufficimus super eo, quod nuncios nostros quos nuper ad presenciam vestram transmisimus admistis honorifice, & benigne nostri consideratione tractastis, prout illorum relacio nobis plenius prefecit. Sanè pro quibusdam arduis negotiis nos & statum nostrum tangentibus quæ non mediocriter insident cordi nostro, discretos viros Magistrum *Thomam de Cobham* Canonicum *London*, decretorum doctorem, & *Rogernum* dictum *Sauvage* Militem nostrum presentatores presenciam, de quorum fidelitate & circumspectione plenam fiduciam optinemus, ad vestram presenciam destinantes, sanctitati vestre supplicamus humiliter & devotè, quatinus eisdem Canonico & Militi quibus super dictis negotiis aperuimus lacius mentem nostram, beatitudini vestre per eos seriosius exponendam, in hiis quæ ex parte nostra super dictis negotiis vobis expresserint viva voce, dignemini si placet, fidem indubiam adhibere, ac juxta speratam fiduciam operibus adimplere. In prosperitate continua & longæva ad exaltacionem Ecclesie sue sanctæ vestram conservet altissimus sanctitatem. Dat. *Wynton*. 23 die *Aprilis*.

*Ibidem*, m. 15. dorso. Pro Priore de Pontous. Sanctissimo in Christo Patri Domino C. Divina Providentia Sacrosanctæ ac universalis Ecclesie summo Pontifici. *Edwardus* eadem gratia Rex *Angl. &c.* devota pedum oscula beatorum: Quia domus & edificia Prioratus de *Pontous* tempore guerræ inter Regem *Francia* & nos in *Vasconia* nuper motu combusta, possessionesque Prioratus ejusdem destructæ fuerunt similiter & consumptæ, ac dilectus Capellanus noster frater *Arnaldus* Prior Prioratus prædicti, pro eo quod parti nostræ fideliter adhæsit, dampna recepit non modica & jacturas: Nos ipsum Priorem suis exigentibus meritis cupientes prosequi graciosè, vestre clemencie devotis precibus supplicamus, quatinus eidem Priori de aliquo beneficio competenti juxta statum suum in partibus *Vascon.* vel alibi ubi vestre placuerit sanctitati, prohibere dignetur vestre dominatio graciola; Has preces nostras si placet Pater sancte ad exaudicionis gratiam admittentes, quod dictus Prior prætextu fidelis gestus sui erga nos, bonæque affectionis quam ad nos gerit, ampliorem gratiam & favorem in vestra sancta præsentia se sentiat affectum. Conservet, &c. Dat. apud *Wolvestre*, 28 die *Aprilis*.

*Claus. 34 E. 1.* m. 15. dorso. De Baldewino fil. Comitis de *Lucenburgh*. *P*apæ Rex devota pedum oscula beatorum. Comes de *Lucenburgh* specialiter nos rogavit, ut super promotione *Baldewini* fratris sui milicie clericali ascripti beatitudini vestre literas nostras deprecatorias dirigere curaveremus: Nos itaque circa ipsius B. commoda promovenda licentius contemplacione prædicti Comitis intendentes, sanctitati vestre attentius supplicamus, quatinus dictum B. favoris & gracie specialis benevolencia prosequentes, sic eum habere si placet, dignemini in hiis quæ statum suum respiciunt graciosè affectibus commendatum, quod precum hujusmodi interventu uberiorem fructum se gaudeat affectum. Conservet, &c. Dat. apud *Wynton*. 3 die *Maii*, Anno regni nostri, 34.

*Ibidem*. Venerabili in Christo Patri Domino R. Sanctæ *Mariae novo* Diacono Cardinali amico suo karissimo. *Edwardus* eadem gratia, &c. salutem, & sinceram dilectionis affectum. Circa dilecti nobis *Baldewini* fratris nobilis viri Comitis de *Lucenburgh*; milicie clericali ascripti commoda promovenda licentius contemplacione dicti Comitis intendentes, pro ipso domino summo Pontifici literas nostras deprecatorias duximus dirigendas, paternitatem vestram affectuosè rogantes, quatinus prædictum B. nostri præcatus interventu habentes graciosius commendatum, ad promotionem utilitatum ipsius erga dictum summum Pontificem dare velitis si placet opem & operam efficaces. Ita quod vestro mediante subsidio speratum fructum sibi sentiat provenisse & nos vobis exinde teneamur ad gratiarum uberes actiones. Dat. apud *Wynton*. 3 die *Maii*.

These Letters of the King for favours and preferments for others abroad, induced the Pope and Cardinals to crave the like favour for their Nephews, Creatures, from

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from the King: Hence the King upon the Petition of the Popes Nephew, out of his respect to the Pope and other considerations, was pleased to license him to inclose with battlements, and to fortifie his house in *Budos*, in *Gafceigne*, by this Writ.

**R**EX Senescallo, Præpositis, Officialibus, Ballivis, Ministris, & omnibus aliis fidelibus suis in eodem Ducatu *Vasc.* salutem. Sciatis, quod cum dilectus nobis *Reymundus Guilli de Budos* Miles, nepos Domini *Clementis Summi Pontificis* nobis supplicaverit, ut nos sibi concedere velimus, quod ipse domum suam de *Budos*, quæ est infra Præposituram de *Bersak* infra Ducatum prædictum kernellare, et domum illam fortem facere posset, muris, turrellis, fossatis, et modis aliis quibus sibi melius viderit expedire. Nos, ob reverentiam præfati Summi Pontificis, necnon & pro eo quod fortalicium hujusmodi ad nostram & terrarum nostrarum in partibus illis, necnon et hominum de progenie prædicti Summi Pontificis securitatem sic faciendum reputamus, concessimus, & licentiam dedimus pro nobis & hæredibus nostris, quantum in nobis est, præfato *Reymundo*, quod ipse domum suam prædictam kernellare, et fortem facere possit in forma supradicta, & eam sic kernellatam & fortem factam possit, sibi, hæred. & successor. suis imperpetuum, sine occasione vel impedimento nostri, vel hæred. nostrorum, Senescallorum, Præpositorum, Officialium, Ballivorum, seu Ministrorum nostrorum Ducatus prædicti quorumcumque. In cujus, &c. T. R. apud *Wynton.* 9. die *Marcii.*

Pat. 34 E. 1.  
m. 32. intus.  
Pro Reymundo Guilli de Budos.

*Per breve de Privato sigillo.*

The King by Judgment of his Court re-seising the Liberty of the Bishop of *Durham*, for his abusing thereof, granted the Custody of it by this Patent to *Robert de Clifford*, till the next Parliament, or other order.

**R**EX Militibus, dilectis hominibus, et omnibus aliis Tenentibus de libertate Episcopatus *Dunelm.* salutem. Sciatis, quod commissimus dilecto et fideli nostro *Roberto de Clifford* libertatem prædictam cum pertin. in manum nostram per considerationem Curte nostræ coram nobis captam, custodiendam usque ad proximum Parlamentum nostrum, vel donec aliud inde duxerimus ordinandum. Ita quod Vicecomitem & alios ministros idoneos ad ea quæ libertatem illam contingunt exercenda & facienda sub ipso deputet vel assignet, & quod idem Vicecomes de exitibus inde provenientibus nobis respondeat ad Scaccarium nostrum. Et ideo vobis mandamus, quod præfato *Roberto* tanquam Custodi nostro libertatis prædictæ in omnibus quæ ad custodiam illam pertinent, intendentes sitis & respondentes, sicut prædictum est. In cujus, &c. Teste Rege apud *Kynemeresford*, 6. die *Decembr.*

Pat. 34 E. 1.  
m. 40. intus.  
Pro libertate Episcopatus Dunelm. commissi Roberto de Clifford.

*Per breve de privato sigillo.*

*William* Bishop of *Worcester* making a fine of 1000. Marks to the King in Chancery for receiving a Bull from Pope *Boniface* the 8. touching the restitution of his Bishoprick, wherein there were some words prejudicial to the Kings Crown and right; the King was afterwards pleased out of his special grace, in hope of his future loyalty, to pardon his Fine for this great offence by this Writ of Privy Seal.

**R**EX omnibus ad quos, &c. salutem. Cum venerabilis pater *W. Wygorn.* Episcopus pro quibusdam verbis nobis et nostræ Regiæ dignitati præjudicialibus, quæ continebantur in quadam Bulla quam idem Episcopus super collatione sibi de Episcopatu prædicto per felices recordationis Dominum *Bonifacium* nuper Papam octavum facta, ad nos tulit, finem fecit nobiscum in Cancellaria nostra de mille Marcis, nobis solvendis ad voluntatem nostram: Nos pro bono servicio quod præfatus Episcopus nobis impendit, & pro dilectione bonaque voluntate quas ipsum ad nos habere speramus, volentes sibi in hac parte gratiam facere specialem; pardonavimus et dictas mille marcas, & volumus & concedimus, quod idem Episcopus pecuniam illam habeat de dono nostro; Ita quod occasione finis prædicti per nos vel hæred. nostros, seu aliquem de Ballivis aut ministris nostris futuris temporibus non molestetur, occasionetur in aliquo vel gravetur, set quod inde totaliter sit quietus. In cujus, &c. T. R. apud *Hydam Wynton.* 21 die *Marcii.*

Pat. 34 E. 1.  
m. 22. Pro  
W. Episcopo Wygorn.

*Per breve de Privato sigillo.*

Pope



K. Edward 3. *An Exact History of Popes Intolerable Usurpations, B. 5. ch. 5*

Upon the Payment of the arrears of the Disms this year granted by Pope *Boniface* to the King by the Subcollectors, they received several acquittances, discharged for the same being paid into the Wardrobe, in this form.

Pat. 34 E. 3.  
m. 14. Cedula.  
Acquittancie  
pro diversis  
subcollectoribus  
in Anglia.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod dilectus Clericus noster *Johannes de Drogheda* Custos Garderobæ nostræ recepit in eadem Garderoba ad opus nostrum de dilectis nobis in Christo Priore & Conventu Sanctæ *Katharine* extra *Lincol.* subcollectoribus Decimæ Clero *Angliæ* per felicitis recordacionis Dominum *B.* nuper Papam octavum, de assensu nostro impositæ per tres annos, per Episcopum *London.* & Magistrum *Bartholomæum de Ferentino* Canonicum *London.* dictæ Decimæ Principales Collectores in Dioc. *Lincoln.* constitutis, de arreragis ejusdem Decimæ quindecim libras & quindecim denarios de dicta Decima provenientes, & nos de portione ejusdem Decimæ juxta concessionem dicti Summi Pontificis contingente, per manus *Johannis de Nevill* Vic. nostri *Lincol.* solventis denarios illos in Garderoba prædicta, &c. de quibus quidem quindecim libris & quindecim denar. dictos Priorem & Conventum, ac successores suos tenore præsentium quietamus, et ipsos erga Summum Pontificem ac prædictos principales Collectores et alios quoscunque indempnes præmittimus conservare. T. R. apud *Canterburiam*, 21 die *Novembris*.  
*Per billam prædicti Johannis.*

Consimiles literas de diversis pecuniarum summis habent subscripti; videlicet, above 40 Abbots, Priors, and other Subcollectors, whose acquittances are at large recited in the same Cedula. Yea the Original acquittances themselves under Seal (amounting to an hundred or more) I found extant in the *White Tower* in a peculiar Bundle, where all may peruse them.

Pope *Clement* the 5. having imposed a two years Dism, with the Kings consent, for the aid of the *Holy Land*, upon the Clergie of *England, Scotland, Ireland,* and *Wales*, appointed special Collectors to levy it in *Ireland*, to whom the King prescribed then a special Oath, diligently and faithfully to levy it without favor, hatred, love, or any other occasion, granting the Collectors thereof a protection during this employment; as these Records inform us.

Pat. 34 E. 3.  
m. 27. Pro  
Rege.

**R**EX dilecto Clerico suo Magistro *Thoma Cantok* Carcellario suo *Hiberniæ*, salutem. Cum venerabiles Patres ... *Lincoln.* & ... *London.* Episcopi, Collectores Decimæ per Sanctissimum Patrem Dominum *Clementem* Papam quintum nuper impositæ pro *Terra Sancta* Regio assensu per biennium in tota *Anglia, Scotia, Hibernia & Wallia*, committunt idem negotium dilectis Clericis nostris *Ricardo de Beresford* Thes. nostro *Hibern.* & Magistro *Willielmo de Ryvere* Canonico *Sarum*, in *Hibern.* exequendum, et idem negotium nobis sit cordi, et certis causis quas non exprimamus ad præsens, committimus potestatem sacramenta prædictorum *Ricardi & Willielmi* recipiendi de prædicto negotio, postpositis favore, odio, timore, amore, & quacunque occasione alia diligenter & fideliter exequendo. T. R. apud *Wism.* 28 die *Aprilis*.

Ibid. De Protectione pro  
subcollectoribus  
Decimæ.

**R**EX omnibus Ballivis & fidelibus suis ad quos, &c. salutem. Sciatis, quod suscepimus in protectionem et defensionem nostram specialem, dilectum Clericum nostrum Magistrum *Elyam de Muskhams* subcollectorem Decimæ nobis a sede Apostolica in subsidium *Terra Sancta* concessæ per venerabilem patrem ... *Lincoln.* Episcopum, principalem ejusdem Decimæ auctoritate Sedis Apostolicæ Collectores, unâ cum venerabili patre *London.* Episcopo deputatum, homines, terras, &c. Et si quid, &c. faciatis emendari, & eidem *Elya*, quociens ipsum circa dictam negotium per ballivas aut districtus vestros transire contigerit, et per ipsum super hoc fueritis requisiti, saluum et securum conductum habere faciatis. In cujus, &c. usque ad festum Sancti *Johannis Baptiste* prox. futurum duraturas. Teste Rege apud *Wolvestre*, 23 die *Aprilis*.

Ibid. m. 27.

**R**EX omnibus Ballivis, &c. salutem. Sciatis, quod suscepimus, &c. dilectum Clericum nostrum Magistrum *Willielmum de Hallested* subcollectorem Decimæ nobis a sede Apostolica in subsidium *Terra Sancta* concessæ, per venerabilem patrem

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patrem ..... *London.* Episcopum principalem ejusdem Decimæ auctoritate sedis prædictæ Collectorem, unâ cum venerabili patre *Lincoln.* Episcopo deputatum, homines, terras, &c. ipsius *Willielmi.* Et ideo vobis mandamus, quod ipsum Magistrum *Willielmum*, &c. et si quid, &c. Et idem *Willielmo* quociens ipsum circa dictum negocium per ballivas aut districtus vestros transire contigerit, et per ipsum super hoc fueritis requisiti, saluum & securum conductum habere faciatis. In cujus, &c. usque ad festum Sancti *Johannis Baptistæ* prox. futur. duraturas. Teste Rege apud *Wolversey*, 22 die *Aprilis*.

*Per ipsum Regem & Consilium. dupl.*

The King wanting monies, issued Writs in this strict form to the Subcollectors, to hasten the levying and paying in of the two years Disms newly granted him by Pope *Clement* for the relief of the *Holy Land*, which he made use of for his own necessities.

**R**EX dilectis sibi in Christo Decano & Capitulo *Hereford.* Subcollectozibus Decimæ per Summum Pontificem in subsidium *Terra Sanctæ* concessæ in Civitate & Archidiaconatu *Hereford.* deputatis, salutem. Cum ob aliquas arduas & certas causas quas ad præsens vobis literatoriè exprimere distulimus sit expediens, tam pro utilitate Ecclesiæ quam Reipublicæ, et necesse quod Decima prædicta in Cibus et Archidiaconatu prædictis, et alibi infra regnum nostrum, cum omni celeritate qua fieri poterit lebetur, colligatur et principalibus Collectozibus ejusdem Decimæ promptius persolvatur; Vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quod Decimam illam infra loca vobis commissa cujuscumque dilationis diffugio postposito per omnimodas coherciones quas poteritis levari, colligi, et dictis Collectozibus principalibus ad terminum vobis per ipsos statutum persolvi modis omnibus faciatis, ut ipsi de dicta Decima respondere valeant juxta dicti Summi Pontificis voluntatem; de illa summa pecuniæ quam hactenus de prædicta Decima lebastis, et quam tempore receptionis istius hærebis promptam in manibus habueritis statim post receptionem ejusdem redditus distinde et aperte Thef. & Barones nostros de Scaccario per vestras literas cerciores, et hoc sicut indignacionem Summi Pontificis et nostram, vestrumque dampnum proprium vitare volueritis, nullatenus omittatis; Scituri pro constanti, quod si quos negligentes vel remissos in dicta Decima lebando et colligendo vel rebelles in solucione ejusdem inveniri contigerit, eos absque gravi punicione ebadere minime permittemus. T. R. apud *Westm.* 24 die *Maii*.

Claus. 34 E. 1.  
m. 14. De solucione pecuniæ Decimæ festinanda.

Consimiles literæ diriguntur subscriptis, videlicet; Abbati & Conventui de *Beilo*, subcollectozibus, &c. in Civitate & Dioc. *Cicestr.* and sundry others mentioned in this Roll: which he seconded with this Writ to the Bishop of *London*, appointed chief Collector of these Disms by the Pope.

**R**EX venerabili in Christo patri R. eadem gratia *London.* Episcopo, alteri Collectorum Decimæ per Dominum Summum Pontificem in subsidium *Terra Sanctæ* concessæ, salutem. Cum pro quibusdam arduis & certis causis quas ad præsens certa ratione subticemus, mandaverimus Subcollectozibus Decimæ prædictæ, quod Decimam illam infra loca eis commissa cujuscumque dilationis diffugio postposito colligi et levari, vobisque ad terminos eis per vos assignatos faciant liberari; ita quod vos inde respondere valeatis juxta dicti Summi Pontificis voluntatem; Vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quatinus Subcollectores prædictos ad dictam Decimam cum omni celeritate qua fieri poterit lebendam, colligendam, et vobis liberandam, omnibus viis et modis quibus expedire videritis, exciteris, et efficaciter inducat; ita quod vobis aut ipsis negligencia aliqua in hac parte per dictum Summum Pontificem vel nos impingi nequeat quoquo modo. Certificantes Thef. et Barones nostros de Scaccario indistincte de illa summa pecuniæ quæ de Decima illa hactenus est lebata, et quæ in manibus prompta erit tempore quo istud hæbe recipere vos continget. Teste Rege apud *Westm.* 24 die *Maii*.

Ibidem.

Eodem modo mandatum est *J. Linc.* Episcopo, alteri Collectorum Decimæ, &c. ut supra.

How



*Anno 34 E. 1.* How the King this year would have the values of his Livings to whom he presented his Clerks returned to him, according as they were taxed to the last Disme, for the Holy Land, before their admission to them, this Record will inform us.

Claus. 34 E. 1.  
m. 13. Pro  
Willelmo de  
Borefworth  
clerico.

**R**EX Venerabili in Christo Patri J. eadem gratia Episcopo *Lincol.* salutem. Licet nuper quibusdam de causis vobis mandaverimus quod nos super vero valore Ecclesie de *Hayford Waryn* vestre Dioc. ad quam *Willelmum de Borefworth* clericum vobis presentabamus, quantum videlicet valeat per annum iuxta ultimam taxationem de Ecclesiis Anglicanis factam, ratione Decime earundem in subditam Terram sanctam nuper concessam nos redderetis certiores, & quod interim executioni presentationis nostre predictae supersederetis, de quo juxta tenorem dicti mandati nostri nos reddidistis certiores; Vobis nichilominus mandamus, quod executionem presentationis nostre quam vobis pro predicto clerico nostro ad presens mittimus prout ad vos pertinet fieri faciatis, non obstante predicto mandato nostro vobis de supersedendo executioni prioris presentationis nostre inde factae vobis directo. Teste Rege apud *Wynton*, 12 die *Maii*.

\* See Here p.  
1100, 1101.

The King as he had prohibited Jufts in or near the University of \* *Cambridge*, so likewise did he in *Oxford*, or twelve miles thereof, by this Writ, for the quiet and tranquility of the Scholars thereof.

Claus. 34 E. 1.  
m. 21. vel 22.  
Pro Magistris  
Universitatis  
*Oxon.*

**R**EX Vic. *Oxon.* salutem. Affectantes quietem et tranquillitatem Magistrorum Universitatis *Oxon.* et Scholarium ibidem studentium, tibi precipimus, quod si Torneamenta, Justas, Furdiceas, seu alia hastiludia in villa predicta vel infra duodecim millaria circumquaque citra festum *Pasche* proximo futur. contigerit proclamari, tunc ne quis Torneamenta, Justas, seu Furdiceas facere seu alia hastiludia exercere presumat citra dictum festum in villa predicta, seu infra duodecim millaria circumquaque ex parte nostra publice proclamari facias et firmiter inhibere. Teste Rege apud *Bynyndon*, 22 die *Januarii*.

King *Edward* to evidence his love to Learning, and Sovereign Ecclesiastical Power, licensed the Earl of *Lincoln* to appropriate five Churches for the maintenance of a new College with sundry Scholars in the University of *Oxford*, by this ensuing Patent to the Earl.

Pat. 34 E. 1.  
m. 13. Pro R.  
de Lacy Comite  
*Lincol.*

**R**EX Omnibus ad quos, &c. salutem. Licet per inquisitionem quam per dilectum & fidelem nostrum *Walterum de Glouc.* Esc. nostram ultra *Trentam* fieri fecimus acceperimus, quod est ad dampnum & prejudicium nostrum si concedamus dilecto Consanguineo & fideli nostro *Henrico de Lacy* Comiti *Lincoln.* quod ipse advocaciones Ecclesiarum de *Radynon*, *Ginelingham*, *Thoresby*, & *Halton* supra *Trentam* in Com. *Lincoln.* & de *Buckebury* in Com. *Northampton.* quas idem Comes de nobis tenet in capite, dare possit et assignare tresdecim Scholaribus in quadam domo in *Oxon.* per ipsum Comitem de nobis construenda in Universitate, ibidem moraturis; Habendas & tenendas eisdem Scholaribus, & Successoribus suis Scholaribus in domo illa moraturis imperpetuum. Ita quod iidem Scholares Ecclesias predictas appropriare possint sibi et Succ. suis predictis in proprios usus perpetuo possidendas, in hoc videlicet, quod si Ecclesias predictas vel earum aliquas vacare contigerit heredibus prefati Comitis infra etatem et in custodia nostra vel heredum suorum nostrorum existentibus nos et heredes nostri presentationes nostras ad Ecclesias illas amitteremus ratione donationis et concessionis predictarum; Postquam enim ex devotionem quam erga beatum *Thomam* gloriosum Christi Martirem, in cuius festo dictus Comes nos super hoc requisivit, necnon propter bonam voluntatem quam habemus precibus ipsius Comitis annuendi, concessimus eidem Comiti & licentiam dedimus pro nobis et heredibus nostris, quantum in nobis est, quod ipse advocaciones predictas dare possit et assignare predictis tresdecim Scholaribus in domo predicta per ipsum de nobis construenda in Universitate predicta moraturis; Habendas et tenendas sibi et Successoribus suis Scholaribus in domo illa moraturis imperpetuum. Et prefatis Scholaribus quod ipsi advocaciones predictas ab eodem Comite recipere, et eas sibi et Successoribus suis predictis appropriare possint

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possint in proprios usus imperpetuum possidendas, sicut prædictum est, tenore prædicti sententiam similiter licentiam dedimus specialem, statuto nostro de terris et tenem. ad manum mortuam non ponendis edito non obstante: Nolentes quod prædictus Comes vel hæredes sui aut præfati Scholares seu Successores sui prædicti ratione præmissorum per nos vel hæredes nostros Justiciarij & Escautores vel Ballivos aut alios ministros nostros quoscunque occasioneentur, molestantur in aliquo seu graventur. In cujus, &c. Teste Rege apud Beverlacum, 22 die Julij.

An. 34 E. 1.

The Monastery of *Cluny* having sustained great losses, and being deeply in debt as was suggested, not by their own default, the King for their relief was graciously pleased, notwithstanding his former Prohibitions, Statute, and Provisions against it, to grant the Abbot thereof and his Proctors his license to come and demand a competent Ayd and relief from all the Monasteries and Cells subject to their Order, and their Tenants, within his Dominions, by this his Patent, and likewise to exhort and encourage them thereunto. So prevalent were those begging Freers with him.

**R**EX omnibus Senescallis, Vicecomitibus, Ballivis, Ministris, & eorum loca tenentibus, ac aliis fidelibus suis quibuscunque ad quos, &c. salutem. Licet Regis sollicitudinis studium circa diversa quæ humeris nostris agenda incumbant, iugiter distrabatur, nonnunquam circa Ecclesiarum et Monasteriorum curam libenter infundimus nostræ considerationis intuitum, & earum præcipue misereri debito compassionis compellimur, quas oneris et pressuræ incommoda faciente id temporis aduersitate deploare conspeximus, ut nostris interbeniente ministerio a mole gravaminum releventur, præserbentur a noxijs, et felicibus proficiant incrementis. Cum igitur Monasterium *Cluniacense* à Christi fidelibus omni veneratione colendum, cultores divini nominis industrios, honestatis munere præditos hæcenus producere consuetum, præter factum seu culpam Abbatis eidem Monasterio nunc præsentis, prout laudabili fidedignorum testimonio didicimus & credimus, ex diversis & variis causis contingentibus adversi conditione temporis id agente, sit ad præsens diversarum fluctuationum turbinibus agitatam, et multis pluri debito onere prægravatam, ipsius Monasterii statui benigno compatiētes affectu, cupientesque hujusmodi obviare dispendijs, ac Monasterium & Abbatem ab iminentibus gravaminum pressuris & debitorum oneribus relevari, patienter permittimus et etiam tolleramus, necnon omnes quorum interest in quantum bono modo possumus excitamus, ut pro hujusmodi oneribus facilius et commodius supportandis, et debitorum attenuationibus prædictorum, Monasteria et Prioratus regni nostri et districtuum nostrorum prædicto Monasterio *Cluniacensi* subiecta et eorum tenentes, gratum et rationabile subventionis auxilium eidem Abbati *Cluniacensi* possint facere et præstare nostris interbeniente licentia et assensu: Nobis omnibus et singulis insungentes et etiam inhibentes, ne prædicto Abbati aut Procuratoribus suis ad hoc deputandis per ipsum super hujusmodi auxilio exigendo et levando nullum inferatis seu inferri permittatis impedimentum, molestiam seu gravamen. In cujus, &c. Teste Rege apud *Laureis* 4 die Novembrij.

Claus. 34 E. 1.  
m. 2. dorso.  
Pro Abbate  
Cluniacensi.

*Per breve de Privato Sigillo.* Dupl.

That the King by his Prerogative this year, as well as formerly, claimed a competent pension for one of his Clerks, upon the new Creation of Bishops, this Writ to the Archbishop of *Tork* assures us.

Claus. 34 E. 1.  
m. 12. dorso.  
Pro Roberto  
de Cottingham  
Clerico.

**R**obertus de Cottingham Clericus habet literas Regis W. Archiepiscopo *Ebor.* de annua pensione, ratione novæ creationis suæ, &c.

King *Edward* being aged, infirm, and mindfull of his approaching death, implored the daily, fervent and devout Prayers of the Friars Prædicants, assembled in a General Chapter at *Paris*, for himself, his Queen, Children, Realm and affairs, as he had of the *Archbishops* and *Bishops*, by this devout Writ.

\* *Speeds History*, p. 664



K. Edward 1. *An Exact History of Popes Intolerable Usurpations, B. 5. ch. 5*

An. 34 E. 1.

Clauf. 34 E. 1.  
pars 1. m. 16,  
vel 17.

**R**EX, &c. Religiosis viris & sibi in Christo dilectis, Magistro Ordinis Fratrum Prædicatorum, ac diffinitoribus Fratribus universis in Generali Capitulo suo *Parisi*, proximo conventuris, salutem, & Spiritu Sancto dirigi in agendis. Dum condicionem humanæ fragilitatis attendimus, & qualiter omni creaturæ tam sublimi quàm humili prætereuntibus suo cursu diebus præsentis vitæ finis appropiat, ardentia consideratione pensamus, sic venire cupimus, quantum nobis ex alto permittitur, diem mortis, ut æterni clemencia Iudicis dignetur nostri de suæ gratiæ plenitudine misereri: Verum cum devotarum orationum suffragia inter alia pietatis opera multum proſint ad divinam misericordiam impetrandam, de vobis quorum ordinem benivolentiæ specialis favore prosequimur, ut salutem nostram zelemini, et pro nobis, Consorte nostra, et liberis nostris, ac statu prospero regni nostri, præces devotas Domino offeratis plenam fiduciam optinentes, devotionem vestram requirimus et rogamus, quatinus nunc et in futurum dignam sollicitudinem impendatis et instetis assiduis supplicationibus et intercessionibus apud Deum, ut hic sua pietate nos dirigat per suorum semitam mandatorum, et post diem extremum salvationis locum nobis dignetur misericorditer indulgere, statumque regni nostri conservare prosperum et tranquillum: Universitatem vestram Religiosam diu conservet Altissimus in caritate continua et perfecta. Dat. apud *Wolsesey*, 8 die *Aprilis*.

After which he issued another pious Writ to these Freers to the like effect assembled in their General Chapter at *Yorke*.

Ibid. m. 10.  
dorso. De o-  
rando pro Re-  
ge & Regina,  
ac eorum libe-  
ris.

**R**EX dilectis sibi in Christo Magistro Ordinis Fratrum Prædicatorum, ac diffinitoribus & fratribus universis in Capitulo suo Provinciali apud *Eborum* in proximo conventuris, salutem, & Spiritu sancto dirigi in agendis. Inter cetera quæ fructum Salutis repromittere credimus, hoc præcipue in spei nostræ fulcimentum accedit, quod nos assiduorum deprecationum iustorum culti præsidio divinam propitiationem facilius consequemur. De vobis itaque ut nostram, ac Reginiæ Consortis nostræ, liberorumque nostrorum salutem, necnon statum prosperum regni nostri, et expeditionem felicem negotiorum nobis incumbendum hiis diebus zelemini, plenam in Domino fiduciam optinentes, devotionem vestram affectuose requirimus & rogamus, quatinus apud illum qui est vera salus, et qui temporalitatis et perpetuæ felicitatis tribuit largitatem: Nos, Reginam Consortem nostram, et liberos nostros, ac statum regni nostri devotæ supplicationis studio commendetis, ipsius clemenciam qui mensuræ termino non artatur exorantes, ut sic regnum temporale regere, negociaque nostra prædicta expeditioni felici per suæ subventionis dexteram mancipare possimus, quod hoc ad laudem sui nominis, et nostrum regnique nostri commodum cedere valeat et honorem, quodque nos post supremum vitæ nostræ exitum in regno cælesti partem hereditariam consequamur. Dat. apud *Est-Stratton* 12 die *Julie*.

A pious Writ and request worthy all Christian Kings imitation in all times of age, sickness, danger, or when they have any weighty affairs to undertake.

In the Clause Roll of 34 E. 1. I finde the Names, Country, and Titles of all the Roman Cardinal Bishops, Priests and Deacons, thus enrolled; that so the King might the better know how to write and make his addresses to them upon all occasions.

Clauf. 34 E. 1.  
m. 14. dorſo.  
Episcopi Car-  
dinales.

Dominus *Nicholaus de Prato*, natione *Tuscanus*, Episcopus *Ostienſis* et *Velletrēſis*, sanctæ *Romane Ecclesiæ* Cardinalis.

Dominus *Johannes Buckamachius*, natione *Romanus*, Episcopus *Tusculanus*.

Dominus *Leonardus de Gwarchnio*, natione *Campanus*, Episcopus *Albanensis*.

Dominus *Johannes de Murre*, natione *Marchia Ancononia*, Episcopus *Portuensis*.

Dominus *Tethericus de Vrbe veteri*, Episcopus Civitatis Papalis, quondam *Pennestrinus*.

Dominus *Petrus Hispanus*, Episcopus *Sabinensis*.

Magister

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Magister Petrus de Capella, quondam Episcopus Tholos. titulo sancti Apolinar. *An. 34 E. 1.*  
Presbyter Cardinalis.

Dominus Berengarius Fridolo, quondam Episcopus Biterren. titulo sanctorum *Presbyteri*  
Nerrei et Achillei, Presbyter Card. *Cardinales.*

Dominus Johannes Monachi, natione Pikard. titulo sanctorum Marcellini et  
Petri, Presbyter Card.

Dominus Gentil Monte Florum de Ordine Minorum, natione Marchia Ancon.  
sancti Martini in montibus, Presbyter Cardinalis.

Dominus Tho. Forz, Anglicus, titulo sancte Sabina, Presbyter Card.

Frater Nicholaus de Freanvill, de Ordine Prædicatorum, quondam Confessor Re-  
gis Francia, titulo sancti Eusebii, Presb. Card.

Dominus Stephanus de Sufato, quondam Archid. de Burg, & Canc. dicti Regis,  
titulo sancti Ciriaci in \*Thermis, Presb. Card. \*Thermis.

Dominus Willielmus de Cantilupo Camerarius Papæ, titulo sancti Marcelli, Presb.  
Cardinalis.

Dominus Willielmus Ruffati, \*Revendar. Papæ, titulo sancte Potenciana, Presb. \*Referenda-  
Cardinalis. rius.

Dominus Petrus de Moia, Vicetancellarius, titulo sancte Prisca, Presbyter  
Cardinalis.

Dominus Franciscus de Campo Florum, Romanus, sancte Lucia in silice, Diaconus *Diaconi Car-*  
Cardinalis. dinales.

Dominus Jacobus Gaictanus, Romanus, sancti Georgii ad velum aureum, Diaconus  
Cardinalis.

Dominus Neapolis de domo Ursinorum, sancti Adriani, Diaconus Cardinalis.

Dominus Landolphus Neapoli, sancti Angeli, Diaconus Cardinalis.

Dominus Franciscus Gaitanus, de Anagn. sancte Maria in Cosmedyn, Diaconus  
Cardinalis.

Dominus Willielmus de Bergamo, sancti Nicholai in Carcere Tulliano, Diaconus  
Cardinalis.

Dominus Petrus de Columpna, Diaconus sine aliquo titulo.

Dominus Jacobus de Columpna, Diaconus sine, &c.

Dominus Lucas de Flisco, sancte Maria in via lata, Diaconus Cardinalis.

Dominus Ricardus de Senis, sancti Eustachii, Diaconus Cardinalis.

Dominus Reymundus del Gout, sancte Maria novæ Diaconus, Nepos Papæ.

Dominus Arnaldus de Polagru, Nepos Papæ, sancte Maria in Porticu, Diaconus  
Cardinalis.

King Edward having \* presented his learned Clerk and Physician (who under God  
had saved his life and recovered him from his sickness ) to the Church of *Recolure,* *See here p.*  
by his Prerogative during the vacancy by the Archbishops suspension, the disposi- *1095, 1096,*  
tion of whose Temporalities the Pope had reserved to himself, and thereupon the *1097.*  
Pope refusing upon the Kings premised importunate Letters in his favour to confirm  
him therein, pretending he had granted it by his provision to another: The King  
thereupon sent this second Epistle to confirm him therein, or confer it on him by  
the power he had granted him, promising to bestow another Benefice of equal va-  
lue on the Popes Clerk, provided his Physician might enjoy this, backing it with  
another Epistle to a *Roman Cardinal,* to promote this business effectually, and pro-  
cure a Dispensation to hold it with his other Benefice in the Diocese of *Saynm.*

**D**omino Papæ Rex, devota pedum oscula beatorum. Virtutum dona præcipua Rot. Romæ  
actusque præclari quibus dilectus Clericus noster Magister *Nicholaus de* *An. 34 & 35*  
*Tynchwyke* noster Medicus noscitur insigniri, necnon & ipsius obsequia laudabilia *E. 1. nu. 5.*  
nobis gratanter impensa animum nostrum pulsant mentemque sollicitant, ut ubi  
ipsum utilitatem & honoris augmentum perspicimus promoveri, ibi operam effica-  
cius apponamus. Cum nuper vestre Sanitati duxerimus concedendum, quod  
de Ecclesiis quarum advocaciones spectant ad temporalitatem Archiepiscopatus  
Canuar. et quæ vacare contingerent durante suspensione ejusdem Archiepiscopi,  
pro vestro arbitrio possetis libere ordinare, ac ante concessionem nostram huius-  
modi, præfatum Magistrum *Nicholaum de Tynchwyke* Medicum nostrum, cui post  
Deum



An. 34 &  
35 E. 1.

\* See here p.  
1096.

Deum grates referimus de reconvalescentia qua nuper plurimum praebebatur, praesentavimus ad Ecclesiam de *Recolure*, cujus advocatio ad temporalitatem pertinet antedictam, et quae vacavit dum dicta temporalia capta in manum nostram extiterunt: Sanctitati vestrae debitorum precibus supplicamus, quatinus dictam praesentationem nostram gratam et acceptam, si placet habentes, benigne suscipere velitis, quod dictos Clericos noster ipsa Ecclesia gaudere valeat virtute praesentationis praedictae, vel saltem eandem Ecclesiam eidem Clerico nostro conferre dignemini gratiose, et deinde cum ipso super retentione illius Ecclesiae, una cum Ecclesia de *Colestull Sarum* Dioc. quam prius fuerat affectus, de Apostolica potestatis plenitudine dispensare, prout alias Sanctitati vestrae super hoc memoravimus supplicasse: Et si forsan praedictam Ecclesiam de *Recolure* alteri Clerico contuleritis, post vacationem ejusdem, nos eidem Clerico teneri volumus, ad Ecclesiam vel Beneficium valoris consimilis vel majoris. Ita tamen quod dicta Ecclesia de *Recolure* remaneat ut praemittitur nostro Clerico memorato. Hanc autem regulationem quam pro praefato Clerico nostro vestrae clementiae facimus, sic ex intimo cordis nostri prodeunt, sicut aliqua alia quam vobis fecisse recolimus temporibus retroactis, utpote pro persona honestae vitae, bonae conversationis, eminentis scientiae, habilisque ad quamlibet dignitatem Ecclesiasticam nostro iudicio optinendam, ad exauditionis gratiam vestra dignetur admittere sanctitudo, ac iuxta desiderium cordis nostri graciosis affectibus adimplere, et nobis super hoc responsum renunciare votivum. Nos enim audita felici expeditione dicti negotii quam desiderabiliter affectamus, non modicam erinde letitiam assumeremus. Conservet, &c. Dat. apud *Laurecest* septimo die *Octobris*.

Rot. Romae  
An. 34 & 35  
E. 1. nu. 5.

Venerabili in Christo patri Domino R. titulo Sanctae *Mariae Novae* Diacono Cardinali, amico suo carissimo, *Edwardus*, &c. salutem & sinceram dilectionis affectum. Cum per alias nostras literas Sanctissimum patrem nostrum Dominum Summum Pontificem duxerimus requirendum, quatinus sustinere velit, quod Ecclesia de *Recolure* quae vacavit postquam temporalia Archiepiscopatus *Canthuar.* capta fuerant in manum nostram, & ad quam praesentavimus dilectum Clericum nostrum Magistrum *Nicholaum de Tychemyke* Medicum nostrum, hominem utique honestae vitae, bonae conversationis & scientiae eminentis, eidem Clerico nostro remaneat virtute praesentationis nostrae supradictae, seu quod eandem Ecclesiam eidem Clerico conferat gratiose, et secum de solita benignitate disponet super retentione dictae Ecclesiae, una cum Ecclesia de *Colestull Sarum* Dioc. quam idem Clericus prius fuerat affectus: Paternitatem vestram in quantum possumus requirimus & rogamus, quatinus penes dictum Dominum Summum Pontificem solertem diligentiam nostri intuitu velit apponere & juvamen, & ut praedictum negotium iuxta animi nostri desiderium ad effectum perducere valeat quem optamus, & ut gratiose super hoc a dicto patre responsum habeamus quam citius fieri poterit, curetis si placet impetrare, nos enim audita felici expeditione iuxta votum, magnam exinde cordis laetitiam sumeremus. Valeat vestra Paternitas per tempore longiora. Dat. apud *Laurecest* septimo die *Octobris*.

Thus was the King by his condescension and grant of the Temporalities and Presentations belonging to himself and his Crown, to this Pope, enforced to importune both the Pope and Cardinals by successive Letters, for the confirmation of his own Clerks presentations to Churches who best demerited of him, and yet could not at all, or with great difficulty and expence obtain his just requests; such was the avarice and ambition of this usurping Pontiff.

\* See here p.  
1024, 1025,  
1026.

The King having \*close imprisoned in Irons the Archbishop of *St. Andrews* and Bishop of *Glasgow* in *Scotland*, for their manifold Perjuries, Treasons, Rebellions against him, sent this Letter to the Pope for the promotion of others to their Bishopricks who were faithful to him, and fit to be promoted, for the peace and welfare of that Kingdom.

Rot. Romae  
An. 34 & 35.  
E. 1. nu. 7.

Sanctissimo in Christo Patri Domino C. divina Providentia Sacrosanctae Romanae ac universalis Ecclesiae summo Pontifici, suus devotus filius, *Edwardus* eadem gratia Rex *Angliae*, &c. devota pedum oscula beatorum. Pater sanctissime, quia Magister *Willielmus*

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*Willielmus de Lamberton Sancti Andrea, et Robertus Wycharde Glasguensis Episcopi, quos jam tanquam inimicos et proboles nostros contra nos hostiliter insurgentes captivos in nostra custodia detinemus, adeo ante hæc tempora erga nos se gesserunt proboles et perberse, utpote qui fidelitatem et sacramenta sua pluries nobis præstita non sunt veriti violare, reatum perjurii pluribus vicibus notorie incurrendo, ac per ipsos ipsorumque procuracionem et instigacionem pax et tranquillitas terræ nostræ Scotia saplus jam commotæ fuerunt pariter et turbatæ, multisque ipsorum demeritis exigentibus erga nos reddiderant taliter se indignos, quod pati non possumus nec debemus quid infra terram nostram Scotiæ prædictam nec alibi infra potestatem nostram moventur, propter pericula quæ nobis et terræ nostræ Scotiæ supradictæ possent per ipsorum machinationes subdolas futuris temporibus evenire. Et nos votis omnibus cupiamus quod sancta Ecclesia per bonas honestas et idoneas personas gubernatur et etiam deserbiatur eadem, sanctitati vestræ devota precum instantia supplicamus, quatinus de prædicto Episcopatu Sancti Andrea, care & dilecto nobis Magistro Willielmo Comyn fratri nobilis viri Comitis de Beggan, viro utique benè literato, bonæ vitæ & conversationis honestæ, aptoque nostro iudicio pro tali dignitate optinenda, pro quo etiam aliàs vestræ supplicavimus Sanctitati, & qui alia vice ad eundem Episcopatum electus extitit, & per præfatum Magistrum Willielmum suosque complices inimicos nostros tunc impeditus, Ac de Episcopatu Glasguens. supradicto, dilecto Clerico nostro Magistro Gualfrido de Moubray, qui similiter est homo nobilis genere ac honestus in conversatione, dignemini providere, per hos namque speramus firmiter, quod Deo et sanctæ Ecclesiæ debeat bene et congrue deserbiri, ac pax dictæ terræ Scotiæ felicius confoveri per ipsorum probationem & constanciam poterit & melius custodiri. Super hiis igitur vestræ placeat beatitudini nobis vestram rescribere voluntatem, hoc enim negotium multum innotet coram nostro, per quod illudque ex causis præmissis, ac etiam pro eo quod personis pro quibus hanc requisicionem vestræ paternitati facimus dilectione amplectimur speciali, in quantum possumus desideramus favorabiliter exaudiri. Ad hæc pater Sancte cum nos alias vestram informavimus sanctitatem super collocacone incepta de matrimonio inter Alianoram filiam nostram karissimam & filium nobilis viri quondam Comitis Burgundia, ac excellentis dominæ Comitissæ Burgundia & Astrabat. contrahendo, & in casu consimili per aliquos homines ante hæc tempora, ut bene nostis, fuerimus circumventi, vosque super negotio illo per dilectum Clericum nostrum Magistrum Thomam de Suchwerk curialiter responderitis, unde vobis ad graciaram assurgimus actiones, eidem sanctitati vestræ supplicamus, quatinus super dicto negotio nobis & viis congruis quibus vestræ sanctitati videbitur faciend. velitis si placet taliter ordinare, quod nullatenus circumveniamur in prædicto negotio, prout aliàs ut prædicitur nos esse recolimus circumventos. In prosperitate Dominus vos conservet ad regimen Ecclesiæ suæ Sanctæ per tempora feliciter diuturna. Dat. apud Lawncost, 4 die Octobris.*

An. 34 &  
35 E. 1.

Nota.

He likewise writ to the Pope to grant a Dispensation by his Papal power, for a marriage between a Kinswoman of his, and a Nobleman of Scotland, who were too near of Kinred to marry, for the better settling of peace between the English and Scots.

**P**apa Rex devota pedum oscula beatorum. Considerantes dispendia quæ nobis & populis nostro regimini subditis Anglia & Scotia nationum jam per diversas vices irrogavit turbacio venenosa, quam quidam iniquitatis filii in partibus Scotia ante hæc tempora contra nos proboles et perberse, illa libenter prosequimur ac jugi meditatione studioque pervigili procuramus, per quæ pacem & tranquillitatem inter dictos nostros subitos solidari credimus & dilectionem uberius confoveri. Cum itaque pater sancte super matrimonio inter nobilem virum *Dunkannum de Fiff.* ac *Mariam* de monte *Harmeris* neptem nostram contrahendo sit penes nos habitus sermo aliquis, ibidemque *Dunkannus & Maria* pro eo quod in gradu affinitatis prohibito se attingunt, super quo vestram sanctitatem informare poterunt plenius præsentium portitores, nequeunt absque vestra dispensacione legitime copulari, nosque illorum copulationem pro bono pacis & dilectionis inter dictos nostros subditos Anglia & Scotia nutriendæ futurisque temporibus conservandæ desiderabiliter affectamus;

Ibid. nu. 6.



An. 34 &  
35 E. 1.

tamus, Sanctitati vestre devotis precibus supplicamus quatinus premissorum intuitu, nostrique rogamini interventu ut iidem *Dunkann & Maria* matrimonialiter coniungi valeant de apostolicæ potestatis plenitudine dignemini si placet favorabiliter dispensare. Conserve, &c. Dat. apud *Laurecost*, 28 die *Octobris*.

*Per Breve de Privato Sigillo.*

The King writing to the Pope to send special Nuncios into *England* for the settling of his own affairs; and the Pope thereupon sending *Cardinal Hispan* and *Lebristo* to him for his own ends, under pretext of promoting the publike good of Christianity and the Realm of *England*, the King returned him this Letter of thanks.

Rot. Romæ,  
An. 35 E. 1.

**S**anctissimo in Christo Patri Domino C. divina providencia sacrosanctæ *Romana* ac universalis Ecclesiæ Summo Pontifici; *Edwardus*, &c. devota pedum oscula beatorum. Pater sanctissime, Transmissæ nobis literæ vestre per præsentium portitores, quas diligenter inspeximus continebant, quod vestra clemencia venerabilem patrem Dominum *Petrum Hispan*. Dei gratia sedis Apostolicæ Cardinalem, & nobilem virum Dominum *Amanum* Dominum de *Lebristo* pro aliquibus negotiis totius Christianitatis utilitatem, statumque regni nostri tangentibus, jam pridem versus nos duxerat destinare, pro quibus etiam negotiis litteras nostras vestre sanctitati meminimus direxisse, quas diu antequam ad nos pervenerant vestre literæ memoratæ, ad vestram credimus præsentiam pervenisse. Et quia huiusmodi nuncii nobis hæcenus fuerunt & adhuc sunt quamplurimum speciales, de vestra missione eorundem sanctitati vestre grates et gratiarum quas possumus referimus actiones, potissime de dicto Cardinali, quem *Edwardus* filium nostrum karissimum de progenie *Hispan*. existentem, de qua quidem patria idem Cardinalis duxit originem, specialiter diligere credimus & ex corde. Quamobrem, pater sancte, de adventu nunciorum prædictorum afficimur valde læti. Conserve, &c. Dat. apud *Laurecost* tercio die *Januarii*.

King *Edward* sent this and a former Letter to this Pope for the restitution of the two Cardinals of *Columpna* to their dignities, lands, possessions, and goods, whereof they were deprived by his predecessor Pope *Boniface*, since they had been always friendly and faithfull to him.

Rot. Romæ,  
An. 35 E. 1.  
m. 3.

**P**APÆ Rex devota pedum oscula beatorum. Reverendos patres Dominos *Jacobum & Petrum de Columpna* dictæ sanctæ *Romana* Ecclesiæ Cardinales, & domum ipsorum favore specialius benivolentiæ prosequentes, circa promotionem et utilitatem ipsorum eo libencius interponimus partes nostras, quo eos & alios de domo illorum ferventiores nostri nominis & honoris semper sensimus zelatores. Et licet pro revocatione sententiarum per Dominum *Bonifacium* Papam octavum prædecessorem vestrum in ipsos & alios de domo illorum latarum, & restitutione terrarum & bonorum quibus fuerunt per eundem prædecessorem vestrum privati, per nuncios nostros quos nuper ad præsentiam vestram transmissimus institerimus, sicut recolimus diligenter, ut tamen affectionem quam ad eos & dictam domum ipsorum gerimus intercessio iterata testetur, sanctitati vestre affectuosa precum instantiâ supplicamus, quatinus terras, possessiones, et bona quibus, sicut præmittitur, fuere privati, præfatis Cardinalibus et aliis de domo sua prædicta quantum ad vestre dominationis gratiam attinet, benigne, plene, et integre restitui jubeatis; ita, si placet, quod ex interventu precum nostrarum huiusmodi speratum fructum sibi sentiant provenisse. Conserve, &c. Dat. apud *Karoliol*. 25 die *Marci*.

He writ also Letters to sundry Cardinals on the behalf of the Archbishop of *Yorke*.

Rot. Romæ,  
34 & 35 E. 1.  
m. 3.

**V**enerabili in Christo Patri Domino J. titulo sanctorum *Marcellini & Petri*, sanctæ *Romana* Ecclesiæ Presbytero Cardinali, amico suo carissimo; *Edwardus*, &c. salutem, et sinceræ dilectionis affectum. Grata & fructuosa obsequia quæ nobis

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nobis ab annis pluribus venerabilis pater *W. Eborum* Archiepiscopus *Angl.* Primas exhibuit, ipsumque ad nostrum & regni nostri commodum & honorem exhibiturum speramus Deo propicio in futurum, non immerito nos excitant & inducunt, ut apud nostros benivolos & amicos ea quæ ad utilitatem & honorem ipsius cedere poterunt sinceræ affectionis animo procuremus. Cum itaque idem Archiepiscopus apud vestram paternitatem quædam habeat negocia expedire, quæ vobis ut accepimus plenius aperit per scripturam, vestram fiducialem amicitiam affectuose requirimus & rogamus, quatinus eidem super negociis illis precum nostrarum optentu vos exhibere velitis quantum bono poteritis favorabiles & benignos, ut has preces nostras sibi sentiat fructuosas, nosque vobis exinde specialius teneamur ad ea quæ vobis grata fuerint et accepta. Dat. apud *Laurecost*, 25 die *Januarii*.

Eodem modo scribitur to some other Cardinals.

The Priory of *Laurecost* being burnt, much wasted, and impoverished by the *Scottish* Rebels, and the King continuing long in it by reason of his sicknesse, granted them his license to appropriate two Churches to them and their successors when they should fall voyd, which he likewise desired the Pope to ratifie, though valid without his confirmation.

**V**enerabili in Christo Patri Domino *P.* titulo sanctæ *Priscæ* Presbytero Cardinali, & sanctæ *Romane* Ecclesiæ Vicancellario, amico suo carissimo, *Edwardus*, &c. salutem, & sinceræ dilectionis affectum. Cum Prioratus de *Laurecost* *Karloliensis* Dioc. situs juxta confinia terræ nostræ *Scotia*, per combustionem domorum & domorum deprædacionem ejusdem Prioratus per quosdam *Scotos*, inimicos & rebelles nostros, fines regni nostri dudum hostiliter invadentes inhumaniter perpetratas, depauperatus existat plurimum & vastatus; Nosque paupertati dilectorum nobis in Christo Prioris & Canonicorum Prioratus prædicti piis compatiens affectibus, ob specialem devocionem quam ad beatam *Mariam Magdalena* in cujus honorem illud cœnobium est fundatum gerimus & habemus, necnon & propter diutinam moram nostram quam in eodem fecimus Prioratu dum adversa corporis valitudine præmebamur, dederimus eisdem Priori & Canonicis advocaciones Ecclesiarum de *Misford*, et de *Carlston*. *Dunelm.* et *Karl.* Dioc. quæ de nostro sunt Patronatu, volentes et concedentes quantum in nobis est, quod ipsi ad relevacionem status sui easdem Ecclesias, cedentibus aut decedentibus Rectozibus earundem, canonice assequi valeant in usus proprios possidendas; Paternitatem vestram affectuose requirimus & rogamus, quatinus ut Dominus Summus Pontifex, cui super hoc nostras litteras deprecatorias duximus dirigendas, præstatis Priori et Canonicis concedere velit in usus proprios Ecclesias memoratas cum eas bacare contigerit, sibi et successoribus suis imperpetuum possidendas, opem et operam belitis nostrorum interventu rogarum apponere efficaces. Vobis enim exinde specialius teneri volumus ad ea quæ vobis grata fuerint & accepta. Dat. apud *Karloli.* 17 die *Martii*.

Rot. Rom. an.  
34 & 35 E. 1.

The Pope out of his special favor to Queen *Margaret* authorising one Bishop and 2. Abbots to provide Prebendaries in several Cathedrals for such of her Clerks as she should nominate; and the Archbishop of *Rhoan* by reason of the Popes provisions to him for his own Clerks, refusing to admit the Queens till his were preferred, the King writ this Letter to the Pope for his preference before all others, lest his favour to the Queen should be frustrated.

**P**apæ Rex devota, &c. Nuper vestræ Paternitatis clemencia, *Margareta* Reginz *Anglia*, Consorti nostræ carissimæ gratiam disponens facere specialem, venerabili patri Episcopo *Ebroicen.* & Religiosis viris Abbatibus Sancti *Augustini Cantuar.* & *Westm.* prohibendi ipsius Reginz Clericis, quos ipsa duceret nominandos, de præbendis in *Eborum*, *London.* *Cicestr.* *Sarum.* *Hereford.* *Litchf.* & *Rothom.* Ecclesiis, quam cito ad id facultas se offerret, concesserat potestatem. Cujus prætextu gratiæ quamvis prædicta Regina Magistrum *Johannem de Fontibus* Clericum & Medicum suum nominasset ad præbendam in dicta *Rothomagensi* Ecclesia promovendum, executores supradicti ad provisionem eidem Clerico in dicta Ecclesia faciendam,

Ibidem.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch.*

An. 34 E. 1. ciendam, tum propter facultatem dicti loci Archiepiscopo per vos de præbendis in eadem Ecclesia, Clericis suis, usque ad certum numerum providendi concessam, tum propter alias provisiones sedis Apostolicæ in eadem Ecclesia prædictæ gratiæ derogatorias procedere non valebunt, licque prædicta Regina Consortis nostra, prædicta gratia ex vestra munificencia largita frustratur quodammodo præconcepta: Nos igitur ipsius Regine desiderium in hac parte, præcipue super promotione Clerici sui prædicti, quam ex eo, quod de nobis in infirmitate nostra curam habuit diligentem, & adhuc nobis intendit jugiter hiis diebus, non immerito affectamus, cupientes optato effectui mancipari, sanctitatem vestram affectuosis precibus requirimus et rogamus, quatinus ut dictus Magister Johannes provisionibus prædictis seu gratia præfata Archiepiscopo concessa nonobstantibus, ad præbendam quam in dicta Rothom. Ecclesia primo hacare contigerit optinendam, omnibus præferatur, ordinare dignemini nostri rogamini interventu: Hanc requisitionem nostram eo si placet libencius ad exaudicionis gratiam admittentes, quo dicto Medico in infirmitate nostra curam commisimus status nostri. Conserve, &c. Dar. apud Karliol, 28. die Maii.

He likewise writ this Letter to the Pope for a dispensation for one of his Clerks, out of the plenitude of his power.

Rot. Romæ, 34 & 35 E. 1. **P**APÆ Rex devota pedum oscula beatorum. Licet per frequentem nostrarum litterarum missionem quas vestræ Clemenciæ pro Clericis nostris aliisque benivolis porrigimus, sæpe et sapius vos veremus, de vestræ tamen affluencia bonitatis quamplurimum confidentes in hiis quæ nos & nostros concernunt, et quæ de vestræ pendent plenitudine potestatis, ad vos tanquam ad singulare refugium filiali sumptâ fiducia recurrimus et medelam. Attendentes itaque vitæ meritum, morumque honestatem quibus dilectus nobis Johannes de Leek Eleemosinarius noster esse dinoscitur insignitus, necnon labores multiplices quos a nostræ primæ ætatis exordio in nostris subiit obsequiis dignè credimus agere si vota ipsius votivis prove-niantur affectibus, operamque studiosam impendamus, ut sui commodi & honoris incrementum sedulo procuremus. Quocirca sanctitati vestræ devotissimè supplicamus, quatinus eidem Clerico nostro de vestra liberali munificencia dispensationis gratiam juxta formam petitionis suæ quam dilecto & fideli nostro Amaneno de Lebreto commisimus vestræ paternitati porrigendam & effectualiter prosequendam vestra dignetur concedere paternitas reverenda. Profecto, pater sancte, hujus requisicionis exaudicio grata nobis erit admodum & accepta; si nostri consideratione suorumque intuitu meritorum idem Clericus spei suæ in hac parte fructum assequi valeat peroptatum. Ad regimen Ecclesiæ suæ sanctæ sanctitatem vestram conservet Altissimus per tempora prospera & longæva. Dar. apud Westm. 25 die Maii, Anno Domini 1308.

\* To hold a plurality of Benefices with cure.

The King this year granted this pardon for alienating lands in Mortmain to a Monastery in Ireland, without his license, with power to retain them, to erect a Cell of Freers Augustines.

Pæ. 34 E. 1. m. 12. inus. Pro fratribus de Ordine S. Augustini de Fithard in Hibernia.

**R**EX omnibus ad quos, &c. salutem. Scitis, quod de gratia nostra speciali pardonabimus dilectis nobis in Christo fratribus de Ordine sancti Augustini de Fithard in Hibernia transgressionem quam fecerunt acquirendo sibi & successoribus suis in puram & perpetuam eleemosinam unam acram terræ & dimid. cum pertin. in Fythard, ex dono & feodamento Walteri de Mulcote, & confirmatione venerabilis patris Mauricii Casselen. Archiepiscopi, de quo terra illa immediate tenebatur, ad quoddam mansum ibidem de novo construendum & ab ipsis fratribus inhabitandum, & eas ingrediendo post publicationem Statuti nostri, Desertum & ren. ad manum mortuam non ponendis edis, nostra super hoc licencia non optenta. Et concessimus eis pro nobis & hæredibus nostris, quantum in nobis est, quod terram illam cum pertin. habeant & teneant sibi & successoribus suis, in puram & perpetuam eleemosinam, ad quoddam mansum ibidem de novo construendum & inhabitandum, sicut prædictum est, sine occasione vel impedimento nostri vel hæredum

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dum nostrorum, Justic. Etsaet. Vic. et aliorum Balliborum seu Pinistrozum An. 34 E. 1. quozumcumque, Statuto nostro predicto non obstantes. In cujus, &c. Teste Rege apud Beverlacum, 22 die Julii.

What elections were made this year of Bishops and other Ecclesiastical persons in Ireland, these Records and Writs will inform us.

**R**EX dilectis sibi in Christo — Decano & Capitulo Aladen. salutem. Accedens ad nos *Walterus de Killeny* Clericus, cum litteris sigillo dicti Capituli vestri signatis, nobis ex parte vestra humiliter supplicavit, quod cum Ecclesia vestra predicta per mortem bonæ memoriæ D. nuper Episcopi illius loci pastozis solacio destituta, alium vobis eligendi in Episcopum licentiam vobis concedere dignaremur; Nos licet dictæ literæ defectibus essent, eo quod clausæ, et ex parte dicti Capituli tantum nobis directæ fuerant; volentes nichilominus vobis gratiam in hac parte facere specialem, licentiam illam ista vice vobis gratiose duximus concedendam; Mandamus, quod talem, &c. qui nobis fidelis existat, &c. In cujus, &c. T. R. apud *Wistm.* 24 die Maii.

Pat. 34 E. 1. m. De licentia eligendi in Hibern. & temporalibus restituendis

*Per ipsum Regem nunc. R. de Cotingham.*

**R**EX dilecto & fideli suo *Johanni Wogan*, Justic. suo Hibern. vel ejus locum tenenti, salutem. Cum dilecti nobis in Christo Capitulum Aladen. nobis per literas suas significaverint, quod Ecclesia sua predicta per mortem, &c. ut supra. Volentes nichilominus Decano dictæ Ecclesiæ & Capitulo predicto gratiam in hac parte facere specialem, licentiam illam ista vice eis gratiose duximus concedendam; Mandantes ipsis quod talem, &c. qui nobis fidelis existat, &c. Nos eorundem Decani & Capituli laboribus & expensis in hac parte parcere volentes, ista vice, &c. Accepta tamen prius, &c. (as in other premised Writs.) In cujus, &c. Teste Rege ut supra.

*Per ipsum Regem, &c.*

**M**agistri *Rogerus Cantock* & *Johannes Blundel* Canonici *Imlacen.* nunciantes Regi mortem *W.* nuper Episcopi *Imlacen.* habent literas Regis de licentia eligendi. Teste Rege apud *Langcestr.* decimo die Augusti.

De licentia eligendi in Hibern.

*Per breve de privato sigillo.*

Et memorandum, quod literæ patentes Decani & Capituli *Imlacen.* de nunc. predicta, non fuerunt delatæ in Cancellar. set remanserunt in Garderoba.

**R**EX electioni nuper celebratæ in Ecclesia Cathedrali *Imlacen.* de discreto viro Magistro *Thoma Cantock* Canonico ejusdem Ecclesiæ in Episcopum illius loci, Regium assensum adhibuit et favorem: Et hoc significatum est venerabili patri Archiepiscopo *Cassallen.* ut quod suum est in hac parte exequatur. In cujus, &c. T. R. apud *Newburgh* in *Tyndale* 4 die Sept.

Pat. 34 E. 1. mem. 9. De assensu Regis in Hibern. & temporalibus restituendis.

*Per breve de privato sigillo.*

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo Hibernia, salutem. Cum nos electioni nuper celebratæ in Ecclesia Cathedrali *Imlacen.* de discreto viro Magistro *Th. Cantock* Canonico ejusdem Ecclesiæ in Episcopum illius loci, Regium assensum adhibuerimus et favorem: Et hoc per literas nostras patentes significaverimus venerabili patri — Archiepiscopo *Cassallen.* ut id quod suum est in hac parte exequatur: Nos volentes ejusdem Electi laboribus & expensis in hac parte parcere ista vice, &c. Accepta tamen, &c. In cujus, &c. T. R. ut supra.

*Per breve de privato sigillo. Dupp.*

The \* Annals of Ireland relate, That this *Mr. Thomas Cantock* Chancellor of Ireland was consecrated Bishop of *Imlacen.* in the Church of the Holy Trinity of Dublin with great honour: at whose consecration were present the Elders of all Ireland, where there was so sumptuous and so great a feast made, first to the Rich, and afterwards to the poor, as the like had never been heard of before in Ireland. Yet they make no mention of his feeding or feasting the souls of his people with the spiritual food and preaching of Gods word, the prime duty of his Episcopal office: whereof he had little care.

Cambdens Annals of Ireland, p. 164. Hybernia.



K Edward 1.

*An Exact History of Popes Intolerable Usurpations, B. 5. ch. 5.*

An. 34 E. 1.

† Annals of  
Ireland.

The same year as the said † *Annals* inform us; *Richard Feringes* Archbishop of *Dublin* died in the Vigil of *Saint Luke*, after whom succeeded Mr. *Richard Haverings*, who occupied the Archbishoprick almost five years by Apostolical dispensation, (Pope *Clement* then newly usurping to himself by the plenitude of his Papal power, the disposition of all Cathedral Churches and preferments when they should fall voyd during his Papacy by his Papal provisions, which King *Edward* opposed to his power, for which this Pope sharply reprehended him.) This Archbishop conscious to himself of his illegal entring into, and of his neglect in the discharge of this his Archiepiscopal office, resigned up his Archbishoprick, after whom succeeded *John Letb.*

The occasion and cause of his giving over (as the Archdeacon of *Dublin* of good memory, his Nephew hath reported) was this, for that one Night he dreamed that a certain Monster heavier than the whole World stood eminently aloft upon his breast: from the weights whereof he chose rather to be delivered, then alone to have all the goods of the World: but when he awakened, he thought with himself, this was nothing else but the Church of *Dublin*, the fruits whereof he received, and took no pains for the same. (The case of many of his successors, and other Archbishops then and since.) As soon as he could therefore, he came to the Lord Pope, of whom he was much beloved, and there renounced and gave over the Archbishoprick; For he had (as the same Archdeacon avouched) fatter Benefices and livings, then the Archbishoprick came unto; which he should likewise have resigned upon the same account, since he resided not and took no spiritual pains in them to feed and instruct his peoples souls, no more then in his resigned Archbishoprick.

Pat. 34 E. 1.  
m. 4. De  
Presentacione

*Johannes de Hibernia* Clericus, (sent into *Ireland* to collect the *Disms* for the Holy Land, and other services by the King) habet literas Regis de presentacione ad Ecclesiam de *Stabanan*, vacantem & ad Regis donacionem spectantem. Et diriguntur literæ — Custodi Spiritualitatis Archiepiscopatus *Armaschan*, sede vacante. In cujus, &c. T. R. apud *Laurecoff*, 4. die Novembris.

Per Canc. ex dono Canc. de assensu Thes. Dupp.

Liberate & al-  
locare, An.  
34 E. 1. Pro  
Johanne de  
Hibernia.

**R**EX Thes. & Camerariis suis de *Scaccario Dublin*. Liberate de thesauro nostro dilecto Clerico nostro *Johanni de Hibernia* quem mittimus ad partes *Hibernie* cum literis *Decimarum* per sanctissimum Patrem *Clementem* Papam quintum nuper impoſitæ pro *Terra Sancta* negotio per biennium concessæ, *Ricardo de Beresford* Thes. nostro *Hibernie*, & Magistro *Willielmo de la Ryvere* Canonico *Sarum* liberandis, & ad responsum tam super ordinacione inchoacione et continuatione prædicti negotii, per ipsos *Ricardum* & *Willielmum* faciendis, quam etiam super providencia victualium versus *Scocia* nobis deferendorum Centum solidos in subvencionem expensarum ipsius Clerici nostri, in eundo ad partes prædictas, ibidem pro eodem negotio morando, & inde cum responso ejusdem negotii ad nos in *Angliam* redeundo. Teste Rege apud *Wynton*, 3 die *Maii*.

\* Mat. Westm.  
An. 1306. p.  
356, & 463.  
Tho. Walling-  
ham Ypodig.  
Neustr. p. 96.  
Mat. Parker,  
Antiq. Eccles.  
Brit. 216, 218.

\* *Anno Gratia* 1306. *Clemens Papa* Burdegali existente, (to evidence how unsuitable his Papal proceedings were to his new name) Episcopum *Pisllaviensem*, qui sibi dum Archiepiscopus fuerat adhibebatur, a Pontificali deposuit dignitate. Præmatur etiam *Aquitania de Biturienſi* ad *Burdegalem* Ecclesiam transiit; by his Papal authority, to grace his new Papal See translated to it: At which time the King of *France* being released from the Excommunications and Interdicts denounced against him, and his posterity and kingdoms by Pope *Boniface* the 8. by way of revenge, after his decease, in pursuance of his premised Appeals against him, as an Heretick, Rex Francorum à Domino Papa *Clemente* 5. (then residing in *France*) ossa *Bonifacii* Papæ, prædecessoris sui petiit ad comburenda, tanquam hæretici, instantia oportuna. Petiit etiam sanctorum *Catalogo* ascribi fratrem *Petrum de Murone*, qui quondam fuerat Papa, dictus *Cælestinus quintus*. Tum in Papa eligendo ius trium suffragiorum vendicabit; set a Papa neutrum obtinuit. In order to his first request, the King of *France* caused these new Articles to be drawn up by two of his Proctors in his name, and presented to Pope *Clement* by *Bertrandus Rupens*, which I shall here present you with at large out of *Pierre de Pishou*, evidencing that the Kings of *France* then claimed, exercised the self-same Jurisdiction over the Clergy of *France*, as King *Edward* did in *England*.

Ex

An. 34 E. 1.

**E**X scripto valde prolixo, quod *G. de Nogareto*, & *G. de Plesano* Domini Regis *Francia* Milites, prosequentes negotium fidei, inceptum contra *Bonifacium* dictum octavum defunctum, & ejus memoriam, tradiderunt coram Domino *D. Clemente* Papa 5. Dei Gratia Summo Pontifice, per Nobilem virum *Bertrandum de Ropenegada* Militem, Procuratorem suum ad hæc:

Preuves des  
Libertez de  
Leglise Galli-  
cane, cap. 7.  
p. 253, 254,  
255.

1. *Constat*, et est notorium toti mundo, quod *Reges Francia*, iſte qui nunc est, et progenitores ipsius, superiorem nisi Deum solum in temporalibus non noverunt. Sic est perpetuo a tempore Generationis eorum obtentum: sic *Sandi Patres*, *Summi Pontifices*, sic *Imperatores*, qui præfuerunt ante *Bonifacium* serbaverunt. (*Extra qui filii sunt legit c. per venerabilem.*) *Pet Reges Francia* super rebus, bel iuribus quibuscunque temporalibus, bel eis adhaerentibus, bel annexis ad honorem, bel statum regni suispectantibus, bel eis annexis, iudicium receperunt per alium quemcunque in mundo, nisi per Curiam suam. Et hoc est notorium toti mundo et *Ecclesie Romanae* semper fuit et *Bonifacio* supradicto.

2. *Item*, Notorium est toti mundo, quod *Rex* qui nunc est, et ejus Progenitores, inter mundi Principes in Religione fidei corruscarunt, & pro fide, ac omnibus quæ ad sedem pertinent *Ecclesie Romanae*, Prælatisque suis semper obediens fuerunt et erunt, secundum consuetudines Regni, per quas forsitan, jura quædam, qui de jure scripto pertineat ad *Ecclesias*, pertinent de antiqua consuetudine ad *Regem*, seu ad alios *Dominos* temporales, pluraque jura temporalia quæ pertinere deberent de jure scripto ad *Regem*, seu ad alios *Dominos* temporales, pertinent de consuetudine ad *Ecclesias* dicti regni, et hoc diversimode secundum diversas consuetudines diversarum partium regni ipsius.

3. *Item*, Certum, notorium et indubitatum existit, quod *Rex* et *Reges* qui fuerunt sine medio, bel mediate, fundaverunt *Ecclesias* regni sui, et eas dotaverunt, & hæreditatibus pinguibus, & bonis immobilibus ditaverunt, ad expendendum ipsorum bonorum, fructus & redditus, in cultu divino, & aliis bonis operibus, in regno prædicto, et consueverunt defendere *Reges* prædicti, ne bona *Ecclesiarum* prædictas dissipentur bel expendantur ad alios usus, quam ad quæ collata sunt, sine consensu et voluntate eorum. Et si aliud fiat, æstimat fieri per rapinam ipse sui que regnicolæ, & sui progenitores præteritis temporibus æstimaverunt, & jure sui Principatus, quo tenentur ipsas *Ecclesias* custodire, & ex jure Patronatus ipsarum *Ecclesiarum*. Et ideo *Summi Pontifices*, qui dictum *Bonifacium* præcesserunt, nunquam *Decimas*, bel impositas similes, fecerunt *Ecclesiis* dicti regni sine *Regum* consensu qui fuerunt pro tempore.

*Item*, Certum est, notorium, & indubitatum, quod plurimæ *Ecclesie* dicti regni sunt de speciali *Gardia* Domini Regis prædicti, et specialiter *Cathedrales Ecclesie* dicti regni, & cum *gardia* ipsa; vel dictæ *Ecclesie* ostenduntur per violentiam, vel injuriam aliquorum in præjudicium dictæ *Gardie*, *Reges* ipsi, ex suo officio denunciant quocunque inquirere de his consueverunt, et facere emendari offensam factam *Ecclesiis*, & sibi injuriam *gardie* suæ, quod est in favorem *Ecclesiarum* regni ex consuetudine introductum, de cujus contrario memoria non existit, nec *Ecclesie* dicti regni pro omni thesauro mundi permitterent istud tolli.

5. *Item*, Certum est, notorium et indubitatum, quod de hæreditatibus et rebus, et iuribus immobilibus, ad sus temporale spectantibus quibuscunque, si petitorio agatur, bel possessorio, si pertineant ad *Ecclesias* et personas *Ecclesiasticas*, bel *Dominos* temporales, agendo et defendendo, cognitio pertinet ad Curiam temporalem, specialiter autem Domini Regis ipsius.

6. *Item*, Certum est, notorium, et indubitatum, quod in causis quibuscunque ad fidem *Catholicam*, bel quæ mere spirituales noscuntur, non spectantibus, quæ *Regem Francia* tangant, agendo vel defendendo *Rex* non litigat, nec litigare debet, bel tenetur, de consuetudine notoria nisi in Curia sua, semper a tanto tempore, de quo in contrarium memoria non existit.

7. *Item*, Certum, notorium, & indubitatum existit, quod *Rex Francia* habeat, et sui Progenitores habuerunt semper jura Regalia in bonis immobilibus *Ecclesiarum* plurimarum *Venerabilium Regni* sui; nominatim cum vacant *Ecclesie* quæ habent temporalitates, quæ ab eo morient, et sede vacante consueverunt *Reges Francia* fructus et redditus recipere bonorum immobilium eorundem ad Prælatum



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An. 34 E. 3. latum Ecclesie spectantium, quousque nobis Prelatus venerit, et temporalitatem receperit per manum Regis ipsius.

8. Item, Certum, notorium, & indubitatum existit, quod ubicunque principalis obligatus, modo quocunque, cuiuscunque status vel conditionis existat tenetur Regi *Francia*; solus Rex, vel Curia sua de debito cognoscit huiusmodi, et ipsum debitorem per captionem bonorum distringit, et tam ipse, quam ejus antecessores, hoc facere ab antiquo consueverunt, et a tanto tempore de cuius contrario memoria non existit.

9. Item, Certum, notorium, & indubitatum existit, quod Dominus Rex predictus usus est, et tam ipsi, quam ejus predecessores usi fuerunt, et sunt et consueverunt conferre dignitates, beneficia, et prebendas plurimum Ecclesiarum, quae de fundatione Regum ipsorum existunt, nec dictus Dominus Rex, qui nunc est, aliter usus est, quam sui Progenitores hactenus usi fuerunt, et eo modo utitur, et usus est hoc tempore, quo sui Progenitores et antecessores usi fuerunt tanto tempore de cuius contrario memoria non existit.

10. Item, Certum, notorium, & indubitatum existit, quod dictus Dominus Rex habet Jura Regalia uniuersa in regno suo; sed inter cetera Jura Regalia, habet jus percipiendi fructus omnes, redditus, et proventus Ecclesiarum Cathedralium vacantium, et suos faciendi, qui de sua Regalia existunt, quamdiu vacant: Et quum praeficitur nobis Prelatus illis Ecclesiis, Prelati huiusmodi ab ipso Rege, temporalitatem recipiunt, post fidelitatem sibi praestitant, vel homagium; quo jure Regalium dictus Dominus Rex usus est, tam ipse quam ejus predecessores Reges *Francia* usi sunt, tantis temporibus, de quorum contrario memoria non existit.

11. Item, Certum, notorium, & indubitatum existit, quod dictae Ecclesiae in quibus Dominus Rex praedictus habet Regalia praedicta, de fundatione Regum *Francia* suorum predecessorum existunt.

12. Item, Certum, notorium, & indubitatum existit, quod quandiu vacant dictae Ecclesiae, in quibus dictus Dominus Rex habet Regalia, idem Dominus Rex donat, et donare consuevit dignitates et prebendas, et Beneficia quorum Collatio modo quocunque pertinere potest ad Prelatum illius Ecclesiae, eo tempore quo existant ibidem, sive ibidem vacent praedicta Beneficia, Prebendae, vel dignitates, et in Curia Romana, vel alibi ubicunque.

13. Item, quod praedicta Jura pertinent, et pertinere debent ad dictum Dom. Regem, et ad suos predecessores, jure suo Regio vel consuetudine regni *Francia* notoria: et tam ipse quam ejus predecessores in saisina et possessione, vel quasi iurium omnium praedictorum et singulorum existant, tanto tempore de cuius contrario memoria non existit.

14. Item, Certum, notorium, & indubitatum existit, quod Jura Regalia aliquarum Ecclesiarum, quae habet in Ecclesiis praedictis Dominus Rex praedictus, progenitores ipsius Domini Regis, et predecessores ejus in regno dederunt in feudum aliquibus Baronibus suis, tam Ecclesiasticis quam secularibus, qui Barones regalibus illis utuntur et fruuntur, sedibus Ecclesiarum ipsarum vacantibus jure suo feudali, et jure Regio, a quo suum jus habet: Et ideo Jura Regalia vocatur; quo jure dicti Barones utuntur nominibus suis et nomine Regio, et usi sunt tanto tempore, de cuius contrario memoria non existit.

15. Item, Certum, notorium, & indubitatum existit, quod cum Civitas *Lugdunensis*, tempore primitivae Ecclesiae, fuisset ad fidem Catholicam prima conversa, & postea in manu infidelium devenisset, Rex *Francia* qui tunc erat vi armorum, & sanguine rutilante suorum, conquistavit dictam Civitatem *Lugdunensem*, cum omnibus juribus suis et pertinentiis ad fidem Catholicam et cultum divinum Civitatem ipsam redegit, jurisdictione sua Regia, et ibidem fundavit *Lugdunensem* Ecclesiam Catholicam; et quia Civitas ipsa tempore infidelium praecedenti Archiflammis habuerat, & pristinis temporibus prima sedes fuerat *Galliarum*, ut moneta *Lugdunensis* testatur, dictus Rex sedem ipsam Archiepiscopalem erexit, et erigi fecit, cum jure Primatice super Ecclesias *Galliarum*, quo jure Primatice Archiepiscopi *Lugdunenses* longis temporibus usi fuerunt.

16. Item, Certum & indubitatum existit, quod Rex praedictus fundator Ecclesiae *Lugdunensis* Castris, Villis, terris & possessionibus, quas nostris temporibus obtinuit dicta Ecclesia *Lugdunensis*, eam dotavit, et Jura Regalia (quae Regalia in singulari

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gulari appellantur) in feudum dedit & concessit Episcopo, et Ecclesie *Edvensi*: et de An. 34 E. 1.  
 converso Regalia dictæ *Edvensi* Ecclesie dedit & concessit in feudum Archiepiscopo & Ecclesie *Lugdunensi*, quam similiter *Edvensi* Ecclesiam fundavit et dotavit Rex prædictus, Fidelitate ab utroque eorumque successoribus, sibi, suisque successoribus præstanda pro temporalitatibus prædictis retenta.

17. *Item*, Certum, notorium, et indubitatum existit, quod Archiepiscopi *Lugdunenses* qui fuerunt pro tempore, quotiens vacavit Ecclesia *Edvensis*, & vicissim *Edvenses* Episcopi, quotiens vacavit Ecclesia *Lugdunensis*, usi sunt ad invicem, et vicissim dictis Regaliis temporalitatum ipsarum.

18. *Item*, Certum, notorium, & indubitatum existit, quod antiquitus Comes *Lugdunensis* Comitatum suum in feudum tenebat à Rege *Francia*, quem Ecclesie *Lugdunensis* acquisivit ex permutationis causa, cum omnibus castris, leudis seu pedagiis, feudis, & redditibus, juribus, & pertinentiis Comitatus ipsius, à *Lugdunensi* Comite qui tunc erat, de consensu, auctoritate et confirmatione Regis *Francia* qui tunc erat, à quo dictus Comitatus in feudum movebat.

19. *Item*, ipsa Ecclesia *Lugdunensis* de concessu, auctoritate et confirmatione Regis prædicti, ex causa permutationis prædictæ, dedit Comiti memorato magnas terras, hereditates et castra, quas *Forensi* Comes impræsentiarum possidet, qui de progenie dicti Comitis *Lugdunensis*, qui erat etiam *Forensi* Comes noscitur descendisse, de quibus omnibus existunt literæ, privilegia & publica monumenta: Hinc est, quod Capitulum Ecclesie *Lugdunensis*, quod pro majori parte, dictum Comitatum possidet, & de temporalitate foundationis prædictæ Ecclesie suæ obtinet magnam partem, signo floris Lili in suo sigillo impresso, usum semper fuerit.

20. *Item*, Certum, notorium, & indubitatum existit, quod pro temporalibus Ecclesiarum suarum Archiepiscopi *Lugdunenses*, et Episcopi *Evenenses*, qui fuerunt pro tempore, præstiterunt et præstare consueverunt fidelitatem Regibus *Francia*, qui similiter fuerunt pro tempore, cum ad administrationem suorum Episcopatum veniebant usque ad tempus Archiepiscopi *Lugdunensis*, qui nunc est, qui malo ductus consilio in suis temporalibus rebellis fuit Domino Regi prædicto, propter quod oportuit Dominum Regem ad coercendam rebellionem huiusmodi, et ad sursum conservandam, exercitum suum ad partes mittere *Lugdunenses*.

21. *Item*, Certum, notorium, & indubitatum existit, quod nullis temporibus præteritis ab eo quo Civitas *Lugdunensis* fuit ad manus Christianorum redacta per Regem *Francia* memoratum, nullus unquam Princeps terrenus, præter Reges *Francia*, jus Regium vel superioritatis quodcumque super Archiepiscopos & Ecclesiam *Lugdunensem* in Ecclesiæ temporalibus habuit, licet aliqui Archiepiscopi prodigiosè aliquibus aliis Principibus advocasse suum temporale dicantur, ignorantibus tamen Regibus *Francia*, qui fuerunt pro tempore, quibus per hoc non potuit generari quodque præjudicium nec contra eos, vel in eorum præjudicium, causa possessionis mutari de jure; maxime cum semper in possessione fuerint, & salina juris Regii et superioritatis prædictæ in temporalibus ejusdem Ecclesie *Lugdunensis*, tam recipiendo fidelitatem à singulis Archiepiscopis supradictis, quam sede *Lugdunensi* vacante, capiendi, & exercendi prædicta Regalia per fideles suos Episcopos *Edvenses*; cum is possidet, cujus nomine possidetur, Dominusque fidei possidet per vassallum.

22. *Item*, Certum, notorium, & indubitatum existit, quod dictus Dominus Rex progenitoresque sui Reges *Francia* qui fuerunt pro tempore, jus superioritatis & Gardie in temporalibus Ecclesie *Lugdunensis* exercuerunt, quoties ad eo recursus est habitus, et quotiens opus fuit, tanto tempore de cujus contrario memoria non existit.

23. *Item*, Certum, notorium, & indubitatum existit, quod dictus Dominus Rex, Progenitoresque sui, jus resorti, ad jus Regium & superioritatem pertinens, atque gardiam exercuerunt inconcussè in Civitate *Lugdunensi*, quadraginta anni sunt elapsi, & ab eo tempore citra, continuè, licet Archiepiscopus prædictus qui nunc est, intervertere voluerit possessionem juris huiusmodi Domino Regi prædicto, & distrinxerunt dictis temporibus temporalitatem dictæ Ecclesie *Lugdunensis*, & iustitaverunt quoties opus fuit, propter impedimenta et inobedientias Archiepiscoporum, qui fuerunt pro tempore vel Capituli, vel Gentium eorundem quas faciebant in præjudicium superioritatis, vel Gardie Domini Regis prædicti. Quod si inter-

dura



*An. 34 E. I.* dum & pluries damnificata fuerit, hoc non contingit ex culpa dicti Domini Regis, vel suorum, quem oportebat coercere dictos Archiepiscopos et Capitulum propter impedimenta et inobedientia eorumdem. Et locum habebat juris Regula, scilicet, quod quis ex culpa sua damnum fecerit sentire non videtur. Et alibi scriptum est, quod damnum quod inferunt Magistratus propter inobedientias coercendas, jure licito videtur illatum. *D. ad leg. Aquil.* quemadmodum Magistratus. Et ut exemplis utamur, tempore B. Ludovici cum ivit *Tunisi*, requisitus Rex ipse, dum fecit transitum per *Lugdunum* ab Archiepiscopo qui tunc erat & Capitulo *Lugdunensi*, Cives *Lugdunenses* coercuit et fortalicia, quibus se munierant contra Ecclesiam *Lugdunensem*, dirui facit tanquam superior & Gardiator Ecclesie ipsius, quæ coercere non poterat Cives ipsos. Et cum Rex prædictus postmodum discessisset apud *Tunisi*, filius ejus Rex *Philippus* de *Tunisi* reveniens, et transiens per *Lugdunum*, requisitus ab Archiepiscopo & Capitulo memoratis, diruit iterum fortalicia, quibus dicti Cives se iterum munierant contra eos. Est igitur erroneum dubitare, an *Lugdunensis* Archiepiscopus Ecclesieque *Lugdunensis* & ejus temporalitas sint in regno, cum prædicta sint clara sic, et notoria, quod nulla possunt tergiversatione celari.

*Nota.*

24. *Item*, Certum, notorium, & indubitatum existit, quod cum Prælati vel eorum Officiales, per jurisdictionem suam spirituales impediunt et perturbant jurisdictionem temporalem notorie, sic quod negari non potest, Dominus Rex prædictus, de antiqua Consuetudine dicti regni, quia spiritualitatem Prælatorum coercere non debet, infringere potest temporalitatem talium Prælatorum, quousque cessent ab impedimento prædicto: Quod non est à jure longe remotum, cum super actionibus realibus, vel in rem scriptis, pro rebus immobilibus et temporalibus spectantibus ad quemcunque, ut super juribus quibuscunque rerum immobilium temporalium, sive possessio, sive peritio agatur, pertineat cognitio per totum regnum ad Curiam temporalem, sive illa jurisdictio temporalis ad Regem, vel Prælatos pertinet vel Barones. Cum igitur actio mihi pro vindicanda jurisdictione mea, & negandi in rem mihi competat contra eum, qui me in ea impedit, vel se in ea jus habere contempnat, vel me in ea quocunque modo perturbet; Sequitur, quod si Prælati vel Clerici me in mea jurisdictione impediunt temporali, in rem actione negotia mihi tenetur, et ipsum per eum propter hoc possumus coercere. Si ergo est notorium, non oportet quod in rem agatur, sed per facti executionem meam possessionem defendam, etiam si, si sit necesse, vel iudex superior talis impediens violentiam cohibebit, et in possessione mea vim mihi fieri prohibebit. (*D. si usus fructus petatur. l. uti frui, Sect. quanquam, &c. Sect. nunc, &c. Si servit vindic. l. 2. De vi & vi armat. l. 15. vim vi; & lib. 3. 8. Cum igitur & C. uti possid. l. unica.*) Cum igitur Prælati et Clerici pro rebus temporalibus immobilibus et juribus litigent et respondere teneantur in Curia Regia, de consuetudine regni notoria et de jure ut (8 *Dist. Quo jure*, cum similibus) Quid mirum, si Rex in dicto casu Clericum vel Prælatum coerceat, captis pignozibus temporalitatis suæ, quam Rex in casu licito iustificare potest et debet? Prælati namque et Officiales eorum per Censuram coercent Ecclesiasticam eos qui jurisdictionem eorum impediunt spirituales iniuste. Et dicto jure coercionis de quo supra diximus, Dominus Rex utitur, et tam ipse quam ejus prædecessores uti sunt, tanto tempore de cuius contrario memoria non existit.

25. *Item*, Certum, notorium, & indubitatum existit, quod Dominus Rex prædictus custodiri fecit, & tam ipse quam ejus prædecessores custodiri fecerunt tantis temporibus, de quorum contrario memoria non existit introitus & exitus regni, quæ custodia passuum dicitur, propter res abstrahi vetitas de regno prædicto, ut est videre de lana, billone, auro, argento, equis, armis, et etiam tempore necessitatis: maxime autem & strictius dicti passi passus custodiuntur tempore guerræ quam pacis. Et quod tempore *Bonifacii*, et eo ut fertur communiter procurante in parte, guerræ erant in regno prædicto, partitusque diversis, cum Rex ipse neminem invadebat, sed regnum suum solummodo defendebat; et si forsitan ex tali custodia retardentur aliqui, regnum exire volentes, sive de regno vel transeuntes, vel impediuntur in rebus velitis extrahendis, et ob hoc damnum aliquod sustineant itinerantes ad *Romanam* Curiam vel alibi, Rex, qui jure suo utitur, inde culpam non potest. Et si per injuriam custodes passuum lædant aliquem, vel fraudem in officio

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officia committant, Regi culpa non debet imputari, dum tamen certioratus justitiam exhibeat de eisdem. Mala enim Regis electio custodum talium non potest ascribi Regi, cum ipse ponat illos quos bonos reputat, et qui boni sibi dicuntur praesidentes in officiis supradictis, qui ministros alios adhibent sibi necessarios, cum per se complere non possent; Nec est, nec unquam fuit, nec erit imperpetuum, quominus etiam sine dominorum culpa mali tales reperiantur Ministri. Nec potest ignorans Dominus reprehendi, dum tamen cum sciverit justitiam adhibeat, in cujus exhibitione justitiae Rex in defectu non fuit. Crudele foret igitur, prodigiosum et dolosum, quod dictus Rex qui nullam fecit in praemissis injuriam, inauditus, non confessus, non convictus, declaretur in sententiam Canonis incidisse, sicut dictus Bonifacius ex suo doloso proposito, non per sententiam sed per suas Epistolas faciebat. Cum etiam alii Reges terrarum, qui nimio plures Civitates & Castra in plerisque partibus simili jure utantur, quo utitur Rex Francorum praedictus; quibus jurebus, ex necessaria consuetudine dicti regni, (quae potest et debet dici vetusta) tam ipse quam ejus antecessores usi sunt continue tantis inconcussis temporibus, de quorum contrario memoria non existit, nec quicquam alteri sancti Patres, Summi Pontifices, qui dictum Bonifacium praecesserunt, unquam Regi Franciae vel aliis Principibus quaestionem moverunt de praemissis, de quibus maxime temporalibus, seu ad jus temporalitatis seu Regis Majestatis spectantibus, solum ad dictum Regem et ejus Curiam cognitio pertinet, si quis forsitan vellet super eis quaestionem referre, Cum etiam super jure Patronatus Ecclesiarum in plerisque partibus regni ad ipsum Romanum Regem et ejus Curiam cognitio pertinere noscatur, ex antiqua consuetudine praedicta. Cumque dictus Bonifacius nulli alii Principi super jurebus praemissis, vel similiter unquam moverit quaestionem. Cumque insuper inter caetera regna mundi, fidei Religio, honor, & obedientia ad sedem Apostolicam, & Romanam Ecclesiam, & Ecclesiarum libertates, atque defensio, & jurium Ecclesiarum ipsarum exhibitio, in regno Franciae observentur, et custodiantur praecipue. Cumque in regno ipso tam per Regem quam per alios, antequam dictum Papatum teneret, et post, honores et obsequia dictus Bonifacius semper receperit inter caetera regna mundi. Cum sciret insuper tempore quo fuit impetratus super haeresi et schismate per dictos Dominos Columnenses, & postea apud Regem & magnas alias personas in dicto regno, de eisdem haeresi et schismate, quaestum ut superius est narratum, & clarum, certum & indubitatum existit, quod in odium fidei Catholicae, pro defensione haeresis ejus et schismatis odium conceperat contra dictos Regem et regnum, et totis suis studiis ad eorum exterminium vigilabat, ac etiam properabat, et procedebat tam ad dictos Actus nefandos quam alios, per me Gulielmum de Plafano in viam provocationis, propositos, & adhuc alios praeter ipsos, & ad omnes in literis, seu earum tenoribus per dictos excipientes in suis scriptis productis contentos excedens, Patrum Sanctorum terminos, falsas adinventiones, & fucatos colores inveniens ad suos defendendos errores. Et sic non obstant, sed clare de calumniis et haeresi fautoria convincunt dictos excipientes, per eos proposita, et producta contra Dominum Regem praedictum; maxime cum tenores literarum dicti Bonifacii et processuum habitorum contra Dominum Regem praedictum producant, qui processus et literae, tanquam perperam et temere attentati per Bonifacium fuerunt per dictum Dominum Benedictum praedecessorem vestrum annullati, et quatinus de facto processerunt, rebocati: Quae omnia dicti excipientes noverunt & in Curia, Pater sancte, debent contineri Registris quae petimus super iis per nos inspicere & videri. Et cum contra Dominum Regem ex praemissis dicti excipientes non possint intentionem suam, ad inimicitias ostendendas fundare, multo minus adversus dictos Comites Dominum Ludovicum filium Philippi Regis Comit. Ebroic. Guidonem Com. Sancti Pauli, Johannem Droens. Com. vel adversus nos Gulielmum de Nogaretto, Gulielmum de Plafano Milites, vel alios de Regno praedicto.

Et attendite, Pater sancte, si dictus Bonifacius ex doloso proposito movebatur, cum Regi Franciae in praedictis suis literis imponebat, quod idem Dominus Rex contenderet se superiorem non habere. Quis enim quoad ea quae ad Claves regni caelorum pertinent, et fidem Catholicam et Ecclesiastica Sacramenta, Summum Pontificem et Ecclesiam Romanam sic humiliter, sic reverenter, sic debote recognoscant, sicut Rex Franciae praedictus et sui progenitores semper superioritatem hujusmodi recognoverunt? Quis alius Christianus invenitur in mundo Princeps,

del



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B.5. ch.5*

*An. 34 E.1.* bel alius, qui in his talem tantamque reberentiam, et devotionem exhibeat Eccle-  
 siz *Romana*, sicut Rex *Francia* prädicitus? Certè nullus.

Præterea, qualiter poterat, nisi ex suo doloso officio præcessisset, per prædictas  
 literas clausas (*Auscultra fili*) dicto Domino Regi directas, & per clausas literas  
 dicto Domino *Johanni Monacho* missas definitivè pronunciare, sine omni causæ cog-  
 nitione, et de re quorum interest, non auditis, præferre sententiam? Certe nus-  
 quam.

Item, Advertite qualiter in literis (*Auscultra fili*) prædictis, ac si esset liqui-  
 dum et clarum, per legitimum processum habitum dicebat dictum Dominum Re-  
 gem excommunicatum, et excommunicationem se extendere super omnibus præmis-  
 sis Articulis, in quibus jus, quo dictus Dominus Rex utitur, clarum, notorium,  
 et indubitatum existat, ut superius est præmissum, et ad ejus Regiam dignitatem et  
 cognitionem pertinere noscatur. Inspicite etiam, *Pater sancte*, quod sicut si volu-  
 isset ordinare de uno modico Priozatu, in capite et in membris, sic se belle dicebat  
 disponere etiam temporaliter, quod ad eum pertinere non poterat esse quod Catho-  
 licus Papa fuisset; super omnibus dictis juribus claris et lucidis dicti Domini Re-  
 gis et regni, et de statu regni in una vice disponere, et ad hoc Convocationem Præ-  
 latozorum et Doctorum dicti regni se facere prætendebat. Legimus in *Isaia*, Fatuus  
 fatuus loquitur, certe suum præbium propositum fatue ostendebat.

I shall close these proceedings of the French King against Pope Boniface after his  
 decease, with this observation of \* *Matthew Parker* Archbishop of *Canterbury*,  
 \* *Antiqu. Ec- clief. Brit. p.;* *Quod si Johannes quondam Angliæ Rex hujusmodi gladio Papæ censuris restitisset,*  
 216. *nec se nec regnum tot calamitatibus postea confectum subsequens exposuisset.*

*An. 35 E.1.* I am now arrived at the last year of King *Edward's* reign, which <sup>a</sup> *Matthew West-*  
<sup>b</sup> *minster*, and <sup>c</sup> *Thomas Walsingham* begin with the History of the general com-  
 plaints of the Nobles, Commons and Clergy of *England*, against the manifold In-  
 novations, Exactions, Grievances of *William de Testa* the Popes Nuncio newly sent  
 into *England* to plunder it, and after that against *Peter Hispan* his Legate à latere in  
 the Parliament held at *Carlisle*, and of the provisions therein made against them,  
 and the future Exactions, Impositions of Abbots and Priors Aliens upon religious  
 Houses of their Order in *England*.

*Anno gratia 1307.* (as *Matthew Westminster*, but 1308. as *Walsingham* com-  
 putes) qui est annus regni Regis *Edwardi à Conquestu primi tricesimus quintus & ul-*  
<sup>a</sup> *simus*, fuit idem Rex ad Natale apud *Carleolum* cum magna multitudine populi *Angli-*  
<sup>b</sup> *cani*: In *Octavis Sancti Hillarii* Rex Parliamentum tenuit *Carleoli*, in quo per  
 Pajozes graves depositæ sunt quarimonie, de oppressionibus Ecclesiarum et Ho-  
 nasteriozorum multiplicibus extortionibus pecuniarum per Runcium Domini Papæ,  
 Magistrum *Gulielmum Testa*, nobiter in regnum inductis, præceptumque est ei-  
 dem Clerico de assensu Comitum et Baronum, ne de cætero talia exequatur. Or-  
 dinatum etiam erat, quod pro remedio super hiis ordinando, ad Dominum Papam  
 assignati mitterentur Runcii. In eodem Parlamento edita sunt Statuta qua-  
 dam tangentia Religiosos, qui domus suas principales in alia regno habebant, &c.  
 What these Petitions and complaints against the New extorsions of this *William Te-*  
<sup>c</sup> *sta*, and other the Popes Harpies were, what proceedings, Edicts, were had and made  
 against them in this Parliament, and what Letters sent to the Pope by Special Mes-  
 sengers to prevent them for the future, the *Parchments Book* of the proceedings  
 and Pleas in this Parliament in the *Tower*, thus more at large relates; our Monkish  
 Historians being brief, partial in their relations of them.

\* See *Ryley* his  
*Piacita Parliam-*  
*mentaria*, p.  
 376, 377, &c.

\* Hæ sunt Petitiones quæ in Parlamento Domini *Edwardi filii Regis Henrici*  
*apud Karleolum in Octavis Sancti Hillarii Anno regni sui 35.* per Communitatem  
 Regni porrectæ fuerunt, super oppressionibus per Magistrum *Willielmum Te-*  
<sup>a</sup> *sta* Clericum Domini *Clementis* Papæ quinti, Communitati factis memo-  
 rata.

A *Notre Seigneur le Roy* pzent Contes, Barons, et tôte la Communauté de  
 la terre aid et remede des oppressiones souhescrites, qe l'Apostolle fait faire  
 en

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en ceste Roialme en ableissement de la foi Dieu, et abptissement de l'estat de *An. 35 E. 1.* Saint Eglise en Roialme, et a disheritezon et prejudice du Roy, et de la Couronne, et des autres bones gentz du dite Roialme, et en offens et destruction de la loi de la terre, et a graunt damage et enpoverissement du poeple, et en subversion de tut l'estat du Roialme, et encontre la volonte et l'ordenement des primes foundours. La primer des Provisions : Come Saint Eglise en toutz ces estates de Prelacy en ceste Roialme soit fonde par le Roy, et per les Ancesters, et per les ditz Countes, et Barons, et leur Ancesters, par eux et le poeple apprenne de la foi Dieu, et faire ozeisons et annoyes et hospitalites en les liens ou les Eglises sont fondees par les Almes des foundours et de leur heyras, et certaines possessions (que amontent a les deux parties du Roialme) soient per les ditz foundours assignetz as Prelatz par sustenir les charges susditz et des tiels possessions, nomement que sont assignetz as Ercevesques, Evesques, Abbes, Priorz, et autres Mesons de Religion, le Roy et les dites Countes et Barons come Seigneurs et abees en temps de vacations oint et avoir desvent la garde et presentent, et debient presenter a les Probenzies et les Eglises Parochiales, et as dignitees que sont de l'adoerpe des Prelatz susditz. Saubes celes dignitees que per le graunt et l'ordenement des Rois se sont per election, et des queux Prelatz le Roy et les Ancesters a toutz jours avoient la grephure partie du sen et du conseil, que convenent per la saubete du Roialme : la bint l'Apostoll en appoyant a lui la Seignurie des tiels possessions come il sent meismes avoir, et donne per ses Provisions, et en autre manere les dignitees, probenzies et Eglises susdites, as aliens que james demorerent, et as aucuns qui demorer ne pount, come as Cardinals, que unkes mes ne sent oy, issint que a pop de temps apres ceste chose soit soectert, il ne avera dignitee, probenzie, ne Eglise de aboesons des Prelatz susditz, que ne serra en meynes des aliens ; adonques les elections quant as Erceveschies, Eveschies, sandront les ozeisons, annoyes et hospitalites en les liens susditz serront sustrestes, le Roy et les autres lais aboyes en temps de vacations leur presentementz perdront, le conseil susdit perira, les biens hors du Roialme serront emportiez, dont toutz les maus apertement sensueront. Etre ces l'Apostoll fait faire en cest Roialme autres oppreions jusques en cea desoies dont totes les dureces susdites pleinement sensuont. Une est :

Come les ditz Countes, Barons, et toutz ceuz de la Communaute de la terre, et toutz leur Ancesters du temps dont il n'ad memoire toutz jours jusques en cea, poent toutz leur leis Chateux et biens en leur Testamentz debiter et doner, depertier solonc loz donement de leur Executoz, sanz rien nomer especialment, ou distinctement, issint que la volonte de chescun Testatour toutz jours ad este de nomer tieux biens et leis Chateux distinctement, ou generalement, ou nomer partie distinctement, ou partie generalement, et les Executoz de tieux Testamentz eient estiez toutz jours jusques en cea, chargez auxi abant de tieux biens et Chateux des Testatoz generalement, en leur Testamentz nomez, come des biens Chateux distinctement moties a responce en la Court le Roy a chescun qui voleit vers eux dette demande, issint que les Executions des Jugements renduz en la Court le Roy vers les Executoz oint estiez faites per force de lei et custume du Roialme, auxi abant du tieux biens et Chateux deint distinctement nomez come des autres ; la beignent Peestre William Testa, et les autres Clercs et Procuratoz Apostoill et demandent communement per mi le Roialme des Executoz al oeps l'Apostoill toutz les biens que sont nient distinctement. En tiels Testamentz nomez et greboulement par sentences et en autre manere et sobentseth sanz proces de lei les destreynt par tieux biens a eux al oeps l'Apostoill paer, encontre la lei et la custume susdites ; et la volonte des tieux Testatoz, a damage et enpoverissement de tote la Roialme, et par ceste estrange durece et desques en cea de soe pient les dites Countes, Barons, et Communaute que de sicome tiel menere des Testamentz ad este solonc la custume du Roialme a toutz jours usee, et par les autres Apostoill acceptie et afferme sicome en leur Canonize le escrete pleinement est contenuz, boille li lui plect remede, encontre cest oppreion faire et ordener.



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Ensement, par la ou les biens des Intestates per grantz de Rois (as our Archbishopps and Bishopps suggested in their Constitutions of Intestates Goods, though erroneously) debient per l'Ordinaire du lieu estre donez et departies pur l'ame le mort, et le dit Ordinaire per force de la \* lei de la terre soit pur ce tenuz a respondre a la Court le Roy a chescun qui se pleindre voet de dette en quel le mort lieu sent tenuz; la veignent les Clercs l'Apostoll et demandent a soen oeps touz tiens maners des biens et des Chateux de Intestates, qest en offens de la lei, et en coultre le grant salut. Note that this Article is not mentioned in the *Latin* Copy of the Articles, annexed at the end of the *French*, nor in the Letter and Remonstrance of the grievances, innovations, oppressions then complained of, and petitioned against, drawn up in the Name of the King, and of all the Nobles and Commons of *England* in this Parliament, to be sent to Pope *Clement*: Wherefore I justly suspect it was afterwards foisted into these Articles by the Bishopps, or their Officers, (like that new Clause in King *Johns* Charter) only to justifie or countenance their Constitutions touching Intestates Goods, and patronize their distribution of them to pious uses, for the good of their souls; which was not only prohibited, but generally opposed by the King, Nobles and Commons, as I have \* elsewhere evidenced at large.

\* Here p 18, 10 12.

C d'autre part, par la ou un home du dit Roialme se oblige a une autre en un some daboit a rendre a un certain jour, et si ne fait, q'il soit tenuz en 10 l. ou en une autre some daboit a paier au p<sup>mi</sup>er passage de gentz darmez en la terre seinte; les ditz Clercs l'Apostoll sont enquerre per mi tut le Roialme des tiels obligations faites avant ces hours, dont les paies ne sont mie faites as sours contenuz, tut elient les detours fait gre a leur creanceours, ou per Jugement de la Court le Roy (a qui les conuissances des tiels obligations) appendent elient les dettes ensemblement ou les damages a leur creanceours renduz; ja le meynes il distreignent les detours pur laboir, tant a le terre seinte oblige al oeps l'Apostoll liberer.

Ensement, par la ou un home est obligé a un autre en dette, et les creanceours veigne as ditz Clercs l'Apostoll, et les promette la moite, ou plus ou meynes de la dite dette pur luy faire aboir le remnant, meismes les Clercs meintenaint sont somondez et distreindz le detour a respondre debant eux de cele dette, en apert desheritezon du Roy et de sa Cozoun.

Ensement, par la ou le Roy et ses Ancesters, Countes et Barons et leur Ancesters ont donez terres, tenementz et aboisons, et t'eles autres tempozantez as Prelatz de Seint Eglise, come Ercevesques, Chesques, Abbies, Priores, des queux Tempozantes les unes sont tenuz per hommage, et les autres sont tenuz pur Dieu servir en Seinte Eglise, et autres charges faire come sus est dit, et des queles Tempozantes; si tost ensolt fait as tenants de celes le Roy est tenuz a faire droit en la Court, pur ce que la conuissances des tiels Tempozantes au Roi apent et a null autre; la vint l'Apostoll en appoylant a lui la Seignurie susdite, fait tayer a la volente aux avant la tempozance come l'espirituaute, en disheritezon du Roy, et des Countes et Barons susditz.

Ensement, par la ou persone de Seint Eglise moert en tiel seson del an, que les fruitz del an supant debgent a luy appendre, des queux il ad fait son testament come de ses autres biens, et les Executoirs par force de lei et custume du Roialme touz jours ont esliez et debvent estre reponables en la Court le Roy de tiels fruitz a chescun, ce dette voleit demander vers eux per brief le Roy tant que l'execution du Jugement renduz en la Court le Roy meintenaint, sanz nule delay se det faire par force de lei du Roialme; aux avant enoieit des tiels fruitz come des autres biens; la vint l'Apostoll, q'ad reserbi a lui les fruitz les p<sup>mi</sup>ers vacantz, et vent aber tiels fruitz a son oeps demaine, et si les eit, demorra le Jugement rendu en la Court le Roy sanz execution, et l'execution remendra en suspens a la volente l'Apostoll.

Ensement, se pleynt les ditz Countes et Barons, et la Communault, que par la ou leur Clercs a leur presentmentz sont receuz et instituz en le Eglises que sont de leur aboisons, et des fruitz de celes Eglises que sont proprement les aumoyens des aboes, tut soient il dismes, quant a Dieu, debvent leur Clercs estre

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estre sustenez par les Eglises servir; la bint l'Apostoll et pzent a lien touz les fruitz del prier an de la volentz de ces Eglises, sanz rien reserbir par la sustenance des ditz Clercs, et issint appoye il a luy les animoyes des ditz aboes encontre leur volentes, et en perill de disheritison, quant a leur aboesons, q'are per meisme la raison q'il les pzent le prier an de l'abodance, les rent il prendre le second, et le tierce, et le quart, et issint abant a sa volente, et cest apert disheritison des aboes quant a leur aboesons, q'are il tost come les Clercs perde la possession de sa Eglise encontre la volente de son aboe, son aboe perde sa aboeson de meisme l'Eglise: et par ce let et custume du Roialme, ne se offrent point que play soit en Court Chrestiene des dimes de l'Eglise, ou de la tierce partie, ou de la quarte partie abant ce que plai soit termine en la Court le Roy de Lanceson de meismes les dimes.

Ensement, come par le denyer de Seint Pierre, que les Rois Dengleterre done<sup>\* See here</sup> rent come en aumone a la Court de Rome, soleit touz jours estre paie a l'Apostoll Tom. 1 p 201, to 220 ou a ses Procuratours un certeyne, cest assavoir 200 l. 29 s. de tout le Roialme, a leber per les Evesques Dengleterre, a quele manere e fourme de leber ad este touz jours del prier grant, lesques en cea acceptie par Boile des acuns Apostoll confirme, come peut estre mastri quant meiste serra; la bint l'Apostoll refusant cel certaine, et fait nombrer par ses Procuratours susditz trestouz le astres de la terre, auxi come il voleit la poeir, et la pibitie du Roialme savoir, et demande de cheleun astre un denyer, q'amontreit atrop, a quant damage et empoverissement du poeple, et a grant perill du Roy et de son Roialme.

After these Petitions in *French* in the Parchment Book in the Tower, intituled *Placita Parliamenti*, the same Petitions in substance, with some few Additions, are subjoynd in *Latin*, with this Preface.

*C*um in Parlamento Domini Regis apud Karliolum in Ollabis Sancti Hillarii Anno regni Domini Regis E. 35. proposita fuerunt petitiones per Comites, Barones, et alios Magnates, et Communitatem totius regni Anglie pro statu Coronae Regiae, necnon terrarum ipsius Regis Scotiae, Walliae, & Hiberniae, et tota Communitate praedicta, super baris nobis et intollerabilibus gravaminibus, oppressionibus, injuriis et exactionibus praefatis Comitibus, Baronibus, Magnatibus et Communitati, auctoritate et mandato Domini Papae, ac etiam per Magistrum Willielmum Testa Domini Papae Clericum, necnon ejusdem Magistrum Willielmum Commissarios, Ministros, seu Vicegerentes, et ipsos nomine illatis, multipliciter in regno et terris praedictis, prout in articulis contentis in praedictis Petitionibus qui tales sunt inseritur; videlicet, De effrenata multiplicatione Probitionum Apostolicarum, per quas parronis seu advocatis beneficiorum collatio tollitur seu praesentatio, ac demum indigentia nobles et litterati a promotione Ecclesiastica penitus excluduntur, et erit defectus Consilii in regno quantum ad ea quae ad Spiritualitatem pertinent, nec inveniantur idonei qui ad Ecclesiasticas valeant eligi praelaturas. Cultus divinus minuetur, hospitalitates et eleemosinae cessabunt, contra intentionem primariam fundatorum, Ecclesiarum jura peribunt, indestructa aedificia Ecclesiastica corrumpent, et populi devotio subtrahetur.

Item, de Decanatibus Ecclesiarum Cathedralium regni Anglie, quorum multi jam ad manus Cardinalium, et aliorum alienigenarum in ipsis Ecclesiis minime residentium debenerunt, et de exteris Decanatibus ut idem stat in proximo vert. Similiter est timendum, contra primariam Ecclesiarum ordinationem et intentionem saluberrimam fundatorum, ex quo in ipsis Ecclesiis Cathedralibus ad quorum regimen et custodiam continuam Decani propter Episcoporum absentiam salubriter fuerant instituti, multiplex inordinatio proveniet, atque defectus tam in divino obsequio hospitalitate et eleemosina, quam in correctione excessuum Ministrorum, et Domino Regi ac regno multorum periculis Consilium, qui ad ipsos Decanatus eligi consueverant penitus subtrahetur.

Item, de Religiosis domibus a variis Magnatibus pia devotione fundatis, adhiberi cultus augmentum, hospitalitatis exercitium, eleemosinarum largitionem, ipsorum



*An. 35 E. 1.* ipsorum fundatorum et omnium fidelium defunctorum per orationes continuas remissionem, quorum redditus et proventus Dominus Papa intendit diversorum Cardinalium usibus applicare.

*Nota.*

\* See here  
Tom. 1. p.  
201, to 220.  
236.

*Item*, de primis fructibus beneficiorum vacantium sedi Apostolicæ reservatis, quod antea fuerat inauditum; super quorum collectione, Dominus Papa interpretationes durissimas et multam præjudiciales Domino Regi et regno, ac etiam toti Ecclesiæ Anglicanæ jam de nobis edidit, sicut fertur.

*Item*, de denariis Sancti \* Petri a progenitoribus Regis primitus sub certa forma concessis, a prima concessione sua sub eadem forma a tempore cujus non extat memoria persolutis, nunc autem contra dictam concessionem minus rationabiliter exactis, in grave dampnum Ecclesiarum et totius populi Anglicani.

*Item*, de legatis vel promissis pia intentione a multis in subsidium Terræ Sanctæ propter redemptionem peccatorum, per aliquos auctoritate sedis Apostolicæ improbe petitis et exactis, et in alios usus convertendis, ipsis legantibus vel promittentibus minime profecturos.

*Item*, de penis pecuniariis in fraudem legis barilis contractibus adjectis, et in subsidium Terræ Sanctæ promissis, quarum prætextu multæ causæ ad forum Regium pertinentes, coram Clericis Domini Papæ in Regis dignitatis præjudicium agitantur.

*Item*, de indistincte legatis quæ sunt approbatæ tam de jure Canonico, quam Civili, et quæ dicti Clerici Domini Papæ imple sibi approbare nituntur et in usus, ipsis defunctis quorum bona fuerant minime profecturos convertere, contra voluntatem piissimam defunctorum.

*Item*, cum Romana Ecclesia unum duntaxat Clericum pro suis negotiis hactenus in Angliā habere consueverat, ad expensas Ecclesiæ Anglicanæ, Dominus Papa jam, ut dicitur, quatuor Clericos ordinabit, quibus oportebit Anglicanam Ecclesiam ultra antiquam consuetudinem sumptus non modicos ministrare. Hæc omnia ad extrahendam a regno pecuniam, ad exinanitionem Ecclesiæ manifestam, et ad distandam alienigenas spoliatis indigentis, tendere dinoscuntur, nisi exurgat Deus & dissipentur inimici ejus, ut per secularem Principem, et ipsius Consilium, de consensu Procerum et Magnatum, tanta malicia reprimatur.

Super quibus oppressionum, grabaminum, et extorsionum, et injuriarum Articulis præfatus Magister Willielmus Testa quatinus ipsum contingunt in pleno Parlamento prædicto allocutus, conblatus existit, nec inde se potuit aliquo modo excusare, nisi tantum quod dicit, quod auctoritate Domini Papæ præmissa fuerat executus. Et quia facta Magistri Willielmi Testa in præmissis, si tollerarentur manifeste cederent in divini cultus diminutionem, et Ecclesiæ Anglicanæ exinanitionem, necnon in præjudicium, lachionem et exheredationem Cozonæ, potestatis, jurisdictionis et dignitatis Regis Anglicanæ, destructionemque totius Communitatis prædictæ, ac status regni, legum et consuetudinum ejusdem subversionem, quod absit, perpetuam. Et unde majora pericula possent processu temporis evenire.

*Nota.*

Denum, consideratis periculis prædictis, ex assensu Domini Regis, ac toto Consilio Parlamento prædicti, prohibitum fuit, concordatum, ordinatum et consideratum, quod præmissa grabamina, oppressiones, injurias et extorsiones fieri non permitterentur in regno et terris prædictis. Et prohibitum est prædicto Magistro W. in Parlamento prædicto, quod de cætero contra prohibitionem, concordiam, considerationem prædictas, nec procedat, nec per se seu alium quemcumque in præmissis intromittat, vel aliquo præmissorum. Et injunctum est eidem Magistro W. quod quicquid per ipsum, Collegas, Commissarios, Ministros, Uices gerentes, aut alios quoscunque sibi adhaerentes seu intendentes attemptatum est, idem seu executum in præmissis, et quolibet præmissorum rebocet, ut cassum, irritum, et inane, et totam pecuniam per eos in hac parte lebatam, salvo custodiri fac. et secure infra regnum prædictum, quousque Dominus Rex de Consilio prædicto aliud super hoc duxerit ordinand. Et ad majorem hujus rei evidentiam ordinatum est et concordatum per Dominum Regem et Consilium prædictum, quod Runcii experti ad dictum Dominum Papam, ex parte dicti Domini Regis et totius Communitatis prædictæ transmittantur ad prædicta grabamina, oppressiones, extorsiones, et injurias notificanda et exponenda. Et præceptum est singulis Vicecom. regni prædicti,

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dicti, quod per Sacramentum pzoorum et legalium hominum de Ballibis suis, per quos rei veritas melius sciri poterit, diligenter inquirent de nominibus Commissarioz et alioz pzinistozum pzdicti Magistri Will. Testa, qui pzmissa oppzessiones, grabamina, extozsiones et injurias in Com. pzdictis taliter perpetrarunt aut fecerunt, necnon de nominibus eozum qui coram dictis Commissariis vel pzinistris, aliquem vel aliquos, citari vel vocari fecerunt, seu dicta grabamina erecui fuerunt. Et omnes illos quos in pzmissis culpabiles inbenerint, attachient per corpora eozum; Ita quod eos habeant coram Rege in Octabis Sancte Trinitatis ubicunque tunc fuerit in Anglia, ad respondendum tam Domino Regi, quam aliis inde conqueri volentibus super pzmissis. Et ad faciendum et recipiendum quod Curia Regis consideraverit in hac parte, et sic habeant ibi nomina eozum quos inde culpabiles inbenerint, et Brevia.

In the Clause Roll of 35 E. 1. I finde these Writs issued by the King to several Sheriffs to attach several Canons and Ecclesiastical persons, (many of them *Italians* and this Popes Nuncios Agents) and bring them before the King and his Council to answer for their offences committed against the Kings Majesty.

**R**EX Vic. Staff. salutem. Præcipimus tibi, quod sine dilacione capias Magistrum Andream de Janua, Canonicum Ecclesie de Wolverenhampton, et ipsum sumptibus suis pzopziis sub salvo et securo conductu duci facias usque Karliolum, ita quod sit ibi coram Nobis et Consilio nostro die Dominica in medio *Quadragesime* pzor. futur. ad respondendum nobis de diversis transgressionibus per ipsum in regno nostro, in læsionem nostræ Regiæ Majestatis factis et perpetratis: Et hoc sicut te et omnia quæ habes in regno nostro pzdicto diligis, et nobis satisfacere poteris nullo modo omittas. Et habeas ibi hoc breve. Telle Rege apud *Lancaster*, 4 die Febr.

Clauſ. 35 E. 1. m. 14. intus. De quibuscumque hominibus ducendis coram Consilio Regis.

*Per Consilium.*

Eodem modo mandatum est Vic. Midd. de Bindo Bandwini de Vaccaretia Commissario *Gualasso Guillelmi* capiendo et ducendo in forma pzdicta.

Eodem modo mandatum est eidem Vic. Mid. de Guidone de Wichio Rectore Ecclesie de Hese de Com. Midd. capiendo et ducendo in forma pzdicta.

Eodem modo mandatum est Majori & Vic. London. de Gualasso Guillelmi de Sene Præfato, Guidone de Wichio, Magistro Andree de Janua Canonico Ecclesie de Wolverenhampton pzdicto Bindo Baldwyni Commissar. &c. Lanto Agolentis de Societate Amanetorum de Pistora, Manetto de Scalapio Chini de Societate *Scalarum* de Florentia, Mazeto Bakerelli, & Neret Guidonis de Societate *Peruorum* capiendis et ducendis in forma pzdicta.

Mandatum est etiam Principi Wallie, & Com. Cestrie, Custodi Scocie, & Justic. Hibernie, quod ipsi consimiliter procedant in terris pzdictis, super negotiis memoratis, et pzoditionem, concordiam, ordinationem, et considerationem pzdictas in eisdem terris faciant firmiter et inbolsabiliter obseruari.

The Mandates, Writs then issued to the Sheriffs of Counties throughout England, were in these words.

**R**EX Vicecomiti Cumbria salutem. Quia Comites, Barones, alique Proceres et tota Communitas regni nostri in instanti Parlamento nostro apud Karliolum nobis intimarunt, quod diversæ oppzessiones, extozsiones, injuriæ, et grabamina intollerabilia, sicut de debitis, conventionibus et aliis contemptibus quozum cognitiones ad Nos, Coronam, et dignitatem nostram, et non ad alium pertinentes, per nonnullos juris nostri Regii violatores et impugnatores in foro Ecclesiastico agitantur, quandoque pro parte debitorum illozum ad Terram Sanctam percipienda, et quandoque pro penis pecuniariis levanda, quæ in scriptis obligatozibus de debitis conventionibus seu contractibus hujusmodi confectis continentur, in subsidium Terra sancte pzomittuntur, ac etiam de bladis et aliis bonis personarum et aliozum pzefatozum contra voluntatem eozum venditis et asportatis, necnon de bonis temporalibus intestatozum, ac bonis in testamentis defunctorum generaliter nominatis, in usus hujusmodi violatozum et impugnatozum conuersis, et de denariis Sancti Petri ultra concessionem Progenitozum nostrorum quondam Regum Anglie

Ryley Plac. Parliamentaria, p. 382. Breve ordinatum singulis Vicecomitibus super eisdem.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

An. 35 E. 1. *Anglia jam exactis in Com. tuo, et alibi infra regnum nostrum jam de nobo perpetratur, in nostri et juris regni nostri Regis praejudicium, Coronaeque et dignitatis nostrae Regiae laesionem, et exheredationem nostram, necnon et status ejusdem regni perpetuae subversionis periculum manifestum: Nos maleficis violatorum illorum et impugnatorum, absque omni dissimulatione, prout tenemur, obviare volentes in praemissis; Tibi praecipimus, quod per sacramentum proborum et legalium hominum de Comitatu tuo, per quos veritas melius sciri poterit, in propria persona tua diligenter inquiras, qui hujusmodi oppressiones, extorsiones, injurias et gravamina persecuti fuerint, et omnes illos quos per inquisitionem illam inde culpabiles inbeneris; ponas per vadum et salbos plegios quod sint coram nobis in Octabis Sanctae Trinitatis ubicumque tunc fuerimus in Anglia, nobis super praemissis plenius responsuri, et ulterius facturi et recepturi quod nostra Curia consideraverit in hac parte. Et habeas ibi nomina pleg. Inquisitionem illam distinde et aperte factam sub sigillo tuo et sigillis eorum per quos facta fuerit. Et hoc breve. Teste Rege apud Karliolum 22 die Martii, Anno r. n. 35.*

The Letter and Remonstrance of these intollerable Papal grievances, oppressions, and Innovations then drawn up in the name and behalf of the King, and all the Nobles and Commonalty of *England* in this Parliament, to be sent to Pope *Clement* by special expert Messengers, is very memorable; which I shall present you with out of the Memorials of this Parliament, enrolled in an antient Parchment Book in the Tower.

An. 35 E. 1.  
Littera e Regno  
Angliae ad Pa-  
pam. See Ry-  
leyes Placita  
Parliamentaria  
p. 355, 356. in  
Turri London.

**N**uper de vestra promotionis eventu ad Apostolicam Celsitudinem dignitatis plene iocunditate gaudii replebamur, sperantes in quibuscumque dicti Regis et nostris negotiis ac utilitatibus promovendis vos patrem graciosum, benevolum et propitium habituros; nunc enim admirationis nobis non modica et querela ex ea causa consurgit, quod nos, Clerus et populus dicti regni, (veri utique Catholicae fidei praefectores, qui tanquam devotionis filii vos et Romanam Ecclesiam revere- mur, vestrique nominis et honoris fervidi zelatores) de paterna manu pro devotio- ne praegrandi, oppressiones innumeras, et grandia suscipimus detrimenta, qui po- tius sperabamus ab eis, si forsitan emergerent per vestram clementiam relevari, amplisque favoribus et uberimis gratiis praeveriri. Sane per Puncios et Mini- stros vestros in dicto regno Angliae commozantes eorumque Commissarios nos exacerbari graviter sentientes, ex materia operum eorumdem formatos malleos, experimur, quibus percutimur et contextimur multis modis et variis incessanter; et licet fidem Christianam et ea quae dilagationem cultus ipsius fidei respiciunt, et ad divinae laudis spectant obsequium per vestrum regi Ministerium teneamus, et dictam Ecclesiam cunctorum matrem fideliu et Magistrum, non tamen credi- mus, quod vestra intentionis existat, vel ad hoc suam velit extendere potestatem, ut suos et devotos et humiles filios non solum non laedat aut opprimat, vel inju- riis probocet, aut eorum jura praeripiat, vel eis in aliquo derogat; sed potius, ut a noxiis et indebitis oppressionibus custodiat et praeserbet: Et ecce sanctissime Pa- ter nimis duris acerbis et importabilibus oneribus et hactenus inauditis, quae per dictos vestros Commissarios sunt cotidie, et in dicto regno diversimode imponun- tur, quorum aliqua curabimus describere seriatim, commocio nostra nimirum et ex rationabili causa procedit. Per effrenatam autem multitudinem provisionum quae jam ad praefatum regnum a sede Apostolica emanarunt, Ordinarii Beneficio- rum collatio ad eos de jure pertinens tollitur, ac demum indigenae Nobiles et Li- terati a promotione Ecclesiastica penitus excluduntur, neque erit defectus Consilii in regno quantum ad ea quae ad spiritualitatem spectant, non inveniuntur idonei qui ad Ecclesiasticas valeant eligi praefaturas, cultus divinus minuetur, hospita- litates, et elemosinae cessabunt contra intentionem primariam fundatorum, Ecclesi- arum jura peribunt, aedificia Ecclesiastica corruent, et populi devotio subtrahetur. De Decanatibus etiam Ecclesiarum Cathedralium praedicti reant, quorum multi jam ad manus Cardinalium et aliorum alienarum in ipsis Ecclesiis minime resi- dentium debenerunt, et de ceteris Decanatibus ut idem fiat in proximo verisimi- liter est timendum, contra primariam Ecclesiarum fundationem et intentionem saluberrimam fundatorum; ex quo in ipsis Ecclesiis Cathedralibus ad quorum re- gimen

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gimen et Custodiam continuam Decani, propter Episcopi absentiam salubriter fuerant instituti, multiplex inordinatio proveniet, atque defectus tam in Dibino obsequio, hospitalitate et elemosina, quam in correctione excessuum Ministrorum, et Domino nostro Regi ac regno multorum peritorum Consilium qui ad ipsos eligi consueverant Decanatus penitus subtrahetur. De Religiosis vero domibus a multis et diversis Magnatibus ad dibini cultus augmentum, hospitalitatis exercitium, et elemosinarum largitionem pia devotione fundatis, in remissionem peccaminum fundatorum ipsorum, et omnium fidelium defunctorum per huiusmodi opera Caritatis, et orationes continuas faciend. redditus et proventus, sicut evidenter apparet auferre intenditis, et diversorum Cardinalium usus applicare: Nec non et vestris propriis usus primas fructus Beneficiorum vacantium in regno predicto, et aliis terris dicti Domini nostri Regis ditioni subiectis similiter referbare, \* quod antea fuerat inauditum; super quorum collectione interpretationes durissimas et multum prejudiciales ipsi Domino Regi et regno, ac etiam toti Ecclesie Anglicane dicimini nobiter edidisse, validus clamor auditur; et si sustineretur, quod Dominus abertat, hæc nobitas supra modum imperpetuum, in ejusdem Domini Regis prejudicium et exheredationem ac regni depauperationem, et alimontiarum quæ sunt egenis annulationem apertissime redundaret. De denariis quoque beati Petri, \* a progenitoribus predicti Domini nostri Regis primitus et ex devotione sub certa forma concessis, et a prima concessione sub eadem forma a tempore cuius non extat memoria persolutis, nunc contra concessionem predictam per Clericos et Commissarios vestros antedictos, nova sit exactio, in grave dispendium totius populi Anglicani. De Legato itaque bel præmissis pia intentione a multis in subsidium Terra Sancta pro remissione peccatorum, per aliquos auctoritate vestra petitis impube et exactis, et in usus alios conbertendis ipsis legantibus bel promittentibus infirme profuturis. Et de penis etiam pecuniariis in fraudem Legis et consuetudinis dicti regni, contractibus nonnullis adjectis in subsidium dictæ Terra Sanctæ promissis, quarum prætextu multæ causæ mere ad forum Regium pertinentes, eorum memoratis Commissariis vestris in Regis dignitatis prejudicium agitantur. Ac insuper, de indistincte legatis quæ sunt approbata supra sententiam Sapientum, tam a iure Canonico quam Civili, et a legibus et consuetudinibus memorati regni non discrepantia, sed servata; qui quidem prælibati Clerici vestri et Commissarii impii, sibi appropriare nituntur, et in usus ipsius defunctis quorum bona fuerant minime profuturis conbertere, contra voluntatem piissimam defunctorum maximum murmur surgit in regno, quæ tanquam non medicriter prejudicialia Regis dignitati et populo dicti regni, nequint aliquatenus sustineri. Ad hæc, cum Romana Ecclesia unum duntaxat Clericum pro suis negotiis hactenus in Anglia habere consueverit ad expens, Ecclesie Anglicane, jam, ut dicitur, quatuor Clerici sunt transmissi, et morantur ibidem ultra antiquas consuetudines, et ad majus onus ejusdem Ecclesie, et ulteriozis oppressionis augmentum: Et quia præmissa et quodlibet eorundem, sicut prænotatum est, ad erinantionem Ecclesie Anglicane, præfati Domini Regis exheredationem, et Cozonæ et dignitatis Regis, atque Regis enozme prejudicium, injuriam et jacturam, oppressionem pauperum, destructionem fidelium, terræ scandalum, manifeste tendere dinoscuntur; Sanditati vestræ debotæ supplicationis instantia humiliter exoramus, quatinus hiis quæ præmissimus clementi meditatione pensatis, quem non depressionem nostrum, sed nostrorum exaltationem honorum diligere confidimus et speramus, sic circa ea salubriter moderanda manum et animum Providentia vestra dignetur apponere, quod in omnibus cultu servato modestiæ, causa bel occasio non emergat, quæ nobis, (qui ipsam Ecclesiam belud matrem filialis debito devotionis prosequimur) et eidem Ecclesie, quod absit, scandalum bel turbationum inducat; quoniam non possemus, iuxta possibilitatem nostram aliquantulum tolerare, quod præfatum regnum, cui per huiusmodi Robirates et oppressiones intollerabiles miserabiliter illuditur, enervationes, dispendia, (quorum fieri nequimus expertes, quodque in suis Juribus defendere tenemur) taliter sentiat, aut sic indebite collidatur. A most observable heroick Remonstrance, Epistle, and resolution, worthy a genuine English Parliament.

An. 35 E. 3.

\* Nota.

\* See Tom. 1. P. 201, to 210.

By the precedent Letter, Articles, and Remonstrance, it then was, and now is



*An. 35 E. 1.* as evident as the Sun at noon-day to all the World; 1. That this Pope *Clement*, his Legates, Cardinals, Nuncios, Agents, (yea some of his predecessors, with most of their successors ever since) were the most sacrilegious Church-robbers, the most avaritious, pernicious, impious, scandalous, unconscionable, uncharitable, unchristian Theeves, Plunderers, Spoylers, usurpers of the Churches, Clergies, poor mens revenues, possessions, maintenance, alms, and of the undoubted Rights, Privileges of the Kings, Nobles, Prelates, and Commons of *England*, the most real enemies to, and underminers of Gods worship, service, piety, charity, and Christian Religion that ever the World produced: whose principal care, study, practise, was, not to feed, foster, instruct, protect the Church and people of Christ, purchased with his most precious blood according to their duties, as Christ, his Apostles, and the primitive Bishops, Popes and Ministers of the Gospel did, and enjoined them to do, but only to fleece, fley, oppresse, rob, plunder, murder, destroy them by new invented extortions and rapines, to fill their coffers with the *mammon of unrighteousnesse*, the only Deity they served, adored, loved, sought after in all Christian Kingdoms, especially in our own, with all their hearts, strength, might, souls: without seeking, minding the things of *Jesus Christ*, whose Vicars they professed themselves in their Bulls, Edicts, but absolutely contradicted, denied by their premised works.

\* Mat. Westm.  
An. 1037. p.  
464. Thomas  
Walsingham,  
Hist. Angl. p.  
64. Speed,  
Hollinshed,  
Daniel, and  
others.

Whiles these things were acted in the Parliament at *Carlisle* against the Popes Innovations and extortions; to prevent their vigorous execution by the King, \* *Venit ad illud Parliamentum circa festum Cathedrae S. Petri* (then translated from *Rome* in *Italy*, to *Burdeaux* in *France*) quidam Cardinalis Sabinensis, *Magister Petrus Ispanus*, missus a latere *Papae* in *Angliam*, ad perficiendum ordinatum matrimonium inter primogenitum Regis *Angliae* *Edwardum*, & filiam Regis *Francorum* *Isabellam*, secundum quod a *Papa* *Bonifacio*, tanquam pacis mediatore, ordinatum fuerat (as was pretended,) Cui per Regem responsum est, Paratum se implere quae ordinata sunt, dummodo Rex *Franciae* velit ex parte sua, quae ad ipsum pertinent, adimplere. Dederat enim Rex *Francorum*, dum *Vasconiam* tenuerat, Castrum quod *Mali Leonis* dicitur, cuiusdam *Militi*, qui illud adhuc detinebat, nec ad mandatum Regis *Francorum* illud curabat restituere. Ob quam causam fertur illud matrimonium hactenus fuisse dilatum. Rediit itaque Cardinalis *Londonium*, ut super his certitudinem expectaret, et Ecclesias *Anglicanas* depilaret (his chief design.) Nam per Bullam habere voluit a cunctis Cathedralibus, Conventualibus, Regularibus et irregularibus Ecclesiis et Prioratibus, duodecim marcas *sterlingorum*: De Rectoriis vero octo denarios de qualibet marca. Contra hanc exactionem, appellatum est a Clero *Angliae* (to the King and his Council, as supreme, indifferent Judges in this case.) Et ordinatum est per Consilium Regis (against the Popes expresse Bull) istum Cardinalem non plus debet habere, quam acceperat olim *Ottobonus* Cardinalis, et Legatus in *Angliam*, scilicet dimidium postulat. A memorable president of the King and his Councils regulating, retrenching the exorbitant Procurations of the Popes own *Legate à latere*, against his Papal Bull.

This Parliament was afterwards adjourned to a further day by reason of the arrival of this Legate and *Amanenus Lebreto* in *England*, sent thither at the Kings request (as was pretended) about such affairs as concerned the state of Christianity, and the King and kingdom, as this Writ informs us,

Claus. 35 E. 1.  
m. 13. dorso.

**R**EX dilecto & fideli suo *Thoma Comiti Lancast.* Cum nuper vobis mandaverimus, quod in Octabis Sancti *Hilarii* prox. praterit. essetis apud Parliamentum, Nobiscum super quibusdam arduis negotiis Nos et statum regni nostri tangentibus, pro quibus venerabilis Pater Dom. *Petrus Sabinen.* Episcopus Sanctae Romanae Ecclesiae Cardinalis, ad Nos ex parte Domini Summi Pontificis est venturus, ut quem ante Octab. praedict. ad nos venisse credebamus, colloquium habetur. Et idem Cardinalis non erit ad Nos apud *Karlisiol.* ante diem Dominicam prox. post mediam *Quadragesimam*, viz. primam Dominicam in *Passione* Domini quae jam instat. Vobis mandamus in fide & dilectione quibus nobis tenemini firmiter injungentes, quod dictis die & loco modis omnibus personaliter interficiis, Nobiscum super praemissis habituri colloquium et tractatum, vestrumque Consilium impensuris.

Et

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Et hoc sub forisfactura omnium quæ nobis forisfacere poteritis nullatenus omit-  
tatis. Teste Rege apud *Lavercoft*, 22 die *Febr.* An. 35 E. 1.

Consimiles literæ diriguntur subscriptis, viz. 2. Comitibus, & 24 Baronibus, re-  
corded in the Clause Roll.

What care the King took for the honourable reception and intertainment of this  
Cardinal Legat upon his arrival in *England*, in all Cities and Counties, when he  
repaired to him to *Carlisle*, these Writs to the Mayors, Citizens, and the Commo-  
nalties of *Canterbury*, *London*, *Hunsdon*, *Lincoln*, *Torke*, and Sheriffs of *Cambridge*,  
and his protections granted to him, evidence.

**R**EX dilectis sibi Majori, Civibus, Ballivis, & toti Communitati Civitatis *Can-*  
*tuar.* salutem. Cum venerabilis Pater Dominus *Petrus Sabinensis* Episco-  
pus, sacrosanctæ *Romane* Ecclesiæ Cardinalis, & amicus noster Charissimus a latere  
Domini Summi Pontificis missus ad nos in nuncium iam accedat: Vobis man-  
damus rogantes, quatinus eidem Domino Cardinali cum ipsum ad Civitatem præ-  
dictam venire contigerit, quanto honorabilius et decentius poteritis obviam facia-  
tis, ac eundem Cardinalem et alios de familia sua in dictam Civitatem curialiter  
admittentes ipsum in exennis et aliis curialitatibus cum tanto honore quanto po-  
teritis, respiciatis nostri rogamini interbentu, non permittentes quod hominibus  
dicti Domini Cardinalis dum infra Civitatem prædictam steterint, quoquo modo  
injuria, molestia, dampnum, impedimentum aliquod seu grabamen, aut quod  
victualia in eadem Civitate propter adventum dicti Domini Cardinalis ibidem sub-  
trahantur, aut carius vendantur, set quod venditioni habundantius quam consueve-  
runt exponantur, faciatis etiam Domino Cardinali ac hominibus suis habere Caria-  
gium cum inde necesse habuerint, & ab ipsis super hoc fueritis præmuniti. Et præ-  
missa omnia & singula faciatis, prout dilectus & fidelis noster *Johannes de Banquell*  
quam deputavimus ad prædictum Dominum Cardinalem ad nos conducendum vo-  
bis scire fecerit ex parte nostra, vobis enim exinde scire grates volumus speciales.  
Teste Rege apud *Lavercoft* 10 die *Decembris*. Claus. 35 E. 1.  
m. 17. De ho-  
noribus Car-  
dinali exhib-  
endis.

Eodem modo scribitur Civibus & Communitati de *Roff*. Majori, Civibus & Com-  
munitati *London*. Majoribus & Ballivis & Communitatibus *Hunt. Linc. Eborum*.  
Baronibus, Ballivis & probis hominibus *Portus*, quod eidem Cardinali cum ipsum  
in portu prædicto applicare contigerit, quanto, &c. Upon his intended departure  
thence, he issued these Writs to like purpose,

**R**EX dilectis sibi Majori, Civibus, Ballivis, & toti Communitati Civitatis *Ebo-*  
*rum* salutem. Cum venerabilis Pater Dominus *P. Sabinensis* Episcopus, sacro-  
sanctæ *Romane* Ecclesiæ Cardinalis, & amicus noster charissimus, qui a latere Do-  
mini Summi Pontificis missus in nuncium ad nos usque *Karlislam* nuper venit,  
jam sit ad partes proprias rediturus; Vobis mandamus rogantes, quatinus eidem  
Domino Cardinali cum ipsum ad Civitatem prædictam venire contigerit quanto  
honorabilius et decentius poteritis obviam eatis, ac eundem Cardinalem et alios  
de familia sua in dictam Civitatem curialiter admittentes; ipsum in exennis et  
aliis curialitatibus cum tanto honore quanto poteritis, respiciatis nostri rogamini  
interbentu, non permittentes quod hominibus dicti Domini Cardinalis dum  
infra Civitatem prædictam steterint, fiant quoquomodo injuria, molestia, damp-  
num, impedimentum aliquod seu grabamen, aut quod victualia in eadem Civitate  
propter adventum dicti Domini Cardinalis ibidem subtrahantur, aut carius ven-  
dantur, set quod venditioni habundantius quam consueverunt exponantur,  
faciatis etiam eidem Domino Cardinali ac hominibus suis habere Caria-  
gium cum inde necesse habuerint, et ab ipsis super hoc fueritis præmuniti, & præ-  
missa omnia & singula faciatis, prout dilectus & fidelis noster *Johannes de Ban-*  
*quell*, quam ad dictum Cardinalem sic ad partes transmarinas redeuntem, dum in-  
fra regnum nostrum fuerit conducendum deputavimus vobis scire faciet ex parte  
nostra. Vobis etiam exinde scire grates volumus speciales. Teste Rege apud  
*Karlislam* 16 die *Marci*. Claus. 35 E. 1.  
m. 12. dorso.  
De honoribus  
Card. exhib-  
endis. & ipsum  
decenter con-  
ducend.

Eodem modo scribitur subscriptis, viz. Majoribus, Civibus, Ballivis & Com-  
munitatibus Civitatum *Linc. London. & Cantuar.* & Ballivis & Communitatibus de  
*Graham*, *Stannford*, *Hunt. Roff.* & *Dover*. 7 L REX



An. 35 E. 1.

Pat. 35 E. 1.  
m. 41. De  
ductu pro Car-  
dinal. venien-  
te in Anglia.

**R**EX dilecto & fideli suo *Johanni de Banquell* salutem. Cum venerabilis Pater Dominus *P. Sabiniensis* Episcopus, Sacrosanctæ *Romanae* Ecclesiæ Cardinalis, & amicus noster charissimus, a latere Domini Summi Pontificis et sedis Apostolicæ, quam intuitu personæ ejusdem Cardinalis infra potestatem nostram volumus honorari, habentesque de vestre circumspectionis industria fiduciam pleniorē, vos ad dictum Cardinalem ad nos deputamus conducendum. Et ideo vobis mandamus, quod eidem Cardinali cum in regnum nostrum applicuerit, quanto decen-  
tius poteritis occurrentes, ipsum in dictum regnum nostrum ex parte nostra curia-  
liter recipiatis, et ipsum ad nos decenter et honorabiliter conducatis; Non per-  
mittentes, quod eidem Cardinali aut hominibus suis a quibuscunque fiant infra  
idem regnum nostrum injuria, molestia, dampnum, impedimentum aliquod seu  
gravamen. Mandavimus Vicecomitibus, Majoribus & Ballivis locorum per quæ  
credimus ipsum versus nos venturum, quod violentia in Ballivis suis in magna  
abundantia venditioni exponi, et dicto Cardinali ac hominibus suis Caricatum  
cum inde indignerint habere faciant, prout vos dictis Vicecomitibus, Majoribus  
& Ballivis ex parte nostra plenius injungetis. Et præmissa omnia & singula item  
circumspecte & providè faciatis, quod diligentiam vestram possimus merito com-  
mendare. In cujus, &c. Teste Rege apud *Lawreose* 10 die *Decembris*.

† History of  
Great Britain,  
p. 661, 662.

Upon this Cardinal Legates arrival at *Carlisle*, what alterations he procured by his flatteries, the Popes fair promises, and absolution of *K. Edward* from his Oath to his Nobles, to observe the *Charters of Liberties* he had granted and confirmed to them, (a most execrable act in the Pope, as † *Speed* and others observe, as well as unjust and dishonourable in the King) to the enervating of his Parliaments pre-  
mised proceedings, Acts against the Popes, this Cardinals, and his other Agents  
Exactions and Innovations, the *Pleas* and *Records* of this Parliament in the Tower,  
with other Records thus at large relate.

\* Placita Parl.  
An. 35 E. 1.  
See Ryle, p.  
383, 384, 385.

\* Post recessum vero Comitum, Baronum, aliorumque Magnatum, & totius Commu-  
nitatis de Parlamento, Dominus Rex ad requisitionem venerabilis patris Petri  
Sabiniensis Episcopi Cardinalis tunc ibidem existentis, mandavit Cancellar. per  
*W. Coventr. & Lichf. Episcopum* thesaur. suum, ne hujusmodi Brevia adhuc  
consignaret. Et idem Rex postea literas subscriptas dictis Clericis & Procuratoribus  
ipsius Pape in Anglia commorantibus fieri fecit, quæ in Cancellar. irrotulantur.

Ibidem, &  
Pat. 35 E. 1.  
m. 10. intus.  
Pro Nunciis  
Pape de pro-  
tectione.

**R**EX omnibus Ballivis & fidelibus suis ad quos, &c. Sciatis quod ob re-  
verentiam Sanctissimi in Christo patris Domini C. divina providentia  
Sanctissimi Pontificis Sacrosanctæ *Romanae* Ecclesiæ, suscepimus in protectionem  
et defensionem nostram, necnon salubrem et securum conductum nostrum, dilectos  
nobis Magistros *Willielmum Testa* Archid. *Draven*. in Ecclesia *Coven. & Petrum*  
*Amalmen* Canonicum de *Burdegas*. dicti Domini Pape Clericos, et sedis Apo-  
stolicæ Nuncios, ac Archiepiscopos *Canuar.* Administratores, a sede prædicta  
specialiter deputatos, ipsorumque Commissarios, et Ministros, in eundo per totam  
regnum nostrum pro negotiis ad Ecclesiam Romanam spectantibus expediendis,  
ibidem morando, et exinde ad dictam Romanam Ecclesiam redeundo. Et ideo  
vobis mandamus, quod prædictis Magistris *Willielmo & Petro*, aut eorum Commissa-  
riis seu Ministris, in eundo per regnum nostrum prædictum, pro expeditione nego-  
tiorum prædictorum, ibidem morando, et exinde redeundo, sicut prædictum est,  
non inferatis, seu quantum in vobis est ab aliis inferri permittatis injuriam, mo-  
lestiam, dampnum, impedimentum aliquod seu gravamen, et si quid eis foris-  
factum fuerit, id eis sine dilatione fac. emendari. In cujus rei, &c. Teste Rege  
apud *Karlslum* 4 die *Aprilis*, Anno, &c. 35. Per ipsum Regem; without and  
against the advice of his Council and Parliament.

Ibidem, &  
Pat. 35 E. 1.  
m. 19. intus.  
De primis  
fructibus ad  
opus Pape ca-  
piendis.

**R**EX omnibus ad quos præsentis literæ pervenerint, salutem. Sciatis quod  
ob reverentiam sedis Apostolicæ, et affectionem quam erga Sanctissimum  
in Christo patrem Dominum C. divina providentia summum Pontificem geri-  
mus et habemus, concedimus quantum in nobis est, quod dilecti nobis Magister  
*Willielmus Testa* Archid. *Axaven*. in Ecclesia *Coven. & Petrum* *Amalmen* Cano-  
nicus

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nicus Burdegal. sedis Apostolicæ Sancti, fructus primi anni a tempore reſerba-  
tionis inde per Dominum Papam ſibi factæ, de beneficiis Eccleſiaſticis cum cura,  
et ſine cura vacantibus in regno noſtro provenientes, aſque ad triennium ſecun-  
dum mandatum Apoſtolicum, non obſtantibus quibuſcunque Prohibitionibus in  
Parlamento noſtro inde factis. Ita videlicet, quod de fructibus de Abbatibus  
ſeu Prioratibus vacantibus in eodem regno provenientibus ſe nullatenus intro-  
mittant, ad opus dicti Domini Summi Pontificis modo debito colligere, cuſto-  
direque valeant et tenere. Hoc tamen obſervato, quod pecuniam inde proveni-  
entem extra idem regnum præterquam per viam Cambii, non deferant ſeu de-  
ferri faciant quovis modo ſine licentia ſpeciali. In cujus, &c. Teſte ut ſupra.

*Per ipſum Regem.*

R EX dilectis ſibi Magiſtris Willielmo Teſta Archid. Draven. in Eccleſia Coven.  
& Petro Amalmeni Canonico Burdegal. ſedis Apoſtolicæ Sanctis, ſalutem.  
Sciatis, quod ob reverentiam ſedis Apoſtolicæ, et affectionem quam erga Sanctiſ-  
ſimum in Chriſto patrem Dominum C. divina providentia Summum Pontificem  
gerimus et habemus, volumus et concedimus, quod non obſtante aliqua Prohi-  
bitione ex parte noſtra prius facta, ſuper omnibus quæ ad dictum Dominum Papam  
et Eccleſiam Romanam in regno et aliis terris noſtris pertinent, et pertinere de-  
bent, utamini de cætero officio veſtro, ſicut Clerici et Sancti aliorum Summorum  
Pontificum dicti Domini Papæ prædeceſſorum prius in Anglia commorantes,  
officio a ſede prædicta ipſis commiſſo uti conſueverunt temporibus retroactis.  
Ita quod\* non faciatis aliquid ſeu etiam attemptetis, quod in præjudicium Coronæ  
aut dignitatis noſtræ Regiæ, ſeu aliorum fidelium noſtroꝝum cedere valeat quo-  
quo modo. In cujus, &c. Teſte Rege apud Karliolum 4 die Februarii.

*Per ipſum Regem.*

R EX dilectis ſibi Magiſtris Willielmo Teſta, &c. ſedis Apoſtolicæ Sanctis,  
et Adminiſtratoꝝibus Archiepiſcopatus Cantuar. a ſede prædicta ſpecialiter  
deputatis, ſalutem. Sciatis, quod ob affectionem quam erga Dominum C. di-  
vina providentia Summum Pontificem gerimus et habemus, concedimus vobis,  
quod totam pecuniam ad Romanam Eccleſiam rationabiliter ſpectantem, per vos  
infra regnum noſtrum collectam, tradendo eam Mercatoribus infra idem regnum,  
poſſitis per viam Cambii dicto Domino Summo Pontifici deſtinare. Ita quod  
monetam aliquam de Caneo noſtro, ſeu Argentum aliquod in maſſa extra  
idem regnum minime deferatis; ſeu per alios deferri aliquantulum faciatis,  
Teſte ut ſupra.

*Per ipſum Regem.*

The King likewise ſo far diſveſted himſelf of his unqueſtionable antient Royal  
and gainfull Prerogative, to gratifie and enrich this Pope, ( who complied with  
his deſigns ) as to grant the cuſtody of all the profits of the Archbiſhoprick of  
Canterbury ſeiſed into his hands, to theſe two Roman Harpyes, by the Popes appoint-  
ment, by this Patent.

R EX dilecto & fideli ſuo Humfrido de Waleſdon, cuſtodi ſuo Archiepiſcopatus  
Cantuar. ſalutem. Licet nuper vobis commiſerimus Archiepiſcopatum præ-  
dictum cum pertin. quem ex certis cauſis capi fecimus in manum noſtram, cuſto-  
diendum quamdiam vobis placuerit: Ita quod de exitibus inde provenientibus  
vobis reſponderetis ad ſaccarium noſtrum, prout in literis noſtris patentibus  
vobis inde conſectis plenius continetur. Ad requiſitionem tamen Sanctiſſimi in  
Chriſto patris Domini Clementis divina providentia Summi Pontificis; Vobis  
mandamus, quod Archiepiſcopatum prædictum cum pertin. una cum omnibus  
exitibus inde perceptis a tempore captionis eſuſdem in manum noſtram, dilectis  
nobis Magiſtris Willielmo Teſta Archidiacono Aranen. in Eccleſia Coven. & Petro  
Amalmeni Canonico Burdegal. Clericis et Adminiſtratoꝝibus Archiepiſcopatus  
prædicti, per dictum Dominum Summum Pontificem deputatis, vel eozum al-  
terſ

An. 35 E. 1.

Ibidem, &  
Pat. 35 E. 1.  
m. 19. intus.  
Pro Nunciis  
Papæ & eo-  
rum officio in  
Anglia exer-  
cendo.

\* Nota.

Ibidem, &  
Pat. 35 E. 1.  
m. 19. intus.  
Pro Papa.

Pat. 35 E. 1.  
m. 20. intus.  
De Archiepiſ-  
copatu Cant.  
liberand. Pro-  
curatoribus  
Papæ.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B. 5. ch. 5

An. 35 E. 1. fert integre liberetis, custodiendum ad opus ipsius Domini Summi Pontificis, prout ipsis per eundem Dominum Summum Pontificem plenius est injunctum. Teste Rege apud Karliolum 26 die Martii.

Per ipsum Regem nunciante Thesaurario.

He likewise issued these three Writs, for the Popes Legate to collect and levy his Procurations, and that as well in *Ireland* as *England*, (the main design of his Legation.)

Pat. 35 E. 1.  
m. 15. l. i. r. s.  
Pro Sabinenfi  
Episcopo Car-  
dinali, de Pro-  
curationibus  
suis colligendis

R EX Venerabilibus patribus Archiepiscopis, Episcopis, & Officialibus, ac Col-lectoribus Procurationum venerabilis patris P. Sabinenfis Episcopi, sedis Apostolicæ Puncti in *Anglia*, salutem. Sciatis, quod cum dictus Cardinalis pro reformatione et completionem pacis inter Nos et Regem *Francia* ineunda et firmanda, ac communi commode regni nostri nobis nuper in *Angliam* per Dominum Summum Pontificem fuerit destinatus, volumus quod idem Cardinalis omnes et singulas Procurationes suas percipiat et habeat in regno nostro prædicto, juxta formam et effectum litterarum Apostolicarum sibi super perceptione Procurationum hujusmodi directarum, et quod idem Cardinalis vobis omnibus et singulis ut diligentiam et laborem quos poteritis adhibeatis ad dictas Procuraciones integre juxta formam prædictam, lebendas et colligendas, ac sibi celeriter liberandas, quodque nullus vestrum eum impediat in hac parte firmiter injungere valeat et mandare. Vos igitur in præmissis taliter habeatis, quod præfatus Cardinalis præfens mandatum nostrum sibi sentiat profuturum, quodque de vobis non habeat materiam conquerendi. Teste Rege apud Karliolum 4 die Maii.

Ibid. m. 2. intus  
Pro Episcopo  
Sabinenfi Car-  
dinali.

R EX dilectis sibi Collectoribus Procurationum venerabilis patris P. Sabinenfis Episcopi, sedis Apostolicæ Puncti, in *Covenr. & Ly-chfeld*, Dioc. constitutus, salutem. Cum nuper concesserimus præfato Cardinali, quod ipse omnes et singulas Procuraciones suas percipiat et habeat in regno nostro, juxta formam et effectum litterarum Apostolicarum sibi super perceptione Procurationum hujusmodi directarum, prout in litteris nostris patentibus Archiepiscopis, Episcopis, Offic. et vobis ac ceteris dictarum Procurationum in dicto regno nostro Collectoribus inde directis plenius continetur. Volumus et concedimus, quod inspectis litteris nostris prædictis dictas Procuraciones in Dioc. prædicta, juxta vim et effectum litterarum earundem, ad opus dicti Cardinalis colligatis et lebetis, non obstantibus quibuscunque mandatis nostris contrariis, si quæ forsitan vobis dixerimus in hac parte. In cujus, &c. Teste Rege apud Caldecotes 28 die Junii.

Ibid. m. 15.  
In oculo.

R EX Venerabili in Christo patri Th. eadem gratia *Ymelasen*, Episc. Cant. suo, & dilectis & fidelibus suis *Johanni Wogan* Justic. suo *Hibernia*, & *Richardo de Bereford* Thesaur. suo de Scaccario *Dublin*, & omnibus Ballivis & fidelibus suis in *Hibernia* ad quos præsentis litteræ pervenerint, salutem. Cum venerabilis pater Dominus P. Sabinenfis Episcopus, sedis Apostolicæ Punctus, pro reformatione et completionem pacis inter Nos et Regem *Francia* ineunda et firmanda nuper in *Anglia* ad nos missus certos Procuratores suos, ad Procuraciones suas in partibus *Hibernia* sibi debitas, prout in litteris Apostolicis plenius continetur, colligendas et lebendas ad partes illas jam transmittat. Vobis mandamus, quod dictis Procuratoribus consulentes sitis et auxiliantes in præmissis, ipsique saluum et securum condudum, si necesse fuerit, ad pecuniam de dictis Procurationibus prodeventem usque in *Angliam* deferendam, sumptibus suis habere faciatis, cum per ipsos debite fueritis requisiti; ut pecunia illa exinde per viam Cambii ad partes deferri valeat transmarinis. Cumque intellexerimus, quod quædam injuriæ et transgressionem Procuratoribus dicti Cardinalis in illis partibus sint illatæ: Vobis injungimus firmiter & mandamus, quod si quid eis injuratum inveneritis, id eis faciatis sine moræ dispendio debite emendari; Non permittentes, quantum in vobis est, quod aliqua injuria seu molestia Procuratoribus ipsis ab aliquibus inferatur. Teste Rege apud Karliolum 4 die Maii.

Per breve de Privato Sigillo.

Yer

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Yet withall he issued this Writ to prohibit him to exact any Procurations from his Free-Chappels, as he endeavoured.

**R**EX Collectozibus Procuracionum venerabilis patris P. Sabinenfis Episcopi, Sancte Romana Ecclesie Cardinalis, salutem. Cum libera Capella nostra Sancti Martini Magni London. sicut et cetera libera Capella nostra, ab omni Jurisdictione ordinar. necnon et ab omnibus Exactionibus, Contributionibus et Procuracionibus quibuscumque sit exempta, libera penitus et immunita, vos, sicut accepimus a dilectis nobis in Christo Decano et Capitulo Capelle nostre predictae, Procuraciones ad opus predicti Cardinalis erigitis, et ipsos ad Procuracionem eandem solvendam graviter compellititis, in nostri et ipsius libera Capelle nostre prejudicium manifestum: Nos igitur attendentes super hoc nobis et Regis nostre dignitati posse de facili derogari, nisi citius in hac parte apponamus remedium opportunum. Vobis mandamus firmiter inhibentes, ne a predictis Decano et Capitulo hujusmodi Procuraciones, vel alias Exactiones in nostri et dicte Capelle nostre prejudicium aliquantiter erigere presumatis, per quod oporteat nos manum ad hoc apponere graviozem. Teste Rege apud Karliolum 28 die Martii.

Claus. 35 E. 1. m. 11. dorso. De Procuracionibus de liberis Capellis Regis non petendis.

The King likewise to gratifie and endear this Cardinal to him, besides his Procurations, granted him an Annual Pension during his life of 50 Marks a year, out of his Exchequer, by these Patents.

**R**EX omnibus ad quos, &c. salutem. Attendentes grata et laudabilia obsequia per venerabilem patrem P. Episcopum Sabinensem, Sacrosanctae Romanae Ecclesie Cardinalem, nobis et regno nostro ante hac tempora multipliciter et imposuerunt impendenda, eidem Cardinali Quinquaginta Marcas singulis annis ad totam vitam suam, ad Decanatum nostrum in festo Sancti Michaelis nomine pensionis percipiend. duximus concedendas. In cujus, &c. Teste Rege apud Karliolum 27 die Junii.

Pat. 35 E. 1. m. 8. intus. Pro Episcopo Sabinenfi de pensione sibi data.

*Per ipsum Regem nunciante Thesaur.*

**R**EX Thesaur. & Camerariis suis, salutem. Liberate de Thesauro nostro venerabili patri P. Sabinesi Episcopo, Sacrosanctae Romanae Ecclesie Cardinali, Quinquaginta Marcas pro termino Sancti Michaelis proximo futuro, de illis Quinquaginta Marcis quas eidem Cardinali concessimus singulis annis ad totam vitam suam, ad Decanatum nostrum in festo Sancti Michaelis nomine pensionis percipiend. Teste Rege apud Caldecotes 29 die Junii.

Liberate Anno 35 E. 1. m. 2. Pro P. Sabini Episcopo.

*Per ipsum Regem nunciante Thesaur.*

\* *Prætextu* quarum literarum præfati Clerici Domini Papæ non habentes respectum ad Prohibitiones eis inde in dicto Parlamento factas, ad omnia prædicta extorsiones et gravamina facienda reverterunt; et quia dicti Clerici postea occasione Prohibitionum illarum per plures de regno impediti fuerunt, quominus extorsiones suas et gravamina sicut prius facere possent: Et idem Clerici in Concilio Domini Regis apud Westm. ad festum Sanctae Trinitatis proximo sequen. quasdam petitiones super impedimento eis facto porrexerunt et protulerunt coram Consilio ibidem literas suas supradictas. Et quia compertum fuit per easdem, quod Dominus Rex nichil rebocabit de prædicta Ordinatione facta in Parlamento, nec aliquis eisdem Clericis concessit per literas prædictas, nisi quod prius fructus Ecclesiarum vacantium, quantum in Rege fuit colligere possint et habere, et super hoc quod nichil facerent, nec attemptarent, quod cederet in prejudicium Coronæ seu dignitatis Regis, aut aliorum fidelium Regis, et quod singula gravamina prædicta in prejudicium Regis, et aliorum fidelium suorum cedunt, de mandato Domini Regis tunc apud Karliol. existentis: Concordatum fuit in eodem Concilio, quod præfati Clerici nulla de gravaminibus prædictis facerent, nec prius fructus Ecclesiarum de patronatu Regis, pro eo quod in prejudicium Regis Coronæ cederet, nec aliorum haberent. Intelligentibus autem dictis Clericis de concordia hujusmodi petitiones suas ulterius in Consilio prosequi

+ Placita Parl. An. 35 E. 1. See Ryley, p. 384, 385.



An. 35 E. 1. prosequi seu ibidem ad responsum earundem habenda accedere noluerunt. Ideoque ordinata fuit et facta eisdem Prohibitio subius scripta.

**R**EX Magistris W. Testa & Petro Amalmani, salutem. Cum vos quasdam petitiones coram nobis in Consilio nostro exhibueritis ad quas respondere nondum deliberatum existit, et vos ut dicitur, aliqua prosequamini prejudicialia nobis, Coronæ et dignitati nostræ Regiæ, necnon et Poceribus, Spagnatibus, & populo regni nostri huiusmodi deliberatione pendente: Vobis mandamus firmiter inhibentes, ne quicquam quod in nostræ Regiæ dignitatis læsionem, seu Procerum, aut populi dicti regni prejudicium cedere poterit quoquo modo per vos vel per alios aliquammodo attemptetis, seu etiam faciatis attemptari. Teste Rege apud Karliolum 27 die Junii, Anno 35.

*Ista Prohibitio eis liberata fuit per manu Majoris, Aldermannorum, & Vicecom. London.*

*Postea vero antequam de ulteriori remedio, a dicti Clerici contra Prohibitionem illam venire præsumpissent posset prohiberi, Dominus Rex extremum clausit diem, per quod ulterius inde nichil actum erat.*

The Popes Legate having thus obtained the Popes and his own ends, in suspending, or countermanding the Writs and Acts against the Popes Provisions, Firstfruits, and other Exactions promoted by William de Testa, in filling his purse with new excessive Procurations from the Clergy and Religious persons in England and Ireland, and gained an annual Pension during his life, without doing the least good to the King, Kingdom or Christianity, resolving to depart from England procured these Patents of Protection, and honourable reception in all Cities, Places in his return, as he received at his arrival, and progresse to the King at Karlisle, though he continued in England till after the Kings decease and funeral.

Pat. 35 E. 1.  
m. 23. intus.  
De conductu  
pro Cardinali,  
redeunte ad  
partes trans-  
marinas.

**R**EX dilecto & fideli suo Johanni de Banquell, salutem. Cum venerabilis pater Dominus P. Sabinen. Episcopus, Sacrosanctæ Romanæ Ecclesiæ Cardinalis, & amicus noster charissimus, qui a latere Domini Summi Pontificis missus in Franciam ad nos usque Karliolum nuper venit, iam sit ad partes proprias rediturus: Nos corditer affectantes dictum Dominum Cardinalem, tam ob reverentiam dicti Summi Pontificis et sedis Apostolicæ, quam intuitu personæ ejusdem Cardinalis infra regnum et potestatem nostram decenter per nos et nostros fideles singulos honorari; habentesque de vestræ circumspectionis industria fiduciam pleniorum, vos ad dictum Cardinalem sic ad partes transmarinas redeuntem dum infra regnum nostrum fuerit deputavimus conducendum. Et ideo vobis mandamus, quod ipsum Dominum Cardinalem dum infra dictum regnum nostrum ac fuerit quanto decentius et honorabilius poteritis conducatis, non permittentes quod eidem Cardinali aut hominibus suis a quibuscunque fiant injuriæ, molestiæ, dampnum, impedimentum aliquod seu grabamen. Mand. Vic. Majoribus & Ballivis locorum per quæ credimus ipsum versus partes dictas rediturum, quod victualia in Ballivis suis in magna habundantia venditioni exponi, & dicto Cardinali ac hominibus suis cariagium cum inde indigerint habere faciant, prout vos dictis Vic. Majoribus & Ballivis ex parte nostra plenius injungetis; Et præmissa omnia & singula ita circumspectè & providè faciatis, quod diligentiam vestram possimus merito commendare. In cujus, &c. Teste Rege apud Karliolum 16 die Martii.

Pat. 35 E. 1.  
m. 5. intus.  
Pro Episcopo  
Sabinen. Car-  
dinali.

**R**EX Vic. Kanc. salutem. Præcipimus tibi, quod cum venerabilis pater Sabinen. Episcopus, Sanctæ Romanæ Ecclesiæ Cardinalis, partibus Cantuar. appropinquaverit, ad transfretand. occurras ei & comiteris eum usque Dover. et de exitibus Ballivæ tuæ ipsius passagium acquiesces, et nos tibi inde in compote tuo ad Deccarium nostrum debitam allocationem habere faciemus. Et hoc nullo modo omittas. Teste Rege apud Karl. 3 die Julii.

*Per ipsum Regem.*

Anno

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*Anno eodem*, the King to gratifie and reward this Cardinal Legate at his seeming departure hence, issued these Writs to his Chancellor to confer the first Church or Prebendary in his gift of the value of 300 Marks a year or upwards upon him, or several Livings or Prebendaries amounting to that value, if none of so great a value became void, and to present or collate him thereunto, as this Writ and *Memorandum* assures us.

**E**dward par la grace de Dieu Roy d'Angleterre, Seigneur d'Irlande, & Duc de Bretagne, al honorable pere en Dieu R. par la meisme grace Eveque de Londres nostre Chancelier, salut. Pour ce que nous avons grantez al honorable pere en Dieu Thomas par la meisme grace du Title de Sainte Sabine Prestre Cardinal, que nous li purverons de la premiere Eglise ou probende que se voldra de nostre donelson, et que soit purement de lay patronage, jusques a la value de trois centz marcs, ou la entour, nous mandons que vous facez diligemment espier quant nule tiele Eglise ou probende se voldra de nostre donelson, et au plus tost que vous purrez savor nule tiele Eglise ou probende vacant de la dite value de nostre donelson, et de lay patronage sicome est abandoné, facez ent faire lettres de presentement, ou de collation souz nostre grant seal en due forme au dit Cardinal, si que nous peussions estre quites vers li de nostre grant abandoné. Et si ablegne per abienture que cest grant ne peult estre accompli en une Eglise ou probende, nous volons qil soit accompli en deux, ou trois Eglises ou probendes de lay patronage que abaignent a la value susdite, issint que cest nostre grant ne soit delaez per nul autre mandement. Et meismes les lettres de presentement ou de collation facez liberer a li ou a son procureur en cele perille. Don souz nostre prive seal a Cardeiff le 26 jour d'Avrill, l'an de nostre regne 35.

Ex bundela  
Brevium &  
Literarum An.  
35 E. 1. in  
Turri Lond.

**M**emorandum quod Dominus Rex per breve de privato sigillo suo de data apud Karlesum 26 die Aprilis, anno regni sui tricesimo quinto, mandavit venerabili patri R. London. Episcopo Cancellario suo, quod ipse diligenter faceret explorari quando aliqua Ecclesia seu Præbenda de donatione Regis, quæ esset pure de laico patronatu Regis valoris trescentarum marcarum vel circiter vacaret. Et quam cito idem Cancellarius scire poterit aliquam talem Ecclesiam vel Præbendam vacare, faciat inde literas de præsentatione seu collatione sub magno sigillo Regis in forma debita, pro venerabili patre Thoma Titulo Sanctæ Sabine Presbytero Cardinali: Et si contingat quod dicta concessio Regis compleri non possit in una Ecclesia, vel in una Præbenda, Rex vult, quod compleatur in duabus vel tribus Ecclesiis seu Præbendis de laico patronatu Regis, ut dictum est, quæ attingant ad valorem supradictum. Ita quod prædicta concessio Regis non differatur per aliquod aliud mandatum Regis.

Claus. 35 E. 1.  
m. 8. dorso.  
De magno si-  
gillo liberato  
R. London.  
Episcopo.

Moreover the King at this Legates request, respited the Oath of Fealty due to him from the Archbishop of Rhean by reason of his Temporalities in England, and commanded the Temporalities to be restored to his Proctor before he had taken his Oath of Fealty to the King, notwithstanding a Debt charged on them by the Kings Writ to a third person, which the King engaged to pay, as these Records inform us.

**R**EX dilecto & fideli suo Waltero de Gloucestria Escaetori suo ultra Trentam, salutem. Quia ad instantiam venerabilis patris P. Sabiniensis Episcopi, Sacrosanctæ Romanæ Ecclesiæ Cardinalis, deusmus respectum venerabili patri B. Archiepiscopo Rothomagensi, usque ad festum Pentecostes prox. futur. & ab eodem festo usque in unum annum proximo sequentem completum, de fidelitate sua quam nobis facere tenetur, de terris et tenementis quæ de nobis tenet infra regnum nostrum, et quæ per mortem prædecessoris sui capta sunt in manum nostram: Vobis mandamus, quod omnes terras & tenementa in Balliva vestra, quæ occasione mortis prædecessoris prædicti Archiepiscopi cepistis in manum nostram, Galfrido Columbel Clerico & Attornato ipsius Archiepiscopi sine dilatione liberetis, nomine ejusdem Archiepiscopi custodiend. Ita quod idem Archiepiscopus in fine dicti

Claus. 35 E. 1.  
m. 7. Pro  
B. Archiepisc.  
Rothomag.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations*, B.5. ch.5

An. 35 E. 1. dicti anni ad nos accedat, fidelitatem suam nobis facturum pro terris & tenementis supradictis. Teste Rege apud Karliolum primo die Aprilis.

Per ipsum Regem.

Eodem modo mandatum est Richardo Oysel Escaetori circa Trentam. Teste Rege ut supra.

Pat. 35 E. 1.  
m. 3. inus.  
Pro Archiepif.  
Rothomag.

**R**EX dilecto sibi Magistro Johanni Feroun, salutem. Cum nuper ad instantiam venerabilis patris P. Sabinenfis Episcopi, Sacrosanctæ Romanæ Ecclesiæ Cardinalis, dederimus respectum venerabili patri B. Archiepiscopo Rothomagen. usque ad festum Pentecostes proximo futurum, & ab eodem festo usque in unum annum proximo sequentem completum, de fidelitate sua quam nobis facere tenetur, de terris et tenementis quæ de nobis tenet infra regnum nostrum, et quæ per mortem prædecessoris sui capta sunt in manum nostram: Et mandaverimus dilecto & fideli nostro Richardo Oysel Escaetori nostro circa Trentam, quod omnes terras & tenementa in Balliva sua, quæ occasione mortis prædecessoris prædicti Archiepiscopi cepit in manum nostram, Galfrido Columbelle Clerico & Attornato ipsius Archiepiscopi sine dilatione liberaret, nomine ejusdem Archiepiscopi custodiend. Ita quod idem Archiepiscopus in fine dicti anni ad nos accederet, fidelitatem suam nobis facturum pro terris et tenementis supradictis. Ac idem Escaetor nobis significaverit, quod dictum mandatum nostrum juxta tenorem ejusdem exequi non valebat, pro eo quod terras & tenementas prædictas diu est vobis prætextu cujusdam brevis sub sigillo Scaccarii nostri sibi super hoc directi liberavit, tenend. quamdiu nobis placeret, reddendo inde nobis per annum quinquaginta marcas, prout in transcripto brevis prædicti quod dictus Escaetor noster sub sigillo suo nobis misit plenius continetur. Vobis mandamus, quod terras & tenementas prædictas vobis ex parte nostra sic commissas, præfato Galfrido sine dilatione liberis custodiend. in forma supradicta. Volumus enim vos de prædictis quinquaginta maris, ex nunc ad dictum Scaccarium nostrum prout justum fuerit exonerari. Teste Rege apud Karliolum 16 die Aprilis.

In a Bundle of Writs of Privy Seal in the White Tower, I found this Writ of the King to his Chancellor, to translate a French Letter therein mentioned into Latin; and send it to the Pope under the Great Seal, to thank him for his vigilancy to send this Legate to him into England, though his deportment here demerited no such thanks from the Church, Clergy or Kingdom.

In Buncle  
Brevium de  
Privato sigillo  
An. 35 E. 1.  
in Turri London.

**E**dward par la grace de Dieu Roy d'Angleterre, Seigneur d'Irlande, & Duc d'Aquitaine, a nostre chier Clerk William de Hamilton nostre Chauncellier, salut. Nous vous enveons deuz ces lettres une note escrete en Franceis dunes lettres, que nous volons enveier a nostre chier pere le Pape, & vous mandons que meisme la note facez translater en Latyn, en bone & covenable forme, & sealer de nostre grant seal, & liverer as porteurs de ces lettres par les porter avant a nostre pere avantdit. Don souz nostre prive seal a Laurecest le 3 jour de Janvier, l'an de nostre regne 35.

Ibidem.  
\* See herep.  
1158.

**A**u Pape, par le Roy. Tresseint pere, nous avons bien entenduz per voz lettres, les queles vous nous enveastes per les porteurs de cestes, comment vous avez enveez vers nous, Sire Pierres Lespaignol Cardenal, & Monsieur Amaneu Seigneur de Le Bret, pur aucunes besoignes touchantz le commun profit de la Chrestiente, et l'estat de nostre Roiaume, & faisons savoir a vestre Seintete que grant temps avant que voz dites lettres nous vindrent, aniens nous enbee a vous noz lettres pur meismes les besoignes, les queux lettres nous entendons que vous soient despiecea venues, et mercions chierement a vestre Seintete de ce que vous nous enbeez tieux messages, qui nous ont este et sont si especiaux, et meesment da dit Cardenal, le quel nous entendons qui doit especialment amer Edward nostre chier filz, qui est du sanc Despaigne, de quel pais meisme le Cardenal est. Par quoi tresseint pere nous sumes molt leez de la venue de voz distz messages.

He

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He likewise commanded his Chancellor to write and send other Letters to the Pope in his name, on the behalf of *Duncan de Fyf*, for to dispense with a marriage within the degrees of consanguinity. *An. 35 E. 1.*

**E**Dward par la grace de Dieu Roy *Dingleterre*, Seigneur *Dirlande*, & Ducs *In eadem*  
*Daquitaine*, a nostre chier Clerk *William de Hamelton* nostre Chancelier, *Bundela.*  
saluz. Nous vous mandons que vous facez faire lettres souz nostre grant seal de  
priere, en bone & espediale forme al nostre treschier pere le Pape, que por le  
bien de pees & por l'amour de nous il pleise a la Seintete dispensers matre-  
mogne se puisse faire entre \* *Duncan de Fyf* & *Marie de Monthermer*, nient \* See here p.  
contrestant qil se appartienont en degre de parente ou diffinite desenduz quant 1157.  
a contrat de matremogne. Et facez faire autres lettres de priere a Sire *Pierres*  
*de Colmynne* Cardenal, quil vueille avancer cele buoigne devers nostre dit pere  
le Pape en la meilleure manere que il porra por l'amour de nous. Et meismes les  
lettres ensi faites facez liverer au portour de cestes lettres, & les porter avant  
selonc ce que li est enioign. Dat souz nostre prive seal a *Laurecost* le 12 jour  
d'*Otober*, l'an de nostre regne 35.

The King also sent this Letter to the Pope, for his Dispensation for another Fa-  
vorite of his to marry one within the prohibited degrees of consanguinity, made a  
matter only to gain money to the Pope, not of conscience in that age.

**P**apæ Rex, devota pedum oscula beatorum. Attendentes obsequia utilia & *Claus. 35 E. 1.*  
accepta quæ dilectus & fidelis noster *Poncius* Dominus de *Castellione* nobis *m. 9. dorso.*  
laudabiliter hactenus impendit, status ipsius & suorum commodum & honorem *Pro Poncio*  
non indignè inducimur procurare, sperantesque quod solita vestra benignitas illos *Dominio de*  
amplioris favoris gratia prosequatur quorum obsequiosa promptitudo penes nos *Castellione.*  
exuberat, & quibus morum honestas & generis nobilitas suffragantur. Ideoque  
cum super matrimonio inter *Poncium* filium dicti *Pontii*, & *Johannam de Peregris*  
contrahendo, jam ut intelleximus habitus sit tractatus, iidem *Poncius* filius *Pontii*  
& *Johanna*, pro eo quod in gradu consanguinitatis prohibito se attingunt, absque  
sedis Apostolicæ gratia nequeunt matrimonialiter copulari, Sanctitati vestræ de-  
votis precibus supplicamus, quatinus ut præfatus *Poncius* dictam *Johannam* ducere  
valeat in uxorem, prout vestra decreverit paternitas reverenda, nostrorum inter-  
ventu rogamus dispensare dignemini gratiose. Dat. apud *Karlsburg* 26 die  
*Aprilis*.

*Per breve de privato sigillo.*

The King this year commanded his Chancellor to write a Letter to the Pope  
and some Cardinals, in the best form he could, for the canonization of *Robert*  
*Groshead* Bishop of *Lincoln*, in pursuance of that he writ to the Pope the † year † See here p.  
before for that purpose. 1134, 1135.

**E**Dward par la grace de Dieu Roy *Dingleterre*, &c. al honorable pere en Dieu *In Bundela*  
*R.* par la meisme grace Evêque de *Londres* nostre Chancelier, saluz: Come *Brevium de*  
le honorable pere en Dieu Levesque de *Nicole* & le Chapitre de Leglise de meisme *privato sigillo*  
le lieu, soient enrichtaceant devers nostre pere le Pape le canonizement de *An. 35 E. 1.*  
Seint *Robert Grosseteste* jadis Evêque de *Nicole*. Nous eantz la buoigne de dit *in Turri Lon-*  
canonizement molt a cuer, et desirantz que ele se face al honur de Dieu et de *don.*  
Seinte Eglise, et du dit corps seint ausint, nous mandons que vous facez faire *Roberti*  
lettres de nostre grant seal en bone forme, et espediale a nostre dit pere le Pape, *Grossetest*  
enpriant a grant debocion come il affiert pur tien corps seint, pur qui Dieu ad *Canonizatio.*  
monstre grantz miracles, quil vueille le canonizement du dit corps seint grantier  
et faire. Et facez ausint faire autres lettres de nostre dit seal en bone forme &  
espediale deper nous a Sire *Reymon del Gout* nebeuz nostre dit pere le Pape, a Sire  
*Pierres Lespaynel*, & a Sire *Thomas de Forz* Cardenaux de la Seinte Eglise de *Rome*,  
enpriant que a la buoigne du dit canonizement, abancer et exploiter ils mettent  
tote l'aide et le bon conseil quil porront, pur l'onur de Dieu, de Seinte Eglise,  
et de dit corps seint, et ausint pur amour de nous; les queles lettres facez faire,



*An. 35 E. 1.* & deliverer a celi qi la busoigne suyra devers vous, au plus tost que vous porrez en bone manere. Don souz nostre prive seal a Cardoill le 6 jour de May, l'an de nostre regne 35.

*Anno 35 E. 1.* I found no fewer then 15. *Prohibitions* among the Bundles of Writs of that year in the *White Tower*, brought at the Suits of the King, or persons injured, for holding and prosecuting Pleas in Court Christian, for Chattels and Debts, not belonging to them, against the Kings *Prohibitions*, to the hurt of his Crown and Royal Dignity: A breviate whereof I shall only present you with.

Bündel Bre-  
vium in Turri  
London. An.  
35 E. 1.

**E**dwardus Dei gratia Rex Angliz, &c. *Vic. Ebor. &c. Si Petrus Fraunkeleyn & Agn. uxor ejus, &c. pone, &c. Magistr. Gudricum de Eborum, Magistr. Franciscum de Taytan, & Nicholaum de Clerc, quare tenuerunt placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento del Patrimonia, contra Prohibitionem nostram: Pone etiam, &c. Henr. de Derby Capellanum, & Gregorium le Chapelayn de Akum, quare secuti sunt idem placitum in eadem Curia, contra Prohibitionem nostram, &c. Teste meipso apud Lauretoft 4 die Januarii, Anno regni nostri 35. Vic. Lanc. Si Simon de Tayllur, &c. pone Magistr. Henricum de Stowe, &c. quare tenuit (con simile) placitum, &c. Pone etiam Robertum Marmyoun Personam Ecclesia de Wyntringham, quare secutus est idem placitum, &c. Teste meipso apud Karliolum 28 die Maii, An. r. n. 35. Vic. Devon. Si Philippus Lovecock de Tyverton, &c. Pone, &c. Nicholaum Mayon, quare secutus est (con simile) placitum. Teste meipso apud Lauretoft 22 die Novembr. An. r. n. 35. Vic. Cornub. Si Willielmus de Roscadan, &c. Pone Magistr. Robertum de Powerinam, quare tenuit (con simile) placitum, &c. Pone etiam, &c. David Vicarium Ecclesia de Menstre, quare secutus est idem placitum, &c. Teste meipso apud Lauretoft 22 die Novembr. An. r. n. 35. Vic. Berks, &c. Si Matill. Bygod, &c. Pone, &c. Jacobum de Bokyngham, quare tenuit (con simile) placitum, &c. Pone etiam, &c. Willielmum Bygod, &c. quare secutus est idem placitum, &c. Teste ut supra 22 die Novembr. with an alias, Teste ibidem 26 die Novembr. Vic. Somerset. &c. Si Richardus de Sancta Barba, &c. pone, &c. Abbatem Glaston. &c. quare tenuit (con simile) placitum, &c. Pone etiam, &c. Muriellam Pastrel, &c. quare secuta est idem placitum, &c. Teste ut supra 25 die Novembr. Vic. Berks, &c. Si Reginaldus de Bradeburn, Swaynus de Mettley, Johannes le Whelere, Andreas le Whelere, & Johannes le Horspath, &c. pone, &c. Magistr. Radulphum de la Mere, & Petrum Rokekyn de Walyngford, &c. ostensuri, quare secuti sunt (con simile) placitum, &c. Teste ut supra 26 die Novembr. Vic. Devon. &c. Si Nicholaus de Kirkham, Willielmus de Ferrariis, Richardus Lamberton, Gu do le Bret, & Richardus le Tayllur, &c. pone, &c. Magistr. Johannem de Brenton, &c. quare tenuit (con simile) placitum, &c. Pone etiam, &c. Walterum de Ferrariis Personam Ecclesia de Byor, &c. quare secutus est idem placitum, &c. Teste meipso (qua supra) 20 die Decembr. Vic. Devon. &c. Si Johannes de Alre, & Petrus Wych, &c. pone, &c. Magistr. Willielmum de Kilkenny, &c. quare tenuit (con simile) placitum, &c. Pone etiam, &c. Margeriam filiam Eustachii le Barum, &c. quare secuta est idem placitum, &c. Teste ut supra 20 die Decembr. Vic. Leycestr. &c. Si Walterus le Palmer de Melton, &c. pone, &c. Magistr. Thomam de Nassington, &c. quare tenuit placitum in Curia Christianitatis de catallis et debitis, &c. contra Prohibitionem nostram. Pone etiam Gilbertum Chery, &c. quare secutus est idem placitum in eadem Curia, contra Prohibitionem nostram, &c. Teste meipso apud Lauretoft 22 die Decembr. Anno regni nostri tricesimo quinto.*

In eadem  
Bündela.

**E**dwardus Dei gratia Rex Angliz, &c. *Vic. Ebor. &c. Pone, &c. Rogerum de Lesterton, ostensor. quare cum placita de catallis et debitis in regno nostro quæ non sunt de Testamento del Patrimonia, ad Coronam et dignitatem nostram specialiter pertineant, idem Rogerus, &c. secutus est placitum in Curia Christianitatis de catallis et debitis Abbatis de Beland, quæ non sunt de Testamento del Patrimonia, in lationem Coronæ et dignitatis nostræ, et contra Prohibitionem nostram. Teste meipso apud Karl. 17 die Marci, An. r. n. 35. Rex, &c. Venerabili*

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*Venerabili in Christo patri W. Archiepiscopo Ebor. &c. quod venire faciat, &c. An. 35 F. 1.*  
 Johannem le Franceys Clericum vestrum, ad respondend. tam Rebus quam Abbati  
 de Salleye, &c. quare cum placita, &c. (ut supra) tenuit placitum in Curia  
 Christianitatis de catallis et debitis Abbatis de Salleye, quæ non sunt de Testa-  
 mento, &c. Teste R. de Hengham apud Westm. 12 die Maii, An. r. n. 35. Vic.  
 Ebor. &c. Pont. &c. Walterum fil. Roberti Tore de Mapelton, &c. quare cum  
 placita, &c. (ut supra) secutus est placitum in Curia Christianitatis de catallis  
 et debitis Prioris de Bridlington, quæ non sunt, &c. Teste meipso apud Karliol.  
 8 die Junii, An. r. n. 35. Vic. Suff. &c. Pont. &c. Willielmum Oleteyn de Lay-  
 field, & Johannem Fysks, &c. quare cum, &c. (ut supra) secuti sunt placitum  
 in Curia Christianitatis de catallis et debitis Philip. de Thorpe Persona mediatus  
 Ecclesia de Frefyngfeld, quæ non sunt de Testamento vel Patrimonio, in lra-  
 nem Cozonæ et dignitatis nostræ, et contra Prohibitionem nostram, &c. Teste  
 meipso apud Lauretoit 8 die Decembr. Anno regni nostri tricesimo quinto.

To these I shall subjoin this memorable Writ the same year.

**R**EX Vic. Ebor. salutem. Dissimulare non possumus sciti nec debemus,  
 quin impugnatores juris nostri Regii, ad cuius conservationem vinculo  
 juramenti astricti sumus faciamus prout convenit castigare. Cum igitur dilectus  
 Clericus noster *Walterus de Bedewynd* possessionem Thesaurariæ in Ecclesia beati  
*Petri Ebor.* virtute collationis nostræ sibi inde pleno jure nostro factæ, et per con-  
 siderationem nostræ Curie sit adeptus, nosque pro eo quod intelleximus jam de  
 novo, quod quidem iura dictæ Cozonæ nostræ, necnon et subiecta in Curia nostra  
 redditu enervare præsumentes, Commissiones per quas item Clericus noster  
 super possessione sua Thesaurariæ prædictæ posset de facili turbari, Iudicibus  
 Ecclesiasticis fieri præcarunt, inhibuerimus per litteras nostras patentes omni-  
 bus et singulis personis Ecclesiasticis in quacunque dignitate vel officio consti-  
 tutis, ne prætextu alicujus Commissionis eis vel eorum alicui per quemcunque  
 factæ vel faciendæ super Thesauraria prædicta, seu aliquibus ad ea non pertinenti-  
 bus, quicquam nobis inconsultis facere præsumant, per quod dictus Clericus  
 noster super possessione sua Thesaurariæ prædictæ, seu aliquorum ad eandem  
 spectantium indebite perturbari, aut juri Cozonæ nostræ in aliquo valeat déro-  
 gari: Tibi præcipimus, quod si quem in Ballivatu tuo inveneris, qui post inhi-  
 bitionem huiusmodi ex parte nostra sibi factam, virtute alicujus Commissionis  
 per quemcunque tibi factæ vel faciendæ quicquam nobis inconlultis attempta-  
 verit, per quod dictus Clericus noster super possessione sua prædicta indebite tur-  
 bari, aut juri Cozonæ nostræ prædictæ in aliquo valeat derogari, tunc ipsum  
 arestes et in prisona nostra salbo custodias quousque aliud a nobis inde habueris  
 in mandatis. Et hoc nullo modo omittas. Teste Rege apud Karliolum 10 die  
 Martii.

Clauſ. 35 E. 1.  
 m. 10 docto.  
 Pro Rege &  
 Waltero de  
 Bedewind  
 Clerico.

*Per breve de privato sigillo.*

Thus as the Pope, his Legates, Nuncios, Agents usurped upon the Rights and  
 Prerogatives of the Crown, and Subjects Liberties on the one hand, so on the other  
 hand our Archbishops, Bishops, Archdeacons, Officials, and Ecclesiastical Courts,  
 from the first to the very last year of this Kings reign, perpetually encroached,  
 usurped upon the Temporal Jurisdiction, Crown, Dignity, Courts, and his Sub-  
 jects Liberties, notwithstanding all Regal Prohibitions, Attachments, Informati-  
 ons, and Suits against them, in highest contempt of his Sovereign Authority, Juris-  
 diction, Parliaments, Council, Courts, Judges, by holding Pleas of Chattels, Debts,  
 Trespasses, Advowsons of Churches, Chappels, Lay-fee, and other causes peculiar  
 to his Crown and Dignity; frequently Excommunicating his Officers and Subjects  
 who brought Prohibitions to restrain their Usurpations, and Imprisoning them  
 upon *Capias Excommunicatum*, on purpose to vex, discourage, or disable them  
 to prosecute their just Actions against them, for these their d'sloyal Usurpations  
 on the Kings Crown and Royalties, against their Oathes and Allegiance to this  
 their Sovereign Lord. Such incorrigible Pests, grievances and Nuisances were  
 they both to the King and Subjects in that age, and in most preceding and suc-



*An. 35 E. 1.* ceeding generations, as these and the premised Records abundantly evidence, beyond contradiction.

With what armed Lay-force and violence some Clergymen then kept possession of Prebendaries and Houses thereunto belonging, against the Kings Clerks, in affront of his Royal Authority and Title, and how the King proceeded against them thereupon, this Writ and the Return thereof will inform us.

Ex Bundela  
Brevium An.  
35 E. 1. in  
Turri Lond.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania; Vic. Huntingd. salutem. Cum nuper dederimus & concesserimus dilecto Clerico nostro Magistro Johanni de Cadamo Præbendam de Leghton Maner. in Ecclesia beatæ Mariæ Lincoln. vacantem, & ad nostram donationem spectantem, ratione Episcopatus Lincoln. nuper vacantis, & in manu nostra tunc existentis: Habendum cum suis juribus & pertinentiis quibuscunque: & venerabili patri Johanni Episcopo ejusdem loci mandaverimus, quod præfatum Clericum nostrum ad dictam Præbendam admitteret, stallumque in Choro & locum in Capitulo ratione dictæ Præbendæ assignaret eidem. Ac idem Episcopus, Decanusque & Capitulum ejusdem Ecclesiæ ipsum Clericum nostrum ad Præbendam illam admiserint, & stallum in Choro locumque in Capitulo sibi assignaverint, prout ad ipsos ex officii sui debito pertinebat, Magister Philippus de Barton, Radulphus fil. Clementis de Leghton, Willielmus de Reygate, & Richardus le Messager, aggregata sibi ingenti multitudine malefactorum, et pacis nostræ perturbatorum, mansum Præbendæ prædictæ apud Leghton Maner. vi et armis ingressi, et effectum donationis et concessionis nostrarum prædictarum enervare pro viribus machinantes, mansum illud cum pertin. præfato Johanni deforciaverunt et detinent occupatum, et ipsum Johannem quo minus possessionem ejusdem mansi cum pertin. juxta donationem et concessionem nostras prædictas, et vim admissionis prædictæ nancisci possit ut deberet impedunt minus iuste, in nostri contemptum, et juris nostri Regii derogationem manifestam, et dicti Johannis dampnum non modicum, ac contra pacem nostram. Et quia huiusmodi contemptum et injuriam sustinere volumus nec debemus, præsertim cum ad defensionem et tuitionem iurium nostrorum regiorum, ne per aliquorum usurpationes deperiant vel aliquantulum subtrahantur, juramenti vinculo astringamur: Tibi præcipimus, quod per sacramentum proborum & legalium hominum de Balliva tua per quos rei veritas melius sciri poterit, diligenter inquiras de nominibus malefactorum prædictorum, qui una cum prædictis Philippo, Radulpho, Willielmo & Richardo, prædicta contemptum, injuriam, resistantiam & impedimentum fecerunt & faciunt, et præfatos Philippum, Radulphum, Willielmum & Richardum, ac omnes alios quos inde per Inquisitionem illam culpabiles inveniri contigerit attachies, ita quod eos habeas coram nobis à die Sancti Johannis Baptiste in 15. dies ubicunque tunc fuerimus in Anglia, ad respondendum nobis de præmissis, & ad faciendum & recipiendum quod Curia nostra consideraverit in hac parte. Et habeas ibi nomina malefactorum illorum & hoc breve. Teste meipso apud Karliolum 10 die Junii, anno regni nostri 35.

*Dorso.* Inveni per Inquis. quam per tenorem hujus brevis fieri feci, quod Radulphus fil. Clementis de Leghton, Willielmus de Reygate, Richardus le Messager, & Johannes le Provoist, per præceptum Magistri Philippi de Barton deforciaverunt & detinuerunt Magistro Johanni de Cadamo mansum de Leghton Maner. occupatum, quo minus idem Magister Johannes possessionem ejusdem mansi nancisci potuit, ut deberet; Et attachavi Radulphum fil. Clementis, Richardum le Messager, & Johannem le Provoist, quorum corpora vobis mitto per portitorem hujus præsentis. Cæteri non fuerunt inventi in Balliva mea.

There being a cause long pending in Parliament, concerning the Advowson of the Church of *Brugford*, the King willing to put a speedy period thereunto in the Parliament at *Karlisle*, issued this Writ to *Bonifacius de Salariis* to repair to that Parliament with all his Evidences, thereto defend the Kings and his own right thereunto.

REX

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

**R**EX dilecto sibi *Bonifacio de Salaris*, salutem. Quia quoddam negotium per venerabilem patrem *W. Archiepiscopum Ebor.* per petitionem presentibus interclusum, in Parlamento nostro apud *Karlolam*, & petitiones consimiles in aliis Parliamentis nostris per predecessores suos, necnon & negotium dilecti & fidelis nostri *Rogeri le Brabancon*, super iura patronatus Ecclesie de *Briggford* coram nobis et Consilio nostro proposita multo tempore agitata dilationem ceperunt diuturnam. Nos ne negotia illa diutius ob pericula quae ex huiusmodi dilatione imminere manifestè noscuntur pendant ulterius indecisa, volentes ut nunc saltem sine debito terminentur, ad quod presentia vestra requiritur specialiter in hac parte: Vobis mandamus, quod in crastino Sancti *Gregorii* Papae coram nobis et Consilio nostro sitis per vos vel alium sufficienter instructum apud *Karlolam*, ostentari, si quis pro iure nostro, ac etiam statu vestro, quo ad contenta in petitionibus praedictorum Archiepiscopi & *Rogeri* habeatis quare ad finalem expeditionem praedictorum negotiorum minimè fuerit procedendum; deferentes seu mittentes evidencias universas quas inveneritis vel habueritis in praemissis. Et habeas ibi tunc hoc breve. Teste Rege apud *Laurescot* 8 die Februarii.

An. 35 E. 1.  
Clau. 35 E. 1.  
m. 6. dorso.  
De veniendo  
coram Rege  
pro advoca-  
tione de  
Briggford.

There being a controversie between the Archbishop of *York*, the Archdeacon of *Nottingham*, and *Bonifacius de Salaris*, concerning their Ecclesiastical Jurisdiction over his and their Churches, the King by his Prerogative referred the examination thereof to two of his Justices by a Jury, and not to any Spiritual Court or Persons, by this Patent.

**R**EX dilectis & fidelibus suis *Edmundo de Eyncourt*, *Willielmo de Bereford*, & *Ada de Middleton*, salutem. Suam nobis venerabilis pater *W. Ebor.* Archiepiscopus petitione coram nobis et Consilio nostro exhibita supplicabit, ut cum ipse in Ecclesiis de *Ludham*, *Estmarkham*, *Westmarkham*, *Whetley*, *Harworth*, *Estbriggford* & *Walesby*, suae Dioc. tanquam Parochialibus et curatis institutiones et destitutiones habere, et alias Jurisdictionem ordinariam exercere debeat in eisdem, ejusque predecessores Archiepiscopi *Ebor.* suis temporibus, necnon Decani et Capitulum ejusdem loci temporibus vacationum sedis Archiepiscopatus illius usque ad tempus quo Capellam de *Tikehill* *Bonifacio de Salaris* huiusmodi institutiones et destitutiones in Ecclesiis praedictis habere et omni modum Jurisdictionem exercere consueverint, ac Rectores et Vicarii Ecclesiarum praedictarum ad Ecclesias illas et Vicarias per predecessores suos praedictos dicta sede existente plena, et per dictos Decanos et Capitulum vacante sede illa semper hactenus usque ad tempus collationis nostrae praedictae admitti fuerint, & in possessionem earundem per Archidiaconos *Notingh.* & non per alium de mandato Archiepiscoporum praedictorum inducti. Ac etiam iidem Archid. institutiones et alias Jurisdictiones Archidiaconales usque ad tempus collationis praedictae exercuerint in Ecclesiis et Vicariis praedictis. A quo quidem tempore idem Archiepiscopus & quidam de predecessoribus suis praedictis, necnon Archid. *Notingh.* super huiusmodi institutionibus & destitutionibus, ac aliis Jurisdictionibus ordinariis ibidem exercendis fuerant, & adhuc sint per praefatum *Bonifacium* pretextu collationis nostrae praedictae indebitè impediti; velimus ei inde facere debitum & festinum iustitiae complementum. Nos igitur super praemissis volentes plenius certiorari, et praefato Archiepiscopo quod iustum fuerit fieri in hac parte, assignavimus vos tres, & duos vestrum quos praesentes esse contigerit, ad inquirendum per sacramentum proborum et legalium hominum de *Com. Not.* per quos res veritas melius sciri poterit, in praesentia praefati *Bonifacii* si interesse voluerit, quam per Vic. nostrum *Com.* praedicti super hoc mandavimus praeiudicari, utrum aliqui Archiepiscopi *Ebor.* suis temporibus, seu dicti Decani et Capitulum temporibus vacationum sedis praedictae in praedictis Ecclesiis et Vicariis tanquam locorum illorum ordinariis institutiones vel destitutiones aliquas habuerint, seu ipsi aut Archidiaconi praedicti aliquam Jurisdictionem ordinariam exercere consueverint in eisdem, sicut praedictum est, necne? et si sic, tunc qui Archiepiscopi, et qui Archidiaconi, et quo tempore, et cuiusmodi Jurisdictionem exercuerint? et qualiter, et quo modo, et si quis vel qui eorum fuerit vel fuerint impeditus vel impediti?

Pac. 35 E. 1.  
m. 5. dorso.  
Pro W. Archiepiscopo  
Ebor.

tunc



*An. 35 E. 1.* tunc quis vel qui, et per quem vel per quos, et ex qua causa, et a quo tempore, et per quos Rectores et Vicarii Ecclesiarum predictarum ante dictam collationem prefato Bonifacio per nos factam, ingressum in eisdem Ecclesiis et Vicariis habuerunt, et qualiter? et quo modo? Et ideo vobis mandamus, quod ad certos diem & locum quos vos tres, vel duo vestrum ad hoc provideritis super premissis omnibus & eorum circumstantiis diligentem faciatis inquisitionem, & eam distincte & aperte factam nobis sub sigillis vestris & sigillis eorum, per quos facta fuerit mittas, & hoc breve. Ita quod ea habeamus coram nobis a die Sancti Michaelis in 15. dies ubicunque tunc fuerimus in Anglia. Mandavimus enim prefato Vic. quod ad certos diem & locum quos vos tres vel duo vestrum ei scire facietis venire faciat coram vobis tribus vel duobus vestrum tot & tales probos & legales homines de Balliva sua, per quos rei veritas in premissis melius sciri poterit & inquiri. In cujus, &c. Telle Rege apud Caldecotes 28 die Junii.

The Abbot of *Bilegh* prosecuting a suit for Tithes of a Parish Church appropriated to the Abby, by virtue of the Popes Letter, against the Prior of *Pritwell*, who obtained a Prohibition to the Popes Delegates upon a false suggestion, that the Tithes sued for exceeded the fourth part of the Advowson, which was certified to be untrue by the Bishop of *London*, in whose Diocese the Church was; the King thereupon issued this Writ, authorizing them to proceed in this Suit, notwithstanding the former Prohibition to them.

Claus. 35 E. 1.  
m. 6. dorso.  
Pro Abbate de  
*Bilegh*.

**R**EX Abbati de *Walsham*, & Prioribus Sancti *Trinitatis*, & Sancti *Bartholomaei* *London*, & eorum Commissariis, salutem. Cum nuper ad prosecutionem Abbatis de *Bilegh* personae Ecclesiae de *Magna Wakering London*. Dioc. nobis suggerentis, se virtute quarundam litterarum Apostolicarum, implacitasse Priorem de *Pritwell* coram vobis in Curia Christianitatis de quibusdam decimis infra limites Parochialis Ecclesiae suae praedictae per prefatum Priorem asportatis, et eidem Abbati iniuste detentis; vosque praeterea cuiusdam Prohibitionis nostrae ad suggestionem praedicti Prioris falso asserentis, se tenere quartam partem Ecclesiae praedictae de advocacione sua praedicta, cum Ecclesia illa non sit, nec aliquo tempore fuit in plures aut diversas partes seu personatus diversos debita, in Curia nostra impetrata et vobis poceat in placito praedicto procedere jamdudum super sedisse, in ipsius Abbatis dispendium non modicum et gravamen. Mandavimus venerabili patri R. Episcopo *London*, quod nos super premissis, utrum videlicet Ecclesia praedicta sit & hucusque fuerit integre unius Rectoris vel Personae, seu in plures Rectorias aut Personatus divisa necne, distincte & aperte redderet certiores. Et idem Episcopus ad mandatum nostrum jam per litteras suas nos certificaverit, memoratam Ecclesiam fuisse & esse unius Rectoris, & non in plures Rectorias seu Personatus divisam, & quod Abbas & Conventus de *Bilegh* ipsam a magno tempore in proprios usus integre tenuerunt, & adhuc tenent in presenti: Nolentes ipsum Abbatem a prosecutione juris sui per huiusmodi breve in Curia nostra surreptitum impetratum ulterius impediri. Vobis mandamus, quod non obstante Prohibitione nostra praedicta in placito praedicto prout iustum fuerit procedatis. Telle Rege apud *Karlsholm* 18 die Junii.

King *Edgar* having granted Lands, Rents, and the Church of *Landso* in *Cornwall*, to the Canons of *Plympton*, for the maintenance of two Canons to celebrate Divine Service there, maintain a Chantry, and distribute Almes to poor people, pilgrims and strangers; which Almes and Services were intermitted, subtracted, and the Lands and Church by the Bishop and Chapter of *Exeter*, with the consent and confirmation of King *Henry* the 2. settled on the Prior of *Plympton*, and the Canons discharged of the said Divine Service and Almes; for which the Justices Itinerant ordered the Prior to be distrained. The King thereupon by his Ecclesiastical Prerogative discharged the Prior and Canons from the same, and ordained a Canon and Vicar in the said Church, to perform the Divine Service and Almes, by this Patent.

REX

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod cum nuper in Curia nostra coram dilectis & fidelibus nostris *Johanne de Berewyk* & sociis suis Justic. nostris ultimo Itinerantibus in Com. *Cornub.* presentatum fuisset, quod quidam bonæ memoriæ *Edgarus* quondam Rex *Angl.* prædecessor noster, dedit Canonicis de *Plympton* duas carucatas terræ, centum solidatas redditus cum pertin. in *Landebo*, & Ecclesiam ejusdem Villæ, pro sustentatione duorum Canonicorum ad divina ibidem celebranda, & eleemosinam pauperibus erogandam, & pro peregrinis & aliis hospitandis, pro anima dicti Regis & successorum suorum; & quod hujusmodi celebratio & eleemosinarum erogatio à tempore donationis prædictæ ibidem factæ fuerunt usque ad principium quindecim annorum dictum iter Justiciariorum nostrorum prædictorum præcedentium, quæ celebratio et eleemosinarum erogatio prædictæ subtractæ fuerunt; ac Prior dicti Prioratus de *Plympton* in dicta Curia nostra coram præfatis Justiciariis nostris, super subtractione hujusmodi allocutus asseruerit, quod quidam *Wilhelmus* quondam *Exon.* Episcopus, de assensu Capituli sui *Exon.* dedit Ecclesiam prædictam cuidam *G.* tunc Priori de *Plympton*, & Canonicis ejusdem loci; & quod dictus Prior & prædecessores sui, per donum dicti Episcopi, & confirmationem celebris memoriæ Domini *H.* quondam Regis *Angl.* proavi nostri, prædictos terram, redditum & Ecclesiam tenuerunt absque celebratione obituum, eleemosinarum elargitione, seu peregrinorum hospitalatione inde faciendis. Cumque per Inquisitionem in dicta Curia nostra coram præfatis Justiciariis nostris de præmissis captam, in quam dictus Prior se posuit, compertum fuisset, quod quidam — prædecessor prædicti Prioris habuit prædictos terram, redditum & Ecclesiam de dono prædicti Regis *Edgari*, pro Cantaria eleemosinis & hospitalitate sustentandis in forma supradicta, & quod eadem Cantaria eleemosinæ & hospitalitates à tempore donationis prædictæ per prædecessores dicti Prioris sustentatæ fuerunt, quousque subtractæ extiterant, ut est dictum; per quod dicta Curia nostra consideravit, quod prædictæ Cantaria eleemosinæ et hospitalitates sustentarentur, et quod Prior prædictus ad hæc distingueretur, sicut per recordum & processum coram præfatis Justiciariis nostris inde habita, quæ coram nobis venire fecimus est compertum. Nos licet Prior & Canonici prædicti ad sustentationem dictorum duorum Canonicorum, eleemosinarum erogationem & hospitalitatem juxta considerationem Curie nostre prædictæ teneantur: Attendentes nichilominus cultum obituum aseo honeste et congrue per Presbyteros seculares, quam per Religiosos extra Conventum in loco præbato commoantes posse exerceri, et sustentari. Ad requisitionem dictorum Prioris & Canonicorum volumus & concedimus pro nobis & hæredibus nostris, quantum in nobis est, quod prædicti Prior & Canonici, & eorum successores de cætero habeant ad dictam Ecclesiam de *Landebo* unum Vicarium et unum Capellanum seculares, obitua ibidem celebraturos, et eleemosinarum erogationem et hospitalitatem nomine dictorum Prioris et Canonicorum pro terra, redditu et Ecclesia prædictis facturos imperpetuum. Nolentes quod iidem Prior & Canonici, vel successores sui ad aliquos Canonicos seu alios ultra dictos Vicarium & Capellanum in dicta Ecclesia de *Landebo* ad prædicta pietatis opera exercenda, sicut prædictum est, invenientes de cætero teneantur, aut per nos vel hæredes nostros, Justic. Escaetores, Vicecomites, aut alios Ballivos seu Ministros nostros quoscunque ad hoc aliquialiter compellantur. In cujus, &c. Teste Rege apud *Karlislum* 26 die Martii.

*Per Petitionem de Consilio.*

A clear evidence of the Kings Ecclesiastical Sovereignty, to cause Lands, Rents, and Churches granted to religious and charitable uses, to be employed accordingly when subtracted, revive the uses when discontinued, to alter the original settlement for a more convenient; and force the persons entrusted to perform the designed services, as he saw just cause.

The King this year by his Sovereign Ecclesiastical Authority, granted the Advowsons of two Churches whereof he was Patron, to the Priory of *Laurecost*, with power to appropriate them for ever thereunto, when they should fall void; which grant although he at their request writ to the Pope to confirm, yet this his Patent was sufficient in Law to effect it, without the Popes confirmation or privy.

REX

An 35 E. 1.  
Pat. 35 E. 1.  
m. 14 Intus.  
Pro Priore de  
Plympton.



An. 35 E. 1.

Pat. 35 E. 1.  
m. 25. inus.  
Pro Priore de  
Laurecost.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod ob devotionem specialem quam erga beatam *Mariam Magdalena* gerimus & habemus, necnon & ad relevationem status Prioratus de *Laurecost*, qui in honorem ejusdem Sanctæ in Marchia regni nostri *Anglia* & terræ nostræ *Scotia* fundatus existit, & qui per combustionem domorum & depredationem bonorum ejusdem Prioratus per *Scotos* nuper inimicos & rebelles nostros, ac etiam per diutinam moram, quam in Prioratu prædicto nuper fecimus dum adversa corporis valetudine detinebamur depauperatus est multipliciter & depressus, dedimus et concessimus dilectis nobis in Christo Priori & Conventui Prioratus prædicti, Abbotaciones Ecclesiarum de *Musford* in Comitatu *Northumbria*, & de *Carlton* in Comitatu *Cumbria*, quæ sunt de Patronatu nostro; habend. & tenend. eisdem Priori & Conventui & successoribus suis imperpetuum. Et concessimus eis pro nobis et hæredibus nostris, quod ipsi Ecclesias illas sibi et successoribus suis in proprios usus imperpetuum possiderendas, appropriare et eas sic appropriatas tenere possint sibi et successoribus suis prædictis imperpetuum, sine occasione vel impedimento nostri vel hæredum nostrorum, Justic. Escaetorum, Vicecomitum, aut aliorum Ballivorum seu Ministrorum nostrorum quorumcunque. In cujus, &c. Teste Rege apud *Karlholm* 17 die *Marci*.

Per ipsum Regem nunciante W. Coventr. &amp; Litchf. Episcopo.

To which I shall subjoyn these following Writs of like nature, for appropriating Churches.

Pat. 35 E. 1.  
m. 6. inus.  
Pro Priore de  
Bridelington.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod per finem quem dilectus nobis in Christo Prior de *Bridelington* fecit nobiscum coram *Thesaur.* & Baronibus nostris de *Scaccario*, concessimus et licentiam dedimus pro nobis et hæredibus nostris, quantum in nobis est, eidem Priori et Conventui ejusdem loci, quod ipsi Ecclesiam de *Gouffe* sui patronatus & *Lincoln*. Dioc. sibi appropriare et in proprios usus tenere possint sibi et successoribus suis imperpetuum, sine occasione vel impedimento nostri vel hæredum nostrorum, Justiciar. Escaetorum, Vicecom. Ballivorum, aut aliorum Ministrorum nostrorum quorumcunque. In cujus, &c. Teste Rege apud *Karlholm* 16 die *Junii*.

Per finem 100 l.

Ibidem.  
Pro Abbate de  
Tynerne.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod pardonavimus dilectis nobis in Christo Abbati & Conventui de *Tynerna* transgressionem quam fecerunt, appropriando sibi et successoribus suis Ecclesiam de *Halvergate* *Norwic.* Dioc. quæ est de advocacione sua propria, post publicationem statuti nostri de terris & tenementis ad Manum mortuam non ponendis editi, et eam in proprios usus tenendo, nostra super hoc licentia non optenta. Et concessimus eisdem Abbati & Conventui pro nobis & hæredibus nostris, quantum in nobis est, quod ipsi Ecclesiam prædictam sic appropriatam sibi et successoribus suis prædictis retinere, et in proprios usus habere possint imperpetuum, sine occasione vel impedimento nostri, vel hæredum nostrorum, Justic. Escaetor. Vicecom. aut aliorum Ballivorum seu Ministrorum nostrorum quorumcunque. In cujus, &c. Teste Rege apud *Karlholm*. Per *Thesaur.* quia alias fecit finem per centum marcas pro ista pardonacione, & quibusdam Chartis confirmandis.

Ibid. m. 17.  
Pro Priore  
beatæ Mariæ  
de Karlholo.

**R**EX omnibus ad quos, &c. salutem. Sciatis, quod ob devotionem quam erga gloriosam Virginem *Mariam*, & reliquias beati *Thome* Martyris, & aliorum Sanctorum in Ecclesia beatæ *Mariæ Karloli* existentes gerimus & habemus, necnon in relevationem oppressorum & dampnorum quæ dilecti nobis in Christo Prior & Conventus ejusdem loci per invasiones & combustiones *Scotorum* inimicorum & rebellium nostrorum hæcenus sustinuerunt, dedimus eis et concessimus pro nobis et hæredibus nostris, quantum in nobis est, advocacionem Ecclesiæ de *Sourey* *Karloliensis* Dioc. in Com. *Cumbr.* Ita quod idem Prior & Conventus Ecclesiam illam cum eam vacare contigerit, sibi in proprios usus possiderendam appropriare, et eam appropriatam tenere possint sibi et successoribus suis imperpetuum, sine occasione vel impedimento nostri vel hæredum nostrorum, Justic.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

Justic. Escaetor. Vic. aut aliorum Ballivorum seu Ministrorum nostrorum quorum-  
cunque, statuto nostro de terris & ten. ad manum mortuam non ponendis edito  
non obitante. In cujus, &c. Teste Rege apud Karl. 4 die Aprilis.

**R**OY au Dean & au Chapitre de *Hereford*, saluz. Come nous vous eons plu-  
sors foiz avant ces boures requis que vous voussiez grant tant come en  
vous feust l'appropriation de l'Eglise de *Lyndrugg* de la Diocise de *Hereford*, as  
propres oeups du Priour & du Covent de *Wycestre*, a la quele appropriation  
l'Evesque de *Hereford* sest assentuz tant come en li est; & nous eons cele busoigne  
especialment a cuer, si desirons molt que elle se feist. Vous priont derechief, que  
a la dite appropriation voillez bonement assentir par amour de nous, & en si con-  
fermer cele busoigne par voz lettres ouertes qil ne demerge mye en vous que nostre desir  
ne soit accompliz en cele partie. Don, &c.

Bundela Bre-  
vium de Pri-  
vato Sigillo  
in Turri Lon-  
don. An. 35  
E. 1.

**E**Dward par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlande*, & Ducs *Ibidem*.  
*Daquisaine*, al honorable pere en Dieu R. par la meisme grace Evesque de  
*Londres* nostre Chancellor, saluz. Por ce que l'Evesque de *Hereford* ad grante  
a nostre priere que le Priour & le Covent de *Wycestre* peussent approprier et tenir  
en propres oeups a eux et a lor successeurs l'Eglise de *Lyndrugg*, en la Diocise de  
*Hereford*, si tost come meisme l'Eglise voidera par cession ou par mort de la per-  
sone; vous mandons que vous facez faire lettres de nostre grant seale a nostre  
pere le Pape en espediale forme, enpriant quil li pleise cele appropriation confer-  
mer par regard de charite et de nostre priere. Et facez faire ausint lettres de  
nostre dit seale escriptes a frere *Thomas Forz* Cardenal de la Sainte Eglise de *Rome*,  
enpriant que entour lesloit de la dite busoigne il mette tot le bon conseil quil  
porra. Et nous vous enveions cy dedenz enclose une note escrete en *Franceys* au  
Chapitre de *Hereford*, la quele nous voloms que vous facez translater en *Latin* en  
bone forme, & sealer de nostre grant seale, & envoyer audit Chapitre par aucun  
Clerk de nostre Chancellerie suffisant qui soit charge desuire cele busoigne deper  
nous vers l'Evesque & le Chapitre avantditz. Don souz nostre prive seale  
a *Cardoill* le 24 jour de *May*, l'an de nostre regne 35.

**E**Dward par la grace de Dieu Roy *Dengleterre*, Seigneur *Dirlande*, & Ducs *Ibidem*.  
*Daquisaine*, al honorable pere en Dieu R. par la meisme grace Evesque de  
*Londres* nostre Chancellor, saluz. Come pur la devotion que nous avons a Seint  
*Wolstan* de *Wycestre* eons grantez & donez congie tant come en nous est, a noz  
chiers en Dieu Priour & Covent de *Wycestre* quil peussent approprier a eux  
l'Eglise de *Lyndrugg*, de la Diocise de *Hereford*, la quele est de lavoieson des ditz  
Priour & Covent, si tost come elle voidera per la mort ou per le resignement de  
celi qui la tient ore, a aver & tenir en propres oeups a eux & a lor successeurs a touz  
jours, pur encrestre lor Covent de trois Moignes, & pur trover deus Cierges per-  
petuellement ardantz devant lesiertre du dit corps Seint: Vous mandons que a  
meismes ceux Priour & Covent de cest nostre grant & congie facez aver lettres  
souz nostre grant seale en due formes, quites du fee de meisme le seale que a nous  
en appartient. Don souz nostre prive seale a *Cardoill* le 24 jour de *May*, l'an de  
nostre regne 35.

The King ordered by this Writ of Privy Seal, the grace and pension he was  
by vertue of his Royal Prerogative to receive from the Abbot of *Merton* by reason  
of his new creation, to one of his Clerks.

**E**Dwardus Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquisania*, ve-  
nerabili in Christo patri R. eadem gratia *London*. Episcopo Cancellario no-  
stro, salutem. Quia gratiam uni de Clericis nostris ratione nobis creationis  
fratris *Willielmi de Brokesborn* in *Woltem* Monasterii beate *Maria de Merton* de-  
bitam, dilecto Clerico nostro *Rogero de Sheffield* durimus concedendam: Vobis  
mandamus, quod eidem *Rogero* literas sub magno sigillo nostro dicto Priori &  
ejusdem loci Conventui dirigendas inde habere in forma debita faciatis. Dat. sub  
privato sigillo nostro apud *Karl*. 23 die *Maii*, anno regni nostri 35.

Ex Bundela  
Brevium de  
Privato sigillo  
An. 35 E. 1.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

An. 35 E. 1. What priority of preferments and promotions to Benefices the King granted by his Queens mediation to one of his Clerks, this Patent will inform us.

Pat. 35 E. 1.  
m. 25. intus.  
Pro Will. de  
Bevercote  
Cancellor.  
Scotiz.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod ad instantiam *Margareta* Reginæ *Anglia* Consortis nostræ charissimæ, necnon & ob grata & laudabilia obsequia quæ dilectus Clericus noster *Willielmus de Bevercote* Cancellarius noster *Scotia* nobis à longis temporibus utiliter impendit, & adhuc jugiter impendere non desistit, volumus & concedimus quod idem *Willielmus* in assuetudine Ecclesiarum seu Præbendarum infra regnum nostrum *Angl.* ad nostram præsentationem seu collationem spectantium omnibus alijs præferatur, quousque ipse beneficium seu beneficia Ecclesiastica cum cura vel sine cura ad valentiam centum librarum per annum, ad præsentationem seu collationem nostram in *Anglia* fuerit assuetus. In cujus, &c. Teste Rege apud *Karl.* 20 die *Marzii*.

*Per ipsum Regem nunc. W. Coventr. & Lichf. Episc.*

The King out of his piety issued this Writ to the Freers Predicants, desiring their fervent prayers to God for his blessing upon himself, his Queen, Children, Kingdom, and Affairs.

Claus. 35 E. 1.  
m. 17. dorso.  
De orando  
pro Rege &  
Regina, ac  
eorum liberis.

**R**EX dilectis sibi in Christo Magistro ordinis Fratrum Prædicatorum, ac diffinitoribus & fratribus universis in generali Capitulo suo apud *Argentem* in *Alemannia* in festo *Pentecostes* proximo futur. conventuris, salutem & spiritu sancto dirigi in agendis. Inter cetera quæ studium salutis recommittere credimus hoc præcipue in spei nostri fulcimentum accedit, quod nos assuetarum deprecationum iustorum fulti prædictis divinam propitiationem facilius prosequemur. De vobis itaque ut nostram ac Reginæ Consortis nostræ liberorumque nostrorum salutem, necnon statum prosperum regni nostri, et expeditionem felicem negotiorum nobis incumbentium his diebus helemini, plenam in Domino fiduciam optinentes, devotionem vestram affectuose requirimus & rogamus, quatinus apud illum qui est vera salus, et qui temporalitatis et perpetuæ felicitatis tribuit largitatem, (not to Saints or Angels) Nos, Reginam Consortem nostram, et liberos nostros, ac statum Regni nostri debote supplicationis studio commendatis, ipsius clementiam qui mensuræ termino non artatur suppliciter exorantes, ut sic regnum temporale regere, negotiaque nostra prædicta expeditioni felici per suæ subventionis dexteram mancipare possimus, quod hoc ad laudem sui nominis, & ad nostrum regniue nostri commodum cedere valeat & honorem, quodque nos post supremum vitæ nostræ exitum, in regno celesti partem hæreditariam assequamur. Dat. apud *Lawrecost* primo die *Decembrii*.

K. Edward upon the death of his daughter *Joan* Countesse of *Gloucester*, issued these ensuing Writs to all his Bishops, and other Religious persons, Clergymen, within their Diocesses to chaunt publick and private *Masses*, and make other *Prayers* for her soul.

Bundela Bre-  
vium de Pri-  
vato Sigillo  
An. 35 E. 1.  
in Turri Lon-  
don.

**E**dward par la grace de Dieu Roy *Dengleterre*, Seigneur *Irlande*, & Ducs *Daquitaine*, al honorable pere en Dieu R. par la meisme grace Evêque de *Londres* nostre Chancelier, saluz. Come *Johanne* nostre chiere fille que fu Contesse de *Gloucestre* soit a Dieu commandee, vous mandons que per lettres de nostre grant seal facez mander en bone forme & covenable a touz Prelatz ausi bien Ercevesque & Evêques, come a Abbez & Priours, & as Chapitres des Eglises Cathedrales & Collegiales, & as Universites, & as Freres des Ordres de Precheurs & de Meneurs, & as autres Religions de nostre Roialme, qil facent faire exequies et chanter messes sollempnement, et autres priees messes, et autres oraisons enpant especialment por \* l'ame de nostre fille abantotte. Et meismes les lettres facez liberer a nostre chier Clerk *William de Thorntost* por enbeer as lieux as queux elles seront escriptes come nous li avons mandez per nos lettres. Don souz nostre prive seal a *Cardoill* le primer jour de *Averill*, l'an de nostre regne 35.

\* l'ame.

R E X

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1

**R**EX venerabili in Christo Patri R. eadem gratia Episcopo London. salutem. Cum opus pium & apud Deum meritorium (as that blinde age deemed it) censeatur pro defunctis erogare, ut à peccatorum nexibus facilius liberentur; Deusque omnium conditor, dispositor et creator Johannem quondam Comitissam Gloucestr. & Hereford. filiam nostram carissimam ad se ab hoc seculo prout sibi placuit evocaverit, quod vobis non sine cordis amaritudine nunciamus; Vobis mandamus rogantes, quatinus animam prefatæ filiae nostræ à singulis Religiosis et aliis personis Ecclesiasticis subditis vestris per totam Civitatem & Dioecesim vestras per Missarum sollempnium decantaciones et alia opera pia faciatis Altissimo specialiter commendari. T. Rege apud Karl. 6 die Maii.

Eodem modo scribitur to his other B.shops.

Am. 35 E. 1.  
Clas. 35 E. 1.  
m. 9 corlo.  
De orando  
pro anima Jo.  
hannæ quon-  
dam Comi-  
tissæ Glouc.  
filie Regis.

What Protections the King granted to those employed in his service in the Court of Rome, and to their servants, with power to make Attornies, these Records will inform us.

**T**homas de Berkele qui in obsequium Regis per præceptum Regis profecturus est ad Curiam Romanam, habet literas Regis de protectione, usque ad festum Omnium Sanctorum prox. futurum duraturas, cum claviula volumus, et exceptis, sine illa clausula & eciam querel. Pres. &c. Teste Rege apud Karliolum 27 die Junii.

Pat 35 E. 1.  
m. 7. vel 8.  
intus. De  
Protectione.

Per breve de Privato Sigillo.

**M**auricius de Berkele, Willielmus de Wanton, & Willielmus de Gamage, qui cum prefato Thoma in obsequium Regis, &c. profecturi sunt ad Curiam supradictam, habent consimiles literas Regis de protectione. T. R. ut supra.

Ibidem.

Per testimonium prefatæ Thomæ.

**A**rnaldus de Cantilupo Sanctæ Romanæ Ecclesiæ Cardinalis, Decanus Ecclesiæ Sancti Pauli London, qui de licencia Regis in partibus transmarinis moratur. habet literas Regis de General. Attorn. sub nominibus Gregorii de Falsguariis & Visiani de Blaucraft Clericorum in Anglia, duraturas per triennium Pres. &c. T. R. apud Karl. 16 die Maii.

Ibid. m. 13.  
intus. De At-  
tornato.

The King imploying the Bishop of Worcester this year to the Court of Rome, he had this Writ to make Attornies during his absence to prosecute his affairs.

**W**ygorn. Episcopus, qui in obsequium Regis per præceptum Regis profecturus est ad Curiam Romanam, habet literas Regis de Attorn. sub nominibus Magistri Johannis de Caleys & Ricardi de Bikerton, durat. usque ad festum Omnium Sanctorum prox. futur. &c. Teste Rege apud Karliolum 27 die Junii.

Pat. 35 E. 1.  
m. 4 vel 5.  
intus. De  
Attorn.

**R**EX dilecto & fidei suo Henrico de Cobham, Constabulario Castri sui Dover. & Custodi Quinque Portuum, salutem. Cum mittimus venerabilem Patrem W. Wygorn. Episcopum, & dilectum & fidelem nostrum Thomam de Garkelley in nuncium nostrum ad Curiam Romanam. Vobis mandamus, quod eisdem Episcopo & Thoma pro se & familiis, ac equis, herneis suis in Portu nostro Devorr. festinum et securum Passagium habere faciatis, ipsum Episcopum & Thomam, cum familiis, equis & herneis suis ibidem absque impedimento transire permittentes, Statuto nostro de Moneta seu Argenti in massa extra regnum nostrum non duccend. non obstante, Teste Rege apud Karliolum 28 die Junii.

Memb. 6 in-  
tus. Pro W.  
Episcopo Wy-  
gora.

The King writing to the Company of Florentine Merchants and Usurers, who farmed his Customs, to furnish his Embassadors sent to the Popes Court with one thousand pounds sterling, which others delayed to pay them; he thereupon sent them this Patent to allow it to them in their Account of the Customs, which they had in their hands.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

An. 51 E 1.

Pat. 35 E 1.  
m. 17. dorso.  
Pro Mercatoribus de Societate Friscobaldorum de Florentia,

**R**EX dilectis Mercatoribus suis *Emerico de Frisobald & sociis suis Mercatoribus de Societate Friscobaldorum de Florentia*, salutem. Cum nuper Venerabiles Patres *Walterum Coventr. & Lychf. & Willielm. Wygorn.* Episcopos, ac dilectos et fideles nostros *Henr. de Lacy Com. Lincoln. Hugonem le Despenser, Ottone de Grandisson, & Amanenum Dominum le Bretta*, & quosdam alios nuncios nostros ad Dominum Summum Pontificem usque *Lugdunum* pro arduis negotiis nos tangentibus transmittentes, injunxerimus vobis, quod vobis de pecunia provideritis unde nobis tam pro expeditione negotiorum nostrorum predictorum, quam pro expensis nunciorum eorundem servitium facere possitis: Ac vos pro servicio hujusmodi nobis faciendo Mercatoribus de Societate *Pullicum & Rembertinorum de Florentia* mille libras sterlingorum recipiendas in Curia Romana liberaveritis, iidemque Mercatores vobis ibidem solbere distulerunt summam pecunie supradictam; volentes ut erga Mercatores recuperare possitis pecuniam antedictam, concedimus vobis pro nobis et heredibus nostris, quod cum nos prætatis Mercatoribus de Societate *Pullicum & Rembertinorum* in mille libris sterlingorum per nostras patentes Literas teneamur; vos pro illis mille libris quas ipsis ut pramittitur liberatis, mille libras de exitibus Customarum nostrarum Lanarum, Coriorum & Pellium Lanutarum in manibus vestris ex commissione nostra existentes provenientibus, recipiatis ad opus vestrum. Et nos vos inde in compoto vestro ad Scaccarium nostrum de exitibus predictis allocationem habere faciemus. Et recipiatis à dictis Mercatoribus de Societate *Pullicum & Rembertinorum* Literas nostras predictas, et Literas ipsorum de acquietancia solutionem dictarum pecuniarum testificantes. In cujus, &c. Teste Rege apud *Karlshum* 4 die Aprilis.

*Per ipsum Regem nunc. Thesaur.*

The King issued this Writ for payment of monyes borrowed from the Merchants of *Florence* out of the Dismes granted him by Pope *Boniface* from the Clergy of *Ireland*.

Claus. 35 E 1.  
m. 16. intus.  
Pro Mercatoribus de Societate Spinorum de Florentia.

**R**EX dilecto Clerico suo *Ricardo de Beresford Thes. suo Hibern.* salutem. Cum teneamur *Matthao Clarissimi, Gerardo Hugonis, & sociis suis Mercatoribus de Societate Spinorum de Florentia* in quingentis et quinquaginta marcis sterlingorum quæ eis aretro sunt de mille marcis in quibus eis tenebamur de mutuo, quod iidem Mercatores bonæ memoriæ *Waltero de Wynterburn Sacrosanctæ Romanæ Ecclesiæ nuper Presbytero Cardinali*, de mandato nostro fecerunt, et de quibus mille marcis predicti Mercatores quadringentas et quinquaginta marcas in *Hibernia* de denar. provenientibus de Decima Clero *Hibern.* per felices recordationis Dominum *B. nuper Papam octavum* de assensu nostro imposita receperunt, & literas nostras obligator. quas de dictis mille marcis prius habuerunt nobis in Cancellaria nostra *Angl.* aliàs liberarunt: Volentes præfatis Mercatoribus de predictis quingentis et quinquaginta marcis ad plenum satisfacere, ut teneamur: Vobis mandamus, quod de pecunia proveniente de Decima nobis a Clero *Hibern.* jam concessa; quam quidem pecuniam in Thesaurariam nostram sub custodia vestra ad opus nostrum liberari mandavimus, predictas quingentas & quinquaginta marcas præfatis Mercatoribus. seu *Guidoni Bertaldi, Hug. Paganelli, & Gentil Reginaldi* Sociis & Mercatoribus de Societate predicta, vel uni eorum, aut eorundem seu unius ipsorum Attornato sine dilatione aliqua liberetis; Recipientes ab eis literas nostras, per quos eis in predictis quingentis et quinquaginta marcis tenemur; necnon literas ipsorum Mercatorum, vel unius eorum pro se & sociis suis patentes receptionem dictarum quingentarum & quinquaginta marcarum testificantes; Et nos vobis de eisdem quingentis et quinquaginta marcis cum eas sic liberaveritis debitam allocationem in vestro compoto habere faciemus. Teste Rege apud *Laurecest.* 10 die Decembris.

*Per Consilium.*

What forms of Acquittances the King granted to the Subcollectors of the Dismes granted to him both by Pope *Boniface* the 8. and afterwards by Pope *Clement* the 5. these Records will inform us.

R E X

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

**R**EX Omnibus ad quos, &c. salutem. Sciatis, quod dilectus Clericus noster *Johannes de Drogheda* Custos Garderobæ nostræ recepit in eadem Garderoba ad opus nostrum de dilectis nobis in Christo Abbate et Conventu beatæ Mariæ Eborum subcollectoribus Decimæ Clero Angliæ, per felicis recordationis Dominum B. nuper Papam octavum de assensu nostro impositæ per tres annos, per Episcopum London. & Magistrum Bartholomæum de Ferentino Canonicum London. dictæ Decimæ principales Collectores in Dioc. Eborum deputat. de arreragiis ejusdem Decimæ sexaginta & quinque solidos, & quatuor denarios, de dicta Decima provenientes, et nos de porzione ejusdem Decimæ, juxta concessionem dicti Summi Pontificis contingentes, per manum Magistri Johannis Franceys nuper Custodis Spiritualitatis Archiepiscopatus Eborum solventis denarios illos in Garderoba prædicta vicesimo quarto die Octobris anno regni nostri tricesimo tercio, videlicet pro Priore Marston pro Ecclesia de Hoton quinquaginta & tres solidos et quatuor denarios, et pro Persona Ecclesiæ de Burgh waleys duodecim solidos. De quibus quidem sexaginta et quinque solidis et quatuor denariis, dictos Abbatem & Conventum ac successores suos tenore præsentium quietamus, et ipsos erga Summum Pontificem ac prædictas principales Collectores et alios quoscunque indemnes promittimus conferbare. In cujus, &c. T. R. apud Karlsolum 20 die Martii.

An. 51 E. 1.  
Pat. 35 E. 1.  
m. 25. in  
Ced. Literæ  
Acquietancie  
pro diversis  
subcollectori-  
bus Decimæ.

*Per billam de Scaccario.*

Consimiles literas Acquietancie habent suscripti de diversis pecuniarum summis, videlicet,

**A**Bbas & Conventus de Furness subcollectores, &c. in Dioc. Eborum de Centum & tresdecim solidis & tribus denariis per manus Archiepiscopi Eborum, qui dictam pecuniam de mandato Regis levavit, videlicet de Ecclesia de Milsonby viginti & unum solid. et tres denar. de Ecclesia de Burton quatuor libras, & de Ecclesia de Quynnington duodecim solidos de dicta Decima provenientes, &c. In cujus, &c. Teste Rege apud Holm ceftram 9. die Julii.

*Per billam prædicti Johannis.*

**A**Bbas & Conventus de Cokerfand de octo libris, sex solidis, & octo denar. per manus Archiepiscopi Eborum, &c. videlicet de Ecclesia de Bethum sex libras, & de Ecclesia de Barton quadraginta & sex solidos & octo denar. de dicta Decima, &c. In cujus, &c. Teste ut supra.

**R**EX Omnibus ad quos, &c. salutem. Sciatis, quod venerabilis pater J. Karl. Episcopus, & dilectus Clericus noster Johannes de Sandale Cancellarius Dublin. venerabilibus patribus J. Lincoln. & R. London. Episcopis, principalibus Collectoribus Decimæ Clero Angliæ, Walliæ, Hiberniæ & Scociæ per Dominum Clementem divina providencia Papam quintum per biennium impositæ et nobis concessæ, subcollectores in terra nostra Scocia deputati, solberunt in Garderoba nostra 62 denar. ejusdem Decimæ in dicta terra Scocia collectæ, Milles ducentas triginti et tres libras, sex solid. et octo denar. De quibus quidem Milles ducentis triginti et tribus libris, sex solidis, et octo denar. dictos Subcollectores tenore præsentium quietamus, et ipsos et successores suos, ac eorum Ecclesias, erga dictum Summum Pontificem et alios quoscunque indemnes promittimus conferbare. In cujus, &c. apud Kyrcaudres tercio Idus Julii.

*Per breve de Privato Sigillo.*

The King issued this Writ to apprehend the persons, and seise the moneyes of some forged Collectors of monies, for the reparation of the Church and Shrine of St. John of Beverley.

**R**EX Omnibus Vicecomitibus & Ballivis ac ceteris fidelibus suis ad quos præfentes literæ pervenerint, salutem. Ex gravi querela Capituli Beverlaci accepimus, quod quidam propriæ honestatis inmemores, per diversas partes Angliæ, Walliæ & Hiberniæ discurrentes, et se nuncios et procuratores ipsius Capituli falso contingentes, pecuniam, animalia, legata et alia bona ad opus fabricæ et cap-

Pat. 35 E. 1.  
dorfo. m. 22.  
pro Capitulo  
Beverlaci.

fulæ



**An. 35 E. 1.** *W*ulfa beati *Johannis Beverlaci* petunt et recipiunt a diversis, et ea non in usus fabricæ & capulæ prædictarum, set in usus proprios illicite et inhoneste converterunt, in dicti Capituli fraudem, ac complecionis fabricæ Ecclesiæ et capulæ prædictarum retardacionem manifestam: Volentes igitur hujusmodi fraudi et maliciæ modis quibus convenit obviare: Vobis mandamus firmiter injungentes, quod ubicumque aliquos inveneritis in ballivis vestris confingentes se procuratores dicti Capituli ad præmissa super hiis literas testimoniales ejusdem Capituli non habentes, ipsos sine dilatione arestari et detineri faciatis, donec de statu & conversatione eorundem vobis constiterit evidenter. Proviso, quod pecunia ac alia bona apud eos inventa, vel penes alios nomine suo deposita, quæ ipsos nomine Capituli prædicti ad opus prædictum vobis constiterit collegisse, veris procuratoribus prædicti Capituli in hac parte, vel eorum nunciis literas suas super hoc exhibentibus totaliter liberentur. Et si qui forsitan literas Regias datam præsentium præcedentes super recommendatione vel admissione ipsorum ad hujusmodi elemosinas colligendas ipsorum procuratorum testimonium legitimum non habentes, eisdem literis de cætero minime pareatis. Teste Rege apud *Karl*. 20 die *Marcii*.

The Abbot of *Salley* and his Monks being taken upon a *Capias Excommunicatum*, were bayled upon their Appeal, upon condition, that if the Sentence was not revoked by the Popes delegates, they should render themselves to prison, or else their Manuaptors should be imprisoned.

**Claus. 35 E. 1.**  
m. 16. Pro  
Adam de Of  
goteby &  
Abbate de  
Salley.

**M**emorandum, quod *Johannes de Hoveden* Abbas de *Salley*, *Johannes de Eton*, & *Willielmus de Osbalton*, Monachi ejusdem Domus, qui ad denunciationem venerabilis patris *W. Eborum* Archiepiscopi tanquam excommunicati & claves Ecclesiæ contempnentes, capti fuerant & imprisonati ad instantiam et prosecutionem Domini *Ada de Ofgoteby* Rectoris Ecclesiæ de *Geyrgrave*, invenerunt in Cancellaria manuaptores subscriptos, qui ipsos Abbatem et Monachos manuceperunt in forma quæ sequitur, videlicet, quod ipsi manuaptores habebunt corpora prædictorum Abbatis & Monachorum in Cancellaria infra tres septimanas à tempore præmuni- cionis ex parte Regis eis faciendæ, nisi constiterit Domino Cancellario quod sententiæ Excommunicationum promulgatæ in dictos Abbatem et Monachos ad instantiam prædicti Domini *Ada* per prædictum Archiepiscopum, pro eo, quod rei judicatæ non paruerunt, quarum prætextu capti fuerant & imprisonati, post appellationem per ipsos ad sedem Apostolicam interpositam, per Judices quos idem Abbas impetrabit, super appellatione sua, videlicet Magistros *Henricum de Benyngworthe*, *Robertum de Lacy*, & *Robertum de Pikerings* Canonicos Ecclesiæ *Lincoln*, revocatæ fuerint virtute appellationis prædictæ. Et si prædicti manuaptores corpora prædictorum Abbatis & Monachorum in dicta Cancellaria non habuerint, ut est dictum, sint ipsi in eadem pena de imprisonment. Et si constare possit eidem Cancellario, quod dictæ excommunicationum sententiæ virtute appellationis prædictæ per prædictos Judices delegatos fuerint revocatæ, extunc quieti sint manuaptores prædicti, et idem Abbas habeat breve Regis pro se et Monachis suis prædictis deliberandis. Nomina verò manuaptorum prædictorum, videlicet, *Johannes Galun*, *Willielmus de Walington*, *Adam de Thornton* de Com. *Northumbr.* *Johannes Comvile* de *Herewode*, *Johannes de Thornhill*, *Robertus de Pogthorp*, *Simon de Drisfeld*, *Thomas de Rosdon*, *Henr. de Plumpton*, *Nicholaus Tempest*, *Thomas de Pontefraite* de Com. *Eborum*, & *Andreas Rigge* de Com. *Lincoln*.

The King at the Petition of the Bishop of *Landaffe*, issued this Writ to ascertain the bounds of several parishes within the Forest of *Dean*, the extraparochial Tithes of the Assarts in which Forest he had formerly appropriated to maintain a Chantry in the Church of *Newton*, and for the augmentation of the over-small revenues of that Bishoprick.

**Pet. 35 E. 1.**  
m. 19. Pro  
Landavenfi  
Episcopo.

**R**EX dilectis et fidelibus suis *Waltero de Glouc.* Escaetori suo ultra *Trentam*, & *Johanni de Aiton*, salutem. Monstravit nobis venerabilis pater *J. Landavenfis* Episcopus per petitionem suam coram nobis & Consilio nostra exhibitam, quod cum

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

cum nos nuper ad emendationem Episcopatus *Landavensis* qui nimis exilis dinoscitur, & in subventionem sustentacionis cuiusdam Capellani divina pro anima nostra & animabus progenitorum nostrorum singulis diebus celebrantis, & imperpetuum celebraturi in Ecclesia *Omniū Sanctorum* de la *Neulond* infra Forestam nostram de *Dene*, quam prefatus Episcopus appropriatam sibi et successoribus suis tenet, concesserimus eidem Episcopo per literas nostras Patentes pro nobis et heredibus nostris, quod ipse et successor sui Episcopi *Land.* omnes Decimas de assartis nostris infra forestam predictam de novo assartatis et assartandis provenientes percipiant et habeant, tanquam ad Ecclesiam suam de *Neulond* predictam imperpetuum pertinentes, dum tamen assarta illa sint extra limites parochie cuiuscunque, prout in literis nostris predictis plenius continetur: Decanus et Capitulum *Hereford*, Personæ Ecclesie de *Lydney*, Magister *Willielmus de Kyngescote* Persona Ecclesie de *Westbury* super *Sabrinam*, Johannes Persona Ecclesie de *Ruadyn*, Radulphus de *Habehale* Persona Ecclesie de *Bykenore* Engleis, Johannes Persona Ecclesie de *Stann-ton*, Henr. Persona Ecclesie de *magna Dene*, & Adam Persona Ecclesie de *Aure*, asserentes assarta et dominica predicta infra limites parochiarum Ecclesiarum suarum predictarum quæ de nostro patronatu non existunt, prefatum Episcopum super receptione Decimarum de assartis provenientium antedictis, verant multipliciter et perturbant, dictasque Decimas sibi et Ecclesiis suis predictis usurpare nituntur, in enervationem et annullacionem concessionis nostre predictæ, dictique Episcopi præiudicium et dispendium manifestum; Propter quod idem Episcopus nobis cum instantia supplicavit, ut exprimere & declarare velimus, quæ assarta intelligimus esse extra limites parochie cuiuscunque in foresta nostra predicta, et inter assarta illa et parochias aliorum pont præcipere certas metas: Ita quod predictus Episcopus Decimas de huiusmodi assartis provenientes, iuxta formam concessionis nostre predictæ, absque impedimento seu calumpnia cuiuscunque percipere valeat et habere. Nos igitur precibus ejusdem Episcopi in hac parte favorabiliter annuentes, Assignavimus vos ad inquirendum per sacramentum Forestariorum et Viridariorum forestæ nostre predictæ, ac aliorum proborum et legalium hominum partium predictarum in dicto negotio minime suspectorum, per quos, &c. in præsentia predictorum Decani et Capituli, *Willielmi, Johannis, Radulphi, Johannis, Henrici* et *Ada*, ad hoc per vos præmunendorum si interesse voluerint, quæ sunt illa dominica et assarta nostra de quibus concessimus Decimam, ut præmittitur, Episcopo memorato, et quæ sunt et esse consueverunt metæ et bundæ inter parochias Ecclesiarum predictarum, ac dominica et assarta nostra predicta. Et ideo vobis mandamus, quod ad assarta et dominica illa, de quibus Decimam predictam Episcopo concessimus, ut predictum est, personaliter accedentes, inquisitionem predictam ad certos dies & loca quos ad hoc provideritis, faciatis in forma predicta. Mandavimus enim dilecto et fideli nostro *Hugoni le Despenser* Justic. Forestæ nostre ultra *Trentam*, vel ejus locum tenenti, quod de Viridariis et Forestariis Forestæ nostre de *Dene* supradictæ, & similiter Vic. nostro *Glouc.* quod de aliis probis et legalibus hominibus de Com. predicto in dicto negotio non suspectis, tot et tales ad certos dies & loca quos eis scire facietis venire faciant coram vobis, per quos, &c. et inquisitionem inde, &c. Thes. et Baronibus nostris de Scaccario a die Sancti *Johannis Baptista* in 15 dies prox. futur. sub sigillis vestris et sigillis eorum, per quos facta fuerit mittatis, et hoc breve, ut ipsi ulterius inde faciant, quod de jure fuerit faciendum. In cujus rei, &c. T. R. apud *Karlolum* 6. die *Maii*.

*Per Petitionem retornatam de Conf.*

What elections and confirmations of Archbishops and Bishops were made this year in *Ireland* by the Kings Letters Patents and Licenses; these Records thus relate.

**R**EX dilecto sibi in Christo -- Decano & Capitulo *Duacen.* salutem. Accedens ad nos dilectus nobis in Christo *Johannes Okerwolan* Concanonicus vestre, cum literis patentibus Capituli vestri nobis ex parte vestra humiliter supplicavit, quod cum Ecclesia vestra predicta per mortem bonæ memoriæ *L.* nuper Episcopi illius loci pastoris sit solacio destituta, alium vobis eligendi in Episcopum licenciam vobis concedere dignaremur: Nos igitur precibus vestris in hac parte favorabiliter

An. 35 E 1.

Pat. 35 E 1.

m. 29 vel 30

intus De la

cencia eligendi

& imperiali-

bis restitue-

dis in Hibern.



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 5*

*An 35 E. 1.* favorabiliter inclinati, licentiam illam vobis duximus concedendam; Mandantes, quod talem, &c. nobisque fidelis existit. In cujus, &c. T. R. apud *Lavercoff* primo die *Marcii*.

*Per breve de Privato Sigillo.*

*Ibidem.*

**R**EX dilecto & fideli suo *Johanni Wogan* Justic. suo *Hibern.* salutem. Cum dilecti nobis in Christo Decanus & Capitulum *Dnacen.* nobis per literas suas patentes significaverint, quod Ecclesia sua predicta per mortem bonæ memoriæ *L.* nuper Episcopi illius loci pastoris est solatio destituta, supplicantes nobis, quod licentiam sibi alium eligendi in Episcopum eisdem concedere dignaremur, ac nos eorum precibus in hac parte favorabiliter inclinati, licentiam illam eis duxerimus concedendam; mandantes eisdem Decano & Capitulo, quod talem, &c. fidelis existat. Nos eorundem Decani & Capituli laboribus & expensis in hac parte parcere volentes ista vice, concessimus eis, &c. Ita tamen, &c. In cujus, &c. T. R. apud *Lavercoff* primo die *Marcii*.

*Per breve de Privato Sigillo.*

*Pat. 35 E. 1. m. 46. Intus. De licentia eligendi.*

**J**ohannes de *Balsam* Canonicus Ecclesiæ Sanctæ *Trinitatis Dublin.* & *Nicholaus de Kynton* Canonicus Ecclesiæ Sancti *Patricii Dublin.* nunciantes Regi mortem *Richardi de Feringes* nuper Archiepiscopi locorum predictorum, habent literas Regis de licentia eligendi. In cujus, &c. Teste Rege apud *Lavercoff* 26 die *Novembrii*.

*Per breve de Privato Sigillo.*

\* The Annals of Ireland, p. 264.

The Church of *Dublin* in *Ireland* becoming void by the death of \* *Richard Feringes* their Archbishop, the King granting them this license upon their petition to elect a new Archbishop, thereupon the Dean and Chapter of *St. Patrick's Cathedral Church* in *Ireland*, elected *Richard de Havering* for their Archbishop, which they signified to the King by their Letters without presenting him to the King; but the Prior and Convent of *St. Trinity* in *Dublin* elected *Nicholas le Boteler*, whom they presented personally to the King with their certificate of his Election; whereupon the King referred the business concerning this Election to his Treasurer and Council to examine, and certify him how to proceed therein, since they both ought to have joyned in the Election, and not to sever, as these Records attest.

In Parliament to An. 35 E. 1. See Ryley his Placita Parl. p. 357, 358.

**R**OY a noz foiaux le honorable pere en Dieu *W.* par mesme la grace Evêque de *Cestre* nostre Tresorier, & as autres de nostre Conseil a *Cardaill*, salut. Endroit de la bufoigne, que touch l'election de L'evêque de *Dyvelin* par quei le porter de ces lettres est venuz a nous, ovesque les lettres du Chapitre de l'Eglise de *Seint Patrik* a *Dyvelin*; Vous mandons, que meismes les lettres veues & examinées entre vous, en cez conseil & avissement, & nous facez savor sur ce vous aviz, & ce que vous ensemblera que soit a faire. Don sur nostre prive seel a *Laurecoff* le 20 jour de *Fevrier*, l'an de nostre regne 35.

*Tenor dictarum Literarum Clausarum sequitur in hac verba.*

**E**xcellentissimo Principi & Domino suo reverendo Domino *Edwardo* Dei gratia illustri Regi *Anglia*, Domino *Hibernia*, & Duci *Aquitania*, sui in omnibus subiecti, humiles & devoti, Decanus & Capitulum Ecclesiæ suæ Cathedral. Sancti *Patricii Dublin.* si placet, salutem cum subjectione, reverentia & honore: Quia vacante Ecclesia *Dublin.* per mortem bonæ memoriæ *Richardi Dublin.* Archiepiscopi, ac ejus corpore tradito sepultura, petitaque licentia eligendi futurum Pontificem a vestra Majestate et optenta, dieque statuto ad eligend. concorditer omnes Canonici præsentis Ecclesiæ supradictæ, Magistrum *Richardum de Havering* Ecclesiæ Sancti *Patricii* prædictæ Præcentorem Clericum vestrum eligimus in Archiepiscopum *Dublin.* & Pastorem, Priorem & Conventum Sanctæ *Trinitatis Dublin.* Dominum *Nicholaum le Boteler*, fratrem viz. *Edmundi le Boteler*, eligentibus, Nunciosque nostros eidem nostro Electo per literas nostras direximus pro consensu suo eidem Electioni, unde vestram Celitudinem humiliter duximus & devotè deprecandam,

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candam, precibus & obsequiis quibus possimus & valemus, quatinus nostro Electro, An. 35 E. 1. quem utilem vobis et Ecclesie vestre paxibz veraciter intendimus, adiutorium impendere dignemini & favorem. Conservetur vestra dominatio Ecclesie & Regni regimini per tempora prospera & diuturna. Dat. Dublin, die Mercurii prox. ante festum Sanctorum Fabiani & Sebastiani Anno Domini 1306.

*Item Rex misit aliud breve Theaur. & alijs de Consilio suo, in hac verba.*

**E**dward par la grace de Dieu, &c. A noz soiaux & loiaux le honorable pere en Ibidem. Dieu W. par la meisme grace Evêque de Cestre nostre Tresorier, & as autres de nostre Conseil a Cardoill, salut. Endroit de la bufoigne, que touche l'election Lercevesque de Dyvelin, par quei Hugh de Sutton & William de Clifford Chanoigns de l'Eglise de la Trinite a Dyvelin sont venuz a nous, ovesque les lettres du Chapitre de meisme l'Eglise; Vous mandons, que meisme les lettres veues & examines dentre vous, en cez conseil & avisement, & nous facez savor sur ceo voz avis, & ce que vous enssemblera qui soit a fair. Don souz nostre prive seal a Lanvcoft le 20 jour de Fevrier, l'an de nostre regne 35.

*Tenor dictarum Literarum Clausarum sequitur in hac verba.*

**E**xcellentissimo Domino suo, Domino Edwardo Dei gratia illustri Regi Anglia, Domino Hibernia, & Duci Aquitania, sui humiles & devoti frater Henricus le Wary de Brissoll, Prior Ecclesie Cathedral. Sancte Trinitatis Dublin. & ejusdem loci Conventus, salutem in eo qui dat salutem Regibus, cum omni qua convenit reverentia pariter & honore. Domino Richardo bonæ memoriæ quondam Archiepiscopo Dublin. viam universæ carnis nuper ingresso, et concessa nobis a vestra Majestate licentia eligendi, nos voluntate unanimi & consensu Dominum Nicholauum le Boteler virum providum & discretum, pro pace & tranquillitate terræ vestræ Hibernia præ ceteris utilem ac necessarium, latorem præsentium elegimus in Archiepiscopum & Pastorem, eundem vero vestræ Regiæ præsentamus Celsitudinis, devotis precibus supplicando, quatinus prædictæ electioni Regium assensum liberaliter impendentes, literas vestras super hoc Summo Pontifici dirigere dignemini. Valeat & vigeat vestra Regia potestas in prosperitate votiva pro Reipublicæ regimini pariter & salute. Dat. Dublin. in Octabis Sancti Hillarii, anno regni vestri tricesimo quinto.

*Et super hoc Theaur. rescripsit Domino Regi in hac verba.*

**S**ire endroit de l'election dont vous nous avez maunde, Sire il ne covient mie rescriure a ore, pur ce que la on les deus Chapitres deussent escrire a vous per leur lettres overtes, & presenter leur essit, si nescrit forsque le Chapitre de Seint Patrik, & ceo per lettres closes, & oultre ceo il ne presentent mie leur essit personaument, si come ad eslee accoustome.

In conclusion \* Mr. Richard Havering was approved by the King, and enjoyed the Archbishoprick almost 5. years by Apostolical dispensation. \* The Annals of Ireland, p. 164.

The Bishop of Murray in Scotland, a Rebel and Enemy to King Edward the 1. adhering to Robert de Brus the Usurper, and assented to the murder of John Comyn in the Church of Dunfries, for which he and others were excommunicated by Pope Clement, flying out of Scotland into the Orkades; the King thereupon writ this Letter to the King of Norway, not to permit any of his Subjects in that Island to harbour him, or any Rebels and Traytors of Scotland, but to arrest and send them to him in safe custody, by reason of the antient amity between them; and in the mean time to enjoyn all his Subjects to avoid his company, as an Excommunicate person.

**M**agnifico Principi Domino H. Dei gratia Regi Norweg. illustri, amico suo charissimo; Edwardum eadem gratia Rex Anglia, &c. salutem cum dilectione

Claus 31 E. 1.  
m 12 dorso.  
Pro Rege.



K. Edward 1. *An Exact History of Popes Intollevable Usurpations*, B. 5. ch. 5

An. 35 E. 1. lectione sincera. Inter vestros progenitores & nostros *Norweg. & Angl.* quondam Reges, ac vos & nos subsequenter mutua dilectio & bona concordia totis retroactis temporibus extiterunt, quas semper continuari cupimus, quantum ad nos attinet & foveri. Cum igitur Episcopus de *Moravia* inimicus et rebellis noster, qui neci nobilis viri *Johannis Comyn* nuper in *Eccelesia Fratrum Spinorum de Dunfres* in *Scotia* prodicionaliter interfecit nequiter assensum præbuit, quamobrem excommunicationis vinculo una cum sanctis et receptatoribus suis, ac communicantibus cum eodem, sicut alii quicumque qui dicto facinorosi et sacrilegio consenserunt, per Dominum nostrum Dominum Summum Pontificem innotatur, per aliquos de Subditis vestris in *Insula Orkadis* receptetur, vestram amicitiam (de qua gerimus fiduciam plenioram) affectuose requirimus & rogamus, quatinus præfatum Episcopum qui dicta nequitia non contentus, sed pejora prætoribus accumulans *Roberto de Brus* proditori et capitali inimico nostro adhefit, populum nostrum terræ nostræ *Scotia* ad insurgendum contra nos una cum proditori prædicto pro vobis procurando: præcipientes, si placet, per corpus suum celeriter arrestari, ipsum ad nos velitis sub salva custodia quamcito bono modo poteritis destinare; et si forte aliqui alii de inimicis et rebellibus nostris ad dictam *Insulam*, vel ad partes regni vestri voluerint declinare, ipsos ibidem receptari, sicut nos diligitis minime permittatis. Et vos in hoc facto taliter habere curetis, quod super hoc possimus vestra dilectionis constantiam facti evidentiam experiri, quodque vobis teneamur ex hac causa ad consimilia vel majora. *Ceterum* ut sententia excommunicationis prædicta vobis plenius innotescat. Et ut vos et gentes vestre communionem prædicti Episcopi, et suorum complicum, ac aliorum inimicorum et rebellium nostrorum eo citius et libentius evitaretis, tenorem bullæ Apostolicæ super prolatione sententiæ memoratæ factæ, vobis mittimus publica manu scriptum: Quicquid autem ad hanc nostram instantiam, tam de præfato Episcopo quam etiam de aliis inimicis & rebellibus nostris si quos ad partes vestras declinare contigerit facere proponitis nobis rescribere velitis per præsentium portitorem. Dat. apud *Lynstock* 6 die *Marci*.

\* Tho. Walsingham Hist. Angl. p. 65, 66, 67. Ypodigma, p. 98. Mat. Westm. p. 405, 406. Henry de Knyghton, Polychronicon, Fabian, Caxton, Polydor Virgil, Holinshed, Grafton, Stow, Speed, Daniel, Baker, and others in the last year of K. Edward 1.

This year, \* post Pascha Robertus de Brus, who usurped the Crown of Scotland, aucto jam suo exercitu, congressus cum Aymero de Valencia, ipsum compulsi in fugam, paucis de his qui erant cum eo peremptis. Infra triduum etiam sequens fugavit Comitem Gloverniz, multisque hinc inde occisis, ipsum obsedit in Castro de Arc, quousque per exercitum à Rege missum fuit obsidio dissoluta. Ex tunc autem in sequentibus cum Anglis fugit ad loca palustria & nemorosa, in quibus latibula quaritatem, comprehendere minime potuerunt. Upon the sad tidings of these disasters, Tunc Rex Edwardus missis per Angliam nunciis præcepit sub gravi poena, ut omnes qui ei debebant servitium parati essent apud Carleolum infra tres septimanas post festum Sancti Johannis Baptiste. Interea Rex grandævus vexari cepit dysenteria, & quia jam desperabat de vita diuturna misit ad filium, ut maturaret audire patris extrema colloquia. Quem inter cetera misericordem fore monebat, et iustum et affabilem iustitiam, constantem in dictis et factis, familiarem bonis, et præcipue miseris misericordiam imitari. Deinde præcepit, ne post mortem suam festinaret ad Cozonam Angliæ suscipiendam, donec paternas injurias in Scotos honorifice vindicasset, sed moraretur in partibus, et assumeret secum ossa paterna in aliquo vase reclusa, quæ secum faceret deportari, donec totam Scotiam perbagasset, et omnes superasset aduersarios vel cepisset. Quoniam (inquit) nullus te poterit superare, dum ossa mea tecum feceris deportari. Præcepit etiam, ut fratres suos Thomam & Edmundum diligeret & foveret, quorum uni, Thomæ videlicet, dederat Comitatum Cornubiæ, Edmundo vero Comitatum Mareschalli. Præterea monuit, ut matrem suam Margaretam Reginam tanquam bonum filius coleret & amaret, iussit etiam sub interminatione maledictionis suæ, ne Petrum de Gaverston communi decreto exiliatum, sine communi favore præsumeret revocare. Intimavit et quoque, quod crucem suscepisset pro negotio Terræ Sanctæ, quam proposuit personaliter adibisse, sed turbatus per molitiones Roberti de Brus nobis et variis, impeditus fuit a proposito, et bellum in Scotiam transferre coactus est, omisso negotio memorato. Triginta (inquit) et duo millia librarum argenti præparari ad exhibendum septies viginti milia honorifice in Terra Sancta cum sua familia, quia mihi non datur votum perficere in

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in persona propria, qui eos meum illuc deferent et reponent. Quod cum secum deponerent spero in Deo meo, omnia illis prospera successura. Precipio, ait igitur districtè, sub pena maledictionis paternæ, ne dicta pecunia in alios usus expendatur. Sed filius Regis patre defuncto nihil horum complete voluit. (As his Father, Pope Boniface 8. and Clement 4. bestowed none of the vast sums of money they imposed, collected, levied for relief of the Holy Land, to that use during their lives, but converted it to other uses, to the great delusion and abuse of those from whom they extorted it with greatest rigour, by all sorts of Ecclesiastical censures and Temporal process, as the premises abundantly evidence.)

Cum Rex Edwardus præmissis monitis, filium instruxisset & de sua postrema voluntate plenius docuisset, misit eum in Angliam, ut secundum ea quæ à Rege audires Franciæ, proficisceretur ad connubium cum ejusdem filia contrahendum. Pro qua causa parum ante in Angliam missus fuerat quidam Cardinalis, dictus Petrus Hispanus, ut pacta nuptialia confirmaret. Post decessum filii, capis Rex prout ante vexari dissentientia, movit nihilominus de Carleolo, quinto nonas Junii, parvis diebus versus Scotiam proficiscens. Pridie vero nonas Julii venit ad \* Burgum super Sandes, ubi invalescente morbo, die crastina, scilicet feria sexta, præsentis vite valescens, dies suos in boro, & annos suos in Angliam consummavit. Regnavit autem annis triginta quatuor, mensibus septem, diebus viginti uno, complevitque ætatis suæ annos sexaginta octo & dies viginti. Of whom the premised Historians render us this character.

\* Fuit autem in armis strenuus, bellicosus etiam & victoriosus; totam Angliam de manu Simonis de Monteforti & eidem adherentium Comitum & Baronum acquisivit; Walliam de manu Lewellini in suos usus accepit; Aquitaniam quoque de manu Regis Franciæ sapienter extorsit; Scotiam sapienter subjugavit, sed ea capta per Robertum le Brus ipse in lecto mortis jacens, ex magnanimitate cordis, jussit corpus suum ibi remanere insepulchrum, & deferri in exercitum donec tota Scotia esset finaliter subjugata, de quo quidam sic scripsit:

Dum vixit Rex, & valuit tua magna potestas,  
Fraus latuit, pax magna fuit, regnavit honestas.

Post Principis prædicti decessum, venerabilis pater Dominus Petrus Hispanus Cardinalis, (who continued in England to collect his Procurations) & Clerus Angliæ, cunctisque regni Nobiles qui interesse poterant, obviam corpori undique occurrerunt solennes processiones, ad quas venerat, per Ecclesias faciendo. Requirit autem corpus venerabile inhumatum in Ecclesia Canonicorum de Waltham usque in diem sepultura sua, scilicet per sexdecim septimanas, per quod tempus ex mandato Executorum Regis illuc destinati sunt de Angulis magnis Monasteriis vicinis in circuitu hebdomadatim sex Monachi seu Canonici, vel alii Religiosi, qui circa corpus vigiliis facerent et exequias solemniter continuarent, non sine gratis laboribus et expensis. Nec cuiquam licebat recedere donec arbitrio Executorum licentia fuisset. Cardinalis autem (according to the absurd superstition of that sottish age) indulget ventam annis annis omnibus dicentibus orationem Dominicam cum salutatione Angelica pro anima dicti Regis, (to which end neither of them had or could have the least relation or efficacy.) Cumque à festo translationis Sancti Thomæ Martyris usque ad festum Apostolorum Simonis & Judæ jacuisset inhumatum corpus regium, tandem ipso die Apostolorum apud Westm. est sepulchrum, patre venerabili Antonio Patriarcha Jerosolymitano & Dunelmensi Episcopo missam celebrante, & extremas exequias faciente.

An. 35 E. 1.

\* Rot Finium  
An. 35 E. 1.  
m. 1. inus.

\* Mat. Westm.  
Walsingham,  
Polychroni-  
con, Polydor-  
Virgil, Fabi-  
an, Grafton,  
Holinshed,  
Speed, Da-  
niel, Baker,  
in his Life.

FINIS.





## A

## SUPPLEMENTAL APPENDIX

to the Reign of King Edward the I.

**C**OURTEOUS Readers; Having some Vacant time the last *Summer Vacation* to peruse all the *Bundles of Writs* and other *Records* long interred in Dust and Cobwebs in a Confused Heap in the *White Tower*, so farr as to separate those of most use during the reign of King *Edward* the 1. from his Predecessors and Successors, and transcribing those relating to my present *Historical Vindication*; before I could compleat that painfull, troublefom, sordid work, which none else would undertake, or assist me in, near 25. years of his reign in this *Tome* were finished at the Presse. Upon which account, I thought fit to annex all such *Writs of Prohibition, Epistles, Bulls*, and other *Records* relating to those years, pertinent to my *Historical Vindication*, which I have since discovered, as a *Supplemental Appendix* thereunto, in a Chronological Order, referring each of them to their proper places, to which their expresse dates or other circumstances where the dates are wanting, direct me; together with the pages, lines where they may be most properly inserted in the next Edition.

An. 3 E. 1.



Here, p. 159. l. 11. after *Successors*, insert.] In a small Bundle of King *Edward* the 1. his Letters in the *White Tower* writ to the Emperor of *Germany* and others on the behalf of his Brother-in-law the King of *Castile*, I find this Epistle of his directed to Pope *Gregory* the 10. imploring his favour and speedy Justice in the conservation of his right in the *Roman Empire*, by his mediation on his behalf.

In Bundela  
Literarum, &c.  
Regis in Turri  
London.  
An. 3 E. 1.

**S**erenissimo in Christo Patri & Domino, Domino G. divinâ Providentiâ sacrosanctæ Romanæ Ecclesiæ Summo Pontifici, &c. *Edwardus* eadem gratiâ Rex Angliæ, &c. pedum oscula beatorum. Preces illas Sanctitati vestræ cum fiducia destinamus, quæ justitiâ comitem non relinquunt, et a juris tramite non discorant, sperantes firmiter ut eas benignitate paternâ ad exauditionis gratiæ januam admittatis. Ea propter Dominationem vestram quanta possumus affectione rogamus, quatinus serenissimum Principem & sororium nostrum charissimum, Regem *Castellæ* illustrem, paternæ dilectionis brachiis amplectentes, sui suum, quod in *Romano Imperio* habere dinoscitur, illisum sibi conferbare, ac super eo reddere celeris et favozabilis complementum justitiæ nostrorum precaminum, interventu: ut per hoc Sanctitati vestræ fortius astringamur ad omnia quæ vestris sanctis affectibus possint aut debeant complacere, & Rex idem apud vos sibi sentiat preces nostras in sua justitiâ profuisse. Conservet, &c. Teste meipso apud *Westm.* 4 die *Maii* Anno regni nostri tertio.

Bundela Bre-  
vium An. 3 E.  
1. in Turri  
London.

*Ibid.* l. 26. after *Julii*, adde.] I found this Writ to the Justices of the Common Bench, that *Magister Hospitalis Sancti Lazari de Burton*, should make an Attorney in loquela suo *Attachiâ*. coram *Justiciariis de Banco*, inter ipsum *Magistrum* & *Simonem Personam Ecclesiæ de Horton*, de eo, quod idem *Simon* secutus fuit plac. in *Curia Christianitatis de Advocacione quartæ partis Ecclesiæ de Golby*, contra *Prohibitionem* nostram. Teste meipso apud *Westm.* 9 die *Maii*, Anno Regni nostri 3.

Here, p. 160. l. 11. after *tercio*, adde.] Earl *Warren* having incensed the King and his Council against the Archbishop of *Canterbury*, for his contempt against the King and his Royal authority, in refusing to absolve some of the Earls Ministers

excom-

## A Supplemental Appendix.

K. Edward 1.

excommunicated by him as was suggested, but in truth by his predecessor, upon the Kings Writ and command; he thereupon sent this Letter to the King, to satisfy him of the truth of the case, and why he could not absolve him, intending to give him further satisfaction therein by word of mouth.

**R**everendissimo Domino suo, & in Christo dilectissimo, Domino E. Dei gratia Regi Anglia, Dom. Hibernia, & Duci Aquit. Sanctorum minimus, frater R. de Kylewardby, salutem, sospitatem, et prosperitatem continuam. Excellentie vestre mandatum per Dominum Stephanum de Penecestr. suscepi apud Raculur. feriâ tertiâ Assumptionis beatæ Mariæ, per quod evidenter intellexi, quod Comes Warren. & sui, vos et Consilium vestrum contra me catergit perturbare, (ignorantes causam quare) contra me et Cantuar. Ecclesiam injustissimè commoventur. Petivistis (Domine mi) quod sententiam quam tuli in Ministros dicti Comitis, revocem, et a querela, contra ipsos concepta, supersedeam, et contra ipsum Comitem aut suos nihil attemptem, usque ad Parlamentum; bideoz enim et iudicor. Regiam dignitatem vestram continere, et quod vestris Prohibitionibus dissimulo obedire. Ista, ni fallor, fuerint mihi ex parte vestre Excellentie proposita, quibus suppliciter sicut Domini mei verbis respondeo; Quod nullam in dictum Comitem vel suos quatinus Ministri sui, sententiam (promulgavi) nec contra vestram adhuc aliquid feci Prohibitionem; sed pro reberentia vestra stui in hoc supersedere, donec vobiscum colloquium habuerio, si hoc concesserit Rex aternus. Quid autem egerim contra quosdam dicti Comitis ministeriales, inevitabili necessitate compulsum, vobis fidenter expono; viz. quod quandam sententiam Excommunicationis in quosdam ejus Ministros a predecessore meo nominatim expressos latam, multis inonitionibus et expectatione plusquam biennali interpositis, antequam mihi de hac materia scriberetis, mandavi publice denunciari. Ita quod sic per sententiam Predecessoris excommunicari denuncientur. Idud, Domine mi, cum conscientia bona revocare non possum; tum quia subditi mei sunt, et rite ligati sunt; tum quia populus eis communicat cum suo periculo; tum quia propriam et aliorum damnationem contemnunt, claves Ecclesie contemnendo; quorum nullum, nisi cum proprio periculo, potero sustinere. Expressi vobis facti mei veritatem, de cæteris differens, donec (si Deus voluerit) vestro frui colloquio mihi detur. Denique devotè supplico, quod non sitis mihi formidini, qui, secundum spem meam et vestrum debitum, mihi debebitis esse clypeus et tutamen. Satellites enim Comitis jugiter vestra terent limina, & Milites & Consiliarios vestros fautores habent; (ut dicitur) qui faciliter forsthan vos contra vestrum sacerdotem satagunt probocare: quod tamen nec volo de omnibus intelligi, nec pro certa veritate haberi. Vestram igitur flagito protectionem; cui me, meos, et mea submitto. Valeat, &c. Dat. die & loco prædictis.

Bundela Lite-  
rarum & Bre-  
vium in Turri  
London, An.  
3 E. 1.

The Prior and Covent of the greater Monastery of Taron in France, being dispossessed by two of his Rebellious Monks of the Priories of Newport Paynell, and Trinity in Yorke (belonging to that Monastery) against his will, for which he had publicly excommunicated them, and for which they were condemned upon their Appeal by sentence from the Court of Rome, and yet detained their possessions from him, sent this humble Supplication to King Edward the 1. as the Sovereign Protector and Buckler of the Church, that by his Regal power and the Lawes of the Land, they might be reduced to obedience, since their Ecclesiastical censures were ineffectual to reclaim them.

**E**xcellentissimo Domino E. Dei gratia illustrissimo ac victoriosissimo Regi Anglia, frater Stephanus permissione divina Majoris Monasterii Turonensis, Minister humilis, salutem, &c. Cum frater Reginaldus de Bernevalle & Ajmo nostri Majorum Monast. Monachi, contra voluntatem nostram, Prioratus nostros de Newport Paynell & Trinitatis Eborum detinentes occupatos, videlicet dictus Reginaldus Prioratum de Newport, & dictus Ajmo Prioratum Sanctæ Trinitatis Eborum, diu ex auctoritate nostra fuerint excommunicati, eorum contumacia et inobedientia exigentibus; salutis suæ immemores, dictam Excommunicationis sententiam per biennium et amplius sustinuerint, et adhuc tanquam iniquitatis et inobedientie filii,

In eadem Bundela, An. 3 E. 1.



*An. 3 E. 1.* filii, in eadem Excommunicatione perseverent, animis induratis; quanquam in Curia Romana in appellationis suæ causa tribola et injusta auctoritate Apostolica nobis sint finaliter condemnati, Majestatis vestræ Regiæ excellentiam in juris subsidium requirimus in Domino, ac devote rogamus, quatinus præfatos Rogerum & Aymonem de prædictis Prioratibus Regiæ potestatis Clypeo expelli vestri gratia faciatis. Ita quod per vestræ Majestatis Regiæ potentiam ad gremium nostri Monasterii et debitam obedientiam redire cogantur, ac suæ absolutionis beneficium obtenturi. Valeat, &c. Dat. apud Majus Monasterium 3. Idus Februarii, Anno Domini 1274.

Bundle Bre-  
vium & Lic-  
entiarum in Tur-  
ri London,  
An. 3 E. 1.

**E**xcellentissimo Principi Domino E. Dei gratia Regi Anglorum illustri; fratres Capituli Majoris Monasterii *Turonensis*, & *Stephanus* divina permissione eorum Minister humilis, salutem, &c. Memores piæ devotionis ac devotæ pietatis quas inclytæ recordationis Progenitores vestri Reges Angliæ suis temporibus erga nostrum Monasterium habuerunt, ipsum amplis redditibus affluenter dotando, magnæ ac decore in ipso ædificia construendo; in quibus nos pro benefactorum nostrorum salute, ac pro vestra tranquillitate debite orantes, die nocturne Domino famulamur; optamus ac speramus in Domino, sua in vobis exuberante gratia, nos habere paternæ devotionis hæredem, ac in conservatione libertatum & beneficiorum nobis ab eisdem Progenitoribus nostris collatorum præcipuum defensorem. Verum cum nos quosdam Prioratus in regno vestro, apud *Eboracensem*, videlicet, & apud *Newport Paguel* ex pia largitione dictorum Progenitorum vestrorum à longinquis temporibus obtinuerimus pacifice ac quietè; quidam de Monachis nostris in ipsis Prioratibus commorantes, maligno ducti consilio, contra nos se in omnem inobedientiam erexerunt; nihilque obedientiæ referbantes, sic in reprobum sensum ducti sunt, quod salutis suæ ac professionis nobis factæ immemores, associatis sibi in sua nequitia complicitibus, consentur pro viribus suis a nostra obedientia et subjectione eisdem subtrahere Prioratus, quanquam iustitia prævalente sus nostrum in Curia Romana per distinctam sententiam fuerit declaratum dictis Monachis cum suis fautoribus, nobis sententialiter condemnatis. Inde est quod cum eadem sententia Apostolica absque defensionis nostræ præsidio executioni debitæ nequeat demandari (neither the Popes or Priors Sentences and Excommunications having then any legal force in England, upon which a *Capias Excommunicatum* could be served) ad vestræ Celsitudinis clementiam recurrentes, vestræ Magnificentiæ pedibus proboluti devotissime supplicamus, quatinus ex innata vobis immensæ largitatis clementiâ dignemini benigno oculo ac favorabili præsidio nostri Monasterii tanto occasui providere, dilectisque nobis in Christo fratribus, *Simoni* & *Guydoni*, exhibitoribus præsentium, quos in ipsis Prioratibus destinamus Priores, velitis vestræ defensionis præsidio assistere, ac ipsos contra adversariorum nostrorum maliciam & potentiam per vos & vestros Magnificentiæ vestræ Clypeo in ipsis Prioratibus defensare: Nec sinat potestas vestra Regia Monasterium vestrum, quod affectuosè dilexerunt patres vestri sub felici cursu temporis vestri malignorum violentiis subiacere; ut proinde Deum & beatum *Martinum* Patronum nostrum habeatis in præmium, nosque imperpetuum ad orationes assiduas & devotas. Valeat, &c. Dat. apud Majus Monasterium die Lunæ post *Circumdaverunt me*, Anno Domini 1274.

This *Stephen* and his Convent procured Letters to the King from divers Great persons in *Foreign parts*, to the same effect, I shall cite only that of *John Duke of Britain* to the King, filed together in the same Bundle.

*Ibidem.*

**E**xcellentissimo Principi Domino E. Dei gratia Regi Angliæ illustri, &c. *Johannes Dux Britannie*, salutem, et paratam ad ipsius beneplacita voluntatem. Quanto gratiosum animum vestrum ad iustitiam conservandam et malignorum nequitiam reprimendam cognovimus propensiozem, tanto fiducialius pro amicis nostris præcipue et religiosis viris pro conservandis juribus et libertatibus suis vestrum Regale præsidium doximus implorandum. Cum igitur, ex parte charissimorum nobis in Christo, Religiosorum virorum, Abbatis & Conventus Majoris Monasterii *Tur.* intellexerimus se ex pia largitione Progenitorum vestrorum Re-

gum *Anglia* duos Prioratus in regno vestro, viz. apud *Newport Paynell* & apud *Sanctam Trinitatem Eboracen.* ab antiquo obtinuisse pacifice & quiete, ac quosdam Monachos ipsius Monasterii professos, associatis sibi complicitibus, per suam malitiam dictos Prioratus, contra voluntatem dictorum Abbatis et Conventus, a tempore defectionis *S. Montisfortis* violenter occupasse; et adhuc occupatos detinere proponunt: quanquam ius ipsorum Religiosorum deductum in iudicio in Curia Domini Papæ nuper in Consilio *Lugdunensi* per ipsum Dominum Papam contra dictos Monachos ad alios aduersarios fuerit finaliter declaratum, prout per litteram Papalem super hoc confectam et bullatam apparet (ut asseritur) evidenter: ac huiusmodi sententia Apostolica non possit (ut dicitur) propter aduersariorum potentiam executioni debitæ demandari. Excellentie vestre magnificenciam attentius requirimus et rogamus eo affectu quo possumus ampliori, quatinus amore Dei, et zelo Iustitiæ, nostræque intercessionis obtentu, dictos Abbatem & Conventum (quos speciali amore prosequimur) faciatis in suis iuribus sustineri, defensionis vestre præsidio & seruari; ac Monachos, quos dicti Religiosi ad dictos Prioratus destinant moraturos contra aduersariorum potentiam & violentiam Magnificentie vestre clypeo defendatis, ut proinde Deum habeatis in præmium, ipsique Religiosi preces nostras erga clementiam vestram sibi sentiant profuturas. Conservet, &c. Dat. *Parisiis* die *Lunæ* post Dominicam quâ cantatur *Reminisci*, Anno Domini 1274.

Here, p. 164. l. 23. after *tercio*, insert ] The Bishop of *Norwich* (notwithstanding this Composition and award of the King made between the Bishop and the Citizens) refusing to absolve them from the Interdict denounced against them, thereupon they exhibited this Petition against him to the King for relief.

CO monstrent les Burgoyz de *Norwyz* a lur Seigneur le Roy, e a son Conseil, ke si com lur Seigneur le Roy, manda par la lettre al *Esches* de *Norwic* e lur priez lui relest le enterdit ke il ad pupple sur les genz le Roy e la Cyte de *Norwyz*, e le *Esches* pur le mandement lur Seigneur le Roy, ne pur la priere rien ne a relest, dunt les genz le Roy e la Cyte sunt en point de perir si lur Seigneur le Roy ne eit pite de eus, e ke il pur la duce mercy voille mettre autre remede de la grace.

Bundela Petiti.  
& Literarum,  
An. 3. E. 1. in  
Tutti London

Here, p. 173. l. 48. after *Januar.* adde ] King *Edward* having thus conferred the Archdeaconsry of *Dublin* on *William de Salines* during the vacancy of the Archbishoprick, the Prior and Covent of *St. Trinity* in *Dublin*, and Chapter of *Dari*, opposing his Ecclesiastical Jurisdiction, in derogation of the Kings Crown and dignity, and offering violence to his Clerks; he thereupon denounced a sentence of major excommunication against them, and prayed the assistance of the Kings secular arm against them, to suppress their insolency,

I Stud est obstaculum quod ponunt Prior & Conventus Sanctæ Trinitatis *Dubli.* In eadem *nensis*, una cum Capitulis *Darensi* & *Lechlinensi* sedibus eorundem vacantibus Bundela.  
contra Regem, quod licet Rex possit conferre Præbendis Ecclesiæ *Dublinensis* sede vacante, dicunt tamen, quod spiritualitates et præcipue spiritualitatem Archidiaconatus annexam conferre non potest, quanquam manifestum et apud omnes sit notorium, quod ad Archidiaconatum *Dublin.* sede vacante iurisdiclio et omni-modi spiritualitas totius Archiepiscopatus suffraganeorum et aliorum omnium subditorum a tempore cuius memoria non existit spectare consuebit, & prædecessores Archidiaconi qui modo est usque nunc in possessione pacifica omnium prædictorum continua non interrupta existerunt; et quamquam omnia præcedencia notoria sint et liquida, præfati tamen Prior & Conventus Sanctæ Trinitatis *Willielmo de Salines* ex collacione Regia Archidiacono existenti, in præiudicium iuris Regis resistere non desistunt, in Clericos ejusdem Domini *Willielmi* Archidiaconi ausu nepharo irruentes, sententiam excommunicationis majoris auctoritate præfati Archidiaconi in ipsos latam minime metuentes, et indurato animo per 40 dies et amplius clades Ecclesiæ contempnendo sustinentes, in Domini Regis dedecus et ex prædacionem manifestam; super quo præfatus Archidiaconus consilium Domini

ni



ni Regis requirit auxilium brachii secularis contra hujusmodi invocando. Bis irrotulatur.

An. 4 E. 1.  
Bundela Bre-  
vium, &c. in  
Tuni Lond.  
An. 4 E. 1.

Page 177. l. 21. after *Octobris*, insert.] In the Bundles of Writs in the *White Tower*, An. 4 E. 1. I found these several Original Writs of *Prohibition* for suits in Court Christian in the Diocese and County of *Lincoln*, for goods, *Advowson*, and *Lay-fee*, of which they had no Jurisdiction; whereof take this Breviate. Vic. Linc. Richardus de Bulchan, Richardus Stoner, & Alicia qua fuit uxor Roberti de Carmayles, *vers. Magistr. Petrum Orger*, quare tenuit; & Thomam de Graham & Ceciliam uxorem ejus, quare secuti sunt placitum in Curia Christianitatis de bonis et catallis ipsarum, quæ non sunt de Testamento, &c. contra *Prohibitionem*. T. Regæ apud Linc. 7 die April. Vic. Linc. Johanna que fuit uxor Will. de North Elkinton *vers. Magistr. Antonium de Seurestorp*, quare tenuit: et Henric. Vicar. Ecclesia de Elkynton, quare secutus est confirm. plac. T. apud Kenyngton 14 die April. Vic. Linc. Alanus fil. Clementis de Butterwyke, *vers. Robertum Vicar. Ecclesia de Mitterton*, quare secutus est confirm. plac. T. apud Westm. 8 die Maii. Vic. Linc. Robertus de Newton & Willielmus de Barthorp *vers. Jacobum de Pant*, quare secutus est confirm. plac. T. apud Westm. 8 die Jun. Vic. Linc. Alanus fil. Willielmi *vers. Mag. Clementem personam Ecclesia de Leke*, & Walterum le Chapleyn, quare secuti sunt confirm. plac. T. apud Westm. 20 die Julii. Vic. Linc. Richardus de Grey *vers. Laurentium Peche*, quare secutus est confirm. plac. T. apud Clarendon 10 Sept. Vic. Linc. Johannes Faldetape *vers. Henric. Decanum de Staunford*, quare tenuit: et Henric. le Luminor. de Linc. quare secutus est confirm. plac. T. apud Langele 7 die Octobr. Vic. Linc. Vicarius de Herdeley, *vers. fratrem Robertum de Thirrnell & fratrem Thomam de la Quysine*, quare secuti sunt confirm. plac. T. apud Westm. 2 Novembr. Vic. Linc. Richardus Pish, & Petrus de Bernalby, *vers. Willielmum de Newerkè*, quare tenuit; & Elizabetham M. quare secut. est confirm. plac. T. in Turri London 24 die Novembr. An. r. n. 4. Vic. Linc. Philippus de Keyma, *vers. Mag. Willielmum Decanum Christianitatis Linc. & Magistr. Petrum Ormer*, quare tenuerunt placitum in Curia Christianitatis de Advocatione tertie partis Ecclesie de Madrugham contra *Prohibitionem*: Et Johannem de Wydrington Canonici Ecclesie Sancte Mariæ de Lincoln, quare secutus est idem placitum in eadem Cur. T. apud Westm. 8 die Junii. Vic. Linc. Philippus de Keyma *vers. Magistr. Johannem de Wydrington*, quare secutus est placit. in Curia Christianitatis de Advocatione Ecclesia de Croaton, contr. &c. T. ap. Westm. 8 die Junii. Vic. Linc. Alicia filia Egidii de Lurretur, *vers. Magistr. Willielmum de Novo Castro Decanum Lincoln*, quare tenuit plac. in Curia Christianitatis de Laico feodo ipsius Alic. in Linc. contra *Prohibitionem*. T. apud Turrim London 18 die Julii. Vic. Linc. Philippus de Keyma *versus prædict. Johannem de Wydrington Canonici, &c.* quare secutus est placit. in Curia Christianitatis de Capella de Criketon, contr. *Prohibitionem nostram. Teste meipso apud Lincoln. 7 die Augusti. Anno regni nostri quarto.* All these Prohibitions in this one year issued to the Sheriff of *Lincoln* only, (to omit those to other Counties) so vexatious were the Bishop of that Diocese and his under Officers, to the Kings Subjects there, and so incroaching upon his Royal Crown, Dignity, and temporal Courts.

Page 179. l. 55. after *Novembriis*, insert.] In a bundle of Letters, Certificates and Writs I met with in the *White Tower*, An. 4 E. 1. I found this Taxation of the Temporal goods of the Abbot of *Reading* towards the Quindisme then granted to the King, by which you may discern the prices of Cattel and Corn in that age.

Anno 4 E. 1.  
Wiltres ff.

Taxatio bonorum temporalium & mobilium Abbatis de *Reading*. facta per præceptum Domini Regis apud *Wichebir*. coram Vic. Willielmo Gereberd, & aliis viris fidedignis, & coram Radulpho de *Wokingham* Ballivo dicti Abbatis de *Wichebir*. & per Thomam de Ponte, & Eliam de *Guldeford*, Thomam le Ride, Radulphum le Frie, Johannem Martin, Ricardum le Jenge, Galfridum Wunning, Thomam Andreuz Johannem Ad-putem, Johannem le Webbe, Robertum le Carter, & Johannem qui dicunt super Sacramentum suum, quod dictus Abbas habuit in bonis apud *Wichebir*.

## A Supplemental Appendix.

K. Edward 1.

*Wichebir.* die quo Quintadecima Domino Regi fuit concessa, viz. duos Affr. mascul. apprec. ad 9. sol. prec. Affr. 4 s. 6 d. Item 24 boves appreciatis ad 7 l. & 12 s. prec. 8 bov. 8 s. prec. aliorum 8 bov. 6 s. & prec. 8 bov. 5 s. Item 6 vacas appreciatis ad 27 s. unde precium 3 vac. 5 s. & prec. aliarum 3 vac. 4 s. Item duos boviculos mascul. apprec. ad 6 s. Item 3 boviculos fem. apprec. ad 6 s. Item unum vitulum apprec. ad 12 d. Item 10 porc. superannates apprec. ad 13 s. 4 d. prec. porc. 16 d. Item 15 Hogg. porc. de dim. anno apprec. ad 12 s. 6 d. prec. Hogg. 10 d. Item 200 Mutton. apprec. ad 10 l. prec. Mutton 12 d. Item 300 oves mascul. apprec. ad 12 l. 10 s. prec. ovis 10 d. Item 150 Hogg. apprec. ad 5 l. prec. Hogg. 8 d. Item 20 quarter. frumenti ad 4 l. 10 s. prec. quarter 4 s. 6 d. Item 30 quarter. Ordei apprec. ad 4 l. 10 s. prec. quarter. 3 s. Item 20 quarter. Aven. apprec. ad 40 s. prec. quarter 2 s. Item 3 quarter. pisarum, &c. apprec. ad 9 s. prec. quarter. 3 s. — *Summa total.* 50 l. 05 s. 10 d.

Page 185. l. 11. after *December*, insert. ] King Edward in pursuit of his Writs <sup>a See Here, p. 193. 193.</sup> and Commission to seise the goods of all <sup>a</sup> *Usurers*, seised the goods and chattels of one *Reginald* a Citizen of *Cassal* in *Ireland* in *London*, as being a Usurer, and likewise sued the Archbishop of *Cassal* for other of his goods; who thereupon petitioned the King, affirming that he died a good Christian, being absolved from *Usury* by the Pope before his death, that he devised his goods by his Will, and thereupon desired not to be vexed for them, adding other requests thereunto.

**S**upplicat Domino suo Regi Archiepiscopus *Cassellen.* quod non veretur amplius pro bonis *Reginaldi Maccotir*, quondam Clerici & Civis *Cassellen.* ibidem male interfecti, qui mortuus fuit ut fidelis Christianus, & de omnibus bonis suis diu ante mortem suam condidit testamentum, & petuntur ab eo ratione, quod dicunt eum aliquando fuisse usurarium, et qualitercunque hoc esset dictum vel factum, diu ante mortem ad mandatum Domini Papæ satisfecit, et sic desit esse Usurarius et suum statum recuperabit, quod paratus est dicere *Cassellen.* In Bundela Petit &c in Turri London, An. 4 E. 1.

*Item*, Supplicat quod Quadringintæ libr. in quibus tenebatur dictus *Reginaldus* Domino Regi per literas suas Patentes, ut dicitur, viz. ducentæ libr. de preſto, & alix ducentæ in quibus tenebatur pro lana empta à Domino *Alano la Suche* tunc Justiciar. *Hybernia*, non petantur, ex quo idem *Reginaldus* dictas quadringentas libras in domo Domini *Johannis de Gyſort London* integrè persolvit, & similiter hoc petit inquisitionem fidelium Mercatorum *Hibernia*, & etiam si non solvisset, Dominus Rex cepit de bonis ejusdem *Reginaldi Bristollia* mille & trecentas Marcas post mortem ipsius *Reginaldi*, ad qua pecunia pro Deo executoribus ipsius pro voluntate sua respondeat Dominus suus Rex, ut voluntas defuncti adimpleatur, et in hoc Deo placebit.

*Item*, supplicat idem Archiepiscopus, quod non erigatur prisona in Civitate sua *Cass.* quam ten. Ecclesia *Cass.* à sua fundatione in puram & perpetuam Elemosinam, sine aliqua exactione seculari, & similiter hoc habet confirmationes illustrium Regum *Anglia*, viz. *Dominorum Henr. & Johannis*, quarum tenorem ob reberentiam crucifixi sibi et Ecclesie suæ supplicat observari.

*Item*, cum idem Archiepiscopus esset attachiatus, pro eo quod quandam particulam parochie valentem tres Marc. cuidam Canonico *Cass.* contulisset, secundum quod antea duobus vel tribus aliis Canonicis conferre consuevit, & quidam alius asserens illam particulam ad suam spectare Ecclesiam, inquisitionem Laicalem in absentia dicti Archiepiscopi dicto Canonico rei possessore non vocato procuravit, quare dictus Archiepiscopus occasione dictarum trium Marcatarum ad Centum libz. est amerciat; unde supplicat quatinus similiter ad hoc salubre adhibeatur remedium.

*Item*, humiliter supplicat, ut similiter hiis & aliis quætangunt coronam, coram Domino suo Rege & Consilio suo benignam habeat audientiam, maxime cum ad preces Domini sui Regis in Curia Romana nullum petit remedium super grabaminibus sibi et Ecclesie suæ illatis, sed simpliciter confidens literis Regalibus, necnon et dictis nobilium discretorum et venerabilium nuntiorum sollempnium per Dominum suum Regem ad Concilium generale missorum.

Et ut videatur cum effectu aliquem petere pro tenore prædictarum Cartarum



An. 4 E. 1. illustrium Regam Anglia sibi, Ecclesie sue et successoribus suis imperpetuum tenendo, et per novam confirmationem Domini sui Regis impofterum pacifice observanda, dabit Trecentas Marcas.

The King upon this Archbishops Petition sent a Writ to his Chief Justice of Ireland, to inquire by an Inquest of 12 Jurors, whether it would be to the damage of the Archbishop, for the King in his own fee to erect a prison in *Cassell*, or no? which he delivering to him in the presence of the Council with his own hand, the Chief Justice caused a jury to be impannelled, who found upon Oath, that it was no damage at all to the Archbishop, but a benefit to him, the King and the whole Country, to erect a prison there; upon receipt whereof, the King commanded a Prison to be there built; At which this insolent undutifull Archbishop was so incensed, that he denounced a sentence of Excommunication against the Chief Justice, the Kings Escheator, the Popes Chaplain, and all others, except the King, Queen, and their Children, who were ayding, assisting, or advising in the erection of this Prison, and likewise interdicted his whole Diocese and Province, in high prejudice and contempt of the Kings Crown and Royal dignity, to the great disturbance of the Peace of Ireland; and withall sent his Proctors to Rome to procure the Popes ratification of this his Excommunication and Interdict, till the Prison were demolished. To prevent which, the Chief Justice and Popes Chaplain appealed against this Sentence and Interdict to the Pope, certifying the Chancellor, Bishop of Bath and Wells, of these proceedings, and advising him to send Proctors speedily to Rome, to prevent his dangerous proceedings and designs against the King, as this Letter of the Popes Chaplain to the Chancellor (which I found in the *White Tower* Chappel) will at large inform us.

\* Bundela  
Brevium &  
Litterarum An.  
4 E. 1. in  
Turri Lond.

\* Reverentissimo in Christo Patri, & Domino suo (si placet) carissimo, Domino R. Dei gratia *Bathon. & Willen.* Episcopo, suus humilis & devotus  
From. le Brun, Domini Papæ Capellanus, salutem, & quicquid potest & poterit obsequii, reverentia & honoris. Usus & necessitas hoc inducunt, ut vel ad Dominos amicos ut consulant, vel ad medicos ut curent confugiant vulnerati. Ea profecto ratione venerandæ Paternitati vestræ duxi non sine cordis angustia referenda ea, quæ per Archiepiscopum *Cassalen.* in Regiæ dignitatis gravissimam læsionem, et etiam in Domini Justiciarii Capitalis, et omnium aliorum qui sunt de Consilio Domini Regis, dispendium non modicum et gravamen, sunt his diebus enozimè attemptata. Sanè vestram Paternitatem creditur non latere, qualiter præfatus Archiepiscopus, cum jam ultimo esset in *Anglia*, à Domino Rege quasdam literas impetravit, directas Domino *Gulfrido de Geymull* Justiciario *Hiberniæ*, et (si bene percolo) continentes, ut idem Justiciarius inquireret, utrum esset ad nocumentum et dampnum ipsius Archiepiscopi & Ecclesiæ sue *Cassalensis*, vel non, si Prisons Domini Regis per Dominum Jacobum de Audelegh tunc Justiciarium *Hiberniæ* inchoata super Laicum secundum ipsius Domini Regis in *Villa de Cassal.* perficeretur? Quas quidem literas cum prædictus Archiepiscopus præfato Justiciario in Scaccario *Dublin.* omnibus de Consilio tunc præsentibus, liberasset propria manu sua, idem Justiciarius Domini sui mandatis obtemperans, prædictam Inquisitionem, juxta quod habuit in mandatis, fieri fecit per totius Patriæ fidedigniores, & omni exceptione majores; per quam compertum fuit, quod nullum fieret nocumentum vel dampnum ipsi Archiepiscopo vel Ecclesiæ sue prædictæ, si perficeretur Prisons prædicta; sed quod ejusdem Prisons constructio potius cederet ad commodum ipsius Archiepiscopi et Ecclesiæ sue, et ad profectum et bonum pacis totius Terræ non modicum. Cum autem idem Dominus Justiciarius ipsam Inquisitionem sub Sigillo suo ipso Domino Regi misisset, et idem Dominus Rex ea audita et intellecta eidem Justiciario suo literatorie remandasset, quod dictam Prisons levari et perfici faceret, ac idem Justiciarius mandatum illud confestim executioni debitæ commendasset, præfatus Archiepiscopus occasione constructionis Prisons prædictæ nimio furore succensus in præfatum Dominum Justiciarium, Magistrum *J. de Sannford* Escheatorem, et in me, necnon (exceptis duntaxat ipso Domino Rege, et Domina Regina, ac ipsorum liberis) in omnes illos qui ad ipsam Prisons construendam auctoritatem, consilium et auxilium præstiterunt, excommunicatio-

nis

nis sententiam solminabit; et (quod deterius est et gravior) suam Diocessim interdicto supposuit, decrebitque eidem interdicto ceteras Diocesses totius sue Provincie supponendas. Unde cum ab ipsis sententiis erroris, et etiam errorem intolerabilem continentibus, antequam lata fuerant, pro statu Domini Regis, et etiam pro statu ipsius Justiciarii sui et omnium aliorum familiarum et ministrorum suorum, necnon pro statu populi ad sedem Apostolicam fuerit appellatum. Placeat Sanctitati vestre, ut cum Clericus & Procurator, quem prefatus Dominus Justiciarius ex parte Domini Regis pro appellatione predicta prosequenda ad Curiam Romanam destinare proponit, ad ipsius Domini Regis presentiam et vestram accesserit, tale consilium in premissis procuratoris apponi, quod ipsius Archiepiscopi tam presumptuosum et detestabile factum non transeat impunitum. Illi siquidem vertatur in dubium, quin idem Archiepiscopus, ut, quoad viderit, prefato Domino Regi et omnibus suis, ac toti terrae sue Hiberniae inferre non desinet dampna et dispendia quantumcunque machinari poterit graviora, ut in hoc facto succumbere videatur. Ceterum quia prefatus Archiepiscopus statim postquam tulerat sententias supradictas, ad impetrandam earum confirmationem, ad Curiam Romanam suos Procuratores et Sanctos destinabit, multum expectaret, quod Procuratores Domini Regis in eadem Curia essent per ipsam Dominum Regem super hoc cum omni festinantia premuniti; ne huiusmodi confirmatio absque contradictione transiret. Pro Deo istud negotium, quod arduissimum in Hibernia reputatur, tanto diligentius ipsi Domino Regi exponere dignemini, ipsi animantes ut illud exequi faciat cum effectu, quanto majus dampnum et dedecus ipsi Domino Regi et suis perpendere poteritis imminere, si prefatus Archiepiscopus suum propositum in hac parte valeat adimplere, quod Deus advertat. Alii siquidem, ut multi referunt, accidit, quin huiusmodi Interdictum grave discidium subsequatur, de quo non mediocriter est timendum cum jam nonnulli tam Anglici quam Hibernici occasione ipsius Interdicti ad maiorem efficiantur, ut dicitur prolixius. Valeat Paternitas vestra in Domino per tempora longiora.

Page 176. l. 7. after *tertio*, adde] Pope Gregory the 10. dying at *Arzinum*, Anno 1275. \* *post cuius transitum Petrus de Tarentesia de ordine Fratrum Predicatorum Lugdunen. electus Cardinalis; postea Oltiensis in Summum Pontificem electus est, & appellatus est Innocentius quintus. Factus autem Papa sedis mensibus 5. diebus duobus, moritur Romae, & in Ecclesia Lateranensi sepelitur.* This Pope immediately after his consecration, sent a Letter to King Edward the 1. to acquaint him with the manner of his Election, and excite him with mellifluous words to the aid of the Holy Land, as this elegant complemental Epistle of the Kings in answer thereunto, directed to him, (which I met with in a bundle of Letters and Writs in the *White Tower*) informs us.

\* *Mat. Westm. An. 1276. p. 314. 1 ho. Walsingham Hist. Angl. An. 1277. p. 6. See Platina, Ouphras, Stella. Barnes; Baucus, Opmeus, Lactius Cherubinus in vita ejus.*

Sanctissimo patri ac Domino charissimo, Domino *Innocentio*, Sacrosanctae Romanae Ecclesiae divina providentia Summo Pontifici, *Edwardus Rex Angliae*, &c. humilis ejus servus, ad beatorum pedum oscula se devotum. Receptis nuper sacris vestris literis, ex earum tenore praesens, ex ore Apostolicae sanctitatis, ex habundantia gratiae dulcedinis distillasse; dum de sede magnitudinis vestrae ad me humilem illum, aroma tantae devotionis persante meum Austro vestrae benignitatis efflagit; eo quod in auribus nostris fuit & est vox salutationis Apostolicae, non solum mihi, sed & universali Ecclesiae, Regibus et Regnis omnibus, gaudii magni materiam nunciantis. Ipse Rex Regum & Dominus Dominantium sua providentia, quae in sui dispositione non fallitur, suo precioso sanguine sanctam Catholicam fundans Ecclesiam, ne in ea fides et clarum lumen tepesceret aut tenebresceret, personam vestram, tanquam lampadem oleo sacrae doctrinae & conversationis sanctissimae, omnique venustate refertam in ejus lacuna sublimiori condidit, ut igne divinae charitatis accensa, non sicut lucernae ipsius claritas sub minoris status modo celeretur aboleta; sed ut luceat omnibus qui in domo sunt, poneretur super candelabrum luminaria. De cujus sublimatio e, quam fecisse firmiter creditur ille, qui facit mirabilia magna solus, si non absque terrore miremini, non est mirum. Tamen quia per ipsius electionis vestrae seriem,

*Bundela Librarum & Brevium in Turri London. An. 4 E. 1.*

(en m)



**An. 4 E 1.** quam mihi tam lucide vestra sanctitas dignata est intimare, ipsum Dominum in vobis ——— apparet lucidius, non timendum creditur quin perficiat qui sic cepit. Nec est vel leviter suspicandum, quin operi manuum suarum dexteram porrigat ille, qui ——— dictæ electionis processu, in quo fratrum absentia, satisque longa distantia difficultatem non modicam communi hominum minabatur iudicio, ipso eorum corda efficaciter tangente, & lumen accendente sensibus, qui olim super discipulos in igneis linguis apparens exterius, fecit interius corda flammantia, qui ——— in eodem loco pariter congregati, vos cum fratribus vestris, quibus id status suarum personarum indulserit, adunavit corporibus, & cordibus co-univit. Ipsi siquidem propter hæc & alia mirabilia sua, benedictio, & claritas, & sapientia & gratiarum actio specialis, honor, virtus, & fortitudo in sæcula sæculorum; qui vos Pontificem ex hominibus assumptum apud Deum pro hominibus super homines constituit, & super *Syon* montis sancti ejus apicem sublimabit. Super eo nimirum, quod vestræ sanctitatis lingua suis non adhæsit faucibus, quin potius in suæ lætitiæ principio *Jerusalem* præponeret; graves ipsius calamitatis ærumnas, non absque compassionis aculeis interius corde meditans & verbis affectuosissimis proponens exterius, cordis compassione afficior, & affectus exulto. Hinc ejusdem *Terræ Sanctæ*, quam Dominus noster *Jesus Christus* sanguine consecravit, miseras & ærumnas ——— vero vestræ bonæ voluntatis & affectionis circa liberationem ipsius ——— attendens: Sperans firmiter, quod cum tam bonum opus vobis in voluntate sit, ex divino adjutorio erit in perfectione votiva. Ad subveniendum autem illi pro meæ parvitatibus vestra profecto dulcis excitatio, me commovens, solito amplius animabit, et desiderium meum circa ipsius sublitium aliquando versatum, ex mellissimis vestræ sanctitatis eloquiis, quæ meis & omnium fidelium faucibus quam dulcia sunt, quotidianum suscepit incrementum. Maxime cum vestræ superexcellens dignatio Sanctitatis tanto studiosius continuis & efficacibus sit gratiarum actionibus prosequenda, quanto Apostolica Cedrus alta *Libani* in salutationis & suæ charitatis sinus apertionis meæ parvitatibus *Ysopo* se inclinans, ac deferre proponens eidem, ad suæ largitatis gremium me invitat recurrere, non absque spe promovendorum mei regiminis commodorum. Cui quia ad modicum regratiari non sufficio, ad pedes Sanctitatis ipsius corporis mei affectum probolebens, hujusmodi gratias refero, quantas possum.

\* Tho. Walsingham Hist. Angl. Anno 1277. p. 6. Max. Westm. An. 1276. p. 364. See Platina, Stella, Onuphrius, Crespin, Balz. us, Barns, Opmeerus, Lærtius Cherubinus in vita ejus.

Upon this Popes decease, \* Eodem anno successit Adrianus quintus natione Januensis, dictus ante Octobonus, qui tituli Sancti Adriani Diaconi Cardinalis, à Papa Clemente quarto Legatus in Angliam missus fuerat. Hic Papa factus, statim Constitutionem quam Papa Gregorius decimus fecerat, de inclusione Cardinalium pro electione Summi Pontificis, suspendit, proponens eam aliter ordinare. Sed mortis præventus Constitutionem suspensam reliquit, sedit vero mensibus duobus Papa.

Page 188. l. 12. after will, insert ] I found in the *White Tower* a particular Precept of this Archbishop sent to *William* Archbishop of *York*, (somewhat torn and decayed) injoyning him and his Suffragans by the Kings command, to denounce a publick sentence of Excommunication against *Lewellin* Prince of *Wales*, for his rebellions against the King, invasions and murders, as he and his Suffragans had excommunicated them in his Province of *Canterbury*; together with a relation in *French* of his misdemeanors and rebellions, and the resolution of the King and his Parliament to conquer him by force of Armes. I shall only present you with the Archbishops Precept.

Venerabili in Christo Patri Domino *W. Dei gratia Eboracen. Archiepiscopo* suus in eodem Christo frater *Robertus Cantuariensis* Archiepiscopus, totius *Anglia* Primas, quicquid sibi ——— Tenore præsentium notum facimus, quod cum dudum in Provinciali Concilio *Cantuar.* (præsidente tunc felicitis recordationis *Stephano* quondam *Cantuariensis* Archiepiscopo) apud <sup>a</sup> *Oxon* celebrato, provida deliberatione & communi assensu Sanctorum Patrum Episcoporum Suffraganeorum suorum, & Cleri Provincie *Cantuar.* statuto super hoc edito, lata fuerit majoris excommunicationis sententia in omnes illos qui jura Domini Regis *Angliæ* injuste detinere contendunt, ac pacem et tranquillitatem ejusdem Domini

<sup>a</sup> See Johan. de Aton Con. st. legit. f. 111. *W. Lyndewode* Provinc. l. 5 f. 249. 250. *Spelman. Concil. Tom.* 2. p. 159.

## A Supplemental Appendix.

K. Edward 1.

nuni Regis et regni sui iniuriase perturbare præsumunt, ac eadem sententia per bonæ memoriz <sup>b</sup> Bonifacium prædecessorem nostrum & suffraganeos suos, Concilio postea apud Lambeth convocato, & iterum in <sup>c</sup> Aula Westm. pluries solempniter innodata fuerit, necnon et auctoritate sedis Apostolicæ specialiter confirmata. Nos cum quibusdam Suffraganeis nostris (apud \_\_\_\_\_) existentibus, & aliorum absentium Procuratoribus citra proximum præteritum festum S. Martini Yemal. quia ipsa no \_\_\_\_\_ auribus singulorum acclamabar, quod Nobilis vir Lewelinus filius Griffini Princeps Wallia, tanquam famæ suæ prodigus, (& salutis) sententiam huiusmodi parvipendens, homagium et fidelitatem quæ <sup>d</sup> prædecessores sui Principes Wallia Angliæ Regibus \_\_\_\_\_ (et <sup>e</sup> ipse) egregie memoriz Domino <sup>f</sup> H. Regi Angliæ prius fecerat, ac Domino nostro Edwardo nunc Regi Angliæ illustri facere debuit et debet in præsentem, exquestris occasione facere detraxit, ad hoc diebus et lectis competentibus, oblato sibi ad cautelam solvo et securo conductu, pluries legitime monitus et citatus, in hoc ius ipsius Regis temere retinere contendens; pacem insuper et tranquillitatem ipsius Domini Regis et regni sui per se et suos perturbare præsumit, sicut notoria strages plurimorum, deprædationes rerum, incendia domorum et innumera damnorum genera testantur aperte: per quæ ipsum in sententias huiusmodi non ambigitur dampnabiliter incidisse, habito (tractatu diligenti, &) de salute ipsius Principis sollicite cogitantes, de consilio eorundem Suffraganeorum nostrorum, & cum eisdem præfatum Lewelinum, — nunciis solemnibus ad ipsum propter hoc specialiter destinatis, in præfatas excommunicationis sententias taliter incidisse decernentes, (ipsum) monuimus, quod infra quindecim dies a tempore monitionis huiusmodi de præmissis satisfaceret, et ab incepta perturbatione (deprædationibus) et molestia desistendo, suos ab huiusmodi præsumptionibus refrænaret; alioquin extunc contra ipsos asperius procedentes — excessibus eorundem id exposcentibus. Porro nunciis ipsis apud Farnham, ubi Princeps ille cum suis Proceribus Curiam suam tunc tenebat, accedentibus, & sui adventus causam ipsius Principis familiaribus & Ministris serio exponentibus, idem Princeps offensam superaddens offensis, Nuncios ipsos, non sine nostro contemptu, ad se aditum habere non permisit, et monita nostra salutaria per suos sibi plene nuntiata animo contemnens indurato, hæcenus ad satisfactionem venire non curavit, per sex septimanas & amplius favore benivolo patienter expiatus, sed semper peiora prioribus addens, de die in diem quantum potest manus aggravat ad delicta: Propter quæ conlocatis iterum Suffraganeis nostris, et habito super huiusmodi contemptu \_\_\_\_\_ ipsius Principis et suorum excessibus et offensis tractatu pleniori; quia crescente ipsorum contumacia pariter et offensa, crescere (debet & poena;) eorundem Suffraganeorum nostrorum unanimi consilio et assensu extitit prohibitum et ordinatum, quod unusquisque Suffraganeorum prædictorum (in Cathedralibus) et aliis Collegiatis et Parochialibus Ecclesiis suæ Cebitatis et Diocesis dictum Lewelinum Principem Wallia in præfatas excommunicationis sententias (innodatum) nominatim taliter excommunicatum esse denunciaret, pulsatis Campanis, accensis Candelis. Consiliarios insuper suos et (omnes alios consilium) vel auxilium eidem Principi, in sua rebellionem perseveranti, scienter impendentes in præmissis, nisi infra mensem (respuerint, &) ab ipsius consilio consensu et auxilio se subtraherint, pari sententis et cum eadem solempnitate publice innodatos denunciaret ipsos, quos contra monitionem huiusmodi extunc sibi adherere, et consilium, consensum vel auxilium sibi impendere cõstitit in præmissis, publice et solenniter excommunicatos denunciaret nominatim. Quam quidem sententiæ denunciationem in Diocesi nostra nuper per nostros fieri mandavimus cum effectu; Unde cum per præfatum Dominum Edwardum Regem nostrum serenissimum amicus per suas literas nobis nuper directas specialiter rogari, ut in istius (sententiæ) executionem vestrum imploremus auxilium et subamen; ac vos et nos, quibus Ecclesiarum et animarum cura incumbit, ibi fortius voluntatem \_\_\_\_\_ suscipere teneamus, ubi ipsius Lewelini rebellio periculosus exardescit, et in prædicti Domini Regis iniuriam in posterum arroganter \_\_\_\_\_ exurgens iustitia præbeniat et subvertat, ut sic pax et quies cæteris præparetur: Paternitatem vestram rogamus et requirimus, quatinus (Literarum) dicti Domini Regi illustrissimi vobis in hac parte porrectarum, ac nostrarum præfatum Lewelinum

An. 4 E. 1.

b See Spelmani Concil. Tom. 2.

c See Here,

p. 796, 797.

d See Here,

Tom. 2 p. 134.

e 160, 161, 608,

609, 610, 621,

622.

f Mat. Paris,

An. 1264. p.

973. Math.

Westm. An.

1267. p. 347.

f Mat. West.

An. 1275,

1276, p. 364,

365. Tho.

Walsingham

Hist. Angl. p.

5, 6, 7.



An. 4 E. I. *Linum* per totam vestram Diocesim et Provinciam (in prefata excommunicationis) sententiam incidisse, et nominatim taliter excommunicatum esse, si placet, denunciatis, et denunciari faciatis in forma memorata. *Præsens* negotium taliter impleruri, qualiter a nobis in casu consimili vobis fieri vellebitis. Dat. apud Northfolk 3 Kal. Martii, Anno Domini 1276.

\*Mat. Westm.  
Anno 1177.  
p. 365, 366.

After which follows a Declaration in *French* of the Kings antient right to *Wales*, the Homage, Fealty, and services due unto him for it, his former demand of them from *Lewellin*, his refusal to perform them, or appear at the Kings Parliament upon summons, his acts of Hostility and Rebellion, his contempts of the recited admonitions and Excommunications of the Archbishops and their Suffragans, and disobedience both to the Church and King; whereupon the King, Prelates, and Nobles assembled in Parliament, resolved to raise an Army and reduce him to obedience; which was accordingly executed, the King taking his Castles, and wasting his Mannors, Country with fire and sword. Whereupon, \* *circa Natale Domini* Lewellinus accessit ad Regem, misericordiam, non iudicium petens. Accepit ergo homagium et fidelitatem de potentioribus Wallensium Rex Edwardus, eorum Principem Lewellinum usque Westmonasterium secum ducens, à quo quinquaginta millia marcarum recipis præ manibus, & pacto firmato de mille marcis singulis annis ad Scaccarium Westmonasterii persolvendis pro Insula de Anglesea, & pro parte Snau-dunæ, vocalem Principem diligenter instructum, ad partes easdem redire permisit; succedentes suos Principatus nomine, sententialiter semper præbens, alias terras Walliz, quas nuper adquisierat, sibi & successoribus suis Anglorum Regibus reservans.

The Kings Bayliff in *Vascoin* injuring the Archbishop of *Bourdeaux*, in seising the Goods of the Church during the vacancy, he thereupon sent this Letter of complaint against him to King *Edward*, to right the Church, according to his Royal duty, protesting his loyalty to him therein.

Bundela Literarum & Breviarum in Turri London. An. 4 E. I.

Excellentissimo Principi Domino *Edwardo* Dei gratia illustrissimo Regi *Anglia*, &c. ————— miseratione divina Archiepiscopus *Burdeg.* salutem in eo in quo Reges regnant. Bonæ ac recolendæ memoriæ serenissimus Rex *H. Dominus* noster Pater vester, nos inter suos domesticos multâ prærogativâ præcipui amoris extollens, muneribus, gratiis, & beneficiis multipliciter honoravit ————— dilectionis. Vestra maiestatis Regia sui gratia imitatrix circa promotionem nostram dignata est adhibere assiduam opem & operam efficaces ————— minus solito ad præsens egemus, ut nobis semper assit in conservatione Privilegiorum, Libertatum & Jurium ————— Ecclesiæ *Burdeg.* nobis commissæ, rejectis per vos novitatibus per Dominum *Luchanum de Thénays* Sen. vestrum, & alios Ballivos vestros in *Vasconia* introductis, in nostri & Ecclesiæ nostræ *Burdeg.* præjudicium & gravamen: & nichilominus facta satisfactione congrua ratione bonorum Archiepiscopatum (sede *Burdeg.* vacante) ————— super quo, ut ad componendum certam personam mitteremus, vestra benigna clementia nobis scripsit. Quare vestræ Regiæ Maiestati quantas valemus grates, ad quas tam non sufficimus, referentes humiles & devotas, supplicamus nullo supplicandi genere præterivisse, ————— per præsentis literas, quæ per dictum socium nostrum Magistrum *Johannem Girardi* Canonicum Sancti *Severini* *Burdeg.* earum portitorum, quatinus eidem placeat, pro dictis bonis minus iuste perceptis, nobis & Ecclesiæ nostræ *Burdeg.* condignam emendam facere; & indemnitati nostræ & Ecclesiæ super his & indebitis novitatibus per vestros impositis ————— in posterum more regio providere. Non enim decet Maiestatem Regiam, quod Dei et vestri adiutorio nobis commissæ *Burdeg.* Ecclesiæ temporibus nostris patiat, (maxime in suis libertatibus) aliquam laxationem. Non attendentes ad verba aliqua iniquorum qui de nobis libenter vobis sine causa sinistra plurima nunciarent. Scientes & certitudine indubitata tenentes, quod nos honorem vestrum zelamus ex corde, et iura vestra integra conservare; et ad hæc et exaltationem vestri nominis exponeremus ingenti desiderio corpus et bona omnia quæ habemus. Et super his & aliis, quæ vestræ Celsitudini Regiæ prædictus socius noster ore tenus explicabit, indubiè velitis, si placeat, tanquam nobis, quod vobis placuerit, nobis fiducialiter injungatis. Personam vestram conservet Dominus, &c.

How

## A Supplemental Appendix:

K. Edward 1

How turbulent the Clergymen in *Vascony* and *Aquen* were this year, and how they slew the Mayor of *Aquen* who would have suppressed their tumult, this certificate to King *Edward* will inform us. *An. 4 E. 1.*

**I**mmensæ Excellentiæ vestræ significat *Willielmus Remundi Denfrances* Civis *Aquensis*, quod cum in *Aquensis* Civitate inter Clericos magna esset discordia, Senescallus *Vasconia* sua propria voluntate statuit, quod omnes laici essent sub incurremento corporum et bonorum, qui de dicta discordia se intromiserint: Et cum quadam die Major *Aquensis*, volens seperare brigam dictorum Clericorum fuerit interfectus, & de ipsius morte in villa magnus fuerit rumor, & inter plures ad huiusmodi locum venientes, *Petrus du Frances* frater dicti *Willielmi Remundi*, tanquam ille cui mors dicti Majoris multum sibi specialius displicuit, accessit ad locum ubi ipsum mortuum fuisse, non tamen ad intromittendum de brigâ prædicta Clericorum. Post hæc autem dictus *Petrus* timens sibi occasione statuti prædicti, non occasione alterius accessus, se ab amicis suis absentavit, de cuius absentia dictus *Willielmus Remundi* & merito multum dolet. Quare vestræ piæ dominationi humiliter supplicat, quatinus à inclito Rege procurare dignemini, ut non obstante statuto prædicto dicto fratri suo miserando huiusmodi adventum remittat; cum dictus *Petrus* à nemine sit accusatus de huiusmodi eventu, & sit paratus juxta fores & consuetudines patriæ omnibus stare juri; & cum Inquisitio facta fuerit per Præpositum *Aquensem*, & per ipsam Inquisitionem dictus *Petrus* de superius narratis non fuerit accusatus nec inculpatus.

In eadem Bundle An. 4 E. 1. in Turri London.

In the same bundle I met with this Certificate of the Bishop of *Durham* to King *Edward*, of the contest between the Priors and Covents of *Pontefract* and *Bretton* about the Election of the Prior of *Bretton*, and of the Popes definitive sentence given therein, committed to the Bishop of *Durham* to put in execution, and how he had executed it accordingly:

**E**xcellentissimo Principi Domino suo, Domino E. Dei gratia illustri Regi *Anglia, &c.* E. ejusdem permissione Episcopus *Dunelmensis*, salutem, & prosperos ad vota successus, in eo per quem Reges regnant & Principes dominantur. Quia pium est veritati testimonium perhibere, vestræ Regiæ Majestati notum facimus per præsentem, quod olim inter Priorem & Conventum de *Pontefract* ex parte una, & Priorem & Conventum de *Bretton* ex altera, coram Summo Pontifice super jure eligendi Priorum in ipso Prioratu de *Bretton*, orta materia contentionis, tandem pro Monachis de *Bretton* distincta sententia per Dominum Summum Pontificem fuit lata, in executionem — & *Dunelm.* Episcopis sub alternatione propriis nominibus non expressis existit demandata; cujus auctoritate prædecessor noster per præfatum Priorem de *Pontefract* & quasdam certas personas de ipso Conventu præmissis monitionibus excommunicavit, eo quod parere mandatis Apostolicis contempserunt. In qua quidem sententia adhuc damnabiliter perseverant, nec ultra procedere poterat, eo quod dictus Prior de *Pontefract* et complices sui fratrem *Willielmum de Ryhale* Procuratorem Prioratus de *Bretton* ceperunt, et ipsum extra regnum *Anglia* transferentes, carcerali custodia manciparunt; qui à carcere liberatus, erga nos instanter inlinuat, quod prædecessor noster per sedem Apostolicam fuerat demandatum, et ab eodem efficaciter inchoatum, ad finem perducere, ob reuerentiam sedis Apostolicæ curaremus; præsertim, cum dignitati dictæ executionis demandata fuerat, non personarum. Nos vero mandatis Apostolicis rebotenter obedire volentes in omnibus ut tenemur, discretis viris Archidiacono *Ebor.* & Magistro *Alano de Essingwald*, divisim, mandavimus, ut ipsi mandatum Apostolicum, et ea, quæ in ipso continebantur, diligenter exequerentur: qui præfatum fratrem *Willielmum de Ryhale*, Procuratorem dicti Prioratus de *Bretton*, in possessionem domus de *Bretton* cum pertinentiis auctoritate Apostolica induxerunt, contradiatores et rebelles excommunicationis sententia compescentes. Et sic præfatus frater *Willielmus* auctoritate Apostolica dictam domum tenet et possidet, juxta tenorem sententiæ Domini Papæ et executionis ejusdem nobis plenius demandatæ; per quam quidem sententiam

In eadem Bundle An. 4 E. 1. in Turri London.



An. 4 E. 1. de processa et (negotii p[re]lati) processa vobis liquere poterit manifeste. Valeat, &c. Dat. apud Fenwyk 13 Kal. Julii, Anno Domini 1276.

In the same Bundle I found this complaint of the Subprior and Covent of *Winchester* to the King, of the manifold injuries and oppressions done to them by the Bishop, appealing to him for relief and justice therein, as their Founder, Patron, and Sovereign Judge.

An. 4 E. 1. in  
Turri London.

**E**xcellentissimo Principi Domino E. Dei gratia illustri Regi *Anglia*, Domino *Hibern. &c.* sui humiles & devoti Supprior & Conventus *Wintoniensis* Ecclesie, devotarum orationum suffragia, cum omni reverentia & honore. Cum *Wintoniensis* Ecclesia, quæ progenitorum vestrorum illustrium Regum *Anglia* beatorum largitionibus habundanter fundata esse dinoscitur, ac speciali privilegiorum prærogativa extiterit insignita, adeo diebus istis crebris tuncionibus ac continuis calamitatibus depressa fuerit et collapsa, quod propter hoc ad vestrum patrocinium recurrere cogitur, iterato ob ingruentiam miserationum suarum et improbitatem Episcopi sui plus debito in ipsam sapientia, in tantum quod præsentis hebdomada, quæ omnibus Christianis ob gratiam Sancti Spiritus celebris tam jure poli quam soli libera debuit esse et quieta, in prædictam Ecclesiam non erubuit desistere; statum ejusdem tam in temporalibus quam in spiritualibus turbando, et etiam in deterius subvertendo: quod conficitur ab ipso Episcopo esse factum, quia ad vestrum tutamen jamdudum pro suis oppressionibus ab ipsa Ecclesia est condolatum. Quapropter, rogamus illustrem Magnificentiam vestram lacrimis et gemitibus cordis profluentibus, quod in his afflictionibus et oppressionibus intolerabilibus Ecclesie vestre subvenire dignetur Regia vestra auctoritas circumspecta; et, si placet, quod concepistis liberaliter in affectu, reducere velitis ad effectum: Valeat dignissima Excellentia vestra per tempora longiora. Datum in Capitulo nostro *Winton.* die Sabbati in vigilia Sanctæ Trinitatis.

In the same Bundle, I found this Certificate of the Abbot of *Waltham*, appointed Conservator by the Pope of the Privileges of the Abbey and Monks of *St. Albani*, of his Excommunication in a summary way of certain persons who had defamed the Abbot and Monks, in obedience to the Popes command, for which obedience he beseecheth the King, that he would do nothing to the prejudice of the Churches Liberties, which he ought to defend, and that he might suffer no prejudice for his proceedings herein.

Bundle Like-  
rarum, &c. in  
Turri Lond.  
An. 4 E. 1.

**E**xcellentissimo Domino suo, Domino *Edwardo* Dei gratia, &c. suus semper humilis & devotus R. provisione divina, humilis Minister Ecclesie Sanctæ *Cru-*  
*cis de Waltham*, salutem in *Jesu Christo*, ac potenter & gloriose victoriam. Magnifice Domine, pro constanti sciatis, si placet, quod nos per Summum Pontificem Conservatores Privilegiorum Religiosis viris Abbati et Conventui de Sancto *Albano* a sede Apostolica indultorum, in virtute sanctæ obedientie, et sub pena Excommunicationis sumus deputati. Quare dictos Religiosos secundum tenorem Privilegiorum suorum, ne notam inobedientie, perjurii et irregularitatis incurrere (quod absit) videamur, necesse habemus defendere et tueri. Cum ergo *Johannes de Alemonger*, et *Robertus Colhopper* de Sancto *Albano* dictum Abbatem de Sancto *Albano* & plures de Conventu ejusdem loci, verbis probrosis et scandalis non modicis apud Bonos et graves enormiter et publice diffamarunt, et statum eorumdem perperam denigrarunt, secundum quod coram nobis summarie et legitime extitit protatum juris ordine observato: licet ——— solempnitas et judicialis indagatio in talibus conservationibus observare non est necesse, secundum quod sanctorum Patrum volunt instituta & sacrosanctæ edocent sanctiones, sententiam Excommunicationis monitionibus canonicis præmissis fecimus fulminare. Unde unus eorum, videlicet *Robertus Colhopper*, culpabilem se sentiens in hac parte, reum se confitens, nuper cum lacrimis & humilitate veniam petiit, & secundum qualitatem et quantitatem sui delicti dictis Religiosis plenarie satisfecit. In cujus rei testimonium cuidam Scripto per eundem *Robertum* confecto Sigillum suum apposuit, & testibus ad hoc vocatis ad majorem istius rei evidentiam, Sigilla quatuor legalium hominum

## A Supplemental Appendix.

K. Edward 1.

hominum apponi procuravit. Unde reverende & magnifice Domine, pro honore *An. 4 E. 1.*  
 filii Dei, et sanctæ matris Ecclesiæ, (vobis supplico) contra obedientiam nobis in-  
 junctam aliquod præcipere non vultis, per quod sus Ecclesiasticum retardetur,  
 et super inobedientiæ redargui possumus et merito puniri; quod pro certo scimus  
 vos non velle; qui iura Ecclesiastica illata iugiter nitimini conservare, et statum  
 omnium secundum merita eorum Regia clementia secundum tramitem Justitiæ  
 intenditis salbare. Valeat, &c.

In the same Bundle I found this Letter of Mr. Kilwardby to the Chancellor on  
 the behalf of *Helias* the Jew, who had excommunicated another Jew for several  
 Crimes, who indeavoured that the Kings Lay Judges might hear, reverse and  
 judge of that sentence of Excommunication, which he desired the Chancellor and  
 King to prevent, and that the Bishop of the Diocese only might do it, for the rea-  
 sons therein expressed.

**R**everendo Patri Domino Bathon. suus Kilwardby, quicquid sibi. Magister *In Bundela*  
*Helias* Judæus, quem inter ceteros Judæos melioris inveni voluntatis, & *Literarum, &c.*  
 magis faventem vobis, intimavit mihi, quidam Judæus, quem pro delictis suis *Regis in Tur-*  
 multiplicibus excommunicabit, curiam Regiam nititur decipere, ut sic super Pa- *ri London.*  
 gistrum *Heliam* debeat calumpniam, tanquam minus rite ipsum excommuni- *An. 4 E. 1.*  
 cabit; ut sic a Laicis Christianis judicetur de excommunicatione. Magister *Helias*  
 petit sibi auxilium à me, si quid possem in hac parte. Ego autem nesciens ip-  
 sum in quo possem adjuvare, nisi interpellando Dominum nostrum Regem, sup-  
 plico vobis ex animo, quatenus Dominum nostrum ex parte vestra & mea inter-  
 pellare velitis, quatinus dictum Magistrum *Heliam* sententiam Excommunicatio-  
 nis, quam in suos subjectos tulerit, absque Christianorum examinatione permittat  
 prosequi, ut solebat; vel si omnino voluerit quod Christiani causam excommuni-  
 cationis a Magistro *Helia* late examinent, hoc ipsum Diocesano committat in-  
 quirendum. Audisti enim quod iuste excommunicatus est ille *Cok Hagyn* a Magi-  
 stro *Helia* pro criminibus falsitatis, deceptionis et nequitie multiplicis, pro qui-  
 bus etiam Christianus rite excommunicaretur. Valeat, &c. Dat. apud *South Malling*  
*Ferr.* Scripsi vobis hæc, quia credo, quod fideliter agetis pro eo, & rogo Domi-  
 num Regem, quod velit audire in hac parte & exaudire.

By which we may discern how unwilling the Clergy were that the Kings tem-  
 poral Judges or Laymen, should examine or judge of any Excommunications de-  
 nounced against others by Jewes or Christians, that they alone might use and a-  
 buse it at their pleasure, to the injury and vexation both of Jews and Christians  
 without redresse.

Page 177. l. 14. after *mand. insert.* ] In the Bundles of Writs in the *White Tower* this year, I found these Writs, Attachments, *Prohibitions*, for Suits in Ec- *An. 5 E. 1.*  
 clestical Courts, both within and out of the Realm.

Thomasle Camvil & Elizabetha uxor ejus, (by the Kings Writ) constitute Hu- *Bundela Bre-*  
 gonem de Drew, & Willielmum de Drew *Attornat. suos in loquela contra Egidium* *vium in Turri*  
*Officiale Archidiacon.* Derby & Willielmum de Oterwell, qui attach. sunt, quare *London, An.*  
 tenuerunt plac. in Curia Christianitatis, de Catal. &c. quæ non sunt de Testamen- *5 E. 1.*  
 to, &c. et Osbertum *Vicarium Ecclesiæ de Merston*, quare secutus est idem placitum  
 contra *Prohibitionem nostram.* T. ap. *Evesham*, 21 die Jan.

**E**dwardus Dei gratia Rex Angliæ, &c. dilectis et fidelibus suis Magistro *Regin.* *Ibidem.*  
*de Seyton* et sociis suis Justiciariis de Banco salutem. Cum dudum per nostras  
 literas prohibuerimus *Beatrica Regine Aleman.* ne *Edmundum* Comitem *Cornubie*  
 traheret in placitum in Curia Christianitatis de catallis et debitis aliquibus; et  
 vos similiter ex parte nostra in plena Curia nostra id idem prohibueritis. Sed ea-  
 dem Regina spretis nostra et vestra *Prohibitionibus* in hac parte, præfatum Co-  
 mitem postea traxit in placitum, ut accepimus, super catallis et debitis in Curia  
 Christianitatis, et Comitem memoratum extra regnum nostrum in causam trahi  
 procurat, in nostri Juris præjudicium, et Regiæ dignitatis læsionem manifestam.  
 Et ideo vobis mandamus, quod placitum Attachiamenti quod est coram vobis per  
 breve



An. 5 E. 1. breve nostrum inter predictum Comitem & Regiam memoratam taliter maturetis, ut dicta Regina istud placitum contra predict. Comitem, vel alium consimilem quod ulterius attemptare non probaret. Teste meipso apud *Wodestoke*, 4 die Septemb. Anno regni nostri quinto.

In eadem  
Bundela.

**E**dwardus Dei gratia, &c. Vic. Suff. salutem. Precepimus tibi, quod non omitas propter Libertatem Sancti Edmundi, sed distingas Magistrum Robertum de *Frillawe* Decanum de Arcubus *London*. per omnes terras et catalla sua in Balliva tua, ita quod nec ipse, nec aliquis per ipsum ad ea manum apponet, donec aliud a nobis inde habueris preceptum. Et quod de exitibus eorundem nobis respondeas Et quod habeas corpus ejus coram Justic. nostris apud *Salop.* a die *Pasche* in 15. dies, ad respond. *Wilhelmo de Chervill*, de placito, quare tenuit placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio contra Prohibitionem nostram, ut dicit. Et ad audiendum judicium suum de pluribus defaultis, &c. Teste *R. de Seyton* apud *Salop.* 13 die *Novembrii*, Anno regni nostri quinto.

The like *Distingas* issued Vic. *Essex* vers. *Aliciam* fil. *Ade de Thucker*, quare secuta est consim. plac. in Curia Christianitatis, contra Prohibitionem, &c. T. *R. de Seyton* apud *Westm.* 3 die *Decemb.* An. regni nostri 5.

Plac. circa An. 5 E. 1. *Leyc.* In a fragment of Plea Rolls of Trinity Term, Anno 5 E. 1. as I conjecture, (the year and term being putrified.) Preceptum fuit Vic. quod venire faceret hic ad hunc diem duodecim, &c. de vis. de *Frollesworth*, &c. et qui nec *Alic.* qua fuit uxor *Radulphi Danvers*, nec *Johannem de Campaña Personam Ecclesie de Thurlston* aliqua affinitate, &c. ad recogn. &c. si predictus *Johannes* secutus fuit placitum in Curia Christianitatis de Advocacione quartæ partis Ecclesie de *Frollesworth*, contra Prohibitionem, &c. sicut predicta *Alicia* dicit, vel non? sicut predictus *Johannes* dicit, quia tamen, &c. Et Vic. nichil inde fecit, sed mandat, quod Breve adeo tarde venit, &c. Ideo sicut prius, preceptum est Vicecom. quod venire faciat hic a die Sancti Michaelis in quindecim dies, duodecim, &c. per quos, &c. & qui nec, &c. Quia tam, &c. Et unde, &c.

In a Bundle of Writsin the *White Tower* this year, I found this memorable Letter of King Edward the 1. to his Chief Justice in *Ireland*, in answer to his, consenting to the abolishing of the detestable and unjust *Irish* Lawes there, and establishing the *English* Lawes, by advise of the best and major part of the Nobility, Prelates and Commonalty of *Ireland*, for which they profered to give the King 8000 Marks for his Royal assent thereto, who ordered the Chief Justice to scue them up to a greater sum, and also to furnish him with a certain number of able Souldiers, for this his concession.

Bundela Literarum & Brevidm An. 5 E. 1. in Turri London.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, dilecto & fideli suo Roberto de *Ufford*, Justiciario suo Hibernia, salutem. Super melioratione status & pacis in terra nostra Hibernia, de qua per vestras literas nobis nuper significastis, lætamur & gaudemus quamplurimum; & diligentiam vestram valdè commendantes in hac parte, speramus (ope Dei) quod ea quæ ibidem laudabiliter hæcenus inchoastis, quantum in vobis est, feliciter et viriliter continuabitis in futurum. Cæterum de eo, quod Communitas Hibernia octo milia marcarum nobis offert pro hoc, quod eis Leges Anglicanas in terra prædicta utendas concedamus, scire vos volumus, quod nos, pro eo quod Leges quibus utuntur Hibernici, Deo detestabiles existunt, et omni juri dissonant, adeo quod Leges cæteri non debeant; habito super hoc cum Concilio nostro tractatu diligenti & deliberatione pleniori, nobis et Concilio nostro satis videtur expediens, eisdem utendas concedere Leges Anglicanas. Datum tamen in hoc populi, vel saltem Prælatorum et Magnatum terræ illius qui bonæ voluntatis existunt, communis consensus uniformiter intercurrat. Quapropter vobis mandamus, quod, habito cum ipsis inde tractatu, et examinatis diligenter in hac parte voluntatibus Populi, Prælatorum, et Magnatum bonæ voluntatis existentium, et concordato inter hos et ipsos de aliquo sine pecuniæ ad quem attingere poteritis, nobis ea de causa persolbendo.

vendra de consensu omnium vel saltem majoris et sanctoris partis eorumdem, *Ann. 5 & 6*  
 prout indultum destruxit ad honorem nostrum et commodum magis expedire videbitur, *Edw. 1.*  
 super premissis nomine nostro compotatis cum eisdem. Ita tamen, quod  
 homines pedites bonos et fortes usque ad certum numerum, de quo cum ipsis  
 concordare poteritis, nobis una vice tantum habere faciant, paratos ad nos venire,  
 cum pro eis duxerimus demandandum.

The King intending to send Mr. *Andrew Sapit* his Proctor, formerly employed by his Father and him, to the Court of *Rome* about the Affairs of the Realm, issued this Writ to the Chancellor, to advance such a sum of Money to him for this employment before his departure out of the Realm as should be for his honour, and to advise with his Treasurer and others concerning it; which sum upon their Certificate should be delivered.

**E**DWARD par la grace de Dieu Roy d'Engleterre, Seigneur d'Irlande, et *Anno 5. E. 1.*  
 Ducs d'Aquit. A l'onerable pierre en Dieu, *J.* par la mesme grace Evêque de *in Turri Lond.*  
*Wincestre* nostre Chancelier, salut. Nous avoms resceu et bien entenduz les  
 lettres queles vous nous avez envoiees, per les queles vous nous avez escrit coment  
 Mestre *Andrew Sapit* nostre Procureur en la Court le *Rome*, et qui se ad bien et loial-  
 ment portees tant en le service vestre tres-Seigneur et pierre, que Dieux assoill, come  
 en le nostre evanceant noz busoignes, et les busoignes de nostre Roialme est al-  
 ler prochainement vers les parties de la dite Court, et qil seroit nostre honneur,  
 quil feust regardez per nous d'aume some convenable pur la sustenance, avaunt  
 son departir du nostre dit Roialme. Si vous fefoms a savor, que il nous plest, que il  
 soit regardez convenablement et solonc vestre discretion; et vous mandoms que ap-  
 pellez a vous ceux que vous veres, que soient a se appeller ordeniez outre; et que  
 vou semble que nous lui purroms denier et honneur de nous quant ore. Et de la some  
 q'est issint acordez per vous, et les autres facez briefs sous nostre Grant Seal as Tre-  
 sorier et Chamberliens de nostre Esch, du lui ent faire le paiement. Significantz a  
 nous pur voz lettres la some que nous lui avoms issint donee, e vous ent farroms aver  
 garant souz nostre Privee Seal, a *Claryndon* le 29 jour de Nov. lan de nostre  
 regne 5.

Page 201. l. 16. after of them, adde ] In the Bundle of Original Writs and *An. 6 E. 1.*  
 Returns in the *White Tower* (Chappel, Anno 6 E. 1. I discovered these seven Writs  
 of *Prohibition*, to prohibit the holding and prosecuting Suits in Courts Christian *Bundela Bre-*  
 for Chattles and Debts, nor of Testament or Matrimony, which I shall abbreviate. *vium in Turri*  
*Rex Vic. Midd. Robertus de Wauden & Willielmus de Wauden, vers. Richardum*  
*Abbatem Westm. & Fratrem Richardum Archidiaconum Westm. quare secuti sunt plac.*  
*in Curia Christianitatis de bonis et catallis, quæ non sunt, &c. contra Prohibitio-*  
*nem nostram. T. R. apud Turrim London. 6 die Jan. An. r. n. sexto. Vic. Bucks.*  
*quod capias Nicholaum de Becedene Officiarium Archidiaconum Bucks. & cum salvo*  
*custodias, & habeas corpus ejus coram Justiciariis nostris, &c. ad respondendum, Roberto*  
*de Corne & Sibille uxori ejus, quare tenuit (consimile) plac. in Curia Christia-*  
*nitatis, &c. T. Rad. Seyton apud Westm. 19 die Jan. Vic. London. Robertus*  
*de Colothont vers. Gregorium de Karewent Decanum de Arcubus London. quare*  
*tenuit; & vers. Johannem de Rugate Capellanum, quare secutus est (consimile)*  
*placitum. T. R. apud Turrim London. 24 die Febr. Vic. Hereford. Margareta*  
*Pagun vers. Priorem de Korsewell, quare secutus est (consimile) placitum.*  
*T. R. apud Lennymton 26 die Marcii. Vic. London. Johannes de Onefeld, &*  
*Johanna qua fuit uxor Johannis le Bret, vers. Magistr. Gregorium de Karewent*  
*Decanum de Arcubus London. quare tenuit; & vers. Willielmum May, quare*  
*secutus est (consimile) placitum. T. R. apud Cavel. 10 die April. Vic. Linc.*  
*quod ponat per salvos plegios, &c. R. Episcopum Linc. quod habeat Magistr. Henri-*  
*cum Neuwerk Clericum suum, ad respondendum, Johanni fil. Nicholai, quare secu-*  
*tus est (consimile) placitum. T. R. de Seyton apud Westm. 24 die Maii.*  
*Quod distringas Johannem de Blanknay per omnes terras, &c. quare ipse simul cum*  
*Willielmo filio ejus secutus est (consimile) placitum. T. T. de Weyland apud*  
*Westm. 15 die Novembr. An. r. n. sexto.*



*An. 6 E. 1.* Page 223. l. 4. after *Priviledges*, insert] In a Bundle of Writs, Letters and Privy Seals I discovered in the *White Tower Chappel*, Anno 6 E. 1. (Seven years before the Statute of *Westminster* 2. ch. 5.) I found these two memorable Writs, asserting, First, That by the Law and Custom of the Realm in that age, no *lapse* incurred against Patrons of Churches after Incumbents deaths, untill after six months from the day they had notice thereof, and not from the very day of their deaths. 2ly. That the six months, or half year, was to be computed by *six Kalendar months*, not 28. dayes to the month, as the Canons and Prelates would interpret it. 3ly. That the Bishops refusal to admit a Clerk upon a Judgement given in the Kings Court for the Patron, upon a pretence of a *lapse* by the Canon Law, was against the Law and Custom of the Realm, yes a manifest prejudice to, and contempt against the Kings Crown and Dignity. 4ly. That Archbishops ought to be most zealous supporters, not underminers and contemners of the Laws and Customs of the Realm, and the Kings Royal Dignity.

Brevia Regis  
An. 6 E. 1. in  
Turri Lond.

\* Therefore  
this was the  
Resolution  
both of the  
King and his  
Council upon  
mature advice.

ibidem.

**E**dwardus Dei gratia Rex, &c. venerabili in Christo patri W. eadem gratia Ebor. Archiepiscopo Anglia Primati, salutem. Literas vestras nuper recepimus, continentes, quod voluntati brevis nostri de iudicio, vobis pro Comitissa *Albemarl.* directi, super Advocatione Ecclesie de *Briggesham* vestre jurisdictionis, adquiescere non potestis juxta jura, eo quod antequam ad vos predictum breve pervenisset, Commissarius generalis Archidiaconi *Richemund.* (infra cujus Archidiaconatum Ecclesia existit antedicta) intelligens, tempus conferendi predictam Archidiacono Domino suo, tanquam loci Ordinario, esse auctoritate Concilii de. voluntum, predictam Ecclesiam Magistro *Rogero de Merton* contulit vice sua; ob quod presentatum predictae Comitisse (predicto *Rogero*, qui est memoratam Ecclesiam taliter assecutus, judicialiter non amoto, ut videtur) admittere non potestis nec debetis. Quibus intellectis, et habito super hoc cum \* Concilio tractatu, perpendimus evidenter, predictum Commissarium ad collationem ipsius Ecclesie contra iustitiam et officii sui debitum processisse, et vos, predictas Archidiaconum et Commissarium executionem iudicii predicti indebite deferre et impedire; maxime, cum predicta Comitissa, dictae Ecclesie Patrona, quam citius Ecclesiam illam vacare credebatur, Clericum suum vobis presentasset ad eandem, et infra tempus semestre a die notitiae suae vacationis ejusdem Ecclesie presentationem suam ad ipsam Ecclesiam in Curia nostra per considerationem ejusdem Curiae recuperasset; cum insuper eidem Comitisse per vos aut predictum Archidiaconum vel Commissarium de vacatione predicta nunquam aliquo denuntiatum fuisset, licet ad vos vel ad ipsos priusquam ad ipsam Comitissam inde certitudo pervenisset: propter quod eidem Comitisse tempus in hac parte lapi, seu predicto Archidiacono, vel eius Commissario, ius Ecclesiam illam taliter conferendi non potuit deholvi. Unde, cum Ecclesia predicta per vos & vestros subditos sic incumbretur, & executio iudicii predicti per vos & ipsos contra legem et consuetudinem regni, in Regis dignitatis nostrae praesudicium et contemptum manifestum taliter inferatur et impediatur, de quo miramur quamplurimum, praesertim cum vos iustitiae nostrae, et eorum maxime quae ad Coronam et Dignitatem nostram pertinent, zelatores praecipuos reputemus; et, ut satis notis, quod ad iudicia in Curia nostra secundum legem et consuetudinem Regni nostri predicti frustra procederetur, nisi eorundem in suo casu debite fierent executores; Vobis consulendo mandamus, quod cum praemissa manifesta sunt & notoria, Ecclesiam predictam (prout ad hoc tenemini) deincumbzari, et ea, quae super praemissa (iustitiae vel iuris ordine non observata) per vos et subditos vestros praedictos sunt attemptata, corrigi, et executionem iudicii predicti sine dilationis incommodo (iudicio loci vestri non expectato, cum id ad vos non pertinet in hac parte) fieri factatis, juxta tenorem *W. edis* nostri de iudicio superdicto, quod inde recepistis.

Cum *Robertus de T.* nuper per quandam *Affisam* ultimae Presentationis, quam per Breve nostrum arram, versus C. de Ecclesia de B. vacante, & ad suam presentationem spectante, ut dicebat, advocationem illius Ecclesie disrationaverit in Curia nostra, & per Breve nostrum de iudicio demum vobis obtinuerit demandari, quod ad presentationem suam idoneam personam admitteretis ad Ecclesiam superdictam; Vos, (ut accepimus) lapsis et computatis singulis diebus a morte

Restozis

Rectoris Ecclesie illius, usque ad numerum octies viginti et octo dierum continue sequentium, quæ sex menses facere videntur; afferentes, collationem prædictæ Ecclesie, auctoritate Concilii, ratione lapsus huiusmodi semestris temporis, ad eos ea vice legitime fuisse debolutum, idoneam personam ad mandatum nostrum prædictum et ad præsentationem prædicti R. admittere distulisse ad eandem; in eisdem R. præiudicium et exheredationem manifestam. Positur quia in vacationibus Ecclesiarum secundum legem et consuetudinem hactenus obtentam et usitatam in regno nostro, huiusmodi tempus semestris computari debet, non a die mortis Rectoris, sed a die scientiæ Patroni usque ad sex menses completos, non iuxta numerum dierum singulorum, sed iuxta numerum sex mensium, qui menses in Calendario computantur, eundem R. præsentatione sua ad Ecclesiam illam indebitè defraudari nolentes; Nobis mandamus, sicut alias mandavimus, quod ad præsentationem prædicti R. idoneam personam admittere non differatis ad Ecclesiam supradictam. Teste, &c.

An. 6 E. 1.

These memorable Writs, most excellently explain the *tempus semestre* in the \* Statute of Westminster 2. ch. 5. (made 7. years after them) justify the concurrent resolution in *Catesbyes Case*, *Cookes 6 Report*, f. 62. Yea fully refute the common error of later times, that in cases of Vacancy by death, the 6 months shall be computed from the day of the *Incumbents* death, not from the day of the Patrons first Notice thereof; which the Writ out of Justice *Walmesleys Book* in the reign of King *Edward* the 2d. recited in *Catesbyes Case*, (concurring with these here cited) doth likewise refell.

\* See here, p. 332, 333, 334.

In a Bundle of Petitions to the King, which I rescued from rubbish in the *White Tower*, I found this Petition of the Dean of *Norwich* against the Constable of the Castle there, for prohibiting him to exercise his Jurisdiction in cases of adultery and fornication within the fee of the Castle, which his predecessors exercised, and the Constables had in time of warre usurped to themselves, to the prejudice of the Churches Jurisdiction, and mens souls.

**H**enricum Sampson Decanus *Norwicensis*. dicit & proponit, quod Decani dictæ Civitatis plenam habebant Jurisdictionem Ecclesiasticam in feodo Castri *Norwici*, usque ad tempus guerræ Dominus *Philippus Marmyun* Constabularius Castri *Norwici* illam Jurisdictionem tempore guerræ occupavit, et fecit correctiones in Castro prædicto de adulteriis et fornicationibus, et certis criminibus. Vic. postea dixerunt, quod Dominus Rex est in possessione Jurisdictionis. nec permittunt Decanum debitas facere correctiones et adulterii et fornicarii de Civitate, quando impetrantur in feodo Castri immunitatem consecuntur; in suarum periculum animarum, et Ecclesiasticæ libertatis præiudicium: Unde petit remedium.

Bundle Petitionum An. 6 E. 1. in Turri London.

In the same Bundle I met with this Complaint to the King by *Hugh Derby* Clerk, against the Bishop of *Imalac* in *Ireland*, for casting the Kings Letters in contempt to the ground, which he delivered him, to exempt himself from his personal residence in the said Church; vexing, oppressing, and injuring them the more for the Kings Letters; before whom he prayed he might be summoned personally to appear, to answer these contempts.

**E**xponit Excellentie vestre *Hugo de Derby* Capellanus Domini *A. Biks* Rector Ecclesie de *Nartherlath Imalacen*. Dioc. Quodcum vos literas vestras deprecatorias ad Episcopum *Imalacen*. pluries mandaveritis, quod dictum Rectorem ob reverentiam vestri recommendatum haberet, nec ipsum ad residentiam compelleret in eadem Ecclesia faciendam, in qua perpetuum vicarium habet Rector prædictus; Idem Episcopus literas vestras sibi nomine dicti Rectoris præsentatas prosequit in terram; et dixit, quod propter prædictas literas pejora et graviora sibi irrogaret, et faceret irrogare; et multa alia sinistra in contemptum vestri proculit manifestum. Et hiis non contentus, quendam Capellanum qui de quadam Capella a prædicta Ecclesia dependente auctoritate ordinaria amotus fuerat (iustitia mediante) ad eandem Capellam intrussit, in prædicti Rectoris præiudicium et gravamen. Unde supplicat, ut super hoc sibi dignemini competens remedium adhibere, faciendo (si placet)

Bundle Petitionum An. 6 E. 1. in Turri London.



An. 6 E. 1. placet) dictum Episcopum eorum vobis personaliter evocari, super prædictis vobis sufficienter responsur. maxime, cum prædictus Episcopus mandata vestra contempnar, & dictus Rector paratum se offerat probare prædicta.

The King upon the Archbishop of *Ardmab* Petition, issued these Writs to the Chief Justice of *Ireland*, to assign him Justices for the delivery and recovery of the rights of his Church, not to grieve him with amerciaments, and to do him speedy Justice from month to month.

Bundela Petitionum, An. 6 E. 1.

Justic. *Hibernia* salutem. Quia vobis injunximus, ut cum venerabilis pater Archiepiscopus *Ardmab. Thernia* Primas, *Aura* Ecclesie sue prosequi aut defendere vellet, certos sibi Justiciarios assignaretis: Vobis mandamus firmiter injungentes, quatinus cum idem Archiepiscopus, quem cum gratia et favore in suis agendis fovere desideramus, coram vobis vel dictis Justiciariis sibi assignandis amercari contigerit, ita sibi sitis propitii, quod in exactione amerciamenorum nullatenus se sentiat gravatum; & quæ ab eo fuerint exigenda & accipienda, quousque, à nobis speciale receperitis mandatum, nullatenus exigi permittatis, &c. Et hoc idem Justiciariis vestris Itinerantibus necnon & sibi assignand. præcipiatis. Dat. &c.

Illustr. Reg. *Anglia* Primogen. Justiciario suo *Hibernia*, vel ejus locum tenenti, salutem. Venerabilem patrem Archiepiscopum *Ardmab. Hibernia* Primatem, pro nostris viribus volentes à gravaminibus præservare, et Ecclesie *Ardmab. patrionii* et terrarum alienationem satis (ut asseritur) injuste miserie læcrimabili compatiens; Vobis mandamus firmiter injungentes, quatenus cum eundem Archiepiscopum suo aut Ecclesie sue nomine experire seu agere aut defendere contigerit, utiles ac necessarios sibi Justiciarios ac Judices assignetis; assignand. sibi Justiciariis dantes in mandatis nihilominus, ut celerem eidem Archiepiscopo *Ardmab.* justitiam scilicet de mense in mensem faciant, cum gratia & favore, providentes, quod in *Drogheda* vel alias loco competentis sibi infra limites sue provincie occasione contentions ortæ ipsum & Archiepiscopum *Dublinensem* et *Casselen.* Justiciarios hujusmodi sibi assignetis. Valet. Dat. &c.

The particular Petitions of the Archbishop of *Ardmab* to the King on the behalf of his Church (in the same Bundle) were these ensuing.

In eadem Bundela Petitionum, in Turri London, An. 6 E. 1.

Licet Ecclesia *Ardmab.* inter omnes Ecclesias *Hibernia* in rebus & possessionibus ac libertatibus, antiquis temporibus magis fuerit abundans; modo tamen per oppressiones malorum, ac per imperitiam quorundam Archiepiscoporum ad tantam devenit paupertatem, quod qui pro tempore fuerit, detestetur Archiepiscopus nuncupari; propter quod etsi placitum detentoribus terrarum dictæ Ecclesie movere vellemus, timore tamen amerciamenorum Curie vestre hoc facere non audemus. Unde supplicamus Excellentie vestre, quatinus si contingat nos alios implacitare, vel ab aliis implacitari, & subcubuerimus, vel aliquo modo defaultam fecerimus, quod vestra Dominatio certum amerciamenrum nunc velit statuere, ultra quod Justiciarii vestri à nobis nil exigere audeant; vel saltem eis mandetur, quod à nobis nil exigant, quousque a vobis aliud receperint in mandatis, Cum facultates Ecclesie nostræ in terra pacis hujus ad Centum libras se extendant. Forma vero gratie quam fecistis Prædecessori nostro hic pender.

Item, cum quædam partes sint *Hybernie*, ad quas nisi Crucem nostram basularem, sine præjudicio Juris Primatiz Ecclesie *Ardmab.* accedere nullatenus possemus; qua de causa nullus prædecessorum nostrorum ad illas partes usque ad hæc tempora aliquo modo personaliter accessit; Vestre Dominationi supplicamus, quatenus mandetur Justiciariis vestris, quod non plus ad talia loca vocentur, quam vocaverunt prædecessores nostros; Sed ad ea quæ sine præjudicio dictæ Ecclesie accedere valeamus in quibuscunque negotiis seu causis personaliter velint vocare. Et sciat Excellentia vestra (Domine Rex) quod ad quemcunque locum minor nuntius Justiciariorum vestrorum nos ad commodum & honorem vestrum vocaverit, dum tamen sine præjudicio perpetuo Ecclesie nostræ possumus accedere, libenter accedemus. Forma vero gratie quam fecistis prædecessori nostro circa hoc hic

hic pender, quam gratiam nos similiter petimus nobis fieri (si placet) ad voluntatem Regis. An. 6 E. 3.

*Item*, cum ante introitum *Anglicorum* in *Hyberniam*, Ecclesia *Ardmab* fuerit in possessione recipiendi Temporalia tempore vacationis omnium Episcopatum Provincie *Ardmab*; & licet processu temporis per incuriam & negligentiam quorundam Archiepiscoporum, ballivi vestri possessionem temporalium quorundam Episcopatum sic vacantium, in prejudicium Ecclesie nostrae sint ingressi, adhuc tamen Ecclesia nostra *Ardmab* est in possessione Temporalium quorundam Episcopatum vacantium, in quorum possessione fuit dicta Ecclesia non solum ante ingressum *Anglicorum*, sed post ingressum ipsorum usque in hunc diem. Quare Excellentie vestre supplicamus, quatenus mandetur Justiciariis vestris, ne nos seu Ecclesiam nostram saltem super possessione nostra in praedictis Ecclesiis, in quarum possessione fuerunt haecenus Praedecessores nostri, & hodie sumus, molestant. Et sciatis, Domine reverende, quod nos peteremus possessionem nostram nobis reformari Ecclesiarum, videlicet quas nunc tempore vacationis quo ad temporalia possidetis, si speraremus apud Excellentiam vestram exaudiri. R. Quod Justicie ad. &c.

*Item*, cum Thesaurarius vester in *Hybernia* petat quaedam amerciamenta à nobis quae tempore trium Archiepiscoporum praedecessorum nostrorum nunquam fuerunt petita, nec ipsis viventibus (prout intellexerimus) extiterant taxata. Excellentie vestre supplicamus, quatenus mandetur Justiciario vestro vel ejus locum tenenti, quod à talium amerciamentorum exactione desistat: vel saltem Dominatio vestra de gratia speciali nobis dicta amerciamenta velit remittere. R. Scribarur Justicie, &c. Rex petsonat ei ea quae non fuerunt taxata super sitibus praedecessoribus suis, ita quod ea quae tax. &c.

*Item*, cum Ecclesia nostra *Ardmab* ab antiquis temporibus fuerit in possessione cujusdam Libertatis in tenemento de *Carmunsechi*, quod dicitur *Wreck*; ac nunc Ballivi vestri, licet raro talis casus contingat, se intromittant: Excellentie vestre supplicamus, quatenus mandetur Justiciariis vestris, quod inquirent, si aliquis praedecessorum nostrorum antiquitus habuit dictam Libertatem quae dicitur *Wreck*; & si invenerint aliquem praedecessorum nostrorum ipsam habuisse, nos permittant eadem libertate pacifice gaudere. R. Ostendit Jus coram Justicie, *Hybernia*, & Regem.

*Item*, cum nos quoddam Manerium in medio perversae gentis situm à quodam Milite ad opus Ecclesie nostrae de novo emerimus, ac ibidem Castrum quoddam ad resistendum malitiae ejusdem gentis satis forte constituerimus, ratione cujus emptionis pax & concordia in tota marchia illa melius observatur; de quo manerio, licet nil valeret dicto Militi, tamen servitium et sectam Comitatus vestro facere tenebatur. Cum adhuc dictum manerium ad eadem teneatur; Vos rogamus quatenus dictam sectam Comitatus cum servitio de gratia vestra speciali nobis & Ecclesie nostrae velitis. R. Rex non potest relaxare, quia de Corona.

Quia uniberla placita de Catallis seu debitis, quae Testamentum vel Patrimonium non contingunt ex \* Regia dignitate Curiae Regiae relinquuntur audienda et terminanda: eo praetextu placita de Debitis seu Catallis Patrimonium seu Testamentum contingentia, Rex et Princeps filius Ecclesiae Christianissimus et fidelis Curiae Christianitatis dimittere debet, Ecclesiae libertatem illam conferbando, ut tenetur. Cum igitur Parochianus noster *Philippus Marmin* de quibusdam debitis et catallis quae sunt de matrimonio coram Baronibus de *Waccarto* ad instantiam Domini *Wilhelmi de Mortem* trahitur in placitum hiis diebus; petimus, quod Rex eisdem Baronibus referbat; quod si ita esse invenerint, tunc de placito illo se non intromittant, sed ad Curiam Christianitatis dimittant; vel saltem quod dictum placitum coram ipso Rege poni faciant; ut de consilio suo, quid inde fieri debeat, statuatur. To which no answer was given by the King.

\* Nota.

*William* Archbishop of *Rboan* returning very weary and poor from the Church of *Rome*, where he had spent much money for his confirmation and consecration, and being loth to cross the Seas to come personally to King *Edward* to make his Oath of Fealty to him, addressed his own Letters to him, with some other great persons, to receive his Homage by a Proctor, or to send one to receive it at *Rboan*, and



An. 6 E. 1. and to do it afterwards in person, when ever the King should arrive in *France*, that so he might receive his Temporalities; as these following Letters, which I found in a Bundle of Epistles and Writs in the *White Tower* inform us.

Bundel Bre-  
vium & Epi-  
stolarum in  
Turri London  
An. 6 E. 1.

Excellentissimo Domino suo, *Edwardo Dei gratia illustri Anglia Regi, Guliel-*  
*mus* miseratione divina *Rothomagensis* Archiepiscopus, salutem, &c. Quia  
gyrat animus in diversa suppositus eodem tempore curis diversorum necessariorum,  
fere æqualium, pro quorum uno corporis & rerum subijcitur periculo, pro alio au-  
tem rerum timet periculum & superioris offensam, sciens, quod dum ad utrumque  
festinat, neutrum benè peragit, viam sic hæsitanti oportet eligere tutiorem. Ideo-  
que nos qui corporis et rerum timeamus periculum, si pro faciendo Juramento fi-  
delitatis Magnitudini vestræ de terra quam a vobis tenemus, in *Angliam* nos o-  
porteat transfretare, cum de nobis a *Curia Romana* ad Archiepiscopatum nostrum  
venerimus satis fessis, vias itinerandi difficiles et abruptas, et jura ac negotia no-  
stræ Diocesis multum invenerimus intricata, sicut plerumque in illis accidit, qui  
de nobis curam consimilem amplectuntur: Undè sine magno dispendio, modo ad  
vestram Magnitudinem accedere non valemus, pro dicto Juramento fidelitatis debi-  
te faciendo; præcipuè cum illustri *Francia* Rex sit ad præsens in *Normannia* par-  
tibus; cum quo, novitatis hoc tempore, super terris nostrisque juribus, vacante  
nostra *Rothomagensi* Ecclesiâ indebitè occupatis tractare, & ipsius implorare sub-  
sidium nobis opportunum habemus. Mare etiam complexionis nostræ contrarium,  
& ipsius abhorremus inundationes insolitas, et periculum, quod patet in *Jannia*,  
cum à modo difficultatem & periculum exhibeat transfretanti. Quapropter man-  
suetudini Regiæ causam & audaciam sumpsimus supplicandi, quatinus dictum Ju-  
ramentum fidelitatis, ad quod vobis tenemur ex debito, de specialis benignitatis  
vestræ gratia, et consueti faboris intuitu, dignemini per Procuratores nostros re-  
cipere, ad hoc specialiter destinatos: Scituri certissime, quod quam cito mare *Ang-*  
*licanum* vos transfretare contigerit ad quascunque partes *Franciae* sive *Gascoigna*,  
et auditis de transitu vestro rumoribus, in instanti vobis obviam veniemus, dictum  
fidelitatis juramentum, et alia, quæ regni *Angliae* consuetudo ejusdemque terræ  
qualitas erigit et conditio præstaturi. Insuper Magnitudinis vestræ apertas recog-  
nitionis nostræ transmittimus literas, per quas innotescimus, quod per factam nobis  
gratiam vobis vestrisque successoribus nullum præjudicium volumus generari;  
nec nobis et successoribus nostris quicquam præbere subsidium, quo minus tenea-  
mur ut ante præstare super fidelitate prædicta personaliter juramentum. Quæ  
tandem si sic fieri Dominationi vestræ non placeant, iterum Regiæ Celsitudini sup-  
plicamus cordis affectione qua possumus ampliori, quatinus unum de vestris, Cle-  
ricum aut Laicum in *Normanniam* aut in *Franciam*, ubi vobis citra mare placuerit,  
Regia Celsitudo transmittat, ad recipiendum a nobis, pro vobis et nomine vestro,  
fidelitatis debitæ juramentum. Tantum de prædictis, obtentu nostrorum præca-  
minum facientes, si placet, quod in exauditione evidenter excusationis nostræ præ-  
dictæ, nobis & arduis nostris necessitatibus, videamini consuetæ benignitatis ve-  
stræ gratia compati, & ut per hoc in posterum ad effundendas orationes pro vobis  
Altissimo, & ad alia gratiarum obsequia teneamur. Valeat, &c. Dat. Anno Do-  
mini 1278. die *Mercurii* in festo beati *Barth. Apostoli*.

In eadem Bun-  
dela, An. 6 E.  
1.

Serenissimo Principi, Domino in Christo charissimo E. Dei gratia illustri Regi  
*Anglia, Matth.* miseratione divina Ecclesiæ beati *Dionysii* in *Franc.* Abbas hu-  
milis, salutem, &c. Quia multis afflictus molestis, multis propulsatus injuriis,  
multisque attenuatus curis, laboribus, et expensis, venerandus & charissimus no-  
bis pater in Christo G. Dei gratia Archiepiscopus *Rothomagensis*, sub corporalis  
debilitatis imperio, a *Curia nobilitate Romana* reclusus, non sine incommodo mag-  
no ad præsentiam Celsitudinis vestræ, pro juramento fidelitatis, prout moris est,  
vobis præstando, personaliter accedere posset; maxime, cum procellosas & quozis  
undas abhorrereat in immensum, ipsumque mare eidem suis minetur insultibus;  
Excellentiam vestram rogamus, quatinus compatiens eidem, et ergà ipsum be-  
nignitatis Regiæ prætendentes affectum, per procuratorem quem ad vos destinat  
pdoneum, vel coram Procuratore aliquo à vobis ad dictum Archiepiscopum ad  
ejusdem expensas proprias destinando, cui nomine vestra fidelitatem juret prædis-  
tam,

## A Supplemental Appendix.

K. Edward 1.

tam, iuramentum delictis recipere supradictum; quousque ad *Vasconia* partes vel *Francia* accedere vos contingat, quia tunc commodius se vestro conspectui præsenteret, dictum iuramentum personaliter subiturus. Valeat, &c. Dat. Rothomagi die Veneris post Assumptionem beate *Mariae* Virginis.

**A** Treshaut et tresnoble Prince, son treschier et tresame Cousin E. par la grace de Dieu Roy de *Angleterre*, *Johanne* Contesse *D'alencon*, & de *Chartres*, salut, et veraie amour et lui aparaillee a sa volente et a son plaisir. Sire come honorable Pere en Jesu Crist, *Guill* par la grace de Dieu Archevesque de *Rorn* nostre especial ami vous daie feire homage, et il redoute mont la mer, et meesmement pur ce quil est moult grevez et travailliez du lous voyage, que il a fet par lout tens, et a *Rome* et a ailleurs: pur quoy il ne puet mie aler a vous en propre persone sanz grant peril de son cors, et seur se Jentens, que ma Dame la *Reine* vous prie per ses lettres qe vous li vueilliez feire tel grace, que vous le debantdit homage vueilliez recevoir per son Procureur especial en tel maniere, qe si tost com li ditz Archevesque nostre ami saura que vous saies es parties de *France*, ou es parties de *Gascogne*, ou que ce soit il — prez et aparaillez de vous feire homage en propre persone, si come il deura. Si vous pri Sire tant com je puis que — la priere ma Dame vueilliez accomplir et mettre a enure en ceste besoigne. Et tant en feitesil vous plest pur l'amour de lui et de moi, que nous vous en puissions mercier et savoir grace, et que il aperceve que noz preces li aient valu envers vous. Nostre Sire vous gart. Donne a *Esamples* le *Vendredi* apres la Saint Pere entrant *Aoust*.

Ad eundem effectum ad Regem predictum mittuntur literæ à *Margarita* Regina *Franciae*. Dat. apud *Stampas* die Jovis post inventionem beati *Stephani*.

**A** Treshaut homme et tresnoble, et son treschier filz. *Edualt* par la grace de Dieu Roy *Dengleterre*, &c. *Jehane* par la meisme chele grace Roine de *Castelle* et de *Lyon* Contesse de *Ponter*, &c. salut, &c. Biaux hiez comme je vous eusse autre foiz proie par mes lettres de la besoigne le Archevesque de *Rorn* dendroit l'omage quil vous doit faire, ke vous son homage vueilliez recevoir par Procureur, duskes a chon qe vous passer ies la mer, pour chon quil est greves de la voie de *Rome*, la ou il a molt en a faire et me feres vous en prie par ses lettres de vous prient, aut come je puis ke vous le proiere mon Seigneur et le nostre vueilliez faire se vous faire le poes en nule maniere, seu faices tant qe il se puist aperchenoir que mes prieres li aient en aucune chose pour fice, et quil nous en puist merchier. Dieux soit avec vous.

In the same Bundle, I found this *Memorandum* entred concerning the Homage of *Alexander* King of *Scots* rendred to King *Edward*, and his adjourning of it to another time and place, because his Counsil were not present.

**E** *Dwardus* Dei gratia, &c. Omnibus ad quos presentes literæ pervenerint, salutem. Scitis, quod cum egregius Princeps *Alexander* Rex *Scotorum* illustris, die Dominica proxima ante festum beati *Luce* Evangeliste, apud *Tenkebyr* ad nostram præsentiam accessisset, et ibidem facere nobis homagium obtulisset, nos illud ibidem recipere nolimus, cum tunc Concilium nostrum nobiscum minime haberemus. Sed prozogavimus ibi dñm, usque ad *London*, ad dictum homagium faciendum. Uocde volumus & concedimus, quod huiusmodi homagii in prædicta villa de *Tenkebyr*, nobis oblato denegata receptio, et eiusdem prozogatio apud *London*, faciendi, in dicti Regis vel heredum suorum præjudicium non redundent. In cuius, &c. Teste meipso apud *Camberle* 17 die *Octobris*, Anno regni nostri sexto.

That no Subject of this *Reule* could repair to *Rome* without the Kings special license, even in case of conscience which concerned his Souls salvation, this Petition of the Archbishop of *York* will inform us.

**E**xcellentissimo Domino suo E. Dei gratia, &c. ejusdem permissione *Eboracensis* Archiepiscopus, *Anglia* Primas, salutem, &c. Quia *Roberto* de *Berecley* injunximos, quod cum omni celeritate, intuitu salutis animæ suæ, iter arripere deberet *Papam*: ad ipsd vel sua *Primario*, super quibusdam excessibus et commissis absolutionis beneficium petiturus; *Westre* serenitatis zelum, quem ad prosperitatem animarum nobis habere, in Domino requirimus et rogamus.



An. 6 E. 1. mus, quatinus ipsius *Roberti* absentiam necessitate tam salutifera excusatam dignemini sine indignatione qualibet acceptare. Ita, si placet, quod ad Cingulum militiæ saltem quousque ipsum redire contigerit, sub tanta impotentia, nullatenus distingatur. Hæc autem Dominationi vestræ scribimus, instantius requisiti. Conserve, &c. Datam apud *Thorpe* Idus Septembris, An. Dom. 1278.

Page 214. l. 19. after *condemneret*, insert.] In the same Bundle of Petitions; I met with this of the Prior of *Christchurch Canterbury* to the King, craving his Letter to the Popes Secretary, to promote the business of his Church, for which he then sent special Messengers to *Rome*, concerning the difference between them and the Archbishops Clerks.

Bundle Petitionum An. 6 E. 1. in Turri London.

Excellentissimo Domino suo E. Dei gratia, &c. suus humilis & devotus, *Thomas* permissione divina, Prior Ecclesiæ Christi *Cantuar.* salutem, &c. Accedentibus ad nos apud *Cantuariam* in Vigilia beati *Bartholomæi* Apostoli Nunciis vestris, quos pro negotio Ecclesiæ nostræ ad Curiam Romanam transmissistis; super diversis prædictum negotium tangentibus nobiscum tractaverunt. Inter quæ tetigimus eis de Magistro *Benedicto de Anagnia*, Domini Papæ Notario, qui dixerunt nobis, quod nichil ei scripsistis pro negotio antedicto. Unde, cum Magister B. benevolus vester sit multum, ut intelleximus, ac etiam Domini Papæ Secretarius, et specialissimus vestræ Regiæ Excellentiæ, omni qua possumus affectione cordis humiliter supplicamus & devotè, quatenus literatoz eisdem mandare dignemini, ut nunciis vestris antedictis in agendis suis consilium, auxilium præbeat, et favorem; & eandem literam præsentium portitori, si placet tradi præcipiatis, quam cum omni festinatione eisdem Nunciis vestris curabimus destinare. Valeat, &c.

On the other hand I found this Petition of the Archbishop to the King in favor of his Clerks, to stand as an indifferent Judge between both parties, till the Cause were heard and decided.

In eadem Bundle.

Excellentissimo Domino suo, E. &c. ut supra. suorum Sacerdotum minimus frater R. de *Kylewardby*, salutem, &c. Audito, quod discordia super jurisdictione et obedientiæ debito inter Monachos Ecclesiæ Christi *Cantuar.* et quosdam Clericos per me promotos, sit jam exorta, est mea anima contristata. Clerici autem ipsi à me requirunt consilium destituti. Et quia solum interpellare possum ad vos, qui Archiepiscopatum jam tenetis, humiliter confugio; pro eis supplicans, ut cum ad Summum Pontificem pro statu suo appellaverint, vestra Regia potentia eis non derogat, donec vel per pacem vel per iudicium constiterit, ad quas vel quem debeat jurisdictionis vacationis tempore pertinere. Dico enim vobis in Christo, non desidero in hac parte, nisi quod unicuique tribuetur jus suum, & non opprimatur innocens per potentiam immodestam. Hoc unum vobis dico sicut Domino, quod non detis vos, qui iudicatis terram, per favorem partis parti alteri adversari. Iustitia enim vos debet in medio stabilire donec partium disputatio terminetur. Valeat, &c.

In the same Bundle there is this Petition of this Archbishop to the King on the behalf of Mr. *Peter*, Gardian of the House of Scholars in *Oxford*, concerning lands then in question, given towards the Scholars maintenance.

Ibidem.

Serenissimo Principi & Domino E. Dei gratia Regi Angliæ illustri, &c. Frater *Robertus Cantuariensis* Ecclesiæ Sacerdos indignus, salutem, &c. Quia sicut intellexi nobilem virum Comitem *Glovernia* ad quindenam Pascha coram vobis, ubicunque fueritis in Angliæ, super terris et tenementis ad sustentationem pauperum Scholarium *Oxon.* per bonæ memoriæ *Walterum* quondam *Roffensem* Episcopum assignatis, quas idem Comes tenet, vocari fecistis, Regiæ serenitati humiliter precum instantia supplico, quatinus Magistro *Petro* præsentium portitori, Custodi Domus Scholarium prædictorum, ex solita mansuetudine in hiis quæ Dominationi vestræ exponet, pium præbere velitis auditum, Præcipientes (si placet) quod ipsius Petitiō secundum Deum ad exauditionis gratiam admittatur: Ne per potestatem, procuratorem, aut astutiam aliquorum, quod ad tam pios usus est assignatum, contra

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contra Iustitiam subtrahatur. Credo utique firmiter hoc esse vobis meritorium valde, vosque proinde condignam posse remunerationem sperare à Christo. Valeat, &c.

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Page 214. l. 48. after *ut supra*, adde. ] I found this Letter of King Edward to Pope Nicholas concerning the Monks of *Canterbury* unanimous election of his Chancellor *Burnel* for their Archbishop by his royal license : wherein he highly extols his merits, fidelity, wisdom, learning, and passionately desired the Popes confirmation of him to this Mother Church, both for his own, and his kingdoms benefit, which he sent by sundry special Messengers to accomplish.

**S**ANCTISSIMO IN CHRISTO PATRI & DOMINO DOMINO N. divina Providentia sacrosanctæ Romanæ, ac universalis Ecclesiæ Summo Pontifici, Edwardus Dei gratia Rex Angliæ, &c. pedum oscula, &c. Vacante nuper sede *Canthuariensis* Ecclesiæ per translationem venerabilis patris R. dudum ipsius Ecclesiæ Archiepiscopi in Episcopum *Portuen.* Prior & Conventus ejusdem Ecclesiæ, à nobis (ut moris est) de prohibitione Pastoris huiusmodi Ecclesiæ faciendæ petita licentia et optenta, ipsi convenientes in unum, & de substitutione dicti Pastoris diversis vicibus tractatu habito diligenti, demum ad personam venerabilis patris *Roberti Bathon. & Wellen.* Episcopi, Cancellarii nostri, vota sua unanimiter direxerunt, et ipsum in suum Archiepiscopum et Pastorem concorditer postularunt : præsentantes nobis decretum postulationis ipsius, et quod huiusmodi postulationi nostrum præberemus assensum Regium, humiliter supplicantes. Nos igitur eorum iustis supplicationibus inclinati, postulationi prædictæ, quam de persona idonea invenimus canonice celebrandam, assensum nostrum duximus tribuendum. Cumque nos (sanctissime Pater et Domine) personam prædicti postulati inter omnes Prælatos et Clericos Angliæ cunctis specialis amoris privilegio prosequamur, exigentibus suis meritis prohibitionis, et translationem ipsius ad prædictam *Canthar.* Ecclesiæ (quam post sacrosanctam Romanam Ecclesiæ specialem recognoscimus matrem nostram) pro fidelitatis suæ constantia, quam ad recolendæ memoriæ Dominum H. Regem Angliæ illustrem, genitorem nostrum, et Nos, ac totam Ecclesiæ Anglicanæ, semper hactenus habuit incorruptam, et aqua nullo unquam tempore nubulo vel sereno lecti potuit seu etiam debiare, honestis et corde desideriis affectemus ; Sanctitati vestræ, de qua plenam in Domino fiduciam obtinemus, tota mentis devotione, totaque cordis affectione humiliter supplicamus, quatenus prohibere contentantes (si placet) incrementa prosequamur et honorem quæ tam spiritualiter quam temporaliter per translationem prædictam postulati (viri quidem tam in temporalibus quam in spiritualibus circumspici, viri mitis, affabilis, et benigni ; viri etiam misericordis, mansuetudinis, caritatis et pacis) ne dum præfata *Canthariensis* Ecclesiæ, immo etiam regi Regno nostro poterunt, divina favente clementia, probemur, et conformemur in hac parte vestram nostris affectibus voluntatem (quod pro munere petimus) memoratum *Bathon. & Wellen.* Episcopum ad præfata *Canthuariensem* Ecclesiæ, contemplatione nostri, consideratione prosequamur et honorem prædictorum transferre dignemini, de gratia speciali. Mittimus autem ad Sanctitatis vestræ præsentiam dilectos & fideles nostros *Franciscum Accursii de Bononia*, Juris Civilis professorem, Consiliarium familiarem, & Secretarium nostrum, *Thomam de Sancto Vigore*, Militem, Magistros *Henricum Husee & Iterium de Engolismo* Clericos nostros, præsentium portitores ; vestram Clementiam exorantes, quatinus eisdem indubitata fidem adhibere super hiis, quæ ipsi ex parte nostra communiter vel divisim, in conspectu vestro, super negotio postulationis prædictæ duxerint exponenda, et exposita nostri amoris intuitu gratiose dignetur vestra Sanctitas exaudire. Nos etiam qui personam vestram in persona prædicti postulati reputamus honorari, tam vobis quam vestris propterea teneri volumus acriter obligati ad omnia quæ Dominationi vestræ sint placita, ac exaltationis Domus vestræ et vestrorum respiciant incrementum. Conserver, &c. Dat. apud Wyndesore decimodie Julij, Anno regni nostri sexto. But neither this Epistle, nor the Bishops grand Merits or unanimous election could prevail with this usurping Pope, who by his own Provision without any election, thrust his own Creature *Féer John Beckham* into this Archbishopal See.

Bundela Literarum Anno 6 E. 1. in Turri London.



An. 6 E. 1. Page 223. l. 35. after, &c. adde.] The Freers *Carmelites* suggesting to the King, that they had obtained an habitation, with certain tenements and possessions within the City of *Dublin*, where they intended to build a Church for the honour of God, and to recommend the quick and dead to him in their prayers; the King approving their design, issued a writ to his Chief Justice, to persuade the Bayliff and all the Commonalty of *Dublin*, to permit them to build a Church and Cell there without any impediment; or else to certify him their reasons why they hindered them; whereupon they returned him the reasons of their dissent annexed to the Writ, both which I found in the *White Tower*.

In Turri London, Anno 6 E. 1.

**E**dwardus Dei Gratia Rex Anglia, Dominus Hibernie, Dux Aquitania, dilecto & fideli suo Roberto de Ufford Justic. suo Hibernie salutem. Cum dilecti in Christo fratres de Monte Carmeli quandam placeam sibi adquisierint in Civitate *Dublin*, ex dono & concessione Rogeri Owyne et quorundam aliorum tenementa & possessiones habentium in eadem Civitate inhabitand. & ibi quandam Ecclesiam construere proponunt, que ad laudem Dei & sui nominis divina celebrare, & tam vivos quam defunctos in suis orationem suffragiis apud Altissimum habere possunt recommendatos. Et idem Rogerus paratus sit nos & alios quoscunque de redditibus debitis de placea predicta indemnes conservare, & redditum illum nobis & ipsis, necnon & heredibus nostris & ipsorum alibi in Civitate predicta de placea competentem, vel competentiorum percipere percipientem, terminis debitis & consuetis assignare. Nos ipsorum propositum hac parte prosequentes affectu, Mandavimus Ballivis et toti Communitati *Dublin* rogandis specialiter, quod fratres predictos placeam predictam inhabitare, et Ecclesiam suam in eadem libere et absque impedimento construere permittant in forma predicta. Et ideo vobis mandamus, quod predictos Ballivos et Communitatem ad hoc monitis, & quantum poteritis efficacius inducatis ex parte nostra, quod si fieri non permiserint, seu permittere noluerint, tunc causam impedimenti ipsorum nobis distinde et aperte sub Sigillo vestro significetis. Teste meipso apud *Windsor* septimo die Novembris, Anno regni nostri sexto.

*His rationibus subscriptis dicunt Cives Dublin, quod non expedit Domino Regi, nec Civibus predictis, quod Fratres de Monte Carmeli infra muros Dublin commoventur.*

**I**mprimis dicunt, quod dicta Civitas infra muros satis stricta est. Item, ubi dicti fratres ostendebant Domino Regi et Consilio suo, quod Rogerus Owyne contrivit eisdem quandam placeam ubi inhabitare volebant, minus inde dicebant, eo quod dictus Rogerus ibidem nunquam aliquam terram habuit, sed emebant dictam terram de quodam *Davide Clerico*, qui ratione dictae terre auxiliabatur cum dictis Civibus in tallagio et in aliis auxiliis suis ceteri Cives Civitatis.

Item, predicti fratres duas vacuas placeas quae capite fuerunt in manum Domini Regis, et Civium predictorum pro *Areragis Landgabals*, sibi appropriaverunt, dictis Civibus ignorantibus et invitis, nulla solutione facta adhuc de dictis areragis.

Item, dicunt, quod manentes in dictis terris tenentur auxiliari cum dictis Civibus in tallagio, vigiliis faciendis, inde *Almosenas*, et pluribus aliis ad Civitatem pertinentibus, quod si ipsas terras habuissent et in Sanctuarium posuissent, hoc esset ad exheredationem Domini Regis, et predictorum omnium dampnum non modicum et gravamen.

Item dicunt, quod dictae terrae pluribus casibus Domino Regi et Civibus predictis accedere possint in Escatam, quod si ipsas habuissent ipsi in Sanctuarium tenerent, quod esset ad exheredationem Domini Regis, et in prejudicium predictorum Civium et dampnum non modicum et gravamen.

Item, dicti Cives habent de dictis terris placeas et perquisitas, quare non expedit Domino Regi nec Civibus quod predictae terras optineant.

Dicunt, quod si Guerra communis existeret fuerit, secundum quod nuper fuerat in *Lagen*, maximum periculum possit omnino Castro De Regis & Civitatis eo quod pauci sunt circumstantes Portam dictam *Maria de Dub*, per quod Malivoli privatum

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vatum infra domos suas intrare possint, & sic maximum periculum Castro Domini Regis & Civitati possit eminere, ut supra. An. 6 E. 1.

*Item*, Dicunt, quod si dicti fratres Ecclesiam suam super dictis terris construerent, et ibidem Sanctuarium fecissent, maximum dampnum tam Domino Regi quam Civibus predictis posse eminere, eo quod si felones extra Castellum Domini Regis evadissent, secundum quod saepius contigit, vel alii qui aliquam feloniam fecerint ibidem refugium habere possent; Et sic oporteret dictis Civibus ibidem Vigiliis facere, et se custodire, darent evasione, quod durum esset eisdem Civibus, et sic poverentur in servitute, ubi modo sint liberi.

*Item* dicunt iidem Cives, quod si concessum fuerit eisdem fratribus ibidem inhabitare, quod intendunt omnes terras ibidem collaterales sibi appropriare, et postea eas in Sanctuarium convertere, quod esset ad exheredationem Domini Regis et dampnum eorumdem Civium non modicum et gravamen, et sic sibi appropriare tertiam partem totius Civitatis infra muros et illa parre Villa.

*Item* dicunt, quod Communitas nullo modo vult assentire quod ibidem inhabitent rationibus predictis. *Such prejudicial and unwelcome guests did the Inhabitants of Dublin, even in that age deem these greedy Friars to their City, and the King himself.*

Page 137. l. 28. after *fratrum*, insert. ] I found this memorable Epistle and Complaint of the Italian Cardinals to King Edward in the White Tower, (not mentioned in any Historians to my remembrance) of the armed force, violence, murders, and plunder done unto some Italians and them by the Gascoigners when they were shut up in their Conclave in the City of Carpentra to elect a new Pope, after the death of Clement the 5. (An. 1272. 1 E. 1. omitted in its proper place) by the instigation of the Popes Nephews, to the great affront and dishonor of the Roman See, Church, Court, imploring his assistance to avenge this injury, out of his zeal to the Church, if the peace of the Church which they endeavoured to maintain should be thereby disturbed. An. 1 E. 1.

**S**erenissimo Principi Amico charissimo Domino Edwardo Dei Gratia Regi Anglia Illustri. Miseratione divina frater Nicholas Offien. & Belletren. Episcopus, Neapoleo Sancti Adriani, Galicenu Sancti Nicholai in Carcere Tulliano, Franciscus Sanctae Maria in Cosmedin, Jacobus & Petrus de Columna Sanctae Romanae Ecclesiae Diaconi Cardinales salutem, & felicibus in Domino successibus habundare. Etsi ab universis et singulis Christianae fidei detestanda cultoribus pericula gravia, et scelerata flagitia praesumpta nuper in Curia, et crudeliter perpetrata per Vascones, in offensam Dei, et Ecclesiae Romanae contemptum, gravemque concussionem status ipsius; nisi superna sibi dextera, qua Petrum in fluctibus ne mergetur erexit, ac etiam nobis quos de mortis eripuit faucibus assistisset; credamus ad aures vestras per vulgaris famae proloquium pervenisse, neque geramus dubium audita facinora velut acuta jacula vehementer vestra, ob zealum divini nominis et honorem etiam pupugisse praecordia: quia tamen interdum loci distantia facti variat veritatem, ipsam vobis puram et liquidam, nulla verborum fictione compositam vestro conspectui praesentatur. Et quidem dum nos et alii ejusdem Ecclesiae Cardinales, post obitum Domini Clementis Papae 5. essemus in Episcopali Palatio Civitatis Carpentoracen. ad prohibendum Ecclesiae Dei de futuro Summo Pontifice sub uno Conclavi, & nos Cardinales Italici non querentes quae nostra sunt, sed quae Dei, neglectis singularibus affectionibus reciprocis in nos ipsos, peteremus hominem ad sustentandas Columnas Ecclesiae, qui dictam Ecclesiam reformando dirigeret, essetque in hoc tantum omnis nostra cura, omnis intentio, hic affectus subito Vascones, seu quod libram examinis sub futuro Summo Pontifice teste conscientia formidarent, seu quod armorum violentia crederent hereditario iure Dei Sanctuarium possidere, et deliberato atque proposito tamen sub palliato colore deferendi videlicet corpus ejusdem Papae, in copiosa peditum et equitum armorum multitudine convenerunt, et scelus quod mente conceperant producentes in actum, die 23. Julii arma sumperunt bellica, et sub ordinatione Bertrandi de Goto et Raymundi Guilielmi dicti Papae Nepotum, Civitatem Carpentoracen. intrantes multos Curiales Italicos cum solum Italici peterentur, ad mortem immaniter trucidarum, et se ad praedam convertentes et spolia, crescente rabie, ac ad crudelia ferbererite furore in dixerunt

In Turri Lond.  
don, An. 1  
E. 1.



An. 1 E. 1.

diversis Cibitatis partibus incendia posuerunt: Nec his contenti, plurium Cardinalium ex nobis hospitia diversis insultibus, et insectis ignibus inhadentes bella ibidem acerrima cum clangore tubarum hostiliter intulerunt. Invalescens tandem grabiozi periculo, et horribili sicut in capris Cibitatis assoler, increbescens rumore multitudo Vasconum armatozorum hostium Conclabio obedit, acclamando moriantur, Cardinali Italici moriantur, Volumus Papam, volumus Papam, et ipsi in huiusmodi acclamatione frementibus, alia multitudo Vasconum equitum armatozorum placeam dicti Conclabii invasit, similibus circumdato Palatio vocibus acclamando. Nos vero prefati Card. Italici circumsepti tantis angustis, et mori tam turpiter, tam crudeliter metuentes, cum omnia circa Conclabe Armatozorum multitudo teneret, neque publicus pateret egressus, tandem posteriozem murum Palatii facto ibidem parbo foramine pro nostra salute rupimus, et de Carpentoratz postmodum discedentes dispersi, non sine mortis periculo per loca diversa secessimus, et per misericordiam Dei quæ salvos nos reddidit, ad terras pervenimus Amicozorum. Consideret igitur vestra Serenitas, quod ab ipsorum Vasconum feritate non defuit, quin effuso sanguine principalium membrorum Ecclesie quæ benignis eos lachrymis uberibus, ditabit, et complebit honoribus, statum ejus confessione perpetua et impressione confunderent, et Christianum nomen infidelibus darent in derisum, et fabulam, et opprobrium sempiternum. Exterum præmissis omnibus quæ cum tantis injuriis passi sumus nequaquam obstantibus, nos pacem et unitatem Ecclesie petimus, ipsaque summo conamine procuramus. Sed si ex aliena culpa procederet negotium, quod avertat Altissimus, ad rupturam, de bestro erga Deum et Ecclesiam zelo certos nos reddimus, quod una nobiscum qui Dei honorem, et quod rectum est agimus, et pro iustitia et veritate certamus, fides vestra concurret. Et sic per vos et alios Orthodoxæ fidei Professores ipsi Domino Iesu Christo et Ecclesie suæ in sua causa favebitur, ac promptis affectibus assistetur, quod et divino honori congruit, et eidem Ecclesie satisfiet. Dat. Valentia 10 die Septembris.

In Dorso. Serenissimo Principi Domino Edwardo Dei Gratia Regi Anglia Illustri Amico charissimo.

An. 7 E. 1.

In the Parliament of 7 E. 1. held at Westminster, (the Memorials whereof I found in the White Tower, and rescued from corruption and oblivion) I met with this memorable Attachment against the Prior and Convent of Carlisle, for electing a Bishop without the Kings license, and against his Prohibition, to his damage of sixty thousand pounds, and also forty thousand pounds damage by their reelection.

Parl. apud  
Westm. post  
Pasch. An. 7  
E. 1. in Turri  
London.

Prior & Conventus Karliol. attach. fuit ad respondendum Regi, quare cum mortuo dudum Roberto Karle Episcopo per quosdam Concanonicos suos licentiam eligendi, prout moris est, petissent, et optinuissent. Et iidem Prior & Conventus W. Eborum Dec. de quo certa nota fuit Electione sollempniter publicata eligissent, iidem Prior et Conventus ipso Decano electioni prædictæ dissentiente, nulla licenc. petita nec optenta alium in Episcopum elegerunt, in prædicti Domini Regis et Cozonæ præjudicium et gravamen, et ad dampnum Regis sexaginta mille librarum: Et quare cum per Johannem de Vallibus & Thomam de Sasington Justiciarios Domini Regis, ex parte Regis eisdem Priori et Conventui inhibitum fuisset, ne irrequisito Rege re-eligerent, iidem nihilominus in contemptum Regis re-eligerunt, ad dampnum Regis quadraginta mille librarum. Et Prior venit, & dicit, quod ipse et Conventus suus non intellexerunt contemptum nec præjudicium Regi fecisse, ex quo primo licentiam habuerunt, et Electus suus electioni dissentit, per quod res integra fuit, ut credunt, sed si contemptus interfuit, subponunt se voluntati Regis, &c.

In the same Parliament, John Derlyngton made Archbishop of Dublin by the Popes provision, made his Fealty to King Edward for his Temporalties, in the presence of the Popes Nuncio, thus entred on Record.

\* See Here,  
p. 226.

\* Die Jovis post festum Sancti Marci Evangelistæ, Frater Johannes de Derlyngton, de Ordine Prædicatorum, Electus Dublin, in præsentia Magistri Archidiaconis,

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aconis, nuncii sedis Apostolici, fecit fidelitatem Regi Edwardo & hæredibus suis *An. 7 E. 1.*  
Regibus Anglia pro temporalibus Dublin. Archiepiscopat. in hæc verba.

Ego frater Johannes de Derlington Ordinis Predicatorum, de quo Dominus  
Papa prohibet Ecclesie Dublin. Iuro inspectis Sacrosanctis Evangelis, quod  
ego Domino Edwardo Regi Angliæ & hæredibus suis Regibus Angliæ portabo bonam fi-  
dem de vita et membris, et terreno honore, contra omnes Gentes. Et quod fideliter fa-  
ciam servitium debitum & consuetum de temporalibus dicti Archiepiscopatus.

Et dictus B. qui personaliter venit, & fecit fidelitatem ut prædictum est, reddi-  
dit ei temporalia Archiepiscopatus, prout moris est, & fieri consuevit; & precepit  
quod haberet super hoc brevia.

Page 240. l. 26. after *Septemb.* insert.] In the broken Bundle of Writs *An. 8 E. 1.*  
in the *White Tower* Chappel, I discovered only these two Prohibitions for holding  
and prosecuting suits in Courts Christian. Edwardus, &c. Martino de Castello *Bundela. Bre-*  
tem. Prohibemus, ne teneas placitum in Curia Christianitatis de catallis vel debi-  
tis, unde Rolandus de Oylstede queritur quod tu trabis eum in Curiam Christiani-  
tatis, nisi catalla illa vel debita sunt de Testamento vel Patrimonio, quia placita de  
Caral. et Debitis quæ non sunt de Testamento vel Patrimonio spectant ad coronam  
et dignitatem nostram. T. R. apud Westm. 16 die Maii, An. r. n. 8. *Rex Vic. Linc.*  
Robertus de Nuport *vers.* Julianum de Novo Castro *subm.* Lynam, *Personam Ec-*  
clesia S. Pauli Lincæ, quare secutus est tale placitum; & *vers.* Walterum de Thor-  
hawe, quare secutus est idem placitum. T. R. apud West. 20 die Maii, *An. r. n. 8.*

How Popes by their provisions, against the Lawes of God and the Realm confer-  
red the Churches of Lay-patrons on Romans and aliens, interdicting them for  
sundry years together, at the prosecution of the Romans intruded into them, from  
all divine services and Gods Ordinances, to Gods dishonour and prejudice of the  
peoples souls, and by what imperious commands their Nuncios under pain of sus-  
pension of Bishops from their offices, injoynd our Bishops to institute these Ro-  
mans, and put them into actual possession of these Churches, and not to admit  
any others into them; and what course the King and his Council were advised to  
take, to prevent this execrable usurpation, will appear by this Letter of Ralph  
Bishop of Carlisle to the Bishop of Bath and Wells the Kings Chancellor Anno 8 E.  
1. which I found in a Bundle of Letters, Writs and Privy Seals in the *White Tow-*  
er, worthy observation.

Reverendo in Christo Patri, Domino & Amico suo charissimo Domino R. Dei  
gratia *Bathon. & Wellen.* Episcopo, Illustri Regis Angliæ Cancellar. Radul-  
phus ejusdem miseratione *Karlisen.* Episcopus, salutis gratiam utriusque. Instan-  
tias amicorum decet favorabiliter exaudiri, si absque injuria et dampno parentis  
optato poterunt effectui mancipari. Avertat igitur vestra reverenda paternitas,  
quid nostra possibilitas optinet in negotiis contingentibus Robertum de la Vane  
Clericum, pro quo literariè nos rogastis, ut ipsi per Dominum Regem ad Ec-  
clesiam de *Kyrkebyshore* nostræ Diocesis præsentato, precum vestrarum intuitu,  
gratiam faceremus. Dida siquidem Ecclesia per Dominum Papam Ecclesiastico  
supposita est interdicto; in qua, jam octo annis elapsis et plus, non celebrabantur  
divina, ad instantiam ejusdem *Romani*, cui per Summum Pontificem facta fuit  
provisio de eadem, pro quo etiam re vera, de obtinendo eandem, lata est sententia  
in Curia Romana; cuius sententiæ executor est Magister *Gisfredus de Vexano*, qui  
nobis sub poena suspensionis ac nostri Officii executoris nuper indubuit, ne quen-  
quam præter prohibuit ad dictam Ecclesiam, ad cuiuscunque præsentationem ad-  
mittere curaremus. Injunxit insuper præcipiendo, ut nos supradictum *Romanum*  
(quem *Stephanum Surdam* nominat) in corporalem possessionem Ecclesiæ memo-  
ratæ induceremus, seu induci auctoritate Apostolica faceremus; alioquin in scrip-  
tis ab ingressu Ecclesiæ, et cuiuscunque Capellæ, et etiam ab officio nos suspendit:  
Hiis intellectis, quid in casu consimili facerétis, nobis (si placuerit) rescribentes:  
et nos inveniatis paratos vestris obtemperare mandatis. Credimus firmiter ex-  
pedire, si discretum Regis Consilium ad huiusmodi manus apponeret, cum ipsa  
Ecclesia est de patronatu *Philipum Laicozum*, cum de huiusmodi Ecclesiis non con-  
suebit

*Bundela Lic-*  
*rarum & Peri-*  
*tionum An. 8*  
*E. 1. in Turri*  
*London.*



An. 8 E. 1. suebit ipsa Curia cuiquam aliquantulum providere; Si enim Rex scriberet Summo Pontifici, \* quod prohibitiones de Ecclesiis quarum Laici sunt Patroni, non consueverunt fieri, et quod huiusmodi prohibitiones suæ Coronæ præjudiciales existunt; credimus omnia revocari quæ circa Ecclesiam prædictam sunt hactenus attemptata: alioquin Interdictum durabit in ea nullatenus revocatum, et preceptis amicorum (quod est dolendum) patientur repulsam. Ex gratia quoque vestræ solite benignitatis, circa nos totiens exercitæ confidentes, devotè requirimus & rogamus, ne per mandatum Regium, aut vestrum, cum emanare contingerint ad impossibilia non patiamini nos astringi. Valeat, &c. Dat. apud *Lincol.* decimo septimo Kalend. Septemb.

\* Nota.

King Edward having declared his readinesse and resolution to relieve the *Holy Land*, in a Letter sent by Freer *Geoffry* Bishop of *Ebron*, Vicar to the Patriarch of *Jerusalem*, to the Patriarch, Templars, Hospitallers, and other Christians there, he returned him this answer (which I found in the *White Tower*) how joyfully they received it, and of the present state and affairs of the *Holy Land*, and *Tartars*.

In Turri London, Anno 8 E. 1.

Excellentissimo & Serenissimo Domino *Edwardo*, Illustri Dei gratia, Regi *Anglia*, suo Domino speciali, Frater *Gausfridus* de Ordine Prædicatorum, misericordie divina *Ebron*. Episcopus, Reverendi Patris Domini *Helja*, divina providentia Patriarcha *Ierosolymitani* Vicarius, cum *Terra Sancta* recommendatione, seipsum & felici desiderii complementum. Apicibus vestræ Regiæ Majestatis honore condigno & debita devotione receptis, cum summa sollicitudine in plena congregatione fidelium, *Palatii*, et *Religiosis* viris *Pagistris* acratum *Domorum* *Willelmi* *Templi*, et *Hospitalis* beati *Johannis Jerusalem*. et aliis terræ huiusmodi *Præceribus*, et *Communitatum* *Mentibus* publicatis, & vulgariter illis beato vestro desiderio & serenitatis Regiæ compassionis affectu, verbis inductivis & compatiens tam salubri negotio patefactis, corda convocatorum omnium ignita vestræ caritatis igniculo, et eructaverunt communiter laudis solennem canticum *Deo celi*, quod tanto Principi inspiraverit devotionem negotii *Terra Sancta*, et ultionem injuriarum *Jesu Christi*, et ad liberationem *Terra Sancta* de saucibus hostium *Christi* *Celsitudinem* vestram misericorditer excitabit. De rumoribus *Terra Sancta* (quos felices desideratis audire, eo quod totiens lætiores estis effecti, quotiens de Terra ipsa & statu ejusdem vestris auribus insonat rumor bonus) tenore præsentium innotescat Regiæ Majestati, quod carissima magna est in terra de blado, & modò valet modius 6 l. & timetur ne valeat 10 l. infra *Pascha*; eo quod in *Armenia* & in *Cipro* est defectus & pestilentia *Locustarum*, et propter guerram Regis *Caroli* de *Apulia* & *Sicilia* subsidium non speramus. Treuga, quæ est inter nos & *Saracenos*, non durat nisi usque ad mensem *Martii*, & interim non tenent fidem quam promiserunt: sed multas injurias & molestias inferunt Christianis. Inter *Athon* & *Tyrum* infra paucos dies 30 Christianos in strata publica occiderunt. De *Thartarum* rumores audivimus: nuper enim quendam nuncium miserunt in *Athon*, & mandavit Princeps exercitus *Thartarorum*, quod ipse est in *Thuria* cum 50000 equitum, & totidem ad suum subsidium expectabat, & mandavit nostris Magnatibus, quod veniant ad eum cum plenitudine potestatis, & quod ei cibaria et alia necessaria, in quantum valuerint, subministrarent, & placeat ei in cujus nutu cuncta subsistant, in cujus ditione cuncta sunt posita, ut talia nova positis audire, quod hostes Christiani nominis confundantur, & sancta fides exaltetur, & servi Dei inimicitias non timeant hostium *Crucifixi*, qui non secundum armorum potentiam, sed prout ipsi placet, dat dignis victoriam. Non enim in multitudine exercitus victoria belli, sed de cælo victoria est. Ego Presbyter vester humilis super huiusmodi apud Dominum suppliciter & humiliter intercedam, ut pro vita Regis & salute filiorum, me tandem et miserabilis Terræ negotium Magnificentia vestra suppliciter recommendet, quem Deus conservet incolumem regno suo per tempora longiora, Scriptum *Athon* quinto die *Octobris*.

In the same Bundle of Letters and Writs, I found this Letter of the Abbess of *Fons-Everard* to the Chancellor, for payment of the Arrears of the Almes belonging

## A Supplemental Appendix.

K. Edward 1.

longing to them, and other Debts from the Crown, for their support, and encouragement in their prayers, devotions and Anniversaries for the King and others in Foreign parts, and to procure the Kings daughter to be professed therein.

An. 8 E. 1.

**R**everendo in Christo patri ac Domino R. Dei gratia Bathon. & Willen. Episcopo, illustri Regis Anglia Cancellario, Domino & patri in Christo charissimo; Soror Margareta divina permissione Fontis Ebrandy humilis Abbatisa, pro salute specialia precum suffragia devotarum. Cum nos speciali affectione desideremus scire pariter & audire (si placet) tam spiritualiter quam temporaliter, quod ad omne felicitatis & jocunditatis bonum actus & gressus vestri indissolubiler annectantur, vestram paternitatem affectuosius deprecamur, quod super hiis nos velitis efficere literatorie certiores, ut una gaudeamus vobiscum in vestris felicissimis exultationibus & jocundis. Præterea in obedientia quam debemus Deo & homini pro nobis crucifixo & passo, vobis tanquam patri & Domino juramus & assertive promittimus bona fide, quod pro vita vestra, salute & honore apud Deum devotas, crebras & continuas nocte dieque laudes porrigimus infinitas. Paternitatem vestram venerandam in recompensatione sinceræ dilectionis & incomparabilis, quam apud Dominum Regem & ejus prædecessores semper & incessanter habuimus & habemus, pro speciali munere deprecantes, quatinus ad nostræ consolationis pacem integraliter perimplendam, Deo & beatæ Mariæ Virgini in vestro Fontis Ebrandy Monasterio monachandam, de posteritate Regali decorando religionem & ordinem, filiam Domini Regis procuretis offerri. Verum cum nos inter adversa, quæ patimur ob defectum eleemosinarum nobis in Anglia, in Olerone & apud Burdigalis à Principibus & Regibus Anglia pro suæ salutis remedio concessarum, & apud Mermante varias rei familiaris indigentias habeamus; rogamus vestram paternitatem, flexis genibus & complois manibus, tanquam nostrum refugium speciale, quatinus de dictis eleemosinis & earum arreragiis, & de decem libris sterlingorum à defuncto Rege Henrico nobis concessis, pro suo Anniversario celebrando, prout dilecti Procuratores nostri, Procurator de Gravin in Anglia, & Decanus in Vasconia, seu alter eorum, vobis verbis (si placet) planius explicabunt, quorum dictis & eorum alterius fidem de gratia habeatis, nobis satisfieri procuretis. Tantum inde pro divina misericordia facientes, quod pius bonorum omnium retributor hæc & alia bona nobis retribuatur in æternum. Bene & diu valeat vestra paternitas reverenda.

Bundela Literarum & Brevium in Turri Lond. An. 8. E. 1.

Some persons Apostatizing from the unity of the Christian Faith, to Christs dishonour, upon the Archbishops complaint the King issued a Writ to the Mayor and Sheriffs of London to apprehend them; who returning, that they were not within the Liberties of the City, but in the Jewry, under the custody and power of the Constable of the Tower, the Archbishop writ this Letter to the Chancellor for a new Writ to the Mayor and Sheriffs, with a non obstante dicta libertate, because the Constable of the Tower was reported to favour and protect them.

**V**enerabili in Christo patri R. Dei gratia Bathon. & Willen. Episcopo, Frater J. permissione divina Cantuar. Ecclesie Minister humilis, totius, &c. salutem, &c. A memoria vestra non credimus excidisse, qualiter dudum, pro honore Domini Jesu Christi, Domino Regi scriptimus contra quosdam Apostatas, qui recesserunt ab unitate Catholice fidei, capiendos: verum litera Domini Regis, quam nobis super hoc vestra gratia transmissistis, non est effectum debitum consecuta; pro eo, quod illi fidei inimici non sunt in Balliva Majoris & Vic. London. quibus directa fuit, sed in Judaismo, sub custodia et potestate \* Constabularii Turris, ubi ingredi non possunt, ut dicitur, sine speciali mandato faciente mentionem de huius libertate, sicut patet in dorso literæ Domini Regis prædictæ, quam vobis remittimus per præsentium portitorem. Quocirca fraternitatem vestram, de qua plene confidimus, attentis precibus exoramus, quatinus pro honore et reverentia fidei Christianæ, prædictam literam cum adfectionibus necessariis, (quod vide licet non obstante dicta libertate per Majorem et Vic. prædictos ubicunque in Civitate vel Suburbio London. inventi fuerint ipsi Apostatæ capiantur, innovari velitis efficaciter præstare: quia non esset tutum Constabulario Turris dictam

Brevia Regis & Literæ Cancellariæ An. 8 & 9 E. 1. in Turri Lond.

\* See Claus. 45 H. 3. part 1. m. 11. & the Second part of my short Demurrer to the Jews long discontinued re-mitter into England, p. 50.

captionem



An. § E. 1. captionem committere, sub cuius fabre et protectione, ut intellerimus, p̄dicti Apostatae defenduntur. Et si placet, tollatur de litera verbum illud *dudum*) quoniam nunc \* eorum uxores sunt sicut prius. Valeat, &c.

\* It seems the Apostates were married Priests who refused their wives.

The Archbishop of *Canterbury* intending to visit the Kings Free-Chappel of *Stafford* in his Metropolitica Vistation, against their Priviledges and the Kings Crown and Dignity, as Archbishop *Boniface* formerly did; the Townsmen and Chaplains of *Stafford* repaired to the King for the defence of their Liberties against his power, and procured this Certificate of Archbp. *Boniface* his proceedings, with their Appeal from him to the Pope, and a Prohibition from the King, to inhibit him to visit or oppose them, which I found in a Bundle of Letters, Certificates and Writs in the White Tower.

Bundle of Letters & Bre-vium An. 8 E. 1. in Turri London.

IN Nomine Domini Amen. Hoc est exemplum unius literæ, sigillatæ sigillo venerabilis patris *Wigorniensis* Episcopi, quod quidem sigillum erat oblongum, habens ymaginem impressam Episcopalem stantem, benedicentem cum dextra, & cum sinistra retinentem baculum pastorem, & à latere ipsius ymaginis erat undique imago quasi capitis, & subtus ipsius capitis ymaginem erant hinc & inde tria Lilia à quolibet latere designata, cuius circumferentes literæ sic dicebant; scilicet, *Walteri* Dei gratia *Wigorniensis* Episcopi. Tenor autem ipsius literæ talis est: Universis Christi fidelibus presentes literas inspecturis vel auditoris, *Walterum* miseratione divina *Wigorniensis* Ecclesiæ Minister humilis, æternam in Domino salutem. Noverit universitas vestra, nos literas venerabilis patris *Bonifacii* Dei gratia *Canuariensis* Archiepiscopi, totius *Anglia* Primatis, non cancellatas, non abollitas, nec in aliqua sui parte vitiatas, inspexisse in hæc verba. Excellentissimo patri ac Domino *Alexandro* divina providentia Summo Pontifici; *Bonifacium* Dei gratia *Canuariensis* Archiepiscopus, totius *Anglia* Primas, pedum oscula beatorum. Noverit vestræ sanctitatis excellentia, quod cum ad Diocæsium *Coventrensem* & *Litchfeld.* causa visitationis faciendæ declinasset, inter Monasteria & alias Ecclesias collegiatas ejusdem Diocæs, Ecclesiam beatæ *Mariae Stafford.* Anno Dom. 1265. Kal. *Octobris* visitati, et in eadem visitationis officium exercens inveni, quod Episcopus *Coventr. & Litchf.* & Archidiaconus *Stafford.* qui pro tempore fuerunt, omnimodam jurisdictionem Episcopalem et Archidiaconalem in populum et plebem et parochianos singulos dictæ Ecclesiæ et altarum Ecclesiarum seu Capellarum eidem Ecclesiæ subiectarum exercere libere consueverunt ab antiquo: quodque Decanus, Canonici, et Ministri prædictæ Ecclesiæ, jurisdictionem Episcopalem et Archidiaconalem in populum et plebem et parochianos suos usurparunt, non sine gravi periculo animarum, et scandalo plurimorum, ac in Ecclesiæ *Coventr. & Litchf.* præjudicium non modicum et gravamen. Urigitur, quæ in eadem Ecclesia corrigenda inveni, per me reformarentur in melius, habitâ super præmissis deliberatione plenâ, inhibuit districtius Canonici et Ministri quos ibidem inveni, sub pœna excommunicationis, ne de cætero impedire præsumerent, quominus dicti Episcopus et Archidiaconus, ac eorum successores jurisdictionem Episcopalem et Archidiaconalem in populum et plebem et parochianos prædictæ Ecclesiæ valeant exercere. Sane ex parte *Bogonis de Clare* Decani, Canonicorum & Ministrorum ejusdem Ecclesiæ coram me propositum extitit, quod ibidem prædicta exemptionis ab interdictione Episcopali et Archidiaconali, quoad personas suas habebant a sede Apostolica sibi dudum indulta; propter quod super præmissis plenius deliberare volens, eisdem terminum peremptorium a die Sancti *Michaelis* proximo futuro in unum mensem; videlicet, sexto Kal. *Novembris*, ad exhibendum *London.* coram me dicta prædicta, si quas haberent, ad instantiam venerabilis patris *Rogeri* Dei gratia *Coventr. & Litchf.* Episcopi, & Magistri *Richardi* tunc Archidiaconi *Stafford.* assignavi; decernendo, quod si privilegia non exhiberent, ut extunc procederetur contra eosdem, prout de jure fuerit procedendum. Partibus igitur coram me ipso comparentibus *London.* sexto Kal. *Novembris*, cum dicti Decanus, Canonici, & Ministri privilegia, quæ se habere proponebant, non exhiberent, eisdem ex habundanti iterato terminum peremptorium ad exhibendum privilegia (si qua haberent) videlicet, quarto Idus *Februarii* legitime assignavi. Quarto vero Idus *Febr.* continuato cum duobus diebus sequentibus, comparuerunt coram

coram me *Lambeth* venerabilis frater *Rogerus* Dei gratia *Coventr. & Litchfeld.* An. 8 E. 1. Episcopus per Procuratorem legitime constitutum, & Magister *Richardus* tunc Archid. *Stafford.* personaliter, ex parte una; *Bogo de Clare* Decanus, Canonici, & Ministri Ecclesie beate *Maria Stafford.* per Magistrum *Adam de Fileby* Procuratorem eorundem legitime constitutum, ex altera. Cumque ex parte venerabilis patris *Coventrensis & Litchfeld.* Episcopi, & Archidiaconi *Stafford.* coram me, peti- tum esset instanter, ut dicti Decanus, Canonici, et Ministri privilegia exemptio- nis, quæ se habere proponebant, exhiberent; Procurator eorundem, privilegia non exhibens, appellavit sub hac forma. Quia vos, reverende pater, *Cantuariensis* Archiepiscopo, Decano & Capitulum Ecclesie beate *Maria Stafford.* a vestra et omni ordinaria jurisdictione penitus exemptos coram vobis fecistis ad iudicium evocari, suæ exemptionis privilegia exhibuitis, ac moneri fecistis eosdem, ut jurisdictionem quam ex antiqua et approbata consuetudine in plebem et populum dicti Decanatus obtinent, Domino Episcopo *Coventr. & Litchfeld.* et Archidia- cono *Stafford.* liberarent, et ipsos dicta jurisdictione libere uti permitterent, quan- quam iudicialiter non constiterit eandem jurisdictionem ad dictos Episcopum et Archidiaconum aliquatenus pertinere: Ego *Adam de Fileby* Subdecanus Ecclesie prædictæ, ac Procurator dictorum Decani & Capituli sentiens Dominos meos ex hoc indebite prægravari, sedem Apostolicam in scriptis appello, et Apostolos peto: appello etiam sedem prædictam pro me et Dominis meis prædictis, ne vos ali- quam sententiam excommunicationis, aut suspensionis, aut interdicti in nos vel spirituales aut Parochianos nostros, non nostrum aut oratoria sedis Apostolicæ subdita, aut aliquid aliud faciatis in præiudicium nostrum et sedis Apostolicæ, cui nos immediate subesse protestemur, et Apostolos peto et supplico, ut ob reve- rentiam sedis Apostolicæ appellationi meæ deferatis, et mihi nomine dictorum Dominorum meorum et parti adversæ in Curia Summi Pontificis diem assigne- tis. Venerabili ergo fratri *Coventr. & Litchfeld.* Episcopo, et Magistro *Richardo* Archidiacono *Stafford.* prædictam appellationem et supplicationem acceptantibus, ad postulationem eorundem et partis adversæ supplicationem ob reverentiam sedis Apostolicæ eidem appellationi revereenter duxi deferendum, præfigendo par- tibus terminum peremptorium, quo se vestre sanctitatis conspectui representent in crastino Sancti Michaelis proximo futuro, sufficienter instructæ cum omnibus munitis, iuris et rationibus præmissum negotium tangentibus, paratæ in eodem negotio procedere, prout vestre sanctitati visum fuerit expedire. In præ- missorum autem testimonium has literas meas sanctitati vestre transmittito. Conservet vos altissimus ad regimen Universalis Ecclesie Dei per tempora longi- tissima. Dat. *Lambeth* 5 Non. Martii Anno Domini 1260. In cujus rei testimo- nium præsentibus literis sigillum nostrum fecimus apponi. Dat. apud *Fulham* 8 Kal. Junii Anno Domini 1261. Exemplatum, transcriptum, lectum, & asculta- tum fuit hoc Instrumentum per me Notarium infrascriptum, *Viterbii* Anno Domini 1267. Indictione 10. 6 Idus Junii, Pontificatus Domini *Clementis* Papæ 4. anno 3. præsentibus Domino *Crescentio de Cave*, Magistro *Johanne de Siche*, Domino *Nicho- lao Monacho*, & Domino *Jacobo de Anagnæ*, Capellanis venerabilis patris Domini *Richard.* S. Ang. Cardin.

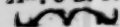
Et ego *Bonifacius Guyditi* de *Perusia*, Apostolicæ sedis autoritate Notarius, ha- bens autoritatem Instrumenta & literas exemplandi & publicandi, ipsam literam originalem hujus Instrumenti sigillatam dicto sigillo vidi sanam & integram, non abolitam, nec in aliqua sui parte viciatam; & sicut in ea inveni, ita hic ut supra le- gitur, fideliter exemplavi & transcripsi, legi & ascultavi cum prædictis Dominis Ca- pellanis, anno, mense, die prædictis, & hoc exemplum ac transcriptum in publicam formam derigens signo proprio roboravi in testimonium veritatis.

The Kings Letters and Prohibitions to the Archbishop, annexed to this Appeal in the same Bundle, run in this forme.

**E**dwardus, &c. Recepimus nuper literas vestras nobis directas, una cum quadam ibidem: exemplificatione cujusdam literæ bonæ memorie *Bonifacii* quondam Archi- An. 8 E. 1. episcopi *Cantuariensis* prædecessoris vestri, super visitatione vestra facienda in Ca- pella nostra *Stafford.* et quibusdam aliis regalibus et liberis Capellis nostris in



An. 8 E. 1.



**Diocesis Covenr. & Litchfeld.** Quarum literarum pluries audito tenore, et non sine diligentia plenius intellecto, non videbatur nobis, quod vos ad huiusmodi visitationem vestram in dictis Capellis nostris faciendam, a nobis prius inde responso certo non accepto, procedere debeat. Et quia nos libertates et iura Ecclesie vestre Cantuariensis, ejus patroni sumus, quantum altius quicunque illas manuteneat volumus et tueri, et non minus credimus quam speramus, quod vos regias libertates et iura, ad quae conserbanda et defendenda etiam sacramenti vinculum vos est, ingit, conserbare vultis penitus illibata: Paternitatem vestram officiose requirimus et rogamus, quatinus ab huiusmodi visitationibus vestris, quas facere proponitis in Capellis nostris supradictis, usque ad proximum Parliamentum nostrum in quo personaliter intereritis (dante Deo) velitis equanimiter abstinere; ut tunc ex unanimi et mutuo consensu nostro provideamus quid fieri debeat in praemissis.

Ibidem.

**E**dwardus, &c. dilecto sibi Johanni de Kirkeby, salutem. Vobis mandamus, quatinus visis praesentibus unam litteram sigillo nostro signatam, Vicecomiti Stafford, transmittatis, cujus tenor talis est. Quod hac instanti die Veneris in sua propria persona ad liberam Capellam nostram de Stafford, adeat, et quod nullo modo permittat, quod Archiepiscopus nec aliquis nomine suo in dictam Capellam habeat ingressum. Ceterum vobis mandamus, quatinus aliam litteram consimilem soziam continentem, hominibus ejusdem Villae nomine nostro transmitti fac. Porro etiam earundem literarum, quem Magister Tho. Bek vobis libere faciat firmiter inungat, quod sit apud Stafford, hac instanti die Veneris hora prima, sine mora ulterius: Et quia sigillum nostrum proprium non habuimus confectis praesentibus, sigillo Domini Hugonis fil. Osionis eisdem consignavimus.

The Townsmens Petition to the King thus follows in the same Bundle.

Ibidem, in  
Turri Lond.  
An. 8 E. 1.

**E**xcellentissimo Domino suo E. divina providentia Regi Anglorum illustri, devoti sui Burgenses Stafford, salutem & prosperos ad vota successus. Recogitantes ea quae tempore clarae memoriae Domini nostri Regis H. patris vestri, per Archiepiscopum, Episcopum, et alios interlopes, in praedictum liberam Capellam vestram beate Mariae Staffordia minus debite attemptata fuerunt, ac timentes ea quae dictis diebus per Dominum Archiepiscopum Cantuariensem comminabantur in se et praedictam Capellam vestram, Clericis ibidem Deo servientibus, et nobis, quos jam coram se citare fecit; Cogimur timore praeteriti Cellitudinis Regis remedium implozare. Placeat igitur serenitati vestre defensionis adesse praesidio et nobis de his fidelibus et devotis scribere, utrum simul cum vestris Clericis memoratis Archiepiscopo resistere debemus, vel parere eidem; quod nunquam temporibus nostris fieri vidimus, nec fieri possit absque laesione Corporis vestri et Regiae dignitatis. Conserve, &c.

William Wickham Archbishop of York about the same time, writ this Letter to John de Kirkeby a Prebend thereof, for the maintenance of his Jurisdiction to visit the Hospital of St. Nicholas within that City, against the oppositions of the Mayor, Citizens, and a lewd Sister thereof whom he had excommunicated.

Bundle of Letters & Brevium in Turri London, An. 8 E. 1.

**W**ith permissione divina Eboracensis Archiepiscopus, Anglia Primas, dilecto in Christo filio Domino Johanni de Kirkeby Canonico Ebor. amico nostro speciali, salutem, gratiam, & benedictionem. Cum visitatio, correctio, et reformatio Hospitalis beati Nicolai Eboracensis et fratrum loci ipsius, vitam regularem inibi agentium, ad nos pertineat ab antiquo, in ejus possessione, vel quasi, praedecessores nostri pacifice fuerant et quiete; nobis locum illum (qui correctio ne indigebat) personaliter visitantibus, non est diu, ecce Pater et alii Civis Ebor. jurisdictioni Archiepiscopali, non sine fraudis commercio, singulis quasi diebus illudentes, quantum soziam ejusdem Hospitalis risolam, improbam, imo (ut sic loquamur) sedam, ut dicitur, Calphurniam, (quam pro eo quod in praedictum manum iniecit, vobis denunciamus publice excommunicatam) adeo excommunicatissimam sander, quod jam Dominum nostrum Regem in sumptibus eorundem

\* It is likely he laid violent hands, &c. on her.

eorundem abijt foroz ipsa, ut sic per improbitatem seu tumultuosum clamorem suum, in nostræ Jurisdictionis elusionem aliquid (quod abstr) pꝛæjudicate taliter impetraret: et contra nos confictis subdole malitiis scandalum suscitaret. Verum quia nos & personam nostram, prout novimus, zelo specialis affectionis amplexari estis, ac jura Ecclesiæ Eboracensis, cujus ubera sugitis, fovere tenemini et protegere affectione filiali, has requirimus, rogamus, et excitamus, quatinus ista ad animum revocantes, ejusdem mulieris improbitati taliter resistatis, quod Ecclesiæ Eboracensis gratitudinem in vobis optatam inveniat et speratam; ac nos vestram in hac parte diligentiam merito commendemus. Valeat. Dat. apud Burton 7 Kalend. April. Pont. nostri Anno primo.

An. 8 E. 1.

Page 251. l. 24. after *Junii*, insert. The Bishoprick of *Darby* in *Ireland* becoming voyd, and the Canons differing about the election chose two Bishops, who thereupon appealing to the Pope, before whom they were at last induced to surrender and quit their elections; he thereupon by his usurped Authority and Provision conferred it on *Nicholas de Cusack*, without the Kings privy or any election; whereupon *Cusack* sent this Letter, with the Popes certificate of his provision thereunto to the King, (which I found in the *White Tower*) desiring him to restore the Temporalities thereof to his Proctor, and to take his Oath of Fealty in his stead, till his return from *Rome*, when he promised personally to make fealty to him.

**E**xcellentissimo Principi ac Domino Magnifico E. Dei gratia Regi Angliæ, &c. Anno 8 E. 1. in Turri London.  
 suus, si placet, frater N. de Cusack de Ordine Fratrum Minorum, Dei gratia Ecclesiæ *Darvici* electus, licet humilis & indignus, corporis & animæ sospiratem in eo qui Regibus dat salutem, cum omni reverentia & honore. Dudum vacante *Darvici* Ecclesiæ Provincia *Dublinensis*, Canonici ejusdem Ecclesiæ ad electionem futuri Praefatis procedentes, duas electiones de duabus personis in eadem Ecclesiā discorditer celebrarent. Quibus postmodum personis omni juri sibi prætextu talium electionum forsitan competenti libere ac sponte renunciantibus, demum sacrosanctæ *Romane* Ecclesiæ Summus Pontifex de suæ plenitudine potestatis, eidem Ecclesiæ, de persona mea licet immerito nuper providit, necnon præfecit in Pastorem et Episcopum animum, prout ex ipsius Summi Pontificis literis, (quas vestra Celsitudini audiendas transmittito per præsentium exhibitorem) evidenter vobis poterit elucere: Cum igitur vestra constet excellentia, concessio Principali, concedi debet non immerito quod accedit, mihi nuper ex parte Domini Papæ firmiter sit injunctum; ut ad suæ Sanctitatis præsentiam indilate personaliter accedam, ne dictam Ecclesiā ex diuturna vacatione multipliciter collapsa, cuius cura mihi jam imponitur et incumbit, ampliora dispendia patiat; vestra Magnificentiæ preces porrigo tam humiles quam attentas, quatinus præfata Ecclesiā diu desolatæ Regiæ pietatis clementia compatientes, Magistro *Hugoni de Fraxinis* exhibitore præsentium, Procuratori et Commissario meo generali, ejusdem Ecclesiæ temporalia, vice mea (si placet) restitui jubeatis; recipientes ab eodem nomine meo consuetum fidelitatis vobis debita juramentum: quod ego (Domino concedente) cum de *Curia Romana* me redire contigerit, Majestati vestræ præstabo, sicut decet, humiliter et devote. Valeat, &c. Datum *Paris*. in festo Sancti *Matthiæ* Apostoli. Anno Domini 1279.

I cannot find that the King condescended to this his illegal provision and unreasonable request grounded thereon, both being so much against the Rights and Privileges of his Crown and Dignity.

Page 253. l. 22. after *Septembris*, insert. ] In a Bundle of Writs, Privy Seals, and Letters in the *White Tower*, An. 9 E. 1. I find the same Writ in effect, with some little variation and transposition of words, and this Addition, after *incorpore* in the cloze thereof; et ultionem debitam vobis oportuno tempore referare. T. & fiat *Patens*, which Writ was seconded by two others in the same Bundle; the first of them dated 28, and the later 30 *Septembris*, both in this form and stile.

An. 9 E. 1.

**E**dwardus, &c. venerabilibus in Christo Patribus, f. eadem gratia *Canthuariensis* Archiepiscopo, totius Angliæ Primati, & omnibus Episcopis & aliis Prelatis in instanti



*An. 9 E. 1.* instanti Concilio apud *Lambethe* celebrando conventuris, salutem. Mandamus vobis, quod sicut *Baronias* vestras, quas de nobis tenetis, diligitis; nullo modo consilium de aliquibus quæ ad *Coronam* nostram pertinent, vel quæ personam nostram, vel statum nostrum, vel statum *Consilii* nostri contingunt, tenere; seu aliquod contra *Coronam* et dignitatem nostram in eodem statuere præsumatis; scituri pro certo, quod si feceritis, nos ad *Baronias* vestras graviter captemus. Teste meipso apud *Lyndehurst*, 28 die *Sept.* Anno regni nostri nono.

Bundelz Bre-  
vium in Turri  
London, An.  
9 E. 1.

Page 269. l. 16. after *none*, adde. ] In another Bundle of Writs in the *White Tower Chappel* the same year, I met with another Writ *Vic. Nottingham*, quod *distring.* *Willielmum* de *Soverworth* per omnes terras, &c. ad respond. *Gervasio* fil. *Hagonis* de *Haworth*, quare cum placita de *Transgressionem* contr. pacem nostram factis in regno nostro, ad *Coronam* nostram et non ad alium in eodem regno perti-  
nent, idem *Willielmus* secutus est plac. in *Curia Christianitatis* de hujusmodi *Trans-*  
*gressionibus*, in *Coronæ* et dignitatis nostræ læsionem, et contra *Prohibitionem*  
nostram, &c. *T. J.* de *Mergham* ap. *Derby*, 12 die *Maii*, An. r. n. 9. And with these  
ensuing Writs, *Vic. Ebor.* quod *distringas* *Rogerus* de *Thureton* per omnes terras  
&c. et quod habeat corpus ejus coram *Justic.* &c. ad respond. *Eustachio* de *Perr*,  
quare secutus est placitum in *Curia Christianitatis* de *Laico* feodo ipsius *Eusta-*  
*chii* in *Middleton*, contra *prohibitionem* nostram, *T. J.* de *Vallibus* ap. *Derby*, 4 die  
*Maii*, An. r. n. 9. *Vic. Northampt. Pont.* &c. *Oliverum Episc.* *Linc.* &c. *osten-*  
*sor.* quare cum placita de catall. et debitis quæ non sunt de, &c. ad nos et *Coronam*  
et dignitatem nostram, et non ad alium pertineant, idem *Episcopus*, &c. tenuit  
placitum in *Curia Christianitatis* de catallis & debitis *Prioris Sancti Johannis* de  
*Brakele*, quæ non sunt de, &c. contra *Prohibitionem* nostram. *Pont. etiam*, &c.  
*Petronellam* quæ fuit uxor *Arnaldi* le *Gower*, quare secuta est idem placitum, &c.  
*T. R.* apud *Clarendon* 28 die *Maii*, An. r. n. nono.

Page 274. l. 17. after *Anno nono*, insert. In a Bundle of Writs under the *Privy Seal*, An. 9 E. 1. which I met with in the *White Tower*, I finde these two Writs  
issued to the *Popes Delegates*, prohibiting them to proceed, and to *Stephen de Sar-*  
*do* not to prosecute a suit before the *Popes Delegates* concerning the right to an  
*Advowson* of a Church, till the right thereof was first determined in and by the  
*Kings temporal Court*.

Bundela Bre-  
vium, Anno  
9 E. 1. in  
Turri London.

*Edwardus*, &c. Magistris *Giffredo* majori *Camracens.* in *Anglia* commoranti,  
& *Johanni de Luk.* Sancti *Pauli London.* Ecclesiarum *Canonicis*, Indicibus a  
*Domino Papa* delegatis, salutem. Indicaverunt nobis *Isabella* quondam uxor  
*Rogeri de Clifford* junioris, *Rogerus de Leyburne*, & *Isolda* uxor ejus, quod cum  
*Johannes* filius *Griffini* teneat Ecclesiam Sancti *Michaelis de Kirkeby Thore*, cum Ca-  
pellis et pertinentiis suis de advocacione ipsorum, *Stephanus* dictus *Surdus Domini*  
*Papæ Capellanus*, clamans dictam Ecclesiam cum Capellis et pertinentiis suis de  
advocatione *Episcopi Karliolensis*, trahit eos inde in placitum coram vobis in *Cur-*  
*ria Christianitatis*. Quia vero manifestum est, quod prædicti *Isabella*, *Rogerus*  
& *Isolda* jacturam suæ advocacionis incurrerent, si prædictus *Stephanus* in causa  
optineret; vobis prohibemus, ne placitum illud teneatur in *Curia Christiani-*  
*tatis*, donec discussum fuerit in *Curia nostra*, ad quem illorum pertineat ejusdem  
Ecclesiæ cum Capella et pertinentiis suis advocatio; quia placita de advocacioni-  
bus Ecclesiarum spectant ad *Coronam* et dignitatem nostram. Teste, &c.

Fiat una litera Magistro *Giffredo* majori *Camer.* in *Angl.* commoranti, *Judici* a  
*Domino Papa* delegato.

Et consimilis litera fiat Magistro *Johanni de Luk.* Canonico Sancti *Pauli Lon-*  
*don.* *Judic.* a *Domino Papa* delegato.

Ibidem, An-  
no 9 E. 1.

*Edwardus*, &c. *Stephano* dicto *Surdo*, vel ejus *Procuratori*, salutem. Indicave-  
runt nobis *Isabella*, &c. (verbatim as in the premised Writ.) Tu, clamans  
dictam Ecclesiam, cum Capellis & pertinentiis suis de advocacione *Episcopi Karli-*  
*ol.* trahis eos inde in placitum in *Curia Christianitatis*. Quia vero manifestum  
est, quod prædicti *Isabella*, *Rogerus* & *Isolda*, jacturam suæ advocacionis incurrer-  
rent,

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rent, situ in causa illa obtineres. *Et ibi prohibemus, ne placitum illud sequaris* *An. 9 E. 1.*  
*in Curia Christianitatis, donec discussum fuerit in Curia nostra, ad quem illorum*  
*pertineat ejusdem Ecclesie cum Capellis et pertinentiis suis Advocatio, quia,*  
*gc. ut supra.*

Page 281. l. 19. after *Junii*, insert. ] Moreover King Edward the 1. in the *An. 10 E. 1.*  
 10th year of his reign, upon the complaint of Religious Houses and Clergy men,  
 issued several Commissions to his Justices to inquire of all purveyances and takings of  
 horses, carriages, goods, &c. of any Religious persons, Clerks or others by his Mi-  
 nisters, and of all injuries done unto them by them or any others against the *Statute*  
*of Westminster* 1. 3 E. 1. c. 1. I finde a bundle of no lesse then 17 *Inquisitions*  
 of this kinde in the *White Tower* returned into *Chancery* under the Inquisitors  
 Seals in the County of *Norfolk* alone, one whereof I shall only transcribe.

**I**nquisitio facta apud *Norwycum* die *Luna* in festo *S. Marci* Evangel. Anno reg- In Bunde.  
 ni Regis *Edwardi* decimo, coram *Willielmo de Ormesby* & sociis suis Justiciariis Inquisitionum  
 Domini Regis assignat. per *Stephanum de Funden*, *Simonem de Bosco*, *Johannem*  
*Howard*, *Ricardum Attefeld*, *Walterum de Wilebourne*, *Ricardum Freman*, *Robertum*  
*Gege*, *Ricardum Forester*, *Edwardum de Lund*, *Simonem le Marescall*, *Johannem Pile-*  
*crowe*, & *Willielmum atte More*, Juratores; qui dicunt super Sacramentum suum,  
 quod Dominus *Nicholam de Hastings* & *Willielmus Champanya* serviens ejusdem, &  
*Willielmus Baroun* ceperunt, asportaverunt, & abduxerunt de *Thoma* Vicario de  
*Gissing*, &c. contra voluntatem suam, duos equos pretii 20 s. ad opus ejusdem Do-  
 mini *Nicholai*. Et de Ministris Domini Regis et aliis, qui *Blada*, *Mistualia*, aut  
 alia bona *Prælatorum*, *Mitrorum* *Religiosorum*, personarum *Ecclesiasticarum*,  
*Clericorum* aut *Laicorum*, qui equos, bobes, carectas, nabes aut batellos alicujus  
 ad cariaatum faciendum ceperunt et asportaverunt seu abduxerunt, contra volun-  
 tatem illorum quorum fuerunt, nihil aliud possunt inquirere, vel etiam qui ma-  
 lum damnum fecerunt *Religiosis*, vel aliis eorumdem non concesserunt hospitium  
 aut prædium aliquibus vel alia causa, pro eo, quod aliquis querebatur in *Curia*  
*Regis* vel qui Dominus et religios. suos aut aliorum equos, canes miserunt, aut qui  
*Mic. hospitium* in aliquo loco plus quam cum quinque vel sex equis contra for-  
 mam Statuti; et qui fugaverunt in *Parcis* *Religiosorum*, seu piscati fuerunt in *Vi-*  
*bariis* suis, &c. Dicunt, quod nihil sciunt et nihil possunt inquirere. In cujus rei  
 testimonium prædicti Juratores sigilla sua apposuerunt.

Most of the other Inquisitions conclude; *Qui dicunt super Sacramentum suum*,  
 quod nullum sciunt vel invenerunt culpabilem de prædictis articulis: So as it seems  
 that Law was then very well observed, and the Clergy and Religious persons had  
 little cause of complaint.

Page 281. l. 19. after *them*, insert. ] This *Boves de Clare* purchased a Bull from  
 the Pope extraordinarily prejudicial to the Kings Prerogative, which he produced  
 in Court against Sir *John de Lovetot* Justice of the Kings Great Bench, the Judges  
 and Barons of the Exchequer upon perusal thereof, thought it the most per-  
 nicious and prejudicial Bull to the Crown that ever was procured: whereupon  
 they referred the matter to the Kings own hand, and gave *Boves* a day to appear  
 and answer his procuring of this Bull before them, that so they might in the  
 mean time know the Kings and Chancellors pleasure concerning it, as this  
 Letter I found in the *White Tower* written to the Chancellor by the Judges in-  
 forms us.

**W**imburn. Justices deu Bank le Roy, saluz, e due reverence; Sachez Sire ke  
 au moys de Seine *Michel* vint Sire *Boves de Clare* devant nus a *Salopeires*  
 pur boisoignes ke il ont a fere. Auquel jour vint Sire *Johan de Lovetot* Justice deu  
 grant bank, et mustra par les Counturs le Roy devant mis, ke le avantdit Sire *Boves*  
 eut une Bulle purchace contre ly en prejudise de la Cozune nostre Depnur le Roy,  
 la quele il nus mustra enbulle; e quant Sire *Boves* de ceo devant nus fu areson-  
 ne, il nus respondi, ke cele Bulle fu purchace par le foens, ke sunt en la Curt de  
 Rome, e del oure ke il bint il le porta a nostre Depnur le Roy, e li mustra e mist la  
 busoigne

Bundela Lite-  
 rarum & Bre-  
 vium Anno  
 10 E. 1. in  
 Turri London.



An. 10 E. I. **B**ufoigne tot en ly si si la deult seure ou nun. **E**le abantdit Bulle mist ensy en bō-  
stre meyn pur cele chose ozdegnur a la volunte le Roy e le vostre. **E** quant nus  
tele Bulle abum bene, nus le seymes mustrer devant les Barons del Eschekere  
e les Justices deu grant Bank nostre Depnur le Roy. **E** su ably a tuz, ke cele  
Bulle fu la plus pzjudiciele ke unkes fu purchacee en ceste terre de nostre tens.  
E pur ceo Sire tut alegast le avantdit Sire *Boves* ke la chose fu mise en les meins no-  
stre Seignur le Roy e en le voz, e si cum desuz est dit, nus de oszum lesser la supte  
nostre Depnur le Roy, en ly ann jour done debant nus as utabes del *Seint Mar-*  
*tin* cum de jour en jour, par la volunte nostre Depnur le Roy sur ceste chose savor,  
e la vostre, dunt si vos plect la volunte nostre Depgneur le Roy sur ceste chose nus  
mandez.

The Jewish Converts being in great distresse, wanting cloathes and food in the  
house provided for them, by reason the pensions granted them by the King were  
not duly paid, *John de Denny* Master of their house thereupon writ this Letter to  
the Chancellor, to procure the payment of their pensions; wherein he relates  
their fervent prayers for the King and kingdom, and the efficacy of prayers and  
alms, as well as of arms, in times of Warre, to procure victory over the Kings ene-  
mies.

Ex Bundela  
Litterarum &  
Brevium in  
Turri Lon-  
don, Anno 10  
E. I.

**R**everentissimo Domino suo, se totum semper humillimum & devotum. Do-  
minacioni vestre supplico devocione qua possum, quatinus de Conversis vet-  
titis *London*. qui jam fame pariter & frigore cruciantur, memoriam habere digne-  
mini: precipientes, si placet, quod breve Regium de porcione dictis Conversis ad  
suam sustentacionem de Terminis Sancti *Michaelis* proximo jam preterito a Domi-  
no nostro Rege deputata, Thef. & Camerariis de Scaccario sine difficultatis incom-  
modo dirigatur: licet enim multa Domino Regi et vobis hiis diebus incumbant in  
partibus istis, propter hoc tamen non sunt omittenda si placet ex hac parte que  
spiritu Dei aguntur, et divino consilio sunt concessa. Quia non solum viribus ho-  
minum et virtute armorum, sed elemosinis et orationum suffragiis bella vincun-  
tur et hostium fortitudo conteritur. Nec credo quod sit locus in *Anglia* ubi salude-  
rius fiant orationum et laudum sacrificia pro Domino Rege et suis, quam in illa  
minima domo sua et vestra. Et nobis Deus, quod nisi eidem Conversis, ut dic-  
tum est, subveniatur ad presentem, non restat nisi, quod ab sit, in dispersione sua desi-  
ciant et cum confusione mendicent, super quibus credatis si placet R. Clerico meo,  
et *Johanni de Norwyc* Clerico et Converso, quem nostris presentium portitoribus.  
Ego ad vos personaliter accessissem, si status corporis qui nondum ad tot viarum  
discrimina sufficeret aliquatenus permisisset, super quo meam si placet habere ve-  
litis absenciam excusatam. Supplico insuper Dominacioni vestre devocione qua  
possum quatinus litteram Regiam deprecatoriam una cum vestra, si placet, juxta te-  
norem quem vobis inde transmittit Domino *Norwycensi* Episcopo dirigendam  
concedere dignemini michi vestro. Valeat salus et prosperitas vestra per tempora  
diuturna.

Dorso. Domino *Bathon. & Wellen.* Episcopo Cancellario Domini Regis, per  
suum J. de Sancto *Dyonisio*.

The King issued this Writ to his Chancellor for the appointing and consecra-  
ting of a new Churchyard, to bury the dead of *Rotheland*, because the old was  
not sufficient, and for sending Souldiers to him against the *Welshmen*.

Ex eadem  
Bundela, An.  
10 E. I.

**E**dwardus Dei gratia Rex *Anglie*, Dominus *Hibernia*, & Dux *Aquitania*, Ve-  
nerabili in Christo Patri R. eadem gratia *Bathonienfi* & *Wellensi* Episcopo Can-  
cellario suo salutem. Quia venerabilis pater J. *Cantuariensis* Archiepiscopus no-  
bis significavit, quod Cimiterium Ecclesie de *Rothelan* non est competens aut suffi-  
ciens pro sepultura mortuorum ibidem; Vobis mandamus, quod aliquem locum  
competentem juxta Hospitale extra *Rothelanum* assignari faciatis pro sepultura, et  
eam ad hoc dedicari faciatis, prout dictus Archiepiscopus et vos videbitis fore fa-  
ciendum; & certificetis nos quando dictus Archiepiscopus veniet ad nos apud *Din-*  
*by*:

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ly: et quia quidam qui ituri sunt ad *Anglesey* sunt adhuc apud *Rothelanum*; Vobis mandamus, quod significetis quot & qui, & de numero peditum et equitum, & de eorum nominibus pro viribus nos cerciorare non omittatis. Dat. sub privato Sigillo nostro apud *Dinby* 27 die *Octobris*, Anno regni nostri decimo. *An. 10 E. 1.*

The Constable of *Wyndesor* Castle endeavouring to impose a new Oath of Fealty concerning Venison upon the Bishop of *Winchester* Wodewards within the Forest of *Wyndesor*, against the Liberties of his Church as he suggested, he thereupon writ this Letter to the Chancellor, to prohibit his proceedings therein.

**D**Orso. Domino R. Dei gratia *Bathon. & Wellens* Episcopo. Venerabili in Christo Patri Domino R. Dei gratia *Bathon. & Wellen* Episcopo, ꝑ. permissione ejusdem *Wynton* Episcopus salutem, in omnium salvatore. Postquam vobis ultimo scripsimus, rumor ad nos pervenit implacitus, quod Dominus *G. de Picheford* Constabularius de *Wyndesor* nititur modis omnibus compellere Wodewardos nostros de Manerio nostro de *Weregave* ad præstandum fidelitatis Sacramentum de benedictione Domini Regis fideliter custodienda; in elusionem nostram & nostræ Ecclesiæ *Wintoniensis*, quia tale Sacramentum a *Wodewardis* prædecessorum nostrorum, nec etiam tempore vacationis hactenus non fuit præstitum vel exactum: Placeat igitur venerandæ paternitati vestræ dicto Domino *Gulfrido* præcipere, ut à talibus nobis exactionibus penitus desistat, et nos libertatibus nostris quibus prædecessores nostri hactenus pacifice usi sunt libere gaudere permittat, nullam nobis inferendo molestiam seu grabamen. Conserbet vos Altissimus ad defensionem suæ Ecclesiæ per tempora diuturna. Dat. apud *Bytern*, Non. *Novembris* Anno gratiæ 1282.

Bundela Literarum & Privatum, de Privato Sigillo An. 10 E. 1. in Turri London:

The newly elect Bishop of *Miden* in *Ireland*, (presented to and approved by the King) and his Clergy appealing to the Court of *Rome* against the Archbishop of *Armagh*, by whom he was to be confirmed and consecrated, both because he was excommunicated by the Popes delegates, and had several wayes injured him and his Church, so as he could expect no justice from him, and because he being an *Irishman* hated the *English*, desired the Chancellors Letters to some Cardinals and the Kings Proctors at *Rome*, to promote and assist him in his affairs in that Court, as this Letter attests.

**D**omino suo Reverendo suæ parvitatibus obsequium Electus noster *Midenfis* Magister *Thomas de Sancto Leodegario* lator præsentium venit ad Curiam cum literis Cleri *Midenfis* ad præsentandum se Domino Regi, et assensum Regium electioni de se factæ, ut moris est, requirendum; et ad petendum similiter literas ejusdem Domini Regis Domino Papæ directas de eadem electione confirmandas, pro eo quod Archiepiscopus *Armaghan*, a quo deberet confirmari, factus est inhabilis per sententiam Excommunicationis dudum latam in ipsum per Iudices delegatos, quam adhuc non intelligimus rebocata. Ad eodem etiam Archiepiscopo ob injurias ab eodem nobis de nobis illatas et grabamina plurima ad sedem Apostolicam appellavimus, et sunt Procuratores nostri in Curia Romana ad impetrandum contra illum, unde tam Electo nostro quam nobis debet in omnibus et singulis nos et Ecclesiam nostram tangentibus merito suspectus reputari; Scimus enim, quod oblique consideratione juris vel rationis nos libenter grabaret, et Ecclesiæ nostræ jura subverteret si valeret: Scitis etiam, quod *Hibernici Anglicis* sunt infesti, et pacem illorum per fas et nefas turbare non desinunt et quietem, nesciunt etiam qui præsumunt cum modestia regere se, semper nituntur tyrannico dominio suppedicare subiectos. Idcirco tam ego quam omnes & singuli de Clero nostro pedibus vestris provoluti Dominationi vestræ supplicamus obnixè, quatinus si placet contra adversarii nostri maliciam in adjutorium Electi nostri et nostrum erurgentem literas tam Regias quam bestras Domino *A. de Evesham* titulo Sancti *Laurentii* in *Lucina* Presbytero Cardinali, et aliis amicis bestris et procuratoribus in Curia Romana dirigere dignemini, quod Electi et Cleri *Midenfis* negocia recommendata habentes illa promoveant, dirigant et defendant. Ignoscatis nobis si placet quod Dominationi vestræ ita confidenter scribimus, quia videtur nobis quod ratione scederis

Ibidem



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*A Supplemental Appendix.*

13. 10 E. 1. deris inter vos et Ecclesiam *Midensem* aliquando contracti pro eorundem Ecclesie & Clerici negotiis promovendis ad vos confugere debeamus.  
*Dors. Domino suo Baton. & Wihen. Episcopo per J. de Kintag.*

How this Archbishop oppressed the Clergy of *Miden* after the Bishops journey to *Rome* by the Kings license to prosecute his Appeal, and likewise endeavored to have his Temporalties seized, and granted to the Chief Justices brother, against Law and right, this Petition of his Clergy to the King in the same Bundle will inform us.

Ex Fundela  
Brevium &  
Litterarum An.  
10 E. 1. in  
Turri London.

**E**xcellentissimo Domino suo, Domino E. Dei gratia illustri Regi Anglie, Domino *Hibernia*, & Duci *Aquitanie* sui humiles et devoti Clerus *Midenf*, salutem, & de inimicis triumphum, cum augmento gratie & virtutis. Regiam Majestatem vestram latere non credimus qualiter defuncto bonae memorie *Hagone* quondam Episcopo nostro *Midenf*, petito fuerat per nos a dominatione vestra ut innotis esset licentia alium eligendi, quae optentia elegimus virum literatum, honestum, in spiritualibus et temporalibus circumspiciendum, Magistrum videlicet *Thomam de Sancto Leodegaris Archid. de Lient*, in Ecclesia *Midenf*, qui se postmodum vestris conspectibus personaliter praesentavit, et cum gratia vestra iter arripuit ad sedem Apostolicam veniendi pro negotiis suis quae citra praedictam Curiam non poterant expediri: Pendente enim causa inter nos et Archiepiscopum *Armacan*, eorum Audientibus delegatis easterius tempore electionis et confirmationis petenda processum fuerat coram eis, quod dictus Archiepiscopus per eosdem sententia maioris excommunicationis extitit innotatus, a quo nihilominus tempore debito petibit Electus noster, et supplicabit humiliter et devote quod ad examinandam electionem, et eandem confirmand. habilem se facere dignaretur: quo tenuente, appellabit idem Electus ad sedem Apostolicam, et nos similiter pro Jure nostro. Nam vero idem Archiepiscopus in excommunicatione praedicta dampnabiliter perseverans, ad procurari nem Jussicarii vestri qui locum vestrum tenet in *Hibernia*, ut sic potentia vinceat qui de Jure suo merito diffidebat, prohibet inprohibe Ecclesiae *Midenf* contra Deum et Justiciam de facto cum de Jure non posset, in contemptum Domini Papae et vestrum de fratre dicti Jussicarii, quem pro captanda benivolentia vestra et possessione temporalium optinenda ad Curiam vestram intelleximus transfretasse. Verum quia \* vestrum est tueri Ecclesias, et illas maxime quae sunt in custodia vestra, et alium praeter vos non habent defensorem, cum timeamus et merito, quod ex hujusmodi concessione Temporalium posset Ecclesiae desolatio et nobis dispendium et periculum generari; Dominationem vestram quam semper hactenus juri consonam et justitiae sapientem cognovimus, devote et humiliter exoramus et obsecramus in Domino, quatinus si placet factum Electi nostri et nostrum jussu consueta discrecionis vestrae examine ponderantes, concessionem Temporalium donec negotium pendens in Curia Romana plenius terminetur in manu Regia dignemini retinere suspensam; Inhibentes si placet, Jussicario vestro, ne occasione facti praedicti quod suum reputamus, nos vel aliquem nostrum gravet indebitum vel molester. Valeat Regia Majestas vestra per tempora longissima. Dat. apud *Trum* die Circumcisionis Domini, Anno ab incarnatione ejusdem, 1282.

\* Nota.

Page 288. l. 25. alter *ut supra*, insert. ] This Bishop of *Chichester* being slandered to the Chancellor and others for his remisseness in collecting the *Quindism* and disaffection to the King, engaged in the wars against the *Welsh*, sent this Letter to the Chancellor, expressing his proceedings and diligence therein, with his cordial affection to, and prayers for his Majesties prosperity and success.

Ex eadem  
Fundela Litterarum, &c.  
An. 10 E. 1.

**V**enerabili in Christo Patri ac Domino reverendo, Domino R. Dei gratia Baronum, & *Willelm*, Episcopo Domini Regis Cancellario, suus devotus S. eadem gratia *Cycestrensis* Ecclesiae Minister humilis, salutem & sinceram caritatis in Domino continuum incrementum. De statu illustris Domini nostri Domini *Edw*, Regis quem conservet Altissimus, et de eventibus sibi in *Wallia* contingentibus, et etiam de statu vestro, utinam prospero aliquid certum si placet nobis significare velitis, eo quod indifferentes & incerti multa locuntur incerta, per quae frequenter sumus

## A Supplemental Appendix.

K. Edward 1.

sumus territi & turbati, set recepto per vos super hiis aliquo prospero atque grato reficeremur gaudio magno valde, pro quo Domino quicquid potest devocionis obsequium et oracionis suffragium jogiter facimus, & Deo propicio faciemus. Ceterum quia centum marcas sterlingorum pro fine servicii nostri Domino Regi debiti hiis diebus *Barrunc. Walter. Civi & Mercatori Bmcan.* nuper *London.* fecimus numerari, prout per literas ejusdem *B.* vobis poterit plenius apparere; Vos requirimus & rogamus, quatinus solita freti benignitate finalem acquietanciam super solucione predicta per literas Regias si placet, nos habere faciatis, ita quod ulterius non veniat in demanda sicut literatorie vestri gratia nobis alias promissistis. De Quintadecima vero Domino Regi debita, scitote quod trescentas & quinquaginta marc. predicto Mercatori *London.* fecimus numerari, per ejusdem Quintadecimæ Collectores, & de arreragiis levandis per omnem modum per quem possumus laboramus: Et quia quidam improbi censuram ecclesiasticam non berentur ad hujusmodi bonorum Ecclesiasticorum distractionem mandabimus jam procedi, ubi hujusmodi solucio est aretro: Et si quis malivolis aliud vobis dixerit in premissis, ipsum ut mendacem nullatenus audiat, quicquid enim ad Domini Regis commodum seu proficuum facere poterimus per Dei adjutorium faciemus. Cujus vitam & incolumitatem conservet Altissimus, & donet sibi tam feliciter quam potenter de hostibus reportare triumphum, ad sui nominis gloriam & honorem, et regni tranquillitatem & pacem. Valeat Dominacio vestra semper in Christo Jesu & Virgine gloriosa. Dat. apud *Andingeburne* 16 Kal. Decembris, Anno Domini 1282.

Whiles King Edward was buied in his Warrs against the *Welsh* and wanted monies, his Chancellor the Bishop of *Bath and Wells* had this Letter sent him by one of his officers concerning veins and pieces of silver discovered in his Lead Mines on *Meindep* near *Pridie*, which for its rarity I shall insert.

Sciatis Domine, quod artifices vestri inveniunt optimam mineram plumbo super *Meindep* juxta *Pridie* ex parte orientali, & quasi absque labore aperta superficie terræ circa profunditatem quinque vel sex pedum: Et quia artifices solent ut frequentius esse fures, sperando in confusione artificialiter argentum a plumbo, et argentum furtive surripere et collecta quantitate magna fugere tanquam fures, artificium suum deferendo, quod frequenter contigit ibidem temporibus retroactis, prout referunt viri antiqui; Ballivi vestri, dictam mineram faciunt usque ad Curiam vestram de *Woky* deportari, in cujus medio erecta fornace dicti artifices constant illa mineralia sub visu aliquorum ad hoc deputatorum per vestrum Senescallum. Et quia tam Senescallus quam Ballivus & dicti artifices æstimant, quod multum sit de argento in illo plumbo propter albedinem ejus et sonoritatem, rogant vos, si placet, per me, quatinus aliquem bonum & fidum artificem de quo possunt omnino confidere faciatis ad eos transmitti, quam cicius de tali poteritis providere, vidi enim primam peciam plumbi ibi constaram magni ponderis et quantitatis, quæ quotiens percutitur, sese resonat ut argentum; unde æstimo cum aliis quod si fideliter exerceatur illud artificium quod ad vestrum cedit et toti vicinæ commodum in immensum: Et optento fideli artifice credo expediens quod ibi fiat confusio ubi minera effoditur propter laborem deportandi tam ponderosa ad loca remota, & se habet illa minera sicut sabulo sive arena minuta.

In eadem  
Bundela An.  
10 E. 1. in  
Turri Lond.

How Sodomitical and detestable the lives of some unmarried Clergymen were in that age, (particularly of one *Stephen Mauly* Rector of *Lokinton*,) will appear by this Letter of the Archbishop of *Yorke* to the then Chancellor.

Venerabili in Christo Patri & amico expertissimo Domino R. Dei gratia *Bathon. & Wellen.* Episcopo, W. permissione ejusdem *Eborum* Archiepiscopus *Anglie* Primas salutem et gloriam assequi Summi Patris. Sedulæ instantiæ vestræ quam pro commensali Clerico vestro Magistro *Thoma de Seggesfeld* reverenter recepimus votivè annuere cupimus quatenus possumus & favere; set ecce pater cum eidem Magistro aliunde ut intelleximus fuerit satisfactum, supervacua est petitio nostro judicio quam nunc facit, præsertim, cum *Stephano de Malo Lacu* quem

In eadem  
Bundela, An.  
no 10 E. 1.



An. 10 E. 1.

Rectorem de *Lokinton* in vestris literis nominastis, fructus ejusdem Ecclesie obligare non possit, seu aliquatenus alienare, pro eo quod enorme et inominabile vitium in excogitando terribile, ac in pronuntiando abominabile, contra quod insurgunt leges etiam gentiliū, quod natura abhorret detestabiliter et accusat, in quod armantur Iura, ac propter quod in filios diffidentie cecidit ira Dei, eum omni ecclesiastico beneficio exclusum reddit probo dolo, et indignum; vestra itaque paternitas non miretur si de fructibus quos ille pseudo-Rector vendicat disponamus debite Iure nostro. In spiritu tamen compassionis piissimæ ejusdem saluti studiosi subvenire decrevimus, in Magistri *Thome* Clerici vestri præsentiam supradicti, licet vagus & profugus de hiis postea non curaret. Porro, cum idem *Stephanus* competens patrimonium quod habuit, præfato Magistro *Thoma* in recompensationem debitorum quod potuit assignaverit, ut est notum, post satisfactionem hujusmodi frustra ut præmisimus vester Clericus conqueritur memoratus. Ceterum vestræ paternitati placeat per dilectæ statum vestrum & Curie nobis per latorem præsentium rescribere ad mutuæ recreacionis indicium & solamen. Scitis utique quod ad vestra beneplacita promptissimum habebitis *Eboracensis* Ecclesie Sacerdotem. Conservet incolumitatem vestram altissimus per tempora felicia & votiva. Dat. apud *Canod* 3. Idus *Novembrii*, Anno gratiæ 1282.

Page 285. l. 51. after *supra*, insert. ] In a bundle of Letters I found this Letter of the Archbishop to the Chancellor this year, concerning a Cedula found in the Prince of *Wales* his breeches, discovering the treachery of some of the *English* Nobility of the marches of *Wales* towards the King, complaining that some *Welsh* Priests were executed as Laymen were for their treachery, against the privileges of the Church, which he desired might be rectified, by his intercession for other *Welsh* Priests detained in prison, relating likewise his Visitation of his Diocese, and praying Writs de *Excommunicato capiendo* against some Priests and others who opposed him in his Visitation.

In eadem  
Bundela Lite-  
rarum & Bre-  
vium in Turri  
London, An.  
10 E. 1.

**F**RATER J. permissione divina *Canuariensis* Ecclesie Minister humilis tocius *Anglia* Primas, venerabili in Christo fratri Domino R. Dei gratia *Bathoniensi* & *Wellensi* Episcopo salutem, & fraternæ dilectionis in Domino continuum incrementum. Quia quæ in Domini nostri Regis dampnum et periculum beregere dinoscuntur detegere debet fidelis quilibet et ea ubi nullatenus occultare, nosque inter alios ipsius honorem et magnificentiam ad intimorum insidiis esse tutum intime affectamus, mittimus ad vos quandam cedulam præsentibus interclusam, obsecram quidem verbis & fictis nominibus conceptam, cujus transcriptum quod habet Dominus E. de *Mortuo Mari* inventum fuit in brachali L. quondam Principis *Wallie* una cum sigillo suo parvo quod sub salvo teneri facimus custodia, Domino Regi si placuerit transmittend. Ex qua quidem Cedula satis consicere potestis, quod quidam *Wagnates* hinc *Wallensibus*, sive *Marchiensibus*, sive alii non satis sunt Domini Regis beneplacitis uniformes, circa quod Dominum Regem efficaciter cautum ut expedit, ita tamen quod quantum in nobis et vobis est nullum periculum proveniat corporale, & de hoc sollicitè caveatis. Ad hoc intelleximus, quod nonnulli Clerici apud *Rotbelan*. in obprobrium Cleri et Ecclesie contemptum inter prædones et malefactores alios cotidie capitali sententia puniuntur, quod ne de cætero fiat vestræ sollicitudinis studium apponatis. Et certè dolemus valdè de Clericis illis qui manent in *Snaudonia* desolati, quos libenter nobiscum adduxissemus ad propria, dum in partibus illis extitimus, si hoc clemencie Regiæ placuisset. Nec poterit se Dominus Rex excusare saltem de favore, si de eis quod avertat Deus malè contingat, unde si quid pro eis sciveritis aut obtinere poteritis, quod ad eorum liberationem et securitatem possit nostram expediri scribatis nobis, & nos parati erimus pro eis ab instantibus periculis eruendis, ad honorem Dei quantum poterimus etiam corporaliter laborare. Præterea, sunt quidam Dei et Ecclesie inimici quos nuper in *Exon. Dioc.* habitantes jurisdictioni nostræ et processibus nostris invenimus multipliciter obversantes, mandata nostra et Ecclesie dampnabiliter contemnendo, propter quod meruerunt a nobis majoris excommunicationis sententia innodari: Ne igitur de malicia sua in contemptum Ecclesie disciplinæ valeant gloriari, aut alios suis perniciosi exemplis inducant,

## A Supplemental Appendix.

K. Edward 1.

pro capcione eozundem excommunicatorum, prout per nostram patentem literam petimus rescribatur, si placet. De benivolencia autem vestra quam ad nos geritis continue negocia nostra feliciter expediendo, fraternitati vestre quantas valemus gratiarum rependimus actiones, parati semper vestris beneplacitis quantum secundum Deum possumus favorabiliter assentire. Valeat vestra fraternitas in Christo semper & Virgine gloriosa, nobis si quid apud nos fieri volueritis cum fiducia rescribentes. Si Dominus Rex velit habere transcriptum illud quod inventum fuit in bracali *Levelini*, poterit ipsum habere a Domino *Eadmondo de Mortuo mari* qui custodit illud, cum sigillo privato ejusdem cum quibusdam aliis in eodem loco inventis, nec est periculum hanc Domino Regi insinuare, quia ad ejus pramunitionem tantum agimus, faciat tamen ulterius quid sibi viderit expedire.

An. 10 E. 1

The Archbishop of *Canterbury* having thereupon obtained a Writ *De excommunicatione capiendo* against *William Boybough* of the Diocese of *Exeter* by his premised Letter, who had appealed to the Pope against his unjust Sentence against him, caused him to be attached and kept in iron chains, to prevent the prosecution of his Appeal against him; whereupon a Clerk of the Chancellors and the Bishop of *Exeter* writ these Letters to the Chancellor in his behalf for his enlargement to prosecute his appeal, which he seconded with another Letter to him on the behalf of others of his Clergy, whom he endeavoured to imprison in like manner, by his Certificates against them, for opposing his Jurisdiction and proceedings in his Visitation.

Suo Domino suus Clericus omnimodam reverentiam & honorem. Rogavit me multum instanter Dominus *P. Exoniensis* Episcopus, quod cum distante nuper Domino *F. Archiepiscopo Cantuariensi Exoniensem* Diocesim, idem Archiepiscopus excommunicaverit *Willielmum Bloybough* Clericum, et ipsum quidem Ecclesie interdixerit, ita quod dumum idem *Willielmus* ab hujusmodi gravamine sedem apostolicam appellabit, et super appellatione illa in Curia impetrabit, sicut per bullam quam lator presentium penes se habet, patere poterit intuenti, et Judices sui ipsum *Willielmum* ab illa sententia absolverint, sicut patet per literas dicti *Exoniensis* Episcopi hoc testificantes. Vicecomesque *Devon.* eundem *Willielmum* qui ad supplicationem predicti Archiepiscopi captus et imprisonatus est in nimis dura prisona teneat in vinculis ferreis ad instantiam adversæ partis, et graves redemptiones ab eo capit pro alleviatione prisonæ; ita quod idem *Willielmus* appellationem suam prosequi non potest: Dominationem vestram rogarem quod vos super hoc per breve Domini Regis remedium facere dignemini, ut deliberari possit a prisona, ac appellationem suam prosequi. Maxime, cum a sententia illa, sicut prædicitur, sit per suos Judices absolutus, set bene scitis quod ad supplicationem hujusmodi Judicum delegatorum Curia non rescribit. Et quia æquitas & pietas vos movere debet in hac parte, placeat Dominationi vestre inde remedium concedere, & vestram præcipere voluntatem. Bene & diu valeat Dominatio vestra.

In eadem  
Fundela, An.  
10 E. 1.

Reverendo in Christo Patri Domino & Benefactori præcipuo *R. Dei gratia Bathon. & Willen.* Episcopo, suus *P.* miseratione ejusdem *Exoniensis* Sacerdos salutem, cum omni reverentia et honore. Quia adversarii nostri in odium nostri Magistrum *W. de Bloybough* nobis specialem ad mandatum Domini *Cantuariensis* capti procurarunt injuste, sicut lator presentium vobis si placet plenius ostendet, Dominationem vestram attentè rogamus, quatinus ipsum faciatis sicut justum est liberari; Advertentes, si placet, quod non expedit Ecclesie *Anglicana* dictum Dominum *Cantuar.* habere ingressum, qui in vestros subditos benedicat indistincte, nec soleant sicut nec deberent, prout audivimus, captiones concedi ad mandatum ipsius Domini super alienis parochianos, super quod non credimus (vixit) super capcione predicti Magistri a vestra conscientia aliquatenus emanasse. Bene valete. Dat. apud *Malleburgh* 7 Kal. *Januarii*, Anno Dom. 1282.

Ibidem.

This Archbishop being very extravagant and oppressive in this his Visitation; and the King being informed, that he intended likewise to visit the Bishoprick and Church of *Hertford* during the vacancy thereof, being then in his hands, sent



An. 10 E. 1. sent this Prohibition to him, not to act any thing in that Visitation by himself or his Ministers, to the prejudice of that See or Church.

Ex eadem  
Bundela Lie.  
rarum &  
Breviarum  
de Privato si-  
gillo in Turri  
London.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, Venerabili in Christo Patri 7. eadem gratia Cantuariensi Archiepiscopo, totius Angl. Primati, salutem. Quia datum est nobis intelligi, quod vos in Episcopatu Hereford. Visitationem vestram in brebi facere proponitis, secundum quod ad officium dicitur pertinere. Nos pro eo quod Episcopatus ille per mortem bonæ memoriæ Th. nuper Episcopi ejusdem loci vacans est et in manu nostra, ea quæ ad Episcopatum illum pertinent, ut in libertatibus, juribus, et aliis illata conservari volentes, paternitatem vestram tota qua possumus affectione requirimus et rogamus, quatinus cum spiritualia Episcopatus illius quodammodo taliter sint annexa, quod negocia utriusque mutuo taliter in Visitatione prædicta, si eam ibi ad præsens facere decreberitis provideatis amore nostri, quod per eandem Visitationem vestram per vos aut ministros vestros nichil fiat per quod Ecclesiæ prædictæ seu personis ejusdem molestia fiat, seu præjudicium quoquo modo generetur. T. me ipso apud Dynbigh 24 die Octobr. Anno regni nostri decimo.

He likewise sent this Privy Seal to the Chancellor to grant the Dean and Chapter of Hereford a license to elect a new Bishop, and to issue the preceding Writ to the Archbishop under the Great Seal to the same effect with his premised Letter to him.

Ibidem.

**E**dwardus Dei gratia Rex Anglia, &c. Venerabili in Christo Patri R. eadem gratia Bathon. & Wellen. Episcopo Cancellario suo salutem. Quia dilecti nobis in Christo Decanus & Capitulum Hereford. petierunt a nobis assensum eligendi sibi nobum pastorem; Vobis mandamus, quod si litera eorum quam nobis destinaverint ex causa prædicta, quam vobis transmittimus inspiciendam, debito modo sit composita, tunc eis hujusmodi assensum nostrum per literas nostras habere faciatis, prout alias consimilibus in casu consimili fieri consuevit. Et quia intelleximus, quod venerabilis pater Cantuariensis Archiepiscopus in Visitatione quam proponit ad præsens facere in Ecclesiâ prædictâ intendit aliqua attemptare in præjudicium et grabamen ejusdem: Vobis iterato mandamus, quatinus sibi preces nostras per literas nostras sub magno sigillo dirigatis decenciozi et amabiliiori modo quo poteritis, ne procedat in dicta Visitatione sua ad aliqua quæ dictæ Ecclesiæ poterunt nocere, vel temporibus futuris cedere in præjudicium. Dat. sub Privato Sigillo nostro apud Dynbi 24 die Octobris, Anno r. n. decimo.

Page 290. l. 12. after *per se*, insert. ] In a Bundle of Letters this year to the Chancellor, I finde this information given him by one of the Archbishops agents concerning the high contempts of all Ecclesiastical censures inflicted on several Rectors and Religious persons, especially the Hospitallers and Abbots exempt, and other Ministers, for not paying their Quindisms, to the Kings great losse and prejudice, prescribing a way that the Sheriffs and Kings temporal Officers, not as such, but as Servants and Assistants to the Church, might be empowered to thresh out and sell the Corn in the barns of such Rebels which they threshed out or spent before the Bishops and Collectors had sequestred them for their Quindisms.

Ex eadem  
Bundela Epi-  
stolarum, &c.  
Cancellario,  
An. 10 E. 1.  
in Turri Lon-  
don.

**C**ollecta Domini Regis malè defalcabitur per totum regnum, nisi remedium per discretam industriam inde fiat. Collectores enim non possunt nisi excommunicare vel suspendere non solventes, vel fructus repertos in horreis sequestrare: Prælati vero nichil vel parum habent ulterius quod faciant contra tales, sed sunt multi Ecclesiarum Rectores tam Religiosi quam Seculares qui hujusmodi pœnas ecclesiasticas non verentur, quales sunt Hospitales et Templarii, Abbates quamplures exempti, quæ per regnum habundant undique copiose; Sunt etiam alii Rectores Nobiles sanguine, quorum servientes seu ministri dedignantur de Collecta Domini Regis Collectoribus respondere; quidam etiam per præmeditatum astuciam faciunt blada sua præpropere triturari ne decretum sequestri ipsa in

in bozreis comprehendat: quibam insatvata prodigalitate insensati fructus Eccle-  
siarum suorum canino appetitu devorant antequam a solo totaliter separantur,  
contra quos per Dominum meum Archiepiscopum et Suffraganeos suos nichil  
penitus est prohibitum, nec etiam quod minus est prout ultimo cogitatum, licet  
prescripti rebelles, et nonnulli de regno eis consimiles retinere se Domini Regis  
pecuniam gloriantur, eo quod stimulus bindictæ Ecclesiasticæ eos non pungit sti-  
caciter pro defectu, et Dominus Rex qui magis solito indiget, sicut scitis caret spe-  
rato commodo pro defectu providenciæ in premisis. Si vero Vicecomites huius  
regni mandatum Domini Regis haberent spectale, ut assisterent Collectoribus quo-  
cients indigentibus Collectæ Domini Regis huiusmodi frustratores, ad trituran-  
dum blada in bozreis rebellancium sequestrata, ut hoc facerent, non tanquam Vice-  
comites, set tanquam Ministri Ecclesiæ per Ecclesiam convocati, negotium Domi-  
ni Regis procederet prospere cum effectu, et libertas Ecclesiæ per hanc viam nul-  
latenus læderetur: unde si nondum aliud provisum fuerit de premisis bonum esset  
celeriter præmissa aggredi ut videtur, et pro negotio scribere Episcopis hanc viam  
vel aliam quæ magis proliqua videbitur; ita quod Ecclesiæ libertas lædi per huius-  
modi negotium non contringat, alioquin quod vos sciatis Dominus Rex defraudar-  
bitur tertia parte et eo amplius proculdubio sicut credo.

An. 10 E. 1.

Page 292. l. 3. after *Octobris*, insert. ] About the same time I finde this Let-  
ter of the Bishop of London to the Chancellor, complaining of the Constable of the  
Tower, for illegally seiling a boats lading of Corn and provisions for his house on  
the Thames, and carrying them hostily into the Tower, and refusing to restore  
them according to his verbal promise, for which he might have justly excommu-  
nicated him, but yet forbore to do it out of reverence to the King, because he was  
his Servant, and praying his Letter and the Kings Writ to be directed to him for  
their restitution.

**D**omino suo salutem. Afflictionem animi vestri amarissimam ego novi ex eis  
quæ penes vos & Christianissimum Principem nostrum nuper minus pro-  
spere acciderunt, ex quo nos qui in partibus Australibus conversantes vestræ Do-  
minationi famulamur, vos — si placet infortunium huiusmodi vobis vehementer  
nullatenus profundens, set inde menti vestræ spirituale solacium imprimat, eo  
quod amantissimus creator quos suos novit aliquando ut ipsos probet fortiter fla-  
gellat & mordacissime cruciatur, ut postquam inceperit suum flagellatum releva-  
re & tristitiam suam in gaudium commutare, extunc flagellatus huiusmodi pro col-  
latâ sibi gratiâ eo jucundius gloriatur, quo prius fuerat duriori molestia contrista-  
tus: unde, amantissime Domine, recogiteris quod contra ruinam exaltabitur cor,  
& quod corda inimicorum vestrorum nunc propter adeptam victoriam sunt non  
mediocriter exaltata, ex quo consequens est proculdubio quod citò concident in  
ruinam. Ceterum conqueror Deo & Domino Regi & vobis sicut possum de Con-  
stabulario Turris London, qui cum fecissem circa quindenam Sancti Michaelis tra-  
duci de Cancia per Tamisiam ad sustentationem meam & familiæ meæ in quodam  
batello vigenti quarteria avenæ, & decem frumenti, & aliud staurum michi ne-  
cessarium in Domo mea London, videns batellum & sciens per responsa famulo-  
rum meorum quod res meæ fuerunt, fecit batellum sub Turri arectari, & totum  
frumentum & avenam usque ad novissimum granum capi per satellites suos, &  
portari in Turrim hostiliter per rapinam. Et cum Antonius de Bec citò postmo-  
dum transitum fecerat per London, feci ipsum rogari per Clericos solempnes, quod  
daret dicto Constabulario in mandatis, quod michi restitueret bladum meum; Qui  
sui gratiâ restitutionem michi fieri eidem vivâ voce præcepit curialiter & benigne,  
set post recessum dicti Domini à London, pluries monitus per sapientes homines  
& solempnes, ut restitueret michi meum & satisfaceret de commisso, aliud ex ver-  
bis suis quam verba probrosa & derisoria non reporto. Et licet potuissem ip-  
sum fuisse excommunicasse pro rapina, eo quod bona ecclesiastica fuerint de Eccle-  
sia mea de Cancia depozata, quia tamen Minister Domini Regis est, discoli, rebe-  
renciam faciens tanto Principi debitam ut desuit et debetom. Quocirca reverende  
Domine supplico vobis precibus genoslexis, quatinus per orbe Domini Regis  
quod aliquantulum ipsum terreat michi dignemini remedium adhibere; & per  
vestras

Ex eadem  
Rundela Epi-  
scolarum, &c.  
Anno 10 E. 1.  
in Turri  
London.



An. 10 E. 1. vestras literas similiter, si placet, ne in opprobrium meum et Dominorum meorum ex quibus vos estis michi, si placet, propinquo in constructione et in sensu de suis malicia se gaudeat commodum reportare. Et quia scio vos esse arduis negotia involutos, totum istud scribo Domino *Reymundo* Capellano vestro si juxta vos inveniatur, rogans ipsum socialiter quod istud negotium nomine meo prosequatur, & tradat latori presentium garcioni meo signatum quicquid impetrabile fuerit in premissis. Valeat Paternitas vestra per tempora prospera & proluxa.

The *Freers Carmelites* conceiving their Order not to be sufficiently established by Pope *Gregory* in the Council of *Lyons*, and that their Order was like to sink or suffer great prejudice by their enemies interpretation and wresting of the Constitution of Pope *Gregory* the 10. in that Council, sent King *Edward* this flattering Epistle, to engage him to use his powerful interest in, and mediation to the Pope and Court of *Rome* for the confirmation of their Order by a second Letter, which he had in part effected by a former on their behalf, they having recourse to him as their only Patron and refuge.

In eadem  
Bundela Lite-  
rarum, &c.  
An. 10 E. 1.  
in Turri  
London.

**I**llustrissime Domine, Rex pietatis et misericordie, solus in universo climate oppressorum refugium et pauperum, regnans authoritatice et imperans in quiete; cujus Thronum formidat universa natio, colla sibi subdens humiliter, vel desiderans complacere; audire dignemini & exaudire pariter preces humillimas, Fratris *Petri* fratrum ordinis beate *Maria de Monte Carmeli* Prioris Generalis, devoti servi vestri licet immeriti & indigni, quas pro se & toto ordine vestre illustri Regie Majestati offert flexis genibus in hunc modum. Significat illustri vestre Regie Majestati, Frater *Petrus* Prior Generalis predictus, quod cum Dominus *Gregorius* Papa decimus in Concilio Lugdunensi, de Ordine ipso duxerit ordinandum, quod ipsum in statu suo manere concedebat, donec de ipso aliter ordinaret; intendens, tam de ipso Ordine, quam de aliis Ordinibus etiam non Mendicantibus, ordinare, prout saluti animarum ipsorum & statui expedire videret: Nihilominus tamen nonnulli Constitutionem predictam interpretari satagunt graviter et extorpe, sensum ipsius debitum et intentum, Dei timore postposito, pervertentes, in predictorum Prioris ac totius Ordinis laesionem, gravamen et prejudicium, ac etiam maximum nocumentum; corda fidelium per hoc a devotione fratrum & Ordinis retrahentes. Verum cum in tetris nullus sit Princeps vel Dominus ad cuius refugium et auxilium audeant vel valeant recurrere confidenter, nisi ad beatam illustrissimam et piissimam Regiam Majestatem; Supplicat, quatinus obtentu Dei & gloriose Virginis, Sacrosanctae Romanae Ecclesiae Domino, Patri nostro Summo Pontifici preces vestras dirigere dignemini cum effectu, quod Constitutionem predictam sic declarare & interpretari dignetur, quod nota vacillationis qua adversus Ordinem consurgit, ex ipsa omnino sublatâ, Ordo ipse robur obtineat pristina firmitatis; Ita quod omnes fratres ipsius Ordinis de captivatione sua per vos redemptionem habentes (ut *Judaei* per *Mosen*, & per Christum populus Christianus longe meliorem & etiam pleniorum) pro vestra, ac liberorum vestrorum, et totius regni vestri optata prosperitate habenda perpetuo; necnon pro animarum predecessorum vestrorum propitiatione culparum, vel contemnuntium premissis cumulatâ apud Deum et Virginem gloriosam predictam (ad cuius laudem et gloriam ipse in transmarinis partibus extitit specialiter institutus) diebus ac noctibus habeatis sedulos et supplices oratores. Deserentes nihilominus illustri vestre Regie Majestati gratiarum devotas quas possumus actiones, de predicto Domino sancto Summo Pontifici, qui preces vestras Regias pro nobis & Ordine sibi factas benigne recepit & favorabiliter acceptavit, juxta vestrarum continentiam literarum: Et eodem modo & amplius, de venerabili patre nostro, Domino *Ugoni* Dei gratia Presbytero Cardinali, (cujus laus & gloria suam decorat & nobilitat nationem) qui non solum preces vestras, pro nobis & aliis sibi factas, devotè respicit, sed nutus exequitur sedulo & intentè. Quo referente didicimus, quod obtinuissimus quod intendebamus specialiter atque principaliter, si de predicto & pro predicto negotio preces direxissetis Domino sancto Summo Pontifici speciales. Quare & hac vice (Domine Rex piissimè) predicto Domino Summo Pontifici sic efficaciter pro predicto Ordinis negotio specialiter placeat scribere, quod relevatione nostra

## A Supplemental Appendix.

K. Edward 1.

nostra vobis apud Deum et homines ascribatur, et animæ vestre nihilominus pro tam pio opere corona jam in celestibus sedibus sabzicata, pretiosissimarum gemmarum suscipiat incrementa; Cui sancta & gloriosa Trinitas successus tribuat prosperos & optatos, cum felici dierum longitudine, inimicorum reconciliatione gratissima atque pacifica, & inenarrabili læticia amicorum.

An. 10 E. 1.

The King upon receipt of this their flattering Epistle, commanded Letters in his name to be writ and sent to several Cardinals at Rome, to use their powerfull mediation with the Pope for the establishment of their Order, though he writ not to the Pope himself at present, returning thanks to them for their constant prayers for him and his, and desiring the continuance of them, with an account of the Letters he had writ to the Cardinals in their behalf.

Ulis W. de Odham, & A. de Berton, salutem. Scribatis amicabiliter per literas <sup>ibidem.</sup> Regis Domino E. Episcopo Tusculano, sacrosanctæ Romanæ Ecclesiæ Cardinali, Domino H. titulo Sancti Laurentii in Lucina Presbytero Cardinali, Domino J. Sanctæ Mariæ in Cosmydin Diacono Cardinali, Domino M. Sanctæ Mariæ in Porticu Diacono Cardinali, quod cum Dominus Papa post Concilium Lugdun. statum fratrum de Monte Carmeli, quem Dominus Papa tunc in pendentem reliquit hactenus non firmaverit, placeat dictis Cardinalibus erga Dominum Papam efficaciter interponere partes suas, quo magis status dictorum fratrum pristinus confirmetur. Scribatis etiam Priori Generali fratrum Ordinis prædicti qui Domino Regi per literas præsentibus interclusas super hoc supplicavit, quod Dominus noster Rex prædictus multum regraciatur ei de precibus suis, quas continuo fratres prædicti pro ipso, liberis et regno suo ad Dominum faciunt, et rogat quod iugiter in intercessionibus suis de ipso memoriam habeant specialem, et mandetis eidem quod Rex ita scripsit Cardinalibus, set Domino Summo Pontifici super hoc scribere ab aliquas causis distulit ista vice. Dat. apud Rothlan. 16 die Octobr.

The insolent usurping Archbishop of Canterbury invading the Jurisdiction of the Church of Hereford notwithstanding the Kings \* premised Letters, thereupon \* Here. p. Thomas Cantilupe the new elected Bishop thereof, appealing to Rome against the 1245, 1246. Archbishop's grievances, procured this Letter of recommendations to the Popes Notary, to give him all legal assistance in his Appeal and Cause, for which he took a costly journey to Rome.

Edwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, dilecto Clerico suo, Magistro Angelo Domini Papæ Notario, salutem. Cum venerabilis pater Th. Herefordensis Episcopus, quem inter ceteros Prælatos regni nostri generis nobilitas exornat, morum & vitæ venustas condecorat, & præminenter attollit plurimum scientia literarum, pro quibusdam jurisdictionibus Ecclesiæ suæ Herefordensis, unde grabatur (ut dicitur) ab audientia venerabilis patris J. Cantuariensis Archiepiscopi sedem Apostolicam appellaverit, et Appellationem illam in Curia Romana personaliter prosequi proposuerit, et sit merito tanto majoris favoris et gratiæ suffragis attollendus, quanto in persona sua dona naturæ et gratiæ copulata elucescunt: Dilectionem vestram eo cordis conatu quo possumus attentè postulamus, quatinus ipsum et negotia sua hujusmodi nostri rogatus obtentu habentes specialius commendata, ei in negotiis illis, (quatenus jus permittit) auxilium et consilium belitis impendere, ut ex hiis nostris precibus fructum reportasse se sentiat, & felicius fore se gaudeat expeditum. Dat. apud Shireburn, 15 die Febr. Anno regni nostri decimo.

Ex eadem  
Bundela Lite-  
rarum, &c. in  
Turri London  
Anno 10 E.

The Archdeacon of London and his Official endeavouring by their injurious process and Citations to take away and deprive the Hermitage of Criplegate, (being the Kings Free Chappel, alwayes exempt from their Jurisdiction) of their Liberties, privileges and possessions; thereupon the Chaplain thereof made this Adresse to the Chancellor in the Kings absence for relief therein, lest this spark should break forth into a publick flame.



An. 10 E. 1.

In eadem  
Bundela Lte-  
rarum &  
Brevium in  
Turri Lon-  
don, Anno 10  
E. 1.

**R**everendo Patri in Christo Domino & benefactori suo præcipuo, Domino R. Dei gratia Bathoniensi Episcopo, suus pauperculus Robertus Capellanus liberæ Capellæ Domini nostri Regis juxta *Krypsgar*, & loci ejusdem Heremita devotas orationes in Christo, cum reverentia tanto Patri & Domino genuflexa. Quia in hiis quæ ad conservationem libertatis dictæ Capellæ Domini nostri in sua absentia ad vestram tuitionem & oportunum vestrum consilium est currendum; & præcipue ubi celere remedium requiritur & optatur. Ad vestram dominationem confidenter confugio, & lacrimabili quadam insinuatione vestræ Charitatis oculis represento, quod cum Dominus Archidiaconus *London*, et ejus Offic. quorum jurisdictioni dicta libera Capella Domini nostri vel ipsius Rectores et Ministri, a tempore cujus memoria non existit, nullatenus subfuerunt, ad instantiam *Nicholai* Rectoris Sancti *Olavi de Miskywell London*, et etiam ex officio proprio precedenti, jura et libertates ipsius Capellæ auferre nituntur, et quasi quadam subita prosecutione nefanda, ea, quæ per Dominum nostrum Regem et antecessores ipsius antiquitas constituta fuerant, ebellere satagunt possessionem libertatis hujusmodi injuriosis processibus per se et alios multipliciter prosequende. Placeat igitur Paternitati vestræ aliquod remedium pro libertate prædicta et immunitate ejusdem solita prudentia providere; ne forte scintilla hujusmodi contra libertatem prædictæ Capellæ sic ignita, transire poterit in flammam destructivam. Et licet dicta Capella inter alias Domini Regis Capellas minima videatur; hos tamen si placet circa ipsius Capellæ libertatis observantiam prosecutioni prædictæ celere firmiter mentum pio intuitu providere velitis, ut ex hiis libertas dictæ Capellæ Dei et ipsius Patroni observetur indemnis. Pro quo meritum a Deo & ipsius patrono possitis & merito, &c. Conserve, &c.

The King of *Castell* by his Messengers and Letters requiring Ayde from King *Edward* against the *Saracens*, he returned this answer thereunto, that by reason of his Warrs with the perfidious *Welshmen* he could not possibly ayd him, complaining therein of the Popes delays in answering his Embassy, to assign the Disms granted for that end to *Edmond* Earl of *Cornwall*, who resolved to go personally the *Holy Land*.

In eadem  
Bundela, An.  
10 E. 1.

**R**egi *Castell*. salutem. Super status vestri prosperitate, quam Deus augeat & conservet, & quam venerabilis Pater *S. Gadicens*. Episcopus, & Magister *Galfridus de Evershe*, vester Notarius, & noster Clericus, nuncii vestri ad nos venientes, nobis apertissime retulerunt, læti animo efficitur & jocundi; et requisitionem vestram de subsidio vobis faciendo, ad *Saracenos* fidei Catholicæ contemptores, et inimicos Crucis Christi debellandos, audibimus diligenter. Sed ecce per aliquot dies antequam nuncii vestri prædicti ad nos venerunt, videlicet tempore *Passionis Dominicæ* quo *Judas* Dominum prodidit, proditores nostri *Lewellinus* filius *Griffini*, & *David* frater ejus, qui erat familiaris noster & Consiliarius, cum suis *Walleisibus*, qui etiam & quorum tota prioritas semper retroactis temporibus prodiciones & guerras multiformes fecerunt nostræ Prioritati & nobis, proditaliter contra nos insurrexerunt, terras nostras *Marebia* invadendo, fideles nostros interficiendo, villas & oppida cremando, munitiones & Castra obsidendo & diruendo, adeo quod nos ex improvise præoccupati in illis, ut novit Deus qui nihil ignorat, dolemus in animo vehementer super eo, quod occasione hujusmodi vobis ad præsens non possumus facere Subsidium, ut vellemus. Et licet Dominum Papam per dilectum Clericum nostrum Magistrum *Hugonem de Evisham* nuperissime rogaverimus, ut decimam Regni nostri in Subsidium *Terra Sanctæ* concessam et collectam, *Edmundo* germano nostro charissimo et Comitibus suis secum a terra nostra proficiscentis, in subventionem expensarum suarum in eunda versus *Terram* ipsam, faceret assignari: Aut quidem Clericus noster in prosequendo illud negotium ad Cardinalatus apicem (divina cooperante providentia) vocabatur; nondum tamen nobis constat, utrum idem Dominus Papa rogatum nostrum prædictum exaudierit in toto vel in parte, per quod Nuncios nostros ad Curiam Romanam cum literis nostris de credentia (iterum) destinavimus, Dominum concedente, qui in adventu nunciorum vestrorum ad eandem Curiam personaliter intererunt

## A Supplemental Appendix.

K. Edward 1.

runt in eadem, eundem — Patrem Dominum O. Tusulan. An. 10 E. 1.  
 Episcopum et prædictum Cardinalem ac alios amicos vestros et nostros in eadem  
 Curia super dicto negotio specialiter — iidem Runcii nostri  
 erga dictum Summum Pontificem, in quantum poterunt, cum exactissima diligentia instabunt. Super præmissis autem omnibus nuncii vestri prædicti voluntatem nostram & statum nostrum & charissimæ Consortis nostræ, liberorumque nostrorum ac regni nostri, vobis plenius referre poterunt viva voce. Dat. &c.

The Archdeacon of *Chester* most ingratelously endeavouring to vex and damnify his advancer \* *Roger de Molend* Bishop of *Coventry* and *Litchfield* all he could in several parts of *England*, not being able to effect his designs travelled to the Court of *Rome*, and troubled him there by all means he could, whereupon the Earl of *Cornwall* writ this Letter to the Chancellor to afford him all assistance possible to prevent his malice in that Court, where all things were carried by favour, Interest, and Money, not equity or justice.

CUM Magister *Jordanus de Wymburn*. Archidiaconus *Cestrie*, qui venerabili Patri *R. Coventren. & Lichf.* Episcopo, consanguineo nostro charissimo per tempus non modicum deservivit, & quem idem Episcopus à statu satis debili ipsum ad dignitatis apicem, qua gaudet hiis temporibus feliciter promovit; damna diversa et grabamina in baris locis regni nostri aliquandiu, tanquam ingratitude filius, et qui contemptor promotionis procuraverit, in quantum potuit, eidem Episcopo fieri et inferri: ac idem Archidiaconus demum perpendens, se non posse huiusmodi malivolentia suæ propositum in *Anglicanis* partibus adimplere, ad Curiam *Romanam* se transfugerit, his diebus; ibidem deteriorationem et diminutionem status promotionis sui prædicti nitens (ut accepimus) totis viribus procurare. Nos quia dictus Episcopus in gradu Consanguinitatis, ut præmittitur, nos attingit, ipsum et negotia sua deduci cupientes facilius et tractari, Paternitatem vestram sincero corde requirimus & rogamus, quatenus ipsum Episcopum et negotia sua habentes nostri interventu rogaminiis favorabiliter commendata, ad reprimendam et refranandam maliciam prædicti Archidiaconi sic conceptam, interponere vestris efficaciter partes vestras, et eos eidem in prosecutione huiusmodi malitiæ in Curia prædicta, modis quibus cautius et melius expedire videritis, cum effectu, si placet, opposites; ut idem Episcopus harum precum nostrarum suffultus adiutorio, uberius favoris gratiam per effectum operis se sentiat invenisse.

The Official of the Bishop of *Hereford* injuriously suspending and excommunicating the Gardian of the Manor of *Leominster*, sent thither by the Abbot and Convent of *Reading* of the Kings patronage, upon pretext that he was not presented to and approved by the Bishop, which was never done nor used; the King thereupon sent this Letter to the Bishop, then out of *England*, to suspend all his proceedings till his return into *England*, when the King himself would compose the difference between them.

Edwardus, &c. Venerabili Patri in Christo Domino *Th. Hereforden*. Episcopo, salutem. Cum dilectus nobis in Christo Abbas *Radnyg*. quendam de Monachis suis nuper ad custodiam Manerii sui de *Leominster*. vestræ Diocesis deputaverit, sicut ipse & prædecessores sui Abbates *Radnyg*. pro voluntate sua hæcenus facere consueverunt, Officialis vester prædictum Monachum, pro eo, quod nobis vel sibi vice vestra præsentatus non extiterit, multipliciter inquietat, et per suspensionis seu excommunicationis sententias molestare non cessat; asserens, Custodem huiusmodi authoritate vestra & præsentationem vobis factam de ipso ibidem deputari debere; quod tamen fieri non debet, ne hæcenus fieri consuevit, sicut nec de aliis huiusmodi Custodibus Maneriorum suorum, quos Abbates constituerunt pro suæ beneplacito voluntatis. Et quia Abbatia prædicta de fundatione Progenitorum nostrorum Regum *Anglia* & de prædicto Manerio ex dono Regis specialiter est dotata, propter quod de indemnitate Abbatis & Conventus ac Abbatie prædictæ, tam in se, quam in membris suis merito sumus solliciti, attendentes, quod ex usurpatione et inquietatione prædicta magna dissensio et contentio materia



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in utriusque partis dispendium poterunt suboriri: Paternitatem vestram affectuose requirimus et rogamus, quatinus hanc litibus et incommodis huiusmodi præba sollicitudine præcludentes, Officiali vestro dare velitis in mandatis, ut ipse ab omni molestatione et inquietatione, nostri contemplatione, desistant, et prædictos Abbatem et Custodem ipsius usque ad reditum vestrum in Angliam super hac in pace dimittat. Nos enim extunc libenter volumus consilium adhibere, qualiter hæc omnia pacificum et debitum, auctoritate Domini, fortiantur effectum. Teste meipso apud Westm. 2 die Julii, Anno regni nostri nono.

Which Letter of the Kings was seconded with this of *John de Kirkby* to the Chancellor on the Abbots behalf, informing him, that the King had prefixed a precise day to the Bishop and Abbot in the Parliament to be held at *London*, that so by the advice of all his Council he might settle the differences between them according to Justice, which he doubted the Bishop by reason of his journey to *Rome* would take no notice of, but still proceed to injure the Abbot and his Guardian.

In eadem  
Bundela, An.  
10 E. 1.

SUO Domino *Johanni de Kirkby* eandem quam sibi salutem & dilectionem sinceram. Meminimus Dominum Regem bis nuper scripsisse Domino *Hereforden*. Episcopo pro Domino Abbate *Rading*. in forma præsentibus interclusa: pro quo vos rogamus, quantumcunque possumus specialius, quatinus negotium dicti Abbatis sit vobis cordi in omnibus, sicut nostrum. Et quia super contentionibus & controversiis inter ipsos Episcopum & Abbatem, Dominus noster Rex de voluntate ipsorum Episcopi & Abbatis, eisdem præfixit diem præfixe in Parlamento suo *London*. proximo post *Pasch.* ut ipse tunc de providentia totius Concilii sui prædictas controversias ex toto decideret et sedaret; reddendo unicuique eorum iustitiæ complementum; Ac idem Episcopus, sicut bene scitis, jam de licentia Domini Regis citra diem præfixum ad Curiam Romanam pro suis negotiis dirigit gressus suos: et ex hoc præsumi poterit, quod idem Episcopus, non obstante præfixione Domini Regis prædicta, aliquid velit contra ipsum Abbatem super huiusmodi controversiis in Curia prædicta impetrare, Vellemus omni modo, quod omni diligentia & sollicitudine totum dictum negotium Domino nostro Regi exponeretis seriatim, quo modo, & sub qua forma eidem Episcopo alias scripsit pro negotio memorato; et quomodo utrique eorum diem præfixit in Parlamento suo *Pascha* ad ordinandum inter eos ad honorem Dei et commodum utriusque; Ita quod neuter eorum alterum interim implacitaret, et quomodo jam pendente præfixione prædicta ad Romanam Curiam de sua licentia esset iturus; unde timet Abbas prædictus ne impetret in dicto negotio in dicta Curia aliquid contra eum; Unde instetis ad hoc omni modo, quod Rex ei scribat, rogando et inhibendo sibi prohibendo, ne ipse donec iustitia ei defuerit coram ipso aliquid contra ipsum Abbatem attemptet in Curia memorata: sed quod omnia usque ad adventum suum in Angliam in pace dimittat; maxime, cum id facere nequeat ullo modo, nisi ad detrimentum et subversionem Elemosinæ Domini Regis, et quodammodo contra Regiam dignitatem. Insuper faciatis nobis habere transcriptum literarum Domini Regis, quam missurus est Rex Episcopo prædicto, et eam nobis mittatis per præsentium portitorem. Istud negotium pro amore nostro, quantum poteritis, maturatis, quoniam prædictus Episcopus de die in diem a partibus istis se elongat. Iccirco vos in earum literarum confectioe, rigido & amicabili eloquio utamini, quantum poteritis, honestate in omnibus semper salva. Vale, &c.

How the Kings Justices *itinerant* were to attend in Parliament in that age, this Letter of theirs to the Chancellor for his directions therein (in the same Bundle) will inform us.

Ibidem.

REverendo in Christo Patri, &c. Domino R. Dei gratia *Bathon. & Willen.* Episcopo, Domini Regis Cancellario, devoti sui *S. de Ross.* et socii sui Justiciarii *Itinerantes* in Comitatu *Devon.* salutem, cum omni reverentia et honore. Quia veraciter intendimus præsens iter *Devon.* ante *Pasch.* expedire, vos rogamus quatinus quam citius poteritis, nobis significare velitis, in quo Comitatu adjournare debemus post *Pascham*, et ad quem terminum, et si nos omnes venire debeamus

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debeamus ad Parliamentum, attendentes (si placet) quod si nos omnes ibi venire debemus, tunc Comitatus *Cornubie* commodè summoneri non poterit ante Octavas vel Quindenam Sanctæ *Trinitatis*, propter brevitatem temporis inter Octavas *Pasch.* et Parliamentum, et propter iter longinquum inter *Cornub.* & *London.* et propter magna in Parlamento, prout nostis. Et si prorogare volueritis illud iter post festum Sancti *Michaelis*, multum faceretis pro toto Comitatu & pro nobis; Quia blada hoc anno defecerunt ibidem, & si veniamus ibidem in hac æstate, macras genas reportabimus. Significetis nobis beneplacitum vestrum (si placet) per præsentium portitorem. Valeat, &c.

An. 10 E. 1.

The Sheriff of *Devon* not executing a *Capias Excommunicatum* against Sir *Warin*, for a Debt due from him to *Italian Merchants* upon the Archbishops signified, they thereupon writ this Letter to *John de Kirkby* for his assistance for the due execution thereof upon a second Writ, and punishing the Sheriff for not executing the first Writ.

**M**agnæ discretionis et probitatis viro, Domino *Johanni de Kyrkeby*, Baroni *nni Gualtieri & Henrici de Podio*, aliique eorum socii Mercatores *Lucan.* salutem, &c. Noverit bene & vestra discretio, qualiter literas captionis pro excommunicato ad Vicecomitem *Devon.* directas, quo *Warinum* Militem excommunicatum ad instantiam *Reginaldi Arnaldi*, & *Reginaldi* socii sui concessistis, prout nobis constitit per literas reverendi Patris Domini Archiepiscopi *Canthuariensis*; quas literas Magistro *Alano de Barton* socio vestro præsentatas per *Matthæum de Columbar.* idem Magister *Alanus* retinuit. Dicitur etiam Vicecomes dum dictum excommunicatum per dictas literas captivitas capere deberet, omitta forma litterarum Domini Regis, dictum excommunicatum non cepit, ut mandabatur, sed *Bona* ipsius attachabatur, in delusionem Mandati Domini Regis, et damnum dicti *Reginaldi* non modicum et gravamen, ac etiam nostrum. Quare amicitiam vestram, de qua multum confidimus, deprecamur, quatinus literas de captione excommunicati prædicti, amore nostri & intuitu, latiori præsentium concedere velitis pro dicto *Reginaldo*, ad dictum Vicecomitem dirigendas: et pro eo, quod taliter dictum Mandatum exequi neglexit, quod iustum fuerit contra eum faciatis. Nobis autem Transcriptum Brevis quod concesseritis, et Transcriptum Literarum dicti Domini Archiepiscopi (si placet) transmittentes; Quoniam debitum, propter quod dictus *Wiles* excommunicatus est, ad nos spectat. Si autem aliquid vultis nos vobis *London.* facturos, per latorem præsentium nobis rescribatis; quia libenter faciemus quod vestrum respiciat commodum & honorem.

In eadem  
Bundela Lie-  
rarum &c.  
An. 10 E. 1.  
in Turri Lon-  
don.

Page 290. l. 34. after *Mais*, insert. ] The like Protection and exemption from Purveyance was granted to the Prioress of *Nanneton*, 8 die *Aprilis*, Pat. 10 E. 1. m. 15. With this to the Rector of *Arley*.

**R**EX omnibus Ballivis, Clericis, & Ministris suis, ad quos, &c. salutem. Licet providencias nostras de bladis in diversis regni nostri Comitatibus fieri præceperimus, ad nos et ad Exeritum nostrum *Wall.* ducendas; Nolumus tamen quod de bladis dilecti nobis *Reginaldi* Rectoris Ecclesiæ de *Arley* in Comitatu *Warr.* aliquid capiatur contra voluntatem suam. Et ideo vobis mandamus, quod de bladis prædicti *Reginaldi*, ipso invito, nihil capiatis. Et si quid inde contra voluntatem suam ceperitis, id ei sine dilatione restituatis. In cujus, &c. duratur. usque ad festum *Pasch.* proximo futurum. Teste Rege apud *Stanley* vicesimo tertio die *April.*

Pat. 10 E. 1.  
membr. 15.  
Pro Reginal-  
do Rectore  
Ecclesiæ de  
Arley.

The King by his royal Prerogative and Letters Patents granted the Deanery of *Salop* to *Nicholas de Aras*, commanding the Sheriff to put him into actual possession thereof.

**R**EX omnibus, &c. salutem. Sciatis quod dedimus & concessimus dilecto Clerico nostro *Nicholas de Aras* Decanatum beatæ *Mariæ Salop.* cum pertinentiis, vacantem per resignationem dilecti nobis in Christo *Willielmi de Doveria* nunc per Decani ejusdem loci, et ad nostram donationem spectantem; Habendum & tenendum

Pat. 10 E. 1.  
m. 15. De De-  
canatu beatæ  
Mariæ Salop.  
dat.



An. 10 E. 1. tenendum eidem *Nicholas* ad totam vitam suam, eodem modo quo prædictus *Willielmus* Decanatum tenuit supradictum. In cujus, &c. Teste Rege apud *Shirburn*, 18 die *Februarii*.

Et mandatum est Vicecom. *Salop.* quod eidem *Nicholas* stallum in *Choro* et locum in Capitulo (prout moris est) assignet, et sibi de Decanatu prædicto cum pertinentiis plenam seisinam habere faciat. Teste ut supra.

The Bishop of *Hereford* going to the Court of *Rome* by the Kings license, procured this Protection from him.

Pat. 10 E. 1.  
m. 18. De  
Protectione.

**T** *Thomas Hereford*, Episcopus, qui de licentia Regis profecturus est ad Curiam Romanam, habet literas Regis de protectione patentes, duraturas usque ad festum Sancti *Michaelis* proximo futurum, & ab eodem festo usque in unum annum proximo sequentem completum; cum hac clausula, Volumus etiam, &c. Præsent. &c. In cujus, &c. Teste ut supra.

The King this year granted this Protection to the Abbot and Covent of *Messinden*, by reason of a murrain among their Cattle, and other losses.

Pat. 10 E. 1.  
m. 21. Pro  
Abbate &  
Conventu de  
Messinden.

**R**EX omnibus, &c. salutem. Cum dilecti nobis in Christo Abbas & Conventus de *Messinden*, per morinam ovium & equorum suorum, & aliis incommodis multimodis, quibus (ut pro certo intelleximus) supra modum prægravantur, adeo depauperantur, quod terræ suæ pro magna parte saccæ incultæ; et blada sua in eisdem vehementer defecerunt; & insuper iidem Abbas & Conventus peccatoribus et aliis Creditorebus suis diversis, in multimodis debitis teneantur; ad quorum solutionem et Domus suæ relevationem facultates ejusdem Domus per magnum temporis spatium sufficere non possent, absque dispersione Canoniceorum Domus illius, vel sedozum suorum dilapidatione, seu forte Domus ejusdem subversione totali, quod nollemus. Nos imbecillitati status ipsorum compatientes, ne hujusmodi discriminis aut depressionis periculum ipsis videatur imminere, Domum illam cum terris, redditibus, & omnibus possessionibus ac rebus aliis ad eandem Domum pertinentibus cepimus in protectionem & defensionem nostram specialem; & Domum illam cum omnibus pertinentiis suis, dilectis & fidelibus nostris *Henrico Huge & Waltero de Agmedesham* commisimus custodiendam. Ita quod omnes exitus, redditus & proventus terrarum, reddituum & possessionum dictæ Domus, (salva rationabili sustentatione prædictorum Abbatis & Conventus & hominum suorum) ad exonerationem debitorum suorum, & relevationem aliorum defectuum ejusdem Domus reserventur; & eisdem exonerationi & relevationi per visum aliquorum de discretioribus Domus ejusdem, per adjutorium & consilium prædictorum *Henrici & Walteri* (prout melius fieri poterit) applicentur. Nec volumus quod aliquis Vicecomes, Ballivus, seu Minister noster, aut alius quicunque in Domo prædicta, aut grangiis ad eam spectantibus, quamdiu in custodia prædictorum *Henrici & Walteri* fuerint hospitetur, sine licentia ipsorum *Henrici & Walteri* speciali. In cujus, &c. per quadrennium duratur. Teste Rege apud *Westm.* 27 die *Novembris*.

The Kings Bayliff of the Isle of *Gernesey* by Lay-force against his duty, keeping *Peter de Valeys* out of possession of the Church of *St. Peters le Port*, to which he was promoted and put in possession by the Popes Provision, so as he could not exercise his Pastoral duty therein, nor repair thereto by Land or Sea with safety; the King upon his Petition issued this memorable Writ on his behalf.

Pat. 10 E. 1.  
m. 22. De  
Insulis de  
Gernef. &  
Gresf.

**R**EX dilecto & fideli suo *Ottoni de Grandison*, & ejus locum tenentibus in Insulis de *Gernef.* & *Gresf.* & aliis, salutem. Monstravit nobis *Petrus de Valeys* Presbyter, quod cum eidem de Ecclesia Sancti *Petri in Portu de Gernef.* vacante, & spectante ad præsentationem Prioris de *Heamull*, auctoritate Apostolica prohibuit fuisse, ac per executores sedis Apostolicæ sibi datos possessionem ipsius Ecclesiæ canonice sit adeptus, Magister *Guillelmus de Sancto Remigio* Clericus, quia eandem Ecclesiam per eundem Patronum se præsentatum asserit, eundem

Presby.

## A Supplemental Appendix.

K. Edward 1.

Presbyterum et suos per potentiam vestram multipliciter impedit et perturbat, ac propter iniurias et molestias ejusdem Magistri Guillelmi tenentis Balliam in dictis Insulis, non est ausus ad dictam Ecclesiam accedere, nec ibidem residere; propter quod idem Presbyter indebitè vexatur quamplurimum & eadem Ecclesia obsequio debito defraudatur. Quare petit, quod nos impedimentum hujusmodi laicale amoveri, & securum sibi & suis in dictis Insulis, tam in terra quàm in mari conductum præberi; necnon & attemptata, & bona ipsius Ecclesie occupata, & indebitè devastata per eandem potentiam, in præjudicium ipsius Presbyteri, in statum pristinum & debitum reduci faciamus. Quod cum sit æquum & honestum, ut qui Ballias seu loca nostra tenent, quos ad justitiam exercendam et tenendam loco nostri ponimus, ad iniurias faciendas præsumunt extendere manus suas: Vobis præcipiendo mandamus, quatenus eundem Presbyterum et suos per potestatem laicalem non permittatis indebitè molestari, & eisdem securum in prædictis Insulis tam in mari quàm in terra faciat haberi conductum, & attemptata & occupata indebitè in præjudicium ejusdem Presbyteri per eandem potentiam in statum pristinum & debitum (mediante justitia) reducat; ut in eadem Ecclesia possit (prout iuris est) deservire, et animarum curam sibi committere gerere, ut teneatur. Quod autem præcipimus, nullatenus infringere præsumatis; ne ad eodem Presbytero super hoc ad nos clamor revertatur iteratus. Teste Rege apud Westm. 23 die Novembris.

Page 297. l. 28. after *Novembris*, insert] Upon the death of the Bishop of Midden in Ireland, the King at the petition of the Clergy of that Diocese, granted this license for the Election of a New Bishop.

REX dilecto sibi in Christo Archidiacono & universitati Cleri *Midden*, salutem. Pat. 10 E. 1. Accedentes nuper ad nos Magister *Henricus de Oxon.* & *Johannes de Kesham* m. 17. Hibr. foci vestri, cum literis prædictæ universitatis Cleri *Midden*, patentibus nobis ex parte vestra humiliter supplicarunt, ut cum Ecclesia *Midden*, per mortem *Hugonis Thachino* dudum Episcopi dicti loci, sit pastoris solatio destituta, vobis alium eligendi in Episcopum licentiam concedere dignaremur. Nos igitur precibus vestris favorabiliter inclinati in hac parte, licentiam illam vobis et ipsis durissime concedendam: Vobis mandantes, quod talem vobis in Episcopum assumatis, qui Deo devotus, regimini Ecclesie vestre necessarius, nobisque et terræ nostræ *Hibernia* utilis et utilis existat. In cujus, &c. Teste Rege apud *Dunamun.* 10 die *Martii*. Et duplicatur.

Page 293. l. 24. after *Augusti*, this should have been inserted] The principal causes inducing the King to receive this new Bishop of *Winchester* into his favour, and to restore his Temporalities of *Winchester* to him, (though at first he refused it, and was highly displeased with him) were the Popes Bull, these Letters of several Cardinals, and of the Archbishop of *Canterbury*, writ and sent to the King on his behalf, (the originals whereof I found filed in a Bundle of Letters and Writs in the *White Tower*) he needing then the Popes and Cardinals friendships, and so loath to exasperate them by putting him from his Temporalities and Bishoprick, as he might in justice have done.

EXcellenti & magnifico Principi amico charissimo Domino E. Dei gratia Regi *Anglia* illustri, *Jacobus* miseratione divina Sanctæ *Maria in Cosmedyn* Diac. nus Cardinalis, salutem in eo qui Regibus dat salutem. Licet spes nostra pro firma teneat, quod personas Ecclesiasticas et regni vestri Ecclesias favorabiliter foveatis, tamen pro venerabili in Christo patri Domino *Johanne* Episcopo *Winton.* amico nostro, & ejus Ecclesia, sollicitudinem vestram durissime affectione plenè rogand. quatinus ob divini nominis reverentiam nostrique præamici inter- ventum, præfatum Episcopum ad Regalem præsentiam accedentem benigne recipere, et eum qui pro se ac sua Ecclesia præfatis vestris favoris fructibus distinetur in suis et ejusdem Ecclesie negotiis propensius recommendatum habere, ac opportunitis præfatis consociare velit, ita quod a Deo meritum, et ab hominibus

Ex Bundela  
Literarum &  
Petitionum  
An. 10 E. 1.  
in Turri  
London.



An. 10 E. 1. mēibz p̄tēde vobis p̄bentat nomen bonum. Dat. apud Urbem V̄terem  
13 Kal. Julii.

In eadem  
Bundela.

**E**Xcellenti & magnifico Principi Domino & amico charissimo E. Dei gratia Regi Anglia illustri, Hugo ejusdem miseratione titulo Sancti Laurentis in Lucina Presbyter Cardinalis, salutem in eo cuius regni non erit finis, & paratam ad beneplacita voluntatem. Licet firmissimè teneamur vos clarissimorum & Catholicorum progenitorum vestrorum sacris vestigiis inherentes, ad Sacrosandam Romanam et Universalem Ecclesiam Dei, ejusque Creaturas et Ministros gerere p̄cipuum dilectionis et devotionis affectum, pro illis tamen quos nobis affectio specialis astringit, & quibus clara merita suffragantur, Regiam mansuetudinem p̄sumimus exorare, sperantes, ut hii p̄o quibus p̄ces effundimus apud clementiam Serenitatis Regiæ debeant aliqua speciali p̄rogatibz gaudere temporibus opportunitis. Hinc est, quod pro venerabili patre Domino Johanne Dei gratia Winton. Episcopo, qui per sedem Apostolicam nuper p̄pter ejus eminentem scientiam, vitam laudabilem, industriam circumspectam, et alia multis p̄bilitatis suæ merita meruit ad Pontificalis dignitatis apicem promoveri: Excellenti Regiam affectuose requirimus et rogamus, quatinus ob Apostolicæ sedis reverentiam et nostra p̄camina ipsum et Ecclesiam suam, ac jura ipsius recommendatos propensius habetur. Sibi loco et tempore ope defensionis, subsidii et auxilii liberaliter assistatis. Ita quod memorati Episcopus et Ecclesia vestri fulti p̄stet tam spiritualibus quam temporalibus p̄stent incrementis, et exinde vobis accrescat meritum apud Deum: Speramus enim & fiduciam habemus, quod in commissio sibi regimine erga Regalem Celstutinem tam placide et tam devote se geret, quod vestram sibi gratiam nec immerito vendicabit. Bene et diu valeat vestra Regalis Majestas. Si quid possumus quod vobis et vestris ac regno cedat ad commodum et honorem, parati sumus et erimus quoad dixerimus, id per nos et nostros indefessa sollicitudine, p̄ont tenemur, p̄o viribus effectui mancipare. Dat. apud Urbem V̄terem Sabbato ante Nativitatem beati Johannis Baptista.

Ibidem.

**E**Xcellenti ac magnifico Principi Domino Edwardo Dei gratia Regi Anglia illustri, Domino Thernia, ac Duci Aquitania, Ordinus miseratione divina Tusculan. Episcopus, salutem, et promptam ad ejus beneplacita voluntatem. Venerabilis pater Dominus Johannes Winton. Episcopus a me instanter petit, ut Celstutini vestre nostris supplicarem litteris, quod ipsum habere dignemini commendatum. Nos itaque ipsius precibus inclinati, Magnificentie vestre preces porrigimus ex affectu, quatinus, si placet, ipsum habere dignemini, ac suam Ecclesiam propensius commendatos. Dat. apud Urbem V̄terem 15 Kal. Julii.

Ibidem.

**E**Xcellenti Principi singulari Domino suo, Domino E. Regi Anglia illustri, devotus magnificentie suæ Clericus Bernardus de Neapoli prosperis habundare successibus, & se ad mandata paratum. Venerabilis pater Dominus Johannes dictus de Pontifera, de nobis per sedem Apostolicam Winton. creatus Episcopus, vestri commoti et honoris zelato: hactenus, ea in futurum majori prosequi, ut asserit, zelo proponit, propter quod ipsum & Ecclesiam sibi commissam Serenitati Regiæ cum fiducia recomendo; humiliter supplicans, quatinus eum et dictam Ecclesiam, ob Apostolicæ sedis reverentiam (cujus se recognoscit esse facturam) suæque p̄bilitatis obtentu clementer sobere dignemini et habere suis exigentibus meritis commendatos. Magnificentiam vestram in prosperitate conservet Altissimus, & de bono in melius semper extollat. Dat. apud Urbem V̄terem 20 die Julii.

Ibidem.

**E**Xcellentissimo & Magnifico Principi amico charissimo Domino E. Dei gratia Regi Anglorum illustri, Matthæus miseratione divina Sanctæ Mariæ in Porticu Diacon. Cardinal. salutem in eo per quem Reges regnant. Cedit ad gloriam et honorificentiam Regiam ac magnificentiam Regni vestri dum ejusdem Regni Ecclesiis de illis personis interdum a sede Apostolica prohibetur, quæ de Regno eodem optandæ Regnum ipsum natalis soli dulcedine propensius diligunt et eo

\* Mandatis, potius\* ————— ac beneplacitis Regiis facilius se conformant. Cum igitur vacante

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vacante nuper *Wintoniensis* Ecclesia, per spontaneam renunciationem venerabilis *An. 10 E. 1.*  
 viri Archidiaconi Ecclesie *Winton.* ipsius Ecclesie electi, Sanctissimus pater et  
 Dominus, Dominus *M.* divina providentia Summus Pontifex, de ipsius Eccle-  
 sie provisione sollicitè cogitans; ac talem personam eidem Ecclesie præficere cu-  
 piens quæ vobis esset gratior et prædicto regno utilior et acceptior a subditis ha-  
 beatur, ad venerabilem virum, antiquum servum et amicum vestrum Magistrum  
*Johannem de Pontifera*, virum utique de potentibus Anglicis fidelibus vestris or-  
 tum, multa literarum scientia præditum, et morum honestate decorum, virum  
 quoque magni consilii et probatæ virtutis, directis oculis ac concepta fiducia quod  
 per eum tam Regno ipsi quam prædictæ Ecclesie præbideret, ipsum de Fratrum  
 suorum Sacrosanctæ Romanæ Ecclesie Domino: Cardinalium consilio præse-  
 cerit in ipsius Ecclesie Episcopum et Pastorem: Excellentiam Regiam duxi-  
 mus attente rogandam, quatinus Provisionem hujusmodi gratam habentes,  
 ipsamque utpote vobis votivam, et in nostrum et Regium favorem Aposto-  
 licæ sedis circumspectione provide factam, devotione qua decuit approbantes,  
 Episcopum ipsum benigne et lætatur recipere, ac honorificentia debita pro-  
 sequi pro dictæ sedis reverentia et nostrorum (præcaminum) interventu be-  
 liti. Firmam spem fiduciamque tenentes, quod ipse Deo gratum, dictæ sedi  
 acceptabilem, (tam spiritualibus quam temporalibus) et eidem Ecclesie gratio-  
 sum se auctore Domino exhibebit, et devotum ac beneplacitum vestræ Regali  
 Majestati.

In dorso. *Excellenti & magnifico Principi Domino E. Dei gratia Regi  
 Anglorum illustri.*

**E**xcellenti Principi & amico charissimo Domino *E. Dei gratia Regi Anglia*  
*illustri, Benedictus* miseratione divina Sancti *Nicholai* in Carcere *Tullian.* In eadem  
 Diacon. Cardinalis, salutem, cum honoris & gloriæ felicibus incrementis. *Bundela, An.*  
 Apostolica in quibuslibet suis actibus cuncta præponderans, negotium Electionis *10 E. 1.*  
 factæ in *Winton.* Ecclesia cum multa maturitate discussit. Et tandem ex de-  
 centiæ debito contingente, quod absoluta ipsa Ecclesia de hujusmodi electione re-  
 maneat. Dominus Papa et Domini Cardinales, ad personam venerabilis pa-  
 tris *Johannis Wintoniensis* Episcopi, virum altæ scientiæ, multo consilio et maturi-  
 tatis honestæ, ac Excellentis vestræ devotum, oculos direxerunt. Sperantes  
 per hoc Deo et vobis merito complacere: quod quidem tanto vobis esse debet  
 acceptius, quanto ipsam sinceriores percipimus exaltationis Regalium vestro-  
 rum zelatores. Nos autem virtutes quibus eum dotavit Altissimus, et sincerita-  
 tem puræ devotionis quam ad personam vestram et Domini Regis habere præ-  
 cipimus attendentes, nec minus considerantes quantum adus Principum deco-  
 rantur viris sic fulgentibus circumfulti: (Vestram Regiam) Excellentiam  
 affectuose rogamus, quatinus eundem Episcopum ad specialitatem vestræ gratiæ  
 admittentes, ac eum et dictam Ecclesiam habere belitis affectu propitio com-  
 mendatos, quod eidem Episcopus et Ecclesia in Regia serenitate condescant, et  
 vobis exinde apud Deum et homines laudis adveniat incrementum.

**A** Son treschier Seigneur *Edward* par la grace de Dieu Roy *Dengleterre*, Seig- *Ibidem;*  
 neur *Dirlaunde*, Ducs *Daguitaigne*, Frere *Jan* par la suffrance Dieu Prestre  
 de *Canterbir*, Primat de tute *Engleterre*, saluz e graunt reverence. Sire nus vous  
 requerum pur Dieu & pur sa duce Mere, ke vous voilliez requiller en grace e en  
 amour nostre chier ami le *Cheske de Winestre*, qui a nostre estient est prudume,  
 sages, e leaus, e ad bone volente deserbir a vous come a chier Seigneur, e de  
 ceo lumes nus certeynes. E sachez sire ke nus vous empriums pur ceo ke nus  
 quidums ke co seit nostre honeur e prium nostre Seigneur *Jesu Christ* keil nous  
 doit fere de ceo e tutes autres choses ceo ke plus li plect. Sire dieus vous eit en sa  
 gard. Cest lettre fu escrete a *Wengham* la Vaille Saint *Pierre* en gule Aust.

In dorso. *A nostre Seigneur le Roy.*

Upon the receipt of all these importunate flattering Letters from these Cardinals  
 and the Archbishop to the King, backed with large promises of their favour & assist-  
 ance to him in his affairs, the King was content to be courted out of his Royal Prero-  
 gative



**An. 10 E. 1.** gative, to approve and preferre a Bishop duly elected by his special license to this rich Bishoprick, and to restore the Temporalities to this *John de Pontifera*, intruded into it by the Popes and Cardinals Provision, whose favours and Letters on his behalf were purchased at no small rates.

Besides, these Cardinals recommended divers of their own Kinred and Friends to the Kings favour and service, by several Epistles, the Originals whereof are filed in the same Bundle with those for this Bishop, some of which I shall present to your view.

Ex Bundela  
Brevium &  
Literarum  
Anno 10 E. 1.  
in Turri Lon-  
don.

**E**Xcellenti ac Magnifico Principi Domino *Edwardo* Dei gratia Regi *Anglia* illustri, Domino *Hibernia*, ac Duci *Aquitania*, *Ordinum* miseratione divina *Tusculanum* Episcopus, salutem & promptam ad ejus beneplacita voluntatem. Magnificentiam vestram attentè requirimus & rogamus, quatinus *Georgium* Domicellum venerabilis patris Domini fratris *Jeronymi* Episcopi *Panestrini* amici nostri charissimi, quem ad vos pro quibusdam transmittit familiaribus negotiis, habere dignemini commendatum. Dat. apud *Urbem Veterem* 19 die *Junii*.

Ibidem.

**M**agnifico & excellenti Principi Domino *Edwardo* Regi *Anglia* illustri, *Jacobus* miseratione divina Sanctæ *Maria* in *via lata* Diacon. Cardinalis, salutem, et a quo sunt jura Regnorum scilices ad vota successus. Cum *Georgius* lator presentium Familiaris & Domicellus venerabilis patris Domini *Jeronymi* *Panestrini* Episcopi, ad conspectum magnificentie Regalis accedat, Serenitatem Regiam deprecatur, quatinus ipsum intuitu dicti Domini sui & precum contemplatione nostrarum gratiosè recommendatum habere velit Regia Celsitudo.

In dorso. *Regi Angliæ illustri.*

Ibidem.

**E**Xcellentissimo Domino, Domino *E.* Dei gratia Regi *Anglia* illustri, *Hugo* miseratione divina titulo Sancti *Laurentii* in *Lucina* Presbyter Cardinalis, salutem, & post scelicem & longævam vitam ad cœlestem patriam scelicus pervenire. Venerabilis fratris nostri Domini *J. Panestrini* Episcopi rogaminiibus inclinati, pro *Georgio de Castro Baynaldi* Regiam Celsitudinem vestram interpellare inducimur & movemur. Hinc est, quod cum dictus *G.* ad serbiendum magnificentie vestre affectu cordis intimo anelat; Regiam Excellentiam vestram duximus exorandam, quatinus dictum *G.* ad serbiendum vestre præclaræ Majestati belletis admittere, et inter ceteros secundum merita collocare. Dat. apud *Urbem Veterem* 12 Kal. *Julii*, Pontificatus Domini *Martini* Papæ quarti anno secundo.

Ibidem.

**E**Xcellentissimo Domino, Domino *E.* Dei gratia Regi *Anglia* illustri, Frater *Jeronymus* miseratione divina *Panestrinus* Episcopus, salutem, & post scelicem & longævam vitam presentis sæculi ad cœlestem patriam scelicus pervenire. Cum dilectus & charus nobis *Georgius de Castro Baynaldi* Familiaris noster, audita fama vestri nominis, & eam facto cognoverit dum per *Urbem Veterem* transitum hætenus faceretis, ad serbiendum Celsitudini vestre venire desideret. Nos volentes suis exigentibus meritis apud Majestatem vestram laudabile testimonium perhibere tenore presentium, vestre magnificentie intinemus, quod ipsum invenimus legalem, curialem & industrium, unde si placuerit vestre Celsitudini ejus servitio uti, rogamus quatinus eundem nostrorum interventu præcaminum propensius recommendatum habere velit. Dat. apud *Urbem Veterem* 12 Kal. *Julii*, Pontificatus Domini *Martini* Papæ 4. anno secundo.

Ibidem.

**I**llustri & excellentissimo Domino, Domino *E.* Dei gratia Regi *Angliæ*, Comes miseratione divina Sanctorum *Petri & Marcellini* Presbyter Cardinalis, salutem, & post scelicem & longævam vitam presentis sæculi ad cœlestem patriam scelicus pervenire. Quanto fiducialius Celsitudini Regiæ præcamina nostra porrigimus, quantoque Nobilem virum *Georgium de Castro Baynaldi* latorem presentium morum ac virtutum elegantia insignitum, Domicellum venerabilis in Christo patris Domini fratris *J. Panestrini* Episcopi affectione sincera prosequimur; tanto affectuosius & efficacius ea à magnificentia vestra exaudiri rogamus, & illa maxime quæ

## A Supplemental Appendix.

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quæ pro causis specialibus diriguntur. Sanè cum dictus *Georgius* ad serviendum Majestati vestræ venire desideret, Excellentiam & Celsitudinem vestram affectuosè rogamus, quatinus attendentes quod inter Cæsariæ laudis titulos quæ nomen Regnantis clarificat specialiter in devotione extensa diffusius munifica liberalitas numeratur, prædictum *Georgium* sic nostri amoris intuitu nostrorumque interven- tu precaminum habere velitis propensius commendatum, quod exinde vobis ad omnia quæ Celsitudini vestræ ac regno reputaretis accepta fortius obligamur; dictusque *Georgius* interventionem nostrorum precaminum quam pro ipso munificentia vestræ cum magna fiducia destinamus sibi censeat largiflua profuisse. Dat. apud Urbem Viterbæ 13 Kalendas Julii, Pontificatus Domini Martini Papæ Quarti Anno secundo.

An. 10 E. 1.

**E**xcellentissimo & Magnifico Principi Domino E. Dei Gratiâ Regi Anglorum Ibidem: Illustri, *Hugo* miseratione divina titulo Sancti *Laurentii* in *Lucina* Presbyter Cardinalis, salutem, & in adversis prosperos ad vota successus. Celsitudinem vestram credimus semper ad illa fore promptissimam quæ sunt Deo placita et profectum respiciunt subjectorum: de hujusmodi quidem credulitate procedit, quod à vobis audemus cum plena securitate deprecari quicquid pietatem vel iustitiam cernitur revolere. Sanè veniens hiis diebus ad Apostolicam sedem *Willielmus de Ippels* Clericus noster casum quendam, qui sibi dudum in servitio acciderat, Pœnitentiariorum Domini Papæ humili confessione monstravit, et agnoscens culpam ubi culpa non est secum, petiit misericorditer super facto hujusmodi dispensari; quia non omnium Pœnitentiariorum concors habet assertio, quod ipse *Willielmus* ex facto hujusmodi irregularitatis maculam non contraxit. Excellentiam Regiam ex intimo cordis affectu requirimus et rogamus, quatinus eidem *Willielmo* pietate solita compatiens erga Venerabilem Patrem *Londonien.* Episcopum instare velitis, ut Ecclesiam de *Athen.* *Londonien.* Dioc. quam magnificentia vestra Regia sibi contulit eidem restituat, qua ipsum idem Episcopus sumpta occasione ex facto prædicto, ex quo nichil mali meruit, dicitur spoliasse. Conservat Deus Majestatem vestram Regiam per tempora diuturna, et rebellium vestrorum colla conterat, detque vobis feliciter triumphare.

In the same Bundle of Epistles, I found this of *Ferrandus*, sonne of the King of *Arragon* to King *Edward* on the behalf of a Merchant, informing him of the Popes coming to *Marsellia*, of the revolt of 5. Cities in *Sicily* from King *Charles*, and slaughter of all the *French*.

**I**llustrissimo & Victoriosissimo Principi Domino *Edwardo* Dei gratiâ Regi Anglia; *Ferrandus* filius bonæ memoriæ Regis *Arragonum*, humile manuum osculamentum. Serenissime Domine, de vestra magnifica liberalitate confidens talia vestræ Celsitudini supplicare præsumo, quæ meis meritis præsumere non auderem: hinc est quod cum *Bertrandus de Cresuels* Burgenfis *Monti-pessulani* usum mercandi in partibus regni vestri exerceat, cui suis meritis et ipsius probitate multimoda sim multipliciter obligatus, per me illi de quorum Dominatione confido, vestræ Regiæ Majestati humiliter supplico quantum possum, quatinus dictum *Bertrandum* velitis habere contemplatione mei speciali gratiæ commendatum. Scio enim ipsum esse talem quod in hiis quæ vestræ Dominationi placuerint conabitur esse gratus. Adhuc Domine noveritis, quod intellexi pro certo à quibusdam Mercatoribus qui de novo venerunt de *Caria*, quod Papa pro certo in brevi veniet *Marsiliam*, qui etiam pro certo dixerunt mihi, quod 5. Civitates *Sicilia* insurrexerunt contra Regem *Carolus*, et interfecerunt omnes *Gallicos* habitantes in eis, alia non narrantur *Parisiis* digna referri. Vigeat vita vestra in gratia Summi Regis. Dat. *Parisiis* 7 Kalend. Junii.

Ex Bundela  
Literarum &  
Petitionum  
An. 10 E. 1.  
in Turri Lon-  
don.

In Dorso. Illustrissimo & Victoriosissimo Principi Domino Regi Anglia.

In the same Bundle of Letters I found this Epistle of *Peter* King of *Aragon* to King *Edward* his kinsman, (some whereof being defaced, I have supplied in a parenthesis) concerning his Messages to, and aydes of Dismes demanded from the Pope against his Enemies, and his invitation by the *Sicilians* to



An. 10 E. I. receive the kingdom of *Sicily*, with his proceedings therein; wherein he craved his advise and assistance.

In eadem  
Bundela, &c.  
An. 10 E. I. in  
Turri Lon-  
don.

(E)xcellentissimo) & quamplurimum diligendo Domino E. Dei gratia Illustri Regi *Anglia*, Domino *Ybernia*, & Duci *Aquitania*; P. per eandem gratiam Rex *Arragonum*, salutem, & sinceram devocionis affectum. Dilectioni Regiae presentibus intimetur, quod nobis ante recessum nostri viatici armatae nostrae videlicet in quo sumus cum proponeremus illam ad Dei servitium facere (missimus nuncium) nostrum ad Summum Pontificem, ut nobis super eodem (negotio) subsidium largiretur, quem idem nuncium dictus Summus Pontifex audita supplicatione nostra, timens an Regem *Siciliae* accedere sui impensione aliqua relegabit. Postmodum vero cum in *Barbariam* ad locum videlicet de *Altoyl*, ad exaltationem fidei Christianae consilio Richer-  
hominum nobiscum existentium, destinabimus iterum ad dictum Summum Pontificem nostrum nuncium, super eo, videlicet, quod nobis in prosequendo facto per nos (inchoato) subveniret, nobis Decima per Ecclesiam in regno nostra recepta, et concederet indulgentiam nobis et illis qui nobiscum essent, et etiam quod terram nostram et ipsorum reciperet sub protectione Ecclesiae et commodo. Cui nuncio dictus Summus Pontifex fecit quandam dilatoziam impensionem (distulitque) sibi tradere litteram. Cumque nos resisteremus inimicis fidei ut nostrum erat propositum, si dicto Summo Pontifici complaceret, venerunt ad nos Nuncii quorundam locorum & Civitatum Regni *Siciliae*, exponentes nobis & supplicantes, quod ad Regnum ipsum accedentes, quia omnes *Siculi* unanimis et concordis nos in eorum Dominum invocabant; Nos siquidem advertentes, quod illud esset nobis et Dominationi nostrae honorificum et utile, accedimus ad dictum Regnum *Siciliae* cum familia nostra & stolo, ad habendum & impetrandum jus quod illustri & bona Consors nostra Domina Regina *Aragon*, & filii nostri habent in eodem regno, & erit decus nostrum & nostrorum Domino perhibente. Ceterum cum ad gaudia convocentur quociens statu nostro nobis prospero Rogamus vos quatinus certificetis nos de salute in statu vestro quem semper volumus prosperum & jocundum: Nichilominus reservantes quicquid vestri Discretionis facto praemisso praemeditato & circumspecto. Dat. apud *Altoyl*, &c.

The Bishop of *Hereford*, the Kings Agent in the Court of *Rome*, sent him this Letter of intelligence from thence concerning the Popes Wars that year, what Bishops elections he nulled, confirmed, or caused the parties elected to resign their elections to make way for his Provisions to their Bishopricks; what Bishops he promoted to Bishopricks by his own Provisions, among others the \*forementioned Bishop of *Winchester*, and what good reception he found from the Pope, notwithstanding the slanders raised against him.

\*Here, p. 1256,  
1256, 1257.

In eadem Bun-  
dela Litera-  
rum, &c. in  
Turri London  
An. 10 E. 1.

(E)xcellentissimo Principi & Domino suo praecipuo, Domino *Edwardo* Dei gratia Regi *Anglia*, Domino *Hybernia*, & Duci *Aquitania*; Suus *Thos.* ejusdem permissione Ecclesiae *Hereforden*. Minister humilis se semper cum voluntate parata ad omnia beneplacita & mandata. Ut de aliquibus jam actis et aliis pro relatis in *Romana* Curia vobis constet; Vestrae Celsitudini praesentibus intimamus, quod Dominus Papa duplicem habet Guerram; unam contra illos de *Perusa* et suos fautores, qui nituntur quoddam Castrum quod jam Centum Annis et amplius tenuit pacifice et possedit sibi principaliter subjugare, illud obsidio blada et vineas exstirpando, ad quod Dominus Papa misit exercitum valde magnum. Et alium exercitum misit ad *Ferlyn* contra Comitem de *Montefolii*, secundum quod de hoc vobis scripsimus non est diu. Rex *Karolus* plenis manibus est in *Ballivis*, quia a Civitatibus *Tusciae* & aliarum partium querit adjutorium prout potest. Et quia terra illa quam debellare intendit, scilicet *Siciliam*, est de Dominio Papae, idem Dominus misit Dominum *Gerardum de Parma* Cardinalem Episcopum ad illam guerram pro viribus sopiendam, loco Domini *Willielmi* Cardinal. *Gallici* subrogatus fuisset Amicus vester Magister *Bevardu de Neapole*, nisi unus Cardinalis similiter Amicus vester ei fortiter obstitisset. Nono die Junii Dominus Papa nobem

## A Supplemental Appendix.

K. Edward 1.

beim electos in Episcopos expeditur, aliquos cassando, aliquos confirmando, aliquos ad resignationem per alios inducendo, et aliquibus providendo: inter quos prohibuit Ecclesie Leodien. de fratre Comitis Flandr. et Electo Leodien. scilicet Domino Willielmo de Navarina prohibuit de Praepositura de Bruges; Ecclesie vero Wintonien. post resignationem Electi ab adversariis procuratam, de Pagistro Johanne de Pontiffra est provisum, sed in consecratione presentium illi priori bono Electro, cui quasi tota Curia compatitur, nulla provisio facta fuit. Posthac in Vigilia Sancti Barnabe Apostoli venimus ad Curiam, et eadem die recepit nos Dominus Papa ad pedum et oris oscula beatorum, non obstantibus procuratoribus adversariorum nostrorum, qui nos excommunicatos fore Domino Papae et fratribus Primitus suggererunt, et datis super hoc auditoribus pro nobis interlocutoriam protulit ipse Pape, unde eo quod primam interlocutoriam pro nobis habuimus per eundem nos et quamplurimi in Curia existentes, gavisissimi fuimus in immensum. Populum sui Regimini in prosperitate continua votiva omnipotens vos conservet. Dat. apud Urbem Veterem 2. Idus Junii, Anno Domini 1282.

An. 10 E. 1.

In the same Bundle of Letters and Petitions, I found this Epistle of Rich. de Gravesend Bishop of London to K. Edw. the 1. in forraign parts, complaining against the Mayor and Citizens of London, for a Sacrilegious invasion of the rights and possessions of the Church of St. Pauls, in procuring some ground adjoining to the wall of the ancient Churchyard thereunto belonging from the King by false suggestions, to be granted them to build houses thereon, towards the repair and maintenance of London bridge; desiring the King to suspend his grant, and prohibit the buildings till his return, and a full hearing of the cause, or to grant him liberty to denounce Ecclesiastical censures against them as they deserved, if they persisted therein, which he had till then forbore, out of his reverence to the King, and his grant made to them.

**E**Xcellentissimo Domino suo, Domino E. Dei gratia Illustri Regi Anglia, Ex Bundela Domino Hybernia, & Duci Aquitania, R. ejusdem miseratione London. Ecclesie Minister salutem, & prosperos ad vota successus cum omni reverentia & honore. Ecclesia vestra Sancti Pauli London. ad cujus regimen licet immeriti divina dispositione vocatur, tam vestris quam claræ memoriæ Progenitorum vestrorum Regum Anglia Deo & Ecclesie sue Sanctæ Devotorum temporibus præteritis ejusdem Regni vassalis prærogativam libertatis optinuit, & in suis juribus Regis protectionis cum favore munimentum: Verum licet loca quædam adiacentia muris Cimiterii Ecclesie memoratæ tumultu Interdicti tempore nobilium corporibus decedentium ibidem antiquorum industria reſervata fuissent, sicut adhuc existentes extra dictos muros tumuli veraciter attestantur, per quod etiam loca hujusmodi sacra seu religiosa censentur, ac magna pars Areæ extra muros ejusdem ubi tumuli non apparent quàm olim ædificatam inhabitabant Clerici Ecclesie prænotatæ, ad jus & proprietatem ipsius pertineat; Henr. tamen Wallensis Major Civitatis London. Curie vestre falso suggerens, quod sine alieni juris præjudicio ad augmentum redditus Pontis London in dictorum muroz Circuitu Domunculas vel Seldos possint construi; & Majestate Regia taliter circumventa, Literas vestras vestrum exprimentes in hac parte consensum, ut dicitur, impetrans, propositum quod ad suggestionem iniqui spiritus jam concepit, nititur nequius consummare: et licet ex causis præmissis & aliis congruis & legitimis quæ pro loco & tempore poterunt declarari, juri, libertati et possessioni Ecclesie nostræ grave et intollerabile bidentes præjudicium generari, tam per nos quam per alios eundem Majorem & Cives London. sibi adhaerentes in præmissis moneri fecimus & frequenter induci, ut a proposito tam sacrilego desisterent; & iidem spretis monitionibus hujusmodi in præsumptione pristina perdurantes, tanquam manifesti perturbatores Libertatum, et inbasores possessionum Ecclesiasticarum forent non immerito animadversione debita compescendi, ob vestri tamen et Literarum vestrarum quas super hoc exhibent reverentiam, ab omni rigore Ecclesiasticæ disciplinæ contra eos exercendæ hucusque cessabimus, fiducialiter sperantes erga vestram Clementiam in hoc consequi remedium. Propter quod Majestati vestre attentius supplicamus, quatinus ne jus et libertas Eccle-

Ex Bundela  
Literarum &  
Petitionum,  
An. 10 E. 1.  
in Tun. Lon-  
don.

11



An. 10 E. 1. *ſic beſtra Pandi Pauli, per Poſtores et Cibum pꝛædictorum potentiam oppri-*  
*mantur: Vobis pro ſtatu reipublicæ agentibus in remotis iſtis pꝛæcipere velitis,*  
*ut ſaltem à conſtructione domuncularum huiusmodi omnino deſiſtant, donec ad*  
*partes London. quod Deus pꝛoſpere et celeriter annuat redeatis, ut tunc de Eccle-*  
*ſiæ beſtra iuſtitia, et adbeſtra partis iniuria coram vobis et beſtris diſcuſſio*  
*plentior habeatur. Et quia ſicut Excellencia veſtra ſatis novit manifeſtas Eccle-*  
*ſiæ Dei iniurias et oppreſſiones diſſimulare quantum ad nos pertinet abſque or-*  
*dinis noſtri non balemus periculo, quas ex officii debito tota reprimere diſſigentia*  
*et virtute tenemur, beſtra Clementiæ ea quæ poſſumus ſupplicamus inſtantia,*  
*quatinus Dei contemplatione ſuſtinere veſtris, ut dictos Poſtores et Cibes præ-*  
*ſumptione pꝛædicta per cenſuram Eccleſiaſticam compeſcere cum beſtra pace poſ-*  
*ſimus, ſi illoꝝum rebellio et pꝛoterbitas hoc requirant. Bene valeat veſtra Do-*  
*minatio per tempora longiora. Dat. apud Southmiſſre 2 Kalendas Auguſti, Anno*  
*Dom. 1282.*

Nota.

In the ſame Bundle of Letters, I found a tranſcript of Pope *Martini* Bull to the  
 Prior of *Tonbridge*, concerning Sir *John Lovett*, formerly printed, p. 280.

The Major, Provost, and Commonalty of *Roſcommon* in *Ireland* writ this Epi-  
 ſtle to King *Edward*, concerning the readineſſe of the Prior and Covent of that  
 place to exchange lands with the King for his and his Soldiers better accommoda-  
 tion and ſecurity, for which they were unjuſtly vexed by their Biſhop, againſt  
 whoſe exceſſes they prayed ſpeedy relief.

Ex Bundela  
 Literarum &  
 Petitionum  
 An. 10 E. 1.  
 in Turri  
 London.

**I**lluſtri Viro ac Domino ſuo Reverentiſſimo Domino *Edwardo* Dei gratia Re-  
 gi *Anglia*, Domino *Hybernia*, & Comiti *Aquitania*, &c. *Martini* Legan.  
 Major, *Richardus de Oxonia* Pꝛæpoſitus, totaque Communitas *Burgensium* novæ  
 Villæ ſuæ de *Roſcommon* ſalutem, et tam debitam quam devotam ſuo Principi &  
 Patrono, cum omnimoda humilitate rēverentiam. Veſtræ Regiæ excellentiæ  
 dignum duximus ſignificandum; qualiter Prior & Conventus *Canonicorum* San-  
 cti *Communi* de *Roſcommon*, à principio primæ fundationis Caſtri veſtri apud *Roſ-*  
*common*, necnon & novæ Villæ veſtræ & *Burgensium* veſtrorum in eadem Villa  
 fuerunt, & adhuc ſunt nobis propitii & favorabiles ob veſtram reverentiam &  
 honorem. Cum enim terras ſatis propinquas ad orandum prope Caſtrum veſtrum  
 necnon et prope novam Villam veſtrum ibidem habere non poſſemus, ſed ali-  
 quantulum remotas in Dominico veſtro in quibus commodè orare propter mul-  
 timodas guerras & propter inſultus *Hybernicorum* pacem aliquando non perfectè  
 obſervantium ſimiliter habere non poſſemus, prædicti Prior & Conventus de Do-  
 minico ſuo proprio prope Caſtrum veſtram ſitum novæ Villæ veſtræ de *Roſcom-*  
*man*, in qua commodè & quietè pacificè & honeſtè habitare poſſumus, necnon  
 & quatuor Carucas terræ de eodem ſuo Dominico prope idem Caſtrum ob veſ-  
 træ dignitatis reverentiam nobis in excambium gratanter & ſpontaneè, & ſine ali-  
 qua contradictione conceſſerunt terras remotiores in quibus ſine periculo habi-  
 tare non poſſemus pro eiſdem in excambium recipientes, de quibus adhuc modic-  
 um habent commodum. Et quod prædicti Prior & Conventus quindecim Mar-  
 cas ſterlingorum quas ſingulis annis pro ſitu Caſtri veſtri & novæ Villæ veſtræ,  
 & lacu de *Lochnaven*, quod eſt prope Caſtrum veſtrum ibidem per manum Balli-  
 vi veſtri de *Roſcommon* à vobis recipere debuerunt, prædictas quindecim marcas  
 vobis imperpetuum remiſerunt, propter quam remiſſionem ab Epifcopo ſuo Dio-  
 ceſſano non modicum ſuſtinent ſacturam et grabamen, et adhuc ſuſtinebunt, niſi  
 per vos celeriter ſuper hoc eis remedium ſalutæ tribuatur. Ipſe etiam Epif-  
 copus propter dictam cauſam onera impoſtabilia eis imponere, et illicitas exaction-  
 es ab eiſdem extorquere non formidat. Hæc et alia commoda et eſſentia quæ  
 per dictum Pꝛioꝝem et ſuum Conventum antea ſuſcepimus, et adhuc ſuſcipere non  
 deſtinamus ad præſens vobis narrare non poſſumus. Quare veſtram Regiam Ex-  
 cellentiam de qua & in qua poſt Deum omnem habemus fiduciam, omni qua poſſu-  
 mus devotione rogamus, quatinus tam Divinæ pietatis intuitu, quam precum  
 noſtrarum interventu, quam prædictorum beneficiorum & commodorum a præ-  
 dicto Priore et ſuo Conventu, Vobis et nobis ob reverentiam veſtri præſtito-  
 rum

## A Supplemental Appendix:

K. Edward 1.

rum obtentu eisdem Priori et Conventui in omnibus suis agendis, si placent, sitis favorabiles & intenti, ita ut quæcunque à vobis cum iustitia postulaverint cum fiducia valeant impetrare. Et hoc sicut honorem vestrum & profectum nostrum salvare desideratis effectui mancipare curetis. Valeat, vigeatque vestra Regia excellentia per tempora longa.

Here p. 305. l. 29. after *secundo*, insert ] Notwithstanding which Bull, King Edward the 1. declining and excusing his personal voyage to the Holy Land, Pope Martin thereupon sent this second Bull to persuade and excite him thereunto; the latter part whereof is quite putrified, and torn away from this exordium of it, (in the *White Tower*) which I can only present you with.

**M**ARTINUS Episcopus servus servorum Dei, charissimo in Christo filio Regi Anglia illustri, salutem & Apostolicam benedictionem. *Spagnum ad Terra Sancta negotium Regis devotionis affectum partius verbis extollimus, tanquam evidenter facti notorium, et celestibus indicis approbatum.* Siquidem late patet, vel potius latius eminet qualiter nonnullis olim molientibus te accitum magnifice ad ipsius terræ succursum ab assumpti ad hoc itineris prosecutione retrahere, illa tuum propositum constantia firmavit altissimus, ut velut abruptis dissuadentium & dissuasionum retinaculis absque cunctatione procederes, & ad terram eandem sic perutilis advenires, qualiter necessitatibus divinis in tempore parareris, cum talis ejusdem tunc status seu verius casus existeret, quod illud (proh dolor!) modicum quod de ipsa Christianitati remansit, à fidei hominibus infestius solito impetitur, tam ad defensionis constantiam quam ad deditionis dispendium & ignominiam disponebat. Sed resumpto de tuo & tuorum adventu fortitudinis spiritu, viriliter eisdem hostibus restitit & adhuc super tibi celitus illud evidens divinæ gratificationis insigne dum te assassini cujusdam insidiis animam tuam prodiciose confossum ut mortem communi judicio minaretur, redemptioni humani Nunc ergo fili charissime attentè Putasne is in illius.

*All the rest is putrified.*

I found this Letter of King Edward in the *White Tower*, in answer to the Cardinal of St. *Laurence* his special friend, giving him an account how the Popes Merchants informed him of his design in seising the Dismes, and the passages in the Court of *Rome* concerning this affair, with some other particulars.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, venerabili in Christo patri amico suo fidissimo Domino H. eadem gratia titulo Sancti *Laurentii* in *Lucina* Presbytero, & Sacrosanctæ *Romana* & Universalis Ecclesiæ Cardinali, salutem, & mutæ dilectionis continuum incrementum. Literas vestras recepimus in principio continentes, quod minimè miraremur si elapso temporis longo tractu de negotiis nostris quæ vobis per Magistros *Robertum* Decanum *Ebor.* & *Johannem Clarell* nuncios nostros fecimus liberari, nequivistis nobis aliquid intimare, dum impedimenta occurrissent varia votis vestris. Nec revera subesse causam conspicimus admirandi; cum sciamus vos semper promptissimos ad ea nobis continuo referenda quæ contingunt nostrum commodum et honorem directe, et quæ senseritis nobis contraria vel adversa. Et super negotio quod dictis nunciis commisimus in *Curia* procurandum, sicut et in aliis omnibus quæ nos tangunt diligentiam vestram habemus merito commendatam, et de ope et opera quas ipsi in dicto negotio præbuitis dilectioni vestræ ad grates assurgimus; eo magis, quod de propositionibus quas dicti nuncii præviderant, ipsos superfluis refecatis, in recto tramite direxistis; & si alter ipsorum vestræ refecationis oblitus thema præconceptum in omnibus sequeretur circumspeditionem vestram undique fecimus excusatam, cum sit difficile imprudentem, vel & ipsum qui solertia & sagacitati propriæ ab hiis quæ in mente concepit revocare, facta etiam & propositiones hujusmodi acceptas serimus juxta proponendi modos & merita personarum. Ceterum si quid nobis adversum auribus Domini Summi Pontificis

In Turri London.  
don. 11 E. 1.  
E. 1.Ex Bundela  
Brevium &  
Literarum An.  
11 E. 1. in  
Turri London.\* tamen.  
\* confidit.



An. 11 E. 1. titulis innotuerit his diebus ex relationibus peccatorum, cederimus cancellis consilia communicare cum ipsis, et eisdem secreta nostra in posterum aperire. Sed reuera unquam ex certa scientia fecimus inhiberi, ne de regno nostro pecunia Decima traheretur, nisi quod id fieri timebamus absque conscientia nostra, et precepto Summi Pontificis speciali, per quod regnum nostrum ex facto huiusmodi fuisset aliquantulum obligatum. De Magistro siquidem *Andra de Candulph*, quem in Advocatum nostrum in Curia recepistis, gratum habemus admodum quod fecistis: Volentes ipsum sicut alios Advocatos nostros in Curia juxta vestrum consilium retinere, & eidem literas nostras sicut aliis consuevimus, transmittimus quamcunque nobis rescripseritis, quantum consilietis de secundo sibi dari. De exilitate vero Ecclesie de *Bulswell* quam *Willielmo de Craven* Capellano vestro non est diu conferri fecimus penitentes, eidem de competenciori beneficio libenter curabimus providere cum viderimus oportum. Ad hæc de rumoribus *Sicilia* quos nobis vestris voluistis literis nunciare, & præsertim de omnibus aliis quæ scripsistis, vobis grates referimus & gratias speciales. Et de spe expeditionis nostri negotii ex vestri tenore mandati sumus quamplurimum recreati, nostraque non extitit intentionis hucusque partem petere Decima supradicta dum totum possemus consequi interuentibus amicorum. Rogantes attentè quatinus quæ bono inchoastis principio studeatis ad finem perducere præoptatum. Teste meipso apud *Rotb. lan.* 23 die *Novembris*, anno regni nostri undecimo.

What Prerogative the King then claimed from every new created Bishop, by reason of his Creation, to bestow a Pension upon some one of his Chaplains till he promoted him to a competent benefice, this Mandate to the Chancellor will inform us.

In eadem  
Bundela in  
Turri London.  
An. 11 E. 1.

Suis *H. de Kend.* *W. de Odyham*, & *A. de Berton*, salutem. Scribatis per breve Domini Regis Domino *Karl*, Episcopo, pro *Roberto de Icard* socio vestro, quod idem Episcopus de fructibus & aliis ad Ecclesiam de *Kirkeland* in Episcopatu suo spectantibus, quam idem Episcopus prædicto *Roberto* contulit, ratione gratiæ Domini Regis eidem *Roberto* concessæ de nova creatione ejusdem Episcopi, prædictam Ecclesiam quæ est de patronatu suo tueatur, donec lis mota inter ipsum Episcopum & Magistrum *Nicholaum de Brewys*, qui se dicit esse Rectorem ejusdem Ecclesie inde terminetur, vel quod prædictus Episcopus prædicto *Roberto* pensionem suam quam ad preces Regis prædicto *Roberto* concessit, de cætero solvar, & de prox. Ecclesia vacatura de collatione prædicti Episcopi quam ipse *Robertus* acceptaverit respiciat; & quod idem Episcopus tunc de prædicta Ecclesia faciat voluntatem suam. Quia Dominus Rex vult, quod prædictus *Robertus* gaudeat in pace collationem quam ad gratiam Regis habet aut habebit. Scribatis etiam Vic. *Northumbr.* per hære Domini Regis meliori modo quo poteritis, quod omnia bona quæ fuerunt *Willielmi de Midelton* defuncti, in Balliva sua capiat in manum Regis, & ea salvo sine distractione vel dilapidatione custodiat, donec Dominus Rex aliud inde præceperit. Scribatis etiam Thesaur. & Baronibus de Scaccario, quod Executores Testamenti Domini *Willielmi de Midelton*, de quorum nominibus dictus *Robertus* eis scire faciet, coram eis venire faciat ad respond. *Roberto de Scard* Executori Testamenti *Richardi de Midelton*, de bonis quæ fuerunt ipsius *Richardi*, quæ dictus *Willielmus* habuit die mortis suæ, prout videritis faciendum.

How ungratefull and injurious the Bishop of *Winton* (intruded by the Popes Provision) was to the Kings Clerks promoted to Livings during the vacancy, endeavouring to eject them out of their Benefices, this Letter to the Chancellor will inform us.

In eadem  
Bundela.

Domino suo reverendo, Domino *R.* Dei gratia *Bathon.* & *Willen.* Episcopo, ac Cancellar. Domini Regis; suis *A. de Winton.* salutem, reverentiam & honorem. De futuris contingentibus prospiciens molestiam aut fatigationem posse imminere, dominationi vestræ supplicavi, quod literas Domini Regis pro *Hugone* fil. meo dirigend. ad Ecclesiam de *Chilstercumbes* in *Winton.* Dioc. per vos promoti, Episcopo ejusdem loci habere faceretis, ad indemnitatem & tuitionem prædicti

## A Supplemental Appendix.

K. Edward 1.

prædicti fil. mei conservandum; & vos michi mandastis, quod facultatem magni sigilli Domini Regis tunc ad manus non habuistis, nec filium meum per Episcopum (prædictum) tunc gravari perpendistis, unde non fuit necesse sibi tunc scribere, verumtamen prædicto Episcopo postea curam (animarum) habente per Officialem suum de pluribus articulis in sua Dioc. fecit inquisitiones, et præcipue de Clericis in eadem per Dominum Regem promotis, quibus nullam gratiam facere proponit, obiciens prædicto filio meo, quod infra annum suæ admissionis ad beneficium prædictum secundum statuta non fuit in Presbyterum ordinatus. Et responsum fuit pro eo, quod ad primos ordines subsequentes post admissionem ad Ecclesiam prædictam, per defectum Episcopi Diocæsani, & pro defectu Archiepiscopi, curam spiritualitatis sede vacante habentis, procuravit literas dimissorias à custode prædictæ spiritualitatis Episcopo Sarum, & tunc per easdem literas ordinatus fuit in Subdiaconum, & postea ad proximos ordines subsequentes per Archiepiscopum in Diaconum. Consequenter ante institutionem Episcopi qui nunc est, nulli celebrati fuerint ordines, & Officialis dicti Episcopi dicebat, quod rationes prædictæ prædicto filio meo nichil valere possunt, sed bona Ecclesiastica in prædicto loco inventa sequestrabit, et in sequestro tenet. Ita quod filius meus in eodem loco non habet ubi caput suum possit reclinare. Et si filius meus ad ordines sacros pro tam exili beneficio non esset astrictus minus ei condolerem. Hinc est, quod vestram exoro dominationem devotè supplicans, quatinus per literas Domini Regis qui vobis mediantibus ipsum præsentavit, & maxime per literas vestras significetis, quid duxeritis in præmissis opportunum, quia dictus Episcopus magis inquietat promotos per Dominum Regem sede vacante, quam per alios quoscumque patronos. Mitto vobis litteram prædicti filii mei quam michi misit pro negotio prædicto, reverentiam vestram rogans, quod ipsam audire velitis. Valeat dominatio vestra semper in Domino.

Page 306. l. 6. after 1283. insert] He likewise issued this Prohibition: Bundela Bre-  
*Rex, &c. Vic. Dorset. quod capias Hugonem de Heskerden, Richardum de Wyn-* vium An. 11  
*ford Capellanum, Johannem de Cermiltre Capellanum, & habeas corpora, &c. ad* E. 1. in Turri  
*respond. Nobis; quare cum placita de catallis & debitis, quæ non sunt de Testamento,* London.  
*&c. ad Ros et Coronam et dignitatem nostram, et non ad aliam in regno nostro*  
*pertineant, idem H. R. & J. una cum Magistro Waltero de Gloucester Offic. Episc.*  
*Sarum, &c. teneant placitum in Curia Christianitatis de catallis et debitis*  
*Abbatis de Burden, quæ non sunt, &c. in lacionem Coronæ et dignitatis nostræ,*  
*et contra Prohibitionem nostram. Teste H. de Dunton apud Salop. 8 die Febr.*  
*Anno regni nostri undecimo.*

Page 307. l. 7. after *Brunburgh*, insert] In the same Bundle of Letters and Petitions to the Chancellor, I found this of the Mayor and Burgesses of *Oxford*, praying remedy against the Proctors and Scholars of the University, for punishing and excommunicating them for offences against the Assizes of bread, bear, and other victuals, belonging only to the King and his Ministers.

**S**uo *W. de Olibam*, salutem. Mittimus vobis literas, quas nobis miserunt Major & Burgenses *Oxon.* mandantes, quod eis in hac parte debitum remedium fieri faciatis. Mandamus etiam, quod *Johannem de Tudemrse Vic. Oxon.* fieri faciatis Absolutiones juxta brevja Domini Regis & alia, quæ vobis suus nuntius ostendet. Valeat. Dat. apud *Rochel.* 8 Kal. Febr.

Ex Bundela  
 Litterarum &  
 Petitionum  
 Cancellario  
 An. 11 E. 1.  
 in Turri Lon-  
 don.

**R**everendo Domino suo, ac amico (si placet) Domino R. Dei gratia *Bathon. & Wellen.* Episcopo, ac Cancellar. Domini Regis, sui devoti Major ceterique Burgenses *Oxon.* salutem, cum reverentia & honore. Quia Procuratores et Magistri Universitatis *Oxon.* in præjudicium Domini Regis se intromittunt de Assis panis, cervisie, et aliorum victualium, quæ ad Dominum Regem et ad Ministros suos pertinent; Dominationi vestræ supplicamus, de qua indubitanter confidimus, quatinus (si placet) super his gravaminibus et injuriis, Domino Regi et nobis per prædictos Procuratores et Ministros illatis, remedium apponere velitis. Scientes, quod in propriis personis nostris ad Dominum Regem



An. 11 E. I. vel ad vos accessissemus, nisi esset magna occupatio quam habemus circa pecuniam Domini Regis colligendam. *Prædicti etiam Procuratores et Magistri sententiam Excommunicationis intulerunt in Robertum de Welle, Ballivum nostrum, eo quod panem per prædictos Procuratores et Ministros artachiatum, tanquam bonum et satis ponderantem. Super quibus Domini Regis petimus auxilium. Valeat dominatio vestra per tempora longiora.*

What successe this Petition had I finde not, the Proctors and Scholars proceedings herein being warranted by former Charters granted them by our Kings.

King Edward though he might by his own Prerogative Royal have annexed his Collegiate Church and Free Chapel of *Bosham*, (exempt from Ordinary Jurisdiction) within the Diocese of the Bishoprick of *Cicester*, to the Bishoprick of *Exeter*, to which he united it; yet to avoid all future contentis between the Bishops, their Officers and Chaplains concerning it, petitioned the Pope, by his concurrent Authority to unite it to the Bishoprick of *Exeter*.

Ex Bunde  
Epist. & Bre-  
vium An. 11  
E. I. in Turri  
London.

Significat Sanctitati vestre devotus filius vester *Edwardus Rex Anglia*, quod dudum eo vestre beatitudini intimante, quod licet Parochialis Ecclesia de *Bosham*, quæ Collegiata existit *Cicestren*, Diocesis, et Capella Regia, utpote per progenitores suos fundata in Archidiaconatu *Cicestrensi*, & dotata, ac Episcopus *Exoniensis*, qui est pro tempore Regius Capellanus, præsit eidem Ecclesiæ in collationibus Canoniarum & Præbendarum, & in corporali possessione ipsorum, ac quibusdam aliis juribus spectantibus ad eandem; et omnes liberæ Capellæ Regiæ in regno *Anglia* consistentes, ad omni potestate et jurisdictione quorundam Ordinariorum locorum sint liberæ et exemptæ de consuetudine approbata, et in possessione huiusmodi libertatis et exemptionis existant, prædicti Episcopus et Archidiaconus *Cicestrenses*, in prædictam libertatis et exemptionis huiusmodi, et juris Regii diminutionem, dictum Episcopum *Exoniensem* et præbendam ejusdem Ecclesiæ de *Bosham* Regiam (ut prædictum) Capellanium, super dictis juribus, quod minus ipsis uti libere possit, multipliciter molestant et perturbant. Unde supplicat dictus Dominus Rex, quantum auctoritate Apostolica dignemini dictam Ecclesiam vel Capellam de *Bosham*, cum Canonicis et personis Ecclesiasticis prædictis Canoniciis et Præbendis et annuæ Ecclesiæ et Capellis, et Ministris, Clero, et populo eorundem, ab omni jurisdictione ordinaria, et præcipue Archiepiscopi *Canuariensis*, Episcopi et Archidiaconi *Cicestrensi*, ad omne dubium amovendum, erimere et totaliter liberare; et jurisdictioni *Exoniensis* Episcopi (qui confert Canonicias et Præbendas, et præterea (ut præmittitur) sive Capellanus specialiter nuncupatur) et successorum suorum, quantum ad utramque legem communis obellicet et *Diocesanæ* (necnon) subscire. Ita quod cultus divinus, & excessum correctio non negligatur in ipsis, quodque possit Clericos ipsius Ecclesiæ liberè ordinare, ac in Clero & populo ipsius Ecclesiæ, & in ipsa Ecclesiâ ea quæ sunt ordinis & Episcopalis officii jure suo exercere: eo quod Episcopus *Cicestrensis* qui pro tempore fuerit, in talibus exercendis libere se fortassis difficilem exhibebit. Et quod dictus *Exoniensis* Episcopus & successores sui, saltem similem jurisdictionem habeant in Ecclesia seu Capella prædicta, Ecclesiæ annuæ, et Capellis, Præbendis, Capellanis, Canonicis, Vicariis, Ministris, Clero, et populo eorundem, qualem habent alii Decani et Præpositi aliarum Capellarum suarum liberarum in regno et dominio suo constitutarum, de gratia speciali et de plenitudine potestatis, ad ipsius Regii honorem augmentum. Non obstantibus quibuscunque patris, compositionibus, controverciis aut litibus inter prædictos Episcopos et Archidiaconum motis vel movendis occasione prædicta, cum omnibus non obstantibus et clausulis; ac etiam cum executoribus & conservatoribus opportunis.

He likewise petitioned that he might elect a discreet, approved person to be his Confessor, to whom he might reveal his secrets and be absolved, and receive ghostly advice even in such things wherein the See Apostolick was to be consulted with, which he might have freely done without his license.

Supplicat

## A Supplemental Appendix.

K. Edward 1.

**S**upplicat Sanctitati vestre devotus filius vester *Edwardus Rex Anglia*, quod *An. 11 & 12*  
 Sanctitas vestra indulgentiam \_\_\_\_\_ quarto Idus *Aprilis* *Edw. 1.*  
 Pontificatus vestri anno primo, ut ipse pro (salute animæ) suæ aliquem discre-  
 tum probatum sibi in Confessorem valeret eligere \_\_\_\_\_ In eadem  
 cui secreta sua pandere posset, & ab ipso absolvi, \_\_\_\_\_ fibi *Bundela, An.*  
 prima salutari, etiam si talia forent, per quæ sedes Apostolica foret \_\_\_\_\_ *11 E. 1.*  
 \_\_\_\_\_ consulenda. Quare supplicat dictus *Edwardus*, quatinus in forma simili  
 \_\_\_\_\_ tempore futuro eligendi sibi Confessorem aliquem con-  
 cedere dignemini \_\_\_\_\_ facultatem.

Page 317. l. 3. after *Julii*, insert ] King *Edward* sent this Writ to the Arch-  
 bishop of *Dublin*, in favour of the Bishop elect of *Fern*, to appoint some of his  
 Suffragans to consecrate him in *Ireland*, to save his expenses in repairing to him in  
*England*, his Bishoprick being much wasted and impaired by the *Irish* Rebels.

**E***dwardus*, &c. venerabili patri *J.* eadem gratia Archiepiscopo *Dublin*. salutem. *Ex Bundela*  
 Quia dilecto nobis in Christo Domino *Richardo de Northampton* electo *Fer-* *Literarum &*  
*nensi* didicimus referente, quod vos contemplatione precum nostrarum, quas pro *Brevium Can-*  
 eo alias vobis direximus, ipsum in sua confirmatione favore amplioris gratiæ pro- *cellar. An. 11*  
 secuti fuistis, vobis exinde grates & gratias referimus speciales. Et cum idem *E. 1. in Turri*  
 Electus, qui jam ad partes *Hibernia* est profectus, absque magnis laboribus et ex- *London.*  
 pensis pro munere consecrationis a vobis optinendo, reverti in *Angliam* non va-  
 leret, nec ipse per totum annum jam instantem (sicut didicimus) tantum de  
 suo Episcopatu recipiet emolumentum, unde tam graves expensæ possent pro-  
 venire; præsertim cum status ejusdem Episcopatus (sicut forte vobis innotuit)  
 per hostiles intursus pacis nostræ perturbatorum non mediocriter enervetur.  
 Nos indempnitati ipsius Electi, suis exigentibus meritis, prospicere cupientes;  
 Paternitatem vestram rogamus & requirimus cum affectu, quatinus nostris preci-  
 bus & amore, dicti Electi laboribus et expensis in hac parte parcentes, per literas  
 vestras aliquibus Suffraganeis vestris demandare velitis, ut ipsi vice et auctoritate  
 vestra, eidem Electo in Ecclesia sua (si placet) *Fernensi*. munus consecrationis  
 impendant. Pro quo vobis teneri volumus ad specialium merita gratiarum.  
 Teste meipso, &c.

Page 316. l. 35. after *supra*, insert ] The Monks of the Monastery of *Fiscamp* *An. 12 E. 1.*  
 in *Normandy*, immediately subject to the See of *Rome*, electing a New Abbot,  
 whose election the Popes Legate confirmed, and receiving his Oath of Fealty to  
 the Church of *Rome*, the Legate thereupon sent this Instrument to King *Edward*,  
 desiring him to restore the Royalties of the Abby to him, which were seized into  
 his hands during the vacancy.

**E**xcellentissimo Principi ac in Christo charissimo Domino *E.* Dei gratia Regi *In Turri Lon-*  
*Anglia* illustri, *Johannes* ejusdem miseratione titulo Sanctæ *Cecilia* Presbyter *don. An. 12*  
 Cardinalis, Apostolicæ sedis Legatus, salutem in eo per quem Reges regnant & *E. 1.*  
 Principes dominantur. Ad fovendum in charitatis visceribus Ecclesiarum ac Mo-  
 nasteriorum Prælatos Serenitatem vestram eo fiducialius nostris precibus invita-  
 mus, quo in bonorum operum executione Celsitudinis Regalis affectum existima-  
 mus magis promptum ac facile invenire, maxime cum apud Deum cujus  
 hujusmodi sunt ministri retributionis præmium, & apud homines laudis præconi-  
 um vobis exinde acquirantur. Sane Monasterio *Fiscanen.* ad *Romanam Ecclesiam*  
 nullo modo pertinente, ordinis Sancti \_\_\_\_\_ *Rothomagen.* Dioc. per obitum  
 quondam *Richardi* Abbatis dicti Monasterii, Pastoris regimine destituto, Religiosi  
 (& Monachi) ipsius Monasterii vocatis omnibus qui voluerunt, debuerunt &  
 potuerunt commodè interesse, ad electionem celebrandam de futuro Abbate, die  
 ad hoc statuta convenientes in unum, ac deliberantes in ipsius electionis negotio  
 per viam procedere compromissi. Quinque ex eis (videlicet) *Gabrieli* Majori  
 ejusdem Monasterii, ac *Thoma de Ros* Prioratus Sancti *Martini* in bosco ad dictum  
 Monasterium immediate spectant. Priori, & Religioso viro *Gulielmo de Picot*  
 Abbati tunc Ballivo, *Gulielmo Lebus* Suppriori, & *Petro Picot* Granetario Mona-  
 chis



An. 12 E. 1. chis ipsius Monasterii, providendi eidem Monasterio de Abbate eo modo potestatem liberam concesserunt, ut quatuor ex dictis quinque quintum ex seipsis possent eligere, vel alium de dicto Conventu dummodo in talem scilicet alium ab eis omnes dicti quinque consensu unanimi concordarent, quodque prædicta potestas solummodo duraret usque ad consumptionem cuiusdam candelæ cærez quæ accensa extitit in Capitulo Monasterii supradicti. Præmittentes quod pro ipsius Monasterii Abbate haberent & tenerent de quo prædicti quinque vel quatuor ex eis, ut dictum est, ducerent eidem Monasterio providendum. Præfati autem quinque secedentes in partem, super provisione huiusmodi facienda diligentem tractatum ad invicem habuerunt, & demum quatuor ex eisdem in prædictum *Gulielmum de Picot* unanimiter & concorditer consenserunt. Ac prædictus *Gabriel* ante præfatam candelæ consumptionem ex potestate ipsis quinque, ut præmittitur, à præfatis Conventu concessa, de mandato reliquarum trium Collegiarum suorum vice sua & earundem Collegiarum ac omnium de prædictis Conventu præfatum *Gulielmum de Picot* elegit in Abbatem Monasterii memorati, dictusque *G. de Picot* tandem ad instantiam dictorum Convent, huiusmodi electioni consensit. Postmodum autem prædicti Conventus faciente nobis decretum electionis prædictæ per suos Procuratores & Nuncios ad nos propter hoc destinatos specialiter presentari nobis, ut electionem confirmaremus eandem humiliter supplicarunt. Nos igitur tam processum ipsius electionis, quam personam electi examinavimus diligenter, & quia eandem electionem invenimus de persona idonea canonicè celebratam, illam auctoritate qua fungimur diximus confirmandam: Ipsum *G. de Picot* præfecimus eidem Monasterio in Abbatem, ac subsequenter ab eo prædictæ *Romanæ Ecclesiæ* nomine recepimus fidelitatis solitæ juramentum, secundum formam consuetam ab eadem *Romana Ecclesia* in talibus observari: Arma concepta sioncia, quod cum dictus *G. de Picot* Abbas sit vir sufficientis scientiæ, providus & honestus, ac in spiritualibus & temporalibus circumspexus, ac in executione administrationum ipsius Monasterii suæ sollicitudinis pro tempore commissarum dicatur laudabiliter se gessisse, prædictum Monasterium per ipsius Abbatis circumspeditionis industriam, Deo propitio, præservabitur à noxiis & adversis, Regularibus quoque institutis proficiet, ac aliis spiritualiter & temporaliter grata suscipiet incrementa. Cum itaque benignissime Princeps sit virtutis opus Ecclesiæ et personas Ecclesiasticas benigno favore prosequi, ac eos verbis et operibus pro Regis æterni gloriæ venerari: Excellentiam vestram Regiam rogamus & hortamur attentè, quatinus eidem Abbati regalia quæ ratione eorumdem bonorum præfati Monasterii in regno vestro consistentium tempore vacationis ipsius Monasterii, ob reverentiam Apostolicæ sedis, et nostra reverentia, prout hactenus consuevit fieri concedentes alias, ipsum & præfatum Monasterium regimini ejus commissum habere dignemini propensius commendatos. Ita quod dictus Abbas vestræ Celsitudinis fultus auxilio in eodem regimine possit Deo propitio prosperari, ac vobis exinde à Deo perennis vitæ præmium, et ab eadem sede condigna præbentat actio gratiarum. Dat. *Mayfeld* Idus *Novemb.* Pontificatus Domini *Martini* Papæ 4.

Page 321. l. 1. before *This King*, insert ] About the same time Pope *Martin* the 4th. having confirmed the election of a New Abbot of *Evesham*, sent this Bull to King *Edward* to certify him thereof, and desire the restitution of his Temporalities, though he by his Bull committed the Temporalities as well as Spiritualities of the Monastery to him, in derogation of the Kings Prerogative, who had frequently excepted against such clauses, and caused both Bishops and Abbots specially to renounce them, before their Temporalities were restored.

An. 13 E. 1.  
in Turri London.

**M**ARTINUS Episcopus servus servorum Dei, charissimo in Christo filio illustri Regi *Angliæ*, salutem & Apostolicam benedictionem. Dudum Monasterio de *Evesham* ad *Romanam* Ecclesiam nullo medio pertinente, ordinis Sancti *Benedicti*, *Wigorn.* Dioc. ————— dilecti filii Prior & Conventus ejusdem Monasterii certa die ad eligendum præfixa, vocatis omnibus qui voluerunt, debuerunt & potuerunt commodè interesse ————— per viam procedere compromissi, in dilectum filium *Johannem* Abbatem, tunc Cellarium ipsius Monasterii, ac sex alios ex ejusdem Monasterii ————— in voto

*A Supplemental Appendix:*

K. Edward 1.

voto compromittere curaverunt, concessa eis providendi hac vice de se vel aliis *An. 12 E. 1.* ejusdem Monasterii Monachis, per electionem canonicam vel postulationem concordem ipsi Monasterio de Abbate seu \_\_\_\_\_ potestate, promittentes quod illum in suum & prædicti Monasterii Abbatem reciperent & haberent quem iidem concorditer vel major pars eorum ducerent in Abbatem dicti Monasterii \_\_\_\_\_ eligendum. Et tandem secedentibus illis in partem diversis inter se tractatibus habitis, notisque suis diligenti examinatione discussis, juxta formam hujusmodi compromissi prædicti sex in eundem *Johannem* unanimiter & concorditer consenserunt, & dilectus filius *Willielmus de Tyra* ipsius Monasterii Monachus (qui de) prædictorum Compromissariorum numero existeret, vice sua & de collegarum suorum ac singulorum de dicto Conventu speciali mandato & voluntate expressa, de *Johanne* prædicto providit eidem Monasterio in Abbatem, & ipsum nichilominus elegit in Abbatem Monasterii supradicti. Idemque *Johannes* ad instantiam Prioris & Conventus eorundem electioni hujusmodi de se factæ consensit. Demum vero præfati Prior & Conventus præsentantes nobis per Procuratores suos ad hoc specialiter constitutos, decretum super hujusmodi electione confectum, cum instantia petierunt, ut electionem (prædictam) admittere seu confirmare de benignitate sedis Apostolicæ curaremus. Nos autem quia per diligentem examinationem electionis, & electæ personæ invenimus electionem eandem de prædicto *Johanne*, persona utique idonea canonicè celebratam, eam de fratrurn nostrorum consilio duximus confirmandam, ipsumque *Johannem* præfecimus ipsi Monasterio in Abbatem, curam et administrationem illius in spiritualibus et temporalibus sibi nichilominus committendo, subsequenter ei de nostris manibus munere benedictionis impenso, firma concepta fiducia quod dirigente Domino actus suos, præfatum Monasterium per suæ circumspectionis industriam prospere dirigetur, & salubria dante Domino suscipiet incrementa. Quocirca Celsitudinem Regiam vestram rogamus, & hortamur affectu, quatenus eundem Abbatem & Monasterium sibi commissum habens pro nostra et Apostolicæ Sedis reverentia propensius commendatos, sic te illi (benigni favoris auxilio) exhibeas, ac ipsum & præfatum Monasterium tuæ benevolentiae gratia prosequaris, ut ipse regalibus fultus præsidii prædicti Monasterii regimen facilius & efficacius valeat exercere. Nosque \_\_\_\_\_ Magnificentiam Regiam dignis in Domino laudibus attollamus. Dat. apud *Urbem Veterem* 15 Kal. \_\_\_\_\_ Pontificatus nostri Anno \_\_\_\_\_

Page 332. l. 43. after *particular Custom*, and before *gly. insert*. This is likewise contradicted by *Mich. 34 E. 1. Fitzh. Detinue 60. Pasch. 17.* and by the forms of sundry Writs *De rationabili parte bonorum* in the Files of Writs and Plea Rolls in the Tower, during the reigns of King Edward the 1, and 2. I shall present you only with this one in the *Bundles of Writs*, Anno 15 E. 2. instead of many more. *An. 13 E. 1.*

**E**dwardus Dei gratia Rex Angliæ, Dominus Hibernia, & Dux Aquitania, Vic. Lincoln. salutem. Si *Thomas* filius *Roberti Balison* & *Johannes* frater ejusdem *Thoma*, *Christiana*, *Aguetes*, *Matilda*, & *Cecilia* sorores ejusdem *Johannes* fecerint te securum de clamore suo prosequendo, tunc sum. per bonos summonitores *Willielmum de Chuse*, & *Isabellam* quæ fuit uxor *Roberti Balison*, Executores *Roberti*, quod sint coram Justiciariis nostris apud *Ebor.* à die Sanctæ Trinitatis in quindecim dies ostensuri, quare cum secundum Consuetudinem REGNO NOSTRO hactenus optentam (therefore the constant antient Custom of the whole Realm before and till that day, and so by consequence ever since, not of some particular Countries only) pueri post mortem patrum suorum habere debeant rationabiles partes suas de bonis et catallis quæ fuerunt patrum suorum prædictorum; iidem *Willielmus* et *Isabella* præfati *Thoma*, *Johanni*, *Christiane*, *Aguetis*, *Matilda* et *Cecilia* rationabiles partes suas ad valorum sexdecim librarum et decem solidorum de bonis et catallis quæ fuerunt *Roberti Matison* patris prædictorum *Thoma*, *Johannis*, *Christiane*, *Aguetis*, *Matilda*, et *Cecilia* detinent minus iuste, et eas eis reddere contradicunt, in ipsorum *Thoma*, *Johannis*, *Christiane*, *Aguetis*, *Matilda* et *Cecilia* dispendium non modicum et gravamen, ET CONTRA CONSUETUDINEM PRÆDICTAM.



An. 12 E. 1. DICTAM. Et habeas ibi Summonitores, & hoc breve. T. meipso apud Eborum  
17 die Maii, Anno regni nostri 15.

Agreeable hereunto is the printed Resolution, Pasch. 17 E. 2. Fitzb. Abridgement Detinue 58. Cum secundum Consuetudinum *Norman* le femme doit aver le tierce parte des Chateaux son Baron apres son mort, et ses enfauntz desavantz de autre tierce part: And Trin. 1 E. 2. Fitzb. Detinue 56. which allegeth it to be PER USAGE DE PAYS, & le Grand Charter boit, &c. Hil. 17 E. 3. 9. Fitz. Respond. 15. 30 E. 3. 25. Fitz. Detinue 52. Pas. 31 E. 3. Fitz. Respond. 6. Par la CUSTOME de ROYALME. And Sir Robert Brooke in his Abridgement, Tit. De Ration. bile parte bonorum, 1, 5, 6. concludes from Glanvil, Fitzherberts Natura Brevium, and all these Books, Que test action de Rationabili parte bonorum, gist per le Common Ley PER TOUT LE ROYALME pur seme et enfauntz vers l'executoz le pere. Et est admis, que ceo est LE CUSTOME DE ROYALME, & LE GENERAL CUSTOME DE ROYALME.

If this Writ then lie against Executors by the premised ancient Lawes and by the Custom of the Realme: then à fortiori against Administrators, who are obliged to distribute the surplusage of the goods according to the Common Law; Therefore the Ordinary can have no legal authority to distribute them at his pleasure to any pious or other uses.

\* Conciliorum  
Tom 2. p. 483,  
to 487.  
Ex Codice  
MS. in Bibl.  
Cottoniana,  
sub sigillo O.  
thonis, A. 15.  
6. 136. & ex  
Registro Rey-  
nolds, p. 76 b.

Page 341. l. 8. after 13 E. 1. adde. ] Yea \* Sir Henry Spelman a very learned Antiquary, especially in Ecclesiastical affairs, after the Charter of King Edward the 2. apud Eboracum 24. die mensis Novembris, Anno regni nostri Decimo; reciting and confirming his Answers to Articuli Cleri upon their Petitions to him, out of Sir Robert Cottons Manuscript, subjoynes Circumspecte agatis, as a Letter grounded thereon, and subsequent to it, viz.

Litera, super eandem Cartam Domini Regis (Ed. 2.) Justiciaribus et aliis  
Regis Ministris directa pro Prohibitione.

REX Justiciariis, salutem. CIRCUMSPECTE AGATIS de Regocio tangente Episcopum Norwicensem, et ejus Clerum, si placitum tenuerunt de hiis quæ merè spiritualia, viz. &c. verbatim as in the premised Writ of Circumspecte agatis, (Here, p. 336.) Therefore by this ancient Manuscript and Sir Robert Cottons Resolution, it was only a Letter framed upon this Charter and Articuli Cleri to be sent to the Kings Justices and Officers in or after the 10th. year of King Edward the 2. not extant nor enrolled in any Roll I can yet finde in the Tower; therefore not an actual Prohibition under the Kings great Seal; much lesse a publicke Statute made in Parliament, An. 13 E. 1. as Sir Edward Cooke and others most grossly mistake. And that which confirms me farther in this opinion, is an antient Presentment in Parchment, (without any year or date, made by a Jury of the County of Norfolk to the Kings Justices, about the 13 year of King Edward the 2. as I conjecture by the hand, and other Circumstances) which I found in the White Tower Chappel, against the Deans, Officials, and Clergy of the Bishop of Norwich, for several encroachments upon the Kings Prerogative, Courts, and peoples Liberties, in holding Plea of Trespasses, Debts and other Temporal Causes, and imposing Oaths, pecuniary mulcts, penalties, exactions on the people, and excommunicating them against Law.

Dicunt, quod cum Semanum Kreyc de Wryaing magna legavit ante Corpus suum quendam equum pretii 3 s. Willielmus Rector Ecclesie noluit prædictum equum recipere, quia prædictus defunctus habuit meliorem equum illum calumpniabit ut jus Ecclesie suæ, tandem propter timorem summonitionis ad Capitulum sibi tradiderunt quondam equum pret. sex solid.

Item dicunt, quod prædictus Willielmus Rector Ecclesie de Wryaing magna dum fuit Decanus, recepit de Willielmo Goddard & de Beatrix Knyvet pro fornicatione, 12 d.

Item dicunt, quod Willielmus Kreyc de Wryaing legavit ante Corpus suum vesturam

## A Supplemental Appendix.

K. Edward 1.

sturam trium rodarum. Et Dominus Gilbertus Peche incontinenti post mortem suam asportavit prædictum fratrem qui fuit rusticus suus. Et prædictus Rector Ecclesie de Wryninge citare fecit eorū seipso Alic. Kreye Ceterorum suum quousque satisfecit ei de quinque solidis. An. 12 E.Y.

Item dicunt, quod Johannes de Fravesham Capellanus, implacitabit Gilbertum Hidekote de Haverelle ad Consistor. Norwyc. quia dictus Gilbertus debet gaudere spūm prædicti Johannis, unde fecit finem cum prædicto Johanne antequam habere potuit pacem, dimid. Marc. et nihilominus dampnum unde habuit ad valenciam, 10 s.

Item dicunt, quod Magister Henricus de Hargrave tunc Offic. cepit de Johanne filio Petri de Haverell, quia probavit testamentum uxoris suæ coram Decano de Clare, 10 s.

Item dicunt, quod Robertus de Geytone Capellanus implacitabit prædictum Johannem filium Petri coram Magistro Johanne de Ferby de placito Roberti, et aliis transgressoribus, unde habuit dampnum ad valenciam 10 s.

Item dicunt, quod Johannes de Fravesham Capellanus implacitabit, Henr. Goding de Haverell, & Godam uxorem ejus de placito debiti et transgr. coram Magistro T. le Gros, Offic. ad Consistor. Norwyc. unde dampnum habuit dimid Marc.

Item dicunt, quod Radulphus de Chedgrave citare fecit Thomam Lenveys de Chedbery de placito Conventionis ad Consistor. Norwyc. et pro pace hujusmodi cepit ab eo 5 s.

Item dicunt, quod Johannes de le Bret de Wryninge implacitabit Willielmum Cochun de eadem coram Roberto Vicar. de Hovedone tunc Decano, pro dampno facto in blado suo, unde dampnum habuit 60 d.

Item, idem Robertus Decanus recepit de Willielmo Cochun pro fornicatione, 12 d.

Item dicunt, quod Robertus le Wake citare fecit coram Roberto Vicario de Hovedone tunc Decano, Willielmum Cochun & Henr. Pipestrave pro dampno facto in quodam bosco, et pacificaverunt cum Decano de 5 s.

Item dicunt, quod Robertus de Ponte de Kedicane legavit unam vaccam Vicar. ante corpus suum præcit, 5 s. Et Willielmus Surmes Magister Thomas de Beck noluit dictam vaccam recipere, quia prædictus defunctus habuit meliorem; sed auctoritate sua propria, et quæsitit quandam vaccam præcit 7 s.

Item dicunt, quod Magister Henricus de Hargrave tunc Offic. cepit de Barth. Gambour pro fornicatione, 4 s. Et de Galfrido Clerico suo 12 d. Et Robertus de Hovedon tunc Decanus cepit de eodem Barth. pro illa Muliere, 2 s.

Item dicunt, quod Johannes Capellanus de Faversham citare fecit Radulphum Druri de Keditone coram Magistro Richardo Guidet Offic. et imposuit ei falso ipsum herberavisse quandam Capellan. et ita satisfecit ei de 5 s. Et dictus Magister Richardus habuit 5 s.

Et dicunt, quod dictus Robertus Vicar. de Hovedone tunc Decanus, cepit de Barth. Gambour pro non veniend. ad summationem suam, 12 d.

Item, idem Robertus cepit de Thoma Pipestrave quod commedebat cum Hamone Cheveri, quem dicebat se excommunicasse, 6 d.

Item, idem Robertus recepit de prædicto Thoma quia caravit per diem festivalem Sempl. 6 d.

Item dicunt, quod Richardus Gurdet cepit de Barth. Gambour pro simplici fornicatione, 2 s.

Item dicunt, quod Richardus Gurdet Officialis voluit tēctē Johannem Rundell de Hovedone \* juravisse ad inquisitionem suam, et idem Johannes noluit jurare sine præcepto Domini Regis, et ideo Dominus Richardus Gurdet amerciauit ipsum ad dimidium Marc. et ipsum fecit excommunicare de die in diem, et ipsum citare fecit coram seipso de Capitulo in Capitulo. Et prædictus Johannes (detulit ei) breve Domini Regis de prohibitionem in Ecclesia de Wyibram. Et dictus Richardus respond. ad prohibitionem prædictam in despectu Domini Regis dicens erupt. et adhuc fecit excommunicari propter dimid. Marc. ad damnum ipsius Johannis 20 s.

Dicunt, quod Robertus Rector Ecclesie de Mansfield citare fecit Thomam Veyborish ad Consistor. Norwyc. et coram Roberto de Hovedon Decano, de transgressoribus.

\* Nota.



An. 13 E 1. gressuibus non tangentibus Patrimon. nec Testamentum, unde dampnum habuit ad valentiam 40 s.

Item dicunt, quod prædictus Robertus Rector Ecclesie de *Manesfeld* cepit de *Matilda Marpellestumber* unam *Uaccam* injuste, & quia dicta *Matilda* se conqueratur ad *Uicinos* suos prædictus Robertus citare fecit ipsam coram Roberto Vicar. de *Hovedone* tunc Decano; ita quod amisit versus prædictos Robertum & Robertum, 7 s.

Dicunt, quod Magister *Henricus de Hargrave* tunc Offic. & *Galfridus de Brechenham* ceperunt injuste per summ. de Roberto le Wite de *Wriatham* 4 s. per procuramentum Petri Vicar. de *Distone*, quia habuit prædictum Robertum in odium.

Dicunt, quod *Amic*, Uxor *Henrici Carpenter* de *Bernardstone* fecit adulterium, et summonita fuit coram *Richardo Gurdet* tunc Offic. et non venit, ideo cepit ab eo sex solidos.

Such were then the manifold extorsions, vexations, grievances, excommunications, oppressions and encroachments of these Deans, Officials, and Clergymen of the Bishop of *Norwich*, who had little reason to prosecute this Letter of *Circumspecte agatis* to the Kings Justices and Officers, which themselves contrived, prepared, but the King never ratified under his Seal, for ought appears by any Record thereof I have seen after my best search to find it.

Page 344. l. 8. after *Decembri*, these Writs should have been printed. In the Bundle of Writs Anno 13 E 1. in the *White Tower*, these Prohibitions came to my hands. Edwardus, &c. Venerabili in Christo Patri R. Herefordensi Episcopo, &c. ———— &c. quod venire fac. &c. Walterum Plumer Clericum vestrum, ad respond. Roberto Crumpe de Hereford, quare secutus est plac. in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento, &c. contr. Prohibitionem. Teste T. de Weyland ap. *Wism.* 24 die Junii, An. r. n. 13.

Ex Bundela  
Brevium &  
Literarum  
in Turri Lon-  
don, Anno 13  
E 1,

Edwardus, &c. dilecto sibi in Christo Abbati de *Hyda Wynton*, salutem. Scitis quod dedimus vobis potestatem recipiendi Attornatos Magistri *Henrici de Prince*, quos coram vobis loco suo attornare voluerit ad lucrandum vel pendendum in loquela, quæ attachiata est coram Justiciariis nostris apud *Westm.* per breve nostrum, inter ipsum *Henricum* et *Johannem de Gras*; de eo, quod idem *Henricus* secutus est placitum in Curia Christianitatis, de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram. Et ideo vobis mandamus, quod cum Attornatos illos receperitis, nobis de nominibus eorundem Attornatorum, sub sigillo vestro, distincte & aperte constare faciatis. Remittentes nobis hoc Breve. Teste meipso apud *Bristol*, 28 die Decembrii, Anno regni nostri 13.

Rex, &c. Breve de Attornato faciendo in consimili placito, Petri Sturdis, coram Justic. de Banco, vers. Aliciam Atte-Bathurst. T. meipso apud *Wilton*. 6 die Octobris. An. r. n. 13.

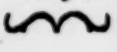
Page 344. l. 49. after *tercio decimo*, insert.] Amongst the neglected Records in the *White Tower*, I found these Letters Patents for a marriage agreed and sworn between Prince *Edward* the Kings sonne, and *Philip* daughter to the Earl of *Flanders*, and that he would never assent to any impeachment or Absolution thereof either by the King of *France*, or by any Pope or Popes for the advancement of their own usurped power, encreasing their Treasures, and ingratiating themselves with Kings, Princes, and other great persons, then ordinarily absolving Kings and great persons both from their Oaths, Marriage Contracts and agreements, by which they gained most of their Antichristian Sovereignty and Dominion.

Bundela Bre-  
vium, An. 13  
E 1. in Turri  
London.

Nous *Edward* par la Grace de Dieu Rois D'engleterre, Ducs Daquaint, & Sires Dirlaunde, Faisons savoir a tous ke jadis nous fimes a noble homme G. Conte de *Flandres*, & Marchis de *Navierre* covenentes de fere marriage enter *Edward* nostre chier fil. a *Philippe* fille au dit Conte per covenentes ke sunt contenues eus es Lettres ki four chou faites. Et pur chou ke haus Princes & Poiscans

## A Supplemental Appendix.

K. Edward 1.

Poiscans le Rois de *Franche* et ains et met impechement, et ke nous amous de- *An. 13 E. 1.*  
 firois et volens lalloicanche et laimer de eions et des nos au dit Conte, & as sieus.   
 Nous avons promis et promettons au dit Conte loialment & en bone foi par le  
 sacrement fait en nostre ame et en nostre noun, et per nostre commandement et  
 en nostre ptesence four les sains Ehangiles touchies corpozement, per procu-  
 reurs, ke nous pur che faire pur nous en nostre noun, meismes chet assavoir honou-  
 rable peres en Dieu *Walter* par le Grace de Dieu Eveske de *Duresme*, *W.* par le  
 mesme Grace Eveske de *Cestr.* e Monsieur *Hue le Despenser*; le Sacrement si come  
 le fait pur nous et en nostre noun greant and approvant, ke se li dis mariages va-  
 loit avant, ensi ke covenenchit est enter vo dit fil & *Philippe* devant nomee par  
 l'empachment deu Roi de *Franche* devantdit, ou per autre occasion quele ke elle  
 avenist, ou per le mort de le dit *Philippe*. Nous procurrons, purkacherons & fe-  
 rons ke mariages se fera enter nostre dit fil *Ysabell* fille au dit Conte de *Flandres*  
 a telles obligations & telles covenentes ki fait stater den mariage de nostre fil  
 & *Philippe* desufdis, & de che purkacherons nous en bone foi avoit le Conte de-  
 vavantdit, ou serons purkachier dispensation si mestiers en est, et tele ke in conne-  
 ra ne nepaecherons per nous ne per autrui, ne empaech. ne serons nene consen-  
 tirons absolution encontre ches cholez, ne autre empaechement d'Appostolle ne  
 d'autrui, et si empetrei fust ou donei nous neu userons mie ne nesoufaisons ke  
 ou en use. Et a tout che faire & aem perlr, Nous obligons tout le nostre e na-  
 stre heir *Moi Dengleterre*, et tout le sien entirement et renonchons quant a che  
 pur nous et par nos dit heir a toutes les choses entirement, par le queles nous  
 ou nous heires desufdis porriems venir entre cette covenenches soit en tout ou  
 encune partie. Et pur seureitie et tesmognage de ces choses avons nous ches  
 present Lettres fait saeler de nostre sael, ki faites furent, & donees l'an de Grace  
 Mil deus Cens quatre vine & sayre, le an, &c.

Page 352. l. 43. after *missis*, insert. ] A few years before the Bishops and Arch-  
 deacons of *Ireland* endeavoured by the power of the Bishop of *Bath* and *Wells*, then  
 L. Chancellor of *England*, to engrosse all suits against Executors in the Kings Courts  
 in *Ireland* into their own Ecclesiastical Courts, as being matter of Testament, not  
 belonging to the Kings Courts, and a breach of their Ecclesiastical privileges, as ap-  
 pears by complaint and petition of the Bishop and Archdeacon of *Fern* to this  
 Chancellor Anno 13 E. 1. (where it should have been inserted) against a Suit  
 brought against the Archdeacon as an Executor, in the Kings Exchequer in  
*Dublin*.

Venerabili Patri in Christo, & amico (si placet) charissimo, Domino R. Dei *Brevia Regis,*  
 gratia *Bathon. & Wellens* Episcopo, R. miseratione divina Ecclesie *Fernensis* *An. 13 E. 1.*  
 Minister humilis, salutem, & sinceræ dilectionis constantiam cum orationum sus-  
 fragiis. Cum vos libertatis Ecclesiasticæ columnam agnoscamus ceteris firmi-  
 ozem, vestram moneat Paternitatem, quod in partibus *Hiberniæ*, contra liberta-  
 tem Ecclesiasticam, insolenter et nobiter est suscitatum, quod pte paternitati be-  
 nix presenti pagina referimus dolentes; videlicet, Quod, cum *Nicholam*, Archi-  
 diaconus noster *Fernensis*. Executor Testamenti *Ada de Sancto Johanne*, de bonis e-  
 jusdem defuncti, tanquam Executor, sambudum disponderet et ministraret, ut di-  
 citur; quidam Miles *Willielmus Waspayl*, nomine Domini *Waterfordensis* Episcopi,  
 Justiciarii *Hiberniæ* specialis, de mandato ipsius Domini Justiciarii, et ejus pa-  
 trocinio specialiter confidens, et audaciam habens, quaterbiginti et sex libras ar-  
 genti ab eodem Archidiacono nostro exigit coram Baronibus de Scaccario Domi-  
 ni Regis *Dublin*. ipsum ibidem conveniendo per *Brede de Scaccario*, (cujus  
 transcriptum vobis mittimus presentibus interclusum) Qui, quamquam idem Ar-  
 chidiaconus per Attornatum suum coram eis allegasset, quod super hujusmodi re  
 Testamentar. ibidem non debuisset respondere, ac per nos instantè pettum esset,  
 quod causa illa ad nostrum remitteretur examen, in eadem causa processerunt;  
 compellendo ipsum Attornatum eidem *Willielmo* ibidem respondere de pecunia  
 prædicta; quam idem *Willielmus* dicit se soluisse *Reginaldo de Dene* per distractionem  
 Scaccarii prædicti; qui *Reginaldus de Dene* est in custodia dicti Justiciarii, & fili-  
 am sororis ejusdem Justiciarii duxit in uxorem. Et cum hujusmodi causa mere



An. 13 E. 1.

lit Testamentaria, et ad examen Ecclesiasticum de jure debeat pertinere, sicut vestra nobis discretio, et nos semper parati fuerimus, et sumus, de dicto Archidiacono nostro, dicto *Williti* et aliis de se querelantibus plenam justitiam exhibere, ad libertatis Ecclesiasticæ defensionem & conservationem, pro qua vos semper impendistis, summo (si placet) studio remedium in præmissis providere dignemini. Prædicta vero causa inter ipsam Militem & dictum Archidiaconum, prout didicimus, in foro Ecclesiastico, coram Domino *Lechlin*, Episcopo, in cuius Diocesi idem *Williti* dicit ipsum Archidiaconum de bonis dicti defuncti administrasse, extitit alias usque ad sententiæ diffinitivæ calculum ventilata, donec dicto Episcopo defuncto, per ipsum *Williti* negligentiam conquiebit. Unde intuitu Dei et Ecclesiæ, taliter in præmissis operari et providere vestra discretio dignetur, ut Ecclesiastica libertas illæsa custodiatur. Valeat pia Paternitas vestra semper in Domino. Dat. feria secunda in Septiman. Pentecost. Anno gratiæ, 1285.

Supplicat vobis (Domine Cancellarie) *Nicholaus* Archidiaconus *Fernens*. (qui vetus est, & gravi infirmitate detentus) remedium sibi fieri de quibusdam injuriis, libertati Ecclesiasticæ et sibi factis; quod, cum quondam extitit Executor Testamenti *Adæ de Sancto Johanne* defuncti, & bona ejusdem defuncti vice Executoris fideliter disposuit & ministravit, & de Bonis & Catallis dictum Testamentum tangentibus finalem Computum reddidit coram suo Diocesano; super hoc venit Dominus *Willielmus Waspall* Miles, ob favorem Justiciarii *Hibernia*, et implorat ipsum coram Baronibus de *Scaccario Dublin*, contra Legem et Justitiam, de quaterviginti & sex libris Argenti, per quoddam Breve de viridi Cera, (quod dicitur *Venire fac.*) eo quod extitit Executor prædicti defuncti, desicut hujusmodi placita Testamentum tangentiæ, coram eisdem de jure non debent placitari; nec idem *Willielmus* Baro de *Scaccario*, nec *Pinister* Domini Regis est. Et nichilominus ipsum coharcant ad respondendum coram ipsis de debito prædicto. Quare petit, caritatis intuitu, remedium sibi fieri.

The Chancellor writing to the Abbot and Covent of St. Thomas the Martyr by Dublin for a Corody for *Almeric de Denesford*, received this Negative Answer from them for the reasons therein mentioned.

Bundela  
Literarum &  
Petitionum  
An. 13 E. 1.  
in Turri London.

Venerabili in Christo Patri R. permissione divina *Bathon*, & *Wellensi* Episcopo, Cancellario Domini Regis in *Anglia*, sui ubique humiles & devoti Abbas & Conventus Domus S. *Thoma Martyris* juxta *Dublin*, salutem, cum omni reverentia, obsequio & honore. Literas vestras recepimus, quarum tenor talis est. *Viris Religiosis, & amicis suis in Domino karissimis, Abbati & Conventui Sancti Thomæ Dublin*, R. permissione divina *Bathoniensis & Wellensis Episcopus*, salutem, & mutuum in Domino charitatem. Licet precibus Regis preces accumulare non perpendimus nos deprecari, nihilominus tamen pro *Almerico de Denesford* (de quo littera dicti Domini Regis deprecatoria transmittuntur) amicitiam vestram requirimus & rogamus, quatinus rogatum illum eo libentius, quod pro ipso interestimus, expleatis, pro quo vobis ad grates specialiter tenemur: Bene & diu valeat, &c. Dat. apud *Abercon*, primo die Septembris. Noverit sancta Paternitas vestra, quod velle & beneplacitum vestrum in omnibus & per omnia pro viribus intendimus adimplere, sed tamen supplicamus, quod non offendant Clementiam vestram, si preces vestras adhuc effectui non mancavimus; pro eo, quod ad preces Regias & vestras suscepimus quendam *Cetum*, una cum Duce suo jam sex annis elapsis, quorum intuitu sumus affecti ad invenieadum eisdem necessaria in victu & vestitu omnibus diebus vite sue: Et credimus pro certo, quod si Dominus Rex & vos illud sciretis eo tempore quo dictæ preces a Curia Regia emanarunt, domum nostram de aliis recipiendis non oneraretis, & maxime, cum ille qui nobis preces porrexerit pro dicto *Almerico*, teneatur eidem, equitate suadente, in necessariis providere, quia habet terras & tenementa ejusdem, ex quibus poterat honestè sustentari. Quare pia Paternitati vestræ precibus humilibus duximus supplicand. quatinus caritatis intuitu & sanctæ Religionis optentu, hiis consideratis, de receptione & admissione ejusdem, domum nostram ad præsens nullatenus gravare dignemini: considerantes, si placet, quod domus nostra à Progenitoribus Domini Regis sit fundata,

## A Supplemental Appendix:

K. Edward 1.

data, pluribus ex causis diversimodè onerata & gravata, & in pluribus locis (ejusdem possessionibus) per incursum malignorum enormiter destructa, præterea non lateat Sanctam Paternitatem vestram, quod nos ad preces Regias solvimus annuatim tres Marcas Argenti Domino *Richardo de Northampton* Clerico ejusdem, viginti annis elapsis & amplius, et adhuc solvimus eidem, licet fuerit ad Episcopatum *Fernens.* probectus, quod nobis videtur aliquantulum tediosum; à qua pecunie solutione de cætero sibi facienda, si ordo juris postulaverit, & vestræ clementiæ placuerit, desideramus relevari. Valeat Sancta Paternitas benè & diu in Domino.

The Abbot of the *Præmonstratenses* writ this Letter to the King concerning his to them for the reformation of the Church of *Tarlisha*.

**S**erenissimo ac Magnifico Domino *Edwardo* Dei gratia *Anglorum* Regi Illustri, *G.* Dei patientia *Præmonstrat.* Abbas, et Abbatum ejusdem Ordinis Capitulum Generale, illam quam Rex omnium Regum Dominus Regibus dat salutem. Serenitati vestræ gratias quantascunque possumus referimus, super eo, quod tantam piz religionis Zelator, statum Ecclesiæ de *Tarlisha* miserabilem & exilem à malicia inhabitantium in ea multis insolentis deformatam, & in falsuginem sterilitatis conversam, petistis tam sollicitè reformari; Significantes vobis, quod nos, de communi Consilio & assensu, ad regimen & reformationem operis, venerabilem virum fratrem *Simonem* quondam Abbatem Sancti *Quiritii* in *Anlea*, de *Angliæ* partibus oriundum, vestramque habentem gratiam (ut dicitur) destinamus: Vobis humilitate, quā possumus, supplicantes, quatenus eidem fratri ad relevationem & reformationem ipsius Ecclesiæ manum porrigere dignemini adjutricem, aliasque ordinis nostri Ecclesias, in nostro consistentes districtu & specialiter *Bellofanum* amplecti dignemini aliqua specialitate favoris, Ordinis orationum respectu. Datum *Præmonstraten.* in Capitulo Signali, Anno Domini 1284.

Ex Bundela  
B evium &  
I itatum  
An. 12 E. 1.  
In I utri Lon-  
don.

The Freers Preachers at *Cadami* intending to meet in a general Chapter there, to advise of the repairing their Monastery, and redresse of their grievances, writ and sent this gratulatory Epistle to King *Edward* the 1 as their Sovereign Lord, singular Patron and benefactor, imploring his aid, bounty, assistance herein, assuring him of their constant prayers to God for him and his.

**E**xcellentissimo Principi ac Domino Illustrissimo Regi *Angl. & Duci Aquitan.* frater *Nicholaus* Fratrum Prædicatorum ordinis in loco *Cadamo* servus, totusque ejusdem loci Conventus humilis, salutem, & ex meritis terreni regiminis æterni regni gloriam promereri. Quia naturæ et rationis conditor prohibet ab æterno per gradus sibi congruos sua sapientia ordinabit, et juxta conditionem naturæ cunctis omnibus sic prohibet, quod tam in celestibus quam terrenis gradus inferior a superiore regimen continuum recipit et insurum, quare de plebe sua ordinans Nos ad vestri meriti et præmit cumulum sub sua constituit potestate, et super maximam partem suæ familiæ, quam ad vestri salutem et honorem adaugeat, Regem et Principem sublimabit, bonis naturalibus et gratuitis sic dotabit, quod instinctu rationis propriæ omnibus vobis subditis secundum quod cuique convenit prohibetis: quod attendentes nos in loco vestro positi multis gravati oneribus & diversis circumdati angustiis & oppressi, utpote qui ad recipiendum provinciale Capitulum, quod debet in Conventu nostro et vestro in instanti festo beati *Dominici* celebrari; nec ad recipiendum habeamus Dormitorium, quia pro majori parte jam corruit & funditus est eversum, & de vitæ necessariis prædicto Capitulo providere non possumus adhuc consilium invenire, pro eo quod Barones terræ et Nobiles a quibus sperabamus prædictum Capitulum procurari, sublevari et honorari, sunt et erunt, ut credimus, in illustri Regis *Francia* negotiis occupati. Ex hiis & pluribus aliis quæ enarrare per singula esset longum, animo anxii & perplexi vestræ Regiæ Majestati in qua nobis singulare refugium est credimus et speramus, tanquam ad vicum prudentiæ, patrem et Principem clementiæ necessitates nostras istis præsentibus duximus exponendas, super earum sublevatione humiliter

In eadem  
Bundela. An.  
13 E. 1. in  
Turri London.



An. 13 E. 1. humiliter preces effundere supplicando, quatinus tam pro reparatione dictæ Domus, quam pro honore dicti Capituli subportando iterato nobis pietatis intuitu vestra nobis dignetur nobilitas similiter cum clementia subvenire. Nobilis etiam Domina Johanna neptis vestra, & quondam Comitissa nostra, suæ largitatis manum aperiens annuatim nobis ad sublevationem victus & vestitus, suam elemosinam faciebat, sicut dilecti in Christo nobis fratres scilicet *Bertrandus*, *Cornelius*, & *Rysius*, quos ad vos misimus vobis exprimere poterunt viva voce, pro qua etiam per vos facienda prout corde & corpore supplicamus. Ita ut ille qui manum & cor hominis intuetur, ex hiis & aliis bonis quæ per vos Dominus fieri dederit, vobis in præsentem vitam cum salute augeat merita multiplicet, regnum amplifcet, corroboret & confirmet, & æternæ mercedis præmium & gloriam vobis tribuat in futuro. Valeat in vobis Dominus *Iesus Christus*, qui conservet vos ad sui nominis gloriam & honorem, si nobis vestra nobilitas reverenda aliquid præcipere dignaretur, incontinenti parati essemus exequi & humiliter cum gaudio obedire. Dat. *Condomi* Dominica prima post Octabas *Pasche*, Anno 1285.

Moreover the Abbot and general Chapter of the *Cistercian* Abbots, writ this gratulatory Letter to King *Edward*, for all the favours received from him and his ancestors, especially for the impropriation of the Church of *Scardesburg*, conferred on them by their Charters for maintaining their general Chapter; complaining, that since the *Freers* Minors and Preachers entred into *Scardesburg* against their Charters, they did not receive above the third part of the profits they did before, desiring the King by his secular power to remove them thence, (so much did these *Freers* envy and undermine each other) and to renew their Charters; to effect which they certified him what Prayers and Masses their Chapter and Order did continually make to God for him, his Queen, Children, Realm.

In eadem  
Bundela, An.  
13 E. 1.

Excellentissimo Domino *Edwardo* divina magnificentia illustri Regi *Anglorum*, Frater *Johannes* dictus Abbas *Cistercii*, totusque Conventus Abbatum Capituli generalis, potentiam invincibilem, & quicquid potest apud Deum humilis & assidua deprecatio peccatorum. Sicut Regalis clementiæ Celitudinem generosam in nullo diminuit sed commendat, cum se ad ima pauperum per piorum beneficiorum inclinat affluentiam liberalem, sic & ipsi pauperes præsumptuosi vel temerarii jure censeri non possunt, si sublimioribus scribendo principibus quos inter suos benefactores præcipuos recognoscunt, ad debitas & devotas gratiarum actiones assurgunt, ut juxta sapientiam *Salamonis* ad loca unde exeunt beneficiorum flumina dignis regratiationibus revertantur. Cum igitur ex proventibus Ecclesiæ de *Scardesburg*, quam de advocatione vestra, & ex dono progenitorum vestrorum in proprios usus canonice possidemus, nostrum generale Capitulum quolibet anno consueverit sustentari per triduum nunc sustentetur in parte. Et ferè omnino sustentaretur, si proventus dictæ Ecclesiæ liberè & integrè possemus percipere, sicut in retroactis temporibus solebamus. Ingrati possemus merito judicari si nostrum generale Capitulum sine vestri memoria (quod nunquam factum extitit) pertransiret, unde nos ingratitudinis vicium præventes, super hiis & aliis gratiis & beneficiis à magnificentia vestra nostro ordini collatis, ad gratiarum actiones Excellentie vestre dignum duximus assurgendum. Exorantes suppliciter Regem Regum, in ejus manu sunt omnium Regum corda, ut personam vestram, et amicos vestros, et regnum vestrum in honore et bona pace stabiliat et confirmet, et actus vestros dirigat in suæ beneplacito voluntatis. Et quia super perceptione proventuum præfatæ Ecclesiæ per ingressus *predicatorum* et *apriorum* in Villa de *Scardesburg*, contra tenorem Chartarum prædecessorum vestrorum, et Apostolicas inhibitiones quamplurimum perturbamur; in tantum quod nobis solebamus percipere tributanam procuracionem nostri Capituli generalis, hic processu temporis sicut experimento cottolano discimus per unum diem dictum generale Capitulum poterit sustentari, ad vos tanquam ad patronum habemus recurrere: Excellentiam vestram humiliter exorantes, ut factum prædecessorum vestrorum sicut vestre. interest prosequentes, quod contra Chartas et Prohibitiones Regias factum est faciatis per potestatem Regiam annullari, et donationem præfatæ Ecclesiæ a vestris progenitiis nobis factam dignemini per Chartas Regias confirmare.

## A Supplemental Appendix.

K. Edward 1.

**Struere.** Insuper cum per statutum vestrum, ne Religiosi propria feoda seu aliena *An. 13 & 14*  
ingrediantur, adeo sit deteriorata nostra conditio, quod terras quæ sunt de dote *Edw. 1.*  
& feodo Ecclesiæ supradictæ, alieni cum ipsas vendi contingit quam pluries nobis  
invisis occupant; nos verò contra iustitiam intrare proprium feodum prohibe-  
mur, strenuitatem vestram humiliter deprecamur, quatinus mandare dignemini  
Ballivis vestris de *Scardesburg*, quod non obstante præfato statuto *permittant nos*  
intrare terras quæ sunt de feodo Ecclesiæ supradictæ. De Comite vero de *Warinna*  
qui per octo annos & amplius spoliavit nos decem marchis qui nobis debentur an-  
nuatim in nundinis *Stanford*, pluries strenuitati vestræ scripsimus, & vos ei super  
hoc vestras direxistis literas, & nos nostras, ipse verò semper Monachis nostris  
assignat terminos, sed nil solvit, unde si placet remedium congruum per potesta-  
tem Regiam super hoc apponatis. Nos vero licet universitas ordinis in o-  
rationibus suis cotidie vestri memoriam faciat, tamen pro persona vestra, prope ve-  
stra, ac liberis vestris, et pro tranquillitate regni vestri in nostro generali Capi-  
tulo orationes insynximus speciales, videlicet tres Missas, unam de Spiritu  
Sancto, aliam de beata Virgine, et aliam de Sancta Cruce celebrandas a singu-  
lis Sacerdotibus ordinis universi. Vigeat vestra dominatio per tempora lon-  
giora. Dat. apud *Cistercium* die festo Exaltationis Sanctæ Crucis tempore Capi-  
tuli generalis.

**E**xcellentissimo Domino & in Christo sibi specialiter honorando Domino E. *Ibidem:*  
Dei gratia *Anglorum* Regi, Frater *Thomas* dictus Abbas *Cistercii*, salutem  
& quicquid potest apud Deum, &c. ut supra, usque ipsi revertantur; & tunc sic,  
Hinc est, quod cum nos latorem præsentium fratrem R. Monachum Domus nostræ  
ad vestram præsentiam pro negotio Ecclesiæ nostræ de *Scardesburg* destinemus,  
vestram Majestatem quam à vestris progenitoribus, qui nostri præcipui benefactores  
fuerunt, in nullo bono scimus esse degenerem devotissime salutamus: Ad vestrum  
commodum & honorem quicquid sumus & possumus humiliter præsentantes.  
Rogantes affectuosius vestram Regiam Majestatem, quatinus prædicto Monacho  
nostro sublimitatem vestram benignitate solita velitis in dicto negotio favorem  
exhibere. Bene & feliciter valeat vestra Regia Celsitudo.

Page 367. l. 33. after *Mais*, adde. ] In the Bundle of Writs in the *White Tow-* *An. 14 E. 1.*  
*er*, *An. 14 E. 1.* these Prohibitions for *Suits* in Courts Christian come to my  
view.

Edwardus, &c. Petro de Rotheresfeld; *Dedimus vobis potestatem recipiendi*  
*Attornat.* Agnetis Bakun, &c. in loquela qua est coram *Iustis*, nostris de Banco per  
Breve nostrum, inter prædict. Agnetam & Magistr. Johannem de Crancumbe &  
Mauricium Sampson, de eo, quod idem Johannes tenuit placitum in Curia Christi-  
anitaris de catallis et debitis quæ non sunt, &c. Et de eo, quod idem Mauricius secutus  
est idem plac. in eadem Curia contr. Prohibuit. nostram. T. meipso apud Westm.  
10 die Febr. *An. r. n. 14.* Consimile Breve pro Rogero de Blane, and two more,  
vers. Rogerum Thurstanton, & Rogerum & Magistr. Willielmum de Eschaby &  
Rogerum Vic. Ecclesiæ de Sherewyne, quare tenuerunt plac. in Curia Christi-  
anitaris de catallis, &c. and 4. others, quare secuti sunt, &c. T. Edmundo Com. Cor-  
nub. &c. apud Westm. 12 die Octobr. *An. r. n. 13.* Ibidem. Edwardus, &c. Vic.  
Stafford, &c. Pont. &c. Willielmo de Sancto Edrulpho, quod sit coram *Iustis*, no-  
stris, &c. ostensurus quare cum placita de catallis et debitis quæ non sunt de Ae-  
stamento vel Patrimonio, ad Nos et ad Coronam et dignitatem nostram, et non  
ad alium pertineant in regno nostro, &c. ipse secutus est plac. in Curia Christi-  
anitaris de catallis et debitis Abbatis de *Salop.* quæ non sunt de, &c. in lationem coro-  
næ et dignitatis nostræ, et contra prohibitionem nostram. T. Edm. Com. Cornubiz,  
&c. apud Westm. 28 die Julii, *An. r. n. 14.* Consimile Breve *Iustis*, Itinerantibus  
in Com. Norff. by Adam de Mustroy, et Hamo et Jocus filijus, et Balbinus de Mere-  
ford, vers. Magistr. Johannem de Walmote et Willielmum Vicar. Ecclesiæ de Hun-  
stanton, coram *Iustis*, nostris de Banco, quod idem Johannes et Willielmus traxerunt  
ipso in placitum in Curia Christianitaris de catallis, &c. quæ non sunt, &c. quæ  
cepit dilationem, &c. Vobis mandamus, quod ad loquelam illam audiend. & terminand.  
cum celeritate quascunq. legem & consuetudinem regni nostri poteritis, procedatis.

Tesse

*Bundela Bre-*  
*vium in Turri*  
*London, Au-*  
*14 E. 1.*



An. 14 E. 1. Teste Edmundo Com. Cornub. Consanguineo nostro apud Westmonaster. Anno regni nostri 14.

In the same Bundle, I finde a Writ de Cautione admittenda directed Vic. Devon. and an *Alias Vic. Kanc. ex parte Willielmi Bloyour et Walteri de Lyn*, excommunicated by John Archbishop of Canterbury, who refused to absolve them, *licet frequenter obtulerunt idoneam cautionem de parendo mandatis Ecclesia in forma juris*; commanding him to repair to the Archbishop and induce him to absolve them, and to return his answer, *distinctè et apertè nobis sine dilutione*, ut quod nostrum est in hac parte ulterius exequi faciamus. Teste E. Com. Cornub. &c. 7 die Octobris, Anno regni nostri 14.

Page 353. l. 14. after *Septembris*, insert. ] In a Bundle of Writs this year from the King to the Earl of Cornwall his Lieutenant, I found this Writ enabling the Earl to receive the Fealty of the Bishop of Ely, and restore his Temporalties, out of his special favour to him.

Bundela  
Brevium &  
Literarum de  
Annis 14, &c  
E. 1. in Turri  
London.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernie, & Dux Aquitania, dilecto Consanguineo & fideli suo Edmundo Comiti Cornub. tenenti locum suum in Anglia, salutem. Cum electioni nuper facta in Ecclesia Cathedrali Elyen. de dilecto Clerico nostro Johanne de Kyrkeby in Episcopum ejusdem loci Regium assensum addiduerimus et favorem; Volentes eidem pro diutino & laudabili servicio quod nobis impendit & impendet in futurum uberiores gratias impartiri; Vobis mandamus, quod cum electionem illam a Venerabili patre Cantuariensi Archiepiscopo confirmari contigerit, fidelitatem ejusdem Electi nostro nomine recipiatis, et temporalia Episcopatus ejusdem, prout moris est, post fidelitatem captam sibi restituatis. Teste meipso apud Morett in Brye, nono die Aug. Anno regni nostri quarto decimo.

Dorso. Expeditum est.

The like Writ I finde for the restitution of the Temporalties to the Abbot elect of Ramsey after his election confirmed, with a special provision that he should receive Letters Patents both from the Covent and Abbot elect, That this his extraordinary special grace should not turn to the prejudice of him or his Successors in time to come.

Ibidem.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernie, & Dux Aquitania, dilecto Consanguineo & fideli suo Edmundo Comiti Cornubie locum suum tenenti in Angl. salutem. Cum nos electioni nuper facta in Ecclesia de Ramsey de fratre Johanne de Sautre Monacho dicta domus in Abbatem loci ejusdem Regium adhibentes assensum & favorem, significaverimus venerabili in Christo Patri O. Lincolnien. Episcopo, ut quod suum est in hac parte exequatur; Nos uberiores gratias predicto Electo, quatenus sine Regia dignitatis prejudicio fieri poterit, facere volentes, Vobis mandamus, quod si dictam electionem de eo confirmari contigerit, tunc receptis literis patentibus predicti Episcopi de electione illa confirmata vice nostra, et accepto ab eodem Electo Sacramento fidelitatis nobis debita, nostro nomine, prout moris est in regno nostro, eidem Clerico temporalia Domus suae (salvis nobis exitibus seu sine temporalium eorundem) restituatis. Proviso tamen, quod literas patentes Capituli Ecclesie de Ramsey habeatis, quod preterit istius gratie nichil juris vendicare possit in posterum ad consimilem gratiam vacante Ecclesia sua optinendam, per quod nobis vel hered. nostris futuris temporibus prejudicium valeat generari, et quod dictus Electus similiter per literas suas patentes profiteatur, se gratiam hujusmodi ex nostra liberalitate recepisse. In cujus rei testimonium has literas nostras fieri fecimus Patentes. Teste meipso apud Paris. 6 die Julii, Anno regni nostri quartodecimo.

Dorso. Expeditum est. Dicta litera patentes resident in Cancellaria.

\* Most of the  
Popes, Prelates,  
Clergies  
Usurpations  
on the Crown  
arising from  
our Kings  
special Indul-  
gences, & new  
favours, which  
were drawn  
by them in-  
to president  
when once  
granted or  
connived at.

\* Daniz, l. 7. This year as \* *Albertus Krantzips* informs us, *Erius* King of Denmark, cum  
c. 24. p. 167. nihil foris hostile experiretur. suorum impetum evitare non potuit: Nam domestici  
ejus (incertum quibus ex causis) conspirantes in eum hostiliter confoderunt, & cum jam  
decesset quod foris cum laude peragerent, versi in caput suum, Regem, pro quo mori omnes  
oportebat, ipsi ad mortem provexerunt: King Edward being informed of this detestable

## A Supplemental Appendix.

K. Edward 1.

ble fact, which concerned him and all Christian Princes to revenge, issued this *An. 14 E. 1.*  
Writ to the Earl of Cornwall to permit all Souldiers and other his subjects to assist  
the Earl of Salisbury Ambassador from the King of Norway, to bring these mur-  
derers to Justice.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernie, & Dux Aquitania, di- *Bundela Lte.*  
lecto Consanguineo & fideli suo Edmundo Comiti Cornubie, Regni Angl. Cu- *rum, &c. in*  
rodi salutem. Alias nostris temporibus inauditi in Regem quondam Dacie egre- *Turri London*  
gii Principis, affinis et amici nostri karissimi E. Regis Norwegie avam, per germanos *An. 14 E. 1.*  
ipsum Regis Dacie sceleris perpetrati flagitium nobis per ipsum Regis Norwegie li-  
teras et Nuncium intimatum, cordi nostro horrorem incussit; Nam juxta illud,

*Felix quem faciunt aliena pericula cautum. Et illud,  
Nam tua res agitur paries dum proximus ardet.*

Detestabilitas hujusmodi facinoris est omnibus Principibus et Nobilibus in exem-  
plum, et omnes debent assurgere ad vindictam. Et ideo vobis mandamus, quod  
omnibus illis de regno nostro Episcopis et aliis qui cum nobili viro Olivero de  
Monte Spine Comite Sarisburgh ipsius Regis Norwegie Runcio, in eisdem Regis  
subsidium ire voluerint, prebeaturs vice nostra licentiam et liberum commearum.  
Teste meiso apud Paris. 22 die Junii, Anno regni nostri quartodecimo.

*Dorso.* Expeditum est. Licentiam habuerunt juxta istud mandatum ad  
eorum periculum.

The King likewise sent this Letter under his Privy Seal to his Lieutenant of  
England in favour of the Abbot of Westminster, which Church he fostered and pro-  
tected with extraordinary fervor, for the reasons therein expressed.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernie, & Dux Aquitania, di- *Ibidem.*  
lecto & fideli suo Edmundo Comiti Cornub. Consanguineo nostro karissimo  
salutem. Utet loca religiosissima singula regni nostri sobere, diligere ac protegere  
teneantur, ex prerogativa tamen preeminencie specialis Abbacie Westm. in qua  
beati Edwardi Confessoris veneranda reliqua reconduntur, et genitoris nostri ac  
liberorum nostrorum corpora sunt humata, et quæ omnium Capellarum nostra-  
rum est domina et magistra, piois dilectionis affectibus amplexamur. Ea pro-  
pter fratrem Walterum de Wenlok Abbatem loci predicti & ipsam Abbaciam similiter  
vobis recommendamus, ex corde, volentes quod Abbati vel Abbacie predictis nul-  
lam permittatis inferri molestiam vel gravamen. Et si aliquos reperire poteritis  
eis in aliquo nocere volentes, ipsos et ipsorum conatus viriliter compescatis, quo-  
ciens per ipsum Abbatem, vel aliquos seu aliquem de Abbacia preacta fueritis re-  
quisiti. Teste meiso apud Paris. 28 die Julii, anno regni nostri quarto-  
decimo.

The Clergy of the Province of Torke and Bishoprick of Durham upon the Kings  
request to them, to assist him with an ayde of monies to carry on his last warr a-  
gainst the Welsh, which they then promised, but soon after failed to perform; when  
as those of the Province of Canterbury who were more backward then they to pro-  
mise, had really given him an ayde; the King thereupon sent this Letter to the  
new Archbishop to induce his Clergy to make good their promise.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernie, & Dux Aquitania, Ve- *Ibidem.*  
nerabili in Christo Patri, J. Dei gratia Eborum Archiepiscopo, Anglia Pri-  
mari salutem. Adhuc credimus memoriter vos tenere, quod nos nuper in ultima  
expeditione nostra Wallie totius regni nostri negocia prosequentes, venerabilem  
Patrem Cantuariensem Archiepiscopum & Suffraganeos & Clerum totius Provin-  
cie sue per nostros nuncios speciales, necnon bonæ memoriæ Eborum Archiepisco-  
pum predecessorem vestrum, & Episcopos Dunelmensem & Carlisensem, & ve-  
strum & ipsorum Clerum per venerabilem patrem Anton. nunc Episcopum, tunc  
Archidiaconum Dunelmensem duximus requirendos, ut cum ad tantarum onera  
expensarum quantæ requirebat negotium antedictum nostre non sufficerent satul-  
tates,



An. 14 E. 1. tates, ipsi quoque sicut ceterorum regni nostri negocium agebamus, nobis ad supportandum eadem onera liberaliter subvenirent. Et licet vestre Civitatis et Dioc. et Provincie Clerus promississent habundanter quod petivimus se facturos, ipsi tamen hoc facere postmodum non curarunt; unde contigit, quod Clerus Cantuar. Provincie, qui in promissione inventus fuerat valde durus, in reddendo promissum extitit liberalis, et Clerus vester qui votis nostris verbaliter annuit prima vice, quod promiserat postmodum implere noluit ullo modo. Quocirca vos rogamus, quatinus habito colloquio cum Clero vestro, eundem ad solvendum nobis quod gratis promissit, cum nos id compleverimus pro quo promissio facta fuit, modis quibus expedire videritis inducat; sicut enim donum a principio gratuitum fore dinoscitur, sic inducit ingratitude facta promissio non servata. Teste meipso apud Semoys 8 die Augusti, anno regni nostri quarto decimo.

Dorso. Episcopo Dunelm. & Archidiacono Ricem. scribitur, quod cum Rex de promissione sibi facta per Clerum Civitatis et Provincie Eborum ipsis procurantibus nullum hucusque commodum reportavit, quod ipsi faciant quod illud quod promissum extitit impleatur.

The Monastery of the Vale of St. Mary in Snowdon in Wales being burnt with fire, the Bishop of Bangor made this Certificate of its antiquity, Charters of endowments by Welsh Princes confirmed by Popes Bulls, and former hospitality, and granted 40 dayes indulgence of the penance enjoyned to all who should contribute towards the rebuilding thereof.

Ex Bundela  
Brevium &  
Litterarum,  
An. 14 E. 1. in  
Turri Lon-  
don.

Universis Christi fidelibus has literas visuris vel auditoris, Aمانس permissione divina Bangoren. Ecclesie Minister humilis, salutem æternam in Domino. Noveritis nos vidisse Cartas varias diversorum Principum Priori & Conventui de Valle beate Marie de Snaundonia; videlicet Chartam Lewelini magni super totam terram Kyndewwic. de Rennant; & Chartam Lewelini filii Grifini super omnes terras filiorum Ithael de Penard; & Chartam Lewelini filii Grifini super totam terram hominum de Trehan apud Kenybrind & Lechitaur; & Chartam Domini Oweni super totam villam quæ vocatur Tref Tbyrd apud Kynd Meney; & Chartam Domini Lewelini filii Grifini super totam terram illam & locum de Beckelert; & Chartam Domini David super totam terram Tegwaret sub Guerr de Pennant; & Chartam Domini David super totam terram quam habuerit Jorberd Vab yrefeynt & Frerant apud Epcunant. Et super dictis terris vidimus Litteras Papales confirmatorias Bullatas non cancellatas, non abollitas, nec in aliqua parte viciatas. Ad hæc sciant universi, quod dicta domus beate Marie, senior domus religiosa est de tota Wallia, excepta Insula Sanctorum Bardigya, & melioris hospitalitatis & communioris indigentibus & transeuntibus Anglicis & Walensibus de Anglia & Westwallia transeuntibus ad Norwalliam, & de Thernia & Norwallia euntibus ad Angliam. Sed in damnum non modicum & defectum communem omnium, dicta domus incendio casuali penitus destructa, licet hospitalitatis tempore maximam pateretur ruinam, per tamen Regem pium Catholicum liberalem, Dei gratia Dominum Edwardum ad plenum fuisset restaurata. Et quia pium est oppressis & afflictis subvenire; Nos de Dei Misericordia, et de intercessione ejusdem Genetricis, et omnium sanctorum suffragiis confidentes, omnibus benefactoribus dicte domus undique subvenientibus, qui de bonis a Deo collatis pias elemosynas vel fabozes contulerunt, 40 dies de injuncta sibi poenitentia misericorditer relaxamus, dum sint vere contriti et confessi. In cujus, &c. Dar. apud Matsyllan in Octabis Annunciationis beate Marie, Anno Domini 1286.

Page 360. l. 10. after *Maii*, insert. ] The King having occasion to borrow 6000*l.* sterling more, of the monies raised in England for the use of the Holy Land from the Popes Nuncio, who put it into some Italian Merchants hands, who gave bond to pay it to the Nuncio within one moneth after demand, thereupon the King gave them this Countersecurity for their indemnity.

Ibidem.

Edwardus Dei gratia, &c. Omnibus ad quos, &c. salutem. Sciatis, quod cum vir discretus Magister Geffridus de Vexano Canonicus Cameracen. Cameræ Domini

## A Supplemental Appendix.

K. Edward 1.

Domini Papæ Clericus, & ejusdem in Anglia Nuncius, ac Decimæ in subsidium *An. 14 E 1*  
*Terra Sancta* concessæ Collector in regno Angliæ a sede Apostolica deputatus, sex  
 Millia librarum Sterlingorum de pecunia ejusdem Decimæ in regno nostro collec-  
 tæ, penes Garuncinum Gualteri, Richardum Gaudicion, & socios suos Cives & Mer-  
 catores Lucanen, de societate Ricardorum deposuerit; solvenda eidem vel ejus man-  
 dato, et absque difficultate aliqua liberanda per Mercatores eisdem, infra mensem a  
 tempore quo super hoc fuerint requisiti: Nos pro Mercatoribus ipsis manucapimus  
 quod eandem pecuniam dicto Magistro Giffredo vel suo certo mandato, sicut inter  
 ipsos convenit, bona fide persolvent: Nosque promittimus, quod in defectum eo-  
 rum ad solutionem totius pecuniæ ejusdem teneri volumus; et ad hoc nos et bona  
 nostra tenore præsentium obligamus. In cujus, &c. Teste meipso apud Somer-  
 seton 16 die Septembris, anno regni nostri 14.

Page 361. l. 55. after Aprilis, adde.] In a Bundle of Writs, Recognisances  
 and Letters in the *White Tower*, anno 14 E 1. I found the like Obligation of the  
 Abbot and Covent of *Walsham*, made to the Popes Nuncio and Collector of the  
 Disme given to the *Holy Land*, for 300 marks of good new sterling money depo-  
 sited in their hands for the use of the Church of *Rome*, which they obliged and se-  
 cured to pay in the same words and form, as the Abbot and Covent of *St. Ed-  
 munds* were obliged; with the Kings warranty to them to see it satisfied, if not  
 payd to him at the day: *Teste Rege apud Westm. 25 die Aprilis.* the King by the  
 Popes order and their assents receiving the monyes from them for his own use, they  
 being only his Sureties for the repayment thereof to the Church of *Rome*. *In eadem  
 Bundela, An.  
 14 E. 1. in  
 Turri Lond.*

The Bishop of *Herefords* Official by the Custom of the Country taking off the  
 Seals from all private persons Wills proved before him, as unknown to many, and  
 setting his Officials Seal to them; the Citizens, Governours, and Gardian of *London*  
 refusing to allow a Will so proved before them for an house in *London*, because  
 the Testators seal was not to it, the Bishop writ thus to the Chancellor to relieve  
 the Legatee in this case by the Kings Writ to them.

Everendo in Christo Patri, Domino R. Dei gratia *Bathon, & Wellen.* Episco- *Ex Bundela  
 po, Richardus* eadem permissione *Herefordensis* Ecclesiæ Minister, salutem &  
 fraternam in Domino charitatem. Pater, quia consuetudo approbata in nostra  
 Diocesi hoc habet, quod Testamentis singulorum privatorum coram Officiali  
 nostro probatis, quia sigilla eorum pluribus existunt incognita, idem Officialis  
 noster demptis sigillis eorundem, sigillum Officialis *Herefordensis* talibus Testa-  
 mentis apponit in testimonium veritatis. Et quia hujusmodi consuetudo in Te-  
 stamento *Johannis de Hispania* in nostra Diocesi decedentis, qui in Civitate *Lon-  
 don.* domos quasdam habuit, quas Magistro *Henrico de Reygate* in Testamento suo  
 reliquit, observata extiterat, Cives, Potestates, et Custos *London*, dictum Testa-  
 mentum seu Legatum, ut intelleximus, impediunt et perturbant, quia sigillum  
 Testatoris appensum dicto Testamento nullatenus inbenerunt, cum tamen si-  
 gillum Officialitatis nostræ fuerat hiis appensum. Quocirca paternitatem ve-  
 stram affectuosè requirimus & rogamus, quatinus dicto Legatario per breve Do-  
 mini nostri Regis, Custodi & Potestatibus *London*, transmittendo, velletis favora-  
 biliter subvenire, ut sua consuetudine non obstante, dum tamen veritas volunta-  
 tis Testatoris eisdem appareat, in præmissis non impediant ultimam defuncti  
 voluntatem. Conserve, &c. Dat. apud *Kensyngton* die Sancti *Marci* Evange-  
 listæ, Anno Domini 1286. *Ex Bundela  
 licitarum &  
 petitionum  
 Cancellario  
 Angl. An. 14  
 E. 1. in Turri  
 London.*

Upon complaint of the Bishop of *Norwich*, that *Richard de Boyland* by colour  
 of the Kings Commission had done some unjust things against his Clerks, the King  
 referred the examination thereof to his Lieutenant, commanding him personally  
 to repair to the parts of *Norfolke*, and hear and examine all parties concerned, and  
 to order *Boyland* to act nothing but with advise of his fellow Justices.

*Edwardus* Dei gratia Rex Angliæ, Dominus *Hibernia*, & Dux *Aquitania*, dilec- *ibidem.*  
 to Consanguineo & fideli suo *Edmundo* Comiti *Cornubia*, tenenti locum suum



An. 14 & 15 E. I. in eodem regno, salutem. Cum in iunxissimus dilecto & fideli nostro *Richardo de Boyland* aliqua tangencia Clericos de *Episcopatu Norwiche*, & postea nobis super hoc ex parte venerabilis patris \* *W. Norwiche* Episcopi sit ostensa, quod idem *Richardus* aliquis fecit indebite seu iniuste: Nobis mandavimus, quod assumpto debentem aliquo de *Iustic. nostris*, ad partes *Norff.* personaliter accedatis, et vocato prefato *Richardo* coram vobis, in presentia ejusdem examinatoris gravamina que prefatus Episcopus vobis monstrabit, et que ipsum *Richardum* asserti perperasse, et rationes utriusque partis audientes, si inveneritis quod idem *Richardus* quicquam indebite vel iniuste fecerit in hac parte, et quod non deberet fecisse, idem emendari et recte dirigi faciatis. Precipientes eidem, quod a talibus sciendis desistat, et in rebus aliis per consilium et assensum sociorum suorum moderatione procedat, sicut eidem injungimus in hac parte. Nolumus enim, quod negotium illud dilationem capiat aliqualem. Dat. sub privato sigillo nostro *Paris. 15 die Junii. Anno regni nostri 14.*

*Dorso.* Expeditum est. Comes per istud mandatum assumpsit secum *Thef. & majorem partem Justic. & personaliter adivit Norwicum, et iustitiam fieri fecit.*

An. 15 E. I. In the Bundles of Writs in the *White Tower* An. 15 E. I. I discovered these Writs and Prohibitions to stay Suits in Courts Christian not belonging to them.

Bundela Brev. A Writ to make an Attorney, in a Suit depending before the Kings Justices de Banco inter Nos & Johannem de Godebe, de eo quod idem Johannes in loquela coram Justic. per breve nostrum, &c. secutus est plac. in Curia Christianitatis de catallis et debitis *Magistri Willielmi de Padon Capellani, & in loquela, &c. per aliud breve nostrum inter ipsum Johannem Decanum Ecclesie Sancti Andree Wellen. & Johannem de Uvedale Chivaler, de debito 10 librarum quod idem Decanus a predicto Johanne exigit. Teste magistro apud Pontefreit super Tamisiam 20 die Novembr. An. r. n. 15. Edwardus, &c. Vic. Northampr. Pont. &c. Willielmum Personam Eccles. de Shertoft, quod sit, &c. ostensur. quare cum placita de catall. &c. que non sunt, &c. ad nos et coramam et dignitatem nostram, et non ad alium pertineant in regno nostro, &c. secutus est placitum in Curia Christianitatis de catallis et debitis Nicholai Persona Ecclesie de Herdwike, que non sunt, &c. in lesionem coramam et dignitatis nostre, et contra Prohibitionem nostram. Teste Edm. Com. Cornub. apud Westm. 12 die Febr. An. r. n. 15. Edwardus, &c. Vic. Dorset. Precipimus tibi, quod distringas Magistr. Willielmum Shirlock Personam Eccles. de Winterborn Stibilone, per omnes terras, &c. quare secutus est plac. &c. de catallis, &c. que non sunt, &c. Teste Th. de Weyland apud Westm. 20 die Junii, An. r. n. 15. Edwardus, &c. Vic. Surr. Quod venire fac. 12. tam Milites quam alios, &c. qui nos Johannem Philip de Croydone, nec Johannem Archiepiscopum Cantuar. Magistr. Adam de Hates, & Thomam Vicar. Eccles. de Croydone, aliqua affinitate attingunt, ad recognoscend. super sacramenta sua si pradi. Archiepiscopus & Adam nunquam tenebant plac. in Curia Christian. de quadam vacca ipsius Johannis, contra Prohibitionem, &c. sicut pradi. Johannes dicit, vel non, sicut pradi. Archiepiscopus, Adam & Thomas dicunt. Quia, &c. Et habeo ibi nomina Juratorum & hoc breve. Teste W. de, &c. apud Westm. 26 die Junii, An. r. n. 15. Edwardus, &c. Vic. Surr. Arnaldus de Heyward vers. Johannem Archiepisc. Cantuar. quare secutus est plac. in Curia Christianitatis de catallis, &c. que non sunt, &c. Teste Edm. Com. Cornub. apud Westm. 8 die Sept. An. r. n. 15. Edwardus, &c. Vic. Dorset. Rogerus de Stapelford vers. Richardum le Pastour, quare secutus est (confinile) placitum, &c. Teste (ut supra) 20 die Januar. Vic. Stafford. Richardus de Leges vers. Magistr. Stephanum de Codenore, & Magistr. Petrum de Clyve, quare secuti sunt placitum in Curia Christianitatis de laico feodo ipsius Richardi, contra Prohibitionem nostram. Teste Edm. Com. Cornub. apud Westm. 3 die Julii, An. r. n. 15.*

In the Plea Rolls of the same year I found these Attachments, for suing and holding Pleas in Courts Christian against the Kings Prohibitions.

Placita Termino Pasche  
An. 15 E. I.

**G**ervasius de Aldermannebir. attach. fuit ad respondendum Hamoni de Valoynes, quare traxit eum in placitum in Curia Christianitatis de debitis, que non sunt de Testamento, &c. contra Prohibitionem, &c. Et nuda idem Hamo queritur,

## A Supplemental Appendix.

K. Edward 1.

ritur, quod prædictus Gervasius implacitabit eum coram Decano de Suwerc & con- *An. 15 E. 1.*  
judicibus de domibus quas Hamo pater ipsius Hamonis asportasse debuit de Cristeshall,  
& de quibusdam focalibus, & de 100 l. Et unde deterioratus & dampnum habes ad  
valentiam 20 marcarum. Et ideo producit scellam, &c.

Et Gervasius venit & defendit contra ipsum & scellam, quod nunquam post Pro-  
hibitionem nec ante traxit eum in placitum de debitis, quæ non sunt de Testa-  
mento vel Patrimonio, sed verum vult dicere. Quidam Rogerus de Sumery dedit  
terram de Cristeshall & 100 l. in denariis in martagio Hamoni patri ipsius Hamonis  
cum Agnete filia sua. Et postea processu temporis celebrato inter eosdem Hamonem  
& Agnetam divorcio, reddidit idem Hamo eidem Agnete terram illam ut marita-  
gium suum. Et quia non habuit denarios ad manum unde solveret prædictos denarios,  
obligavit se et hæredes suos ad solvendum eidem Agnetæ 20 l. singulis annis,  
donec prædictæ 100 l. plenius solverentur, per Chartam quam præfert et quæ  
hoc testatur. Et postea venit iste Gervasius & desponsavit dictam Agnetem, &  
vixerunt simul per longum tempus, & postea in extremis fecit ipsa prædictum Gervasium  
virum suum Executorem testamenti sui, simul cum aliis, & ad executionem illam faci-  
endam, & ad debita perquirenda, & specialiter ad debitum istud perquirendum, & ut  
inde dissonet sicut de aliis secundum quod viderent expedire. Et unde dicit, quod  
petit denarios illos ex causa testamentaria, & non alio modo. Et inquisiti per quantum  
tempus ipsa Agnes vixisset postquam divorcium factum fuit, dicitur quod bene p. r  
30 annos. Et Gervasius dicit quod per 20 annos.

Et Hamo venit & petit iudicium de sicut ipsa Agnes vixit per magnum tempus  
post divorcium per 30 annos & nichil unquam petiit de debito illo quamdiu vixit,  
nec ab eo, nec a patre suo, nec a Thoma fratre suo, qui per 5. annos fuit in  
seclina totius hæreditatis patris sui. Et petit iudicium, si ipsi potuit legare, et  
in testamento relinquere debitum, quod non fuit cognitum in vita sua, et quod ipsa  
nunquam petiit in vita sua.

Et quoniam prædictus Gervasius nichil ostendit, quod prædicta Agnes aliquid peteret  
de prædicto Hamone, nec Thoma filio suo, nec de isto Hamone dum vixit, & vixit p r  
tantum tempus. Et si ipsa in vita sua petiisset debitum illud, non potuit legare  
clameum suum ad placitandum in Curia Christianitatis cum ipsa si videret non  
posset petere debitum illud alibi quam in Curia Domini Regis. Consideratum  
est, quod Hamo erat inde quietus; Et prohibitum Gervasio, quod de cætero non  
sequatur in Curia Christianitatis.

**R**obertus Prior de Werkleslop attach. fuit ad respondendum Adæ de Cretelang, *Plac. Termi.*  
quare secutus est placitum in Curia Christianitatis de laico feodo ipsius *Pach. An. 15*  
Adæ in Hurst, &c. Et unde idem Adam queritur, quod cum ipse distringeret feo- *E. 1. in Turri*  
dum suum, quod Prior tenet pro forinseco servitio per captionem ipsius Prioris; *London.*  
Idem Prior statim excommunicat eum, et eum vexat et grabat in Curia Chri-  
tianitatis; unde deterioratus est, &c.

Et Prior venit & dicit, quod non debet ei respondere, quia excommunicatus est, *\* Littleton*  
et ei sicut excommunicato *sect. 201.*  
*Domini Coventrensis Episcopi patentes: Et in quibus continetur, quod Willielmus*  
*quondam Archid. Derb. excommunicavit prædictum Adam meritis suis exigen-*  
*tibus. Et quoniam constat ei de excommunicatione, et non de absolutione, misit*  
*litteras Justic. patentes. Et Adam nichil ostendit de ejus absolutione. Et ideo Prior*  
*inde sine die, & Adam faciat se absolvi.* *Cooks a In-*  
*Struces, f. 133*  
*134.*

The most remarkable Writs of Prohibition and Attachment this year; are those  
which concern *Bogo de Clare*, presented by the King to the Treasurership of the  
Cathedral of *York*, who yet was vexed, excommunicated, his Churches and the  
fruits thereof sequestred, interdicted by the Archbishop of *York*, against the Kings  
Prohibitions and Writs, for which he was convened before the Kings Council, as  
these Writs inform us.

**E**dwardus Dei gratia Rex Anglia, &c. dilecto Consanguineo & fideli suo *Brevia Regis*  
Edmundo Comiti Cornubie, tenenti locum suum in Anglia, salutem. Cum *in Turri Lon-*  
nuper sede Eboracensis Ecclesie vacante, & in manu nostra existente, contulimus *don. An. 15*  
dilecto Clerico nostro *Bogoni de Clare* Thesaurariam illius Ecclesie tunc vacantem; *E. 1.*  
ac (ut intelleximus) Archiepiscopus Eboracensis qui nunc est, super eadem ip-  
sum



An. 15 E. I. *sum* gravet multipliciter et molester, fructus ad ipsam pertinentes violenter asportari faciendo; & nos eidem Archiepiscopo scripserimus, ut a talibus gravaminibus cesset et desistat, et ablata seu spoliata per ipsum et suos restitui faciat indilate: Vobis mandamus, quod si ista facere recusaverit, vos et ceteri de Consilio nostro in *Anglia* commorantes, vocatis dicto Archiepiscopo (& *Bogone*) opportunum consilium super hoc apponatis. Teste meipso apud *Athen.* 27 die *Novembrii*, Anno regni nostri 15.

Ibidem.

**E**dwardus Dei gratia Rex *Angl. &c.* Venerabili in Christo patri F. eadem gratia Archiepiscopo *Ebor. Anglia* Primate, salutem. Cum nuper advocacione Ecclesie vacante, & in custodia nostra existente, dederimus & concesserimus dilecto Clerico nostro *Bogoni de Clare* Thesaurariam ejusdem Ecclesie tunc vacantem, & ad donationem nostram ratione vacationis predictae spectantem, & idem *Bogo* in plenam & pacificam possessionem Thesaurarie predictae de mandato nostro inductus fuit. Et vos jam, sicut ex quorundam relatu intelleximus, postquam ad partes transmarinas arripimus iter nostrum, eundem *Bogonem* super possessione sua Thesaurarie predictae indebite perturbantes, et Ecclesias eidem Thesaurarie annexas Interdicto supponentes, Excommunicationis sententiam in eundem *Bogonem* et suos Ministros Thesaurarie predictae voluntarie fulminantes, et fructus suos ejusdem Thesaurarie asportari, et ipsum in praemissis multipliciter inquietari feceritis, in nostri juris laqueum, et dictae concessionis nostrae everbationem, et nostri contemptum manifestum. Propter quod vobis amabiliter scripsimus, ut a talibus gravaminibus cessaretis seu desisteretis, et ablata seu spoliata per vos et vestros restitui, et Excommunicationes et Interdicta per vos in hac parte lata revocari faceretis indilate; cui scripturae nostrae seu mandato nostro in nullo obtemperare seu parere hactenus curasti, imo multo infestationem vestram erga praefatum Clericum nostrum ardentius continuatis, de quo vehementius admiramus, (such was his transcendent malice, obstinacy and contempt.) Nos nolentes praemissa, si taliter in nostri juris praedictum fuerint attemptata, relinquere impunita, vobis mandamus, quod in propria persona vestra coram dilecto Consanguineo et fidei nostro *Edmundo Comite Cornubiae* locum nostrum in *Anglia* tenente, et ceteris de Consilio nostro sitis apud *Westm.* in Octab. Purificationis beatae *Mariae*, ad respondendum nobis de praemissis, et ad faciendum et recipiendum ulterius ex nostra parte, quod Curia nostra nostro nomine inde duxerit ordinandum. Et habeas ibi hoc breve. Teste praefato Comite *Cornub.* Consanguineo nostro apud *Westm.* 28 die *Jan.* Anno regni nostri 15.

Ibidem.

**E**dwardus Dei gratia Rex *Anglia, &c.* eidem Archiepiscopo *Ebor.* salutem. Cum super eo quod vos dilectum Clericum nostrum *Bogonem de Clare* super possessione sua Thesaurarie Ecclesie vestrae, quam sibi dudum vacante Ecclesia predicta contulimus, in nostri et ipsius praedictum non modicum inquietastis Ecclesias eidem Thesaurarie annexas, supponi facientes Interdicto, et excommunicationis sententias in praefatum *Bogonem* et Ministros suos Thesaurarie predictae fulminari procurantes, et fructus suos ejusdem Thesaurarie asportari facientes; vobis nuper mandaverimus, quod in Octabis Purificationis beatae *Mariae* proximo praeteritis, essetis apud *Westm.* coram dilecto Consanguineo & fidei nostro *Edmundo Comite Cornubiae*, ad respondendum nobis super gravaminibus et infestationibus praedictis, et ad faciendum et recipiendum inde iustitiae complementum: ac vos tam per nuncium quam per literas vestras nobis significaveritis, quod propter loci distantiam & temporis brevitatem, ad diem ibidem venire non potuistis: Supplices nobis cum omni instantia, quod personam vestram ex causis praedictis ad diem illum haberemus excusatam: Nos personae vestrae, licet eam in hoc facto gravare possemus, deferre volentes, dederimus vobis diem super hiis, videlicet, a die Paschae in unum mensem, ut tunc sitis apud *Westm.* coram praefato Consanguineo nostro, ad respondendum nobis super gravaminibus et infestationibus praedictis; vobis mandamus firmiter injungentes, quod sequestra, Interdicta, excommunicationis sententias, et alias cohibitiones Ecclesiasticas, quae occasione contentionis et discordiae inter vos et praefatum *Bogonem* quocunque modo habitarum, in nostri juris praedictum, et praedictae collationis nostrae operationem

tionem p̄olata sunt s̄be facta, omnino relaxari p̄ocuretis; fructus et bona sua capta seu recepta, sibi sine dilatione restituentes; et corpora, quæ extra locum sacrum occasione p̄dicta sunt humata, in loco sacro sepeliri faciat. Et hoc super satisfacturam Baronis vestri, et omnium quæ de nobis tenetis in regno nostro, nullatenus omittatis. Nos insuper dilecto & fideli nostro *Johanni de Lythegreyus* Senescallo vestro injunximus, vobis referenda viva voce. Et habeatis ibi vobiscum hoc breve. Teste p̄fato Comite Cornubie Consanguineo nostro apud *Westm.* 13 die Febr. Anno regni nostri 15.

An. 15 E. 1.

**E**dwardus Dei gratia Rex Anglia, &c. Vicecomiti Ebor. salutem. Cum nuper <sup>ibidem:</sup> sede Eboracensis Ecclesie vacante, & in custodia nostra existente, dederimus & concesserimus dilecto Clerico nostro *Bogoni de Clare* Thesaurariam ejusdem Ecclesie tunc vacantem, & ad donationem nostram ratione vacationis Archiepiscopatus p̄dicti spectantem; & idem *Bogo* in plenam & pacificam possessionem Thesaurarie p̄dictæ inductus fuerit, ut est moris; ac venerabilis pater *J.* Archiepiscopus Ebor. jam (sicut ex quorundam relatu intelleximus, postquam ad partes transmarinas arripuimus inter nostrum) eundem *Bogonem* super possessione sua Thesaurarie p̄dictæ indebitè perturbans, Ecclesias eidem Thesaurarie annexas Interdicto supponens, Excommunicationis sententias in eundem *Bogonem* et suos p̄nistros Thesaurarie p̄dictæ voluntarie fulminaverit, et ipsam in p̄missis multipliciter inquietare fecerit, in nostri iuris læsionem, et dicitæ concessio- nis nostre enervationem, et nostri contemptum manifestum: Propter quod eidem Archiepiscopo amabiliter scripsimus, ut a talibus gravaminibus cessaret seu desisteret, et Excommunicationes et Interdicta per ipsam in hac parte lata, revocari faceret indilate; cuiusmodi scripturæ nostre seu mandato nostro in hac parte in nullo obtemperare seu parere hactenus curavit, imo inchoatam infesta- tionem suam erga p̄dictum Clericum nostrum ardentius continuavit, de quo vehementer admiramur: Nos nolentes p̄missa, si taliter in nostri p̄judictum fuerint attemptata, relinquere impunita, tibi p̄cipimus, sicut alias tibi p̄cepimus, quod p̄fatum Archiepiscopum attachiari facias, ita quod cum habeas coram dilecto Consanguineo et fidei nostro *Edmundo* Comite Cornubie, locum nostrum tenente in Anglia, et ceteris de Consilio nostro, apud *Westm.* à die Pasche in unum mensem, ad respondendum nobis de p̄missis, et ad facien- dum et recipiendum ulterius in hac parte, quod Curia nostra nomine nostro dixe- rit ordinandum. Et unde tu mandasti p̄fatis Comiti et Concilio nostro, quod Breve nostrum quod tibi venit de attachiando p̄dictum Archiepiscopum, quod esset coram p̄fatis Comite et Consilio nostro in Otibus Purificationis beate *Mariæ* proximo p̄teritis, adeo tarde tibi venit, quod illud erequi non potuisti. Et habeas ibi hoc breve. Teste *R. de Hengham* apud *Westm.* 13 die Februarii, Anno regni nostri 15.

The like Writ *verbatim* issued to the Sheriff of *Buckingham*, with the same date and *Teste*, against *Oliver* Bishop of *Lincoln*, who had Interdicted all the Churches belonging to the Treasurership in his Diocese, fulminated an Excommunication against *Bogo*, and vexed him in the same manner as the Archbishop had done. And this Writ to the Kings Lieutenant.

**E**dwardus Dei gratia Rex Anglia, &c. dilecto Consanguineo & fideli suo <sup>ibidem.</sup> *Edmundo* Comiti Cornubie, tenenti locum suum in Anglia, salutem. Quia datum est nobis intelligi, quod super gravaminibus et molestiis quæ dilectus Cle- ricus noster *Bogo de Clare* venerabilem patrem *J.* Archiepiscopum Ebor. de The- sauraria Ebor. quam eidem *Bogoni* contulimus sibi asserit, in nostre collationis p̄judicium intulisse, dedistis diem eidem Archiepiscopo coram vobis apud *Westm.* à die Pasche proximo p̄terito in unum mensem, ad respondendum nobis de gra- vaminibus et molestiis supradictis; mandando p̄fato Archiepiscopo, ut seque- stra, interdicta, excommunicationum sententias, et alias coercitiones Ecclesia- sticas contra p̄dictum *Bogonem* occasione huiusmodi facta seu lata omnino re- laxet, et hoc sub pena satisfacturæ Baronis sui, et omnium quæ de nobis tenet in regno nostro nequaquam omittat, nos licet iura nostra per vos et alios con- servari



An. 15 E. 1. Seruari belimus illa, nolentes tamen aliis super iure sibi debito iniuriam aliquam irrogari, Vobis mandamus, quatinus condocato ad diem Consilio nostro, et habita super negotio illo deliberacione meliori, in eodem negotio taliter procedatis, quod ius nostrum sit saluum in omnibus, et neutra partium contra iusticiam sentiat se grabatam, per quod ad querelam ullius vobis quicquam imputare possimus ad culpam. Teste meipso apud Burdeg. 18 die April, Anno regni nostri quintodecimo.

The Archbishop after he had put in Sureties to appear before the Council endorsed on the Writ, to prevent the storm and penalties threatned to him by these Writs, for these his high contempts and extravagances, was enforced at last to obey the Kings commands, and make his peace with *Bogo de Clare*, before the cause came to be heard before the Kings Council, as these indorsements on three of these Writs inform us, *Concordati sunt predicti Archiepiscopus et Bogo. Archiepiscopus vocatus fuit in Curiam, et concordatus est cum Bogone de Clare. Debuerunt diem coram Concilio, et postea concordati sunt.*

*Philip de Staunton* being elected Bishop of *Landaff*, and his election certified to the King by the Archdeacon and others under their own Seals, but not under the Common Seal of the Chapter, kept from them by the practise of *Bogo de Clare* Chancellor of that Church, who opposed the election; he repairing therewith to the King in *France*, the King though he approved his person, yet he refused to confirm his election, because not certified under the Chapters Seal; whereupon the Chancellor sent this Letter to the Earl of *Cornwall* concerning this business, and the Kings Writ to redresse this fraudulent practise, and save the expence of a second journey to him, to grant a Writ to the Archbishop to confirm him, then to receive his Oath of Fealty, and restore his temporalities with all expedition.

In eadem  
Bundela, An.  
15 E. 1. in  
Turn London.

Nobili viro Domino & amico suo, karissimo Domino *Edmundo Comiti Cornubie*, tenenti locum Domini nostri Regis in *Anglia*; R. permissione divina *Bathon, & Willen*. Ecclesiarum Minister salutem, et paratam ad beneplacita voluntatem. Ex tenore literarum vestrarum quas vobis remittimus perpendimus evidenter, qualiter vir providus & discretus Magister *Philippus de Staunton* Praecentor *Willensis*, Clericus noster & socius per dilectus, Electus extiterit in Episcopum *Landavensem*, Domino *Bogone de Clare* nullatenus permittente literas Domino Regi mittendas super electione huiusmodi communi sigillo Capituli consignari, set Electores Magistri *Philippi* predicti premissas literas Domino nostro Regi, ut premissas transmittendas suis sigillis propriis consignarunt, quibus eidem Domino nostro predictis personam Electam prout acceptabit; set licet eidem literas vestras preactas nobis transmissas facti seriem continentes miserimus, eo quod procul ab invicem distabamus, quia tamen sibi directæ non fuerant nominatim, et quia sigillum commune Capituli appositum non extitit literis sibi missis, nec est constitit de impedimento per Dominum *Bogonem* opposito, nisi per literas non sibi set nobis transmissas, consensum suum Electioni predictæ distulit adhibere, eum vobis committens qui habetis noticiam et experientiam huius facti. Cum igitur assensus ille totaliter in manibus vestris existat, sicut in literis Regiis poteritis intueri, sinceritatem vestram quantumcumque valemus serbencius exoramus, quatinus memoratum Magistrum *Philippum* quoad Regis consensus articulum et literas Regis super illo Domino *Cant.* Archiepiscopo dirigendas, necnon confirmationis munere assecuto, quoad restitutionem temporalium, iuxta mandatum Regium vobis inde directum, celeriter absque dilacionis incommodo expedire velitis, eo libencius et liberius quod de premissis omnibus vobis constat ac notoria et manifesta existunt quasi in auribus singulorum: Si autem dictus Magister *Philippus* personaliter ad praesentiam vestram non venerit, quæsumus ut ipsius nuncium ad vos suo nomine venientem expediatis, celeriter & benigne literas necessarias sibi fieri facientes, ex quo enim Dominus noster approbavit suam personam, non est necessaria ipsius personalis praesentia coram vobis. Bene & diu valete. Dat. *Burdegale* 2 Idus Septembr.

Edwardus

An. 15 E. 1.

Ibidem.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernie, & Dux Aquitania, dilecto Consanguineo & fidei suo Edmundo Comiti Cornubie, tenenti locum suum in eodem regno. Cum Magister Philippus de Staunton, Præcentor Willelmi ad nos venerit, & nobis præsentaverit quasdam literas ex parte Archidiaconi & Capituli Ecclesie Landavensis, super electione de ipso facta in Episcopum ejusdem loci sigillis Archidiaconi memorati, Præcentoris & quorundam aliorum Canonorum ejusdem Ecclesie sigillatas, sicut per inspectionem literarum illarum quas vobis, mittimus, plenè poteritis intueri. Nos literis illis inspectis, pro eo quod commune sigillum Capituli non fuit appensum, eidem licet bene personam acceptemus electam, et ipsum regimini præfate Ecclesie idoneam reputemus, pro ipso etiam faceremus libenter quicquid sine præjudicio nostri et libertatum nostrarum optentatum hucusque facere bono modo possemus, electioni de ipso factæ nequimus assentire, nec eidem pro consuetudine qua usi sumus concedere literas de consensu; Set quia idem Magister Philippus nobis dedit intelligi, quod ipse et alii Canonici Ecclesie sui non potuerunt sigillum illud habere commune impediens Rogonem de Clara Cancellarium prædictæ Ecclesie, qui idem sigillum in custodia sua habuit, et electioni prædictæ se apposuit minus iuste, et nolimus quod præfata Ecclesia per fraudem aut maliciam diu destituatur pastore et regimine quod deceperit; Vobis mandamus, quod visis, presentibus, vocatis & assumptis vobiscum venerabili patre J. Eliensi Episcopo Theſ. nostro, cui super hoc scribimus, & aliis de Consilio nostro, quos contigerit esse presentes, literas supradictas quæ ex parte dictorum Archidiaconi & Capituli nobis missæ fuerunt, quasque vobis mittimus, & intellecta de processu electionis prædictæ et totius facti plenius veritate, gratiam quam præfate Electo quoad assensum electionis ejusdem, possemus vel deberemus de consilio vestro facere in hoc casu, vice nostro faciatis eidem; Ita quod per machinationem aut maliciam alicujus ipsius Electo non turbetur aut contra iusticiam differatur. Cum autem Archiepiscopus electionem confirmaverit supradictam, volumus & mandamus, quod Electum ipsum taliter confirmatum, ad sacramentum fidelitatis nobis debite admittatis, et temporalia Episcopatus prædicti restitui faciatis eidem, ad quod non oporteat ipsum pro negotio electionis ejusdem ad nos iterato reverti: In tantum etiam festinetis negotium, quod Electus ipse de cursu temporis vel de alio quocumque dampnum aliquod non incurrat, seu periculum in hac parte. Teste meipso Aquis septimo die Septemb. anno regni nostri quintodecimo.

There being a difference between the Bishop and Dean of Chapter of *Torke*, whereby the peace was likely to be disturbed by the Major and Citizens lay-force and interposition therein; the King thereupon issued this prohibition to them no wayes to intermeddle in this controversie between them.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernie, & Dux Aquitania; dilecto Consanguineo & fidei suo Edmundo Comiti Cornubie tenenti locum suum in eodem Regno salutem. Quia accepimus, quod dissencio est suborta inter venerabilem Patrem J. Eborum Archiepiscopum ex parte una, & Decanum & Capitulum ejusdem loci ex altera, et nollemus quod per dissencionem hujusmodi par aliquid turbaretur, attendentes quod prædicti Decanus & Capitulum ex conjecturis aliquibus verisimiliter sibi timent, ne per vim laicam, utpote per Majorem & Cives Eborum, aut alios ad procuracionem partis adversæ oppressiones & gravamina aliqua paciuntur; Vobis mandamus, quatinus Majori & Civibus supradictis firmiter inhiberi faciatis, ne de contencionibus inter prædictos Archiepiscopum et Decanum et Capitulum suscitatis in aliquo se intromittant, seu partem alterutram super contencionibus hujusmodi subeant, per quod par nostra aliquaritus infringatur, seu tranquillitas Ecclesie supradictæ in personis aut rebus aliquo qualiter conturbetur. Dat. sub Privato Sigillo nostro Aquis 12 die Septemb. anno regni nostri quinto decimo.

Brevium & Literarum de An. 14, 15. &c. E. 1. in Turri London,

*Dorso.* Edmond Comte de Cornuwall, a Sire William de Hamelton saluz. Nous vous prions qe vous fournisez le maundement nostre Seygneur le Roy solonc la teneur de cestre lettre. E pur ceo que nous fuismes au park de Wyndesore avec nous,



K. Edward 1.

*A Supplemental Appendix.*

An. 15 E. 1. nous, cosines si lavoms enselec du seel nostre chiere Cosine Madame *Alyanor* fille au Roy et garden cestre lettre.

The Archdeacon of *Colchester* and his Official fraudulently entring into the Church of *Christenfall* belonging to the Kings free Chappel of St. *Martins le Grand*, exempt from all Ordinary Jurisdiction, and there holding a Visitation, and exacting a procuration for it, interdicting the Church and seising the goods thereof for not paying it, contrary to the Kings protection to the Dean then with him in *France*; thereupon the King issued this Writ to examine the matter, and to imprison the said Offenders, if the Information were found true, till further Order, to deter others from the like contempts, during his absence.

Bundela Bre-  
vium in Turri  
London, An.  
15 E. 1.

**E** *Dwardus* Dei gratia Rex *Anglie*, Dominus *Hibernie*, & Dux *Aquitaniae*, dilecto Consanguineo & fideli suo *Edmundo* Comiti *Cornubie* locum suum tenenti in eodem regno salutem. Ex parte dilecti et fidelis nostri Magistri *Wilhelmi de Luda* Decani Sancti *Martini magni London*, nobis est ostensum graviter conquerendo, quod licet Ecclesia Sancti *Martini* praedicta quam habet ex collatione nostra sit libera Capella nostra, et tam in corpore quam in membris, utpote personis, Praebendis, Ecclesiis et Capellis annexis ab omni jurisdictione ordinaria exempta, et ipsum Decanum cum nuper nobiscum iter arripere extra regnum nostrum, homines, terras, res, redditus et omnes possessiones suas in protectionem et defensionem nostram specialiter suscepissimus; omnibus & singulis inhibendo, ne ei injuriam, molestiam, dampnum vel gravamen inferrent: Nichilominus Magister *Egidius Fillol* Archidiaconus *Colcestr*, et Magister *Simon de la Neylond* Officialis ejusdem, cum quibusdam aliis fautoribus et complicitibus suis nuper Decano nostro nobiscum in remotis agente, ad Ecclesiam de *Christenfall* quae est praebenda liberae Capellae nostrae praedictae, et ab omni jurisdictione ordinaria eadem ratione exempta, et jurisdictioni ipsius Decani duntaxat subiecta, personaliter accedentes tanquam ad missam audendam in ea, ex postfacto dixerunt se fecisse visitationem ibidem, et deinde post paucos dies transmissa per eos ad eandem Praebendam Decano de *Newport*, pro habenda procuracione vi visitacionis praedictae, Ecclesiam ejusdem Praebendae, cum ipsorum de hujusmodi procuracione solvenda non pareretur mandatis, per eundem Decanum supposuerunt Ecclesiastico interdicto, et adhuc non contenti praemissis, manus ad deteriora mittentes, calicem et missale ejusdem Ecclesiae per dictum Decanum de *Newport* et summonitionem ejusdem dolenter de eadem Ecclesia asportari fecerunt; et nichilominus idem Archidiaconus ad Domos dictae Praebendae postea clam veniens, bona ibidem inventa auctoritate propria et de facto quamquam de jure non posset temere sequestravit, in nostri et dicti Decani nostri libertatum et jurium lesionem et praesudicium non modicum, ac in nostri contemptum, contra protectionem et pacem nostram. Et quia ex praemissis turbamur nimirum et plurimum commovemur, nec contemptum hujusmodi relinquere volumus impunitum, vobis firmiter injungendo mandamus, quod si vobis constare possit ita esse, tunc praedictos Archidiaconum, Officialem, Decanum de *Newport*, et summonitionem, et alios complices et suos quos reos et culpabiles indeneritis de hoc facto, et praecipue Archidiaconum ipsum si factum illud advocaverit, sine dilacione capi faciatis, et in prisona nostra salvo custodiri, ita quod non deliberenter ab ea donec id vobis mandaverimus sub praebato sigillo nostro. Tantum super hoc facientes, quod alii timorem habeant contra nos aut nostros nobis absentibus consimiliter aut aliter delinquendi. Dat. sub eodem sigillo nostro apud *Palud*, 18 die *Maii*, anno regni nostri quintodecimo.

*Dorso.* Manu captus est usque adventum Regis, ut Rex tunc inde ordinet quod fuerit faciendum.

The King issued this Writ to his Lieutenant, to execute a Judgement given for the Archbishop of *Canterbury* concerning the Advowson of the Priory of St. *Martins* in *Devor*, and if any found themselves grieved therewith, he would hear and relieve them upon his return into *England*.

*Edwardus*

An. 15 E. 1.

In eadem Sun.  
dela.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, dilecto Consanguineo & fideli suo *Edmundo Comiti Cornubi*, tenenti locum suum in Anglia, salutem. Auditis Magistro Martino de Hampton Clerico venerabilis patris *J. Cantuariensis Archiepiscopi*, ac Monachis Sancti Martini Dovor ad nos missis, & processibus & judiciis coram Justic. nostris super advocacione Prioratus Sancti Martini Dovor. & quibusdam aliis dictam advocacionem tangentibus, primo pro nobis, & subsequenter pro predicto Cantuar. Archiepiscopo habitis atque datis plenius intellectis; Vobis mandamus, quod judicium pro predicto Archiepiscopo super dicta advocacione per Justic. nostros datum demandare executioni debita, et serventem in eodem Prioratu cum judicium super advocacione predicta datum, pro nobis extiterit positum, amoveri sine dilacionis obaculo faciatis. Si vero aliqua partium predictarum in dictis judiciis senserit se gravatam, illud cum ad partes Anglia venerimus ostendere poterit coram nobis, et nos quod justum fuerit super hoc fieri faciemus. Teste meipso apud Blankesford 11 die Junii, Anno regni nostri quintodecimo.

Upon the Prior and Covents Petition of *Christ-church in Canterbury*, the King issued this second Writ concerning the Advowson and Priory of the said *Sr. Martins Dovor*.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, dilecto Consanguineo & fideli suo *Edmundo Comiti Cornubi*, tenenti locum suum in Angl. salutem. Accedens ad presentiam nostram *Walterus de Chilindene* Monachus Ecclesie Christi Cantuar. ex parte Prioris & Conventus loci ejusdem cum literas Prioris sui, nobis exposuit, quod licet a tempore bonae memorie *Theobaldi* quondam Cantuariensis Archiepiscopi Ecclesia eorum Cantuar. in possessione pacifica extitisset, quod nullus proficeretur in Priorem Ecclesie Sancti Martini Dovor. nisi de Ecclesia Cantuar. predicta, nec aliquis Monachorum Dovor. alibi proficeretur nisi in eadem Cantuar. Ecclesia: quodque nullus Monachorum Dovor. presentaretur ad ordines nisi per Priorem & Conventum Ecclesie Christi Cantuar. supradictae; venerabilis tamen pater *J. Cantuariensis Archiepiscopus*, pretextu cujusdam processu inter nos et ipsum super advocacione Prioratus predicti Dovor. nuper in nostra Curia ventilati, dictos Priorem et Conventum Ecclesie Christi Cantuar. prefata possessione, vel quasi omnium predictorum spoliare molitur, conniventibus et consensientibus Monachis Prioratus Dovor. supradictis: Quare nobis idem frater *Walterus* nomine Ecclesie Christi Cantuar. predictae humiliter supplicavit, ut in hac parte ipsi Ecclesie providere de oportuno remedio curaremus: Sane cum mandaverimus vobis nuper ut toto consilio nostro ad invicem congregato examinaretis diligenter processum inter nos et supradictum Archiepiscopum ventilatum super advocacione ipsius Prioratus Dovor. ac ulterius faceretis quod iusticia suaderet, prout in literis nostris predictis plenius continetur: Ac Prior & Conventus Ecclesie Christi Cantuar. sua interesse asserant in hac parte, & se debere admitti in examinatione processus hujusmodi ad proponendum pro Ecclesie suae jure quod viderint proponendum; Vobis mandamus, quatinus facta denunciatione dicto Priori Cantuar. seu alias eo vocato legitime quod predicti processus examinationi interfit si sibi viderit expedire, ipsum prout fuerit Juri consonum audiat, ac ulterius faciatis quod de jure fuerit faciendum quantum ad nos pertinet vel ad Curie nostrae forum. Teste meipso apud Burdegalam 23 die Januarii, anno regni nostri quintodecimo.

*Dorso.* Istud tangit factum *Radulphi de Hengham* quod per istud breve recitatum fuit coram toto Consilio, & factum predicti *Radulphi* approbatum, prout idem *Radolphus* paratus est docere coram Rege.

The Archbishop of *Canterbury* complaining against the Earl of *Cornwall* the Kings Lieutenant, of injuries done to his Clerks at *Maydestan* by some of the Kings Officers, for which he could have no justice, to the prejudice and dishonour of the Church, the King thereupon issued this Letter under his Privy Seal to hear and



determine the businesse, so as to do the Archbishop and Church right, and that his Crown and Dignity might receive no prejudice thereby.

In eadem  
Bundela Bre-  
vium & Lite-  
rarum, Anno  
15 E. 1.

**E**dward par la grace de Dieu Roy D'Engleterre, Seygnor Dyrlande, & Duk D'aguis, a son chier Cosyn et Feal Edmond Counte de Cornewaille son leu tenant saluz. Come Larcevesque de *Canterbir* se soit pleint a nous en defaute de vous, que ni pioez entendre por la guerre de *Gales* ausi come il dist, de un graunt trespas que seu fait negueres a ses Clercs a *Moydenestun* par nos Ministres, ausi come vous poez voir par sa monstrance, que nous vous envoions, & jasoit ce que il nous prise molt, si nos genz eiont fait nule chose contre *Seinte Eglise*, que sere ne deussent, nous ne eioms en poair de mettre amendement de la nous estoions endreit de tele monstrance ne de cele plainte par molt de resons, nous vous mandoms que entendue la monstrance Larcevesque, & apellez noz genz de qui il se pleint, facez cele chose adrester sanz nul delai, si tost come vous i porres entendre. E metez i tiel amendent, que soit al honneur de Dieu et de seinte Eglise, et al honneur de nous: Et si vous trouvez que chose soit fele en prejudice de nous ou de la Cozonne faites le autrest abster et amender solom ce que vous verrez que soit a sere, issint que il ne nous ne cobegne puis par defect de vous mettre la meyn quant nous vendzoms en pays. Donne nostre seal prive a *Migronn* le 22 jour *Sept.* l'an de nostre regne quinzime.

*Edmund Earl of Cornwall* being informed that the Pope by his provision had conferred the Prebendary of *Farindon* in the Church of *Sarum*, falling void by the death of Cardinal *Auchern*, upon another in the Court of *Rome*, and issued a Mandate to the Dean and Chapter of *Sarum* to institute him therein; he thereupon sent this precept to the *Chancellor*, to issue a Prohibition to them, not to install him, to preserve the Kings right against tyrannical usurpation, to whom the said Prebendary belonged by reason of the vacancy of the Bishoprick; and likewise to command the Gardian of the Temporalities and Spiritualties not to permit any to intrude himself into it.

Ibidem.

**E**dmundus Comes *Cornubie*, dilecto sibi amico Domino *W. de Hamelton* salutem, & dilectionem sinceram. Recepimus hiis diebus rumores certos apud *Berkhamsted*, quod Dominus *Auchern* Cardinalis nuper in fata decessit; unde collatio Prebendæ de *Farindon* quam in Ecclesia *Sarum* tenuit, ad Dominum nostrum Regem, ratione ejusdem Ecclesiæ *Sarum* vacantis, & in manu sua existentis, pertinet hac vice, quia (licet) Papa de beneficiis in Curia Romana vacantibus per Dominum Papam conferend. ipsum Dominum Regem, sicut nec alios Laicos artare non potest; Dicitur tamen, quod Papa Prebendam ipsam in Curia Romana jam contulit: et quod Decano et Capitulo *Sarum* mandabitur infra Breve, quod ipsum installari faciant, et in possessionem Prebendæ induci: Unde ad conserbandum jus Regis, qui absens in remotis partibus, et de hiis forsan ignarus, jure suo ita tempestive uti non poterit in conferendo; Vobis mandamus, quod Decano et Capitulo *Sarum* mandetis per Breve Domini Regis et districtè inhibeatis, ne in ipsius Domini Regis et juris sui prejudicium quengquam admittant, installent, seu in possessionem Prebendæ ipsius inducant, seu induci faciant quoquo modo. Similiter & Custodi Episcopatus *Sar.* ex parte Domini Regis, quod Custodiam apponi faciat in Prebenda ipsa, ne aliquis intrudatur, vel se intrudat, et eam occupet; quia difficilis erit ipsum ejicere, et etiam in Ecclesia *Sarum*, ne forte ibidem subito per aliquem installetur, et occupet locum Canonici. Formam quidem Inhibitionis faciendæ, Decano et Capitulo faciendæ, prout videbatur corrigendam, et districtius faciendam, vobis mittimus presentibus inclusam. Premissa fiant statim vobis presentibus absque mora dispendio. Datum apud *Berkhamsted* 28 die Decembr. Anno regni Domini nostri Regis Quintodecimo.

Ibidem.

**R**EX Decano & Capitulo *Sar.* salutem. Cum Collatio Prebendarum vacantium in Ecclesiis Cathedralibus regni nostri, dum Ecclesiæ ipsæ Pauperibus suis viduata sub custodia nostra consistunt, ad dignitatem nostram Regiam, et non ad alium pertinere noscantur; ac nos et Progenitores et Antecessores

res nostri in possessione hujus juris fuerimus a tempore quo non erat memoria. *An. 15 E. 1.*  
Et quia *Pæbenda de Farendon* in Ecclesia vestra *Sarum*, quæ vacans est et sub  
custodia nostra consistit ad præsens, per mortem Domini *Ancheri* Cardinalis  
vacare dicitur; Vobis et cuilibet vestrum inhibemus, ne in præjudicium juris  
nostri, *Pæbendam* ipsam cuiquam conferatis, nec ad mandatum cuiuscunque  
quengquam admittatis ad eandem vel in Gallatis, aut in possessionem ejusdem in-  
ducatis, seu quicquam aliud attemptetis, quod in præjudicium juris nostri quo-  
modolibet redundare possit in hac parte, donec de obitu Cardinalis prædicti cle-  
nicus certiorati, prout ad nos pertinet ordinaverimus de eadem alicui personæ  
idoneæ assignanda. Teste, &c.

SUis specialissimis Dominis *W. de Hamelton*, & *W. de Odyham*, salutem & di-  
lectionem sinceram. Miramur & admiramur quod aliqui de regno *Angliæ*,  
pro hujusmodi quæ sunt de jure communi, & quibus utuntur in eodem regno,  
secundum legem et consuetudinem regni ejusdem, ad nos pro defectu remedii  
refugium sive accessum in partibus transmarinis habere debeat, & maxime pro  
*Richardo de Bedesford*, qui pro communi remedio cuiusdam *Prohibitionis* habendæ  
ad nos pridie accessum habuit. Quapropter vos rogamus, quod super hoc & aliis  
consimilibus pro hujusmodi vitandis laboribus remedium de Cancellaria provideri  
& faciatis, sicut de consuetudine dictæ Cancellariæ fieri consuevit temporibus re-  
troactis. Bene valeat, Dar. apud *Melton* super *Gepitum* 3 Non. *Augusti*.

The Bishop of *Lincoln* excommunicating the Prior and Covent of *Newport*  
*Paynel*, a Member of, and subject to the Greater Monastery of *Turon*, exempt  
from all Episcopal Jurisdiction, and subject immediately to the Pope alone, for  
opposing his Jurisdiction, and endeavouring to imprison them after their Appeal  
to *Rome*, to hinder them to prosecute their Appeal; the King upon complaint  
thereof sent this Writ of Privy Seal to the Earl of *Cornwall* his Lieutenant, to call  
both parties before him, and if this their exemption from the Bishops Jurisdiction  
should appear, then to stay and supersede the Writ of *Capias Excommunicatum*,  
and the execution thereof against them.

EDwardus Dei gratia Rex *Angliæ*, Dominus *Hiberniæ*, & Dux *Aquitaniæ*,  
dilecto Consanguineo & fideli suo *Edmundo* Comiti *Cornubiæ*, tenenti locum  
suum in eodem regno, salutem. Conquesti sunt nobis in Christo dilecti Abbas &  
Conventus Majoris Monasterii *Turon*, quod cum ipsi per privilegia sibi ab Apo-  
stolica sede concessa, tam in capite quam in membris ab omni Jurisdictione ordi-  
naria sunt exempti, et prædictæ sedi tantum subjecti, venerabilis tamen pater  
*O. Lincoln*, Episcopus asserens, se habere Jurisdictionem in *Priori* et *Monachos*  
beate *Mariæ de Newport Paynel*, qui quidem Prioratus subest Abbatiæ prædictæ,  
& est membrum ejusdem, in ipsos *Priorem* et *Monachos* sententiam Excommu-  
nicationis cum ei propter exemptionem hujusmodi non caraverint obedire, de  
facto licet de jure non posset, indebitè fulminavit, et instituit invocato secundum  
consuetudinem regni nostri brachii nostri secularis auxilio, prædictos *Priorem* et  
*Monachos* per captionem corporum, quamquam ab eo ad sedem Apostolicam  
appellaverint, ad petendum nichilominus ab ipso absolutionis beneficium coar-  
tare, sicque libem *Monachi* solo *Priori* relicto metu captionis hujusmodi ab Ab-  
batiam prædictam reverts *Prioratum* deseruerunt prædictum, loco divino taliter  
obsequio desolato. Et quia præfatos *Priorem* & *Monachos* in iuribus & possessio-  
nibus suis, sicut & ceteros regni nostri, præsertim ob reverentiam sedis Apostolicæ  
fovere tenemur, et quatenus defendere ab injuriis et oppressionibus aliorum;  
Vobis mandamus, quod vocato coram vobis præfato Episcopo, & auditis querelis  
& rationibus quas pro parte prædictorum Abbatis & Conventus, ac *Prioris* & *Mo-  
nachorum* illorum proponi contigerit coram vobis, si per exhibitionem et in-  
spectionem privilegiorum quæ ipsi asserunt se habere, non obstantibus rationibus  
quas idem Episcopus pro se proponit, vobis possit liquere quod Episcopus ipse  
injustè processerit contra ipsos, tunc eundem Episcopum a molestiis et inquietati-  
onibus hujusmodi desistere factatis, et quid inde inveneritis, quidque super hoc  
feceritis nobis celeriter rescribatis, non permittentes quod ad procurationem  
præfati

Ex Bunde-  
Brevium &  
Literarum de  
privato sigillo  
An. 15 E. 1.  
in Turri Lon-  
don.



pizati Episcopi hiebe nostrum de captionis contra pizatos pizozem et pizachos a Cancellaria nostra ibidem exeat ex causa pizozita, et hiebe nostrum si sanxerit ——— contrarie rebocantes, donec per vos certificati fuerimus de pizmissis, et aliud a nobis super hoc receperitis in mandatis. Teste meipso apud Marink juxta Burdegel. 22 die Junii, Anno regni nostri 15.

An. 16 E. 1. In the Bundles of Writs in the *White Tower* An. 16 E. 1. I found these Writs of Prohibition for holding Pleas in Courts Christian.

Brevia Regis, An. 16 E. 1. in Turri London. Edwardus Dei gratia Rex Angliæ, &c. Vic. Hereford. salutem. Si Henricus filius Philippi fil. Radulphi de Lemenystr. fecerit te securum, &c. tunc pone per vadium & salvos plegios Hugonem le Coryller de Lemenystr. quod sit coram Justic. nostris apud Westm. in Octabis Sanctæ Trinitatis, ostensur. quare secutus est placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram. Et habeas, &c. Teste Edmundo Comite Cornubiæ Consanguineo nostro apud Westm. 14 die Aprilis, Anno regni nostri 16.

Dors. Pleg. de prof. Philippus de Blythelowe, Rogerus de Lontley. Pleg. Hugo le Coryller, Hugo le Carpenter, Walterus Akard.

Ibidem. Edwardus Dei gratia Rex Angliæ, &c. Vic. Hereford. salutem. Si Johannes Pychard de Stredewy fecerit te securum, &c. tunc pone, &c. Magistrum Richardum Leneband Offic. Episcopi Hereford. quod sit coram Justic. nostris apud Westm. à die Sancti Michaelis in unum mensem, ostensur. quare tenuit placitum in Curia Christianitatis de advocacione Capellæ de Brumbey, contra Prohibitionem nostram. Pone etiam per vadium & salvos plegios Resinn ab Howel, quod tunc sit ibi ostensur. quare secutus est idem placitum in eadem Curia, contra Prohibitionem nostram. Et habeas ibi, &c. Teste Edmundo Comite Cornubiæ Consanguineo nostro apud Westm. 27 die Augusti, Anno regni nostri 16.

Dors. Plegii Roger de Dorinton, Johannes de Ken. Magister Richardus Offic. Clericus est, non habens laicum feodum ubi possit distringi.

Ibidem. Edwardus Dei gratia Rex Angliæ, &c. Vic. Hereford. salutem. Si Robertus le Parthemynner fecerit te securum, &c. tunc pone, &c. Nicholaum de Reygate, quod sit coram Justic. nostris apud Westm. à die Sancti Hillarii in 15. dies, ostensur. quare secutus est placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem nostram. Et habeas ibi, &c. Teste Edmundo Comite Cornubiæ Consanguineo nostro apud Westm. 27 die Octobris, Anno regni nostri 16.

Dors. Pleg. de prof. Rigin. Plumet, Henr. le Perthimener. Nicholaus de Reygate Clericus est, non habens laicum feodum ubi possit distringi.

Ibidem. Edwardus Dei gratia Rex Angliæ, &c. Si Richardus de Leges fecerit te securum, &c. tunc pone per vadium & salvos plegios Magistrum Stephanum de Codano, quod sit coram Justic. nostris, &c. ostensur. quare tenuit placitum in Curia Christianitatis de latæ feodo ipsius Richardi in Rodbaldeston, contra Prohibitionem nostram, &c. Teste Edmundo Comite Cornubiæ Consanguineo nostro apud Westm. 15 die Novembr. Anno regni nostri 16.

There being a Suit between the Bishop of Ely and a Prior and Covent of the Kings foundation, about certain possessions, the King referred it to his Lieutenant and others of his Counsil to hear and determine it, by this Writ of Privy Seal.

Ex Bundela Brevium & Litterarum, An. 16 E. 1. in Turri London. Edwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ, dilecto Consanguineo & fideli suo Edmundo Comite Cornubiæ, tenenti locum suum in Angl. salutem. Quia intelleximus quod dilecti nobis in Christo Prior & Conventus de Valle beatæ Mariæ de Bedkels, super quibusdam possessionibus suis quæ per aliquos indebitè molestantur, & quod super eodem negotio alias coram venerabili patre

## A Supplemental Appendix:

K. Edward 1.

patre Episcopo *Elyen*, per modum placiti locutum exitit & tractatum. Nos pro eo quod Prioratus prædictus est de fundatione progenitorum nostrorum Regum *Angl.* indempnitati Religiosorum eorandem eo favorabilius volentes prospicere ut tenemur, petitionem ipsorum vobis transmittimus præsentibus interclusam, Mandantes, quod vocato præfato Episcopo et aliis discretis de Consilio nostro in *Angl.* existentibus, quos tunc ibidem præsentem esse contigerit, et examinato in omnibus diligenter et perfecte negotia supradicta, taliter provideatis et ordinetis, quod dictus Prior qui in partibus remotis ad nos venit, non sine magnis laboribus & expensis, indempnis, quatenus iussu fieri poterit conservetur. Et si fortassis idem negotium partes aliquas tangere censeatur, tunc vocatis partibus illis dictum negotium curetis modo iusto & debito terminare: Ne pro defectu exhibitionis iustitiae ad nos regressum habere Priorem oporteat supradictum. Teste meipso apud *Burgum Regium in Vasconia* 7 die *Maii*, Anno regni nostri sextodecimo.

*Deqsa.* Idem Prior habuit brevia juxta casum suum, & postea non est prosecutus.

*Robert de Leicester* Chaplain to *Hugh* Cardinal of *St. Lawrence* in *Rome*, prosecuting a Suit in the Court of *Rome* against *Walter* of *Ponte Robert*, for the Church of *Motiffant*, the King out of his affection to the Cardinal issued this Writ to his Lieutenant, not to molest, or suffer him to be molested for this illegal prosecution, so as he desisted from its prosecution, and should not do or attempt any thing for the future to the prejudice of his Royal dignity.

**E**dwardus Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitanie*, dilecto In Burdela  
Consanguineo & fideli suo *Edmundo* Comiti *Cornubie*, locum suum in *Anglia*  
tenenti, salutem. Volentes ob affectionem quam erga bonæ memoriæ Dominum  
*Hugonem* titulo Sancti *Laurentii* in *Lucina* Sacrosanctæ *Romane* Ecclesiæ nuper  
Cardinalem habuimus, dilecto nobis *Roberto de Leyc*, Capellano qui prædicti Car-  
dinalis dum vixit obsequiis intenderat, gratiam facere specialem; Vobis manda-  
mus, quod eundem *Hugonem* occasione cujusdam placiti quod ipse nuper secutus  
fuit, contra *Magistrum Walterum de Ponte Roberti* in *Curia Romana* super Ec-  
clesiâ de *Motiffant*, non molestetis in aliquo seu gravetis, nec permittatis ab  
aliis molestari; dum tamen nichil de cetero faciat seu attemptet quod cedere  
censeri possit in præjudicium nostræ Regiæ dignitatis. Teste meipso apud  
in *Vascon.* 11 die *Decemb.* Anno regni nostri 16.

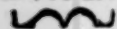
*John de Romaine* Archbishop of *Tork* having undutifully misdeameaned himself to the King after his advancement by him, against his own premised obligation, and contempt of his Prohibition, the King issued this Writ to seize his Temporalities, to deterre others from like attempts for the future.

**E**dward par la grace de Dieu Roy *Dengleterre*, &c. a son chier Cousyn & Feal In eadem  
*Esmond* Counte de *Cornuaille*, son Lieutenaunt en *Engleterre*, salut. Come Burdela, An.  
nous eussoms entendu, que *Larcevesque* de *Everwyk* se eust porte autrement 16 E. 1.  
divers nous, et deders nos Clercs, que se ne deussent, par quel nous vous man-  
dames nagueres par *Mestre Eude de Westmestier*, que vos le seussiez vestreindre par  
sa temporeute, tant que il se eust a seite a nous endreit de tlen manere de tres-  
passe, et il vos est pais que il mesmes se est abaunt obligé a nous  
par ses lettres patentes, por un trespasse que il nous fit en despiant nostre  
Prohibition, et de ce que il avoit eue de l'obeyssance nostre Court, nous vous en-  
voloms le transcript de mesmes celes lettres, por ce que vous petissiez  
cele obligation estre plus asprement vers li, et vous mandoms, que vous facez  
tot ensi endreit del abantait *Archevesque* nous vous aboms abaunt  
maunde par le dit *Mestre Eude*. Et tant enferez, que les autres Prelatz ne  
pensent prendre exemple de mes fere, ne a nous, ne a nos Clercs, et que nous  
ne treassoms en vous nulle negligence ne nulle desante endreit de  
Ce que vous en autres letz ou belez a fere, mandes nous hastinement par vos  
lettres, et par le porteur de ses lettres seussiez. Don de souz nostre seale prive  
au *Burgh le Reyne* le quint jour de *Fevrier*, l'an de nostre regne sezime.

Hereu non



An. 16 E. 1.



Hereupon the Archbishop of *Tork* repairing to the King beyond the Sea to hear his cause, he remitted him to his Lieutenant and Counsil, before whom he had a day assigned to do him plenary justice, so as to secure his own honour and justice, according to justice and the Law of the Land, and in the mean time to restore his Temporalities and Goods seised till the hearing.

In eadem  
Bundela  
An. 16 E. 1.  
in Turri Lon-  
don.

**E**dwardus Dei gratia Rex Anglia, &c. dilecto Consanguineo & fideli suo *Edmundo Comiti Cornubia*, tenenti locum suum in eodem regno, salutem. Quia licet Archiepiscopus *Ebor.* ad nos venerit, et super transgressionibus tibi impositis se optulerit voluntati nostræ et gratiæ totaliter submittendum, ipsum tamen ad nos durimus remittendum, pro eo quod sicut intelleximus, super eisdem transgressionibus diem habuit coram vobis et Consilio nostro ibidem a die *Pasche* in unum mensem; Vobis mandamus, quod super negotio illo versus præfatum Archiepiscopum taliter procedatis, quod plena iustitia inde fiat, prout ad honorem et salubamentum Regis dignitatis nostræ, secundum leges et consuetudines regni ejusdem videritis faciendum. Dat. sub privato sigillo nostro apud *Burgum Regina* 24 die *April.* Anno regni nostri 16.

Ibidem.

**E**dward par la grace de Dieu Roy D'engleterre, Seigneur D'Irlande, & Ducs Daquitaine, a son chier Cousyn & Feal & smond Counte de *Cornewaylle*, tenant son lieu en mesme le Royaume, salut. Come nous vous eussions maunde par Mestre *Eude de Westmestier*, & autrefoiz par noz lettres que vous seisse desfreindre *Larcebesque de Everwyk* par la tempozante, po: acouns trespasse que il nous avoit fait, et vous sur ce le ajourniez de baunt vous et nostre Consail, a respo:nde a nous scome reson serreit, et il puz soit venuz a nous, et po: avoir nostre grace et nostre bienboillance nous est promis et se soit oblige par la lettre, la quele nous avoims, que il nous amendera, et celes choses tot a nostre volente en quant que a nous en apent, nous vous mandoms, que il vous abez rien fait prendre en nostre mayn de la tempozante du dit *Arcebesque* par mandement que nous vous eneioms fait, ou de ses biens, ou de ses Chateaus que vous len li facez rendre et delivrer tot enterement quant que en est pris en nostre meyne, et del enjournement que il a de baunt vous et de baunt nostre Consail par la reson abaundote nen facez plus mes faites cesser ceu plet, et ne suffrez mie que il soit plus grebe des ore mes par ceste encheson. Donec de nostre seale prive a *Burdeaus* le 24 jour de *May*, l'an de nostre regne sezime.

*Reginald de Grey* detaining the Tithe of Lead Mines in *Wales* from the Bishop of *Bangor*, to whom they were proved to be due by custome and depositions, against several Letters of the King to pay them; the Bishop thereupon in the Kings absence addressed himself to the Earl of *Cornwall* the Kings Lieutenant, for justice against him herein, in this form.

Bundela Bre-  
vium de Pri-  
vato sigillo,  
An. 16 E. 1.  
in Turri Lon-  
don.

**E**xcellenti viro ac Nobili Domino *Edmundo Comiti Cornubia*, locum Domini Regis in *Anglia* tenenti, *Amanu* permissiore divina *Bangorensi* Ecclesiæ Minister humilis, Domini Regis Capellanus in *Wallia*, salutem, &c. Licet Dominus Rex sape et saepius scripsit Domino *R. de Grey*, quod faceret nobis habere decimas *Plumbisodiarum de Thegeygl*, quod facere minimè curavit, licet coram eo inquisitio apud *Rocolan*, fuisset per duodecim homines majores juratos de *Thegeygl*, & pro jure nostro deposuissent ad plenum. Et idem Dominus *R. de Grey* subtraxit nobis iustitiæ complementum. Quare recursum habuimus ad Dominum Regem propter defectum iustitiæ, qui vobis scripsit pro nobis & jure nostro: Quare vos rogamus & requirimus, sicut zelator veritatis estis & iustitiæ defensor, quatinus manum vestram auxiliatricem et adjutricem pro nobis porrigere dignemini; ita quoque Ecclesiæ *Bangoren.* non cedat a jure suo, quominus possit gaudere decimis *Plumbisodiarum de Thegeygl*, sicut consuevit temporibus retroactis *Leuwellini* magni & *David* filii ejus, & *Leuellini* filii *Griffini*, & Domini *Henrici* Regis, & aliorum Regum & Principum *Wallia*; non obstante quod Abbas de *Valle Regali* recepit aliquam partem tempore guerræ, quam adhuc tenet. Valeat, &c.

Pope

## A Supplemental Appendix.

K. Edward 1.

Pope Urban the 4th. by his usurped Papal power and provision conferring a Pension of 30 marks by the year on a Cardinals Nephew out of the Church of *Syndon in Lincolnshire*, which the Rector refused to pay for 10 years space, though his goods and Church were obliged to pay it, the Cardinals Nephew suing for it in the Court of *Rome*; the King granted an Inhibition thereupon to the Rector to pay it, and to the Nephews Proctor to proceed in his suit to recover it, as prejudicial to his Crown: whereupon he procured these ensuing Letters to the King from the Bishop, University, and Scholars of *Bononia* for his favour and assistance in the revoking of his Inhibition, and for the recovery of the arrears of this pension from the Parson of the Church.

Serenissimo & Illustrissimo Regi & Domino suo Domino Edoardo Dei gratia Regi *Anglia; Ottaviano* miseratione divina *Bononiensis* Episcopus salutem, & felicitatis optatæ ac gloriæ complementum. Excellentia vestra Regalis liberalitas & antiqua benevolentia quæ inter bonæ memoriæ Dominum O. Sanctæ *Maria in via lata* Diaconum Cardinalem patrum nostrum, & vestram magnificenciam sincerè viguit, plena fiducia nos inducunt, ut ad strenuitatis vestrae promtuarium pro nostris & nostrorum negotiis securâ conscientia recurramus, sperantes apud vos oportunam gratiam promereri. Nepos felicitis recordationis Dominus O. Sanctæ *Maria in via lata* Diaconi Cardinalis patris nostri, recipere debeat à Magistro *Radulpho* Rectore Ecclesiæ de *Syndon Lincoln.* Dioc. pensionem annuam triginta marcarum sterlingorum per litteras Apostolicas sanctissimi patris *Domini Urbani* Papæ quarti, et pro dicta pensione annua dicto nostro consanguineo de jure debita sint eidem bona et redditus ipsius Ecclesiæ obligati, et jam cessaverit idem Rector per decem annos a solutione pensionis prædictæ, et ad instantiam dicti Rectoris, per mandatum vestrum Regium facta sit inhibicio executori litterarum Apostolicarum ipsi concessio, super assuetudine pacifica pensionis prædictæ ut in hujusmodi negotio procedere non presumat, necnon et procuratoribus prædicti nostri Consanguinei ex præcepto vestro Regio inhibendum sit, ne ipsum negotium dictæ pensionis prosequi audeant contra Rectorem Ecclesiæ memoratæ, in grave præjudicium ejusdem nostri consanguinei et non modicum detrimentum; ita quod ubi favore Regalis excellencie justitia debuit reflexere, deperire ad suggestionem falsitatis irremediabiliter videatur. Magnificencie vestrae Regali supplicamus affectu quo possum ampliori, quatinus intuitu dilectionis et devotionis quam Dominus O. Cardinalis præfatus patruus noster ad vos et ad domum *Angliæ* semper sinceritate habuit, et contemplatione nostri et illorum de domo nostra *Ubalduorum* vestrorum devotozorum procuratores dicti nostri Consanguinei, nepotis Domini O. Cardinalis patris nostri super dicta pensione obtinenda pacifice, quando ad vos et Curiam vestram Regiam recursum habuerint dignemini habere favorabiliter commendatos, inhibitione facta de vestro mandato executori litterarum apostolicarum super dicta pensione ne procederet in negotio, et procuratoribus dicti nostri Consanguinei ne prosequerentur ipsum negotium, de benignitate Regia rebocantes, ita quod ex favore vestrae Regalis clementie consanguineus noster memoratus, et procuratores ejus pensionem annuam Triginta marcarum sibi de jure debitam assequi pacifice mereantur, et nos cum omni domo nostra sumus proinde vobis propensius devoti et assidui ad obsequiosa merita gratiarum. Dat. *Bononia* 15 die *Aprilis*.

Ex bundela  
Brevium &  
Litterarum, An.  
16 E. 1. in  
Turri London.

Gloriosissimo Domino *Edwardo* illustrissimo *Angl. Regi, Odo de Casali* Ordinaris in Ecclesia majori *Mediolanensi*, & Lego Ceothonicus Comes, Rectores universitatis Scholarum tam in Civili quam Canonico Jure in *Bononia* Civitate studencium, ipsaque Universitas tota, Collegium et Scholares cum perpetua recommendatione seipsos. Habet certum professio Christiana quæ sanctæ sanctionis imperio profitetur, quod est *Bononia* Civitas alumna Scholarum & Mater rudibus volentibus erudiri, per *Theodosium Cesarem* specialis studii muneribus adoptata. Nam humanæ leges hic militantes, & compescentes arbitrii libertatem, concedunt honestum, contrarium facius prohibentes. Huc ergo Scholares et Clerici contemptis terrarum marisque periculis undecumque profecti, ut gaudeant post laborum vigilas divitiis disciplinæ tanquam infantes sinu Civitatis ipsius materno recipiuntur affectu

Ibidem.



An. 16 E. 1. affectu & bajulati à *Bononiensibus* Civibus tamquam fratres ab ipsa infanciz, usque ad studii *Gades* in virilis tandem scienciz robur evadunt. Meritis itaque Cives reputamus fratres nostros patres & Dominos, in eorum passionibus compacientes illos, et in doloribus condolentes, in quibus dilectionis qualitas. Sane nobilem virum Dominum *Bonifacium de Langlano Bononia* Canonicum, nepotem dictæ recordationis Domini *Octaviani Sanctæ Mariæ in via lata* Diaconi Cardinalis, in detencione pensionis annuæ Triginta marcharum sterlingorum eidem debitz in Ecclesia de *Synlingdon Lincolnensis* Dioc. per discretum virum Dominum *Radulphum de Hygan* familiarem vestrum potentem et harum ipsius nobilis narratione percepimus ———— iusticiam molestari. In cujus molestacione suorum meritorum exigentia loquentes sub Christi testimonio plurimum conturbamur, cum illum præ cæteris *Bononia* Civibus ad Universitatis nostræ omniumque nostrum singulariter honores & commoda super impendimus expeditum, sitque ejus liberalitas tam industriis et industria liberalis, quod ejus opera suos notos ad placitura quæque alliciunt & conformant. Quamobrem, amantissime Princeps, præfatus familiaris vester hæc sub vestri licet ignorantis fortitudine brachii perficere creditur à pluribus Majestati vestræ, de qua plenè confidimus, quantum valemus devotissime supplicamus, quatinus Iusticiam quam indefinenter coluisse dicimini de moze subito diligentes, belitis eundem Dominum *Radulphum* inducere, sique in eo turpis quævis obstinacio fuerit, velut honori vestro congruat efficaciter cogere ad satisfactionem memoratæ pensionis pacifice dicto nobili exhibendam, tam pro præterito quam futuro, ita quod eidem de illo nullam coram Deo vel hominibus remaneat ius querelæ, præsertim cum ista non præstent sui læsionem honoris, quinimo et vestri, ut cum reberencia vestra loquamur et infamiam dici possint. Porro penes vos intercedere debent pro dicto *Bononiensi* Cive multarum impendia graciaram quas Scholares & Clerici omnesque vestri regnicolæ transeuntes, videntibus nobis in Civitate *Bononia* cotidie recipiunt affluenter, & antiquæ devocionis & reverenciz specialis memoria quam Cives *Bononia* totumque commune ad vos & prædecessores vestros ferventem habent, & semper habuisse feruntur, in quos revera quicquid suo Civi fuerit exhibitum transfundetur. Ex nostra verò parte à quibus nulla præviavere servicia, nichil pro nostrarum exaudicione precum allegare valemus, nisi quod à majestate vestra, quam famosæ liberalitatis exaltat præconium, de prædictis donum gratissimum et specialem graciaram imploramus, non offerentes nos vobis quæ vestri sumus & esse volumus fideles devoti & perpetui debitores. Dat. *Bonon.* 12 Kal. *Maii*, primæ Indictionis.

The King hereupon sent these Letters with the Cardinal Nephews Petition to the Earl of *Cornwall*, to desire him to advise with his Treasurer how to satisfy the Bishops, Cardinals, and Universities request, who thereupon made an agreement between the parties, as this Record informs us.

Ibidem.

**E**dwardus Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*, dilecto Consanguineo & fideli suo *Edmundo* Comiti *Cornubia*, tenenti locum suum in eodem Regno salutem. Peticionem quam Venerabilis pater & amicus noster karissimus Dominus *Matthæus* Dei gratia Sanctæ Mariæ in *Porticu* Diaconus Cardinalis pro *Neapoleone* consobрино suo Canonico *Lincoln*, nobis transmisit, vobis mittimus præsentibus interclusam. Et quia merita Cardinalis prædicti, qui nobis extitit semper gratus apud nos in hiis quæ possumus gratiam & favorem exposcunt, Vobis mandamus, quod habita super hoc deliberacione cum Venerabilis patre *J. Elyensi* Episcopo Thesaurario nostro, cui transcriptum petitionis destinamus ejusdem, dicto *Neapoleoni* de petitione prædicta curetis celerioris juris remedio quo poteritis subvenire, ita quod ipse instantiam Cardinalis prædicti sibi sentiat ut appetimus profuisse: Et hoc nullatenus omitatis. Dat sub privato Sigillo nostro apud *Burgum Regina* primo die *Maii*, Anno regni nostri sexto-decimo.

Dorso. Concordati sunt.

In

## A Supplemental Appendix.

K. Edward 1.

Page 347. l. 1. before *What*, insert. ] In the Bundles of Writs and Plea Rolls in the *White Tower* Anno 17 E 1. there are these Prohibitions to stay the holding and prosecuting suits in Courts Christiani.

**E**dwardus, &c. Vic. Staff. Johannes de Colewich *vers.* Robertum Archidiaconum Cestr. quare tenuit placitum in Curia Christianitatis de Advocatone Ecclesie de Colwych, contra prohibitionem. T. Edm. Com. Cornub. apud Westm. 28 die Maii, An. r. n. 17. *Consimile Breve* between the same persons for the same cause. *Teste ut supra*, 12 die Junii.

Bundela Bre-  
vium in Turri  
London, An.  
17 E. 1.

**J**ohannes de Marchian et Willielmus de Ergate per Asson. suum optulit se, &c. *vers.* — de Clavyle personam Ecclesie de Almychelegh de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio contra prohibitionem nostram, &c. *Et ipse non venit, et præceptum fuit Vic. quod attachiaret eum quod sit, &c. ad hunc diem. Et Vic. nichil inde fecit, sed mandavit, quod prædictus Walterus Clericus est & non habet Laicum secundum per quod potest attachari. Et testatum est quod habet suffic. in Alnelegh per quod potest attach. Ideo sicut prius præceptum est, quod sit in Officiis Sancti Martini, &c.*

Placita Octa-  
bis Sanctæ  
Trin. An. 17  
E. 1. in Turri  
London, Essex.

**E**dwardus Dei gratia, Rex, &c. Vic. Hereford. *salutem. Præcipimus tibi, sicut aliis tibi præcipimus, quod ponas per vadium & salvos pleg. Resum ap Howel, quod sit coram Justiciariis nostris apud Westm. in Crastino Purificationis beate Mariæ, ad respondend. Johanni Bychard de placito, quare secutus est placitum in Curia Christianitatis de Advocatone Ecclesie de Brunlegh contra prohibitionem nostram, ut dicitur. Et tu ipse iure sis ibi, auditurus iudicium tuum de hoc, quod Præceptum nostrum prius inde tibi directum non executus, sicut tibi præceptum fuit. Et habeas ibi nomina pleg. & hoc breve. Teste E. de Weyland apud Westm. 24 die Novembris, anno regni nostri decimo septimo.*

Ibidem.

There arising certain differences between the Bishop of Lincoln and the University, Chancellor and Scholars of Oxford concerning Jurisdictions; the King to preserve the Peace of the University, summoned the Bishop to appear in the next Parliament: wherein he would decide all differences between them by advice of his Council, commanding him to desist from all proceedings therein in the mean time, by this Writ.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, Venerabili in Christo Patri O. eadem gratia Episcopo Lincoln. salutem. Cum aliis ad instantiam nostram quæstiones quas erga Cancellarium & Magistros Universitatis Oxon. super diversis Jurisdictionibus suscitatis, posuissetis in respectum usque ad quindenam Sancti Michaelis, nisi interim in Angliam venissemus, committendo ulque ad eundem terminum Cancellario Universitatis prædictæ officium quod gerebat: Nos qui paci & tranquillitati Universitatis prædictæ prospicere volumus, ut tenemur; Vos rogamus, quatinus omnes quæstiones et contentiones quas erga Cancellarium et Magistros eisdem nobis super Jurisdictionibus quibuscumque adhuc respectuare velitis, donec in proximo Parlamento nostro, auditis rationibus et petitionibus vestris et defensionibus Universitatis prædictæ, quæ variis privilegiis antecessorum nostrorum et possessione diutina contra vos afferit se munitam, quæstiones et contentiones huiusmodi nostro mediante Consilio sedari valeant et sine debito terminari, et vos eidem Parlamento personaliter interfatis, vel sufficientem Attornatum pro vobis mittatis, ad faciendum et recipiendum quod idem negotium exigit vel requirit, nichil in dampnum aut præjudicium Universitatis prædictæ aliquatenus interim attemptantes. Teste meipso apud Burghum ultimo die Septembris, Anno regni nostri decimo septimo.

Bundela Bre-  
vium in Turri  
London, An.  
17 E. 1. in

The Pope at King Edwards request, with the assent of his Cardinals, constituting his kinsman Henry Bishop of Burdeaux, as he had signified to the King by his Letter, the King thereupon returned this gratulatory Answer to him, promising



*An. 17 E. 1.* mising the assistance of all his Officers in *Burdeaux* and *Gascoigne* to promote his affairs upon all occasions.

In eadem  
Bundela, An.  
17 E. 1. in  
Turri Lon-  
don.

**E**dwardus Dei gratia Rex *Anglia*, Dominus *Hibernia*, & Dux *Aquitania*; Venerabili viro caroque suo Consanguineo, Domino *Henrico Burdegalensi* Ecclesie Del providencia Electo, salutem. Læti sumus in hiis quæ vestra nuper dilectio nobis scripsit, quod Sanctæ Romanæ Ecclesiæ Summus Pontifex, assensientibus suis Cardinalibus, dictæ *Burdegalensi* Ecclesiæ constituit hos pastorem, pro quo factæ tempore sibi grates referre tenemur & volumus multiformes. Gaudemus siquidem in visceribus nostri cordis, quod tam laudabili tamque botibo experimento comperimus ipsam Romanam Ecclesiam fore zelatricem nostri generis et honoris. Sanè pro eo quod honorificenciam vestram nobis in præmissis ascribitis vosq; tam liberaliter recommendatis, & vestra ad nostræ voluntatis beneplacita, gratias vobis in præsentem rependimus, et rependemus uberius pro viribus in futurum. Mandamus ad rogatum vestrum dilecto consanguineo et fideli nostro *Laurencio de Braun*, Tenenti locum nostrum in Ducatu prædicto, & Senescallo nostro Ducatus ejusdem, ac Constabulario Castri nostri *Burdegali*. quos Officiales terræ nostræ *Vasconia* constituvimus potiores, quod ipsi vobis se exhibeant in agendis vestris omnibus propiciis favorabiles & benignos, vosque & vestra specialiter habeant recommendata, in quantum sibi congruere videbitur nostris utrinque statui & honori. Utinam amicissime prosperetur taliter status vester, quod exinde Altissimo & Ecclesiæ suæ sanctæ proveniat laus & honor omnium. Dominus vos conservet. Dat. apud *Colecestr.* Idus *Septembris*, an. regni nostri decimo septimo.

In a Bundle of Certificates and Significavits I found in the *White Tower* Anno 17 & 18 E. 1. among sundry others, I shall present you with these, praying the aid of the Kings power against Excommunicated persons, evidencing the insufficiency of the Bishops Ecclesiastical censures, and the Sovereign power, duty of the King to ayd and assist their imbecility by his Supream authority over the Clergy as well as Laity.

Bundela Literarum & Certificationum  
Ann. 17 & 18 E. 1. in Turri London.

**E**xcellentissimo Domino suo E. Dei gratia Regi *Angl. &c.* — *Cycestrensis* Episcopus, salutem. Excellentie vestræ, cuius est Sponsam Christi in suis iuribus et libertate tueri, et in gladio punire iustitiæ quos in ipsius Ecclesiæ injuriam, opprobrium et contemptum inbenerit machinantes; præsentibus innotescat, quod frater *Radulphus de Baldach*, Canonicus de *Begeham*, prædictæ *Cycestren.* Diocesis, est per nos excommunicationis sententia autoritate ordinaria innodatus. In qua sordescens per quadraginta dies & amplius, adhuc perseverare indurato animo non formidat, Claves Ecclesiæ damnabiliter contemnendo, in animæ suæ periculum & scandalum plurimorum. Cum igitur ultra non habeat Ecclesia quod faciat in hac parte, Vestræ Celsitudini Regiæ supplicamus, quatinus juxta regni beati Consuetudinem contra dictum excommunicatum extendere dignemini brachium seculare; ut quem timor Dei a malo non rebocat, corporalis poena cobibeat a peccato. Dat. 4 Cal. *Decembr.* Anno 1289.

Ibidem.

**E**xcellentissimo Domino suo, &c. *A. Dunelmensis* Episcopus salutem, &c. Reverendæ Dominationi vestræ notificamus per præsentem, quod *Wilhelmus de Harnham* Clericus, Parochianus noster, propter suam manifestam contumaciam & offensam, per nos, autoritate ordinaria, sententia majoris excommunicationis inobolitur; ipsam sententiam per quadraginta dies sustinuit, et adhuc animo sustinet indurato, Claves Ecclesiæ damnabiliter contemnendo. Quare Serenitati vestræ supplicamus humiliter, quatinus ad præterbitatem dicti excommunicati reprimendam, literas vestras (si placet) concedere dignemini (prout Consuetudo obtinet regni vestri) ut, quod minus valet Dei Ecclesia in hac parte, Regiæ debotionis potentia suppleatur. Conservet, &c. Dat. *London.* 16 Kal. *Junii*, Anno ut supra.

Page 427. l. 11. after *complaints*, insert ] The Prior of *Lucone* being unjustly spoiled and deprived of the Priory by the Abbot of *Cluny*, and afterwards upon his Appeal

Appeal restored to it by certain Statutes made in the Court of *Rome*, the succeeding Abbot writ this Letter to King *Edward*, to put him into possession of the Priory, and defend him therein by his secular arme.

An. 17 &  
18 E. 1.

**E**xcellentissimo Domino suo *Edwardo* Dei gratia Regi *Anglia*, &c. Frater *Guilielmus* miseratione divina *Cluniacensis* Ecclesie Minister humilis, salutem, &c. Cum per quorundam statuta in *Romana* Curia nuper edita, venerabili & charissimo fratri nostro *Petro de Cuneraco* Monacho nostro, Prioratus de *Leucone* (quo per bonæ memoriæ *Yvonem* quondam *Cluniacensem* Abbatem, prædecessorem nostrum, fuerat spoliatus) adjudicatus fuerit, sitque in virtute et authoritate dictorum statutorum eidem fratri *Petro* de dicto Prioratu de *Leucone* restitutio facienda: Excellentiam vestram attentissimè imploramus, quatinus eundem fratrem *Petrum*, aut ejus Procuratorem latorem præsentium pro ipso, in possessionem dicti Prioratus induci faciat corporalem; ipsumque inductum Magnitudinis vestre brachium manuteneat & defendat. Præfatum autem Priorem, virum probitate & honestate fulgentem, ac Prioratum de *Leucone* Celsitudo vestra recommendatum taliter habere dignetur in gratiam & favorem, quod nos et *Wido* (noster) fugiter pro vobis in orationibus bigeat, & per hoc bonum felix & prosperum recipiatis augmentum. Valeat, &c. Dat. *Clun.* 4. Kal. *Maii*, Anno Domini 1290.

In Bundle  
Literarum &  
Brevium An.  
18 E. 1. in  
Turri Lond.

Page 432. l. 27. after *ut supra*, insert ] The Certificate of his Election I find filed in a Bundle of Certificates, Letters and Writs in the *White Tower* An. 18 E. 1.

**E**idem Regi; Prior & Conventus *Elyen*, salutem, &c. Ad præsentandum serenitati vestre Magistrum *Willielmum de Luda* Decanum *S. Martini Magni London* Clericum vestrum, quem in Pastorem & Episcopum nostrum canonice eligimus; dilectos confratres nostros *Clementem de Thersford*, *Willielmum de Bregbam*, & *Rbertum de Swaffam*, conjunctim & divisim tenore præsentium destinamus. Vestræ clementiæ humiliter supplicantes & devotè, quatinus ipsum Electum nostrum gratiose admittere dignemini. In hujus, &c. Dat. apud *Elyen*, in Capitulo nostro in crastino Ascensionis Domini, Anno ut supra.

Bundle Cer-  
tificat. & Lic-  
tarum, An. 18  
E. 1. in Turri  
London.

Page 436. l. 8. after *evidence*, these Records should have been inserted.

**E**xcellentissimo Domino, &c. Decanus & Capitulum *Cassalen*, salutem, &c. Ibidem. Dominationi vestre præsentibus literis intimamus, quod felices recordationis Domino *David* quondam nostro Archiepiscopo viam universæ carnis ingresso, & concessa a vestra Serenitate Regia licentia eligendi; Nos unanimi voluntate & consensu virum providum & discretum, Ecclesie nostræ utilem & necessarium, vobis & regno vestro fidelem, Magistrum *Stephanum* Archid. *Glendelacensem* in Ecclesia *Dublinensi*, nostræ Ecclesie Canonicum, latorem præsentium nobis eligimus in Archiepiscopum et Pastorem. Hinc est, quod eundem Electum nostrum præsentamus vestre Regiæ Celsitudini, devotis precibus supplicando, quatinus prædictæ electioni nostræ Regium assensum liberaliter impendentes, literas vestras super hoc Domino nostro Summo Pontifici (si placet) dirigere dignemini. Valeat, &c. Dat. *Cass.* in Vigil. Omnium Sanctorum, Anno 1289.

**E**xcellentissimo Domino, &c. Decanus & Capitulum *Ossoren*, salutem, &c. Ibidem. Serenitati vestre præsentibus literis intimamus, quod felices recordationis *Rogerus* quondam Episcopus noster viam est universæ carnis ingressus. Ne autem Ecclesia nostra diutius remaneat Pastoris solatio destituta, ad vos dirigimus dilectum Canonicum nostrum *Nicholaum* filium *Richardi*, Præcentorem Ecclesie nostræ, latorem præsentium: Celsitudini Regiæ supplicantes, quatinus eligendi licentiam nobis liberaliter concedatis. Valeat, &c. Dat. in Vigilia Assumptionis beatæ *Mariae* Virginis, Anno 1289.

**E**xcellentissimo Domino, &c. Archiepiscopus *Armachanus*, salutem, &c. Cum Ibidem. post mortem Domini *Milonis* bonæ memoriæ quondam *Ardakadensis* Episcopi, idem Episcopatus tanto tempore vacavisset, quod per negligentiam ejusdem



An. 18 E. 1. loci Capituli parochi Episcopatus Ardakadensis ad nos jure metropolitico fuerat devolut. (wherein this Archbishop was much mistaken, no lapse in such cases incurring against the King by their default;) ac nos de persona Magistri Mathai de Ardach. ejusdem loci Canonici, eidem Ardakaden. Ecclesie prohiberimus in Episcopum et Pastorem. Excellentiam vestram devotè requirimus & attentè rogamus, quatinus temporalia ejusdem Episcopatus (quæ, novit Deus, satis sunt exilia) sibi, si placet, concedere dignemini. Datum die Lunæ proximo post festum S. Martini Anno 1289.

I cannot find that the Archbishop had any fruit of this his request, and Usurpation upon the Kings Right and Title, by this pretence of lapse incurred.

In Bundela  
Petitionum,  
&c. in Turri  
London. An.  
18 E. 1.

Excellentissimo Principi Domino suo, Domino Edwards Dei gratia Regi Angl. &c. sui humiles & devoti Frater Radulphus Prior Domus Sancti Thome Martiris juxta Dublin. & ejusdem loci devotus Conventus, seipsos cum orationibus, &c. Cum Monasterium nostrum per resignationem venerabilis patris Fratris Willielmi dicti Wallens. quondam Abbatis nostri, propter senium & alias causas certas factam, nuper in manus venerabilis patris Domini J. Dei gratia Dublinensis Archiepiscopi, Pastoris sic ad præsens solatio destituta: Excellentie vestre Regie devotis precibus supplicamus, quatinus dilectis fratribus nostris Henrico de Alta Ripa, & Ada le Barun, ad vos ex parte nostra venientibus, super nostris oppressiionibus variis & gravaminibus nobis à diversis factis, credere velitis, & remedium congruum adhibere; nobisque licentiam concedere dignemini, de alio nobis Pastore providendi. Quia nobis licentia de solita liberalitate vestra concessa, nihilominus adhuc vobis humiliter & devotè supplicamus exorantes, quatinus distinx pietatis obtentu, et \* pretiosi sanguinis beati Thome Martyris effusione, propter marium pericula, blarum discrimina, necnon et nimis moræ dispendio, quæ nobis immutare possent, hujusmodi gratiam nobis ad præsens faciatis, ut electioni nostre per Justiciarium vestrum Hibernia consensum Regium liberaliter impendatis; et eadem Electione per Metropolitanum nostrum confirmata, possessionem bonorum nostrorum, mobilium et immobilium, una cum perceptis quæ tempore vacationis in manu vestra sunt, per Justiciarium vestrum seu Ballivos vestros Hibernia nobis restitut faciatis. In cujus rei testimonium has literas nostras vobis transmittimus patentes. Dominus conservet, &c. Dat. in Monasterio in festo Nativitatis beatæ Virginis, Anno regni vestri 18.

\* Note the  
blasphemy.

Ibidem.

Excellentissimo Domino suo, Domino Edwards Dei gratia Regi Angl. &c. Decanus & Capitulum Duacensis Ecclesie, salutem, &c. Quia per mortem venerabilis patris nostri Domini David Episcopi nostri Duacensis nuper defuncti, dicta Ecclesia nostra Duacensis Pastoris solatio destituta dinoscitur, & vestre Regie Majestatis assensus ad providend. ipsi Ecclesie viduatæ de Pastore de jure et consuetudine est requirendus; Quare vestre Regie Celsitudini humiliter & devotè supplicamus, quatinus ex vestra Regia liberalitate et mansuetudine, sicut moris et consuetudinis est, per Nicholaum Canonicum nostrum latorem præsentium, hac vice vestrum Regium (si placet) nobis præbeat assensum, et futurum Pontificem licentiam eligendi, ne propter moram vestre Regie licentie præfatæ Ecclesia Duacensis in temporalibus & spiritualibus (quod absit) detrimentum patiatur. In cujus, &c. Dat. 13 Kal. Julii, Anno ut supra.

Which license they obtaining, and electing a Bishop thereby, they made this Certificate thereof to the King.

Ibidem.

Excellentissimo Domino suo, Domino Edwards Dei gratia Regi Angl. &c. L. Decanus totumque Capitulum Ecclesie Duacen. salutem, &c. Ecclesia Duacen. vacante per mortem felicitis recordationis Domini David nostri Episcopi Duacen. nos convenientes in unum, prius a Serenitate vestra Regia licentia eligendi petita pariter et obtenta, invocata Spiritus Sancti gratia, virum religiosum & discretum fratrem Laurentium Abbatem de Collemitory, ordinis Cisterciensis, Tuamen. Diocesis, præsentium portitorem, vobis et terræ vestre Hibernia semper fidelem, nobis unanimiter et concorditer postulabimus in Episcopum et Pastorem; firmam spem fiduciamque tenentes, quod Deo opitulante, & vestra Majestate favente, per ejus industriam & circumspectionem, tanquam aurum in fornace probatum

## A Supplemental Appendix:

K. Edward 1.

probatum, Ecclesia nostra *Duacen.* nimia hactenus paupertate depreffa, iuribus necnon et possessionibus multipliciter spoliata, ceteri relevatione et prosperitate gaudebit. Quocirca vestre Regie Celsitudini devotè & humiliter supplicamus, quatinus postulato nostro Regium vestrum assensum dignemini liberaliter impartiri. Literas vestras pro ejus confirmatione venerabili patri Domino *Willielmo* Dei gratia Archiepiscopo *Thamesi*, & Metropolitano nostro, divinæ charitatis intuitu, si complacet, rescribendo. In quorum, &c. Valeat, &c. Dat. in Ecclesia nostra *Duacen.* 29 die *Junii*, Anno gratiæ 1290.

An. 18 E. 1.

The Bishop of *Miden* informing the King, that some of his Officers and Bayliffs of Liberties within his Diocese, publicly inhibited any persons to appear before him, his Ordinaries, Officials or Commissaries, when they made their accustomed Inquisitions concerning mens sins, and that no Layman defamed of any crime should purge himself before them, but only with his own hand, to the great prejudice of his Ecclesiastical Jurisdiction and Government; the King thereupon issued this Writ to his Chief Justice of *Ireland*, to revoke such Inhibitions.

**R**EX Justic. suo *Hibern.* vel ejus locum tenenti, salutem. Ex insinuatione venerabilis patris *Thoma Midenfis* Episcopi nuper nobis innotuit, quod quidam *Episcopi* nostri *Hibern.* et quarundam libertatum ibidem *Ballivi* fecerunt publice inhiberi in Episcopatu *Midenfi*, & aliqui Laici Episcopatus ejusdem eorum suis *Ordinariis* vocati compareant cum contingerit ipsos *Ordinarios*, *Officiales* aut *Commissarios* eorundem suas super peccatis Inquisitiones facere consuetas, et ne aliquis Laicus ejusdem *Diocesi* super peccato aliquo diffamatus, nisi sola sua manu propria eorum *Ordinarius* antedictis se purget, in ipsos Episcopos et libertatis Ecclesiasticæ præjudicium non modicum et gravamen: Nos igitur nolentes Deo et Ecclesiæ suæ injuriam fieri in hac parte, vobis mandamus districte præcipientes, quod si ita est, prædictas inhibitiones faciatis celeriter et modo debito revocari, nec hujusmodi inhibitiones indebitas in præjudicium Dei et Ecclesiæ suæ contra justitiam ulterius fieri permittatis. Volamus etenim quod Episcopus et *Ordinarius* ceteri supradicti, prout ipsi et prædecessores sui facere consueverant in hac parte, libere sua jurisdictione absque vestrorum consensu indebita molestatione utantur. Taliter vos in præmissis habentes, quod nos super hiis sollicitari non oporteat iterato. Teste Rege apud *Westm.* 19 die *Julii*.

Claus. 18 E. 1.  
m. 7 dorso,  
Pro Episcopo  
Middensi, de  
Jurisdictione  
sua.

Page 440. l. 43. after *Libertatis*, insert ] A Monk of *Bynedon* turning an Apostate, the Abbot certified it to the King, and thereupon thus petitioned for a Writ de *Apostata* capiendi against him.

**E**ldem Regi *Edwardo*, Frater *Willielmus* dictus Abbas de *Bynedonia*, reverentiam, &c. Quoniam quidam dictus *Johannes de Wymfrend* diu in ordine nostro professus, spreto ordine & habitu vagabundus existit, in damnationem propriam et scandalum plurimum; Majestati vestræ humiliter supplico quantum possum, quatinus solita clementia, qua semper ordinem nostrum diligitis & fovetis, eum præcipiat per Vicecomitem *Dors.* arrestari, & fratribus nostris tradi, qui salutem animæ suæ provideant secundum *Ordinis* nostri disciplinam. Valeat, &c. Dat. *Bynedon* in Octabis Nativitatis beati *Johannis Baptista*, Anno ut supra.

In Bundeis  
Petitionum,  
&c. in Turri  
Londoni. An.  
18 E. 1.

*Placita* apud *Westm.* coram *Johanne de Metingham* & sociis suis *Justic. de Banco*, de *Termino Sancti Michaelis*, anno regni Regis *Edwardi octavo decimo*, incipiente nono decimo, (*Thorp*) afford us these Actions brought for holding and prosecuting Suits in Courts Christian against the Kings Prohibitions.

**N**icholaus de *Segrave senior*, per *Attorn.* suum optulit se 4 die versus Magistrum Robertum le *Wavafur*, & *Galsfridum de Sricheley*, de placito quare tenentur placitum in Curia Christianitatis de advocacione quartæ partis Ecclesiæ de *Reggeworth*, contra Prohibitionem, &c. Et versus Magistrum Robertum de *Twewelby*, de placito quare servatus est placitum in eadem Curia, contra Prohibitionem, &c. Et ipsi non venerunt. Et præceptum fuit *Vic.* quod attach. esset, &c.

Adhuc de  
Quindena  
Sancti Martini,  
Noting.

Et



An. 18 E. 1. Et Vic. nichil inde fecit. Et mandavit, quod pradii le Wavafur & Galfridus Clerici sunt, & non habent laicum feodum in Balliva sua per quod attach. possunt. Ideo mandatum est Episcopo Ebor. quod venire faciet eos hic a die Pasche in tres septimanas. Et de pradiis Magistro Roberto de Twewelby mandavit, quod non est inventus, nec aliquid habet in Balliva sua per quod potest attach. Ideo preceptum est Vic. quod capiat eum si inventus, &c. Ita quod habeat corpus ejus ad pradium terminum, &c. Et unde Vic. &c.

Ibidem.  
Adhuc de crasino Animarum. Anno 18 E. 1. in Turri London.

Gilbertus, &c. attachatus fuit ad respondendum Johanni de Romeneye, & Katherine uxori ejus, de placito quare secutus fuit placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et unde queritur, quod pradius Gilbertus die Martis proxima ante diem Dominicam in Ramis Palmarum, anno Regis nunc decimo octavo, apud Villam de — in forgia Alexandri le Mareschal imposuit ipsis Johanni & Katherine latrocinium, & vocasset ipsos latrones, et super hoc traxit ipsos in placitum in Curia Christianitatis coram Archidiacono de Sancto Albano. Et eodem Johannes & Katherina die Mercurii proxima sequen. in Ecclesia Abbathie de Sancto Albano, in presentia Thomæ Beneyt, Johannis Paulyn, Milonis Le —, & Willielmi le Smerekerver, porrexisset eidem Gilberto Regiam Prohibitionem, ne prædictum placitum ulterius sequeretur, idem Gilbertus spreta Prohibitione illa nichilominus, secutus est placitum illud in Curia Christianitatis: Ita quod fecit ipsos Johannem & Katherinam ab ingressu Ecclesie suspendi, et postea excommunicari; unde dicunt, quod deteriorati sunt, et dampnum habent ad valentiam quadraginta solidorum. Et inde producit sectam.

Et Gilbertus per attorn. suum venit & defendit vim & injuriam quando, &c. Et bene defendit, quod ipse nunquam secutus fuit prædictum placitum contra prædictam Prohibitionem, &c. Et de hoc ponit se super patriam. Et Johannes & Katherina similiter. Ideo preceptum est Vic. quod venire fac. &c. per quos, &c. Et qui nec, &c. Nisi iussit, ad assisas cap. assignati prius, &c.

Ibidem.  
Berk.

per attorn. suum optulit se 4. die versus Johannem del Parlor, de placito quare secutus fuit placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et ipse non venit. Et plures fecit defensas. Ita quod preceptum fuit Vic. quod distringeret, &c. Et Vic. nichil inde fecit. Et mandavit, quod non habet terras nec tenement. &c. per qua potest distringi. Et testatum est, &c. quod habet terras & tenement. in Com. Berk. per qua, &c. Ideo preceptum est Vic. Berk. quod distr. eum per omnes terras, &c. Et quod habeat corpus ejus hic ad prædictum terminum, &c. Et unde Vic. mand. &c. Et testatum, &c.

Ibidem.  
Hertf.

Frater Radulphus de Barnburgh Abbas de Sancto Albano attach. fuit ad respondendum Waltero Spereman, de placito quare secutus est placitum in Curia Christianitatis de catallis et debitis, quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et unde queritur, quod cum prædictus Abbas traxisset ipsum in placitum in Curia Christianitatis, coram Fratre Willielmo de Parys Archidiacono de Sancto Albano, de catallis quæ non fuerunt de Testamento vel Patrimonio. Et idem Walterus die Dominica proxima ante Purificationem beate Mariæ, anno Regis nunc decimo octavo, in presentia Thomæ le Peyntour, & Hugonis le Peyntour, & aliorum in Ecclesia Conventuali de Sancto Albano porrexisset eidem Abbati Regiam Prohibitionem, ne prædictum placitum sequeretur in prædicta Curia Christianitatis. Idem Abbas spreta Regia Prohibitione, secutus fuit placitum prædictum in Curia Christianitatis quousque idem Walterus ad sectam ipsius Abbatis fuit ab ingressu Ecclesie suspendus, et postea excommunicatus; unde deterioratus est, et dampnum habet ad valentiam Centum librarum. Et inde producit sectam.

Et prædictus Radulphus per attornatum suum venit & defendit vim & injuriam quando, &c. Et bene defendit, quod nunquam secutus fuit prædictum placitum de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra Prohibitionem, &c. Et de hoc ponit se super patriam. Et Walterus similiter. Ideo preceptum

## A Supplemental Appendix.

K. Edward 1.

*præceptum est Vic. quod venire fac. hic in Oñibus Sancti Hillarii 12. &c. per quos An. 20 & &c. Et qui nec, &c. ad recognoscendum in forma prædicta, &c. Quia tam, &c.* 22 E. 1.

Page 454. l. 5. adde. I suppose this Report was grounded upon this Certificate made to the King by the Judges of the Kings Bench, and Barons of the Exchequer about the 20 year of King Edward the 1. (as I conjecture) the Original whereof I found in a Bundle of Writs and Certificates returned into the Chancery, which I rescued from rubbish in the *White Tower*; wherein they inform the King of a Bull purchased from the Court of Rome by *Boves de Clare*, against *John de Lovat*, as the most prejudicial Bull that ever was purchased or brought into the Land in their time: For which Sir *Boves* being questioned before them, wholly referred himself into the Kings hands and pleasure, so whose presence they thereupon adjourned him there to attend from day to day. What the contents of this Bull were, they did not certify, since the Bull it self was transmitted to the Chancellor. Most probably it was this very Bull which these *Law-books* mention to be adjudged *Treason*, and the procurer of it ordered by the King to be drawn and hanged as a Traitor.

**A** Noble Prince & lour trescher Signeur Sire Edward par la grace de Dieu Roy D'angleterre, Seygnur de Irland, e Duke de Aquitaine, les foens *Rauf de Hengham, Nicole de Stapelton, e Wanier de Wymburn* ses Justices de son Banky, salut e due reverence. Saches Sire kee au moys de Saynt Michel vint Sire *Boves de Clare* devant nous a *Salopbyrs* pur busaignes kil out afere; au quel jour vint Sire *Johan de Lovat* vestre Justice de Banky, e par ses amurs munstra devant nus, que lavantdit Sire *Boves* ont une Bulle purchase contre ly en prejudice de vostre Cozone la quele il nous monstra embulle dunt nus vos enueunt le transcript. E grant Sire *Boves* de ceo devant nus fu a resume il nus respondi, que celle Bulle fu purchase per les foens que sunt en la Curt de *Rumme*, del vostre hel li bint il vos apozta, e les nos munstra e mist la besoigne tut en vos, sil la dust sire ou nun, e labant dist Bulle mist en la main vestre Chancellor kil en ordenast a vostre volente. E quant nus cele Bulle aupom buer, nus la sapmes muntrer debant vos Barons de vostre Exchehere, e les Justices de vostre grant Banky, e tu abis a tut, ke celle Bulle fu la plus prejudicieles ke unkes fust purchase en vostre tens, de nostre tens; e pur ceo Sire tut allegast labant dist Sire *Boves* ke la chose fust mist en vos mains a vostre bolunte si com desleps est dit, nus del tut ne aucun lesser vostre supre en ly aucun jur done debant bus as oyrables del Saint Martin, cum de jour en jour par vostre volonte sader, d'qune si vos plect vostre volonte sur cestz chose nus mander.

Bundela Literarum, &c An. 20 E. 1. in Turri London.

King Edward out of his devotion to that Archtraytor *Thomas Becket* upon the Petition of the Prior and Covent of *Christchurch* Monastery in *Canterbury*, granted them this new Charter, confirming unto them the forfeitures and amer-ciements of all their Tenants goods condemned, or flying, before any of his Justices; which I found in a Bundle of Writs of Privy Seal and Petitions in the *White Tower* Chappel.

An. 22 E. 1.

**E**dwardus Dei gratia Rex Anglie, Dominus Hibernia, & Dux Aquitania, Archiepiscopis, &c. Sciatis quod licet dilecti nobis in Christo Prior & Conventus Ecclesie Christi *Canuariensis*, a tempore cujus memoria non existit, perceperunt & habuerunt amerciamenta omnium hominum et tenentium suorum, et catalla omnium hominum et tenentium suorum felonum dampnatorum et fugitivorum, in quibuscunque Curis infra regnum nostrum homines et tenentes illi amerciati et catalla hujusmodi amerciata fuerant semper hucusque, absque dono vel concessione aliqua a nobis seu progenitoribus nostris, quondam Regibus Anglie, inde habita vel obtenta. Ne tamen dicti Prior & Conventus ex hujusmodi perceptione onerari, inquietari, vel occasionari a quocunque valeant in futurum, ob reverentiam beati *Thome Martiris*, et devotionem quam erga eundem sanctum gerimus et habemus, volentes eisdem Priori & Conventui gratiam facere, et eorum securitati in hoc ex Regia munificentia specialiter providere; Volumus, concedimus, & hac Charta nostra confirmavimus pro nobis & heredibus nostris præfatis

Bundela Bre-vium & Petitionum An. no 22 E. 1. in Turri London.



*An. 22 E. 1.* tis Priori & Conventui, quod ipsi et eorum Successores habeant et percipiant de cetero Amerciamenta omnium hominum et tenentium suorum, et Catalla omnium hominum et tenentium suorum felonum damnatorum, et fugitivozum, eorum quibuscunque Justiciariis et Ministris nostris et heredum nostrorum et aliorum quorumcumque infra regnum nostrum homines et tenentes illos ameriari, et Catalla huiusmodi ex quibuscunque delictis et causis adjudicari contigerit. Ita quod Justiciarii, Vicecomites, & Ministri nostri quicumque vel heredum nostrorum, coram quibus dicti homines et tenentes ameriati fuerint in futurum, extractas de Amerciamentis illis dictis Priori et Conventui et eorum successoribus statim liberent, postquam Amerciamenta illa taxata fuerint, per eosdem Priorem et Conventum et successores suos et ministros eorundem lebant, per extractas illas absq; occasione vel impedimento nostri et heredum nostrorum; & ita quod cum aliquis hominum & tenentium suorum pro delicto aliquo vitam vel membrum amittere debeat, vel fugam fecerit, & iudicio stare noluerit, vel qualitercumque deliquerit, per quod Catalla sua perdere debeat, in quacumque Curia nostra & heredum nostrorum seu aliorum, ubi de eo iustitia fieri debeat, Liceat ipsis Priori & Conventui & eorum Ministris sine impedimento vel contradictione nostri & heredum nostrorum, Vicecomitum, Ballivorum & Ministrorum nostrorum quorumcumque aut aliorum, ponere se in seisinam de Catallis predictis in quibuscunque Casibus, in quibus Ballivi nostri vel heredum nostrorum, si Catalla illa ad nos vel heredem nostrum pertinerent, ea in manus nostras vel manus heredum nostrorum possent vel deberent capere vel seiscire. Et ita quod nullus Justiciarius seu Minister noster vel heredum nostrorum seu alterum de Catallis huiusmodi, quin dicti Prior & Conventus & eorum Ministri, ea habere et in seisinam eorundem se ponere possint, ut predictum est, se intromittat sine licentia & voluntate ipsorum Prioris & Conventus & successorum suorum imperpetuum. Quare volumus & firmiter precipimus, &c. sicut predictum est: Hiis testibus, venerabilibus Patribus, *A Dunolmen. W. Elien, J. Karliolen, & W. Bathon. & Wellen.* Episcopis; *Edmundo* fratre nostro, *Wilhelmo de Valentia* Avunculo nostro, *Edmundo Com. Cornubie* Consanguineo nostro, *Henrico de Lacy Com. Lincoln.* *Roberto Tibbot, Gilberto de Thornton, Waltero de Thornton, Waltero de Bello Campo, Johanne de Meringham, Roberto de Herisford, Rogero de Brabazun* & aliis. Dat. per manum nostram apud *Westm.* 13 die Junii, Anno regni nostri 22. Thus did these greedy Priors and Monks encroach the Royalties and Prerogatives of the Kings and Crown of England, to the diminution both of their grandeur and revenues.

In the same Bundle of Writs and Petitions, I met with this Petition of the Archdeacon of *Canterbury*, reciting a Prohibition of the Kings directed to him, not to visit the Church of *St. Martyns* in *Dover* being his Free Chappel, nor yet the Churches or Chappels thereunto belonging, and petitioning for a revocation thereof, being against his ancient right.

*Ibidem.*

**A** Nostre Seignour le Roy, e a soun Conseil prie *Simoun de Comynge* Erche-diaque Lerchevesque de *Canterbury*; qe cum toutes les Predecessours Erche-diaques del Eglise e de Lerchevesque de *Canterbury*, e li du temps dount memoire ne Court, sient este seiss de user Jurisdiction ordinaire cum Ministres Lerchevesque abantdis, en totes les Eglises curies appoztenauns a la Chapele *St. Martin de Douvre* en la disposition Lerchevesque qui ore est, e les Predecessours del temps abantdis estesuns, tant qe le Mekardi proghein apres le fest seint *Martyn* l'an del regne le Roy qui ore est trefime, qe nostre Seignour le Roy manda par sa prohibition au dist Erche-diaque, e a ses Ministres, e les defendi, qe euz ne usassent Jurisdiction ordinaire en la Franche Chapele le Roy de seint *Martin de Douvre*, ou en les Eglises en cele Chapele appendauns; par reson de quele Prohibition le dit *Simoun* e ses Ministres de user Jurisdiction ordinaire en les Eglises curies les queles il but de la collation de Roy, al boneur e la reverence le dist nostre Seignour le Roy, e de soun Commandement sount surdis, tant qil plust a nostre Seignour le Roy soun Counseil demander une rebocattoun de la Prohibition abantdisse, selonc les paroles contenuz en ceste Petition par paroles qe se suent. *Edwardus Dei gratia, &c. Archidiaconus Cantuar. vel ejus Officiali, salutem, Quia accepimus,*

## A Supplemental Appendix.

K. Edward I

*pimus*, quod quoddam breve nostrum prohibitorium super immunitate et exemptione Ecclesie de *S. Martini Dover*. conceptum, et vobis directum, ne Jurisdictionem ordinariam in Ecclesia predicta, seu P<sup>r</sup>ebendis, Ecclesiis, aut Capellis ad (eam) spectantibus, in p<sup>r</sup>judicium immunitatis et exemptionis predictarum exerceretis, a Cancellaria nostra surrepticiè ob aliquos defectus ex eadem (ut dicitur) emanavit. Vobis mandamus, quod Breve predictum habeatis in Cancellaria nostra, vel illud sub Sigillo vestro ibidem mittatis, & hoc Breve, ut, eo inspecto, ulterius inde fiat quod de jure fuerit faciendum. Teste meipso apud Westm. 3. die Augusti, Anno regni nostri quintodecimo. Cuncto surseant. Plaist au dist nostre Seignour le Roy e soun Counsaill de ordeiner pur lestat del Eglise de *Canterbire*, de graunter Erchediake de *Canterbire* q<sup>i</sup> oze est, qil pute user tel estat, cum li e ses P<sup>r</sup>edecessours Erchediaques Spinistres del Eglise e de Leichebesque de *Canterbire* unt use la en arere.

An. 22 E. 1.

In the same Bundle of Writs and Petitions, there is this memorable Petition of the Prior and Covent of *St. Martyns in Dover* to King *Edward the 2.* and his Council, reciting a Judgement given for King *Edward the 1.* his father, against the Archbishop of *Canterbury* for abusing his power, contrary to the Charters of that Priory, and against the usurpations and encroachments of the Prior & Covent of *Trinity in Canterbury*, against whom they prayed relief, and restitution to their antient Privileges, against their restless oppressions and vexations, according to that Judgement.

**A** Nostre Seignour le Roy *Dengleterre*, & a sun Conseil, mostrount sez devouz Chapeleyns Priour & Convent de la Eglise de *S. Martyn de Douvre*, Com *Henry* jadis Roy *Dengleterre* Progenitour nostre Seignour le Roy qui ore est, que Dieu gard, dona la dite Eglise de *Seint Martin de Douvre*, ove totes les appartenances ausi fraunchement, com il la tynt a *Thebaud* adounk Ercevesque de *Canterbire*, & a ses successeurs Ercevesques, en certain fourme qe le dit Ercevesque fest ordre de Moigne en la dite Eglise, solonc la Reule *S. Beneyt* a vivre, perdurablement adurer, e qe james autre sey entremeyst, mes qe le dit Ercevesque & les Ercevesques de *Cant.* avenir. Apres quel establisement del dit ordre, solonc la fourme susdite, le dit *Thibaud* ordeina, qe en checune voidance de la Priorite de *Douvre* fust fait un Moigne de la *Trinite de Cant.* Prior a la dite Eglise de *Douvre*, & remuable a la volonte du dit Prior de la *Trinite*: issint en cel temps le dit Priour de la *Trinite* usurpa et acrocha a lui et a la Seigneury touz les poins qe apendeient a les Moignes de la dite Priorite de *Douvre*; Cestassavoir, p<sup>r</sup>afectioun de Priour, com sus est dite, p<sup>r</sup>ofession, et examination des Clercs qe dussent estre ressu a lur abit en la dite Priorite de *Douvre*, et autres oppressions et grebances et blemissements encontre la fourme e la volonte du primer foundeur, en grant errisement et p<sup>r</sup>judice de la dite Eglise *S. Martin de Douvre* et a les persones iloefques demouranz, dount nostre Seignour le Roi *Edward* pere nostre Seignour le Roi qe ore est, qe Die gard, veiaunt les oppressions et blemissements a la fraunche Chapele & a les Moignes iloefques demouranz estre fait grevouses & meyns dreiturels en une voidance de la Priorite de *Douvre*, le Roy porza sun b<sup>r</sup>ef de droit debers le Priour de la *Trinite* qe oze est, et recevera labourie debers lui de la dite Eglise de *Seint Martin*, et le dit Priour forjuge pur toutes jours compiert plus pleinement par record et p<sup>r</sup>oces de ceo fait en le Court nostre Seignour le Roi. E coment qe ceo Jugement oghita le dit Priour del avorie avantdite, le dit Priour apres la mort Ercevesque de *Canterbire* myst chalench a clame, demandant obedience manuele et autres subjections du dit Priour & Moignes de *Douvre*. E par ce quil ne firunt point, com faire ne devoient, il les fist escumencher et autres duresseles grevances, et apres la mort del Priour en cel temps, le dit Priour de la *Trinite*, clama p<sup>r</sup>afectioun de Priour iloefques com avaunt fist, et destourba les ditz Moignes de *Douvre* deinz aunz et demi e plus qil ne poient avoir Priour de leur com avant avoient. Taunt qe nostre Seignour le Roy qe ore est, qe Dieu gard, de pyte meuu qe la destruction des ses Moignes de *Douvre*, commanda par son b<sup>r</sup>ef de la Chancelerie, qil surteist et cessat des grebances et demandes tozsinoues qe il fist a la fraunche Chapele de *Douvre* et a les Moignes iloefques demouranz, encontre la Jugement et la gard de la Court, et de

Bundle Bre-  
vium & Peti-  
tionum An-  
no 22 E. 1.  
in Turri  
London.  
See Monasti-  
con Anglica-  
num. tom. 2.  
p. 152 &c.



An. 22 & la defence. E pur ce qe le dit Prioꝝ cesser ne voileit, nostre Seignur le Roy qe oze  
 24 E. 1. est, poꝛte sun Wꝛet de trespas devers lui, et en la Court le arrena, ou le dit Prioꝝ  
 desclama pꝛofession de Prioꝝ, pꝛofessoun, examination, obediences, et totes maneres  
 autres choses solom ceo qil sunt contenuz en le dit pꝛoces, qe rien ne clama ne  
 cleyne, ne de rien fu coupable; et de ceo se implt el en bon pays, et fust atteint a  
 la suite nostre Seignur le Roy a ses damages de Deus mille libꝛes. E outre ceo  
 fust comande en Jugement, quil repellast sentences et totes maneres des greban-  
 ces comence le dit Wꝛet entre les ditz Moignes et le Prioꝝ de la Trinite. Des  
 quey totes choses rien ad fait, mes de jour en jour procure le mal as dites Moignes  
 de Douvre, et met destourbanche, et par lounq temps ad mys, qe le dit Prioꝝ et  
 Convent de Douvre ne pount resceivre nul Clerk a lur abit, ne poent puis le temps  
 Lercevesque Robert. Dount nostre Seignur le Roy pur lui et pur les almes des  
 ses Auncestres perdent et cunt perdu tout le fruiſt et pꝛofit en Pesses, oꝛepſouns,  
 et en autres bienfaitz qe apendez a religioun, qe deussent aber esse faitz en le men  
 temps de Deus Cobentz, de queu nombre par mort et par maladie faut a poi lun  
 Convent, en grant errisement del pꝛofit susdite et amenusement del diuine serbice  
 Dieu, et en grant eboitement del charche des ditz Moignes floesques destherbauntz.  
 Par quei pꝛient a nostre Seignur le Roy et a son Conseil ses ditz poueres Chap-  
 leins Prioꝝ et Convent de Douvre pur Dieu & pur seinte charite, qe devers le dit  
 Prioꝝ de la Trinite de sun contest et de la desobeysance et grebanche faites boelle  
 remede ordeiner, qe les ditz Moignes puissent apꝛes en pais diuine et le miens  
 Dieu serbir. E delicom nostre Seignur le Roy ad fait restitution de sa Eglise  
 Seint Martin de Douvre, ove totes les apurtenances al Ercevesque de Cant. de sa  
 especial grace al derrein Parlement a Londres, compiert par la Chartre registree  
 en la Chauncellerie, qil pleise al dit Ercevesque solom la forme & le purport de la  
 dite Chartꝛe ses ditz Moignes de Douvre, e mever et faire, a que le dit Ercevesque  
 voudra souffrir & congie doner, qe le dit Prioꝝ & Convent de Douvre puis-  
 sint resceivre Clercs a lur Abeye, tant qe a plein noubre come il furoms char-  
 chez al commencement de lur Ordre alevoitement del serbice Dieu, et en allegi-  
 ances des nostre Seignur le Roy, et des Roys qe sunt advenir.

Dors. Quia constat Consilio, quod nullus debet se intromittere de Prioꝝatu  
 S. Martini Dovor. neque in Spiritualibus neque in Temporalibus, nisi solus Ar-  
 chiepiscopus Cant. & hoc per Chartas Regum, &c. Et quod Dominus Rex nunc,  
 pro eo, quod Prioꝝ Cantuar. intromisit se de Spiritualibus dicti Prioꝝatus Dovor.  
 ipsum Prioꝝem coram ipso Rege super hoc implacitavit, in quo Placito comper-  
 tum fuit, quod idem Prioꝝ se de hujusmodi ibidem intromisit ubi non debuit, ad  
 damnum Regis, &c. Per quod consideratum est per Cur. Regis, quod ipse Prioꝝ  
 omnia in hac parte per ipsum attemptata faciat indilate revocari. Ideo prosequatur  
 coram Justiciariis Regis ubi placitum fuit, quod Prioꝝ Cantuar. revocet omnia  
 attemptata supra tenorem considerationis predictæ, et habeat ibi Processum suum  
 pro Rege, vel faciat venire Recordum inde in Cancellaria, et prosequatur ver-  
 sus Prioꝝem Cant. per Brevia originalia, prout pro Rege melius videbitur fa-  
 ciendum, &c.

An. 24 E. 1. Page 644. l. 21. after *continetur*, insert. ] In another Bundle of Writs in the  
 Tower, I found this Writ at the Kings suit.

Bundela Bre-  
 vium in Turri  
 London, An.  
 24 E. 1.

\* See Hornes  
 Mirror des Ju-  
 stices, cap. 2.  
 sect. 13.

Edwardus, &c. Pons, &c. Willielmum de Byspucham, quod sit coram Justic.  
 nostris, &c. ostensurus quare, cum placita de Catallis et Debitis quæ non  
 sunt de Testamento vel Patrimonio ad nos et ad Coronam et dignitatem no-  
 stram, et non ad alium pertineant in regno nostro, idem Willielmus secutus est  
 plac. in Curia Christianitatis de Catallis et Debitis Henrici de Donne Capel-  
 lano, quæ non sunt de Testamento vel Patrimonio, in lacionem Coronæ et  
 Dignitatis nostræ, et contra Prohibitionem nostram. Et habeas, &c. Testi-  
 me pꝛoapud Westm. 3 die Decemb. An. r. n. 24. Brom.

How vexations the Priests, Bishops and their Officers were to the Kings Subjects  
 in that age, in excommunicating them at their pleasures, unless they gave them  
 what

## A Supplemental Appendix.

K. Edward 1:

what they pleased, and submitted to their wills and pleasures, this memorable *An. 24 E. 1.*  
 Petition of *Fyne* the Wife of one *Burgeys* to the King, against the Bishop of *Lancoln*  
 and others (which I found in the *White Tower*) will inform us.


**A**U Seigneur le Roi, monstre *Fyne* que fust la feme *Rauf Burgeys* de *Herling-* *An. 24 E. 1.*  
*ston*, que come ele soit veugle & del age de quatre vintez & dyz ans. *Johan* in Turri Lon-  
*Picard* Clerke que ad eyde maintenance & confort Levesque de *Nichol* & de Com-  
 missaries ad taunt travaille la dite *Fyne* per censures de *Seint Eglise*, et ele ad  
 mys en contumacies, tanque les abantoiz *Chesque* et *Johan* la ount repnt a lout  
 volonte, et puis la ount escominage ensemblement (oue son fitz) *Johan*  
 que tout son temps ad demurrer en *Loundres* en la *Diocise* le *Ercevesque* de  
*Canterbirs*, ensemblement oue les ——— le dit *Johan* lad puis  
 manuser de bpe et membre, pur ce que ele ne doet doner a le avantdit *Johan*  
 tant que il boet demander ——— per quei la dite *Fyne* ne par-  
 demurrer ne vider sur les terres demesne, eins est sui a *Loundres*: *Supplic*  
 labantoiz *Fyne*, que les ditz *Chesque* et *Johan* soient commande de surse-  
 de tiels extortions, et qu'il pleise a nostre dit Seigneur le Roi mander (son brieve  
 al euz) et faire cobenable punissement, a fin que voz lieges gentz puissent  
 vider de leurs biens sanz estre (destreper) per extortions susditz.

I premit all other Records and Writs of lesse moment relating to our *Church-*  
*affairs*, or the Sovereignty of our Kings therein; to their grants of *Tithes* of *Ve-*  
*nison* in their *Forests* to several *Bishops*, *Abbots*, *Monks*, (who loved their bellies  
 and fasting better then fasting) and of other *Tithes* by their \* *Charters* to them;  
 and of their *Jurisdiction* in cases of *Tithes*; or to *Popes*, our *Prelates*, and their  
 Officers manifold invasions upon the Crown, and peoples Liberties, during the  
 Reign of *K. Edward* the 1. with his, his *Parliaments*, *Nobles*, *Commons*, *Councils*,  
 Judges oppositions against them, thus epitomized, recited, justified in and by the  
 Parliament of 24 *H. 8.* chap. 12. (intituled, *An Et that Appeals in such cases*  
*as hath been used to be pursued to the See of ROME, shall not be from henceforth*  
*used but within this Realm*) wherewith I shall cloze up this *Appendix* and *Tome*.

**W**Here by divers sondry old antientlike Histories and Chronicles, it is ma-  
 nifestly declared and expressed, THAT THIS REALM OF ENGLAN  
 IS AN EMPIRE, and so hath been accepted in the World, governed by ONE  
 SUPREME HEAD AND KING, having the Dignity and Regal Estate of the  
 IMPERIAL CROWN of the same; Unto whom a body politike, compact of all  
 sorts and degrees of people, divided in termes and by names of Spirituality and  
 Temporalty, ben bounden and oven to bear, next to God, a natural and humble  
 obedience: He being also fortified and furnished by the goodnesse and sufferance  
 of Almighty God, WITH PLENARY, WHOLE AND INTIRE POWER,  
 PREEMINENCE, AUCTORITY AND JURISDICTION, TO RENDER AND  
 YEELD JUSTICE AND FINAL DETERMINATION TO ALL MANNER  
 OF FOLKE RESIAUNTS OR SUBJECTS WITHIN THIS HIS REALM,  
 IN ALL CAUSES, MATTERS, DEBATES AND CONTENTIONS HAP-  
 PENING TO OCCURRE, INSURGE OR BEGIN WITHIN THE LIMITS  
 THEREOF, WITHOUT RESTRAINT OR PROVOCATION TO ANY FO-  
 REIN PRINCES OR POTENTATES IN THE WORLD, &c. The Kings  
 most Noble Progenitors, and the Nobility and Commons of this Realm  
 at divers and sundry Parliaments, as well in the time of King Edward the  
 First, &c. as in other Noble Kings of this Realm, made sundry Ordinances,  
 Laws, Statutes, and Provisions, for the entire and sure conservation of the  
 Prerogatives, Liberties, and Preeminences of the Imperial Crown of this  
 Realm, and of the Jurisdiction spiritual and temporal of the same, to keep it  
 from the annoyance as well of the See of Rome, as from the authority of other  
 Sovereign Potentates attempting the diminution or violation thereof, as often  
 and from time to time as any such annoyance or attempt might be known or  
 esped. All which the premised Statutes, Edicts, Writs and Records in this Tome  
 abundantly evidence.

F I N I S.





### To the Reader.

**F**OR thy easier, speedier investigation and survey of all Matters comprised in this *Third Tome*, I have thought fit to make 14. several *Tables* to it, in an Alphabetical and Chronological method, according to the subject matter.

The 1. Of the *Autors* cited, explained, rectified, or refuted in this *Tome*.

The 2. Of the *Abbies, Abbots, Abbesses, Priors, Prioresses, Nunneries, Religious Houses* and *Orders* therein mentioned, and what concerns them.

The 3. Of all our *English* and *Welsh*; The 4. Of all our *Irish*; The 5. Of some *French, Scottish*, and *Foreign Archbishops, Bishops*; And of their respective *Electi- ons, Confirmations, Successions, Actions, Contumacies, Schisms, Treasons, Deaths*, and what else concerns them, or the *Temporalities, Priviledges* of their *Bishopricks* or *Diocesses*. Which will make some usefull *Additions* to *Francis Godwins Catalogue* of *English Bishops*, and *Sir James Ware* his *Treatise, De Prasulibus Hyberniae*.

The 6. Of the *English, Welsh, Irish, Scottish*, and other *Archdeacons, Deans* and *Chaplers* herein mentioned, and the matters relating to them.

The 7. Of our *English*, and other *Dukes, Earls* herein named, and what con- cerns them.

The 8. Of the *Names* of the respective *Chancellors, Treasurers, Justices*, and other *State Officers* in *England, Ireland, France, Scotland*, and what relates unto them, herein.

The 9. Of the *Names* of *Barons, Knights*, and other persons of *Note* or *Im- ployment* of the *English* or other *Nations*, and matters concerning them; usefull for all *Heralds*.

The 10. Of sundry *Popes*; The 11. Of *Cardinals*; The 12. Of *Legates, Nuncios*, and other *Agents* of *Rome* herein mentioned; with their *Electi- ons, Successions, Actions, Bulls, Epistles, Negotiations, Dismes, Constitutions, Extortions, Rapines, Usurpations, Schisms, Treasons, Vices, Deaths*. Which will supply sundry defects, omissions in *Platina, Onuphrius, Balan, Volaterranus, Ciaconius*, and others, *De Vita Pontificum Romanorum*, and *Laertius Chervinus* his *Bullarium Romanum*.

The 13. Of the *Names* of *Castles, Cities, Churches, Chappels, Corporations, Parishes, Places* herein mentioned, and things relating to them; usefull for their *Owners, Patrons, Inhabitants*.

The 14. Of our *English, French, Scottish, Irish*, and other *Kings, Emperors, Princes, Queens, Kingdoms, Countries, Islands*; their *Successions, Reigns, Prerogatives, Epistles, Laws, Edicts, Truces, Leagues, Marriages, Wars, Deaths*; and all *Actions, Suits, Prohibitions, Debates, Parliamentary proceedings, Synods, Councils*, chief *Matters* of *Law, Peace, War, Church-Government, Ecclesiastical* or *State-affairs* contained in this *Tome*. Which will rectifie some mistakes, and supply many omissions and de- fects in our *English Historians, Annalists, Statutes, Law-books*.





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T H E  
**THIRD TOME**  
 OF AN  
*Exact Chronological Vindication and Historical Demonstration*  
 OF THE  
**Supreme Ecclesiastical Jurisdiction**  
 OF OUR  
*British, Roman, Saxon, Danish, Norman, English* **KINGS:**

More particularly of **KING JOHN, HENRY the THIRD**; but  
 principally of the most illustrious **KING EDWARD the FIRST**, In,  
 and Over all *Matters, Causes, Persons Spiritual*, as well as *Temporal*,  
 within Their **REALMS and DOMINIONS**.

W H E R E I N

The manifold *intollerable Usurpations, Innovations, Abuses, Corruptions, Extortions, Oppressions, Grievances, Depredations of the Popes, Courts, Legates, Agents of ROME*, and our Popish Prelates, Clergy, by illegal, *Antimonarchical Canons, Constitutions, Bulls, Impositions, Citations, Procurations, Visitations, Excommunications, Interdicts, Inhibitions, Provisions, First-fruits, Absolutions from Oaths, Exemptions, Dispensations, Contumacions, Disloyal, Traiterous Practices* against the Sovereign Authority, Crowns, Dignities, Rights, Privileges of these 3. **KINGS**, their Lawes, Subjects Franchises, Properties; With these Kings, their Parliaments, Nobles, Judges, Officers, Commons frequent Complaints, Appeals, Oppositions, Prohibitions, Writs, Suits, Proceedings, Judgements, Acts, Edicts against them, for their just Defence and Preservation. All the principal Negotiations, Treaties, concerning Church, and some State affairs between these Kings, Popes, Cardinals, Legates, or Foreign Kings, States, by Papal mediations. The Elections, Successions, Acts, Contentions, Schisms, Exorbitances of Popes; and most of our English, Irish, Scottish, French Archbishops, Bishops, Abbots and dignified Clergymen during their reigns, from Anno Dom. 1199. till the death of King Edward the First, 1307. The Ancient Sovereign Dominion of these and other of our Kings over the Realm of Scotland; the Homages, Fealties, Oaths, Submissions of the Scots Kings, Prelates, Nobles to them, with their most perfidious violations of them, by rebellions, wars, and the sad effects thereof: The restless endeavours of their Bishops, Clergy, Officials in their Synods, Visitations, Courts, by Frauds, Impostures, Ecclesiastical Canons, Censures, Vexations, to engrosse the Conscience of most Causes belonging only to our Kings temporal Courts, and the distribution of all Intestates goods, into their hands, against these Kings Prohibitions. The Contests concerning the Great Charter, and Decessations. The mistakes in some printed Statutes, Canonists, Law-books, Histories; and other Matters of moment, are impartially related, irrefragably evidenced, by great variety of Writs, Charters, Patents, Popes Bulls, Epistles, and other Records (here rescued from oblivion) not formerly published. Illustrated with Historical passages, for the better advancement of learning, and maintaining of our Kings Supremacy, the Subjects Liberties, and Lawes of the Realm, against all Incroachments.

By **WILLIAM PRYNNE Esq;** a Benchler and Reader of **Lincolns Inne**,  
 Keeper of His MAJESTIES Records in the Tower of London.

Deutr. 32. 9. Remember the dayes of old; consider the years of many Generations. Ask thy Father and he will shew thee, thy Elders and they will tell thee.

**L O N D O N :**

Printed for the Author by *Tho. Ratcliff and Tho. Daniel*, and are to be sold by *Abel Roper* at the Sun over against *St. Dunstons Church* in *Fleetstreet*; *Thomas Collins* at the Middle Temple; *Josias Robinson* at *Lincolns Inne Gate*; And *Edward Thomas* at the *Adam and Eve* in *Little Britain*; 1 6 6 8.



*An. 20 E. 1.* Dean and Prebends by Oath to personal residence thereon, and discharge of their duties and Gods Service therein, according as he had prescribed by his Ordinances and Charters, which were altogether invalid without the Kings Royal assent, and confirmation by his Sovereign Ecclesiastical Authority and Charter, the King to promote Gods Service, and the good of his peoples souls, ratified the Bishops Ordinances by these two Charters which recite them, warranting the division of great and rich Parishes and Bishopricks into many, and obliging the Dean, Prebends, Ministers, Chaplains thereof by Oath to personal residence and discharge of their duties and divine Offices therein, worthy imitation.

Chart. 10 E. 1.  
nu. 27.  
Pro Antonio  
Dunolmenſi  
Episcopo.

\* The same  
reason holds  
for the divi-  
ding of great  
and rich Bi-  
shopricks, as  
well as Parish  
Churches, be-  
tween many  
deserving per-  
sons.

**R**EX Archiepiscopi, &c. salutem. Literarum patentes venerabilis patris Antonii Dunolmenſis Episcopi ordinationem per ipsum factam perpetuis temporibus duraturam super Decanatu & Præbendis in Ecclesia de Cestr. sui patronatus & Diocesis, plenarie continentes inſpeximus, in hac verba. Universis sanctæ matris Ecclesiæ filiis præſens scriptum viſuris vel audituris. - Antonium permiſſione divina Dunolmenſis Episcopus, ad futuram rei memoriam. Plures rituli qui ab uno fonte procedunt aquæ tumorem ebacuant, fontis tamen balorem non minuunt aut decozem, imo ex se ſolum producere tanto placidioris ſons ipſe diſcoſitur, quanto pluribus locis arbor ætis moleſtia fatigatis effuſo gurgite aquæ copiam uberius ſubminitrat. Illa quoque matrona deſpicibilis non habetur, ſed potius laude digna, quam eſſi frequens conceptus extenuet, ſecunda tamen honorificat procreatio filiorum. Sic nique \* una Eccleſia ſui titulum non perbit honoris, ſi ex ſui habundancia plures beneficiorum ſolacio conſoletur, immo tanto nobilior eſt cenſenda, quanto ei deſerbit miniſtrorum amplior ſamulatus. Sanè cum ſuper Eccleſia de Cestr. noſtræ Diocesis, quæ nobis pleno jure ſubjicitur utpote ad noſtrum ſpectans patronatum, variis dudum quaſtionibus & controverſis emerſis inter Dominum Willielmum de Clifford Clericum, ſe pro Rectore ejuſdem Eccleſiæ tunc gerentem, ex parte una, ac Magiſtrum Alanum de Eſingwalde ex altera, aſſerentem, dictum Walterum per bonæ memoriæ Dominum Robertum prædeceſſorem noſtrum immediatum eadem Eccleſia fuiſſe & eſſe ſententialiter ex certis & legitimis cauſis privatum, eamque ſibi ab eodem prædeceſſore noſtro canonicè fuiſſe collatam, ſicque variis & diverſis proceſſus judiciales tam auctoritate Delegata quàm Ordinaria, non abſque gravi diſcrimine, & tam corporum quàm animarum periculo fuiſſent hinc inde diutius agitati. Tandem partes antedictæ coram nobis præſentialiter conſtitutz, nolentes tam periculofis licum amfractibus ulterius implicari, ſubmiſerunt ordinationi noſtræ Eccleſiam illam cum Capellis, terris, fructibus & obventionibus univerſis ad eandem pertinentibus, & totum jus quod eis compeciit, vel competere potuit in eadem, proceſſibus habitis inter eos renunciantes, expreſſè promittentes nichilominus ſe ratum habere quicquid per nos ordinatum, ſtatutum ſeu proviſum fuerit in præmiſſis, idque perpetuis temporibus inviolabiliter obſervare. Attendentes igitur prædictæ Eccleſiæ de Cestr. quæ ad noſtrum ſpectare diſcoſitur patronatum, parochiam eſſe diſſuſam, et probentium redditus habundantes, adeo quod ad plurimum ſolentis elonem ſufficiant miniſtrorum, eamque paucos hactenus habuiſſe ſervitozes, et quo obſolis multociens tranſebatur obſequiis, et in ipſius parochia diſſuſa cura negligebatur dampnabiliter animarum; quæ tamen poſt Eccleſiam noſtram Dunolmenſem inter cæteras Eccleſias noſtræ Diocesis tipum gerit dignis honoribus ex-tollenda, utpote quam ſanctum & reverendum corpus beati Cuthberti patroni noſtri, quod per centum & quindecim annos inibi præſentialiter conſuevit, quadam prerogativa ſpecialiter inſignivit. *Conſiderantes etiam, utilitatem evidentem et moſtanti ad ordinationem ſubſequentem, videlicet, diſtincti cultus augmentum, et ſalutis animarum ubertorem proſectum, urgentem inſuper neceſſitatem in hac parte propenſius ponderantes, quam evidentem perpendifimus ex defectu et raritate Juſtiſperſorum et Conſiliariozum in noſtra Dioceli, ad quos in magna & ardua Eccleſia noſtra negotiis habere poteris impellente neceſſitate recurſus, de Capitulo noſtri Dunolmenſis expreſſo conſenſu acceptata ſubmiſſione prædicta, & circumſtantiis univerſis plenius intellexiſſe:* In nomine Domini noſtri Jeſu Chriſti, ordinamus in hunc modum; videlicet, quod prædicta Eccleſia de Cestr. extunc collegiata eriat, et ſint in eadem de cætero unus Decanatus et ſeptem Præbendæ: Ita quod Decanus ſit perpetuus in ordine Sacerdotali, curam gerens in ſolodum animarum, et

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residencia in ibidem continue faciens personalem, inveniat duos Capellanos idoneos conformes in habitu Vicariorum Canonicoz, pro cura huiusmodi sollicite supportanda, aliosque minores Clericos habeat ad servandum Ecclesie compenter omnia ipsius onera ordinaria supportando: Cancellum cum indigerit reficiendo et sustentendo, ad novam tamen fabricationis vel constructionis opus minime teneatur. Capellis insuper de Taunfeld & Lameley faciat per Ministros idoneos describere. Ad qua omnia & singula supportanda volumus & firmiter statuimus, quod Decanatus obventiones totius alterius tam in Ecclesia de Cestr. quam Capellis antedictis, videlicet, mortuorum, lanx, agnorum, lactis, vitulorum, fenum, lini, canab, gallinarum, aucarum, porcelloz, et omnium minutarum personalium decimarum, una cum redditu et Curia tenentium Ecclesie in villa de Cestr. et de Walrigg. et tota terra Dominica de Hernerton totaliter applicentur. Mesuagia etiam ad pradietas Capellas de Lameley & de Taunfeld spectantia, cum curiis & terris suis Dominici eidem Decanatu assignavimus, hoc excepto, quod utriusque socii Præbendarii habeant quandam portionem seu partem Curie arbitrio nostro limitandam, in qua poterunt competenter reponere suabla. Habeat etiam Decanus piscariam in Ripa de Were, et decimam piscariz. Ad hac quilibet Præbendarius qui tres primas habet, Præbendas inveniat satis sumptibus unam Vicarium Capellannum, et de aliis quatuor redditibus, singuli habeant Vicarium Diaconum in ipsa Ecclesia ministrantes in habitu Canonicali, et modum psallendi teneant secundum morem Ecclesie Ebor. vel Sarum. Singuli autem sint ebdomadarii in suo statu secundum ordinem vicis suæ iuxta dispositionem Decani, qui sicut in cura parochiali, sic in his quæ ad debitum spectant officium ordinet, corrigat, eorum regat et disponat, ac etiam in his puniat transgressores. Statutis quoque mox diebus propter parochianos volumus et mandamus. Et ne discordiam pariat communitas, sed singuli suis finibus sint contenti, Præbendas illas taliter duximus distinguendas, videlicet, quod ad primam Præbendam pertineant decimæ parochiales omnes de magna Lameley, parva Lameley, Lampton, Wodesende, ac etiam decimæ minx carbonum. Ad secundam Præbendam de Lameley, Kibblesworth, Rāvenesworth, Dervetock, Hedley, Ladesheved, terra de Fugers, Rāveneshelm, & Northuses. Ad tertiam de Pelton, Pokeley, Pelawe, Piketre, Inbeley, Edmāstley, Steresley, & Nettelwrth. Ad quartam de Cestr. & Withill. Ad quintam de Cūnfeld, Lince, Crok, Taunfeldley, Stanley, Stanley Hall, Caldesete, & de Sreles. Ad sextam de Birteley, Herverton, Mora, & de Harden. Ad septimam de Urpath, Ulkesth, & de Twysles. Totum autem residuum parochia de Cestr. videlicet, decimæ parochiales de Planworth & de Walrigg, & omnium vastorum cum in Baya quāvis alibi in eadem parochia redigendorum ad culturam communis, residuum assignamus, & inter ipsos duntaxat equaliter dividantur, qui per tres menses ad minus in anno continuè, vel interpellatim in Ecclesia ipsa residenciam fecerint persolventi. Ita quod in festo Sancti Martini in hyeme, & in festo Pentecostes fiat eorundem proventus communis distributio. Et qui pro medietate temporis antedictis personaliter residuerint, pro rata medietate huiusmodi distributionem percipiant proportionali de communia, de residuo temporis illius nichil penitus percipiant, nisi omnes eius partes integraliter compleverint residendo. Ordinamus insuper, quod decima pars portionis cuiuslibet non residentis, residentibus assignetur, et si nullum residere contigerit, huiusmodi partes decimæ in usus Ecclesie, vel in usus pauperum degentium infra limites Præbendarum nonresidentium convertantur. Area autem Ecclesia ad inhabitandum inter Decanum & tres Præbendarios primos iuxta nostrum arbitrium dividatur. Ne etiam de ordine sedendi vel procedendi contencio oriatur, statuimus, ne post primum statum ex parte australi, (quod nobis & successoribus nostris in signum præeminencie specialiter reservamus) Præbendarius prima Præbenda optineat primum locum. Præbendarius tertia Præbenda optineat secundum. Præbendarius quinta, tertium. Præbendarius septima, quartum. Ex parte vero boreali Decanus Ecclesie optineat primum locum. Præbendarius secunda Præbenda secundum locum. Præbendarius quarta, tertium; & Præbendarius sexta Præbenda quartum; & eundem ordinem observent invicem in procedendo. Hanc autem ordinationem concurrente consensu Capituli nostri, ad honorem Dei et Ecclesie Christi factam, statuimus perpetuis temporibus inviolabiliter observandam, auctoritate, dignitate et potestate Ecclesie nostre Dunelmensis et successorum nostrorum in omnibus semper salvis. In cuius

An. 20 E. 1.



*An. 20 E. 1.* rei perpetuam firmitatem sigillum nostrum presentibus est appensum. *Alitum & datum*  
*apud Aukeland quinto die Idus Novembris, Anno gratia 1286. & consecrationis*  
*nostra anno tertio. Nos autem eidem ordinationi Regium prebentes assensum,*  
*eam pro nobis et heredibus nostris prelato Episcopo et successoribus suis Epil-*  
*copis Dunolmenibus, quantum in nobis est, concedimus et confirmamus, sicut*  
*littera predicta rationabiliter testantur. In cuius rei testimonium has litteras nostras*  
*fieri fecimus patentes. Hiis testibus, venerabilibus patribus R. Bathon. & Wellen,*  
*Canc. nostre, & W. Elyen. Episcopis, Gilberto de Clare Comite Glouc. & Hertf.*  
*Henr. de Lacy Comite Lincoln. Johanne de Warennia Comite Surr. Johanne de*  
*Sancto Johanne, Roberto filio Walteri, Waltero de Bello Campo, Gilberto de*  
*Briddesthale, Ricardo de Bosco, & aliis. Dat. per manum nostram apud Berewyk*  
*super Twed. 12 die Junii.*

*Chart. 20 E. 1.*  
*m. 26.*

**R**EX Archiepiscopis, &c. salutem. *Litteras patentes venerabilis patris Antonii*  
*Dunolmenis Episcopi ordinationem per ipsum factam perpetuis temporibus du-*  
*ramus super Dycanatu & Præbendis in Ecclesia de Langecestr. sui patrimonii &*  
*Diocesis, plenarie continentes inscripsimus, in hac verba. Universis sanctæ matris Ec-*  
*clesiæ filiis præfens scriptum visuris vel audituris, Antonius permissione divina Du-*  
*nolmenis Episcopus, ad futuram & perpetuam rei memoriam. Plures rituali, &c.*  
*verbatim ut in the former. Sic utique una Ecclesia titulum non perdit honoris,*  
*ut ex sui habundantia plures beneficiorum solacio consoletur, immo tanto nobilior*  
*est censenda, quanto ei deserbit minorum amplior famulatus. Sanè vacante*  
*dudum Ecclesia de Langecestr. nostræ Diocesis, per mortem Magistri Alexandri de*  
*Alverton quondam Rectoris ejusdem, quæ nobis pleno jure subicitur, utpote ad*  
*nostrum spectans patronatum, dilectum in Christo filium Magistrum Johannem de*  
*Cravene Presbyterum, ad ipsius Ecclesiæ defensionem legitimum defensorem pro*  
*ipsius indemnitate in temporalibus & spiritualibus tucius conservanda tempore*  
*vacacionis ejusdem, ex officii nostri debito deputavimus sub hac forma. Antonius*  
*permissione divina Dunolmenis Episcopus, dilecto in Christo filio Magistro Johanni*  
*de Cravene Presbytero, salutem, gratiam & benedictionem. Cupientes utilitati &*  
*indemnitati Ecclesiæ de Langecestr. nostræ Diocesis, vacantis per mortem Magistri*  
*Alexandri de Alverton quondam Rectoris ejusdem caucius ut tenemur, tibi de cujus*  
*industria circumspecta plenam in Domino fiduciam optinemus, defensionem ac tu-*  
*tionem illius Ecclesiæ, cum suis juribus, libertatibus & pertin. universis tempore*  
*vacacionis ejusdem committimus, & tenore præsentium te legitimum ejusdem con-*  
*stituimus defensorem; dantes tibi plenam & liberam potestatem in causis & negotiis*  
*dictæ Ecclesiæ agendi, defendendi, appellandi, appellationes prosequendi, de ca-*  
*lumpnia & de veritate dicenda, ac quodlibet aliud genus liciti sacramenti quociens*  
*opus fuerit juramentum præstandi, itatus ipsius reformationem & in integrum re-*  
*stitutionem petendi & recipiendi, de bonis, obventionibus, proventibus, statu &*  
*juribus, ac ipsius pertin. quibuscumque liberè disponendi, & omnia alia faciendi quæ*  
*statum ipsius Ecclesiæ in judicio vel extra qualitercunque contingunt, & quæ per*  
*verum & legitimum defensorem poterunt expediri. Ratificantes quicquid per te*  
*nomine prædictæ Ecclesiæ actum seu procuratum fuerit in præmissis. Hæc omnibus*  
*quorum interest innotescimus per præsentem, quas sigilli nostri munimine fecimus*  
*communiri. Datum apud Middleham 8 Kal. Aprilis, anno gratia 1283. Præ-*  
*dicto itaque defensore in nostra præsentia personaliter constituto, habitoque tracta-*  
*tu sollempni & diligenti qui in ordinationibus & concessionibus perpetuis rerum*  
*Ecclesiasticarum exigitur. Quia prædictæ Ecclesiæ parochiam esse distictam et*  
*proventus redditus habundantes esse conspicimus, adeo quod ad plurium susten-*  
*tationem sufficiant minorum, eamque paucos hactenus habuisse servitores et*  
*quo distinis multociens frangebatur obsequiis, et in ipsius parochia disticta cura*  
*negligebatur dampnabiliter animarum. Considerantes insuper utilitatem ebi-*  
*dentem et motibam ad ordinationem subsequentem, videlicet, distini cultus aug-*  
*mentum, et salutis animarum uberiozem profectum, urgentem etiam necessita-*  
*tem in hac parte propensius ponderantes, quam ebidenter perpendimus ex de-*  
*fectu et raritate Jurisperitorum et Consiliatorum in nostra Diocesi, ad quas in*  
*magni & ordinis Ecclesia nostra negotiis habere poterit impellens necessitate recursum,*  
*auditis & plenius discussis hiis quæ per dictum defensorem pro jure & utilitate ipsius*  
*Ecclesiæ*

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Ecclesiæ de *Langecestr.* allegata fuerant & proposita coram nobis, ac universis circumstantiis aperius intellectis, de Capituli nostri *Dunelmensis*, ac sæpediti defensoris legitimi voluntate & assensu: In nomine Domini nostri Jesu Christi, ordinamus in hunc modum; videlicet, quod prædicta Ecclesiæ de *Langecestr.* erunt Collegiata erigat, et sint in eadem de cætero unus Decanatus et septem Præbendæ, &c. verbatim ac in the former Charter. In cujus rei perpetuam firmitatem sigillum nostrum præsentibus est appensum. Actum & datum apud *Ankeland* 12 Kal. *Octobris*, Anno gracie 1283. & Consecrationis nostræ anno prima. Nos autem eisdem ordinationi Regium præbentes assensum, eam pro nobis et hæredibus nostris præfato Episcopo et successoribus suis Episcopis *Dunelmensibus*, quantum in nobis est, concedimus et confirmamus, sicut literæ prædictæ rationabiliter testantur. In cujus, &c. Hiis testibus, &c. ut supra. Dat. ut supra.

An. 20 E. 1.

*John Lythegraynes* and *Alice* his wife erecting a Chappel and Chantry to the *Virgin Mary* in their Manor of *Lasingby*, consisting of one Master and 6 Chaplains, to sing Masse for their souls and the souls of their ancestors, and of King *Edward* and his heirs, of the present Bishop of *Durham* and his successors, and of all faithfull souls deceased, prescribing an oath to them of perpetual residence, and discharge of the particular Divine Services and trusts reposed in them, procured the King by his Supream Ecclesiastical Authority to ratifie this his Charter, ( else invalid in Law, ) by this his Royal Charter inrolled in the Tower.

**R**EX Archiepiscopis, &c. salutem. Inspeimus cartam quam dilectus & fidelis noster *Johannes* de *Lythegraynes* & *Alicia* uxor ejus fecerunt Deo, & beata & gloriosa *Virgini Mariæ* & *Waltero* de *Preston* Capellano in hac verba. Omnibus hanc Cartam visuris vel auditoris, *Johannes* de *Lythegraynes* & *Alicia* uxor ejus salutem in Deo sempiternam. Noveritis nos pro salute animarum nostrarum, Antecessorumque nostrorum, & pro salute animæ Domini *Edwardi* Dei gratia illustris Regis *Anglia*, & hæredum suorum, necnon & pro salute animæ Domini *Antoni* eadem gratia *Dunelmensis* Episcopi & successorum suorum, & pro animabus omnium fidelium defunctorum, dedisse, concessisse, & hac præfati carta nostra confirmasse Deo, & beatæ & gloriosæ *Virgini Mariæ*, in cujus nomine & honore quondam Capellam in manerio nostro de *Lasingby* cum omnibus suis pertin. ut in Dominiciis, Villenagiis, cum villanis & eorum sequelis & catallis omnibus, redditibus, pratis, pascuis, moris, mariscis, turbariis, stagnis, aquis, vivariis & molendinis, cum omnibus pertin. suis in liberam puram & perpetuam elemosinam imperpetuum. Quem quidem Presbyterum prædictorum manerii & capellæ constituimus & facimus Magistrum perpetuum. Habendum & tenendum eidem Magistro & successoribus suis Presbyteris ibidem Deo servituris, ad sustentacionem sex Capellanorum ibidem Deo serviturozum et divina celebrancium, prout inferius continetur, liberè, quiete, bene & honorificè, cum omnibus suis pertin. in liberam, puram, & perpetuam elemosinam imperpetuum. Ita tamen, quod si contingat præfatum Magistrum, vel quemcumque alium ipsius loci Magistrum, in vita nostra seu alterius nostrum cedere vel decedere, vel culpis suis exigentibus amoveri, bene licebit nobis & utrique nostrum in tota vita nostra & utrinque nostrum, infra quadraginta dies post cessum vel decessum, seu amocionem cujuslibet Magistri prædictorum manerii & capellæ loco suo alium idoneum Presbyterum ipsorum manerii & capellæ facere & constituere pro libito nostro Magistrum perpetuum. Et si forte, quod absit, infra illos quadraginta dies quantum in nobis est ipsorum manerii & capellæ alium Magistrum non fecerimus, bene licebit Domino Episcopo *Dunelmensi* qui pro tempore fueris unum Presbyterum idoneum prædictorum manerii & capellæ facere & constituere Magistrum illa vice: Ita tamen quod alias cum vacaverit in vita nostra, vel alterius utriusque nostrum, nobis vel alterutri nostrum non cedat in præjudicium quominus ipsorum manerii & capellæ alium possimus facere & constituere Magistrum: Et volumus quod prædicti Capellani per præfatum Magistrum & successores suos eligantur, & quocientisunque necesse fuerit per eundem amoveantur, & alii suis locis ponantur qui sint honesti, casti, sufficienter literati, & bene morigerati. Et singuli Magistri primo die introitus sui jurent de personali residencia facienda, et fidelitate domui in omnibus observanda, Terras et tenementa, calices, libros, vestimenta, et omnia alia ornamenta, et alia bona quæcumque

Chart. 10 E. 1.  
n. 1. 6. Pro  
*Waltero* de  
*Preston* Ca-  
pellano *La-*  
*singby*.

\* Nota.



*An. 20. l. 1.* quicumque ad dictas domum et capellam spectancia, quantum in eis est, salvo et libeliter custodienda et custodiri facienda. Et singuli Capellani in suo introitu ibidem præsentent Sacramentum quamdiu ibidem sunt moraturi. Omnes etiam Presbyteri domi sanctitate gaudent, singulis diebus simul in prædicta capella pro animabus nostris et omnium antecessorum et successorum nostrorum, Regum et Episcoporum prædictorum, necnon et omnium fidelium defunctorum, divina et omnes horas canonicas, una cum Placebo et Dirige cantent et celebrent. Ita quod una missa de beata Maria Virgine in prædicta capella, et una de die, et tres missæ pro animabus nostris, et pro animabus omnium fidelium defunctorum, et una missa pro anima Domini Antonii Episcopi Dunelmensis, et successorum suorum Episcoporum Dunelmensium in capella beati Johannis Baptista singulis annis celebrentur. Concedimus etiam Deo & Ecclesie Sancti Cuthberti Dunelm. quod post obitum utriusque nostrum Episcopus Dunelmensis qui pro tempore fuerit, & omnes ejus successores Episcopi ejusdem loci imperpetuum loco cuiuslibet Magistri prædictorum manerii & capellæ cedentis vel decedentis, seu culpis suis exigentibus amoti, alium Presbyterum discretum & honestum ipsorum manerii & capellæ faciat & constituat Magistrum, curam illius loci agentem, qui similiter juret suo introitu se perpetuo ibidem residere, nisi pro urgentibus negotiis loci illius ac manerii ipsum abesse oporteat vel contingat. Et nos Johannes & Alicia & hæredes nostri totum prædictum manerium cum omnibus pertin. suis prædictis, Magistro & Sacerdotibus ibidem Deo servituris, prout plenius prænotatur, contra omnes warrantizabimus & defendemus imperpetuum. Et ut præfens concessio & donacio nostra Deo & beate Maria Virgini, ac Magistro & Presbyteris ibidem Deo servituris in forma qua superius notatur, stabiles & irrevocabiles imperpetuum permaneant, excludimus omnibus hæredibus nostris per præfens scriptum & donum nostrum omnem viam & omnimodum jus & clamum quod per quodcumque breve, vel quacumque actione ratione vel occasione eis competere possit petendi, vendicandi vel clamandi prædictum manerium cum pertin. vel aliqualem partem imperpetuum. Et in perpetuum testimonium hujus rei, ac majorem securitatem faciendam, præfenti scripto sigilla nostra apposuimus. Hiis testibus Dominis Willicmo de Colebill, Ricardo de Rondebby, Ricardo de Waxand, Johanne Hannsard, Mameduco Darel Militibus, Johanne Daywill de Dyckton, Willicmo de Smytheton, Willicmo de Amandevill, Alano Norrays, Nicholao de la Land, Richardo de Thorneton, Stephano Maunfell de Alverton, Hugone de Oterington, Johanne Clerico, Nicholao Astyn, Willicmo de Aslakey, & aliis. Dat. apud Laysingby die Dominica post festum Sanctorum Tyburcii & Valeriani Martyrum, anno regni Regis Edwardi decimo octavo. Nos autem donacionem, concessionem et confirmationem prædictas ratas habentes et gratas, eas pro nobis et hæred. nostris quantum in nobis est concedimus et confirmamus, sicut carta prædicta rationabiliter testatur. Hiis testibus venerabilibus patribus Roberto Bathon & Wellen. Johanne Wynton, Anton. Dunelm. Willicmo Elien. Episcopis, Edmundo fratre nostro, Henrico de Lasey Com. Linc. Rogero le Bigod Com. Norff. & Marefcallo Angliæ, Humfrido de Bonn Comite Hereford. & Essex, Roberto de Tybott, Waltero de Bello Campo, Ricardo de Bosco, Elia de Hanvill, & aliis. Dat. per manum nostram apud Westm. 4. die Febr.

From which 3. Charters I shall observe, 1. That the King, this Bishop and other founders of Chantries in that age, took special care to oblige Deans, Prebends, Priests, Masters and Chaplains not only by their Charters, covenants, but also by solemn promissory Oathes to constant personal residence on their Cures, and the diligent discharge of their pastoral duties, which yet notwithstanding they were apt to neglect. 2ly. That they particularly prescribed, both what and how many Masses, prayers, Tapers, Alms, divine or superstitious Services they should perform for the benefit of their own and others souls departed, whereof our Kings had then the Sovereign Charge, care, for which they made special provisions by their Charters both for that and succeeding ages; as these, with all other their Charters for erecting, endowing, or confirming of Bishopricks, Monasteries, Chappels, Churches or Chantries abundantly evidence.

King Edward the 1. for the peace, quiet, good Government and encouragement of Scholars and learning in the University of Cambridge, this year ratified all former Charters

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Charters granted to them by his Father King Henry the 3. and former Orders and agreements made between them and the Mayor and Townsmen of Cambridge for that end, by this his Royal Charter; evidencing the great care our Kings had to protect, advance, encourage Scholars and learning in our Universities, and keep the Townsmen from exacting on them in any kinde.

**R**EX Archiepiscopi, &c. salutem. Inspeximus litteras patentes quas Dominus H. quondam Rex Angliæ pater noster fecit Universitati Scholarium Cantabr. in hac verba. Henricus Dei gratia Rex Angliæ, Dominus Hybernix, & Dux Aquitanix, Omnibus Ballivis & fidelibus suis ad quos presentes littere pervenerint, salutem. Scitis, quod ad pacem et tranquillitatem, necnon ad utilitatem Universitatis Scholarium Cantabr. prohibimus et concessimus, quod duo Aldermanni fiant in Cantabrigia, & quatuor de discretioribus & legalioribus Burgenfibus ejusdem Villa associantur ipsi Aldermanni, qui omnes jurent fidelitatem, & sint assistentes & consulentes Majori & Ballivis nostris Cantabr. ad pacem nostram conservandam, & ad assisas prædictæ Villa custodiend. & ad investigandum malefactores & perturbatores pacis nostre, & vagabundos de nocte, & receptatores latronum & malefactorum, et corporali præsentent sacramentum, quod omnia prædicta fideliter observabunt. In qualibet autem parochia Villa Cantabr. sint duo homines electi de legalioribus parochianis, & jurati, quod in qualibet quindena inquirent ne quis suspectus hospitetur in parochia, & si aliquis receptaverit aliquem per tres noctes in domo sua, respondeat pro eo. Nullus tamen regatarius emat victualia in villa Cantabr. vel extra versus villam veniens, nec aliquid emat ut iterum vendat, ante horam tertiam, & si fecerit, amercietur secundum quantitatem & qualitatem delicti. Si vero Laicus inferat Clerico grabamen vel enormem læsionem, statim capiatur: et si magna sit læsio, incarceration in villa ipsa, et ibi detineatur quousque Clerico rationabiliter fuerit satisfactum. Si autem Clericus inferat grabamen vel enormem læsionem Laico, incarceration in prædicta villa quousque Cancellarius Universitatis ipsum postulat. Pistores, Braciautores Cantabr. in primo transgressu suo amercientur; in secundo, panem amittant vel cervisiam; in tercio transgressu habeant judicium de Pillorio vel Tumberello. Quilibet Pistor habeat sigillum suum, & signet panem suum per quod possit cognosci cujus panis sit; quod si non fecerit, graviter amercietur. Quicumque de villa Cantabr. braciaverit ad vendendum, exponat signum suum, alioquin amittat cervisiam. Vina Cantabr. communiter vendantur & indifferenter tam Clericis quam Laicis ex quo imbrochiata fuerint. Temptatio panis fiat bis in anno, videlicet in quindena post festum Sancti Michaelis, & circa festum Sanctæ Mariæ in Marcio. Et Assisa cervisia fiat eisdem terminis secundum valorem bladi & brassi. Et quotiescunque debeat fieri temptatio panis & cervisia, intersit Cancellarius prædictæ Universitatis, vel aliquis ex parte sua ad hoc deputatus, si super hoc requisiti interesse voluerint, quod si non intersint, nec super hoc requisiti fuerint, nihil valeat temptatio prædicta. Præterea volumus quod villa Cantabr. à sordibus & sordibus mundetur & munda teneatur, & quod aquaductus aperiantur sicut antiquitus esse solebant, ac aperti custodiantur, ut per eos sordes assinere possint, nisi alia necessitas aut utilitas obiteret; & quod alia obstacula transitum impediencia amoveantur, & præcipue ut magnum fossatum villa mundetur: Ad quæ observanda ordinentur duo Burgenfes ex legalioribus in quolibet dico jurati coram Majore & Ballivis, Cancellario et Magistris ad hoc requisitis, si venire voluerint. In cuius rei testimonium hæc litteras nostras fieri fecimus patentes. Teste meipso apud Westm. vicesimo secundo die Febr. anno Regni nostri quinquagesimo secundo. Inspeximus eiam litteras patentes quas idem Rex pater noster fecit Cancellario & Scholaribus Cantabr. in hac verba. Henricus Dei gratia Rex Angliæ, Dominus Hybernix, & Dux Aquitanix, Omnibus Ballivis & fidelibus suis salutem. Scitis, quod ob honorem Dei et Ecclesiæ sacrosanctæ, necnon et commodum et communem utilitatem Scholarium in Municipio Cantabr. studencium, concessimus Cancellario & Scholaribus prædictis, & eorum successoribus ibidem studentibus, Quod omnes domus ejusdem villæ quas Scholares prædictos inhabitare contigerit, per duos Magistros et duos Burgenfes ejusdem villæ secundum rationabilem taxationem, de cætero taxantur de quinquennio in quinquennium. Et ideo vobis mandamus, quod prædictis Cancellario & Scholaribus contra hanc concessionem nostram impedimentum, molestiam aut grabamen non inferatis, vel aliquibus inferri permittatis. In cuius rei testimonium hæc litteras nostras fieri fecimus patentes. Teste meipso apud Westm. sexto die Feb.

Chart. 10 E. 1.  
n. 51. Pro  
Cancellario  
& Scholaribus  
Universitatis  
Cantabr.  
Vid. Claud.  
49 H. 3. m. 10.  
Pat. 17 E. 3.  
pars 1. m. 13.  
Pat. 9 H. 6.  
pars 1. m. 16.  
Pat. 9 E. 4. pars  
3 m. 8.  
\* VII Pat.  
10 E. 1. pars 1.  
m. 32.

\* Vid. Pat.  
E. 1. pars 1.  
m. 6. & 8.

\* Pat. 2 P. 1.  
pars 1. m. 4.  
& 39. & pars  
1. m. 10. Pat.  
4 R. 1. pars 1.  
m. 24. Pat.  
8 R. 2. pars 1.  
m. 41. Rot.  
Part. An. 8 R.  
2. art. 11.  
Pat. 9 R. 1.  
pars 1. m. 20.



*An. 20 E. 1. anno Regni nostri quinquagesimo. Infiximus etiam literas patentes quas idem Rex pater noster fecit Magistris et Scholaribus Universitatis ejusdem villæ in hac verba. H. Dei gratia Rex Angliæ, Dominus Hybernix, & Dux Aquitanix, Omnibus Ballivis & fidelibus suis ad quos presentes litera pervenerint salutem. Quia Ballivi & Burgenses nostri Cantabr. non solum negligentes existunt, verum etiam impotentes ad malefactorum intolerancias, et alia Magistris et Scholaribus Universitatis ejusdem villæ nociva modo debito reprimenda, per quod sicut pro certo intelleximus, contingit dictos Magistros et Scholares multociens impediri, ita quod actus scholasticos in quiete studentibus maxime necessariis nequeunt exercere; Nos dictorum Magistrorum et Scholarium tranquillitati et paci prospicere cupientes, volumus et precipimus, quod Vicecomes Com. Cantabr. qui pro tempore fuerint quando Ballivi aut Burgenses prædicti negligentes vel impotentes inventi fuerint in præmissis, huiusmodi malefactorum, ac pacis nostræ dictæque Universitatis turbatores, cum sufficienti posse Com. prædicti, si necesse fuerit, ab huiusmodi præsumptionibus temerariis penitus desistere, et prædicta nociva reprimi faciant, cum ex parte Universitatis prædictæ inde fuerint requisiti. Item quod dicti Magistri et Scholares ibidem studiis liberalibus applicati, sub protectione manus nostræ oblati liberius prospicere valeant incrementis. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste nostro apud Westm. vicesimo die Julii, anno regni nostri quinquagesimo tertio. Infiximus etiam literas patentes quas idem Rex pater noster fecit Magistris et ceteris Scholaribus Universitatis ejusdem villæ, in hac verba. H. Dei gratia Rex Angliæ, Dominus Hybernix, & Dux Aquitanix, Omnibus ad quos presentes litera pervenerint salutem. Quia dilectis nobis in Christo Magistris et ceteris Scholaribus Universitatis Cantabr. per Comites, Barones, Milites, & alios torneamenta ibidem exercuissent, aventuras querentes & ad arma cunctis, frequencius solent pericula et incommoda multipliciter evenire, quæ si tollerarentur, in dissidium si idem studentium per processum temporis cedere possent manifeste, quod sustineri nolumus sicut nec debemus: Nos indemnitati Magistrorum et Scholarium prædictorum volentes in hac parte, quatenus fieri poterit prohibere; Concessimus eis de gratia nostra speciali, quod torneamenta aliqua, aventuræ, iustæ, seu huiusmodi hastiludia non fiant de cætero in villa prædicta, seu per quinque miliaria circumquaque. Et prohibemus super grabem solisæduram nostram, ne quis de Regno nostro apud villam prædictam, seu alibi infra prædicta miliaria circumquaque tozneare, iustas facere, seu aventuras, vel alia hastiludia quærere præsumat contra concessionem nostram prædictam. In cuius rei testimonium, has literas nostras fieri fecimus patentes. Teste nostro apud Westm. vicesimo quarto die Julii anno regni nostri quinquagesimo quarto. Infiximus etiam quoddam scriptum inter Scholares et Burgenses Cantabr. et Communitatem ejusdem villæ in modum Cyrographi confectum in hac verba. In nomine Domini, Amen. Cum inter Magistros & Scholares ac Burgenses Cantabr. & Communitatem ejusdem capius fuisset contentio exorta, cujus occasione tam Clero quam populo multa imminuebant pericula, tandem interveniente Nobili viro Domino Edwardo illustris Regis Angliæ primogenito, anno Domini M. CC. septuagesimo, mense Aprilis, talis forma pro periculis imminuentibus & futuris vitandis, & pro pace impostera observanda fuit provisæ, videlicet, Quod singulis annis infra quinquendam à tempore quo Magistri ibidem legentes suas lectiones resumpserint post festum Sancti Michaelis, eligantur de quolibet Com. Angl. quinque Scholares de discretioribus ibidem commorantibus, & tres de Scotia, & duo de Wallia, & tres de Hibernia, & decem Burgenses, scilicet septem de urbe, & tres de suburbio, qui iuramentum corporale præstabunt tunc inde tam Clerici quam Laici vice omnium, quod pacem et studii tranquillitatem observabunt, et ab aliis pro posse observari procurabunt, et consimile Sacramentum omnes alii Clerici et Laici dictis electis præstabunt, scilicet, quod bene et pacifice in studio stant: Et si aliqui mali vel rebelles Scholares seu Laici inventiantur, qui prius amoniti, vel judicialiter conventi se corrigere noluerint, ad ipsum capiendum secundum quod decet statum eorum et ordinem Clericalem Burgenses subabunt. Eligantur autem in forma prædicta certi Magistri qui nomina omnium principalium & singularum demum scribant, & omnium in eisdem domibus habitantium, qui similiter eisdem jurabunt principalibus specialiter jurantibus, quod nullum pacis perturbatorem in suis hospitibus scienter recipiant; Et si postquam recepti fuerint tales inveniantur, quod incontinenti personis juratis et electis denunciabunt. Laici etc.*

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

ant familiam et inquilinos in suis domibus habentes consimile Sacramentum præstare. *An. 20 E. 1.*  
 Habunt, et a sua familia ac inquilinis recipient. Quod si aliqui rebelles invenian-  
 tur, tam per Clericos quam per Laicos in forma prædicta extra Universitatem seu  
 Communitatem ejiciantur. Et si tanta fuerit rebellium multitudo quod per Burgen-  
 ses cum Clerici auxilio ejici non possit, Domino Regi & suo Consilio denunciatur. Cate-  
 rum si contingat aliquos hujusmodi electorum Clericorum vel Laicorum dicto termino  
 abesse, habeant potestatem alios loco eorum subrogare. Ordinatum est etiam, quod sin-  
 gulis annis in resumptione Magistrorum prius fient electi tam Clericorum quam Laico-  
 rum, vel quod alii de novo eligantur, omnibus et singulis privilegiis dictæ Universi-  
 tatis prius per Dominum Regem vel prædecessores suos concessis in suo robore  
 duraturis. Et ad præmissa omnia & singula fideliter observanda, Clerici Laici, et  
 Laici Clerici Sacramento præstito copozati se invicem obligarunt, & huic scripto  
 in modum cyrographi confecto commune sigillum Universitatis Cantabr. et sigillum  
 commune Burgensium, una cum sigillo Domini Regis apponi fecerunt. Nos au-  
 tem provisiones, concessionis & ordinationes prædictas ratas habentes & grâtes, eas pro  
 nobis & heredibus nostris Cant. Magistris et Scholaribus Universitatis prædictæ et  
 eorum successoribus ibidem commorantibus, quantum in nobis est concedimus et  
 confirmamus, sicut prædictæ literæ patentis, et prædictum scriptum rationabiliter  
 testantur. *Hinc testibus venerabilibus patribus R. Bathon. & Wellen. A. Dunelm. & W. Elen. Episcopis, Edmundo fratre nostro, Willielmo de Valencia avunculo nostro, Gilberto de Clare Comite Gloucestr. & Herteford, Henr. de Lacy Comite Linc. Humfrido de Bohun Comite Hereford. & Essex, Waltero de Bello Campo, Roberto Malet, Ricardo de Bosco, & aliis. Dat. per manum nostrum apud Weitem. 6. die Februarii.*

How carefull the King was to maintain the premised Custome and Priviledge of this University, concerning the rents, or taxes set on houses let to Scholars, will appear by his memorable Writ this year to supersede an *Assise of Novel disseisin* brought by the Prior of *Bernwell* against the Chancellor of *Cambridge*, for letting out his house to a Scholar, upon sufficient caution to pay the Rent, in the Priors neglect to let it to him.

**E**dwardus Dei gratia, &c. dilectis & fidelibus suis *Elia de Beckingham, & Hugoni de Crosseingham*, salutem. Ex parte Cancellarii et Scholarium Universitatis *Cantabrigie* nobis est ostensum, quod cum per Cartas progenitorum nostrorum Regum *Anglia* eidem Cancellario & Scholaribus concessas, & nostram Confirmationem, Domus *Burgens.* in eadem villa Scholaribus conducenda per duos Magistros dictæ Universitatis & duos Burgenes ejusdem Villæ taxari debeant, & consueverint. Ita quod pensio ad quam hujusmodi domus taxari debuerit hospitibus illis a quibus domus illæ sic conductæ fuerint secundum veram taxationem persolvatur, ac etiam secundum Statuta et Consuetudines ejusdem Universitatis a prima fundatione ejusdem hactenus ibidem observata, sine quibus dicta Universitas nullatenus stare posset, Scholares hujusmodi Domus conducere volentes, in defectu hospitum quorum Domus illæ fuerint, si hospites illi inveni non fuerint, vel malitiose se absentaverint, vel si forte inveni Domos suas Scholaribus locare noluerint, et sufficientem cautionem de dicta pensione pro Domibus illis solvenda a dictis Scholaribus admittere recusaverint, Cancellarium Universitatis prædictæ adeant, qui recepta a dictis Scholaribus cautione sufficiente, domos illas eis, sicut magis est, in eadem Universitate liberari faciat inhabitandas: ac prædictus Cancellarius quandam *Domum Prioris de Bernewell* in prædicta villa Cantabr. Magistro *Radulpho de Leicestr.* in defectu ipsius Prioris cautionem à dicto *Radulpho* pro pensione Domus illius eidem Priori solvenda admittere volentis, per bonam cautionem iuxta consuetudinem Universitatis prædictæ inhabitandam liberabit. Prædictus Prior de *Bernewell* contingens, se per prædictos Cancellarium & *Radulphum* fore disseisum de Tenemento prædicto, *Assisam nova disseisina* coram vobis arram, ad grabe dampnum prædictorum Cancellarii et *Radulphi*, necnon et prædictæ consuetudinis Universitatis prædictæ lacionem manifestam, & quia prædictis eidem Cancellario & *Radulpho* injuriari, seu Libertatibus et Consuetudinibus ejusdem Universitatis in aliquo derogari nolumus in hac parte; Vobis mandamus, quod ha-

Brevia Regis in Turri London, An. 20 E. 1.



An. 20 E. 1. *bito respectu ad Consuetudines et Statuta prædicta, ad captionem Assise prædictæ nobis et nostro Consilio super hoc inconsultis, nullatenus procedatis. Dat. apud Sanctum Edmundum 27. die April. Anno regni nostri vicefimo.*

In the 20th. year of this Kings reign, I finde this Writ of *Quod dampnum* issued in order to grant some Messuages, Lands, and the Advowson of the Church of St. Michael in Cambridge, to the Vice-chancellor and Scholars of that University, towards the maintenance of a Chantry, defraying the expences of the University in defence of their Liberties, and maintenance of poor Scholars therein, for advancement of Learning and Religion.

Brevia Regis  
in Turre Lon-  
don. An. 20  
Sc 21 E. 1.

**E**dwardus Dei gratia Rex Angliæ, &c. Vic. Cantabr. salutem. *Præcipimus tibi quod per Sacramentum proborum & legalium hominum de Comitatu tuo, per quos res veritas melius sciri poterit, diligenter inquiras, si sit ad dampnum vel præjudicium nostrum, vel aliquorum, si concedamus Rogero de Ridelingfeld Capellano, quod ipse quatuor Messuagia, & triginta acras terra, cum pertinentiis in Cantabrig. & Matild. Aue-Wolde, quod ipsa Advocacionem Ecclesie Sancti Michaelis in eadem Villa, dare possint & assignare dilectis nobis in Christo Galfrido de Pakenham Cancellario Universitatis nostre Cantabrig. et Magistro Universitatis ejusdem, ad onera sustentationis spiritualium, pro animabus Regum et Reginarum Angliæ, et liberorum suorum, et aliorum Benefactorum ejusdem Universitatis, et expensarum que pro defensione Libertatum et Status Universitatis ejusdem fieri contigerit; nec non et in parte sustentationis pauperum Scholarum ibidem degentium. Habendo. et tenendo. eidem Cancellario et Magistro Universitatis prædictæ, et eorum successoribus Cancellario et Magistro Universitatis illius imperpetuum: Nec ne? Et si sit ad dampnum vel præjudicium nostrum, vel aliorum; tunc ad quod dampnum & quod præjudicium nostrum, & quod dampnum & quod præjudicium aliorum, & quorum, & qualiter, & quomodo? Et de quo vel de quibus Messuagia illa, Terra & Advocacio teneantur, & per quod servitium, & quantum valeant per annum in omnibus exitibus. Et si terra & tenementa prædictorum Rogeri & Matild. sibi remanentia ultra donationes & assignaciones prædictas sufficiant ad consuetudines & servitia, tam de prædictis Messuagiis, Terra & Advocacione datis, quam retentis, debita facienda, & ad omnia alia onera qua sustinuerunt & sustinere consueverunt, ut in scriptis, visibus franci plegii, auxiliis, tallagiis, vigiliis, finibus, redemptionibus, amerciamenis, contribucionibus, & aliis quibuscunque oneribus emergentibus sustinenda, prout ante donationes prædictas fieri consueverunt: Et Inquisitionem inde distindam & apertam faciam, nobis sub sigillo tuo, & sigillis eorum per quos facta fuerit, sine dilatione mittas, & hoc Breve. Teste nostro apud Cusford. 7 die Maii. Anno regni nostri 20. Which Church with other Lands I finde afterwards appropriated to the House and Scholars of St. Michael in Cambridge.*

\* Par. 17 E. 1.  
pari 2. m. 12.

The Abbot and Covent of the Greater Monastery of *Turon*, exempt by Popes Bulls from all Episcopal Jurisdiction, fearing that a clause in Pope Innocent's Bull should invalid this their Privilege and Exemption, procured two new Bulls (from Pope Innocent, and Pope Alexander) to secure themselves, and their Cells in *Eng-land* from all Episcopal Jurisdiction; which they exemplified in and by this Charter of King Edward the 1. under his Great Seal, and enrolled in Chancery this year.

Chart. 20 E. 1.  
m. 13. Cedula.

**E**dwardus Dei gratia Rex Angliæ, Dominus Hiberniæ, & Dux Aquitanie, omnibus hac visuris, salutem. *Inspeimus quendam privilegia in serico bullata, non cancellata, non abolita, nec in aliqua sui parte visitata, ex parte Religiosorum virorum Abbatis & Conventuum Majoris Monasterii Turonensis nobis exhibita, formam qua sequitur continencia.*

*Innocentius* Episcopus servus servorum Dei, dilectis filiis Abbati & Conventui Majoris Monasterii *Turonensis*, ad Romanam Ecclesiam nullo mediantis spectantis, salutem & Apostolicam benedictionem. Cum nuper duxerimus statuendum, ut exempti quantacunque gaudeant libertate, nichilominus tamen ratione delicti, seu contractus, aut rei de qua agitur contra ipsos, rite possint eorum locorum Ordinariis conveniri, et illi quo ad hoc suam in ipsos jurisdictionem prout fas erit exercere.

exercere. Nos habitantes, ne per Constitutionem huiusmodi libertatibus et immunitatibus, ac iuribus vobis et membris vestris, privilegiis et indulgentiis ab Apostolica sede concessis præjudicari valeat: Nobis humiliter supplicastis, ut prævidere super hoc indempnitati vestre paternæ sollicitudine curaremus. Quia vero Monasterii sacra religio sic vos apud nos favore dignos constituit, ut nobis votivum existeret, vos ab omnibus per quæ vobis possent provenire dispendia immunes libenter animo præferbare, auctoritate vobis præsentium indulgemus, ut occasione Constitutionis huiusmodi nullum eisdem libertatibus et immunitatibus, ac iuribus impoſuerum præiudicium generetur. Nulli ergo omnino hominum liceat hanc paginam nostræ concessionis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare præsumperit, indignationem omnipotentis Dei, & beatorum Petri & Pauli Apostolorum ejus se noverit incursurum. Dat. Lugduni 3 Idus Aprilis, Pontificatus nostri anno octavo.

Alexander Episcopus servus servorum Dei, dilectis filiis Abbati & Conventui Majoris Monasterii *Turonensis*, ad Romanam Ecclesiam nullo medio pertinentis, Ordinis Sancti Benedicti, salutem & Apostolicam benedictionem. Landabilis religio qua in Monasterio vestro colitur, sic ab eo mandata dissolutionis relegavit illecebræ, ut inter alia elaustralis abstinentia nexibus religatum, observantia puritate fulgens regularis, & voluntatis libitum coartans, omnino sub obedientia debito dignam & sedulam exhibeat Domino servitutem; unde tanquam potiori devotione præminens attolli jandam exemptionis privilegio mervet, & velut sanctitatis eminentia præsignitum nonnulla diversarum gratiarum titulis honorari. Cum itaque in privilegiis ipsius Monasterii continetur expresse, sicut nos ipsi ex inspectione ipsorum privilegiorum collegimus, ne quisquam Archiepiscopus aut Episcopus beati Martini Majus Monasterium, aut ipsius majoris Monasterii Monachos pro ulla causa, ullo in loco excommunicare præsumat, ac omnibus Prioribus et Monachis vestris, Abbe in ipso Monasterio, Abbe in ipsius Prioratibus commorantibus, et membris, in eodem Monasterio prout asseritis professionem emittant, et ad voluntatem Abbatis ipsius Monasterii qui est pro tempore mittantur ad Prioratus et membra eadem morantur in eis, et ab ipso Abbate cum ei placuerit, ad idem Monasterium revocentur, et conveniens sit ut qui eidem Monasterio pari se in illa professione alligant, eadem gaudere debeant libertate. Nos vestris devotis supplicationibus inclinati, ut memorati Prioris & Monachi prædicti ubicunque fuerint, gaudeant & utantur libere privilegiis, indulgentiis, libertatibus, immunitatibus, & gratiis quibus gaudent & utantur Monachi in ipso Monasterio commorantes, constitutione seu declaratione felicitis memoracionis Innocentii Papa prædecessoris nostri, circa exemptos edita, vel quolibet aliis statutis seu declarationibus factis et promulgatis ab Apostolica sede ad infanciam quovismode, et quodvisque literis Apostolicis per quoscunque obtentis nequaquam obstantibus, auctoritate vobis præsentium de speciali gratia indulgemus. Nos enim Interdicti, Excommunicationis et Suspensionis sententias et processus, si quos in vos et Monasterium vestrum, vel Prioratus aut Monachos prædictos, seu Prioratus et membra vestra contra præsentis indulti temporis per quoscunque ferri vel haberi contigerit, irritos decernimus et inanes. Nulli ergo omnino hominum liceat hanc paginam nostræ concessionis & constitutionis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare præsumperit, indignationem omnipotentis Dei, & beatorum Petri & Pauli Apostolorum ejus se noverit incursurum. Dat. Viterbii 6 Idus Novembris, Pontificatus nostri anno tertio.

A. 20 E. 1.

Nota.

Thus one Popes Bull contradicted, and then repealed, or explained another, to gain moneys from their exempt Monasteries, Abbots and Monks upon all occasions; who could not endure to be subject to any Archiepiscopal or Episcopal Jurisdiction.

The Pope granting the Bishop and Freers of the Hospital of St. *Maries of Brabant*, Bulls and Indulgences to collect Almes for the relief of the poor and infirm in their Hospitals, in divers parts of the world; the King out of his charity and Royal authority granted them this Protection, License, and Patent of assistance to collect and receive the Almes of his Subjects within the Realm, and to seise and punish all false Collectors thereof, not authorized by them.

R E X



An. 20 E. 1.

Pat. 20 E. 1.  
m. 16. intus.  
Pro Episcopo  
& Fratribus  
Ecclesie beate  
Mariæ de Beth-  
leem. & eo-  
rum Nunciis.  
See here p.  
449, 450.

**R**EX omnibus ad quos, &c. salutem. Cum dilecti nobis in Christo venerabilis pater Episcopus & Fratres Ecclesie beate Mariae de Bethleem, mittant quosdam Nuncios suos cum privilegiis Apostolicis et indulgentiis ad loca diversa, ad elemosinas Christi fidelium colligendas in subsidium Ecclesie beate Mariae de Bethleem, pauperum et infirmorum in eorum Hospitalibus per diversas partes mundi degentium. Nos eisdem Episcopum & Fratres, ac eorum Nuncios prædictos in protectionem & defensionem nostram suscepimus specialem; Vobis mandamus, quod ipsos Episcopum, Fratres & Nuncios manuteneatis, & protegatis, & defendatis, non inferentes eis vel inferri permittentes injuriam, molestim, dampnum aut gravamen. Et si quid eis forisfactum fuerit, id eis quantum in vobis est, sine dilatione faciatis emendari. Rogamus etiam vos, quod cum dicti Fratres vel eorum Nuncii ad vos venerint, de bonis vestris elemosinas petaturi, ipsos benigne admittere, et eisdem intuitu charitatis ad sustentationem prædictam de bonis vestris erogare velitis, ut a Deo remunerationem condignam, et a nobis grates reportare possitis speciales. Et quia quidam falsarii advocantes se per Episcopum & Fratres Ecclesie prædictæ, nomine ipsorum Episcopi & Fratrum elemosinas colligunt, licet per ipsos potestatem non habeant, ut intelleximus, Vos iterato rogamus, quod cum aliqui tales sine literis patentibus prædicti Episcopi vel ejus Nunci causa hujusmodi collectæ faciendæ per vos transitum fecerint, ipsos cum collecta illa arrestari faciatis, donec de hujusmodi malicia emendas fecerint competentes, prout in casu consimili aliis fieri consuevit. In cujus, &c. Teste Rege apud Stebenberh, 15 die Aprilis.

\* See p. 243.

Pat. 20 E. 1. m. 6. The King granted the like Patent and Protection verbatim, *Pro Magistro & Fratribus Hospitalis Sancti Jacobi de Alto Passu, & eorum attornatis. Teste Rege apud Berewyk. super Twed. 15 die Julii: as he had formerly done.*

\* See here p.  
275, 364, 365.

This year the King by two distinct Patents, running in the same form, nominated two more of his 20. Clerks who should enjoy the Popes Privilege granted to him for Non-residence from their Livings ten years space.

\* See here p.  
413, 414.

Pat. 20 E. 1.  
m. 17. intus.  
De privilegio  
pro Clericis  
Regis concessio.

**R**EX omnibus ad quos, &c. salutem. Universitati vestre notum facimus per presentes, quod cum Sanctissimus pater in Christo Dominus Nicholauus Papa quartus, nobis de gratia speciali concesserit, quod viginti Clerici nostris obsequiis insistentes, quos duxerimus nominandos, sua beneficia Ecclesiastica per decennium libere recipere valeant, non obstantibus quibusvis vel aliam residentiam non fecerint in eisdem, prout in literis Apostolicis plenius continetur. Nos dilectum Clericum nostrum Dominum Agnemonem de Quorrio Præcentorem Lugdunum, nostris obsequiis fideliter ac diligenter insistentem nominamus inter ceteros Clericos nostris obsequiis immorantes ad dictam gratiam, per prædictum tempus liberaliter optinend. In cujus, &c. Teste Rege apud Westm. quinto die Februarii.

The like Patent in terminis, nominated *Magistrum Arnaldum de Tiliis* for another Non-resident. *Teste Rege apud Stebenberh. 11 die Decembris.*

How the King by his Sovereign authority, commissioned others to visit his Hospitals, make Ordinances for, place Masters in them in his stead, this Patent instructs us.

Pat. 20 E. 1.  
m. 10. See  
Hundela Brev.  
An. 20 E. 1.  
a Writ to the  
same effect.

**R**EX omnibus ad quos, &c. salutem. Cum dilectus noster *Willielmus de Hermoston* Archid. *Eborum* in visitatione et ordinatione quas de præcepto nostro nuper fecit in Hospitali nostro beati *Nicholai* infra Civitatem nostram *Ebor.* fundato, Magistrum eidem Hospitali præficere distulerit, quousque de nostra ubi super hoc consisteret voluntate. Per quod nos nolentes, quod Hospitale illud Magistro diutius careret, nec quod bona ejusdem possent pro defectu regiminis dissipari: Mandavimus dilecto nobis in Christo Abbati beate *Mariæ Ebor.* & dilecto & fidei nostro *Johanni de Lythegreyes*, quod ipsi aliquem Capellanum providam & honestum de Civitate prædicta, vel partibus adjacentibus, qui regimini ejusdem Hospitalis vellet & sciret intendere, eligerent vice nostra. Ac iidem Abbas & *Johannes Robertum*

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*Robertum le Granus* personam Ecclesie Sancte Crucis Ebor. de communi consensu Majoris & Communitatis Civitatis predictæ, ad hoc nominaverunt in Magistrum, Nos de ipsius Roberti industria confidentes, commisimus ei Hospitale prædictum cum pertin. custodiendum, quomodo bene et fideliter se gesserit in eodem. Ita quod ordinationem per præfatum Clericum nostrum in eodem Hospitali nuper factam, et per nostras patentes litteras postmodum confirmatam in singulis suis articulis firmiter et invariabiliter faciat observari, quod in dictis literis nostris plenius continetur. In cujus, &c. Teste Rege apud Berewyk super Twed. 12 die Junii.

Et mandatum est fratribus & sororibus, &c. Teste ut supra.

The King standing in need of monies, his Treasurer borrowed from the Popes Nuncio and Merchants no lesse then one Hundred Thousand Marks at once, due at the second terme of payment thereof, out of the Dismes granted him by the Pope for relief of the Holy Land, collected in England, as these Records attest.

**R**EX omnibus ad quos, &c. salutem. Sciatis quod assignavimus dilectum & fidelem nostrum Magistrum *Willielmum de Marchia* Thesaur. nostrum, ad petendum et recipiendum nombris nostro centum millia marcarum de Decima collecta in regno nostro Angl. et nobis a sede Apostolica in subsidium Terræ Sanctæ concessa, de secundo termino solutionis ejusdem, una cum superplusagio de toto tempore concessione Decime illius, tam a operariis nostris *Lusitan.* quam ab aliis quibuscunque ad Decimam illam nobis solvendam, a prædicta sede Apostolica deputatis. In cujus, &c. Teste Rege apud Berewyk super Twed. 13 die Junii.

Pat. 10 E. 1.  
m. 10.

**R**EX omnibus ad quos, &c. salutem. Sciatis nos recepisse per manus dilecti & fidelis nostri Magistri *Willielmi de Marchia* Thesaur. nostri, a dilectis nobis Magistro *Giffredo de Vexano* Cameracen. cameræ Domini Papæ Clerico, et Apostolicæ sedis in Anglia Puncto, & Magistro *Johanne de Luk*, Canonico Sancti Pauli London. centum millia marcarum de Decima in regno nostro Angl. collecta, et nobis a prædicta sede in subsidium Terræ Sanctæ concessa, de secundo termino solutionis ejusdem: De quibus centum millibus marcarum præfatos Magistros *Giffredum & Johannem*, et eodem prædictam, tenore præsentium quietamus. In cujus, &c. Teste ut supra. Thus the King and Pope divided this great spoyle between them, no part thereof being applied to the Holy Lands relief.

Ibidem.

The Abbot and Covent of *Certeſey* procuring divers Churches to be appropriated to them, to which notwithstanding others presented their Clerks by prayers or power, against their wills, upon the deaths of their Temporary Vicars, procured a Bull from Pope *Clement* the 3d. and Charter from the Bishop of *Winton*, to hold them to their proper uses after the Encumbents deaths or resignations, so as they presented Vicars to them; which being invalid without the Kings special license and confirmation, they procured this Patent from him to confirm these appropriations to them, by reason of the poverty and losses of the Monastery, wherein the Popes Bull, and Bishops Charter are recited and ratified.

**R**EX omnibus ad quos, &c. salutem. Inspecimus litteras patentes quas venerabilis pater *Johannis Winton.* Episcopus fecit dilectis nobis in Christo Abbati & Conventui de *Certeſey*, in hæc verba. *Universis præsentis litteras inspecturis, Johannes permissio divina Winton. Ecclesia Minister, salutem in Domino sempiternam. Noverit nos litteras felicie recordationis Clementis Papa tercii, nobis ex parte Religiosorum virorum Abbatis & Conventus de Certeſey nostra Diocesis præsentatas, non cancellatas, non abollitas, nec in aliqua sui parte viciatas, filo serico, & vera bulla bullatas vidisse, legisse, ac diligenter examinasse, sub eo qui sequitur verborum tenore. Clemens Episcopus servus servorum Dei, dilectis filiis Abbati & Conventui de Certeſey, salutem & Apostolicam benedictionem. Religiosis locis adesse universalis regimini administratione compellimur, & eorum commoditatibus sollicitè providere caritatis zelo propensius commovemur, ut oculus Apostolicæ sedis eorundem locorum commodis*

Pat. 10 E. 1.  
m. 11. Pro  
Abbate &  
Conventu de  
Certeſey.



An. 20 E. 1. commodis officio sollicitudinis pastoralis invigilet, & eorum indemnitati provida studeret circumspectione cavere. Ad nostram siquidem audienciam pervenit, quod quidam parochiales Ecclesiarum Monasterio vestro ad sustentationem fratrum, hospitum ac pauperum inscriptionem fuerant collatae, scilicet de *Botham*, & de *Eadham*, & de *Ewell*, & de *Walsham*, & de *Horleya*, & de *Coveham*, & de *Coleford* Ecclesiis, & de *Wiesdon*, & de *Certeysa* Capellae, in quibus Clerici instituti per temporales Vicarios ministrabant; quibus decedentibus, tam Ecclesiasticis quam Seculares personae, interdum precibus et potencie potius quam vestra voluntate, Clericos suos in eis faciebant institui; In quo sus Monasterii vestri contigit deperire, et Ecclesias ipsas bonis et possessionibus amplas vobis inutiles et infructuosas existere. Vos autem quorum est errata corrigere, et quae perperam fuerunt ad aequitatis tramitem redocare; Vobis & Ecclesiae vestrae cupientes utiliter providere, auctoritate vobis Apostolica indulgemus, ut cum Clerici aut Sacerdotes praedictarum Ecclesiarum decedunt, aut eas vivi dimittunt, licitum sit vobis eas in manu vestra retinere, et earum beneficia ad proprios usus reservare, electis ibidem Vicariis et Diocesano Episcopo praesentatis; Ita quidem quod Episcopo non liceat qui ibi fuerint praesentati, nisi ob manifestam et rationabilem causam repellere; eadem vero Ecclesiae et earum beneficia vobis et successoribus vestris imperpetuum conferbentur, eorum pro quorum gubernatione et sustentatione concessa sunt omnimodis nobis profutura, salva sedis Apostolicae auctoritate, et Diocesani Episcopi Canonica iustitia. Praeterea auctoritate vestra Apostolica statuendum, ne quis Archiepiscopus, Episcopus, Archiepiscopus, Decanus, seu aliquis Ecclesiae Praelatus, vos aut Ecclesias vestras, vel Clericos vestros suspendere, interdicere seu excommunicare, vel a vobis, vel a possessionibus vestris quicquam exigere quod indebitum sit vel extraordinarium, nisi ex rationabili causa et ordine iudicario cognita, ullo ausu presumat. Decrevimus ergo, ut nulli omnino hominum liceat hanc paginam nostrae constitutionis & prohibitionis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare praesumpserit, indignationem omnipotentis Dei, & beatorum Petri & Pauli Apostolorum ejus se noverit incursurum. Data *Lutetani* 13 Kal. April. Pontificatus nostri anno quarto. Cum igitur Ecclesia de *Botham* praedicta nostri Diocesis, dictorumque Religiosorum patronatus per resignationem Johannis de *London*, nuper Rectoris ejusdem in manibus nostris pure & simpliciter nuper factam vacare noscatur ad praesens: Nos attendentes, quod eorundem Religiosorum redditus et proventus adeo sunt tennes et eriles, in tantumque istis diebus modis vix decrescebant, quod remanente onere quod de die in dies excrevit, et numero Deo insibi famulantium, ipsi tanquam re alieno depresti, eorumque facultatibus lapsi, pensatis oppressionibus baris, tam exactionum quam etiam pestilentiarum, et inundatione aquarum quae in animalibus, pecoribus et aliis nuper in illis partibus de *Certeysa* contigerunt, non poterunt ex ipsis commode sustentari, nec hospitalitatem, ut praemittitur, vel alia caritatis opera prout consueverunt hactenus exercere. His & aliis rationibus evidentibus & legitimis, quibus Ecclesiarum appropinquatio non tam juri contraria quam pietati consona esse censenda, merito excitati, quod per felicis recordationis C. Papam praedictum, tam pio, tam misericorditer factum & concessum existit, quantum in nobis est, ratum habentes & firmum; cupientesque effectus debito mancipare, eisdem Religiosis concedimus per praesentes, ut ipsi per Procuratores eorundem dictae Ecclesiae jam vacantis, quae eis ut praemittitur, auctoritate sedis Apostolicae appropinquata existit, corporalem possessionem libere ingredi valeant & eam licite retinere, ipsiusque fructus et proventus ibi et successoribus suis ad usus praemissos imperpetuum conferbentur, salva in omnibus iure Episcopali, auctoritate, et dignitate *Winton*, Ecclesiae. Ita tamen quod eadem Ecclesiae per idoneum Vicarium nobis praesentandum honeste deserviat iuxta formam superius annotatam. In cuius rei testimonium praesentes litteras nostras eisdem Religiosis fieri fecimus patentes sigilli nostri impressione munitas. Actum & datum apud *Ellere* primo die Aprilis, Anno Domini 1292. Consecrationis vero nostrae decimo. Vos autem concessionem praedictam ratam habentes et gratam, eam pro nobis et heredibus nostris, quantum in nobis est, praedictis Abbati et Conventui, et successoribus suis, concedimus et confirmamus, sicut litterae praedictae rationabiliter testantur. In cuius, &c. Teste Rege apud *Berewik* super *Tweed*, 8 die Junii.

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

King Henry the 3. having granted the Tithe of his rent called *Chaumpard* in the Isle of *Gernsey*, to the Chappel of St. *Mary* in *Orguil* Castle there, (where I was once a Prisoner by some Prelates malice) to maintain a Chaplain to say divine service every day for his soul, and the souls of his predecessors and heirs, K. Edward ratified it by this Patent to the said Chaplain and his successors.

**R**EX Ballivis suis & omnibus teneantibus Insularum de *Gernsey* & *Gernsey*, salutem. Cum bonæ memoriæ Dominus H. quondam Rex *Angl.* pater noster, intuitu Dei, & ob reverentiam beatæ Virginis *Mariæ*, & pro salute animæ suæ, & animarum antecessorum & hæredum suorum, per Cartam suam dederit & concesserit ad sustentationem ejusdem Capellani divina celebrantis singulis diebus in Capella beatæ *Mariæ* de Castro de *Orguil* in Insula de *Gernsey*. decimam totius redditus sui, qui vocatur *Chaumpard*, in eadem Insula de *Gernsey*; habendum & tenendum imperpetuum, in liberam, puram & perpetuam elemosinam, prout in Carta prædicta, quam inspeximus, plenius continetur: Nos dictæ Cartæ tenore considerato diligenter, voluntatem dicti patris nostri cupientes adimplere, et maxime in hoc casu, donationem & concessionem super præmissis à dicto patre nostro factas, ratas habentes & gratas, volumus & per præsentem literas pro nobis & hæredibus nostris concedimus, quod Capellanus noster qui nunc in dicta Capella est institutus, et ejus successores, qui per nos, vel hæredes nostros, vel Ballivos nostros, vel hæredum nostrorum de dicta Insula de *Gernsey* in dicta Capella erunt assignati, decimam prædictam totius redditus nostri, qui dicitur *Chaumpard*, in dicta Insula de *Gernsey*, habeant et integre percipiant in puram et perpetuam elemosinam, libere, pacifice et quiete. In cujus, &c. Teste Rege apud *Walsingham* 10 die *Maii*.

Pat. 10 E. 1. m. 12. Pro quodam Capellano divina celebrante in Capella beatæ Mariæ de *Orguil* in Insula de *Gernsey*.

I finde the Kings Royal license and assent to the election only of one Abbess in *Ireland*, recorded in this year.

**R**EX dilecto & fideli suo *Willielmo de Vescy* Justic. suo *Hibern.* salutem. Cum dilecti nobis in Christo Abbatissa & Conventus beatæ *Mariæ de Bells Parva* juxta *Waterford*, nobis per literas suas patentes significaverint, quod Ecclesia sua prædicta per mortem *Maui Comyn* nuper Abbatissæ ejusdem loci, pastoris sit solatio destituta, supplicantes nobis, prout moris est, quod licentiam ab aliam eligendi in Abbatissam eisdem concedere dignaremur; ac nos precibus eorundem Abbatissæ & Conventus in hac parte favorabiliter inclinati, licentiam illam eis breviter concedendum; mandantes quod talem, &c. Nos eorundem Abbatissæ & Conventus laboribus & expensis in hac parte parcere volentes, ista vice concessimus eis, &c. Acceptis tamen securitate, &c. *fine data*.

Pat. 10 E. 1. m. 12. De licentia eligendi, & potestate data adhibendi assensum electioni, & temporalium restituendi in *Hibernia*.

What English Bishops were elected, confirmed, and restored to their Temporalities this year by the Kings Royal license and assent, these Patents and Writs will best inform us.

**R**EX electioni nuper factæ in Ecclesia Cathedrali *Karl.* de fratre *Johanne de Halgham* Canonico ejusdem domus in Episcopum loci illius, Regium assensum addidit et subrogem. Et mandatum est Magistro *Johanni de Craucumb* Archid. *Estriding*. venerabilis patris *J.* Archiepiscopi *Ebor. Angl.* Primatis, ipso Archiepiscopo in partibus transmarinis agente Vicario generali, ut quod suum est in hac parte exequatur. Teste Rege apud *Derlington* 26 die *Maii*. Who confirming his election, the King restored his Temporalities by a Writ to his Escheator; Teste Rege apud *Berewyk* super *Twed.* 18 die *Julii*. Ibid. m. 10.

Pat. 10 E. 1. m. 12. De assensu adhibito electioni. \* See Godwini Catalogue, p. 540.

**R**EX dilecto Clerico suo *Malculmo de Harte* Escaetori suo citra *Trentam*, salutem. Cum venerabilis pater *J. Cantuariensis* Archiepiscopus electionem nuper factam in Ecclesia Cathedrali beati *Petri Exon.* de venerabili viro Magistro *Thoma de Biston* Decano *Wellensi* in Episcopum loci prædicti, cui Regium assensum prius addidimus et subrogem, confirmaverit, sicut per literas patentes ipsius Archiepiscopi nobis inde directas accepimus: Nos confirmationem illam acceptantes cepimus fidelitatem ipsius Electi, & Temporalia Episcopatus prædicti, prout moris est, restituimus eidem. Et ideo vobis mandamus, quod Temporalia ejusdem

Pat. 10 E. 1. m. 19. Pro electo *Exon.* de temporalibus restituendis. \* See Godwini Catalogue, p. 339.

Ppp

Episcopatus



An. 20 E. 1. Episcopatus eidem Electo restituitis, sicut prædictum est. Teste Rege apud London.  
2 die Novembris.

Et mandatum est Militibus, &c. Teste ut supra.

Pæ. 20 E. 1.  
m. 27. De  
Temporalibus  
Sarum resti-  
tis.  
\* See Godwins  
Catalogue, p.  
179, 180.

**R**EX Radulpho de Berners, salutem. Cum venerabilis pater J. Cantuar. Archiepiscopus, totius Anglia Primas, electionem nuper celebratam in Ecclesia Cathedrali Sarum de discreto viro \* Nicholas Longespey dictæ Ecclesiæ Thesaurario in Episcopum ejusdem loci, cui prius Regium assensum adhibuimus et favorem, confirmaverit, sicut per literas patentes ipsius Archiepiscopi nobis inde directas nobis constat. Nos confirmationem illam acceptantes, ceptimus fidelitatem ipsius Electi, & Temporalia Episcopatus illius, prout moris est, restitimus eidem. Et ideo vobis mandamus, quod eidem Nicholas Temporalia Episcopatus illius restituitis, sicut prædictum est. Teste Rege apud Cantuar. 16 die Decembris.

Et mandatum est Militibus, &c. Teste ut supra.

The Pope granting the King a Disme in Ireland for relief of the Holy Land, and appointing who should collect it, he issued this Patent for their assistance therein to all his Bayliffs and Subjects in Ireland.

Pæ. 20 E. 1.  
m. 10. De  
Decima colligenda in Hibern.

**R**EX Viccomitibus & omnibus aliis Ballivis & fidelibus suis in Hibern. ad quos, &c. salutem. Cum summus Pontifex venerabiles patres Th. Mendenem & Kildarensem Episcopos, per literas suas bollatas deputaverit ad Decimam in terra prædicta nobis in subdolum Terræ Sanctæ concessam colligendam, prout in eisdem literis plenius continetur, Vobis mandamus, quod eisdem Episcopis ad eandem Decimam colligendam, sitis consulentes et auxiliantes quotiens ab eisdem Episcopis vel eorum altero ex parte nostra super hoc fueritis requisiti. In cujus, &c. Teste Rege apud Waverle 12 die Februarii.

The King in the Prologue of his Patent this year on the behalf of the Abbot and Covent of St. Edmunds, thus expresseth his Royal Office and care to maintain Churches in their Ecclesiastical as well as Temporal Liberties, and to redresse their violations.

Pæ. 20 E. 1.  
m. 21. Pro  
Abbate &  
Conventu de  
S. Edmundo.

**R**EX omnibus ad quos, &c. salutem. Cum nos Ecclesias ac Ecclesiasticas Libertates, & maxime illas quæ de nostris & progenitorum nostrorum quondam Regum Angl. elemosinis sunt fundatæ, manutene volumus et defendere, ut tenemur: Ac quidam salutis suæ immemores in Villa Sancti Edmundi, assumptis secum quibusdam fautoribus suis, nuper in nostri & Abbatis Sancti Edmundi, cujus Ecclesia de hujusmodi elemosinis est fundata, & in elusionem libertatis ejusdem Ecclesiæ à tempore foundationis ejusdem optentæ & hætenus usitata, necnon & dignitatis & pacis nostræ læsionem manifestam, quamplures injurias & transgressiones enormes eidem Abbati & Ecclesiæ suæ prædictæ intulerint, ut accepimus. Nos super hoc sicut nobis incumbit remedium præbideri, et libertates à nobis & progenitoribus nostris dictæ Ecclesiæ & concessas et usitatas, tanquam patribus ejusdem Ecclesiæ libertates conservare volentes: Ad instantiam prædicti Abbatis, & de consilio nostro assignavimus dilectos & fideles nostros Johannem de Mei, Willielmum de Giselham, & Hugonem de Crossingham, vel duos ex ipsis quos præsentem esse contigerit, ad inquirendum per sacramentum proborum & legalium hominum per quos, &c. super injuriis & transgres. prædictis plenius veritatem, & ad plenam & celerem justiciam eidem Abbati inde exhibendam, secundum legem & consuetudinem regni nostri, Nolentes quod aliquid per istud factum eidem Abbati & fautoribus suis crederet in præjudicium vel læsionem libertatum Ecclesiæ memoratæ. In cujus, &c. Teste Rege apud Wism. 2 die Februarii.

King Edward this year by his Sovereign authority, commanded the heart of his Father King Henry the 3d. to be delivered to the Abbess of Fontevrault, to be interred in that Nunnery, according to his promise in his life time; which the Abbot of Westminster accordingly delivered to her 20 years after his decease, in the presence of sundry Bishops, Nobles, and others, by the Kings command, as this Patent attests.

R EX

Upon the Liberties of the Kings and Subjects of Engl. & Irel. K. Edward 1.

**R**EX omnibus ad quos, &c. salutem. Quia pro certo intelleximus, quod celebris memoriz Dominus H. quondam Rex Anglia pater noster ipso dudum existente apud Monasterium Fontis Ebraldi, cor suum post ejus decessum eidem Monasterio promissit, & dilecta nobis in Christo Abbatisa Monasterii predicti nuper in Anglia accedens, cor illud sibi iuxta promissionem predictam petit liberari, dilectus nobis in Christo Walterus Abbas Westmonasterii cor predictum integrum in presentia venerabilium patrum A. Dunelm. & R. Bathon. & Willelmi, Episcoporum, & dilectorum & fidelium nostrorum Edmundi fratris nostri, & Willielmi de Valencia Avunculi nostri, & aliorum fidelium nostrorum plurimorum, die Luna proxima ante festum beate Lucia Virginis anno Regni nostri vicesimo in Ecclesia Westmonasterii predicta Abbatisa de voluntate et precepto nostro liberabit, ad predictum Monasterium Fontis Ebraldi deferend. et sepeliendum in eodem. In cujus, &c. Teste Rege apud London. 3. die Decemb.

An. 20 E. 1.

Pat. 20 E. 1. m. 20.  
De corde Regis Henrici liberato Abbatisa Fontis Ebroldi ad sepeliendum in Monasterio suo.

What incodes, encroachments the Bishops, Clergymen, and their Officials this year made upon the Kings Crown, prerogative Royal, and Temporal Courts of Justice, by holding Pleas of Chattels and Debts which concerned not Marriage and Testament, and likewise of Advowsons and Freeholds, against the Kings Prohibitions to them; how contemptuously they proceeded to excommunicate those who delivered the Kings prohibitions to them, to restrain their encroachments, and to imprison them by *Capias Excommunicatum*, notwithstanding the Kings Prohibitions; and how zealous the King, his Judges, Subjects were to oppose these their encroachments, usurpations, and contempts against the Kings Crown, Dignity, Courts Prohibitions, and his Subjects liberties, will appear by these ensuing Writs, actions, suits against them both by the parties grieved, and by the King himself. (the Originals and returns whereof, endorsed on them, I rescued out of the rubbish in the *White Tower Chappel*,) and by the Plea Rolls Anno 20 E. 1. which I shall here present you with.

**E**dwardus Dei gratia Rex Angliz, Dominus Hiberniz, & Dux Aquitaniz, Vic. Linc. salutem. Pone per vadium & saluos Plegios Oliverum Episcopum Linc. quod sit coram Iusticiariis nostris apud Westm. a die Sancti Hillarii in xv. dies, & ibi habeat R. Vicarium Ecclesia de Wychem Clericum suum, ad respondendum Nobis de placito, Quare cum placita de Catallis et Debitis quæ non sunt de Testamentamento vel Patrimonio ad Nos et ad dignitatem nostram, et non ad alium in regno nostro pertineant; Idem Richardus (sicut ex relato plurimorum accepimus) secutus est placitum in Curia Christianitatis de catallis et debitis Richardi de Wychem Clerici, quæ non sunt de Testamentamento vel Patrimonio, in lationem dignitatis nostre, et contra Prohibitionem nostram, ut dicitur. Et ad ostendendum, quare non habuit predictum Richardum Vicarium Ecclesia de Wychem Clericum suum coram Iusticiariis nostris apud Westm. a die Sancti Michaelis in xv. dies sicut sibi mandatum fuit; et habeam ibi nomina plegiorum & hoc breve. Teste J. de Mettingham apud Westm. 10 die Novembr. Anno Regni nostri vicesimo; who put in Pledges, endorsed on the Writ.

Brevia Regia An. 20 E. 1. in Turre London. n. 12. holum.

**E**dwardus Dei gratia Rex Angliz, &c. Vic. Devon. salutem. Monstravit nobis Robertus de Morkesfel, quod cum Magister Petrus de Insula Archidiaconus Exon. in Curia nostra coram Iusticiariis nostris apud Westm. a die Sancta Trinitatis in 15. dies proximo prateritis, arrachatus esset, ad respondend. eidem Roberto de placito, quare tenuit placitum in Curia Christianitatis de quodam Iudenco ipsius Roberti quod non est de Testamentamento vel Patrimonio contra Prohibitionem nostram, quam idem Robertus prius ei porreperat, ne predictum placitum in predicta Curia teneret. Ac idem Magister Petrus ad diem illum in prefata Curia nostra comparuisset & vadiasset eidem Roberto inde legem suam, prout moris est in eadem Curia nostra, quod placitum illum non tenuit in predicta Curia Christianitatis, & tamen ei ad eundem R. diem fecisset: & postea in eadem Curia nostra inhibuitur esset predicto Magistro Petro ne occasione prosecutionis predicti placiti predicto Roberto aliquam inferret molestiam; idem Magister Petrus eo gravius et molestius placitum illud ulterius

Brevia Regia Anno 20 E. 1. in Turre London.

\* Nota.



*An. 20. E. 1.* ulterius tenuit in eadem Curia Christianitatis quousque sententia in ipsum Robertum promulgata, ipsum excommunicabit, et per totam Archidiaconatum predictam publice excommunicare fecit: et postea Breve nostrum de ipso Roberto sic excommunicato, tanquam claves Ecclesie contempnente capiendo, jam tibi porrexit, ut dicitur, in Cozon et Dignitatis nostrae lacionem manifestam, Curiae nostrae predictae contemptum, et predicti Roberti dispendium non modicum et grabamen; prout ex gravissima ipsius Roberti querela accepimus. Et quia tanta contemptum et inobedientiam (si commissa fuerint) relinquere nolumus impunita; tibi precipimus, quod si predictus Robertus feceris te securum de Clamore suo prosequendo, tunc pone per vadium & salvos plegios predictum Magistrum Petrum, quod sit coram Justiciariis nostris apud Westm. a die Sancti Hillarii in 15. dies, ad respondendum tam vobis de predictis contemptu et inobedientia, quam predicto Roberto de transgressione predicta. Precipimus etiam tibi, quod si tibi constare possit, quod predictus Robertus ea occasione et non alia excommunicatus sit, tunc ab ipso Roberto capiendum per aliquod Breve nostrum per predictum Magistrum Petrum impetratum penitus desistas, et ipsum Robertum interim pacem nostram habere permittas; & habeas tibi nomina plegiorum & hoc Breve. Teile J. de Metingham apud Westm. 18 die Novembris. Anno regni nostri vicesimo. The Sheriff returning, Magister Petrus de Insula Clericus est, & non habet Laicum secundum per quod possit attachiari. Thereupon a new Writ in like form issued to the Bishop of Exeter, to cause him to appear.

A Writ of the same nature, with some diversity, issued this year in another case to the Sheriffs of London for thelike contempt and vexation.

Brevia Regis  
An. 20 E. 1.  
in Turri  
London.

**E**Dwardus, &c. Vicecomitibus London. salutem. Monstravit nobis Adam Payn, quod cum Magister Simon de la Neylond et Hermannus le Somenar, in Curia nostra coram Justic. nostris apud Westm. in Octabis Sancti Johannis Baptiste prox. prateritis, attach.issent ad respondend. eadem Adx de placito, quare predicti Magist. Simon, tenuit placitum in Curia Christianitatis de quodam debito unius Parce, quoniam predictus Hermannus coram eodem Magistro Simone exigebat, quare non est de Testamento vel Patrimonio: et de placito, quare predictus Hermannus secutus fuit dictum placitum in eadem Curia Christian. contra prohibitiones nostras, quas idem Adam prius eis porregerat, ne predictus Magister Simon, placitum illud in eadem Curia Christianitatis ulterius teneret; nec predictus Hermannus idem placitum in eadem Curia sequeretur, ac iidem Magister Simon & Hermannus ad diem illum venissent in prefata Curia nostra coram prefatis Justiciariis nostris apud Westm. & defendissent contra predictum Adam et Sectam suam, quod predictus Magister Simon non tenuit placitum predictum, nec predicti Hermannus secutus fuit in predicta Curia Christianitatis, et vadissent eidem Adx inde leges suas, & habuissent diem veniendi cum legibus ejus coram Justiciariis nostris apud Westm. in Octabis Sancti Martini proximo futuris; prefatus Magister Simon pendente inde inter eos in predicta Curia nostra prefato Placito, predictum placitum nichilominus ulterius tenuit in predicta Curia Christianitatis; et similiter prefatus Hermannus idem placitum in eadem Curia ulterius secutus est, quousque predictus Magister Simon, sententia in ipsum Adam promulgata ad sectam predicti Hermanni, ipsum excommunicabit, et per totam Archidiaconatum London. publice excommunicare fecit; et postea Breve nostrum de ipso Adam sic excommunicato, tanquam claves Ecclesie contempnente, capiendo, jam vobis porreperunt, ut dicitur, in Cozon et Dignitatis nostrae lacionem manifestam, Curiae nostrae predictae contemptum, et predicti Adx dispendium non modicum et grabamen; prout ex gravi querela ipsius Adx accepimus. Et quia tanta contemptum et inobedientiam (si commissa fuerint) relinquere nolumus impunita; vobis precipimus quod si predictus Adam feceris vos securum de clamore suo prof. tunc pone per vadium et salvos pleg. predictos Magistrum Simonem et Hermannum, quod sint coram Justic. nostris apud Westm. in Octab. Sancti Michaelis, ad respondendum tam vobis de predictis contemptu et inobedientia, quam predicto Adx de transgressione predicta: Precipimus etiam vobis, quod si vobis constare poterit, quod predictus Adam occasione predicta et non alia excommunicatus sit, tunc ab ipso Adam capiendum per aliquod Breve nostrum ea occasione per predictos Magist. Simonem

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Simonem & Hermannum impetratum seu impetrandum penitus desistatis, et ipsam An. 20 E. 1.  
Adam interim pacem nostram habere permittatis. Et habeatis ibi nomina pleg. &  
hoc Breve. Teste J. de Mettingham apud Westm. 14 die Julii, Anno regni nostri vice-  
simi. The like Writ of alias issued to the same Sheriffs between the same parties 10  
die Novembris, the same year.

**E**dwardus Dei gratia Rex Angliz, &c. Vic. Wiltes. salutem. Si Robertus de Brevia Regis  
Horinton fecerit te securum de Clam. suo proseq. tunc pone per vadium & salves in Turre Lon-  
plegios Eudonem personam Ecclesie de Scarton, quod sit coram Justiciariis nostris don, An 20  
apud Westm. in Octabis Sancti Michaelis, ostensurus, quare tenuit placitum in Cu- E. 1.  
ria Christianitatis de Catallis et Debitis, quæ non sunt de Testamento vel Patri-  
monio, contra prohibitionem nostram. Et habeas ibi nomina pleg. & hoc Breve.  
Teste misso apud Berewyk super Twedam 7. die Julii, Anno regni nostri vice-simo.

The like VVrits at large issued the same year, Vic. Somers. for Agnes de Sider-  
nufen. contra Willielm. Vicar. Ecclesie de Wyneford Defend. ad respond. apud Westm.  
in Octab. Sancti Michaelis, quare secutus est (consimile) placitum, &c. Teste (ut supra)  
18 die Junii. Vic. Kantix. for Alanus de Hulle, contr. Magist. Lucam de Brey, & Ma-  
gist. Willielmum de Halyngberg, quare tenuerunt (consimile) placitum, &c. Teste  
misso apud Roubing. 23. die Julii. With another Writ between the said parties, 30.  
die Augusti: Vic. Kantix. for Michael de Northflete contra fratrem Nicholaum Pre-  
centorem Ecclesie de Bernewell, quare tenuit placitum, &c. Et Magistrum Richar-  
dum de Hecham personam Ecclesie de Northflete, quare secutus est idem placitum  
in Curia Christianitatis de bonis et catallis quæ non sunt, &c. contra prohibitio-  
nem, &c. Teste misso apud Spalding, 15 die Maii. Vic. Hereford. for Mabill, de  
la Bedeon, versus fratrem Willielmum de Paris, quare tenuit (consimile) placitum,  
& Willielmum Vicarium Ecclesie Sancti Stephani extra villam Sancti Albani, quare  
secutus est idem placitum. Teste apud Farendon 28 die Febr. Vicecomitibus Lon-  
don. for Andreas de Furmager, versus Magist. Simon de Neulond & Magist. Jo-  
hannem de Maerhale, quare secuti sunt (consimile) placitum. Teste, &c. apud He-  
reford. 2. die Novembr. Vicecomiti Buks, salutem. Si Robertus le Dun de parva  
Brikhull fecerit te securum, &c. tunc pone, &c. Willielmum personam Ecclesie de par-  
va Brikhulle, Willielmum le Clerk de Marcle, & Robertum Vicarium Ecclesie de  
Ugliene, quod sint, &c. Ostenduri, quare secuti sunt placitum in Curia Christiani-  
tatis de Catallis et Debitis quæ non sunt de Testamento vel Patrimonio, contra  
prohibitionem nostram, &c. Teste misso apud Grenewiche, 13. die Decemb. Anno  
regni nostri vice-simo.

Breve consimile dirigitur Vicecomiti Buk. pro Johanne de Prydynton contra Williel- Ibidem  
mum Vicarium Ecclesie de parva Brykhill. Willielmum le Clerk de Marcle, & Ro-  
bertum Vicarium Ecclesie de Ugliene, Dat. ut supra.

**E**dwardus, &c. Vicecomiti Wiltes. salutem. Precipimus tibi quod distringas Ma- Ibidem.  
gistrum Radolphum de Brickwell per omnes terras & catalla sua: Ita quod nec  
ipse, nec aliquis per ipsum, ad ea manum apponat, donec aliud à nobis inde habueritis  
preceptum. Et quod habeas corpus ejus coram Justic. nostris apud Westm. in Octabis  
Sancti Hillarii, ad respondendum Petro filio Garino de placito, quare tenuit placi-  
tum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel  
Patrimonio, contra prohibitionem nostram, ut dicit. Et ad audiendum judicium  
suum de pluribus defaltis. Et habeas ibi hoc breve. Teste J. de Mettingham apud  
Westm. tertio die Novembris, Anno regni nostri 20.

**E**dwardus, &c. Venerabili in Christo Patri G. eadem gratia Episcopo Cicerstr. Ibidem.  
salutem. Mandamus vobis, quod venire faciatis coram Justic. nostris apud  
Westm. in Octabis Sancti Michaelis Thomam de Burn, & Stephanum personam Eccle-  
sie de Yuhurit Clericos vestros, ad respondendum Simoni de Baroun de placito quare  
predictus Thomas tenuit placitum in Curia Christianitatis de catallis et debitis  
quæ non sunt de Testamento vel Patrimonio contra prohibitionem nostram, ut  
dicit. Et unde Vic. noster Suffex mandavit Justic. nostris apud Westm. à die Pasche  
in quindecim dies, quod predictus Magister Thomas & Stephanus Clerici sunt, & non  
habent



K. Edward 1. *An Exact History of Popes Intolerable Usurpations, B. 5. ch. 3.*

*An. 20 E. 1. habent Laicum feudum in balliva sua, per quod possunt attachiari. Et habet ibi hoc Breve. Teste J. de Metingham apud Westm. 28 die April. Anno regni nostri vicefimo; who indorsed this return, Bona Ecclesiastica Thomæ de Burn, & Stephani Persona Ecclesia de Yuhurst sequestrata sunt, quod sint coram Justiciariis apud Westm. die in brevi contento; but they not appearing, there issued a New Writ Vic. Suffex, Ponit per vadiis & salvos plegias Episcopum Ciceltrix, quod sit coram Justiciariis nostris apud Westm. Et ibi habeat Thomam de Burne & Stephanum, &c. Clericos suos ad respondendum. Simoni Baron. de placito predicto. Teste J. de Metingham apud Westm. 14 die Octobris, Anno regni nostri 20. The like Writ issued Episcopo Lincoln, quod venire faciat, &c. Simonem personam Ecclesia de Hegeling, & Philippum Vicarium Ecclesia de Clee Clericos suos, ad respondendum. Henrico de Hoke, quare tenuerunt placitum, &c. Teste J. de Metingham 27 die Octobr. Anno regni nostri 20. Another Writ issued Episcopo Sarum, quod venire faciat Radulphum de Brightwell Clericum suum, &c. ad respondendum Petro filio Warini quare secutus fuit placitum in Curia Christianitatis de catallis et debitis, &c. Teste J. de Metingham apud Westm. 3 die Novembr. An. regni nostri 20.*

Moreover in the Plea Rolls in the Tower, Pascha 20 E. 1. I finde these suits upon Attachments for suing and holding Pleas in Court Christian of Debts, Chattels which concerned not Testaments or Mariage, and of Advousons of Churches.

\* Placita Ter-  
man, Trin.  
20 E. 1. in  
Turre Lond.  
Rot. y6.

\* Juliana qua fuit uxor Roberti de Hill per attornatum suum optulit se 4. die versus Magistrum Willielmum ——— & Willielmum Abbatem de Malmesbury de placito, quare predictus Magister Willielmus tenuit placitum in Curia Christianitatis de catallis vel debitis, quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c.

Ibid. Rot. 159.  
Suffex.

V Villielmus de Schelond & Robertus de Cherleheld per attornatum suum optulerunt se 4. die versus Ricardum le ——— de placito, quare secutus est placitum in Curia Christianitatis de catallis et debitis quæ non sunt de Testamento vel Patrimonio, contra prohibitionem, &c. Et ipse non venit, &c.

Placita Ter-  
man, Pasch. 20 E. 1.  
Rot. 11. in  
Turre Lond.

——— sonator Nicholai Burdet, optulit se 4. die versus Magistrum Petrum de Sannary, & Magistrum Willielmum de Sarden, & Robertum filium Alani de Westington, de placito, quare predicti Petrus et Willielmus tenuerunt placitum in Curia Christianitatis de advocacione Ecclesie de Rande contra prohibitionem: Et de placito, quare predictus Robertus secutus fuit idem placitum in eadem Curia contra prohibitionem, &c. Et ipsi non venerunt, & Robertus fuit attachiatus per, &c. Ideo ipsi in misericordia, &c.

Ibidem, Rot.  
13.

Preceptum fuit Vicecomiti, quod de terris et catallis Magistri Adæ de Bodyndon in balliva sua fieri faceret Centum solidos, et illis haberet hic ad hunc diem ad reddendum Roberto de Okenore, et Alicie uxori ejus, qui eis in Curia Regis hic adjudicati fuerunt pro dampnis suis quæ habuerunt, ratione quod predictus Adam secutus est placitum in Curia Christianitatis, de advocacione tercie partis Ecclesie de Freketon, contra prohibitionem, &c. prout per quandam Juratam inter eos summoriam et captam convictum fuit, &c.

As these parties injured, so likewise the King himself then prosecuted such who held or pursued such suites in Court Christian belonging only to him and his Courts, against his Crown and Dignity, as these Writs and Records inform us.

Previa Regis  
An. 20 E. 1. in  
Turre London

**E**dwardus, &c. Vicecomitibus London salutem: Ponite per vadium, &c. Johannem de Wydehull personam Ecclesia de Warlingham, Magistrum Petrum de la Done, Magistrum Lucam de Sancto Leonardo, & Magistrum Rogerum de Radenhale, quod sint coram Justiciariis nostris apud Westm. in Oñibus Sancti Hillarii, offerant, quare cum placita de catallis et debitis in regno nostro quæ non sunt de testamento vel matrimonio, ad nos et ad coronam et dignitatem nostram, et non ad alium pertineant in regno nostro, iidem Johannes, Petrus, Lucas & Rogerus, sicut ex relatu plurimum accepimus, secuti sunt placitum in Curia Christianitatis de catallis et debitis Prioris de Bermondeseye quæ non sunt de Testamento vel Patrimonio,

*Upon the Liberties of the Kings and Subjects of Engl. & Irel* K. Edward 1.

monio, in lationem Coronæ et dignitatis nostræ, et contra prohibitionem nostram, An. 20 E. 1.  
 &c. Teste meipso apud Weilm. primo die Jan. Anno regni nostri 20.

Johannes, &c. attachiatus fuit ad respondendum Domino Regi de placito, quare Placita Term.  
 cum placita de catallis et debitis quæ non sunt de Testamento vel Patrimonio, ad Pasch. An. 20  
 ipsum Regem et coronam et dignitatem suam, et non ad alium in Regno suo perti- E. 1. Rot. 43.  
 neant: Idem Johannes (sicut ex relatu plurimum accepimus) secutus est placitum in  
 Curia Christianitatis de catallis et debitis Walteri de Bicketon Clerici, quæ non  
 sunt de Testamento vel Patrimonio, in lationem coronæ et dignitatis Regis, et  
 contra prohibitionem, &c. Et nunc Dominus Rex, per Willielmum Inge, qui sequi-  
 tur pro Domino Rege, dicit, quod cum prædictus Johannes (sequeretur in Curia Chri-  
 stianitatis coram Magistro Roberto de Pykeringe Officiali Episcopi Eborum de  
 Constant. de Donington Executoris Testamenti Walteri de Bicketon,  
 de catallis et debitis ipsius Walteri quæ non sunt de Testamento vel Patrimonio,  
 petendo ab eis viginti libras ex causa mutui: Ac quidam Alanus Mannyng Regiam  
 prohibitionem eidem Johanni detulisset, &c. in majori Ecclesia Sancti Petri Eborum  
 ne prædictum placitum sequerent, &c. Idem Johannes spera prohibitionem prædictam  
 nichilominus secutus est prædictum placitum in Curia Christianitatis coram præfato  
 Officiali, quousque prædicti executores per ipsum ab ingressu Ecclesiæ fuerunt sus-  
 pens, &c. in lationem dignitatis et coronæ nostræ, &c. Et inde producit sectam, &c.

I finde another suit brought by the Abbot of Battle, for 40 s. lent by his prede-  
 cessor to Winardus Manse in the Court of Rome, to dispatch his business there.

Winardus Manse summoneus fuit ad respondendum Abbati de Bello de placito, quod Placita Anno  
 reddat ei quadraginta solidos quos ei debet & detinet, &c. Et ipse non venit; unde que- 20 E. 1. Rot.  
 ritur, quod cum prædictus Winardus die proxima post festum S. Dionysii, anno regni 96. Suff.  
 Domini Regis nunc quinto, in Curia Romana apud Lugdun. mutuavit a quodam  
 Abbate de Bello prædecessore nunc Abbatis quadraginta solidos, pro negotiis prædicti  
 Winardi in prædicta Curia promovendis et expediendis, solvendo eidem antecessori,  
 &c. ad festum Purificationis beate Mariæ proximo sequens in Angliā apud Abbatiam de  
 Baille, prædictum Winardum ad terminum prædictum prædicto Abbati eosdem solidos  
 non solvit. Et licet sæpius per Abbatem nunc requisitus esset prædictam pecuniam sol-  
 vere, illam solvere contradixit; unde dicit, quod deterioratus est & dampnum habet ad  
 valenciam quadraginta solidorum: et inde producit sectam; & profert quoddam scrip-  
 tum sub nomine ipsius Winardi factum apud Lugdun. quod prædictum debitum testatur  
 solvendum in Angliā, &c. Et Winardus per attornatum suum venit & defendit  
 vim & injuriam quando, &c. Et dicit, quod non debet de aliquo debito respondere.  
 Dicit enim quod ipse Abbat petis prædictam pecuniam tanquam sibi ipsi debitam, & per  
 narrationem suam dicit mutuatam fuisse de quodam Abbate prædecessore suo, per quod sibi  
 videtur quod illud verbum in brevi contentum Abbati qui nunc est deservire non potest.  
 Immo de injusto detinet tantum, & petit judicium de breve. Præterea, prædictus Win-  
 ardus non recedens ab ipsa exceptione, immo ea sibi salva dicit, quod per prædictum  
 scriptum etiam patet, quod prædictus contractus factus fuit apud Lugdun. super Ro-  
 nam extra Regnum Angliæ, super quo contractu Curia cognoscere non potest, si ip-  
 se Winardus contractum deducere voluerit. Et petit judicium, &c.

In the same Plea Roll I met with this Notable case concerning an intrusion of an  
 Abbot into a Church during the Minority of an heir, the Kings Courts rejection of  
 two Certificates of a Plenary or Vacancy of the Church by the Bishop against the  
 usual form; an Inhibition procured by the Defendant to the Bishop not to certify,  
 with a Verdict and Judgement thereupon in an Assise of Darraign presentments  
 brought by a Guardian, which suit depended sundry years.

Assisa alias coram Thoma de Weyland & sociis suis Justiciariis hic, scilicet in Octa- Ibid. Rot. 169  
 bis Sanctæ Trinitatis anno regni Domini Regis nunc decimo septimo, venit recogni- Suff.  
 tura, quis advocatus tempore pacis præsentavit ultimam personam quæ mortua est  
 ad Ecclesiam de Chetelton, quæ vacat, & cujus advocacionem Nicholau de Alding-  
 ley custos terre & heredis Ricardi filii Henrici de Chetelton clamat versus Abbatem  
 de



An. 20 E. 1. de Deulacres, ratione dissensionis prædictæ, &c. Et unde idem Cuthus dixit, quod quidam *Robertus de Chetelton* antecessor prædicti hæredis tempore pacis tempore Regis nunc præsentavit quendam *Petrum* Clericum suum ad prædictam Ecclesiam, qui ad præsentationem suam fuit admissus & institutus, & ultimo obiit persona in eadem, per cujus mortem prædicta Ecclesia tunc vacavit, & adhuc vacat, &c. Et de ipso *Roberto* descendit jus præsentationis *Willielmo* ut filio & hæredi. Et de ipso *Willielmo* quia obiit sine hærede de se, descendit jus præsentationis, &c. eundem *Hugoni* ut fratri & hæredi; & de prædicto *Hugone* descendit jus præsentationis, &c. eundem *Roberto* ut filio & hæredi, qui fuit infra ætatem & adhuc est.

Abbas tunc venit & dixit, quod non debuit ei inde ad hoc breve respondere, quia dixit, quod prædicta Ecclesia non vacavit, immo est plena & consultata de ipso Abbate et Conventu suo qui eam tenent in proprios usus, et tenuerunt jam quadrag. annis elapsis. Et hoc parati sumus verificare, sicut Curia consideraverit. Et ad verificationem, Justiciarius protulit quandam Cartam sub nomine cujusdam *Hugonis* antecessoris (*Richardi*) quæ testatur quod prædictus *Hugo* dedit & concessit Abbati & Conventui de *Deulacres* prædictam advocacionem prædictæ Ecclesiæ.

*Nicholaus* dixit, quod prædictus Abbas non debuit ad aliquam verificationem inde admitti, quia dixit, quod post mortem prædicti *Petri* personæ ultimæ prædictæ Ecclesiæ, Abbas prædecessor prædicti Abbatis de *Deulacres* in prædictam Ecclesiam se intravit tempore quo prædictus *Willielmus* filius prædicti *Henrici* fuit infra ætatem, & in custodia *Henrici* de *Aldingley*, qui per suam negligenciam permisit prædictum Abbatem intrare prædictam Ecclesiam, unde petit Judicium, si per prædictam intrusionem debeat inde à præsentatione sua impediri, &c.

Abbas dixit sicut prius dixit, quod prædicta Ecclesia plena fuit & consultata de ipso & Conventu suo ut prædictum est. Et hoc paratus est verificare sicut Curia consideraverit, scilicet per Ordinarium ejusdem loci, &c. Postea à die Sancti *Hilarii* in 15 dies anno Regis nunc decimo octavo, venerunt partes, & nichil aliud dixerunt quam quod prius dixerunt. Ideo Abbas & *Nicholaus* si voluerit, habeat breve ad Episcopum *Conventensem* & *Lychfeldensem*, quod constare faciat Justiciariis hic a die *Pasche* in quindecim dies, si prædicta Ecclesia sit vacans, vel non? Et si non sit vacans, de quo et ad cujus præsentacionem pacis tempore plena fuerit, &c? Ad quem diem Episcopus nichil inde fecit, nec breve misit. Et tunc sicut prius præceptum est Episcopo quod convocatis, &c. diligenter inquireret in forma prædicta; & quid inquisierit constare faciat hic in Octabis Sanctæ *Trinitatis* proximo sequentis per literas, &c. Et Episcopus esset, &c. Ad quem diem misit Episcopus literas suas minus sufficienter factas, eo quod mandavit, quod prædicta Ecclesia de *Chetelton de Religiosis præfatis non est plena, nec consultata juxta titulo, sed per eosdem per intrusionem triginta annos & amplius occupata, &c.* Ad quem diem præceptum fuit Episcopo sicut pluries quod convocatis, &c. diligenter inquireret in forma prædicta. Et quid inde invenerit constare faceret hic à die Sancti *Martini* in quindecim dies proximo sequentes, &c. Ad quem diem Episcopus mandavit, quod prædicti *Religiosi* de *Deulacres* post mortem cujusdam *Rogeri* quondam personæ prædictæ Ecclesiæ qui obvinciones ejusdem *Religiosis* concessit tota vita sua pro sustentacione sua habenda in eadem demo, hucusque continnaverunt possessionem ejusdem Ecclesiæ, absque aliquo juxta titulo, propter quod idem Episcopus Ecclesiam illam vacantem de jure ac vacantem reputavit. Et quia idem Episcopus tunc non certificavit Justiciariis hic præcisè, si prædicta Ecclesia sit vacans, vel non? Ideo mandatum fuit ei sicut pluries quod convocatis, &c. diligenter inquireret, & constare faceret Justiciariis hic ad hunc diem expresse & præcisè, si prædicta Ecclesia sit vacans, vel non? Et Episcopus sic fecit, &c. Et modo venit prædictus *Nicholaus*, & similiter prædictus Abbas per Attornatos suos. Et Episcopus super hoc misit literas suas parentes certificaciones quæ testantur, quod cum idem Episcopus esset in exequendo mandatum Domini Regis, (sicut decuit) reberenter, porrecta fuit ei Inhibitio Offic. Curie *Canthuarie* per quendam Monachum prædictæ Abbatis, cujus prætextu ulterius non processit hucusque, sed supersedit propter Inhibitionem illam per prædictos Monachos ei delibetam, &c. Et quia prædictus Abbas allegavit, prædictam Ecclesiam plenam esse & consultam de ipso Abbate & Conventu suo, qui illam tenent in proprios usus; & hoc paratus fuit verificare coram loci Ordinario; Et idem Abbas per prædictam Inhibitionem ipso Episcopo porrectam, prætextu cujus idem Episcopus

*Upon the Liberties of the Kings and Subjects of Engl. & Irel.* K. Edward 1.

ad verificationem p[er] dictam procedere non potuit, liberabit, renuntiando verificati-  
onem super hacatione Ecclesie p[re]dictae, quam prius dixit. Consideratum est quod  
procedatur ad assisam, &c. Et dictum est p[re]dicto Abbati, quod dicat ad verifica-  
tionem Assise si sibi, &c. Et Abbas dicit, quod p[re]dictus haeres nihil Juris clmare  
potest in p[re]dicta Advocatione, quia dicit, Quod quidam *Hugo* antecessor p[re]di-  
cti haeredit, & per medium cuius, &c. dedit, concessit, & Carta sua confirmavit  
Deo, & beatæ Maria, & Abbati & Conventui de *Deulacres*, totum Jus & Clameum  
quod habuit in Advocatione & Patronatu Ecclesie de *Chetilton*; & quod concessit,  
quod p[re]dicti Abbas & Conventus p[re]dictam Ecclesiam cum omnibus pertinentiis  
& libertatibus suis habeant & possideant, liberè & quierè, purè & pacificè, sicut ad  
Ecclesiam suam de *Leks* pertinentem. Et quod ipse & haeres sui warrantizab.  
&c. Et profert quandam Cartam sub nomine p[re]dicti *Hugonis*, quæ hoc testatur.  
Unde petit Judicium, &c.

Et *Nicholaus* petit, quod procedatur ad Assisam, secundum quod prius conside-  
ratum; quia dicit, non est suum respondere p[re]fata Cartæ, &c. Et p[re]dictus Ab-  
bas querit, si p[re]dictus *Robertus* de *Chetilton* antecessor p[re]dicti haeredit ultimo  
p[re]sentavit, &c. vel non? Dicit, quod ad hoc non vult respondere, &c. Ideo cap.  
Assisa; sed ponitur in respectum usque à die Sancti *Johannis Baptista* in 15. dies,  
pro defectu recognitionis, quia nullus venit. Ideo Vicecomes habeat corpo-  
ra, &c.

Postea ad diem illum venerunt partes, & similiter recogn. p[re]fata Assisa. Et  
eidem Abbati allocatis calumpniis suis versus quamplures Recogn. quæ fuerunt  
allocandæ, & quæ non per Sacramentum adnubilatæ; processum est ad Assi-  
sam, &c.

Juratores dicunt super Sacramentum suum, quod p[re]dictus *Robertus* de *Chetel-  
ton*, & antecessor p[re]dicti haeredit cuius, &c. tempore pacis, tempore p[re]dicti  
Domini 7. Regis, ultimo p[re]sentavit p[re]dictum *Petrum* Clericum suum, qui ad  
p[re]sentationem suam fuit admissus & institutus, & ultimo obiit persona in eadem  
a patrono p[re]sentata. Et querit, quantum temporis lapsi sit post mortem ip-  
sius *Petri*? Dicunt, quod decem anni, et amplius, &c. Et quia convictum est per  
assisam istam, quod p[re]dictus *Robertus* antecess. haeredit, &c. ultimo p[re]sentavit, ut  
superius patet; Consideratum est, quod p[re]dictus *Custos* nomine p[re]dicti haeredit re-  
cuperet p[re]sentationem suam ad p[re]dictam Ecclesiam. Et habeat Breve Episco-  
po *Coventren.* & *Lychfeld.* quod ad p[re]sentationem p[re]dicti *Custodis*, ad p[re]di-  
ctam Ecclesiam, idoneam personam admittat; Et Abbas in misericordia, &c.

By which case we may discern. First, how many unjust, fraudulent tricks and devi-  
ses these pretended Religious Abbots and Monks then had, to deprive infants and  
others of their rights of patronage unto Churches, by intrusions and pretended  
appropriations; 2ly, what dilatory pleas and fraudulent inhibitions unbecoming  
Christians, much lesse religious Votaries, they used to prevent, retard their recove-  
ry of their rights by Legal suits and processe in the Kings Courts, when they could  
not ingrosse the consuance of them into their own Ecclesiastical Courts, as they fre-  
quently endeavoured; which would soon have deprived all Lay-Patrons of their Ad-  
vours, had their Titles been never so clear or legal.

The Bishop of *Rochester* presenting and instituting *Robert Espre* the Kings Chaplain  
to the Church of *Waldenham*, then found to be void by *Walter* the Parsons entry into  
Religion in the Church of *Rochester*, which he exchanged for the Church of *Henlee* af-  
terwards appropriated to the Bishop and his successors, the said *Walter* casting off his  
Monks habit, and vexing the said *Robert* so as he was in danger to lose the said Living;  
the King thereupon writ to the present Bishop of *Rochester* to do him right against  
the said *Walter*, and to restore him to the Church out of which he had forcibly eje-  
cted him: whereupon the Bishop admonished *Walter* to remove the force out of the  
Church, and deliver the possession thereof to *Robert Espre*, excommunicating him  
for not doing it; who contemning his Mandate and Excommunication, procured  
an inhibition to him out of the Court of *Canterbury* to which he had appealed, not  
to act any thing to *Walters* prejudice pending his appeal: whereupon the Bishop  
made this Certificate to the King of his proceedings therein, desiring his Majesty



K. Edward 1. *An Exact History of Popes Intollerable Usurpations, B. 5. ch. 3.*

An. 20 E. 1. to remove the force and injustice in this cause by his Temporal sword and Ministers, since he could not effect it by his Spiritual sword.

Brevia Regis  
de Privato  
Sigillo, Anno  
20 E. 1.

\* It seems by  
this, that a per-  
sons entrance  
into Religion,  
made his  
Church void,  
& null'd his  
presentation  
& induction  
to it.

**E**xcellentissimo Principi & Domino suo Reverendo, Domino Edwardo Dei gratia Re-  
gi Angliæ illustri, suus devotus, frater Th. miseratione divina Roffen. Ecclesiæ  
Minister humilis salutem, cum omni reverentia & honore. Majestatis vestre Litteras  
omni qua potuimus reverentia nuper recepimus in hac verba; Edwardum Dei gratia &c.  
Venerabili in Christo patri Th. eadem gratia Roffen. Episcopo, salutem. Cum bonæ  
memoriæ nuper Episcopus Roffen. ultimus prædecessor vester ratione resignationis  
quam dilectus Capellanus noster Robertus de Efre in manus ipsius Episcopi fecit de  
Ecclesiæ de Henlee Lincoln. Dioc. ejus advocacionem idem prædecessor vester a  
dilecto Consanguineo & fidei nostro Edmundo Comite Cornub. sibi & suis successo-  
ribus adquisivit, Ecclesiæ de Wolacham vestre Diocesi vestri etiam patronatus,  
quæ tunc temporis vacasse dicebatur, pro eo \* quod quidam Walterus, qui Ecclesi-  
am illam tenuit, habitum Monachalem in vestra Ecclesiæ Roffen. susceperat, præsa-  
to Capellano nostro contulerit, et ipsum instruerit in eadem. Qui quidem Wal-  
terus postmodum spretu habitu suo prædicto, et ad statum rediens prædictum, præsa-  
tum Capellanium nostrum super Ecclesiâ multipliciter inquietabit, et adhuc inqui-  
etare non cessat; ita quod idem Capellanus noster in periculo perdendi illam Ecclesi-  
am consistit, nisi sibi subveniatur celerius in hac parte. Paternitatem vestram affe-  
ctuosè requirimus & rogamus, quatinus ad factum prædecessoris vestri prædicti in  
præmissis vestre considerationis intuitum dirigentes, illudque plenius advertentes,  
prædicto Capellano nostro de Ecclesiâ prædictâ vel alia favore Regio taliter provide-  
re, quod promotione suâ in hac parte nullatenus defraudetur. Scituri quod si sibi  
secus evenerit (quod nollemus) omittere non possumus sicut nec debemus, quin  
eidem Capellano nostro celeri juris remedio subveniamus in hac parte, prout me-  
lius viderimus faciendum. Quid autem duxeritis faciendum in hac parte, nobis  
per latorem præsentium litterarum rescribatis. Telle meipso apud Cusford quarto  
die Maii anno regni nostri vicesimo. Nos igitur hujusmodi mandato vestro prom-  
tissime ut debuimus obtemperare volentes, prædictum Walterum & omnes secum vi &  
armis dictam Ecclesiâ occupantes per litteras nostras sufficienter monuimus, et si moni-  
tis nostris contumaciter non parerent in scriptis excommunicabimus, ut infra  
certum diem in litteris nostris expressum, à dicta Ecclesiâ & Domibus ad eam pertinen-  
tibus omnino recederent, ut Dominum Robertum prædictum dicta Ecclesiâ & ejus pos-  
sessione cum omnibus juribus suis in pace gaudere permitterent; protestantes insuper, quod  
si idem Walterus, qui quod sibi in eadem Ecclesiâ competere asserit, bellè prosequi co-  
ram nobis, nos eundem in sua iustitia libentissime audiremus, et quod in hac parte  
justum foret et canonicum faceremus; Qui dictam monitionem nostram, et excom-  
municationis sententiam, qua ipsos innodabimus parvipendentes, dictam Ecclesiâ  
contra Deum et iustitiam et pacem vestram adhuc detinent et occupant bi et ar-  
mus: procurantes nihilominus nobis per Dominum Offic. Curie Cantuariensis,  
cui per obedientiam subijcitur, districtius inhiberi, & pendente in eadem Curia  
cujusdam tuitoris appellacionis negotio, quam a nobis idem Walterus se asserit in-  
terposuisse, qui quam in ejus præjudicium attemperemus seu attemptari faciamus,  
quo minus hujusmodi negotium tuitorium prosequi valeat cum effectu. Et quia  
hujusmodi armorum violentiam spiritualis gladius à dicta Ecclesiâ non sufficit amo-  
bere, dominationi vestre quam intime supplicamus, quatinus prædictam vim et  
armatam violentiam per vestros Ministros amoveri faciaris ab eadem Ecclesiâ et  
Domibus memoratis, id quod ad Coronam et Dignitatem vestram in hac parte  
spectare dinoscitur, secundum Deum et iustitiam ulterius exercentes. Dignita-  
tem vestram Regiam semper incolumem conservet Altissimus cum ejus matre virgine  
gloriosa per tempora longiora. Dat. apud Trettesclive 10. Kal. Julii, Anno Do-  
mini 1292.

The Chancellor employing one of his Clerks and Creatures to carry the Popes Bulls and Kings Writs into Ireland for levying a Disme and Quindism there for the King, he rendred this account to him of his voyage thither and proceedings there- in, by these Letters which I found in the *White Tower*, being blamed (as it seems) for his negligence in that affair.

An. 20 E. 1.  
Lucia &  
Brevia Regia  
de privato fi-  
gillo, Anno  
20 E. 1.

**V**enerabili in Christo patri suoque charissimo Domino, suus Clericus quem crea-  
vit, salutem, & cum promptitudine servituti in servitute continua se paratum.  
Eccē (amantissime Domine) quam gravis afflictio additur mihi afflictio, alia id quod  
nuperimē vobis scripsi; Statim siquidem postquam de vobis veni Bristol. & venis  
commoditatem perceperim cum Bullis quas traditas mihi didisti, ut eas per-  
petuari facerem, ne per mortem Regis, quæ tottalis contingeret, earum retar-  
daretur prosecutio vel effectus; fere solus & nudus, quia navis quam pro me & fa-  
milia mea conduxeram ex toto non exiit preparata, cum festinatione omnimoda versas  
Hiberniam properavi, spe credens firmissima indignationem Regis per hoc totaliter  
effugisse, et ex eo gratias reportasse. Verumptamen, quia quamplurima Brevia De-  
cimam et Quintadecimam tangentia, una cum mea familia & aliis rebus meis post  
me transvehend. quamtocius ut sperabam, Bristol. dimisi; quæ omnia Brevia tam  
ex abrupto progrediens, mecum salbo ducere non valebam, nec ipsa sicut ceteras  
res meas nondum acceperim, nisi vestra benignitas me dignetur prospicere, in id inci-  
dere dubito quod plene credidi evasisse, & pro gratiis earum (quod absit) contrarium  
incursisse. Ne forsitan credatur & per ministros aliquos sibi illatos, nostro Domino Regi  
suggeratur, quod Quintadecimæ prosecutio sit neglecta, licet ipsa ut spero effectua-  
liter fuerit retardata. Expediens siquidem non speret, quod illud injunctum michi nun-  
cium inchoassem, donec quamplurimum Hibern. Incolarum in proterbitate induratos et  
inboluntarios animos ad majorem affectum versus Dominum Regem plus operibus  
necnon verbis attraxerim allectibus. Etiam & si Quintadecimam per se non bonorum  
suorum concesserint citra festum Purif. beatæ Mariæ, quæ quidem concessio citius fieri non  
possit de hujusmodi concessione Dom. noster Rex respectu lucrum modicum reportaret. Utile  
est hujus rei non inchoata dilatio me potius immunem debet à culpa servare, quam præ-  
cipitatio immatura culpam. Pie pater, quia Brevia suspecta & fere omnia bona mea du-  
bito naufragio fore perditæ, Petrum de Abyndon latorem presentium vobis misi pro  
nobis Brevis inpetrandis, prout vobis si placet, sicut cetera metangentia dicit plene  
optinui. Et quia Dominus Robertus Bagot & quamplures alii de Consilio Regis,  
in Hibern. me rogantur pro eodem, quod sibi committerem custodiam Actulorum et Bre-  
vium Regis de Banco Dublin. asserentes me hoc facere posse, id tamen noli, vestris  
consensu & licentia irrequisitis; absit enim, quod absque vestro precepto, quid hujus-  
modi facerem vel aliud quodcunque, quod contra vestram cederet voluntatem. In veritate  
ipsum repeto discretum, fidelem, & valde prudentem, & talis laudabilis testimonio  
comprobatur. Altissimus vos in prosperitate continua semper salvet. Dat. apud Dub-  
lin. die Luna prox. post festum Sanctæ Lucie.

**R**everendo in Christo Patri, suoque amantissimo Domino, sua creatura, salutem, Ibidem;  
& se cum quanto poteris obsequio & honore in continua servitute. Die Luna in  
Quindena Sancti Hillar. ad quem Barones & Magnates Hibern. necnon fidelis com-  
munitas ejusdem, ipsis duntaxat qui sunt de libertatibus certis ex causis exceptis, apud  
Dublin. vocati extiterant, ipsorum majorum animis, ad obtemperand. in omnibus  
voluntati Domini nostri Regis prius inductis, eisdem Baronibus et Magnatibus,  
Militibus et ceteris de communitate tunc ibidem presentibus, nuncium exposuit  
de Quintadecima michi injunctum. Quo exposito, omnes Hiberniæ fere Majores ip-  
sam Quintadecimam concesserunt in forma subscripta, videlicet, Quod à prestatione  
& taxatione ejusdem deducantur eorum Arma, Equitatura, genera cujuscunque U-  
tensilia, necnon eorum Thesauri & Garderoba. Ceteri vero de vulgo & plures Mag-  
nates post immensas altercationes habitas inter ipsos, asseruerunt se guerris quotidianis  
grabati, et ex eo, quamplurimum ire alieno. Propter quod nisi & ipsorum debita,  
quæ debent, similiter deducantur, vel in tantum exonerentur versus suos Creditores,  
quantum solvent de Debitis illis Quintadecima nomine, ipsam nullo modo prestabunt.  
Gratanter etiam & unanimiter concedentes quod Quintadecimam de debitis qua-  
tis debentur persolvent. Quocirca paternitati vestra placeat (Reverende) istius con-  
cessionis formam exponere Domino nostro Regi, ut sua Excellentia michi libeat de-  
mandare, quid de promissis duxerit ordinand. De eo maxime, utrum sibi placeat, quod  
de istius Anni nunc bonis apparentibus Quintadecima persolvatur; an ipsius alio usque  
in Annum futurum proximo differatur, quod magis videtur meo iudicio expedire. E-  
nimvero presentis Anni bona sunt fere consumpta. Dignetur etiam Dominus noster Rex



An. 20 E. 1. terminos ordinare quibus Quintadecima debet solvi. Afferunt enim prædicti Hiberni Incola, in concessione ejusdem Quintadecima, quod ipsam nisi diffusis terminis aliquantulum solvere non possunt propter duo : primum, quia pauperes, aliud, si ex præmatura et castræ exactione ejusdem pauperiores efficiantur, citius sui inimici infideles Hibernici eis assidue machinantes, subdolis furtibus ipsos foras inbadent, deprimunt et confundunt. Propter, negotia me plura tangentia Magister Henricus de Ragle lator præsentium vobis (si placet) referri viva voce : in quorum aliquibus diuicini manus correctionis apponere, & alius vestra benignitate auxilium impetrari. Scit vobis idem Magister referre qualiter & quomodo negotium de Decima Clericorum prædanda inchoabit, & quibus viris & diligentia tam prædictum negotium quam istud studio & insister ad effectum salicem perducere & optatum. Pro certo (reverende Pater) asserere poteris Domino nostro Regi, quod Dominus David de Elington bonus & fidus amicus hactenus à tempore adventus mei in Hibern. extitit in præmissis, necnon ceteris omnibus quæ sibi injuncti ex parte prædicti nostri Domini faciendæ ; set ultra omnes quos in Hibernia sum expertus, Archiepiscopus Cassell. et immensis fidelitate et affectione quas gerit erga Dominum nostrum Regem est merito commendandus. Quia, si placet, eidem nostro Domino referatis, ut prædictus Dominus David ab indignatione quam adhuc ignorat inturrisse mandetur ; & prædictus Archiepiscopus grates ex suis benemeritiis valeat reportare. Vos in prosperitate Altissimus semper servet.

In the same Bundle of Writs of Privy Seal and Letters this year, I finde this memorable case related in a Letter concerning a devise of a Messuage in London to a Chauntry, and the probat thereof in that age, with the opposition made against it by the heir who brought an *Assise of Mortuance*, because the Testator died before his Seal was put unto it ; which suit the Author of this Letter endeavoured to engage the Chancellor to supersede, and make the Will inviolable.

Litteræ &  
brevia Regis  
de privato sig-  
illo, Anno  
20 E. 1.

Salutem & sergitum. Quia Johannes de Hakeburn, quoddam Messagium cum perueniens in Civitate London. in Testamento suo legavit Johanna uxori suæ, tenendum ad vitam ipsius Johanna, ad sustentationem unius Capellani pro anima ipsius Johannis Divina celebrandæ ; et idem Testamentum tam coram Ordinariis quam in Hustengo London. legitime est probatum, quod Dominum nostrum Cancellarium credo non latere, eo quod relatam fuit michi London. quod idem Dominus noster Cancellarius pro eodem negotio fuit in Gildhalla London. & novit probationem ejusdem testamenti, vel ad probationem ejusdem procedere præcepit : propter quod, ut superius est expressum, legitime est probatum. Et quidam Johannes le Ironmonger, qui se dicit esse fratrem & heredem ejusdem Johannis, & unus est Executorum ipsius Johannis, & pars (ut executor) probationis Testamenti prædicti quandam *Assisam mortis Antecessoris* attam, coram Vicecom. London. de eodem Tenemento versus prædictam Johannam, in fraudem et elusionem Testamenti prædicti, maliciose & contra Deum & Justitiam, ut à multis fidedignis in Civitate prædicta intellexi. Dilectionem vestram de qua plene confido, affectuose requiro, quatinus negotium istud Domino nostro Cancellario, qui partem ejusdem novit (ut credo) & pro quo Dominus Hugo de Cressingham scribit eidem, ostendere, & partes vestras erga ipsum efficaciter interponere velitis amore mei, ut idem Dominus noster Cancellarius quandam Associationem de Domino Johanni de Meringham Custodi & Aldermannis dictæ Civitatis concedat, juxta tenorem Cedulae quam vobis mitto præsentibus interclusam ; quam tradidit michi prædictus Dominus Hugo. Ita tamen quod si correctione indigeat, de consilio vestro & aliorum sociorum vestrorum corrigatur. Et quia Testamentum prædictum legitime probatum est, nec aliud oppositum est eidem probationi, nisi quod post idem Testamentum editum, Signillum Testatoris eidem Testamento non erat appositum, eo quod ita festinanter obiret, quod post Testamentum prædictum editum ante ejus obitum apponi non poterit eidem ; Et ultima voluntas Testatoris, et non Signilli sui appositio, facit Testamentum ; si constet prædicto Domino nostro Cancellario de probatione prædicta, sicut prædictum est, sine præjudicio melioris sententiæ, juri congruit quod scribatur Custodi & Aldermannis prædictis, qui hujusmodi facti Recordum habent, executionem Testamenti prædicti, sicut probatum est fieri faciant ; & quod Vicecomites prædicti, qui eis sunt inferiores & sui Ministri, nec aliquod

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aliquod Recordum inde habent in præjudicium libertatis Civitatis prædictæ, quam habent de gratia Domini Regis & non aliunde de lege vel jure, ad captionem Assisæ prædictæ in præjudicium prædictæ Johanne contra formam Testamenti prædicti nullatenus procedant. Inaudient enim est, quod id quod coram Justic. actum est & approbatum, coram Vicecom. possit aut debeat infirmari. Unde vobis placeat de isto pegotio efficaciter inromittere, vps rogo quantum possum, ut effectum sortiari possit debitum. Maxima autem malitia persecuta est in hoc facto, propter quod prædictus Dominus noster Cancellar. in Gildhalla fuit personaliter, & Custodi & Aldermannis injunxit, quod propter Assisam prædictam non omitterent quin ad probationem Testamenti prædicti et executionem ejusdem procederent, et nichilominus impetratum est Breve de Cancellaria quod Vicecomites ad captionem ejusdem Assisæ procedant; quod non est valde honestum. Et hoc dicatis (si placet) Domino nostro prædicto. Ego vero sum London. pro negotiis Converforum, & ad vos ero quam citius ego potero ubicunque vos juvero, Domino concedente. *Vale.*

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How vexatious and injurious Bishops Officials were in that age, in Excommunicating men with greater Excommunications, without either precedent monition, confession or conviction, this Complaint, Appeal and Inhibition will evidence.

**Q**ffic. Karl. discreto viro Domino Thoma de Capell. Vicar. Ecclesiz de Kyrkbythorp, salutem in auctore salutis. Suâ nobis Thomas dictus Godehusband paroch. Ecclesiz de Burg. sub Staynmer. petitione monstravit, quod vos in eum, non monitum, non confessione sua convictum, contra statuta Concilii generalis, et sine causa rationabili, majorem sententiam promulgastis, seu promulgari fecistis, in grave ipsius Thoma præjudicium, non modicum et gravamen. Idem Thomas sentiens se ex eo indebitis prægruari, a dicta sententia ad nos (ut asserit) legitime appellavit. Quocirca vobis inhibemus, ne pendente hujusmodi appellatione eorum nobis quicquam in partis appellantis præjudicium attemptetis, seu attemptari faciatis, quo minus suam Appellationem factam libere prosequi valeat, ut est iustum. Citamus etiam vos per præsentem, quod compariamus coram nobis vel Commissar. nostro in prox. Capitulo Westm. celebrand. parti appellanti in forma juris responsur. & ulterius factur. quod justitia suadebit. Quid in præmissis feceritis dicto Capitulo per literas vestras patentes harum seriem continentes legitime constare faciatis. Datum apud Bellum locum, &c.

Brevia Regis de priv. sigill. in Turre London. An. 20 E. 1.

**O**ffic. Karl. discreto viro Domino Thoma de Capell. Vicar. Ecclesiz de Kyrkbythorp, salutem in auctore salutis. Cum Thomas dictus Godehusband paroch. Ecclesiz de Burg. sub Staynmer. coram nobis in judicio comparuisset, ac ipsum per vos majoris vinculo Excommunicationis fuisse innodatum, (ut asserit) et a vobis ad nos legitime appellavit, idem Thomas beneficium absolutionis in forma juris a nobis sibi impendi humiliter postulavit. Cumque supra dicta absolutione aliquandiu disceptatum extitisset, tandem nos vobis ista vice gratiose differentes, ipsum ad nos per præsentem citra prox. Capitulum Westm. mittimus absolvens. quod si in hujusmodi absolutione impendenda negligentis fueritis seu remissi, nos ipsum extunc in forma juris absolvemus. Quid in præmissis feceritis nobis seu Commissario nostro dicto Capitulo legitime constare faciatis per literas vestras patentes quæ harum seriem representent. Dat. apud Appleby 15 Kal. Jan. Anno Domini 1291.

Ibidem.

What Letters the King by his Privy Seal ordered his Chancellor to issue and send this year unto the Pope and Cardinals at Rome, on the behalf of Hugo de Leringer his Clerk, and his Kinsman Alphonso the King of Aragon son, these original Writs inform us.

**E**dwardus Dei gratia Rex Anglia, Dominus Hibernia, & Dux Aquitania, venerabili in Christo patri R. eadem gratia Bathon. & Willen. Episcopo, Cancellar. suo, salutem. Literas quas vobis transmittimus præsentibus interclusas fratri M. Fundela Brev. de privato sigillo, Anno 20 E. 1. Turre London.



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*De Aquâ sparsâ* Cardinali pro dilecto Clerico nostro *Hugoni de Laminister* ex parte nostra dirigend. statim visis presentibus magno sigillo nostro consignari iussitis, & eas prefato *Hugoni* retradi sigillatas. Dat. sub privato sigillo nostro apud *Farndon* 4 die *Marci*, Anno regni nostri 20.

**V**enerabili in Christo patri Domino *G. Dei gratia Sabinen. Episcopo*, *Sacro. sanctæ Romanæ Ecclesiæ Cardinali*, amico suo, *Edwardus* eadem gratia Rex *Angliæ, Dominus Hiberniæ, & Dux Aquitaniæ*, salutem & dilectionis intimæ consortium incrementum. Cum dilectus Consanguineus noster Dominus *Alphonſus* filius Domini *Ferrandi* quondam illustris Regis *Castellæ*, ad Curiam Romanam personaliter iam accedat, pro quibusdam negotiis suis quæ optinet inibi exequenda, Paternitatem vestram attente requirimus & rogamus, quatinus in negotiis huiusmodi vos consulentes & propitios exhibere velitis, nostris precibus & amore; adeo si placet, quod idem *Alphonſus* has nostras preces sibi sentiat efficaces. Dat. apud *Farndon* 6 die mensis *Marci*, Anno gratiæ 1291.

**E***dwartus* Dei gratia Rex, &c. venerabili in Christo patri *R.* eadem gratia *Bathon. & Wellen. Episcopo*, Cancellario suo, salutem. Mittimus vobis tria paria literarum presentibus interclusa; unum videlicet Domino Summo Pontifici, aliud Domino *Benedicto* Cardinali, pro negotiis Domini *Alphonſi* filii Domini *Ferrandi* quondam illustris Regis *Castellæ* filii; & unum eidem Regi dirigend. Mandantes quod assumpta in Garderoba nostra apud *London*, vel alibi, in forma nomina ceterorum Cardinalium quibus scribere sumus usi, litteras nostras scribi faciatis eisdem, eodem tenore quo Domino *Benedicto* scribimus supradicto: Quibus peractis eas una cum literis predictis magno sigillo nostro, prout moris est, consignari faciatis, & consignatas tradi presentium portitori. Dat. sub privato sigillo nostro apud *Farndon* 6 die *Marci*, Anno regni nostri 20.

There being a Suit pending in the Court of *France*, between the King and Bishop of *Aviclen* concerning *Bigorra*, which he had alienated to the King, the Dean of *St. Severin* sent this advice and account to the King concerning it, whereby we may discern how far the Cardinals and Pope were engaged therein on both sides, to gain monies from both.

Brevia Regis  
de privato si-  
gillo. anno  
20 E. 1. in  
Turris Lond.

**D**omino suo, *Reymundus* Decanus Ecclesiæ Sancti *Severini* Burd. se ipsum. Noveritis Dominum *G. Aviclen. Episcopum* de *Parisi*, versus partes *Limovicen*, unde oriundus existit, & non versus suam Ecclesiam recessisse, expectando Quindenam *Pasche* ad quam questio sui iudicii de *Bigorra* extitit prorogata. Et quia intellexi, quod aliqui Domini Cardinales super dicto feodo *Bigorra* pro vobis scripserunt eidem, expediens videretur, quod ad ipsum Episcopum aliquem certum & secretum nuntium mitteretis, non expectato quoad hoc termino supradicto: Sibi enim dixi, quod cum Ecclesiæ suæ super dicto feodo si ipsis placuerit rationabiliter componens; & quod magnum esset indecens, quod post alienationem dicti feodi vobis factam, cum alio convenirent. Hæc autem verba ideo sibi exposui, quia licet optineretis in iudicio possessorio, in quo per iudicium *Franc.* jam prolaturum, subcubitis iniuste, prout potest liquide apparere per processum Curie *Franciæ* in publicatione testium diu est vobis datum, in petitorio tamen iudicio propter defectum decreti in alienatione dicti feodi Ecclesiastici vobis facta, non adhibiti, subcumbere haberetis, etsi causa seu ratio aliqua contra vos non subesset. Si autem ad dictum Episcopum ex parte vestra ante dictum terminum non mittatur, fortè sibi videbitur, quod multa per me & alios vestri os sibi dicta fuerint ad illudend. eidem. Rursus Dominus *Americus* dictus *la Porta* Miles, quondam Dominus *Brageriaci* Consanguineus & intimus Domini Episcopi supradicti, qui pro vobis erga ipsum Episcopum ad compositionem habendam libenter & diligenter intendit, & si opus fuerit, personaliter laborabit, michi pro verò exposuit, quod idem Episcopus ad expensas sufficienter pecuniam habuisset, sub colore dictarum literarum Dominorum Cardinalium sibi missarum propter hoc negotium, gressus suos de Parlamento presentis ad Romanam Curiam recto itinere direxisset. Vestra igitur circumspexio provideat, quid & qualiter super hoc sit agendum. Dominus

\* Nothing  
could be then  
transacted at  
Rome without  
good store of  
monies.

vobis

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vos conservet ad suum servitium & vestrorum regimen, per tempora longiora cum  
grata commemoratione Decanat. vestri. Dat. Paris. die Lunæ post Octab. festi  
Purificationis beatæ Mariæ. An. 20 E. 1.

I shall now crave liberty to insert into this year and Chapter, the most remarkable claims, declarations, demonstrations of King Edward the 1. his Sovereign Dominion over the Kingdom, Kings, Prelates, Nobles, Clergy and Commonalty of Scotland, as Superior Lord of Scotland; which hath then undeniably evidenced by antient Chronicles, Historians, the Homages, Oathes made to him and his Royal Predecessors by the Kings of Scotland in former ages; the unanimous confessions, Charters, Homages, Fealty of all the Competitors to the Crown of Scotland, after the death of King Alexander, and Queen Margaret his daughter without issue, before her intended marriage to Prince Edward his son; the surrender of the whole Kingdom, with the Castles and appurtenances thereof into his hands, as Superior Lord thereof, by the Guardians of Scotland, with the unanimous consent of the Nobility, Clergy, Commonalty of that Nation; by the memorable Petitions of all the pretenders to the right and descent of the Realm and Crown of Scotland to them, after Queen Margaret's decease; who set forth their respective Titles, and submitted them all to his absolute Judicature, as their Superior Lord; who thereupon after sundry deliberate, just, legal proceedings therein, and many hearings and interpleadings, by advice and consent of his Parliament, and of the Prelates, Earls, Nobles, and most eminent Lawyers of both Kingdoms, finally adjudged the right of the Crown of Scotland to John Baliol as next heir in Law; who thereupon swore Fealty and Homage to him as to the Sovereign Lord of Scotland, after his Coronation and restitution of the Kingdom and Castles to him by the Kings Writs; who frequently summoned him to his Court, Parliaments upon complaints & appeals, for his injustice, oppressions, treachery, and confederacies with the French King against his homage and allegiance: All which particulars being only briefly, yea very imperfectly related by <sup>a</sup> Mat. Westminster, <sup>b</sup> Thomas Walsingham, <sup>c</sup> Henry de Knyghton, and the rest of our Historians, I shall here present you with at large, (for the vindication of the antient right and Sovereign Dominion of our English Kings over that Realm and Church, against all claims of usurping Popes, or ingrate perfidious, rebellious Kings of Scotland) out of a most memorable irrefragable Record then made thereof by King Edwards special command, written by two sworn Notaries approved by the Pope in a very excellent fair hand, in sundry large Rolls of parchment, now remaining in the Tower of London; the truth of each particular therein contained, with all circumstances of time, place, and other emergencies, being attested by many Bishops, Earls, Nobles, and other persons of quality of the English and Scottish Nations, present at all the Transactions, and these two sworn Notaries: Which being thus recorded by King Edward in perpetuum remembrance, to all succeeding generations, and the exactest Narrative, Record both for History, judicial and legal proceedings, rare pleadings, Pedigrees of the Scottish Royal Line, the several Titles made to the Crown of Scotland, and the completest, uncontrollable evidence of our Kings Sovereign Jurisdiction and Lordship over Scotland, this day extant, most worthy publick view, though very long, reciting sundry Patents, Charters, Oathes both in French and Latine, for the reasons therein expressed.

<sup>a</sup> Flores Hist. An. 1291. 1292. p. 379. to 383.  
<sup>b</sup> Hist. Anglie p. 17. to 24.  
<sup>c</sup> Ypodigma Neustria, p. 73. to 78.  
<sup>d</sup> De Eventibus Angl. 1. 3. c. 2. col. 1469.  
<sup>e</sup> Sec. Polychronicon 1. 7. c. 39.  
Chron. Will. Thorne. col. 1562. Fabius, Caxton, Holliard, Grafton, Speght, Stow, Daniel, Baker in Ed. 1.

IN Nomine Domini, Amen. Quoniam antiquorum industria circumspicienda utilitate publica Tabellionatus officium nescitur adinventum, personis fidedignis concedendum, ut contrahentium vota, acta judicialia, processum, contractus & patta, & alia quaque ipsorum facta presentia diligenter & prudenter asculantur, & etiam recoligentes conscribant, & requisiti super his publica faciant Instrumenta, ad quæ etiam fideliter et sine fraude facienda, conscribenda, et in publicam formam redigenda, ipsorum quilibet requisitus præstiti Sacramenti virtute contrahitur. Idcirco præmissa attendens, indemnitatisque meæ prospicere volens, quatenus ex mei debito teneor iuramenti, tam super processu recognitionis Superioritatis et directi Dominii regni Scotiæ, quam aliis quæ in ipso processu eorundem excellentissimo Principe et Domino nostro Domino Edwardo Dei gratia Rege Angliæ Illustri, Superiori

Rotulus de Superiortate Regis Angliæ in regno Scotiæ, de fidei-tate & homa-gi Regum & regni Scotiæ Regis Angliæ, An. 19, 20, 21, 22, 23 E. 1. in Turri Lon-don.

et



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et obsecro Domino regni Scotiæ, inter quosdam Nobiles subscriptos, quorum quilibet jus succedendi in dictum regnum Scotiæ sibi competere vendicabat, rogans, cum ea qua potero diligentia compello; scribere quæ sunt veritatis, ad perpetuam rei memoriam posteris ostendendam; ut futuris temporibus, si necesse fuerit, et sciri voluerit actorum veritas in hac parte, huiusmodi scire volentes veritatem ad præsens Instrumentum publicum recursum habere poterint opportunum; et quæ per humana inlabilitatem et temporum lapsum a memoria recesserunt, per istas inspectionem Instrumenti sive Processus recentis memoriæ reducantur. Vacante nuper dicto regno Scotiæ & Regis præsidio carente per obitum claræ memoriæ Domini quondam *Alexandri* Regis ejusdem filiorumque suorum, ac subsequenter per mortem nobilissimæ ac clarissimæ Dominiæ, Dominiæ quondam *Margareta* filix excellentissimi Principis Domini, Domini *Eris* Dei gratia Regis *Norwegia*, Neptis ipsius Regis *Alexandri*, quæ in dicto regno *Scotiæ* successisse debebat eidem: subortisque inter Nobiles subscriptos, quorum quilibet jus succedendi in dictum regnum *Scotiæ* sibi competere vendicabat, contentions & dissentionis materius, *Excellentissimus & serenissimus Princeps & Dominus noster, Dominus Edwardus Dei gratia Rex Angliæ illustris*, et superior et directus Dominus dicti regni, perpendens ipsum regnum et statum ejusdem ex tanti Principis destitutione multipliciter conturbatum, Inducto apud Northm. Dunelm. Dioc. in confinio dicti regni Scotiæ suo Parlamento, ad eundem locum tanquam superior et directus Dominus ipse regni personaliter declinabit; ut quæstiones huiusmodi, lites et iurgia, quæ inter ipsos Nobiles suscedendi in dictum regnum Scotiæ (ut præmittitur) vendicantes, terminaret, et optas super hæc inter ipsos contentions et dissentionis materias amputaret, finemque litibus apponeret, et vendicantium quemlibet in iure suo benigne audiret, ubique et aliis omnibus et singulis petentibus, iustitiæ faceret (ut dicebat) complementum.

\* See Mat. Westm. An. 1191 p 377, to 382. Tho Walsingham Hist Angl. p. 16, to 20.

\* Anno à nativitate Domini 1191. Indictione quarta, mensis Maii die decimo, congregati coram excellentissimo Principe & Domino, Domino Edwardo Dei gratia Rege Angliæ illustris, apud Northm. ad ipsius Regis mandatum, utriusque regni Nobilibus et Prelatis, Militibus et per pluribus aliis in multitudine copiosa; Nobiles vir Dominus Rogerus Brabancon, Miles, & dicti Domini Regis Angliæ Justiciarius, in cuius ore idem Dominus Rex verba sua posuerat, ipsum organum suum constituent, In præsentia mei inscripti Notarii et testium subscriptorum ad hoc vocatorum specialiter et rogatorum, nomine & vice ipsius Domini Regis Angliæ, Episcopus, Prelatusque alius Ecclesiasticus, Comitibus, Baronibus, Militibus, aliisque omnibus & singulis de Communitate regni Scotiæ ibidem congregatis (ut præmittitur) verba subscripta, vel his similia, hunc habentia sententialiter intellectum, sermone tamen Gallico dixit & proposuit oraculo viva vocu.

Serenissimus Princeps & Dominus noster excellentissimus Dominus Edwardus Dei gratia Rex Angliæ illustris, superior et directus Dominus regni Scotiæ, perpendens statum ejusdem per mortem claræ memoriæ Domini quondam *Alexandri* ultimi Regis ejusdem, & etiam liberorum suorum, commotione gravi fuisse jamdiu, est, & esse multipliciter conturbatum, & ex tanti Principis destitutione varia perplexitate depressum; conspiciensque ipsum regnum & inhabitantes ejusdem Incolas diversarum procellarum turbine fluctuantes, ob affectionem & zelum quem habebat, & habet erga vos & universos & singulos, quorum tutio et defensio ad ipsum spectare dinoscitur, ac etiam ad faciendum omnibus jus ad dictum regnum Scotiæ vendicantibus, iustitiæ complementum, ac etiam pro tranquillitate & pace inter regnicolas ipsius regni conservanda; vos in hac Quindena Pascha proximo præteritæ ad locum istum in dicti regni Scotiæ confinio situm, (ut vestris etiam laboribus parceret & expensis) per suas certi tenoris literas specialiter convocabit, propter aliqua, quæ vobis intendebat & intendit exponere prima facie, & monstrare. Veniens itaque ob illam causam ad locum istum personaliter de remotis, ut ipse tanquam superior et directus Dominus regni Scotiæ (cujus interest per superioritatem et directum Dominum huiusmodi, quod est suum, paratus est docere, et per diversas Chronicas, in diversis utriusque regni Monumentis et locis aliis compertas, et per alias informationes et rationes evidentes, probationes (si necesse fuerit) et certa documenta) iustitiæ faciat universis; ita quod discorsiarum et dissentionum bestiarum sublatis materiis, arma pacis tranquillitas

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tas eodem regno et ejus incolis permanent in futurum. Nec est etiam suæ intentionis quicquam indebite occupare, nec aliquos justitiam differre, aut libertates diminuire seu impedire; sed (ut p[er]mittitur) tanquam superior et directus Dominus regni Scotia, jure suo uti, et omnibus et singulis facere justitiam complementum. Et ut hæc deduci valeant commodius ad effectum, idem Dominus noster Rex vestrum super præmissis ex habundanti benivolum requirit assensum, et superioritatis et directi domini hujusmodi recognitionem; Volens in his & aliis omnibus, dictum regnum Scotia tangentibus, vestris uti consiliis opportunis.

Quibus per præfatum Dominum Rogerum (ut præmittitur) nomine dicti Domini Regi Angl. peroratis, & à præfatis Episcopis & aliis Prelatis Ecclesiasticis, Comitibus, Baronibus, Magnatibus, aliisque Nobilibus de Communitate dicti regni Scotiæ ibidem presentibus plenius intellectus, iidem Episcopi & alii Prelati Ecclesiastici, Comes, Barones dicti regni Scotiæ ibidem presentes, diem ad consulendum cum absentibus dicti regni Scotia Nobilibus & Prelatis, ac communitate, & deliberandum super requisitione prædicta ipsis ex parte Domini Regis facta, & ad respondendum eidem sibi concedi cum instantia petierunt. Habitaque super hac deliberatione aliquali (licet ipsi, quid idem Dominus Rex ipso die facere & dicere voluit, fuissent primis præmitti sufficienter) ex habundanti tamen fuit eis terminus per ipsum Dominum Regem proximus sequens dies assignatus, ad audiendum deliberationem Domini Regi super jam dictis inducitur petitis denegandis vel etiam concedendis. Alium in parochiali Ecclesia de Northm. anno, indictione, mense & die prænotati; presentibus venerabilibus in Christo patribus Dominis Johanne Dei gratia Ebor. Archiepiscopo, Angl. Primati, Antonio Dunelm. Radulpho Carleolen. Willielmo Elien. Willielmo Sancti Andree, & Roberto Glasgou. Episcopis; & nobilibus viris Dominis Henrico Lincoln. Rogero Northfolch. & Marefcalli Angl. Comitibus, Magistris Henr. Ebor. Johanne Lichfelden. Thoma Wellen. & Andr. Exon. Ecclesiarum Decanis, ac Johanne Ertun de Cadomo publico auctoritate Apostolica Notario, ac aliis tam Nobilibus quam Prelatis per pluribus in multitudo copiosa.

Quo die, undecimo videlicet mensis Maii, anno & indictione prænotati, loco eodem, præfati Episcopi regni Scotiæ & Nobiles coram dicto Domino Rege Angliæ, ut prius, comparuerunt; & diem ad deliberandum & consulendum cum absentibus regni Scotiæ Nobilibus & Prelatis, ac communitate, super dicta requisitione regia eis, ut præmittitur, facta, de recognitione videlicet benivolæ superioritatis et directi domini regni Scotiæ, quod dicebat esse suum ius et eidem respondendum, cum instantia petierunt. Quibus idem Rex post diligentem super hoc deliberationem, respondit & dixit; Se velle eorum voluntati complacere in hac parte, præfixit & assignavit eisdem secundum diem mensis Junii prox. sequent. ad interim consulendum cum absentibus regni Scotia Nobilibus & Prelatis, & aliis de communitate ejusdem regni super præmissis, & deliberandum, & illo die præcisè respondendum requisitioni suæ supradictæ, & ad exhibendum proponendumque ulterius, & ostendendum præcisè & peremptoriè munimenta vel scripta aut alia quævis documenta, si quæ habuerunt, quæ ipsam a jure suo prædicto superioritatis et directi domini sui dicti regni Scotia, aut ab exercitio seu executione dicti sui juris excludere possent, et rationes et documenta pro ipso et jure suo prædicto ostensa, per validiora et efficaciora aliqua via juris infirmare; protestans, se velle et paratum esse ea, quatenus jura permetterent, eis allocare, et facere quod justitia inderet in eventu. Præmissaque per venerabilem patrem Dominum Antonium Dei gratia Dunelm. Episcopum, ipsum ad hoc organum suum constitutus, præfatis Nobilibus regni Scotiæ & Prelatis ibidem presentibus nunciavit, ac etiam notificavit. Presentibus testibus superscript. cum aliis quampluribus.

Ut autem per præsentem processum seu Instrumentum publicum omnibus Christi fidelibus evidenter appareat, cujusmodi rationibus evidentibus & documentis verisimilibus & probabilibus dictus Dominus Rex Angliæ ius superioritatis et directi domini regni Scotiæ suum esse, et ad ipsum jure Coronæ regni Angliæ et dignitatis suæ regalis præeminentiæ pertinere debere asserbat, et etiam ostendebat; incipiendo à tempore Brutii, & sic successivè descendendo usque ad tempus suum, sicut in antiquis Chronicis et libris in diversis Angliæ & Scotiæ regnorum Monumentis compertis scripta reperiebantur; videlicet, in Chronicis Magistrorum Mariani Scoti, Willielmi de Malmesbyr. Rogeri de Hoveden, Henr. de Huntingdon, & Radulphi de Dicero,



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a This story of  
B. ut was then  
asserted as a  
truth by the

King & whole  
Parliament of  
Eng. and. See

H. H. Hun-  
don Hist. l. 1.  
G. H. Monu-  
metens Hist.

Brit. l. 1. c. 2,  
to 15. Mit.  
Westm. Flores

Hist. A. 3.  
p. 23, 24. Pon-  
ticus Verunnius

Hist. l. 1. Poly-  
chronicon, Fa-  
bian, Grafton,

Holinshed, and  
others in the  
Life of B. ut.

b Annal. pars  
prior, p. 411,  
412.

c De Gestis Re-  
gum Angl. l. 2.  
c. 3.

d Florentius  
Wigornensis  
Chron. p. 333,

347. Simeon  
Dunelmensis  
Hist. col. 151,

154.  
e Florent. Wi-  
gorn. p. 348.

f Sim. Dunelm.  
col. 154. Hove-  
den, p. 422.

g Wil. Malmesb.  
de Gestis Reg.  
Angl. l. 2. c. 6.

h Henr. Hunting-  
don Hist. l. 5. p.  
354. Chron.

i Joh. Bromton  
col. 838, 839.

j H. de Knyght-  
on de Event.  
Angl. l. 3. c. 4.

k Angl. l. 3. c. 4.  
col. 348.

l De Gestis Re-  
gum Angl. l. 2.  
c. 7. p. 51, 54,

55. Henr. Hun-  
tendon Hist. l.  
5. p. 155. Rog.

de Hoveden  
Annal. pars  
prior, p. 423.

m Florent. Wi-  
gorn. Chron.  
p. 352, 353.

n Simeon Dun-  
elmensis Hist.  
col. 156.

in multis libris, necnon Sanctorum Patrum Summarum Pontificum litteris suis  
bullis plumbis more Romanæ Curie pendens. bullatis, et aliis scripturis a sede  
Apostolica approbatis, ea sciatim de verbo ad verbum nihil addens vel minuens,  
quod sensum multes vel intellectum corrumpat, præsentis Instrumenti publico sine processu  
conscribam.

In primis, qualiter sub temporibus Ely & Samuelis propheta vir quidam strenuus ac  
insignis, a Brutus nomine, de genere Trojanorum, post excidium urbis Trojæ, cum mul-  
tis Nobilibus Trojanorum in quandam Insulam tunc Albion vocatam, à gigantibus  
inhabitaram; quibus sua & suorum devictis potentia & occisis, eam nomine suo Bri-  
tanniam, sociosque suos Britones appellavit. Et adificavit Civitatem, quam Troino-  
vantium nuncupavit, qua modo Londonia appellatur. Et postea idem Brutus dictam  
Insulam in tres partes dividens, eam tribus suis filiis reliquit possidendam, Logrino  
videlicet, Albinacto, & Cambro: Logrino vero quia primogenito, illam partem Bri-  
tanniæ, qua nunc Anglia vocatur, cum imperiaute et dominio partium aliarum;  
Albinacto vero secundo suo nato illam partem Britannicæ, qua tunc a nomine Albinacti  
Albinia dicta, nunc vero Scotia nuncupatur; Cambro vero tertio suo filio partem illam  
qua tunc suo nomine Cambria, nunc vero Wallia vocatur; relictam tamen Logrino  
sententi regis semper dignitate. Petebat enim Trojana consuetudo, quod dignitas  
hereditatis primogenito proveniret. Biennio vero post mortem Bruti applicuit in Al-  
binia quidam Rex Humorum nomine Humber, & Albinactum fratrem Logrini occidit.  
Quo audito Logrinus Rex Britannorum periculum est eum, qui fugiens submersus est  
in flumine quod de nomine suo Humber vocatur, & sic Albinia revertitur ad dictam  
Logrinum. Hoc autem in Historia Bruti. Item, in Chronicis Mariani Scoti, b Ro-  
geri de Hoveden, & c Willielmi de Malmesbyr. (quorum compilationes & libri in  
diversis Monasteriis & locis aliis utriusque regni inveniuntur) inter cetera reperitur,  
Quod anno Domini 901. Edwardus Monarcha Angliæ cognomento senior filius, d Eluredi  
Scotorum, Humbrorum & Stregewallorum Reges, suæ ditioni subegit, et in ve-  
ditionem recepit. Et quod anno Domini 911. Rex Scotorum cum tota gente, &  
Reginaldus Rex Danorum, cum Danis & Anglis Northumbriam incolentibus, &  
Rex etiam Stregewallorum cum suis, eundem Regem Edwardum Abi Imperatorem  
et Dominum elegerunt, armisque laevis cum eo pepigerunt. Item, quod anno  
Domini 914. idem Edwardus Rex Angliæ cum illis Britanniam incolentibus Anglorum,  
Scotorum, Cumbrorum, Danorum, & Britonum populo præfuit. Item, quod anno  
Domini 926. e Adelstanus filius & immediatus successor ejusdem Edwardi, Constanti-  
num Regem Scotorum, & Danorum Regem praelio vicit & fugavit, qui postmodum  
cum ipso factis pepigerunt, in loco qui dicitur Eموthe, quarto Idus Julii. Hoc autem  
invenitur in Chronicis Mariani Scoti & Rogeri de Hoveden in multis libris. Et in  
Chronicis Willielmi de Malmesbyr. Henr. de Huntingdon, & Radulphi de Diceto,  
inter cetera sic invenitur. Adelstanus Rex Angliæ Constantinum Regem Scotorum  
cedere regno compulsi, quem tamen postea regno Scotiæ privatum per ipsum sub se re-  
gnavit, sicut prius, gratiosus; dicens consilio suo remittens, Gloriosus est Regem  
facere quam esse. Item, anno Domini 934. idem Adelstanus Rex Angliæ eundem  
Constantinum Regem Scotorum rebellantem devicit et fugavit, & terram Scotiæ usque  
Dunfermelin vastavit. Qui Constantinus postea filium suum dicto Adelstano Regi  
cum dignis muneribus in obsidem tradidit, & sic pacificatus. Et hoc in Chronicis  
Mariani Scoti, Rogeri de Hoveden, Henrici de Huntingdon, & Radulphi de Diceto,  
in multis libris invenitur. Et in Chronicis Willielmi de Malmesbyr. in multis libris  
inter cetera reperitur, quod anno Domini 937. Eugenius Rex Cumbrorum, & Con-  
stantinus Rex Scotorum, in loco qui dicitur Dacorum venientes, se cum suis regibus  
eidem Adelstano Regi Angliæ dederunt; cujus patris gratia filium Constantini  
passum baptizari idem Adelstanus de sacro fonte suscepit. Item, anno Domini 940.  
Adelstano prædicto defuncto, successit sibi in regnum Edmundus frater ejus, qui reg-  
navit septem annos sine rebellione Scotorum. Item, in Chronicis Mariani Scoti, f Wil-  
lielmi de Malmesbyr, & Henrici de Huntingdon in multis libris invenitur, quod  
anno Domini 947. Edredus frater Adelstani minor, dicto Edmundo fratri suo suc-  
cessit; qui Northumbriis devictis, in Scotiam vexilla direxit: Et Scoti nimio terrarum  
perculsi, sine bello se subdiderunt eidem, et fidelitatem Abi et Domino debitam iura-  
verunt; Quodam Rege, Yritio nomine, per ipsam super ipsos Scotos tunc statum.  
Item, anno Domini 955. mortuo Rege Edredo prædicto, successit sibi Edwinus filius  
dicti

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dicti Edmundi fratris Edredi Regis, qui regnavit quatuor annis, cujus tempore Scoti non rebellaverunt. Item, in *Chronica Mariani Scoti*, Rogeri de Hoveden, b Willielmi de Malmesbyr. Henrici de Huntingdon, & Radulphi de Diceto, in multis libris invenitur, quod anno Domini 978. Edgarus Rex Angliæ, qui immediatus successit Edwino Regi fratri suo, Regem Scotorum Kinadium, Malcolmum Cumbrorem, & Marcum Regem plurimarum Insularum, aliosque quinque Subregulos ad Curiam suam coactos, uno et perpetuo sacramento sibi obligavit, adeo ut apud c Civitatem Legionum eidem ut mandatas occurrentes in pompam triumphi per flumen de Edene illos deduceret una in navis impositos prope proram sedens remigare cogeret, affectans per huc regalem suam magnificentiam, qui tot Regum potentiam sibi subiectam haberet distare. Dixit tunc demum, posse successores suos glorari, se Anglorum Reges esse, cum tanta honorum prerogativa fruerentur. Et quod in quodam convivio fama fuit dictum Regem Scotorum Kinadium ludibunde dixisse, mirum videri tot provincias subijci Edgardo tam vili homuncioni: Quod Edgarum postea non latuit; Qui statim dictam Kinadium accersivit, & quasi consulendi gratia longe in Sylvam ipsum deducens, unum e duobus cubus, quos secum attulit, eidem tradidit dicens, Nunc licebit tibi vires tuas experire, cum soli sumus, jam enim fac, ut appareat, quis alteri merito subijci debeat, turpe enim est Regem esse in convivio dicaculum nec esse in pralio promptum: Et confusus ille statim ad pedes Regis cecidit, simplicis sui vitii veniam precatus est, & confectus. Item, anno Dom. 985. successit Regi Edgardo Sanctus Edwardus Martyr, filius dicti Edgari, qui anno regni sui quarto sub noverca sua Altritha martyrium passus est, cujus tempore Scoti non rebellaverunt. Item, anno Domini 980. successit Sancto Edwardo Egelredus frater ejus, qui regnavit triginta annis, cujus tempore nihil invenitur de rebellione Scotorum. Item, anno Domini 1016. successit Egelredo Edmundus Ironside filius ejus, qui primo anno regni sui apud Oxoniam a filio Erici Ducis proditus se interfecit. Item, anno Domini 1017. Rex Kanutus Danus successit in regnum Angliæ, qui anno regni sui 15 Romam profectus est, & elemosinis peccata redimens eodem anno navigio in Angliam rediit; & mox Scotiam rebellantem Regemque ipsius Malcolmum expeditione illius educta parvo subegit negotio, subdicensq; est ex dictis Malcolmus Rex Scotorum, & alii duo Reges Melbrache & Gernake: & quod postmodum scriptum invenitur de eodem Knuto in *Chronica Mariani Scoti*, Willielmi de Malmesbir. Henr. de Huntingdon, & Radulphi de Diceto in multis libris; Grat Reg Knutus Dominus totius Dacie, totius Angliæ, totius Norwegiæ, et totius Scotiæ. Item, Anno Domini 1035. successit Regi Knuto Haraldus filius ejus, qui regnavit quatuor annis & quatuor mensibus, cujus tempore nihil invenitur de rebellione Scotorum. Item, Anno Domini 1040. Regi Haraldo successit Hardeknutus frater ejus, qui cum biennio præter decem dies regnasset, apud Lamehethe mortuus est, cujus tempore nihil invenitur de rebellione Scotorum. Item, in *Chronica Mariani Scoti*, Rogeri de Hoveden, Henr. de Huntingdon, Radulphi de Diceto, & Willielmi de Malmesbir. in multis libris, & etiam in *Chronica Sancti Albani* sic invenitur; Quod Anno Domini 1047. dicto Hardeknuto successit Edwardus, qui cognominatus est Justus, filius Egelredi Regis, cujus jussu Dux Northumbrorem cum Regi Scotorum Machiota prælum commisit, ipsumque vita et regno spoliavit, et Malcolmum filium Regis Cumbrorem jussu dicti Regis Edwardi Regem Scotorum constituit. Et alibi in eisdem *Chronica* Rex Edwardus cognomento Justus, dedit regnum Scotiæ Malcolmum filio Regis Cumbrorem de se tenendum. Item, Anno Domini 1066. Haraldus filius Godwinus Comes Cantuæ, electus fuit in Regem Angliæ, qui primo anno regni sui in bello contra Willielmum dictum Bastard. conquestorem occubuit. Item, in *Chronica Mariani Scoti*, Rogeri de Hoveden, & Henr. de Huntingdon invenitur, quod Anno Domini 1066. Willielmus dictus Bastard. Angliam est ingressus, & sexto anno regni sui, Malcolmum Rege Scotorum rebellante, per terram & mare exercitum duxit in Scotiam, & eidem Malcolmum in loco qui dicitur Abrenithy occurrat, & Malcolmus suus homo debetur. Et in *Chronica Sancti Albani* invenitur, quod Rex Willielmus dictus Bastardus, recepto a dicto Rege Scotorum Malcolmum homagio et obsequio, in Angliam est reversus. Item, in *Chronica Mariani Scoti*, & Rogeri de Hoveden. in multis libris invenitur;

Ann. 20. E. 1

a Annal. pars

prior, An. 973.

p. 426.

b De Gestis

Reg. Angl. l. 2.

c. 8. p. 59.

c Hist. l. 5.

p. 356. 731.

Florentius Wig-

gon. An. 978.

d Simeon Dun-

elmensis Hist.

col. 159. Mat.

Westm. Anno

974. p. 375.

e Ailredus Abbas

de Genealog.

Regum Angl.

col. 359. Chr.

Joan. Bromton

col. 869. Sel-

deni Mare

Clausum, p.

165.

f Will. Mal-

mesbur De

Gestis Regum

Angl. l. 2. c. 8.

p. 19.

g Will. Mal-

mesbur. De Gestis

Regum Angl.

l. 2. c. 11. p.

74. Chron.

Johannis

Bromton, col.

911.

h Henr. Hun-

tingdon. Hist.

l. 6. p. 364.

i H. de Knygh-

ton de Event.

Angl. l. 1. c.

3. col. 2317.

j Simeon Dun-

elmensis Hist.

An. 1054. col.

187. Florenti-

us Wigornien-

sis, Chron. An.

1054. Will.

Malmesbur. de

Gestis Regum,

l. 2. c. 13. p. 79.

k Henr. Hun-

tingdon Hist. l. 6.

p. 366. Roger

Hoveden. An-

nal, pars prior,

p. 443. Henr.

de Knyghron,

de Event. Angl.

l. 1. c. 11. col.

2333.

l Roger Hove-

den. Annal.

pars prior, p. 454. Henr. Huntingdon Hist. l. 7. p. 369. Will. Malmesbur. De Gest. Reg. l. 3. p. 103. Radulfus de Diceto Abbeviat. Chron. col. 485. 486. Chronicon Johannis Bromton, col. 972. Henry de Knyghton, de Eventibus Angl. l. 1. c. 3. col. 2347. Mat. Paris, & Mat. Westm. Anno 1073. p. 4.



*An. 20 E. 1. Quod Anno Domini 1086. successit eidem Willielmo Bastard. Willielmus Ruffus filius ejus, qui anno 14. regni sui rebellavit Malcolmus Rex Scotorum & Northumbriam invadente, cum Roberto fratre suo acies in Scotiam direxit, cui Malcolmus occurrit, & pax inter eos facta est conditione tali, ut idem Malcolmus Rex Scotiarum eidem Willielmo Regi Angliæ, sicut patri suo fecerat, obediret. Et in Cronica Henrici de Huntingdon invenitur, quod Willielmo dicto Ruffo Rege Angliæ acies in Scotiam direxerat, Malcolmus Rex Scotorum nimio terrore perterritus, homo ipse Regis Willielmi effugit, et eidem juramento fidelitatis est subiectus. Item in Cronica Mariae Scoti, Rogeri de Hoveden, Willielmi de Malmesbur. & Henrici de Huntingdon in multis libris invenitur, Quod Anno Domini 1094. Malcolmus Rex Scotorum interfecit unum cum Edwardo primogenito in Northumbria per Morellum Militem strenuissimum, Scoti elegerunt Dovaldum fratrem ejusdem Malcolmus in Regem: Quo audito, Dancanus filius Malcolmus ad Regem Angliæ Willielmum, cuius tunc obses erat, accessit, et ut sibi patris sui concederet, postulavit, et etiam impetravit ab eodem, et sibi fidelitatem juravit, et sic ad Scotiam properavit, & Dovaldum patrem suum de regno Scotiarum expulit, & loco suo regnabit. Et anno sequenti dicto Dancano de loco perempto, dictus Dovaldus iterum regnum Scotiarum invasit; quem dictus Rex Willielmus de regno expulit, & Edgarum filium Malcolmus prædixi Regem Scotorum constituit. Item, in Cronica Henr. de Huntingdon in multis literis invenitur, Quod Anno Domini 1100. dicto Willielmo Ruffo Rege Angliæ successit Henr. senior frater ejus; Cujus regni anno septimo Edgarus Rex Scotiarum decessit: Cui successit Alexander frater ejusdem Edgarus de consensu Domini Regis Henrici. Item, in Cronica Mariae Scoti, Rogeri de Hoveden, & Henrici de Huntingdon invenitur, Quod anno Domini 1106. Rege Henr. seniore defuncto, successit eidem Rex Stephanus, cuius regni anno primo, cum à David tunc Rege Scotorum homagium peteret et fidelitatem, et ipse id ei facere recusavit, quia primus erat omnium Scotorum qui homagium et fidelitatem fecerat Matildi Imperatrici. Filius tamen ejusdem David Henr. nomine fecit homagium dicto Regi Stephano. Item, in Cronica Rogeri de Hoveden in multis libris invenitur, quod anno Domini 1154. Regi Stephano prædicto successit Henricus secundus filius Imperatricis, cuius anno regni sui 11. obiit Malcolmus Rex Scotorum, cui successit Willielmus frater ejus. Et anno dicti Regis Henrici vicesimo primo in crastino Coronationis Henrici filii sui fecit Rex Henr. pater Willielmum Regem Scotorum et David fratrem suum, et Comites et Barones regni Scotiarum debere homines filii sui Regis Angliæ, et jurare sibi fidelitatem contra omnes homines; solva tamen sibi fidelitatem suam, quam eidem prius juraverat. Item, anno Domini 1164. & regni dicti Henrici Regis patri vicesimo, dictus Willielmus Rex Scotorum rebellare incipiens venit in Northumbriam cum ingenti exercitu, & stragem magnam exercuit in populo; cui occurrentes Milites Comitatus Eborum apud Alnewyk ipsum ceperunt, & dicto Henrico Regi tradiderunt. Et anno Domini 1175. 15. Kal. Martii, Willielmus Rex Scotorum liber abire permittitur: & eodem anno trista die post assumptionem beate Mariæ Virginis, scilicet 17. Kal. Septembr. apud Eborum facta fuit hac conventio: & finis inter prædictum Henricum Regem Angliæ & prædictum Willielmum Regem Scotiarum. Cujus conventionis & finis in omnibus & per omnia tenor est talis.*

*Hæc est Conventio & Finis, quem Willielmus Rex Scotorum fecit cum Domino suo Domino Henrico Rege Angliæ filio Matildi Imperatricis. Willielmus Rex Scotorum devenit homo ligens Domino Regi Angliæ Henr. contra omnem hominem de Scotia & de omnibus aliis terris suis; & fidelitatem ei fecit ut ligio Domino suo, sicut alii homines sui ipsi facere solent. Et similiter fecit homagium Henrico Regi filio suo, salva fide Domino Regis patris sui. Omnes vero Episcopi et Abbates et Clerici terræ Regis Scotie et successores sui facient Domino Regi Angliæ sicut ligio Domino fidelitatem, de quibus habere voluerit, sicut alii Episcopi sui facere solent, et Henrico Regi filio suo et hæredibus suis. Concessit autem Rex Scotia, ut David frater ejus, & Barones, & alii homines sui Domino Regi Angliæ, Quod Ecclesia Scotiana totalem subjectionem amodo faceret Ecclesiæ Anglicanæ, qualem illi facere debet et solebat tempore Regum Angliæ prædecessorum suorum. Similiter Richardus Episcopus Sancti Andree, & Ricardus Episcopus Dunelm. & Galfridus Abbas de Dunfermelin. & Herbertus Prior de Goldingham concesserunt; Quod etiam Ecclesia Anglicana illud jus habeat in Ecclesia Scotiana, quod de jure habere debet; et*

2. Simeon Dunelmensis, Hist. An. 1093. col. 218. Flor. Wigorn. An. 1093. Hoveden Annal. pars prior, p. 463. 463. 464. Chron. Johan. Bromton, col. 937. 939. 995. Mat. Paris, & Mat. Westm. Annis 1090. 1092. H. de Knyghton, de Event. Angl. l. 2. c. 6. col. 2385. Hen. Huntingdon, Hist. l. 7. p. 379. Chron. Johan. Bromton, col. 1003. Simeon Dunelmensis, Hist. col. 254. 258. Ricardus Prior Hagustaldensis, de Gestis Regis Stephani col. 312. Chron. Johan. Bromton, col. 1014. Henr. de Knyghton, de Event. Angl. l. 2. c. 9. 10. col. 2384. 2385.

n Roger de Hoveden, Annal. pars posterior, p. 545. 546. Henr. de Knyghton, de Event. Angl. l. 3. c. 5. col. 2486. Mar. Westm. Anno 1175. p. 52. Mar. Paris. Hist. Angl. p. 124.

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et quod ipsi non erunt contra ius Ecclesie Anglicane. Et deficiunt ligiam fidelitatem Domino Regi Anglia & Henrico filio suo fecerunt, eos inde asscuraverunt. Hoc idem facient alii Episcopi et Clerus Scotia per conventionem inter Dominum Regem Anglia, et Regem Scotia, et David fratrem suum et Barones suos factam, Comites etiam & Barones et alii homines de terra Regis Scotia, de quibus Dominus Rex Anglia habere voluerit, facient ei homagium contra omnem hominem, et fidelitatem ut ligio Domino, sicut alii homines sui ei facere solent; & Henrico Regi filio suo et heredibus suis, salva fide Domini Regis patris sui. Similiter heredes Regis Scotia, et Baronum et hominum suorum homagium et ligeantiam facient heredibus Domini Regis Anglia contra omnem hominem. Præterea, Rex Scotia & homines sui nullum amodo fugitivum de terra Domini Regis Anglia pro feloniam receptabunt in Scotia vel in alia terra sua, nisi voluerit venire ad rectum in Curia Domini Regis Anglia, et stare iudicio Curie sue; sed Rex Scotia & homines sui quancumque poterunt eum capient, et Domino Regi Anglia reddent, vel Justiciariis aut Ballivis suis in Anglia. Si autem de terra Regis Scotia aliquis fugitivus fuerit pro feloniam in Anglia, nisi voluerit venire ad rectum in Curia Domini Regis Scotia, vel in Curia Domini Regis Anglia, et stare iudicio Curie, non receptabitur in terra Domini Regis Anglia, sed liberabitur hominibus Regis Scotia per Ballivos Domini Regis Anglia, ubi inventus fuerit. Præterea homines Domini Regis Anglia habebunt terras suas quas habebant, et habere debent de Domino Rege Anglia, & de Rege Scotia et de heredibus suis. Et homines Regis Scotia habebunt terras suas quas habebant & habere debent de Domino Rege Anglia & de hominibus suis. Pro ista vero conventionem et sine firmiter observanda Domino Henrico Regi Anglia et Henrico filio et heredibus suis à Rege Scotia et heredibus suis, liberavit idem Rex Scotia Domino Regi Anglia Castellum de Roxburgh, et Castellum de Berwyk, et Castellum de Jedburgh, et Castellum de Pothburgh, et Castellum de Striveling in misericordia Domini Regis Anglia; Et ad custodiendum castella illa assignavit Rex Scotia de redditu suo mensuraliter ad voluntatem Domini Regis Anglia. Præterea pro prædicta conventionem et sine exequenda, liberavit Rex Scotia Domino Regi Anglia David fratrem suum in obsidem et Comitem Dunelm, et Comitem Waldem, et Comitem Gilbertum, et Comitem de Argez, et Ricardum de Morvilla Constabularium et Neth. filium Willielmi, et Ricardum Comyn, et Walterum Corbet, et Walterum Olisard, et Johannem de Vaux, et Willielmum de Lyndesey, et Philippum de Colvill, et Philippum de Valognes, et Robertum Fremberd, et Robertum de Burneville, et Hugonem Giffard, et Hugonem Rydell, et Walterum de Bergh, et Willielmum de la Hage, et Willielmum de Mortimer. Quando vero Castella reddita fuerint, Willielmus Rex Scotia et David frater suus liberabuntur. Comites quidem et Barones prænominati unusquisque postquam liberaverit obsidem suum scilicet filium suum legitimum quem habuerit, et alii nepotes suos vel propinquiore sibi heredes, et Castellis (ut dictum est) redditis, liberabuntur. Præterea Rex Scotia et Barones sui prænominati asscuraverint, quod ipsi bona fide et sine malo ingenio sive occasione facient, quod Episcopi et Barones et homines terrarum suarum, qui non assuerint quando Rex Scotia cum Rege Anglia finivit, eandem ligeantiam et fidelitatem Domino Regi Anglia et Henr. filio suo facient quam ipsi fecerunt; Et quod Barones & homines qui assuerunt obsides liberabunt Domino Regi Anglia de quibus habere voluerit. Præterea Episcopi, Comites & Barones conventionaverunt dicto Regi Anglia & Henrico filio suo, Quod si Rex Scotia aliquo casu à fidelitate Domini Regis Anglia, & filii sui, & à Conventionem prædictam recederet, ipsi cum Domino Rege Anglia tenebunt sicut cum ligio Domino suo contra Regem Scotia, donec ipse ad fidelitatem Domini Regis Anglia redeat. Prædictam itaque conventionem firmiter observandam bona fide & sine malo ingenio Domino Regi Anglia & Henrico filio suo & heredibus suis à Willielmo Rege Scotia, & David fratre suo, & à Baronibus suis prædictis, & ab heredibus eorum asscuraverit ipse Rex Scotia David frater suus & omnes Barones sui prænominati deficiunt ligi homines Domini Regis Anglia contra omnem hominem, & Henrici filii sui, salva fidelitate Domini Regis patris sui. Hiis testibus Ricardo Archiepiscopo Eborac, et Johanne Sarum Decano, et Roberto Abbate Malmesbur, et Radulpho Abbate de\* Mondsburgh, & Herberto Archidiacono Norhampton, & Waldo de Mundeburgh, & Rogero Capellano Regis, & Osberto Clerico de Camtra, & Ricar-



*An. 20 E. 1.* do filio Domini Regis Anglia Comite Piclavia, & Galfrido filio Domini Regis Comite Britannie, & Comite Willielmo Essex. & Hugone Comite Cestria, & Ricardo Humest Contabulario, & Comite de Molent. & Jordano Cassion, & Humfrido de Bohun, & Willielmo de Currey Senescallo, & Gilberto Malet Senescallo apud Falsiam.

Huius itaque vocitatis in Ecclesia Sancti Petri Eborum coram praedictis Regibus Anglia, & etiam Rege Scotiz & David fratre suo, & universo populo, Episcopi, Comites, Barones et Milites de terra Regis Scotia iuraverunt Domino Regi Anglia et Henrico filio suo et heredibus eorum fidelitatem contra omnem hominem sicut ligetis Dominis suis. Post hanc vero compositionem & finem, Anno Domini 1176. & regni dicti Regis Henrici vicesimo secundo, ad Concilium celebratum apud Norham pro-  
*o* nam venit Dominus Willielmus Rex Scotiz per mandatum Domini Regis Anglia, adducens secum omnes Episcopos, Abbates, Priores totius regni sui, anno vero sequenti proximo, idem Henricus Rex Anglia tradidit Castrum de Roksburgh in custodia Willielmo de Stotreville, & custodiam Castri Puellarum Rogerò de Stotreville, & custodiam Castri de Berewyk Galfrido de Neville. Anno vero regni eiusdem Henrici Regis vicesimo septimo, idem Willielmus Rex Scotiz venit in Normanniam per mandatum dicti Regis Domini sui, cuius ammonitione & consilio idem Rex Scotorum concessit Mathæo Episcopo Aberden, & Johanni Episcopo Sancti Andree, quos ipse de Scotia fugaverat, licentiam repatriandi. Hæc autem inveniuntur in Chronicis Rogeri de Hoveden in multis Libris. Et etiam in Chronicis eiusdem Rogeri quod Anno Domini 1189. dicto Regi Anglia Henr. successit Ricardus filius eius. Quo anno mense Decem-  
*p* br. venit Cantuariam idem Willielmus Rex Scotorum ad ipsum Regem Ricardum et homagium sibi fecit, cuius tempore Scoti non rebellaverunt. Item in Chronicis eiusdem Rogeri de Hoveden in multis libris invenitur, quod Anno Domini 1199. dicto Regi Ricardus successit Johannes frater eius, qui statim post Coronationem suam misit Philippum Dunolm. & Rogerum Bigod, & quosdam alios Nobiles ad dictum Willielmum Regem Scotorum cum literis Regis de salvo conductu, & statuit sibi diem veniendi apud Lincoln. in crastino Sancti Edmundi Regis. Quo die mensis videlicet Novembris, 8. Kal. Decembris, feria quinta, idem Rex Johannes Anglia & Willielmus Rex Scotiz conveniunt ad colloquium extra Civitatem Lincoln, super montem arduum, et ibi in conspectu omnis populi idem Willielmus Rex Scotorum debuit homo ligius praedicti Regis Anglia Johannis, et fidelitatem sibi iuravit super crucem Huberti Cantuar. Archiepiscopi de vita et membro et terreno honore contra omnes homines, et de pace servanda sibi et regno suo. Item in Chronicis Monasterii de Bridelington, & aliis quampluribus invenitur, quod Anno Domini 1209. mense Junii, apud Berewicum super Twedam idem Rex Anglia Johannes castrum construxit, & contra Willielmum Regem Scotorum exercitum suum copiosum congregavit ad bellandum eum pro eo, quod filiam suam desponsaverat Comiti Boloniæ præter assensum ipsius Regis Anglia Johannis. Et in Chronicis Monasterii de Kyngswede Wygorn. Dioc. invenitur, quod eodem anno pace inter ipsos Reges reformatæ, cito idem Rex revertebatur in Angliam, datus sibi duabus filiabus dicti Regis Willielmi in obsidibus. Item in Chronicis Monasterii Sancti Albani invenitur, quod Anno Domini 1216. dicto Regi Anglia Johanni successit Henricus filius suus, cuius regni anno tricesimo quinto, idem Rex Henricus cum Regina sua Anglia, & multitudine Prælatorum Anglia apud Ebor. congregati in festo Nativitatis Domini, tractarunt de Matrimonio contrahendo inter Alexandrum Regem Scotorum filium dicti Willielmi Regis, & Margaretam filiam dicti Regis Henrici. Et in die Sancti Stephani proximo sequente idem Rex Alexander dictam Margaretam solemniter desponsavit. Et eodem die fecit idem Alexander homagium dicto Regi Anglia Henr. Et commissæ est dicta Regina Scotiz tutela Roberti de Ros & Johannis de Balliolo, & etiam regnum Scotiz cum Rege Alexandro praedicto de consilio Magnatum utriusque regni. Item in quadam Charta Regis Scotiz Edgari filii Malcolmi facta Ecclesia Dunolm. inter cetera continetur: Quod idem Rex Edgarus recognoscit se possidere totam terram de Louneys et etiam Regnum Scotiz de dono Domini sui Willielmi Regis Angli. Et in carta Willielmi Regis Scotorum facta dicto Regi Anglia Johanni continetur: Quod idem Rex Willielmus concessit carissimo Domino suo Domino Johanni Regi Anglia, quod maritet dictum Alexandrum filium suum sicut hominem suum ligum, ubicunque deluerit ad fidem, ita quod non disparagatur. Et etiam similiter, quod quicquid de

*p* Roger de Hoveden. p. 550. Polychr. 17. c. 13. Hen. de Knyghton, de Eventibus Angli. l. 2. c. 12. col. 2356.  
*p* Roger de Hoveden. p. 662. Radulph de Dic. in Ymag. Hist. col. 649. Chron. Johan. Bromton. col. 1167. Mat. Paris, Hist. Angli. p. 119. Marb. Westm. An. 1189. p. 63.  
*q* Chron. Johan. Bromton. col. 1183. 1184. Henr. de Knyghton de Eventibus Anglia. l. 2. c. 14. col. 2414.  
*r* Mat. Paris, Hist. Angli. An. 1209. p. 218. Marb. Westm. p. 87.  
*f* Mat. Paris, p. 431.

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1290 contingat, idem Willielmus Rex Scotiz & Alexander filius suus, Henrico filio Regis Angliz Johannis tanquam ligto Domino contra omnes mortales fidem et fidelitatem tenebunt, et iurabunt eum pro viribus suis ad tenendum ipsum in Regno suo, salva fide sua qua predicto Regi Angliz Johanni tenebantur. Item in quibusdam literis Apostolicis sub nomine felicis recordationis Domini quondam Honorii Papa tertii conceptis, & ipsius bulla plumbea more Romanz Curie pendens, bullatis, inter cetera continentur; Ad hac Regi Scotorum ipsum Regem Angliz Dominum suum nequiter impugnanti, ac propter hoc excommunicationis vinculo innodato, &c. Item, & in quibusdam aliis literis Papalibus sub nomine felicis recordationis Domini quondam Gregorii Papa noni conceptis, & bulla sua plumbea more Romanz Curie pendens, bullatis Regi Scotiz directis, similiter inter cetera continentur; Quod jamdudum inter clara memoria Henricum avum, & Johannem patrem Regis Angliz ultimi ex parte una, & Willielmum Regem Scotorum ex altera, Compositio amicabile intercessit, per quam ipse Willielmus predictis avo & patri & eidem Regi Angliz, ac Alexander Rex Scotiz filius ejusdem Willielmi Regibus Angliz Johanni & Henrico ligium homagium, et fidelitatem fecerunt, quz tenentur successores eorum et Comites et Barones Regni Scotiz ipsi et suis successoribus exhibere, ac Comites et Barones esse cum Regibus Angliz contra Reges Scotiz, si compositionem eandem fortitan non serbarent. Item, idem Gregorius similiter in suis literis sub nomine suo conceptis, & bulla sua plumbea more Romanz Curie pendens, bullatis, inter alia scribit Archiepiscopo Eborum, & Episcopo Carleolen. quod moneant et inducant dictum Regem Scotiz supradictam amicabilem Compositionem observare. Item, ad hac in aliis ejusdem Papa Gregorii noni literis dicto Regi Scotiz directis inter cetera continentur; Quod cum idem Rex Scotiz homo ligius sit ipsius Henrici Regis Angliz, et eidem fidelitatis preestiterit juramentum, quo se principaliter stringit, quod in ipsius Regis Angliz et regni sui detrimentum nihil penitus debeat attemptare, &c. Item, Clemens Papa scribens Henrico Regi Angliz pro Johanne Episcopo Sancti Andree expulso ab Episcopatu suo per Regem Scotiz, inter cetera sibi mandat, quod Willielmum Regem Scotiz moneat & inducat, et si necesse fuerit, districtione Megali, qua ei preeminet et concessa fuit Regis Celsitudinis potestate compellat, ut dicto Episcopo omnem rancorem remittat, ipsumque Episcopatum suum habere permittat in pace. Item, in quodam libro de vita & miraculis beati Johannis de Beverlaco, quz sunt per Romanam Curiam approbata, similiter inter cetera reperitur. Regnante incito Rege Adelstano viro Catholico qui Monarchiam totius Angliz tenuit, Scotorum Rex cum suis transito flumine qui dividit Angliz regnum a Scotia, capis depopulare villas, homines exterminare, agros aspradare, & (ut verum fatear) totam regionem in exterminium conabatur deducere in Septentrionali parte Angliz. Quod cum fama volente prefatus Rex compertisset, congregato exercitu statim (quam citius enim potuit) armata manu ei occurrere. Provisisque interim necessariis propositum carperet iter. Cumque in provincia Lincoln. devenisset, quidam evanescentes tam pauperes quam mediocres obvii sibi facti sunt; Quos cum interrogasset, qua esset causa tanti gaudii, & unde venirent? responderunt, quod de Beverlaco venirent, ubi sanctum Johannes Confessor quosdam ex eis variis infirmitatibus oppressos gratia Dei sanos effecerat, & hac erat causa tanta letitia. Et inde progrediens iterum alios catervatim venientes obvios habuit; quos cum similiter requisivisset, unde venirent? Illi vero responderunt, quod de Beverlaco ubi quosdam ex eis vel mutos, vel elandos, cecos vel surdos mira Deipotentia sanctus Dei Confessor sanaverat. Cumque Rex venerandum hunc Confessorem in tanta veneratione habitum, & per Deum tanta operari valuisse compertisset, habito consilio cum suis, dixit se debere talem patronum adire, ut sibi in instanti negotio subveniret. Transmisitque suum exercitum per occidentalem regionem versus Eborum, ut cum ibi prastolarentur, ipse vero transito flumine Humbre venit Beverlacum, procumbensque in oratione in Ecclesia coram Altare in presentia reliquiarum venerandi confessoris, devoto animo prolixius orabat. Exurgensque deinde ab oratione coram adstantibus tam Clericis quam Laicis & ascultantibus, talem orationem exorsus est, dicens. O gloriose Confessor Johannes qui tot virtutibus & signis refulges (ut fama refert) precor te ut mihi subvenire digneris per intercessionem tuam apud Deum in instanti negotio, ut inimicorum infestationem pernociam, te patrocinante, exsuperare queam. Et continuo extrahens cultellum suum de vagina posuit super altare, dicens; Ecce vadium meum coram te pono, quod te auxiliante vita comite rediens recipiam, ita quod Ecclesiam



*An. 20 F. 1.* Ecclesiam tuam honorificabo & redditibus augebo, si Dei nutu tuoque suffragio hostes debellare quivero. Custodes vero Ecclesia qui aderant, suggererant sibi, ne signum aliquod inde secum in monumentum asportaret. Et fecit quoddam vexillum sibi de eadem Ecclesia proferri, consignans se ad suum exercitum reversus est. Cumque Scoti audissent Anglorum exercitum advenire, non sunt ausi eos in finibus eorum expectare, nec campestri bello eis resistere, sed transfretaverunt Flumen quod dicitur Scotorum vadium, ut ibi infra proprios terminos securius se in bello ad resistendum parare possent. Rex vero Adalstanus cum omni exercitu Angliæ, cum ad Flumen pervenisset, edixit Scotos transisse, & praecepit suis super ripam fluminis sua tentoria figere, ibique aliquantulum pausare. Subsequentis nocte quiescentibus cunctis cum suo Rege, talis visio eidem Regi apparuit ceteris dormientibus, & omnino ignorantibus. *\*Videbatur enim ei, quod quidam Pontificali habitu indutus coram se adstaret, sibi que diceret; Adalstane Rex, fac tuos in crastinum præparari, ut transeant flumen illud ad debellandum contra Scotos. Cumque interrogaret Rex, Quisnam esset qui talia sibi diceret? Respondit qui astabat, quod ipse esset Johannes, eius precibus expetierat se protegi, cum Beverlaci in ejusdem Ecclesia oraret. Subinde statim intulit; Noli timere cum exercitu transire armato; nam debellabis eos; hoc enim tibi nunciare veni. Mane itaque facto curavit Rex suis visionem patifacere, & de victoria certificare. Qui latentes animati sunt ad certamen; & transfretare flumen. Scotos vero invenerunt cum suo Rege paratos ad resistendum. Commissoque gravi prælio, multi ex Scotis perierunt, vivus autem vix ipsorum Rex effugit ad totius regni confusionem & desolationem. Quo viso, Rex Angliæ laus effectus gratias Regis Deo, venerandoque Confessori, videlicet Johanni suo intercessori, totumque regnum continuo suo subjugavit imperio, continens & perlustrans cunctam illius terra provinciam, principes & præpositos urbium, indicens eis, ut tributa sibi suisque successoribus, scilicet Angliæ Regibus, ex debito persolverent. Septem etiam Insulas adiacentes etque vicinas sibi servire compulit; et tam diu in istis partibus commoratus est, quod jam tres anni finirentur. Jamque revertens per loca maritima juxta Danbar vidit Scopulos prominere. Aspexit, taliaque suspirans eloquia protulit, dicens; Si Deus, interveniente beato Johanne mihi aliquod signum evidens facere permittat, quatenus tam succedentes quam præsentis cognoscere possent Scotiam Anglorum regno jure subjugari utpote devictam ab Adalstano Rege, sibi que et suis successoribus tributum omni tempore debere persolvere, non immerito illi devotè gratias agerem. *\* Extrahens gladium de vagina percussit in scilicem, qua adeo penetrabilis (Dei viriute agente) fuit gladio, quam si eadem hora lapis butyrum esset, vel molli glarea, qui lapis ad istum gladii ita concavatur, ut mensura ulna longitudine possit coaptari, et usque ad præsentem diem evidens signum patet, quod Scoti ab Angliis debiti et subjugati, monumento tali evidenter cunctis adeuntibus demonstrante. Item, de homagio Domino Regi Angliæ debito de terra Galwydiæ subscripta inveniantur; anno Domini 1185. mense Augusto apud Carleolum, Rolandus Galwydiæ Dominus, illic, ut jussu fuerat, Domino Regi occurrens, in deditionem sponte venit; veritatem tamen (ut creditur) exercitus multitudinem quam ad debellandum cum Rex ipse adduxerat, nisi maturius captam contumaciam reliquisset. Accepit itaque homagio ipsius Rolandi de Gawydia, simul et Comitibus David fratris Willielmi tunc Regis Scotiæ de omnibus terris, quæ tenebat, demisitque Rex exercitum suum & in Angliam cessavit. Anno regni Regis Henrici viceimo secundo Gilbertus filius Fergus princeps Galwennorum venit in Angliam in conductum Regis Scotiæ, et debent homo ligatus Henrici Regis patriæ, et fidelitatem sibi jurabit contra omnes homines. Et pro amore ipsius habendo, dedit Regi mille marcas argenti, et Duncanum filium suum in oblidem, de pace sibi servanda.**

*\* Ethelredus Abbas, de Genealogia Regum Angl. col. 357.*

*\* Chron. Johann. Bromton, col. 838. Henr. de Knyghton de Eventib. Angliæ, l. 3. c. 4. col. 2454. 2485.*

*Anno Domini & Indictione prænotatis, mensis Junii die secundo (after this Historical Declaration of the Kings Superior Dominion to Scotland made and published,) congregatis ex opposito Castri de Norhm. Dunolm. Dioc. ex alia parte fluminis de Tweda in quadam area viridi, in parochia de Upseltington Sancti Andree Dioc. præfatis Episcopis, Prælatisque aliis Ecclesiasticis disti regni Scotiæ, una cum Comitibus, Baronibus, aliisque Nobilibus de communitate disti regni, necnon & Nobilibus viris, suis ad dictum regnum vendicantibus, præfatus Rex Angliæ illustris in dicto Castro de Norhm. existens, venerabilem in Christo patrem Dominum Robertum Dei gratia Bathon. & Wellen. Episcopum, ponensque verba sua in ore ipsius, ipsum ad subscripta*

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scripta organum suum constituens, prefatus Episcopus, Prælatique alii Ecclesiastici Comitibus, Baronibus & Nobilibus de communitate dicti regni Scotiæ destinavit. Qui cum ad ipsos venisset, statim quævisit ab eisdem nomine, et vice, ac de mandato speciali dicti Regis Angliæ, ut dicebat, quid jam super dilatione superscripta, quam alias, ut præmittitur, a dicto Domino Rege Angliæ petierant, et eisdem concessa fuere ut petebant per eundem, fecissent; & hoc vicibus iteratis, et an aliqua dicere, exhibere, proponere, vel etiam ostendere voluissent, quæ ipsum Dominum Regem Angliæ a jure Superioritatis et directi Domini regni Scotiæ, ejusque exercitio et executione excludere poterant et de jure debebant, et quod ea, secundum quod dies deliberabat, proponerent et etiam exhiberent, si sibi crederent expedire: protestans se peratum esse nomine dicti Regis Angliæ et velle ea benigne audire, et ipsa quatenus justum fuerit allocare, vel ea Domino Regi Angliæ suoque consilio referre; ut ipse super hiis, quid de jure faciendum fuerit, deliberare valeret, et facere, quod iustitia requirebat; Ipsique licet pluries super hoc requisiti, omnino tacentibus, nihilque dicentibus, exhibentibus, ostendentibus, vel etiam proponentibus, eisdem ex parte dicti Domini Regis Angliæ & ejus nomine, subscripta sibi injuncta dicenda (ut dicebat) organo vocis suæ (sermone tamen Gallico) dixit & exposuit, hunc tamen habentia sententialiter intellectum.

Excellentissimus Princeps & Dominus noster, Dominus Edwardus Dei gratia Rex Angliæ illustris, Superior et directus Dominus regni Scotiæ, desolatum statum ejusdem perpendens, & ex Principis sive Regis sui destitutione condolens, & pericula, quæ etiam regno huius diebus per dissensiones Magnatum ejusdem, quorum quilibet jus successionis sibi competere vendicat, & super hoc ad invicem contentiunt, provenire poterunt, considerans: ob affectionem zeli & desiderium boni, quod habebat & habet ad dictum regnum & incolas ejusdem, & præcipue ad ipsos quorum tutio & defensio ad eum spectare dinoscitur, & ut discordantes ad concordiam reducat, lites, quæstiones & jurgia, quæ inter Nobiles prædictos jus ad idem regnum sibi competere vendicantes, audiret & sine debito terminaret, & tranquillitatem & pacem in dicto regno conservaret, & unicuique petenti iustitiæ faceret complementum, nuper nonnullos regni Scotiæ Episcopos, Prælatosque alios, Comites, Barones, & Nobiles alios in multitudine copiosa convocavit; & per suas eorum tenoris literas mandavit eisdem, ut in quindena Pascha proximo præterit, apud North. Danelm. Dioc. in confinio Angliæ & Scotiæ regnorum convenirent cum ipso, super quibusdam ipsos & statum regni Scotiæ tangentibus tractaturi; ad quem locum in termino statuto se significabat personaliter declinaturum. Quo termino adveniente, ipsoque Domino nostro Rege in loco prædicto existente, vos Episcopi, Prælatique alii Ecclesiastici, Comites, Barones, & Nobiles alii dicti regni Scotiæ juxta formam & effectum mandati Domini Regis vobis directi ad eundem locum accedentes, requisitionem quandam recognitionis benivolæ juris sui Superioritatis et directi Domini regni Scotiæ, quod suum esse dicebat, et in cuius possessione, vel quasi progenitores sui Angliæ Reges, a tempore cuius contrarii memoria non extitit, fuerint, et adhuc ipse est, quod per nonnullas rationes evidentissimas et per scripturas antiquas approbatas, processus atque cronicas in diversis utriusque regni Monumentis compertas, certa que alia documenta ebidenter et sufficienter vobis ibidem ostendebat, et ostendere semper est paratus: tamen ex habundanti vos reconvulsit, ut ipsum superiorem et directum vestrum Dominum recognosceretis, et eisdem sicut antecessores et progenitores vestri suis antecessoribus et progenitoribus Angliæ Regibus fecerunt, pareretis, sicut decet; adjiciensque, quod si qua haberetis, quæ ipsum a jure suo prædicto Superioritatis et directi Domini hujusmodi exercitio seu executione ejusdem excludere de jure possent vel deberent, et rationes suas et documenta pro jure suo adducta per validiora et efficaciora enervare vel etiam infirmare, quod paratus erat ea benigne audire, admittere et approbare, quatenus de jure fuerant approbata et etiam allocanda; Quia requisitione vobis (ut præmittitur) facta, vos terminum sive diem sufficientem ad consulendum Episcopos aliosque Prælatos Ecclesiasticos, Comites, Barones, et alios Nobiles ac communitatem regni Scotiæ tunc absentes petebatis, et ad hoc faciendum, et ad exhibendum, ostendendum et proponendum munimenta vel scripta, seu alia quævis documenta si quæ haberetis, quæ ipsum Dominum nostrum Regem a jure suo prædicto repellere possent, et rationes et jura pro se adducta enervare, vel etiam per



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valida et efficacia infirmare, ad vestram instantem petitionem precise et pre-  
renuunt obtinuisse, et diem hodiernum vobis ad hoc (ut permittitur) concessum,  
perpetuum et assignatum admittitis; Quosque iam in isto termino peremptorio plu-  
res nomine et vice ipsius Domini nostri Regis Anglia, et ex parte sua per nos  
Robertum Bathon. et Wellen. Episcopum requisiti, nihil omnino proponitis, nec  
ostenditis, nec aliquis vestrum contra premissa pro jure suo adducta et vobis ostensa  
proponit vel ostendit. Idcirco vobis omnibus et singulis tam Episcopis, Prela-  
tisque obis Ecclesiasticis, quam Comitibus, Baronibus, Nobilibus et Magnatibus  
aliis de Communitate dicti regni Scotie his congregatis, idem Dominus noster  
Rex Anglia per nos Robertum Bathon. et Wellen. Episcopum insinuat et denunciat  
quod cum ex parte vestra per vos vel vestrum aliquem nihil sit propositum, exhibi-  
tum vel ostensum, quod Ius, executionem seu exercitum Juris sui iustissimi Superio-  
rioris et directi sui Domini predicti debeat aliquo modo impedire; Intentionis  
sue est jure suo predicto uti, et in ipso negotio inter contendentes de jure  
successionis regni Scotie procedere, ratione Superioritatis et directi Domini, quod  
est suum, ad cognoscendum, discutendum et diffiniendum singulariter de jure sin-  
gulorum Ius ad dictum regnum Scotia sibi competere vendicantium, et eorum uni-  
cuique iustitiam facere complementum. Idcirco ex parte dicti Domini nostri Regis  
Anglia et de ipsius mandato speciali, incipiendo a vobis Domino Roberto de Brus  
Domino Vallis Anandie, qui inter alios jus succedendi in regnum Scotie sibi compe-  
tere vendicantes, jus vobis competere dicitis, interrogando quzimus hic in pre-  
sentia istorum Prelatorum, Comitum, Baronum, et aliorum Nobilium utriusque  
regni hic existentium, an super petitione Juris vobis competentis ad dictum reg-  
num belitis coram ipso Rege Anglia, utpote Superiore et directo vestro Domino regni  
Scotie, stare juri, et ab eo petere, respondere et recipere iustitiam complementum?  
Qui statim publice, palam & expresse in presentia omnium & singulorum ibidem presen-  
tium, meique Notarii infrascripti respondens dixit organo vocis sue, nemine contradi-  
cente, vel reclamante, quod Dominum Regem Anglia recognovit Superiorem et  
directum Dominum dicti regni Scotie, et concessit se belle stare juri coram ipso su-  
per jure sibi competenti ad regnum prelatum, et ab ipso et coram ipso, utpote Su-  
periore et directo Domino suo regni Scotie, petere, respondere et recipere in hac par-  
te iustitiam complementum. Quo facto idem Pater Bathon. & Wellen. Episcopus, ad  
nobilem virum Dominum Florentium Comitem Hollandie se convertens, ab eodem nomine  
& mandato speciali ipsius Regis Anglia, ut supra a dicto Domino Roberto de Brus,  
& eodem modo quaesivit & etiam interrogavit; Qui sicut Dominus Robertus de Brus  
in omnibus et per omnia organo vocis sue statim respondit; ipsumque dictum Re-  
gem Anglia Superiorem et directum Dominum regni Scotie palam et expresse re-  
cognovit, et concessit se belle stare juri coram ipso, utpote coram Superiore et di-  
recto Domino Scotie, super jure sibi competenti ad regnum Scotie prelatum,  
et ab eo et coram eo petere, respondere et recipere in omnibus et per omnia, quod  
consideratum sibi fuerit in hac parte. Eodem modo idem Episcopus statim ibidem a  
nobili viro Domino Johanne de Hallinges nomine dicti Domini Regis Anglia, & de ip-  
sius mandato speciali, ut supra, interrogando quaesivit ibidem, an ipse super jure sibi  
competenti ad ipsam regnum Scotie vellet stare juri coram dicto Domino Rege Anglia,  
ut Superiore et directo Domino regni Scotie, et ab ipso et coram ipso petere, respon-  
dere et recipere in omnibus, quod Curia sua consideraverit? Qui statim palam &  
expresse organo vocis sue recognovit eundem Regem Anglia Superiorem et di-  
rectum Dominum ipsius regni Scotie, et concessit se belle stare juri coram ipso super  
jure sibi competenti ad ipsum regnum, et ab ipso et coram ipso petere, respondere  
et recipere quod est iustum. Ad hac statim ibidem nobilis vir Dominus Patricius de  
Dunbar Comes de Marchia, & Nobiles viri Dominus Willielmus de Ros, & Domi-  
nus Walterus de Muntrecome Procur. seu Attornatus Domini Willielmi de Vesey pro  
ipso Domino Willielmo, Robertus de Pinkny, & Dominus Nicholaus de Coules Me-  
lites, eorum quilibet per se petit admitti in petitione juris, quod quilibet se habere  
debebat ad succedendum in ipsam regnum Scotie; Qui inquisiti ut supra, & inter-  
rogati per eundem Bathon. & Wellen. Episcopum, quilibet eorum singulatim per se,  
an vellet stare juri super petitione juris, quod se habere credebat in successione dicti  
regni Scotie, et petere, respondere et recipere coram ipso et ab ipso tanquam Su-  
periore et directo suo Domino ipsius regni, quod consideratum sibi fuerit in ebe-

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tu: responderunt palam & expresse singillatim, sicut interrogabantur, coram omnibus ibidem presentibus Nobilibus et Prelatis, nemine contradicente vel reclamante, quod ipsum Dominum Regem Angliæ superiorem et directum Dominum dicti regni Scotiæ recognoverit, et se velle stare juri coram eo super jure successoris, quod sibi competere credebant ad regnum prædictum, et ab ipso et coram ipso petere, respondere et recipere quod Curia sua eis considerare voluerit in euentu. Insuper Nobilis vir Dominus Thomas Ranulphi Miles, Domini Johannis de Balliolo absentiam Domini sui excusavit, & dixit, Dominum suum præfixionem seu assignationem illius diei ad faciendum ea quæ tunc fiebant totaliter ignorare; & dicitur, dictum Dominum suum in successione juris ad dictum regnum Scotiæ præ omnibus aliis petentibus pinguis jus habere, et petiit se admitti nomine Domini sui, et Dominum suum in personam suam ad petendum jus suum inter alios ibidem, et ipsum Dominum suum in crastino in personam propriam admitti, et audientiam debitam super jure sibi competenti ad idem regnum eidem concedi. Acta ex opposito Castri de Northm. ut præmittitur, anno, indictione, mense, die & loco proximo prænotatis. Presentibus venerabilibus in Christo patribus Dominis Deo gratia Antonio Dunelm. Willielmo Elien. Willielmo Sancti Andree, Roberto Glasuen. & Marco Soderensi Episcopis; ac Nobilibus viris Dominis Willielmo de Valenc. Penbrok. Henrico de Lacy Lincoln. Rogero Bigott Northfolch. & Mariscallo Angliæ, Dovenaldo de Mar, Gilberto de Anegoz, & Roberto de Brus de Caryk, Comitibus; ac venerabilibus & discretis viris Magistris Henr. Ebor. Johanne Lichf. Thoma Wellen. & Andree Exon. Ecclesiarum Decanis; Willielmo Ebor. Waltero Wellen. Petro Exon. Thom. Suthfolch. in Ecclesia Norwicen. Durando Stoneie in Ecclesia Lincoln. & Roberto Cestrix in Ecclesia Lich. Archidiaconis; ac Nobilibus viris Dominis Theobaldo de Verdon. Thom. de Berkle. Hugone le Despenfer, Waltero de Bello Campo, Willielmo de Sancto Claro, Patricio de Graham, Willielmo de Moravia, Ricardo Syward, Galfrido de Moubray, Mich. de Wymes, Waltero Curry, & Willielmo de Monte Revelli, Militibus; ac Magistro Johanne Erturi de Cadomo Notar. public. testibus ad præmissa vocatis specialiter et rogatis, cum aliis utriusque regni Nobilibus et Prelatis, militibus et Proceribus aliis, Clericis et Laicis in multitudine copiosa.

Anno Domini & Indictione prænotatis, dicti mensis Junii, die tertia, congregatis in loco proximo superscripto dicti regni Scotiæ Nobilibus & Prelatis, sicut die proximo præcedenti, accessit ad ipsos ex parte dicti Domini Regis Angliæ venerabilis pater Dominus Bathon. & Wellen. Episcopus, in cuius ora idem Rex (sicut alias) verba sua posuerat, ipsum organum suum constituens, eisdem eadem, qua die proximo præcedenti, nomine dicti Regis intimavit, & qua fiebant coram ipsis iterato recitavit per ordinem seriatim. Et quia Nobilis vir Dominus Johannes de Balliolo, qui alius diei hesternæ non interfuit, nunc præsens erat ibidem, et se dicebat præ omnibus aliis regnum Scotiæ petentibus pinguis jus habere, petens se cum effectu ad prosecutionem juris sui inter alios admitti, et audientiam debitam sibi concedi; ad interrogationem dicti patris sibi ex parte Domini Regis Angliæ factam, an vellet stare juri coram ipso Domino Rege, ut superiori et directo Domino regni Scotiæ, et ab ipso et coram ipso petere, respondere et recipere iustitiam complementum? Respondit sicut & ceteri Nobiles superscripti, recognoscens palam organo vocis suæ, dictum Dominum Regem Angliæ superiorem et directum esse Dominum dicti regni Scotiæ, et se velle coram ipso gratanter stare juri, et petere, respondere et recipere in omnibus ipsam tangentibus quod iustitia suaderet. Quibus sic factis, ex parte dicti Domini Regis idem Pater præcepit eisdem omnibus & singulis tam Nobilibus quam Prelatis, & aliis de Communitate regni Scotiæ ibidem congregatis, quod statim ad Ecclesiam parochialem de Northm. accederent, & coram Domino Rege convenirent, voluntatem suam audiri. Quibus coram ipso Domino Rege (ut præmittitur) in dicta Ecclesia parochiali de Northm. congregatis, venerabilis pater Dominus Bathon. & Wellen. Episcopus ibidem ex parte Domini Regis ipsiusque nomine, vice et mandato, eadem verba qua die prox. præcedenti coram ipsis recitavit (lingua tamen Gallica) hunc habentia sententialiter intellectum.

Serenissimus Princeps & Dominus noster Dominus Edwardus Dei gratia Rex Angliæ illustris, superior et directus Dominus regni Scotiæ, desolatum statum ejusdem perpendens, & ex principis destitutione turbatum considerans, & nonnulla



*An. 20 E. 1.* pericula quæ eidem regno per dissensiones Magnatum ejusdem, qui jus sibi vendicant successione ad illud, & etiam se habere contendunt, poterunt pervenire, ob affectionem & zelum quem habebit & habet erga dictum regnum & ipsius incolæ, & præcipue ad universos & singulos, quorum tutio & defensio ad eum spectare dinoscitur; & ad faciendum cuilibet petenti justitiæ complementum, & tranquillitatem & pacem inter regnicolas & Nobiles prædictos contententes conformandam, nuper nonnullos Episcopos, Prælatosque alios Ecclesiasticos, Comites, Barones & Nobiles dicti regni *Scotia*, (sicut pluries coram vobis recitavimus) ipsius nomine & pro ipso fecit per suas certi tenoris literas ad locum istum in confinio regnorum scituatum (ut vestris parceret laboribus & expensis) congregari, ibidemque suum *Parliamentum* statuit & indixit; ad quem locum in termino statuto sicut promisit personaliter declinavit, sicut nobis. Cumque inter alia in dicto *Parlamento* dicti, ex parte Domini nostri Regis petitio quædam vobis ex habundanti facta fuisset, de recognitione vestra benivolentia *Superioritatis* et directi *Domini* regni *Scotia*, quod suum est, sicut per nonnullas rationes manifestas et certa documenta et munimenta quamplura vobis ostendebat, in cujus possessione juris vel quasi progenitores sui *Angl.* Reges a tempore cuius contracti memoria non existit fuerint inconcussa. Ad quam petitionem respondere illa vice distulistis, petentes cum effectu diem vobis concedi ad deliberandum & consulendum cum absentibus dicti regni Nobilibus ac Prælati, ac Communitate ejusdem regni, super responsione facienda dictæ petitioni; ac ipse vestris precibus inclinatus diem hesternum, vobis concessit, statuit & præfixit ad tractandum, deliberandum & consulendum cum dictis absentibus Nobilibus & Prælati, ac Communitate prædicta super præmissis, & illo die præcisè & peremptoriè respondendum petitioni memorata, ulteriusque eodem die proponendum, exhibendum & ostendendum jura scripta, rationes, munimenta, & alia quævis documenta si quæ haberent, per quæ possent ipsum *Dominum* nostrum Regem a jure suo prædicto *Superioritatis* et directi *Domini* hujusmodi excludere, et rationes et jura pro se adducta per validiora infirmare; vosque in termino vobis ad præmissa statuto et prædicto hesternæ die videlicet, infirmul congregati, et per nos ex parte Domini nostri Regis, et de ipsis injuncto speciali vobis iteratis et hodie in eodem loco quo heri interrogati, quidnam super dicta dilatione quam petebatis fecissetis: et, an aliqua dicere, proponere vel erubere velletis, quæ ipsum *Dominum* nostrum a jure suo prædicto repellere possent, aut de jure deberent; nihil omnino dixistis, proposuistis vel exhibuistis. Quare idem *Dominus* noster Rex adhuc vobis omnibus et singulis hic præsentibus, sicut pluries per nos insinuari fecit et denunciari: ita in præsentiarum coram ipso vobis insinuat et denunciari, quod intentionis suæ est, dicto jure suo uti, et in ipso negotio inter contententes procedere jure *Superioritatis* et directi *Domini* hujusmodi quod est suum, ab cognoscendo, discutiendo et distinguendo de jure singulorum jus ad dictum regnum *Scotia* vendicantium. Et quia quidam dicti regni Nobiles, & etiam al unde de jure successionis hujusmodi contententes, hesternæ die & hodierna, per nos ex parte Domini nostri Regis, & de ipsius mandato speciali interrogati fuissent singillatim, eorum quilibet per se in præsentia Prælatorum et Nobilium virtutisque regni, et aliorum quamplurium de Communitate regni *Scotia* ibidem præsentium, an super jure successionis, quod se credebant habere ad dictum regnum *Scotia*, vellent stare juri coram *Domino* nostro Rege *Anglia* tanquam *superiori* et directo *Domino* ejusdem regni, et ab ipso et coram ipso petere, respondere et recipere quod justum fuerit in eventu; ac dicti Nobiles palam et expresse coram ipsis Nobilibus et Prælati, ac aliis de Communitate dicti regni *Scotia*, nemine contradicente vel reclamante, recognoverunt organo vobis dictum Regem *Anglia* *superiorem* et directum *Dominum* regni *Scotia*, et concesserunt, se velle gratanti animo stare juri coram ipso, uti ore *superiori* et directo *Domino* dicti regni *Scotia*, et ab eo et coram eo petere, respondere et recipere in omnibus et per omnia super jure sibi competenti ad dictum regnum quod justitia suaderet. Unde nos præmissa & eorum singula omnibus & singulis utriusque regni Nobilibus & Prælati, ac aliis hic præsentibus, ex parte ipsius Domini nostri Regis hic in sua præsentia & nomine suo dicimus, quod in summa, hoc est intentionis et voluntatis suæ stœdium, quod dissensionum et discordiarum omnimodarum sublatis mareritis, pax et tranquillitas in ipso regno vigeat, et ipsi incolæ omnino auxilio

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auxilio mediante, vera et firma concordia perseverant; nec intendit aliqua super  
 quædam occupare minus iuste, nec aliquis iustitiam protelare, vel libertates  
 aliquas diminueret aut infringere; sed omnibus et singulis petentibus, tanquam  
 superius et directus Dominus regni Scotia, exhibere et facere iustitiam complemen-  
 tum. Insuper & in parte ipsius Domini nostri Regis & suo nomine protestamus,  
 quod quævis ius superioritatis et directi Domini regni Scotia situum, et exer-  
 citum seu executionem ejusdem spectet ad eum, propter hoc non intendit se a jure  
 hereditario (si quod sibi competat) ad dictum regnum, quo ad proprietatem  
 ipsius excludere, licet utatur iure suo superioritatis et directi domini sui pri-  
 vati exhibendo illis iustitiam, sed etiam ius suum inter alios petentes dictum regnu-  
 m visis, modis et temporibus quibus de jure poterit prosecui, et sibi viderit expedire.  
 Ad hæc autem dictus Dominus Rex Anglia præmissa per præfatum Dominum Ba-  
 thon, & Wellen, Episcopum, suo nomine (ut præmittitur) recitata & dicta, sermone  
 Gallico ore proprio recitavit, dicens hæc verba vel huiusmodi hunc habentia senten-  
 tialiter intellectum.

Nos Edwardus Dei gratia Rex Anglia, et superior Dominus regni Scotia,  
 statum ejusdem solatum considerantes, & ex Principis seu Regis sui destitutione  
 multipliciter contrabatum, & varia perplexitate depressum condolentes, & propter dissen-  
 siones Magnatum ipsius ad dictum regnum se habere contendendum, ob affectionem &  
 ætatem quam habuimus & habemus ad ipsum regnum & ipsius incolas (sicut dicitur  
 Bathon, Episcopus coram vobis nostro nomine recitavit) & præcipue ad universos &  
 singulos quorum iustitia & defensio ad nos spectare dicitur, ac etiam pro pace dicti regni  
 & inhabitantium ejusdem, ad partes istas gressus nostros direximus, nostris non parcentes  
 laboribus nec expensis. Cumque vos Episcopi alique Ecclesiarum Prelati, Conites, Ba-  
 rones & Nobiles regni Scotia ad nostrum mandatum hic in termino vobis assignato  
 congregati, requisitionem quandam vobis ex parte nostra fallam, super recognitione  
 vestra ventibola nobis facienda de superioritate et directo domino regni Scotia  
 quod est nostrum; et in cuius possessione vel quasi progenitores nostri Anglie  
 Reges a tempore cuius contrarii memoria non existit, et nos adhuc existimus in  
 presenti; quod per rationes evidentissimas et manifestas, ac iura, certaque alia  
 documenta vobis nostro nomine sufficienter ostensa evidenter apparet, quæ ad-  
 dictis et etiam intellexistis vicibus iteratis. Ea propter, petimus sicut a vobis  
 nomine nostro, quod nos superioritatem et directum Dominum nostrum dicti regni  
 ex habundanti recognoscere, et nobis ut superiori Domino vestro (sicut iustum  
 est) parere, adiacendo, quod si aliquid haberetis contra nos aut ius nostrum  
 huiusmodi, quæ nos a jure nostro, exercitio seu executione iuris ejusdem excludere  
 possent, et rationes et iura pro nobis et iura nostra huiusmodi adducta et facienda,  
 per validiora et efficaciora infirmare; ea parati essemus quatenus iustum fuerit  
 admittere et facere super his, quod secundum Deum et iustitiam fuerit facien-  
 dum, vos autem præmissis plenius intellectis, diem ad consulendum cum absenti-  
 bus tunc Episcopis et aliis Ecclesiarum Prelatis ac Nobilibus, et Communitate  
 dicti regni super responsione facienda dictæ nostræ requisitioni cum instantia peto-  
 batis et obtinistis ad interim consulendum cum absentibus, et deliberandum  
 super præmissis, et respondendum, et ulterius precise et veremprose ostenden-  
 dum, exhibendum et proponendum munimenta vel scripta, aut alia quibus docu-  
 menta, si quæ haberetis, quæ nos a jure nostro huiusmodi excludere possent, et iura  
 pro nobis adducta per validiora et efficaciora infirmare; ac vos in dicto termino,  
 vobis ad hoc assignato, et per vos acceptato, convenientes, nihil contra pro-  
 positum, nec adhuc proponitis; nec vestrum aliquis proposuit aut proponit, quod  
 nos a jure nostro aut huiusmodi exercitio aut executione ejusdem excludere debeat  
 vel poterit, ut refertur. Nobis omnibus et singulis de Communitate ipsius  
 regni, sicut vestra de et hodierna per dictum Episcopum Bathon, notificari feci-  
 mus et denunciari nomine nostro, ita in presenti notificamus et denunciamus;  
 Quod intentionis nostræ est uti jure nostro, et in negotiis inter contententes de  
 iure successionis regni Scotia prælibati procedere jure superioritatis et directi  
 domini huiusmodi, quod est nostrum, ad cognoscendum, discutendum et diffini-  
 endum de jure singulorum ius ad regnum Scotia vendicantium quoquo modo.  
 Cumque prænominati Nobiles ius ad dictum regnum vendicantes per præfatum Episco-  
 pum Bathon, nostro nomine singillatim interrogati vicibus iteratis in præsentia Prela-  
 torum,